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**10 August 2023**

**Letter from Latin Elephant regarding the Elephant Park plot H1 Planning Inquiry**

(Please include a brief description here of Latin Elephant – what you are, when you started, etc.

**What was promised vs delivered // local community of business owners disproportionately affected**

During the last months prior to the closure of the Centre, there were around 80-90 small independent traders (made up of over 25 nationalities) trading inside the so-called 'red line'. Despite strong evidence presented by Latin Elephant, Southwark Council and Developers Delancey acknowledged around 70 independent businesses trading before closure. Following our advocacy work, nearly 50 displaced traders were relocated immediately after closure of the Centre in September 2020, 38 of these across 3 sites in Elephant and Castle.<sup>1</sup>

In the 3 years since the closure of the Centre, 6 of these 38 businesses have closed. Around 30 of those still in business report a severe and sustained drop in custom and earnings, making their future in the area uncertain. Businesses have been forced out or are or struggling to remain in the area in large part due to a lack of promised "sensible provision".<sup>2</sup> To be more specific, the majority of units at relocation sites are not street facing, receive no passing trade, have insufficient signage and wayfinding, and have recurring structural and maintenance issues.

Traders have appealed to the council, management and developer on multiple occasions to attempt to find solutions to the challenges the regeneration and relocation has created for their businesses. Outside of the requirements made by the S106, little to no additional support has been offered. In some cases, even these legal requirements were not adhered to by the developer i.e., the "database of opportunities". Many traders were not aware of this resource, and those that accessed it reported that it was rarely updated.<sup>3</sup>

Two of the shopping centre's largest independent businesses Pricebusters and La Bodeguita—both operating successfully for over 20 years in the shopping centre—were not relocated, despite being eligible and prioritised for relocation within the terms of the S106.<sup>4</sup> In both cases the developer required business owners to contribute hundreds of thousands of pounds of their own funds towards fit out costs to secure relocation; as a result both businesses were forced to decline the proposed units and are no longer trading.

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<sup>1</sup> <https://latinelephant.org/519-2/>

<sup>2</sup> The S106 states that the "Developer and Council are committed to enabling the largest possible number of existing businesses to remain in the area and so the Council has obliged the Developer to make sensible provision for them - from new premises to business support and advice" (Appendix 9, Relocation Strategy)

<sup>3</sup> One of the "Headline Principles for Relocation" was "Support for relocation to the Elephant & castle Opportunity Area" and "other sites in the borough, through the relocation fund and the database of opportunities" (Appendix 9, Relocation Strategy)

<sup>4</sup> The Relocation Fund was intended for: "contribution towards a new shop-fit cost" and the "length of time in occupation of their premises and the type of business being considered would be influential in determining the amount of funds to be paid to each specific business" (Appendix 9, Relocation Strategy)

## **Need for affordable retail**

While there is existing affordable retail on Lendlease's Elephant Park site, only one of these units is occupied by a former shopping centre business (Mikos, Sayer St). The fact that shopping centre closure resulted in the displacement of around 40 businesses, and yet affordable units were allocated to new incoming businesses, highlights a debt to the community that has not been met. This is despite rigorous scrutiny carried out by Latin Elephant at the time to evidence the need.<sup>5</sup>

A group of 15 displaced traders—some active in the shopping centre for 20 years—co-developed a proposal for a new market in Elephant and engaged with local campaigners together with Latin Elephant, Southwark Council, politicians, and local residents for over a year to try and establish it, but several unforeseen planning issues impeded the process. Some traders involved in this process are still actively searching for local shop space to restart their business.

Latin Elephant often receives requests from long-standing Black, Brown and racialised business owners about finding affordable shop space locally. As land and property prices rise in the area, Southwark Council owned properties, or those earmarked as 'affordable' in developments are often the only genuinely viable option. Such properties, however, are rarely listed, are very competitive to secure, and are let very quickly.

Two Arches on Elephant Rd are in the process of CPO negotiations. A number of Latin American businesses in Arch 7 were not formally recognised by Southwark Council in the Relocation Strategy, and as such the future of their business remains uncertain.

## **Conclusion**

Based on the points outlined above, we argue that there is a need for affordable retail space in any new development, and traders disproportionately and negatively impacted by the ongoing regeneration of Elephant and Castle should be offered this as priority. Please see attached spreadsheet.

Yours faithfully,

Latin Elephant

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<sup>5</sup> <https://latinelephant.org/map/>

nt&castle

# 7 Homes for Heygate

residents rehousing pack



## Foreword

# Heygate residents rehousing pack



Cllr Catherine Bowman,  
Deputy Leader, Southwark Council

Earlier this year, the council set out its plans to regenerate Elephant and Castle and build new homes for everyone living on the Heygate Estate.

Since then, many of you have taken the time to read our newsletters, attend meetings and exhibitions and tell us what you think of those proposals.

Now we have started the search to find housing associations that can design, build and then manage your new homes.

As your current landlord, we know that you want to live in a comfortable, well designed home at the Elephant and Castle. We share that ambition and have made sure that the construction of your new homes is the first thing that happens in this regeneration scheme.

But before housing associations are brought on board, we need to know much more about the kind of new homes that you will need.

In the coming months, specialist housing officers will be interviewing every resident on the estate. They need to find out things like how many bedrooms you will need, whether you have any medical problems that might affect where you live and which of the early housing sites would be your first choice to move to. This process is called referencing.

The enclosed kit contains lots of information about the referencing process and the regeneration plans. It has been sent to everyone living on the estate and is an important document. Please take the time to read it or call the regeneration team if you have any questions.

Best wishes

Cllr Catherine Bowman  
Deputy Leader, Southwark Council

## Section A.1

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## Section A.3

# Introduction – your rehousing pack explained

Over the last eighteen months, we have issued a range of leaflets and newsletters, and organised a number of meetings and events, to inform you of the council's plans to regenerate Elephant and Castle. Heygate Estate will be demolished as part of these plans and residents given the chance to move into new homes in the Elephant and Castle area.

We are sending this rehousing pack to all tenants of Heygate Estate and this formally signals the start of the rehousing process. The pack has been created to help explain this process to you, describe the two main rehousing options which are available, and assist you in deciding which option is most suitable for you.

The pack contains a number of separate sections, each covering a different subject relating to the rehousing process. It is important that you take the time over the next few weeks to read through each section carefully. This will enable you to decide which area you would like to move to and what you'll need from your new home.

The different sections in the pack are summarised below:

### Section B.1

In this first section you'll find contact details for the Heygate rehousing project team.

### Section C.1

This section explains why Heygate residents are being rehoused and gives an overview of the two main rehousing options available to you. It also explains the referencing and registration process (when you'll meet with a council officer to establish your rehousing needs).

### Section C.2

This section provides you with more detailed information about the rehousing options, and contains information about housing associations.

### Section C.3

Detailed information is provided about the new housing association sites, including maps and descriptions of the areas.

### Section C.4

In this section we have provided a programme and timetable for the rehousing process. This outlines when you are scheduled to receive a visit from the council's rehousing team and sets out approximate dates of when you are likely to be rehoused.

### **Section C.5**

In this section various alternative rehousing schemes are listed.

### **Section C.6**

This section explains what happens when an offer is made, either to a council or housing association property, and advises what you will be required to do at this point in time.

### **Section C.7**

This section explains how the council will compensate you financially for the loss of your home and assist you with moving.

### **Section C.8**

This section contains the council's current policy explaining who can register for housing. This will help you in completing your housing registration form.

### **Section D.1**

This section contains a glossary explaining unfamiliar words or terms that you may encounter within the pack.

### **Section D.2**

This final section includes a list of useful contacts for further information about the regeneration.

The pack has been produced in a ring-binder format to enable you to insert additional information that you'll receive over time. A separate section has been left empty for you at the end of the pack for you to store your paperwork safely.

## Section B.1

# The rehousing team

**A team of specialised project officers has been appointed to manage the rehousing of residents from Heygate Estate and to assist residents through the process. This team is based within the local housing office. If you have any questions about the information contained within this pack please contact a member of the rehousing team at Rodney Road neighbourhood office, Content Street, London SE17 1NS.**

### **The team members are:**

**John Cundall (Team Leader)**

**Tel: 020 7525 2620**

**Email: [john.cundall@southwark.gov.uk](mailto:john.cundall@southwark.gov.uk)**

**Richard Adussah**

**Tel: 020 7525 2603**

**Email: [richard.adussah@southwark.gov.uk](mailto:richard.adussah@southwark.gov.uk)**

**Hema Vashi**

**Tel: 020 7525 2630**

**Email: [hema.vashi@southwark.gov.uk](mailto:hema.vashi@southwark.gov.uk)**

### **Currently vacant post**

**Tel: 020 7525 2641**

**Email:**

You may also wish to seek independent advice about the information contained within this pack. The contact details of some of the advice centres based within the local area can be found at the end of this pack in the useful contacts section.



## Section C.1

# An introduction to the rehousing process

**Southwark Council has adopted a masterplan for the regeneration of the Elephant and Castle area to provide a new town centre, containing new commercial and leisure facilities, an updated transport interchange and 5,300 new homes. The demolition of the Heygate Estate is an essential part of this masterplan and rehousing Heygate residents is the first priority of the regeneration.**

**The council's plans are set out within the Elephant and Castle framework for development, which was approved by the council on 19 February 2004. This document is available free on CD Rom from the Elephant and Castle project team, based at Coburg House, 63-67 Newington Causeway, London SE1 6BD. The team can also be contacted by phone on 020 7525 4922 or by email to [elephantinfo@southwark.gov.uk](mailto:elephantinfo@southwark.gov.uk). Alternatively you may download the document from the website [www.elephantandcastle.org.uk](http://www.elephantandcastle.org.uk)**

### **Why is Heygate Estate being demolished?**

The Heygate Estate is at the heart of the Elephant and Castle regeneration. The regeneration offers a rare opportunity to build new homes for all Heygate tenants in the Elephant and Castle area. Research shows that the Heygate Estate is unpopular with many residents. The Heygate was built in the early 1970s and now needs massive investment to meet the government's decent homes target. The council does not have the resources to refurbish the homes to modern day standards of heating, accessibility and security, and the design of the estate also means that it would not be financially viable to do this. The council has therefore committed to the provision of 1100 new homes designed and built for Heygate tenants as part of the regeneration scheme.

### **Where will Heygate residents be rehoused?**

As the council is demolishing the estate completely, the Heygate will no longer exist and tenants will therefore not be able to 'return' to the estate. The council has not yet developed firm proposals for the land where Heygate sits, but it is likely that it will be redeveloped as shops, public space, and eventually, housing for sale and rent.

The council will be working in partnership with a housing association, or a group of housing associations, to build 1100 new homes for Heygate tenants on approximately 15 sites in and around the Elephant and Castle area. More information on housing associations is provided later in this pack, in section C.2.

Every Heygate tenant who wants to move to a new housing association home will be able to, and you'll be able to select from four areas that we've grouped the sites into. Some residents may prefer to remain tenants of the council. The two options available to you are described below.

### **Your two rehousing options are:**

- To be rehoused permanently to a new housing association property - you will be able to choose from four main groups of sites located in and around the Elephant and Castle area.
- To be rehoused permanently within an existing council property, within the borough.

Further details about these options and other rehousing information are provided within this pack. The rehousing project officers will be able to answer any queries and provide you with all the information you need to make an informed choice.

### **The council's decant policy**

The two options described above have been agreed by the council as part of its decant policy for Heygate Estate. The term decant refers to process of rehousing tenants. However in this pack we generally use the term rehousing instead.

The council has a decant policy in place to cover all estate regeneration schemes where tenants have to be transferred from their existing property and do not have the option to return to their homes due to demolition or major refurbishment programmes.

The decant policy for Heygate estate was agreed by the council's Executive Committee on 18 May 2004. The policy requires that sufficient replacement properties are provided to rehouse Heygate tenants, because everyone will be required to move, but the main aspects of the policy are:

- 1100 new homes will be built by housing associations. Assessment of the housing needs of tenants will inform the size and type of new properties to be built, and will ensure there are sufficient properties to rehouse all tenants who select this option.
- All tenants will be asked to decide which rehousing route they would like to follow: either moving to a new housing association property, or to existing council housing within the borough. To ensure the council can make arrangements for everybody, this decision will be binding. Tenants will be asked to make this decision when they complete their housing registration forms. **This process is described later in the pack.**
- Tenants who wish to remain as council tenants will be offered alternative accommodation within an existing council property.
- In certain circumstances, tenants currently under-occupying their property and who are not in rent arrears may be offered an extra bedroom over their assessed housing needs. This will apply to both the new housing association and the existing council option and will be subject to the resources being available. The first priority would be given to those moving to their correct bed size, and therefore those wanting an extra bedroom would be likely to wait longer for a move.



### **The rehousing programme**

The first stage of the Heygate rehousing process has already started with the council's adoption of a new decant policy for Heygate, the recruitment of the specialist rehousing team and the production and delivery of this pack.

In autumn 2004 the rehousing team will start to visit every tenant on the estate. The council will also commence the selection of the best housing association partner, or partners, to build and manage the new homes for Heygate residents at Elephant and Castle. The first new replacement homes for Heygate tenants should be completed by 2007.

A more detailed phasing plan is provided later in this pack, in section C.4.

### **The visit from the rehousing team**

The next stage of the rehousing process is when an officer from the Heygate rehousing team will meet you in your home to begin assessing your housing needs. These visits will begin in the new few weeks and you will receive an appointment letter from a member of the rehousing team. If, for any reason, you are unable to make this appointment it is important that that you contact the team to arrange an alternative date.

### **The assessment of your housing needs will be based on:**

- the size of your family
- the age and sex of all family members
- an assessment of any medical conditions affecting any family members

This process is called referencing.

The purpose of this visit is to allow the council to make an initial assessment of your housing needs, and to give you the opportunity to ask questions about the contents of this pack and the various rehousing options available to you. During the visit your rehousing project officer will fill in a housing referencing questionnaire, which will include basic information regarding your family size and housing needs.

**You will not be asked at this stage to decide which rehousing option you would prefer. You will however be required to make this binding decision when you fill in and submit your housing registration form.**

Your rehousing project officer will leave a copy of the housing registration form with you, and will talk through the form to make sure you understand how it should be filled in - and what supporting information will need to be sent in with it.

### **Completing your registration form**

As soon as possible after your visit from the rehousing team, you will be required to hand in your registration form to the Rodney Road neighbourhood office. This will enable the council to confirm your application and register your details on the housing system. It is usually easier to come into the office to do this because you will have the opportunity to ask questions or get help in filling in the form, as well as getting your documents photocopied. Details of the opening hours of the neighbourhood office are provided within this pack.

You may send your form into the office, but you'll have to arrange to get your documents photocopied yourself. If you are physically unable to come to the office, one of the rehousing team will arrange to collect your form and documents from your home, photocopy them and bring them back to you.

It is very important that we have the correct information about your household included in your registration form. This will include:

- any medical conditions that might affect the type of property you need.
- where you want to live and if there are any reasons why you cannot live in a certain area.
- details about the size of your family and the sex and age of all members so that we can work out the right size property for you.

The property offered to you will be based on the needs assessment carried out, so it's crucial that we get it right. You should refer to the section of this pack called 'Housing Registrations – who can I register to live with me?' for further information on how this process works.

If you or a member of your family has a medical condition that affects your housing needs, you must make sure that you inform your rehousing project officer, who will arrange for an assessment by the medical rehousing team. You will need to complete a form explaining the medical condition and giving us permission to contact your GP. You should complete this form and return it in the pre-paid envelope provided. This information is strictly confidential and any medical information provided will only be seen by our medical rehousing unit. The neighbourhood officers will not know the contents of your medical application - only the results of the assessment.

Once all the relevant information has been collected, together with any proof that we have asked for, your application will be registered. The council will use the information you have given us to draft detailed plans for the new housing sites.



### **The decisions you will be asked to make**

The housing registration form will ask you to make two decisions:

Whether you wish to remain a council tenant and move to an existing council property or whether you wish to move to a new housing association property. **This decision will be binding.**

You will also be asked to state your preferred areas of choice. If you wish to remain with the council you will be asked to state a minimum of 6 out of 21 areas across the borough. If you wish to move to a new housing association property you will be asked to state your area of first choice and any secondary preferences. Information about the different areas is provided later in this pack.

The council needs you to make these decisions so that we can draw up detailed plans for the new housing sites. We need to know the level of demand for each of the new housing areas, as well as the detailed housing needs of all those households wishing to move to each area. If you choose to remain a council tenant, we need to know which lettings areas will be in greatest demand.

While there is a reasonable chance of meeting your preferred areas of choice, we are unable to guarantee that if you opt to move to a new housing association home, we will be able to rehouse you on a specific site within that area. There is also a high demand for one particular area, we will not be able to satisfy everyone's first choice and you may be made an offer in your second area of choice.

Please note - if your household or circumstances change you must let us know immediately as this will affect your offer of accommodation. Contact a member of the project team on 020 7525 2620.

### **Your rehousing options in more detail**

As outlined earlier in this pack your two rehousing options are as follows:

1. To be rehoused permanently to a new housing association property - you will be able to choose from four main groups of sites located in and around the Elephant and Castle area.
2. To be rehoused permanently within an existing council property, within the borough.

These are explained in greater detail in Section C.2.

## Section C.2

# Detailed information about your rehousing options

### Option one

**To be rehoused permanently in a new housing association property.**

**This option means that you will be rehoused in a new property that will be built on one of approximately 15 identified sites in and around the Elephant Castle area. These properties will be built and managed by a housing association or a group of housing associations working in partnership with the council. These partners have not yet been chosen but they will be selected carefully, in line with a number of very strict standards and criteria.**

Tenants who choose this option will be rehoused within one of four areas known as:

**Area One: St. George's area**

**Area Two: Harper Road**

**Area Three: Rodney Road**

**Area Four: South Newington**

Information on individual sites and each of the four areas is included in section C.3.

You will be asked to select one of the four areas, and you can also express a preference for an individual site within the area. The council cannot guarantee to offer you a property in your area of choice: this will depend on how many homes that can be built there and how many other Heygate residents are asking for the same area.

If you select this option you will become a housing association tenant. More detailed information about housing associations and the standards required for the homes is provided within this pack.

A new development built at Wansey Street will be used to demonstrate the types of properties that will be available for residents on the redeveloped sites. This development will provide approximately 25 units to rehouse Heygate residents.

### Detailed area and site information

Within each of the four areas, there are a number of individual sites on which the new housing association homes will be built. There are approximately 15 of these sites in total, across the four areas. Further detailed information on each of the sites is provided in section C.3 below.

The council cannot guarantee that you will be rehoused on a specific site within any of the four areas. However you will have the chance to state your preferences when you complete your housing registration form.



## **Information on Housing Associations**

In this section we have included some background information about housing associations to help you to decide if you wish to become a housing association tenant. Some commonly asked questions and answers about housing associations and how they operate are provided below:

### **What are housing associations?**

Housing associations, which are also known as Registered Social Landlords (RSLs), are independent not-for-profit organisations, which provide homes for people in housing need. Most new social housing in England is developed by housing associations. There are over 2,000 housing associations in England, currently managing around 2 million homes and housing more than 3.5 million people. Some housing associations have been in existence for more than 100 years.

### **Are housing associations private landlords?**

Housing associations are very different from private landlords. They are not private companies and they do not trade for profit for the benefit of their shareholders. They operate within the public sector for the benefit of the community and, like the council, are publicly accountable. Although they are run as businesses, housing associations plough any profits back into the organisation to maintain existing homes and to help build new ones.

### **How are housing associations regulated?**

Housing associations are independent of government but are monitored and regulated by the Housing Corporation, a government body. The Housing Corporation makes sure that housing associations follow the law and that their policies are fair. All of the Housing Corporation's requirements and standards are contained within its 'Regulatory Code', which is available for free (see the useful contacts section at the back of the pack for further details). Many of the older housing associations are registered charities and are therefore also regulated by the Charities Commission. The Housing Corporation inspects housing associations on a regular basis and has the powers to intervene if there are any problems.

### **Who runs housing associations?**

Most housing associations have a large body of staff that carry out the day-to-day work of the association. However the committee or board of management has overall responsibility for the work of the organisation. The committee or board is made up of a range of individuals including tenants, councillors, community representatives and people from a range of professions.

### **How are housing associations financed?**

Day-to-day services, such as management and repairs, are financed through income from rents and service charges. Housing associations use a combination of central government grants and loans or mortgages from banks and building societies to fund new developments or refurbishment programmes. Loan repayments are paid for from an association's rental income. Any surpluses are used to pay for future development or charitable activities.

### **What do housing associations do?**

Housing associations' main area of activity is developing and managing homes for people on lower incomes. However many associations are also involved in a range of community regeneration activities such as youth work and computer training. When the council selects a housing association partner for Elephant and Castle, we will be asking associations to demonstrate that they are able to offer these kinds of services to former Heygate residents.

### **Are housing association rents higher than council rents?**

In the past housing association rents in Southwark have tended to be slightly higher than the council's rents, and have varied from one association to another. However, in 2002 the government introduced a policy of convergence between housing association and council rents. This will ensure that the rents set by the council and by different housing associations are very similar in future. If you are moving to a brand new home as part of the scheme it is likely that your rent may be slightly higher than at the Heygate, to reflect the improved conditions and amenities. However your new rent will be set within both the government and Southwark Council's definition of 'affordable' and will be well below market rent levels. More information on rents and other charges, and future rent increases is provided later in the pack.

### **Will I keep my secure tenancy if I move to a housing association home?**

Some residents are concerned about whether their tenancies will be less secure if they move to a housing association property. Although housing association tenants have a different type of tenancy, called an assured tenancy, in practice this is very similar to the council's secure tenancy. Like secure tenants, assured tenants have statutory rights, which allow them to occupy their homes, protect them from eviction, and ensure that their landlords carry out repairs.

As well as the statutory rights provided by law, tenancy agreements may also contain some additional rights, which are agreed between the landlord and the tenant. These are known as 'contractual rights' and they can vary from one association to another. This is a key area, because when the council selects housing association partners for the Elephant and Castle regeneration, it will seek a contractual commitment to ensure that the housing association tenancy agreement is as close as possible to the council's tenancy agreement. In practice therefore, tenants moving into new housing association properties should notice very little difference in their rights.



The table below compares the two types of tenancy and highlights the main differences between them.

Tenancy rights and conditions	Secure tenancy (council)	Assured tenancy (HA)
Accountability	Through elected councillors and other participation arrangements	HAS are run by trustees or board members (often with resident representation)
Security of tenure – the right to live in your home without the threat of eviction without good cause and unless a possession order has been obtained from the court.	Yes	Yes
Succession – the right to pass on your tenancy when you die to a) your spouse or partner and b) another member of your family provided they were living with you at the time of death and it is their only or principal home (for 12 months if another member of the family).	Yes	Only applies to spouse or partner but many HAS extend this right on a contractual basis*.
A second right of succession – the right of the successor to pass on the tenancy when he/she dies, to the people described above.	Yes	No, but some HAS provide extended rights on a contractual basis*.
Assignment – the right to pass your tenancy while you are still alive to someone who would qualify to succeed to the tenancy on your death (with your landlord's consent).	Yes	No, but some HAS provide this right on a contractual basis*.
The right to buy your home at open market value with a discount (currently £16,000 maximum in London), once you have been a tenant of a local authority or housing association for two years.	Yes, known as the 'Right to Buy'	The council will require HAS to provide the 'Right to Acquire' (very similar to Right to Buy) on a contractual basis.
Mutual exchange – the right to exchange your property with other council or housing association tenants (including swapping between the two types of landlord).	Yes	Yes
Rent to mortgage – the right to buy your property via the rent to mortgage scheme. This allows the tenant to purchase a reduced interest in the property, in stages.	Yes	No, this does not apply to HA tenants.
The right to take in lodgers or sublet part of your property (with your landlord's consent)	Yes	Yes
The right to have repairs carried out within certain timescales.	Yes	Yes
The right to make certain improvements and receive compensation for them (with landlord's consent).	Yes	Yes

Tenancy rights and conditions	Secure tenancy (council)	Assured tenancy (HA)
The right to carry out repairs where the landlord has failed to meet the targeted timescale, and be compensated for the costs of these.	Yes	Yes
The right to be given information about the management of your home.	Yes	Yes
The right to consultation.	Yes	Yes
The right not to have your tenancy agreement amended (other than change in rent or service charges) without your agreement.	Yes	Yes
The right to manage your home (for example, through a Tenant Management Organisation).	Yes	No, this does not apply to HA tenants.
The right to quiet enjoyment of your home	Yes	Yes
The right to keep certain pets and animals (with landlords consent)	Yes	Yes, although most HAs require written permission*
Arbitration - the right to refer to Arbitration Tribunal	Yes	No, complaints are normally dealt with under the HA's internal complaints policy or by referral to the Independent Housing Ombudsman*

\*Where the conditions of a housing association assured policy differ from those within the council's secure tenancy, the council will be seeking to ensure that the housing association extends these rights to match the council's existing secure tenancy as far as possible.

### Housing association management standards

The Housing Corporation, the organisation that regulates housing associations, sets the standard of housing management that all associations have to comply with. These are set out in the Corporation's regulatory code. The Housing Corporation has also published a leaflet for tenants which explains all the standards that they should expect when they move into a housing association property. This publication is called *A Charter for Housing Association Applicants and Residents* (September 2003) and is available for free from the Housing Corporation (details in the useful contacts section).



In addition, as part of the housing association selection process, the council will seek to ensure that housing associations offer a management service which is at least as good as the service currently provided by the council. The policies and procedures of the housing association should not make tenants any worse off than they are at present, in terms of the standards of management they can expect from their landlord. The council will be asking housing associations to provide a similar, or improved, service in all of the areas listed below:

- location of a local office (for reporting repairs and paying rent)
- methods of paying rent
- repairs service
- tenant consultation
- resident representation on board of management
- policy and procedures for transferring to a new home within the housing association, if required at a later stage
- tenancy management service (for example, dealing with anti-social behaviour)
- estate management and the maintenance of any lifts, gardens or other shared facilities on the new properties.
- complaints procedure
- arbitration

## Option two

### To be rehoused permanently within existing council stock.

This option would involve you being rehoused in an existing council property within Southwark. You will be required to select a minimum 6 out of a possible 21 areas to assist us to meet your household needs.

If you select this option you will remain a council tenant.

## Other rehousing options

From now until the decant process actively starts, any tenant may register for a transfer from the Heygate in the normal way, or consider any alternative rehousing schemes which are currently available. These are described in detail in section C.5 of this pack. Your application under any of these schemes will be considered alongside other competing demands and will not receive any extra priority because of the Heygate scheme. Also, you will not be eligible for compensation payments for home loss and disturbance if you move before the phased decanting of your block commences.

Please note that even if you wish to pursue any of the alternative rehousing routes in the meantime, you will still select one of the two main options offered as part of the regeneration project. This is to ensure that the council is able to make you an offer of housing within the regeneration scheme if you have not managed to secure rehousing by any alternative route. In this event you will still be eligible for an offer made under whichever one of the two main options you have chosen. It is not likely that you will be able to pursue any of these options once the rehousing of your block becomes active. Your rehousing project officer will be able to give you further advice on this.

## Housing association and council rents

### How rents are set

In this section we have provided you with some background information about how rents and service charges are determined, both within the council and in housing associations. We have also given you a list of all of the various charges that you would expect to pay if you were to remain with the council or move to a housing association property.

The way that the council and housing associations set their rents is very similar. The Government introduced a policy of convergence between local authority rents and housing association rents in 2002. The aim is to ensure that tenants of social housing in an area pay the same rent for similar properties in the same area. Rents are calculated by using a combination of the following information: the value of the property, the size and number of bedrooms, and the type of property it is (floor level, garden etc).

The objectives of this 'harmonisation' are:

- rents should remain affordable in the long term;
- rents should be fair and less confusing;
- there should be a closer link between the rent and the quality of the property
- there should be no unjustifiable difference between housing association and council rents.



Rent convergence is to happen over 10 years, starting in 2002. The upper limit to be reached is known as the target rent. There is a limit to the amount that housing associations or councils can increase their rents each year, but all rents are expected to reach target levels by 2012. All local authorities and housing associations are working to implement the regulations and are receiving ongoing guidance from government.

As part of the housing association selection process, the council will ask housing associations to state what their rents will be for the first year of lettings, and how they intend to increase their rents over the following years. The housing association's rents will be expected to comply with the government's guidelines on affordable rents.

#### **How service charges are set**

Housing associations and local authorities also charge for any additional services that they provide on top of the basic rent. These are known as 'service charges' and they include, for example, the cost of providing entry-phone systems, cleaning and maintaining the common parts of the block and estate lighting. Housing associations also include lift maintenance as a service charge whereas councils charge for this within the rent.

The council used to pool these charges and include them with the rent, whereas housing associations have to charge a share of the actual costs of providing the service. However the government's rent policy now requires councils to itemise the charge separately as you will have seen on your rent card. Southwark council is now moving away from pooled service charges and is planning to introduce charging of actual costs, just like housing associations do.

#### **How you can pay your rent**

Most housing associations offer a number of different methods of paying your rent, including direct debit, standing orders, and payments at local pay points such as post offices. When the council selects a housing association partner, we will seek to ensure that tenants are given as wide a range of methods to pay their rent as they have as a council tenant.

#### **Housing benefit**

If you are currently in receipt of housing benefit you will still be able to claim this if you move to a housing association property. You can also arrange to have your housing benefit paid direct to the landlord if you prefer. Regardless of whether you move to a new housing association property or to an existing council property, you will have to fill in a new housing benefit application when you move to your new home. Your rehousing project officer will be able to advise you on this.

#### **Other charges**

Whether you move to a new housing association property or an existing council property, there will be a number of other charges that you will need to pay in addition to your rent and service charge, including:

- heating and hot water (if you are on a district heating system)
- gas and electricity supplies, including for heating if not a district system
- water – all new properties will have water meters
- council tax
- contents insurance
- parking



## **A description of your new home**

This section outlines a description of the type of property that you can expect to move to as part of the Heygate rehousing programme. The type of home you end up living in will depend largely upon whether you opt to remain a tenant of the council or whether you decide to move to a new housing association home.

### **Option one – a housing association home**

#### **General Description**

If you opt to move to a housing association home you will be offered a brand new home, built to modern day standards of security, heat and sound insulation. The majority of the new properties will be flats, within developments that will be much smaller than Heygate Estate. The majority of new homes will be built as flats and maisonettes and the number of storeys in each block will vary from site to site. No studios or bedsits will be developed as part of the Heygate rehousing scheme. Most of the new blocks will be built on a traditional street layout, with the main doors entering directly from the street. All new units will have secure entry-phone systems to restrict access to residents and visitors only.

Almost all of the new development sites will contain a mix of homes, both for rent and for sale. These will be designed so that it will not be possible to tell from the outside of the properties which of them are rented and which have been sold.

The type of housing association home you are offered will depend upon your family size and any medical needs. You are unlikely to be offered a ground floor property unless you have a medical reason for needing one. However most of the new blocks of flats will have lifts which will be built to robust modern day standards, and the majority of the upper floor flats will have a private balcony.

#### **Property size**

Again, the size of property you'll be offered will be based on housing need and depend upon your household size and composition. Assessment of need will be based on the Heygate rehousing policy that includes provision for offering an extra bedroom to households who qualify.

#### **Design and construction standards**

The council is currently in the process of selecting the best housing association or group of housing associations to develop the Heygate replacement homes at Elephant and Castle. Housing associations will be expected to comply with a list of standards set by the council. These are described below:

#### **General design standards**

The new homes will be expected to comply with the council's design standards as well as those of the Housing Corporation (the organisation which oversees and regulates housing associations). These standards cover such things as the internal layout of your home, storage provision, and numbers of electric sockets to be provided in each room.

### **Building Regulations**

Building regulations cover such things as building materials, construction standards and sound insulation. All new buildings have to comply with these minimum legal standards. In many cases we will require housing associations to exceed the minimum building regulation requirements.

### **Unitary Development Plan (Southwark Plan)**

The UDP is the statutory document that contains the council's planning policies for all new developments in the borough. The current UDP is under review and will be renamed the Southwark Plan. All of the new homes will have to comply with the design standards in the Southwark Plan.

### **Space standards**

The council has minimum space standards that will ensure the new housing association homes have good-sized rooms and compare well overall with properties at Heygate Estate.

### **Accessibility standards**

All the new homes will have to comply with Lifetime Homes standards. These will ensure that homes are flexible enough to deal with any loss of mobility in later life. This will allow older people to remain in their homes for longer, reducing the need to move to sheltered housing. For example, homes built to Lifetime Homes standards need to have doorways and corridors that are wide enough for a wheelchair. In addition, between 5% and 10% of the new homes will be built to full wheelchair standards. These properties are even more accessible than Lifetime Homes and include, for example, specialist kitchens and bathrooms designed for wheelchair users.

### **Security standards**

All new developments will be required to obtain a Secured by Design award. This is a police initiative, which ensures that new homes are designed to have high security standards. To obtain a Secured by Design award, housing developments must have good quality doors and window locks and should not include any poorly lit areas or hiding places. All new flats will have secure entry-phone systems.

### **Environmental standards**

The council will be pushing to achieve the highest possible environmental standards for all new housing association developments. All new homes will be expected to obtain an Eco Homes 'Very Good' award. This will include, for example, the provision of cheap and efficient heating systems and water conserving devices, high levels of insulation and natural ventilation, and maximising the use of sunlight. The council will also ensure that housing associations restrict the use of building materials that have a negative impact on the environment.



## Heating and hot water

Depending on the size and locations of the housing sites, new homes may have district heating and hot water. All others will have individual boilers. In either case, the new installations will be energy efficient to enhance the high standards of insulation.

## Parking

Parking provision will be restricted on the new developments, particularly within the more central areas of the regeneration scheme. This in accordance with the London Mayor's priorities for encouraging the use of public transport and reducing the number of car journeys in central London. Some of the developments may have no parking provision at all, and some will only have street parking, within the CPZ (Controlled Parking Zone), for which you will need to buy an annual permit. Where car parking is provided, it will be limited to 25% (one space for every four dwellings) as contained within the Southwark Plan and the Mayor's London Plan.

There will be no garages built on any of the new developments. If you currently rent a garage at Heygate Estate and wish to move to a housing association property you will need to make alternative arrangements for the storage of your car if you don't wish to park on the street.

## Option two - a council home

### General description

If you decide to remain a council tenant you will be made an offer of an existing council property. It is very unlikely to be a newly built property and it could be located either on an estate or on a street. Southwark has a large variety of types of accommodation, but the vast majority of them are located within estates. The type of home you are offered may depend upon any medical needs you may have. For example, you are unlikely to be offered a ground floor property unless you have a medical reason for needing one. The internal layout of individual flats varies across the borough and within estates, and so the property you are offered may differ from your current home on the Heygate estate. For example if you currently live in a maisonette there is no guarantee that you will be offered a similar type of property elsewhere in the borough.

### Property size

The size of property you are offered will be based on housing need and depend upon your household size and composition. Assessment of need will be based on the Heygate rehousing policy that includes provision for offering an extra bedroom to households who qualify.

### Heating

Depending upon the age and type of property you are offered, the heating in your council home will either be a district heating system similar to the one at the Heygate estate, or an individual boiler or other appliance. If the property has individual heating and hot water appliances, you will have to pay your own fuel bills directly to the energy supplier.

### Parking

If you are allocated a home on an estate with a parking scheme, you will have the opportunity to apply for a parking permit to park on the estate. You may also be able to apply to rent a garage if these are available on the estate. Otherwise you will have the option of parking your car on the street. In Southwark most areas now operate a CPZ (Controlled Parking Zone) for which you will be required to buy an annual permit. The Southwark Parking Shop at 364 Old Kent Road will be able to provide you with more information about any Controlled Parking Zones operating in your areas of choice.



## Section C.3

# The new housing sites



## Section C.3

# What's in your area

### Area 1: St. George's area

- Area west of central Elephant and Castle
- St Mary's park - a major new green space
- Contains site of proposed new city academy, where the leisure centre is today
- Easy access to buses, tube stations, trains and the new London tram
- A few minutes walk from the new Elephant and Castle town centre
- Walking distance from the Thames and eleven different Thames crossings

### Area 2: Harper Road

- Area north of central Elephant and Castle
- Close access to mature green spaces at Newington Gardens and Dickens Square Park
- Existing school at Geoffrey Chaucer earmarked for major improvement. Joseph Lancaster primary school located on Harper Road
- Local shops and facilities, community centre, adventure playground, mosque

### Area 3: Rodney Road

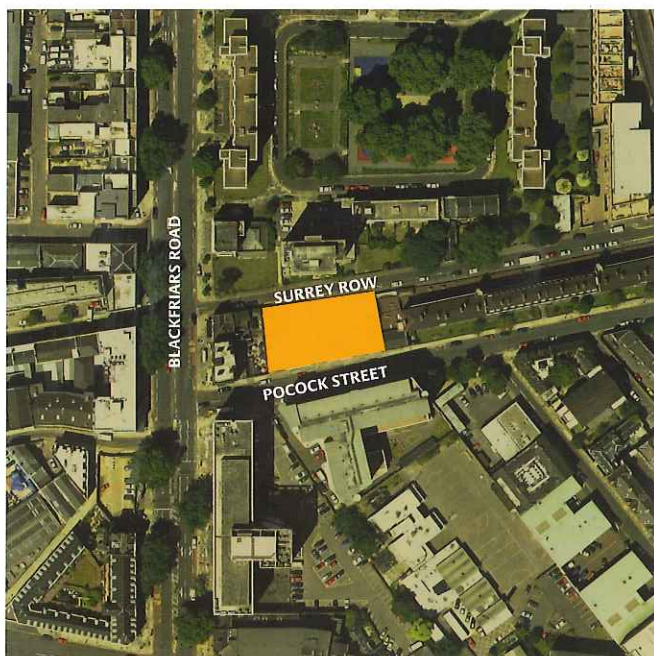
- Area east of central Elephant and Castle area
- A number of green spaces including Salisbury Road Park, Nursery Row Park and Victory Park
- Good access to Walworth Road, East Street markets and the range of shops and facilities in this area
- A number of local schools
- Excellent bus connections and walking distance to Elephant and Castle underground station

### Area 4: South Newington

- Kennington Park - open space with various play and recreation facilities
- A short bus trip or walk to Camberwell town centre
- Secondary school
- Direct bus links to Brixton town centre
- Near Oval Cricket Ground
- Great bus links and very close to Oval underground station.

## Section C.3

### Area 1: Pocock Street site



#### Site location

Between Pocock Street and Surrey Row, near Blackfriars Road

#### Likely mix of units

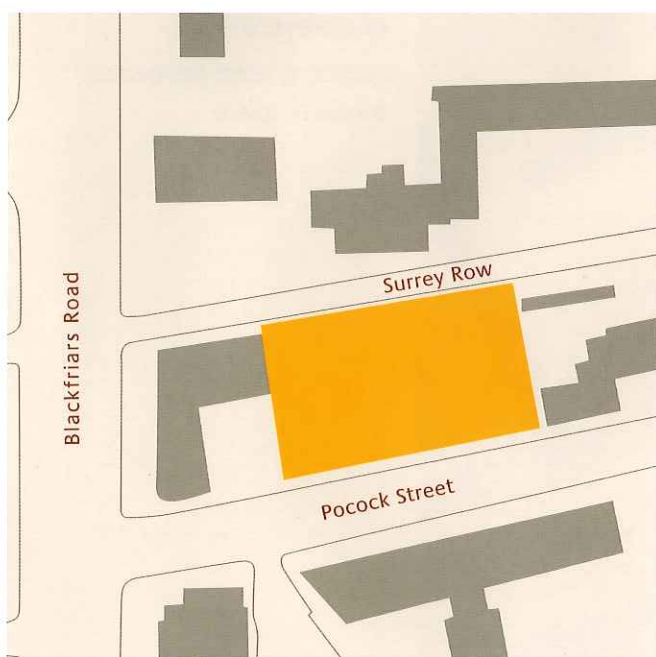
Size	Type	Approx no.
1 bed	Flat	16
2 bed	Flat/house	32
3 bed	Flat	0
3 bed	House	0
4 bed	House	0

#### Unit specification

Approximate number of units: 58

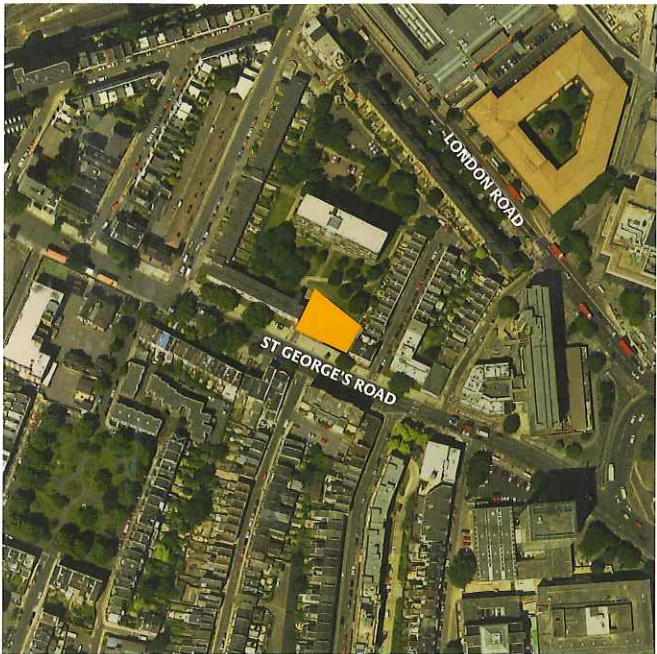
Approximate number of storeys: 8

Adjacent uses: residential and shops/restaurants





# Area 1: St Georges Road site



**Site location**

Frontage site to  
St Georges Road, adjacent  
to prospect House

**Likely mix of units**

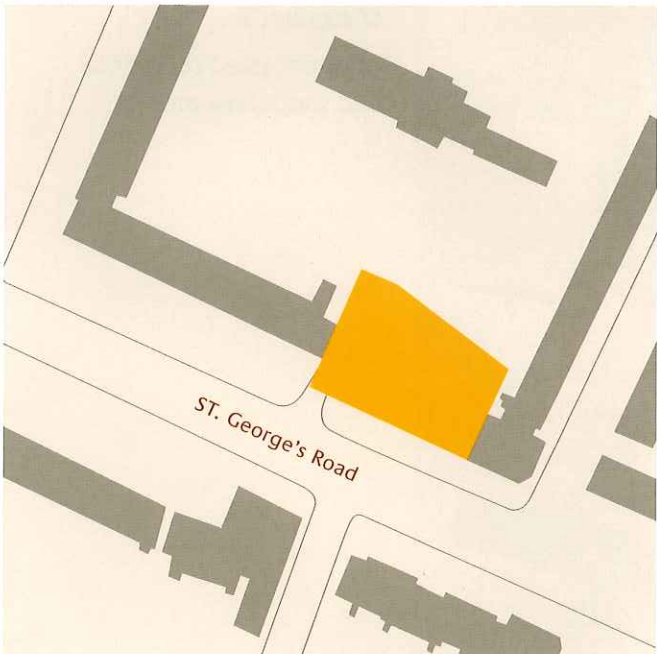
Size	Type	Approx no.
1 bed	flat	7
2 bed	flat/house	7
3 bed	flat	0
3 bed	house	0
4 bed	house	0

**Unit specification**

Approximate number  
of units: 14

Approximate number  
of storeys: 3-4

Adjacent uses: residential/  
amenity space



## Section C.3

# Area 1: Library Street site



### Site location

Between Library Street  
and King James Street

### Likely mix of units

Size	Type	Approx no.
1 bed	flat	20
2 bed	flat/house	23
3 bed	flat	0
3 bed	house	0
4 bed	house	8

### Unit specification

Approximate number  
of units: 51

Approximate number  
of storeys: 4-5

Adjacent uses: residential  
and mixed use





Area 1: New Kent Road site



Site location

Adjacent to elevated railway at western end of New Kent Road and north of the core area of regeneration at Elephant and Castle

Likely mix of units

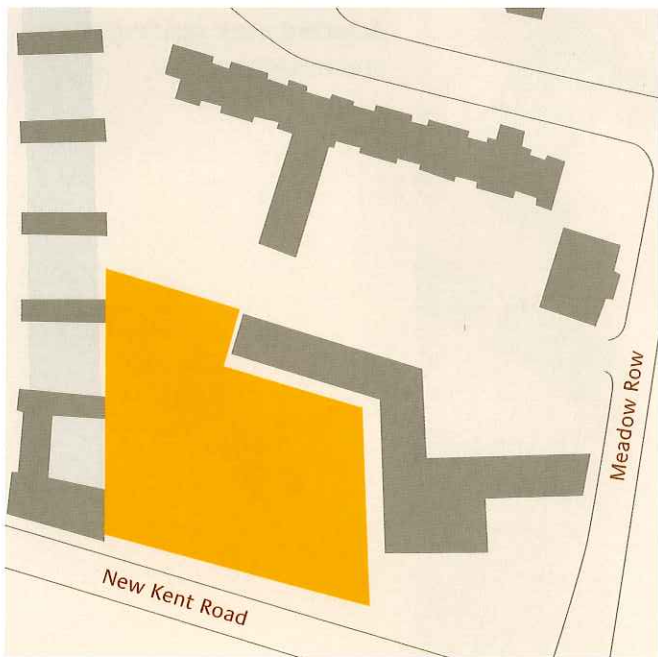
Size	Type	Approx no.
1 bed	flat	6
2 bed	flat/house	18
3 bed	flat	18
3 bed	house	0
4 bed	house	0

Unit specification

Approximate number of units: 42

Approximate number of storeys: 6

Adjacent uses: residential



## Section C.3

# Area 2: Dickens Square site



### Site location

North of Rockingham Estate  
and north of Harper Road

### Likely mix of units

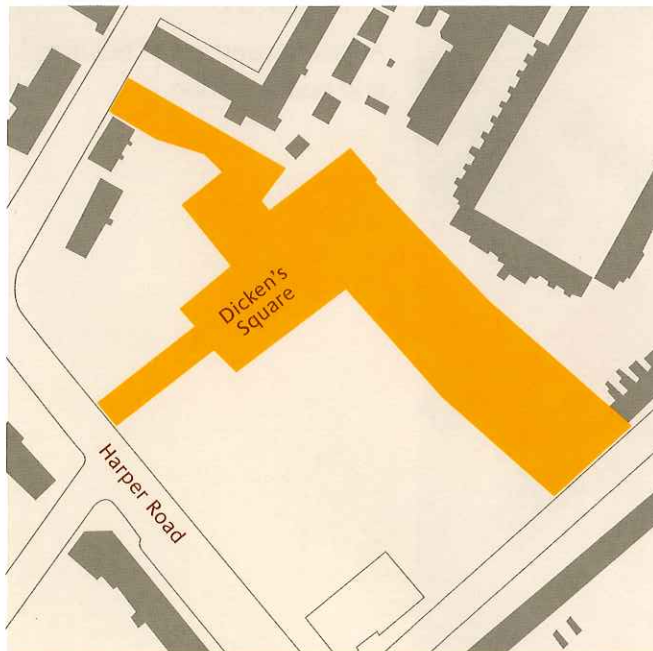
Size	Type	Approx no.
1 bed	Flat	44
2 bed	Flat/house	42
3 bed	Flat	5
3 bed	House	1
4 bed	House	2

### Unit specification

Approximate number  
of units: 94

Approximate number  
of storeys: 4-5

Adjacent uses: community  
centre, adventure playground,  
Dickens's Square Park and  
mosque (under construction)





## Section C.3

# Area 2: Harper Road site



### Site location

At the western end of Harper Road, east of Borough high street

### Likely mix of units

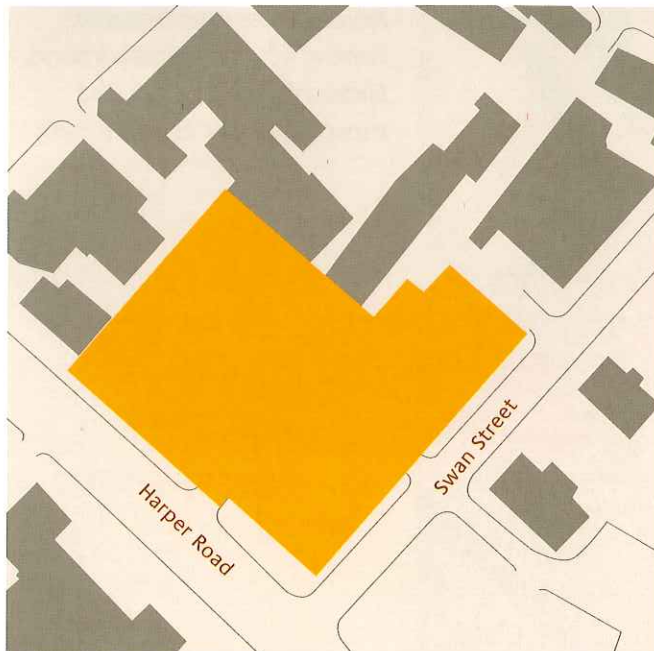
Size	Type	Approx no.
1 bed	Flat	0
2 bed	Flat/house	36
3 bed	Flat	12
3 bed	House	10
4 bed	House	2

### Unit specification

Approximate number of units: 60

Approximate number of storeys: 3-6

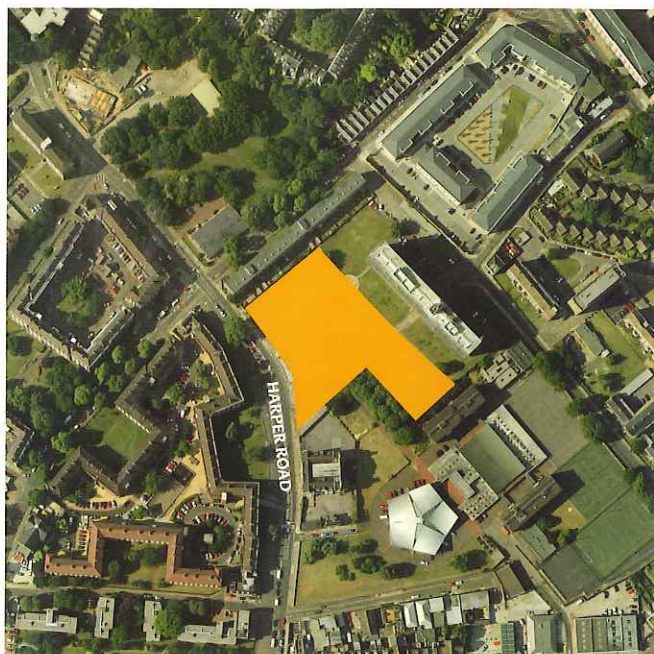
Adjacent uses: court building and police station





## Section C.3

# Area 2: Harper Road site



### Site location

North of Harper Road,  
southeast of Dickens  
Square Park

### Likely mix of units

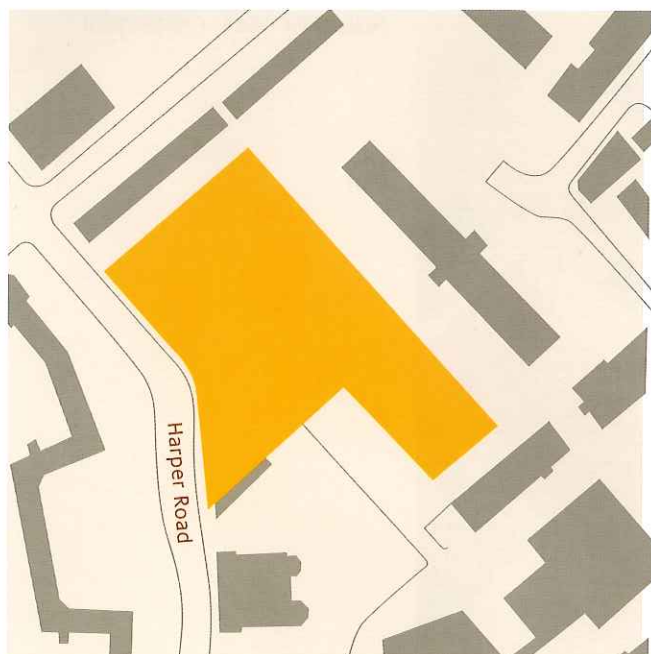
Size	Type	Approx no.
1 bed	Flat	33
2 bed	Flat/house	62
3 bed	Flat	23
3 bed	House	0
4 bed	House	4

### Unit specification

Approximate number  
of units: 122

Approximate number  
of storeys: 5-6

Adjacent uses:  
residential and schools



## Section C.3

### Area 3: Leroy Street site



#### Site location

East of Bricklayers Arms roundabout

#### Likely mix of units

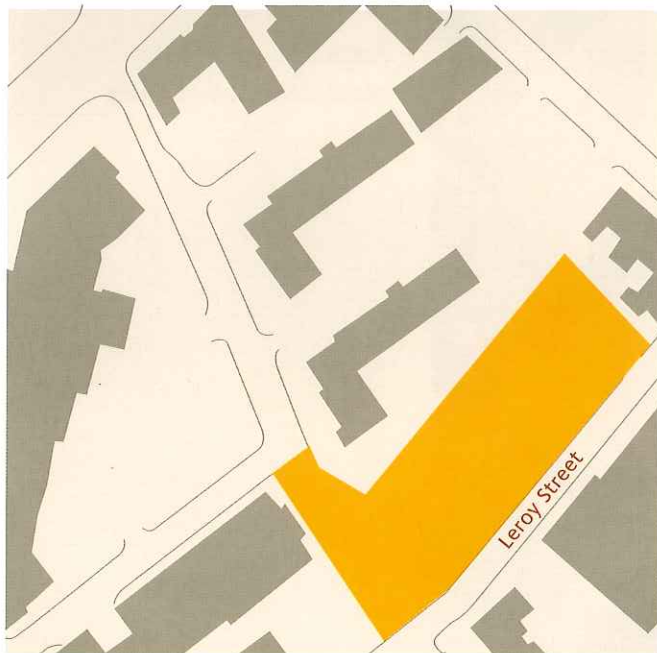
Unit size	Type	Approx no.
1 bed	Flat	4
2 bed	Flat/house	8
3 bed	Flat	5
3 bed	House	3
4 bed	House	0

#### Unit specification

Approximate number of units: 20

Approximate number of storeys: 3-4

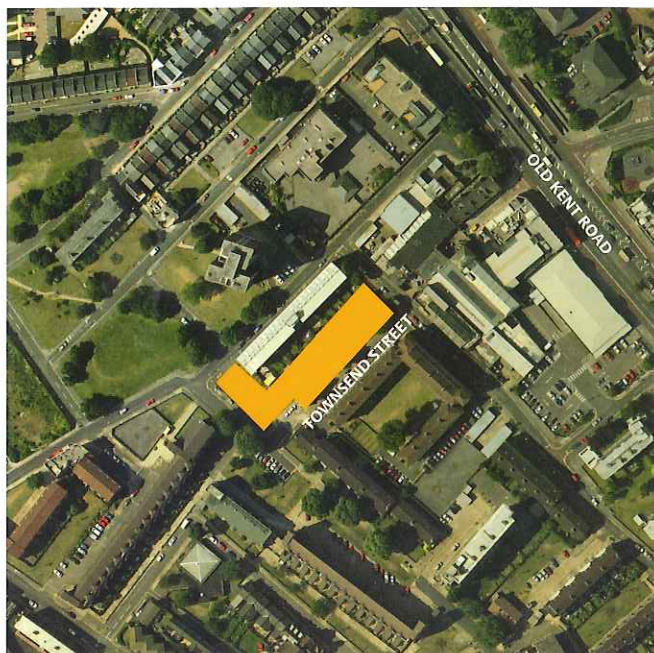
Adjacent uses: residential





## Section C.3

### Area 3: Townsend Street site



#### Site location

Adjacent to Townsend Street,  
east of Rodney Road.

#### Likely mix of units

Size	Type	Approx no.
1 bed	Flat	0
2 bed	Flat/house	32
3 bed	Flat	26
3 bed	House	0
4 bed	House	0

#### Unit specification

Approximate number  
of units: 58

Approximate number  
of storeys: 5-6

Adjacent uses: residential



## Section C.3

# Area 3: Stead Street site



### Site location

Stead Street/Wadding Street south of Rodney Road and north of East Street Park.

### Likely mix of units

Size	Type	Approx no.
1 bed	Flat	54
2 bed	Flat/house	114
3 bed	Flat	42
3 bed	House	8
4 bed	House	0

### Unit specification

Approximate number of units: 218

Approximate number of storeys: 4-6

Adjacent uses: residential





## Section C.3

### Area 3: Rodney Road site



#### Site location

Corner of Rodney Road and Orb Street.

#### Likely mix of units

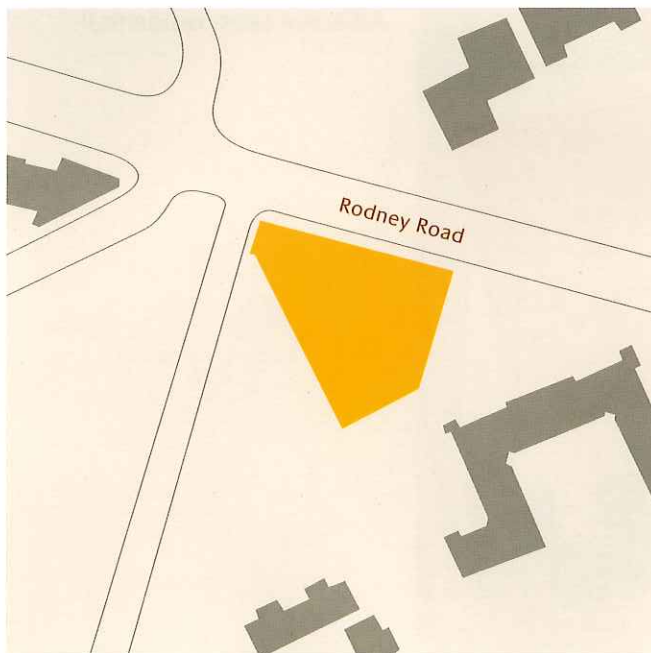
Size	Type	Approx no.
1 bed	Flat	15
2 bed	Flat/house	10
3 bed	Flat	5
3 bed	House	0
4 bed	House	0

#### Unit specification

Approximate number of units: 30

Approximate number of storeys: 6

Adjacent uses: residential



## Section C.3

### Area 3: Welsford Street site



#### Site location

North of Lynton Road, south of Southwark Park Road.

#### Likely mix of units

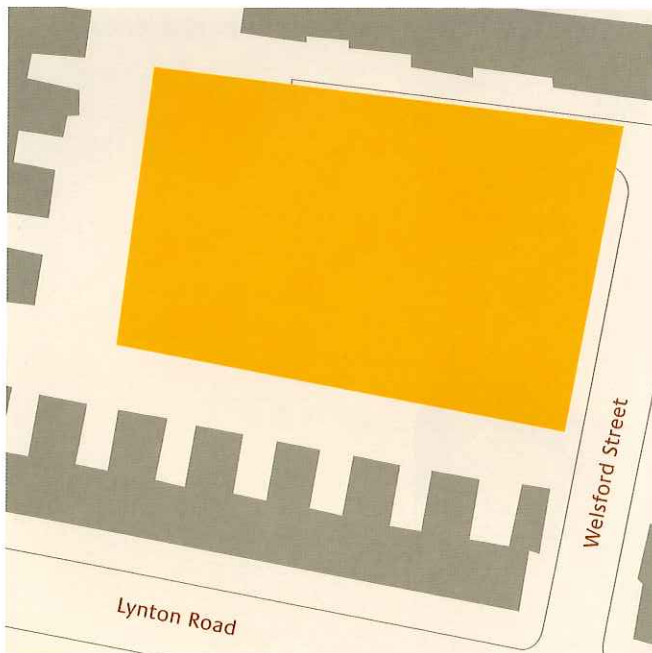
Size	Type	Approx no.
1 bed	Flat	15
2 bed	Flat/house	10
3 bed	Flat	5
3 bed	House	0
4 bed	House	0

#### Unit specification

Approximate number of units: 48

Approximate number of storeys: 3-5

Adjacent uses: residential





## Section C.3

### Area 3: Brandon Street site



#### Site location

Adjacent to Brandon Street,  
between Larcom Street and  
Charleston Street

#### Likely mix of units

Size	Type	Approx no.
1 bed	Flat	0
2 bed	Flat/house	9
3 bed	Flat	9
3 bed	House	0
4 bed	House	0

#### Unit specification

Approximate number  
of units: 18

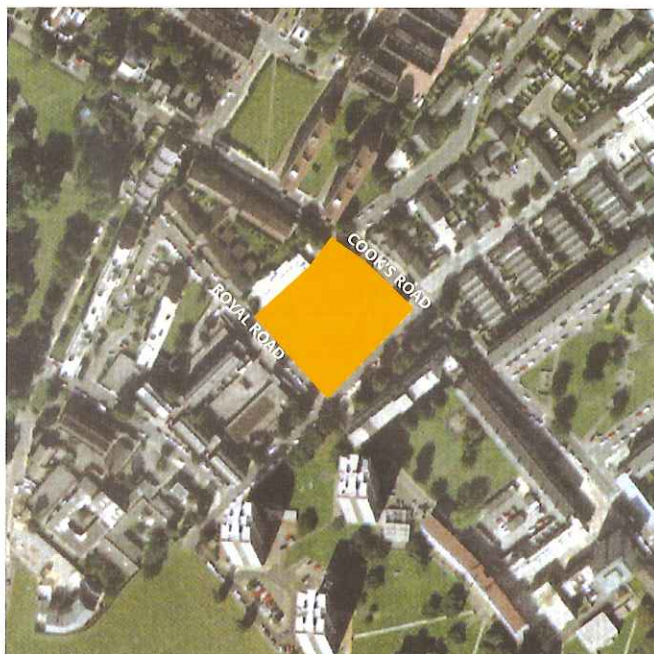
Approximate number  
of storeys: 4-5

Adjacent uses: residential



## Section C.3

### Area 4: Royal Road site



#### Site location

East of Kennington Road, north of Camberwell New Road.

#### Likely mix of units

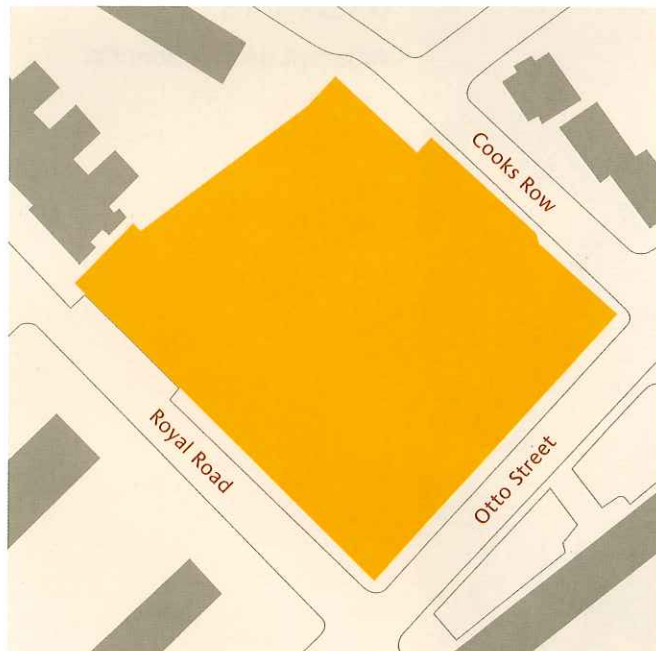
Size	Type	Approx no.
1 bed	Flat	30
2 bed	Flat/house	16
3 bed	Flat	17
3 bed	House	9
4 bed	House	4

#### Unit specification

Approximate number of units: 76

Approximate number of storeys: 3-6

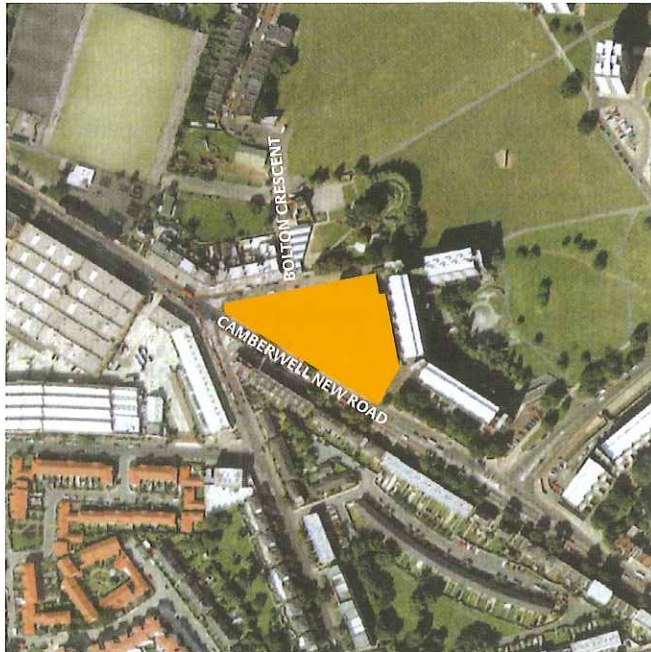
Adjacent uses: residential





## Section C.3

# Area 4: Camberwell New Road site



### Site location

Bounded by Camberwell New Road and Bolton Crescent.

### Likely mix of units

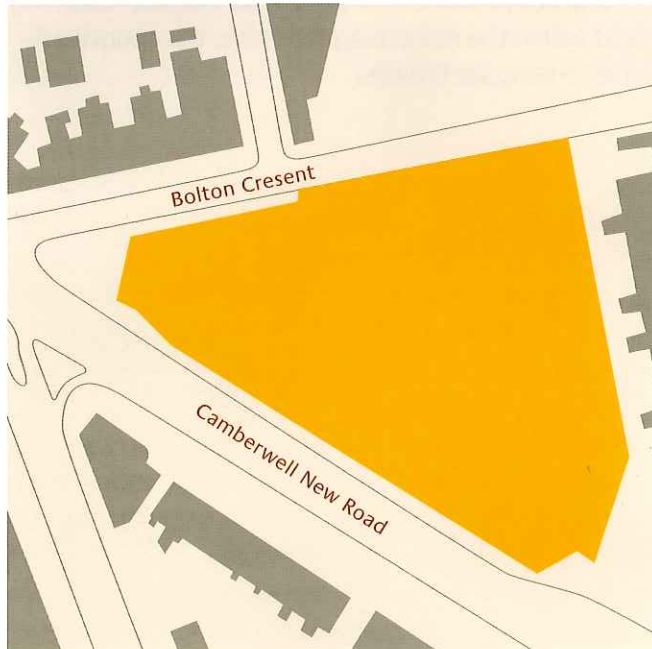
Size	Type	Approx no.
1 bed	Flat	26
2 bed	Flat/house	54
3 bed	Flat	21
3 bed	House	6
4 bed	House	5

### Unit specification

Approximate number of units: 112

Approximate number of storeys: 5-6 and 8

Adjacent uses: residential, retail and public open space





## Section C.3

# Elephant and Castle new housing sites: The role of private developments

**In addition to new homes to be built on council owned sites, some of the new homes which may be made available to Heygate tenants will be built by private developers. Homes provided in this way may provide Heygate tenants with additional opportunities for quality housing in the local area and an increased choice of locations.**

Government planning policy requires all private housing developments made up of more than 14 units to provide some affordable homes. These homes are a requirement of planning consents granted by local authorities and are secured through binding legal agreements, known as section 106 agreements.

Private, or section 106, developments are built in partnership with housing associations and the affordable homes contained within them are owned and managed by housing associations. If you are rehoused on one of these developments you will be given a housing association assured tenancy agreement. The council would expect the developments to conform to Housing Corporation design standards.

The redevelopment of some sites in private ownership at the Elephant and Castle, such as Steedman Street fall into this category and will produce new affordable homes. Assuming that these developments are completed within the re-housing timetable the council will in the first instance make them available to Heygate tenants.

## Section C.4

# Programme and timetable

### Phasing plan

The rehousing is proposed to take place on a phased basis starting on the south side of the estate and moving northwards towards the New Kent Road. This sequence and timescale is an indication only. Many things can change before and during the regeneration, and we'll keep you updated about any changes to the phasing plan through meetings and the Heygate newsletter.

The speed at which we can rehouse tenants from each block will depend upon how quickly our housing association partner (or partners) are able to build the new homes on each of the new housing sites. At this stage we are unable to say which of the sites will be completed first, but there will be a continuous programme of building within each of the four areas throughout the whole redevelopment period. This means that at every phase of the scheme there will be sufficient homes available to allow people choice of all areas.

It is estimated that the whole rehousing process will take about five years. The council will maintain the estate throughout the entire decanting process and will ensure that the transition goes as smoothly as possible for residents.

At this stage, we are projecting that tenants will be visited and rehoused in the sequence outlined below.

Phase	Block	Visit from rehousing team	Approximate rehousing date
1	Swanbourne, Wansey Street, Kingshill	Nov – Dec 2004	2006-2007
2a	Claydon, Risborough	Dec 2004 – Feb 2005	2007-2008
2b	43-53 Rodney Rd, Wingrave	Jan – Mar 2005	2007-2009
3a	Chearsley, Cuddington	Mar – Apr 2005	2008-2009
3b	Marston, Ashenden	Apr-Jun 2005	2008-2010

Please note that the above dates are estimates only and it is possible that some blocks may move from one phase to another. The referencing exercise will give us a much greater understanding of how the overall programme will be delivered. We will then keep you updated with programme information on a regular basis.



## Section C.5

# Alternative rehousing options

From now until the decant process actively begins, any tenant may register for a transfer from the Heygate in the normal way, or consider any alternative rehousing schemes which are currently available. These are described in detail below. Your application under any of these schemes will be considered alongside other competing demands and will not receive any extra priority because of the Heygate scheme. Also, you will not be eligible for compensation payments for home loss and disturbance if you move before the phased decanting of your block commences.

Please note that even if you wish to pursue any of the alternative rehousing routes in the meantime, you will still select one of the two main options offered as part of the regeneration project. This is to ensure that the council is able to make you an offer of housing within the regeneration scheme if you have not managed to secure rehousing by any alternative route. In this event you will still be eligible for an offer under whichever one of the two main options you have chosen. It is not likely that you will be able to pursue any of these options once the rehousing of your block becomes active. Your rehousing project officer will be able to give you further advice on this.

### HOMES

This is a scheme, run jointly with other local authorities, which can help people move to other areas of the country, mainly to sheltered housing or elderly person accommodation. You will need to complete a separate application form to register for this scheme.

To qualify you must be able to demonstrate a local connection in the area you wish to move to. Southwark is limited to only a few nominations under this scheme and it is up to the other councils whether they accept you. In general the most popular places are the most difficult to move to, e.g. London and the South East.

### Seaside and Country Homes Scheme

This is a scheme run by North British Housing Association and is restricted to those aged over 60. There are a limited number of bungalows and flats outside the London area including some coastal areas, for example Bognor Regis.



### **Changing Places Scheme**

This scheme offers Southwark tenants an opportunity to move to the north of England, parts of the Midlands, South Wales and Scotland where there are more council and housing association properties available for letting. This scheme is open to tenants on the transfer list.

### **Under-occupation scheme**

Tenants can pursue rehousing under this initiative if they currently occupy a property that is larger than their actual assessed need and would like to move to a smaller home. To qualify for this scheme you must be willing to give up two or more spare bedrooms and want to stay in Southwark. You must currently be under-occupying:

- a four bedroom property, or a property that is larger than your need by two or more bedrooms;
- a three bedroom property if you are willing to move to a bedsit or a one bedroom property.

You can be offered a property with one bedroom more than you need if you currently occupy a property of four bedrooms or larger but under-occupy the property by two or more rooms

Reasonable removal expenses will be offered on a sliding scale depending on the size of property you are vacating.

Please ask your project officer for the leaflet 'Small is Beautiful' (under occupation leaflet).

### **Sheltered Housing**

You may already live in sheltered housing at Heygate, or decide that you want to move into a sheltered housing scheme. Sheltered housing is usually a group of flats designed for older people to live independently but linked to an alarm system in case of emergency. Most schemes have someone on site that is responsible for the day-to-day running of the scheme and can help to organise any extra support you may need.

If you wish to remain with the council and are over 60, the council has a number of existing sheltered schemes throughout the borough that may suit you. If you wish to go to a housing association property but think you would prefer sheltered housing please let the referencing team know of this. New specialist housing for older people will be built as part of the scheme but the plans are yet to be finalised.

### **Home Ownership**

As an alternative to the rehousing routes described above, you may wish to consider home ownership. If you are unable to find and buy your own home through the open market, you might be able to get help with low cost home ownership through one of the home ownership schemes which will be available as part of the Elephant and Castle regeneration project. There are two main types of home ownership scheme known as 'shared ownership' and 'homebuy'. These are described below:

#### **Shared Ownership**

Shared ownership is where you buy a share of your home and rent the remaining share, usually from a housing association. This is available to all tenants and residents of the estate.

Most housing associations develop shared ownership properties. For further information you should contact the housing office and ask for the leaflet entitled 'Low Cost Ownership schemes in Southwark'.

#### **Homebuy Scheme**

In addition tenants can apply to purchase their own home under the Homebuy scheme, which is managed by Tower Housing Association. This scheme allows you to buy a property on the open market anywhere in England with a subsidy. However there is a limit to the size and price of the property you may purchase dependent on your family composition. This scheme is not available to existing leaseholders.

You can ask the neighbourhood office for a leaflet or you can contact Tower Housing Association's marketing department on 0208 850 9686.



## Section C.6

# An offer of housing

**This section describes what happens after you have registered for housing and the council has identified a suitable property to offer to you.**

### **The offer and nomination process**

How this works will depend on whether you are offered a council home or one from a housing association. If you are requesting a housing association property then the council will nominate you for an offer to the relevant housing association.

The type of property you will be offered will depend on the information you have provided on your application form. It is essential therefore, to make sure that this information is correct.

Contact a member of the rehousing project team on 020 7525 2620 if you have questions.

### **Housing associations**

#### **Pre-allocations by housing associations**

When you are nominated to a housing association, it is most likely that the property identified for you will still be under construction. The reason for this early nomination is firstly to reserve the property for you, and also to give you the opportunity to choose things like decorations and kitchen finishes. If you have been nominated to a housing association and you receive a letter about pre-allocation, you should contact them quickly. Builders may be waiting for instructions and any delay could hold up the completion of your home, or you could end up with options you do not like.

#### **Nomination to a housing association**

Once the council has nominated you to a housing association they will contact you directly. There are normally four stages to this process:

1. They will contact you for an interview. You may have to complete one of their application forms so that you can be entered on their records.
2. You will be contacted to choose the finishes in the new property.
3. You will be invited to view the property when it is completed.
4. You can then sign the tenancy agreement for your new home.

Although you will be dealing directly with the housing association, you can still also contact your council project officer at the local housing office for assistance.



## **Southwark Council**

### **Pre-allocations by the council**

The council may pre-allocate a property for you when it becomes empty. This is to reserve it for you while the work is completed to make it ready for you to occupy.

It is very important that you attend your local housing office as soon as you receive an offer or pre-allocation letter. An officer will complete the details and ask you to sign and date the letter, and provide your contact details.

The signing of the pre-allocation reserves the property for you. At this stage you won't be required to accept the tenancy for the property, but failure to sign the pre-allocation could result in you losing the offer.

### **Offers by the council**

Once your property is ready you will be invited by letter or telephone to view it. At this stage you'll be required to make your decision to accept the property, and once that's done you can sign the tenancy agreement.

### **Refusal and Appeals**

We try to make sure that the property we offer you will be one that you can accept because it meets all your housing needs. Occasionally though, you might not be happy with what has been offered. Your offer letter will be accompanied by an explanatory leaflet entitled 'An Offer of Accommodation from Southwark Council (refusals and appeals policy)', which contains information on the refusal and appeals policy. Before you make any final decisions on whether you wish to refuse an offer, you should take the opportunity to discuss any questions or concerns you have with your project officer.

### **The court process**

The redevelopment scheme for Heygate Estate, as part of the regeneration of the Elephant and Castle area, requires that all of the existing residents move off the estate, in a phased programme of decanting. The council will be making sure that offers of rehousing are reasonable alternatives to your current home. However if necessary, the council will take legal action against tenants for possession. This is a last resort option.

If the council needs to take possession proceedings, a Notice Seeking Possession would first have to be served under Ground 10 of the Housing Act 1985, and then an application made to the county court. The court cannot give possession to the council without first being satisfied that suitable alternative accommodation is available to you.

### **So what happens when you accept an offer of a new home?**

One of the most important things you will need to do as soon as you accept an offer of a new home is to tell your project officer. There are several reasons for this.

1. You may be informed about your nomination before the housing office.
2. We will be able to help with arrangements for your removal
3. We can plan to make your old home safe and secure
4. We can arrange to pay your home loss compensation.



### **Help with your removals**

Whether you are rehoused under our scheme or you find accommodation by one of the other initiatives, you must still terminate your existing tenancy in writing. As soon as you get an offer you should let your project officer know. The project officer will then make the necessary arrangements for your removal and for the disconnection and reconnection of services

### **What you should do when you are moving out**

When you move out of your old property you must give the council vacant possession. This means that all occupants have left the property with all their belongings, and the property is cleared of rubbish and unwanted furniture. You should secure the property using all locks to the property, including window locks, and then without delay return these keys to the Rodney Road Housing Office where you will be asked to sign a termination of tenancy form. You will be given a copy for your records, which you must keep as your only proof that you have handed in your keys. We will then inspect the property to make sure that you have left it empty.

If you delay in returning keys, this will hold up your compensation payments (described below). Failure to clear your home of rubbish and furniture could result in deductions being made from your compensation payments. Please note that if there are any difficulties, for example any people left in the property, you will continue to be responsible for rent or any other charges until the council gets possession. This will also delay your compensation payments and if legal proceedings are necessary to recover vacant possession, you may also be liable for any costs relating to this. The council will investigate any suspected allegations of unauthorised occupation or property misuse.

### **Paying you compensation**

Secure tenants being rehoused by the council as part of the redevelopment are entitled to compensation for the loss of their home. This is known as 'Home Loss' and is currently fixed at £3,400. You will also receive compensation for disturbance. This disturbance payment covers the costs of your removals, disconnections and reconnections. This is explained in detail in section C.7.

If you are in arrears of rent when you move out of your old home, the council may use your Home Loss payment to offset these arrears.

### **Unwanted furniture and bulk refuse**

You may have furniture that you do not wish to take to your new home and that you would like to donate to a worthy cause. The Shaftesbury Society collects unwanted furniture for people in need. You can contact them on 0207 737 7475.

Bulk furniture can be disposed of via the council's bulk refuse service. The Environmental Contact Centre can be contacted on 0207 525 2000 Monday to Friday during office hours. Please note that the service currently has a two-week delay for collections, so you will need to arrange this in advance. From time to time, especially during periods of high demand, the waiting time may be longer than two weeks.



**Rent arrears**

Tenants in a decant scheme who are in arrears with their rent payments are eligible for a transfer providing:

- the tenant is complying with the terms of a suspended possession order.
- no outright possession order has been granted to the council.

Please note that if a court order has been granted for possession of your property, you are considered a tolerated trespasser until the possession order is discharged and all costs recovered by the council. If you fall behind with your payments you will be in breach of the possession order and the council will have no alternative but to apply to the court for an order to evict you from your home.

Tenants in rent arrears should make an appointment to see their income officer (020 7525 2620) to confirm that payments are being made in an acceptable way.

Please note that any outstanding rent arrears at the date of tenancy termination may be deducted from your Home Loss payment.

Tenants in rent arrears also do not qualify for consideration for the extra bedroom policy that is available as part of the scheme.

<b>Item No.</b> <b>16</b>	<b>Classification:</b> Open	<b>Date:</b> June 19 2007	<b>MEETING NAME:</b> Executive
<b>Report title:</b>		Heygate Action Plan	
<b>Ward(s) or groups affected:</b>		East Walworth Ward, Residents of Heygate Estate	
<b>From:</b>		Strategic Director of Major Projects	

### Recommendations

That the executive agree:

1. To the adoption of an Action Plan that will allow for the early rehousing of residents of the Heygate Estate by September 2009.
2. To facilitate the safe management through phased decommissioning and, where appropriate, demolition of blocks.
3. To facilitate rehousing of Heygate secure tenants by:
  - a. Giving tenants priority allocation (Band 1) for all properties that become available throughout the Borough in addition to the options already available.
  - b. Guaranteeing that this is without prejudice to the rights of tenants who have expressed a desire to move into the new build accommodation at the Elephant and Castle once it is completed to do so even if they choose the new option set out above.
4. To immediately commence the active acquisition of leaseholder interests to be funded from the existing approved housing capital programme.
5. To note the potential shortfall in agreed capital funding to facilitate the rehousing, leaseholder acquisition, demolition and other associate activities in advance of any capital receipts from disposals. Fully cost-ed capital bids will need to be submitted as part of the Policy and Resources Strategy to make up any shortfall in capital funding.
6. To give in principle agreement to project managing the rehousing and the management of services related to the regeneration process and its effects on the Heygate Estate, under one management structure within Major Projects.
7. That the comprehensive management structure be geared to delivering an improved and pro active service meeting the needs of permanent tenants, temporary residents and leaseholders, dealing with safety concerns and facilitating individuals' moves.



## Background

8. The Council has made regeneration its number one priority and the Elephant and Castle is its showcase development. Clearing the Heygate Estate is essential to the success of the Elephant and Castle redevelopment. Demolition of the Heygate will provide symbolic and tangible evidence to the people of Southwark that the Council is driving ahead with the regeneration of the Borough. Rapid rehousing of residents is also desirable from a community safety perspective. Half empty blocks become a breeding ground for crime and antisocial behaviour. The Council has a responsibility to mitigate this risk. For these reasons, we have proposed an Action Plan to empty the Heygate in the quickest possible time.
9. It has become apparent that the existing fabric of some parts of the estate have become unsustainable and that the council's obligations as a landlord are increasingly difficult for it to perform. It is therefore becoming apparent that it is untenable to expect people to live for up to three years in deteriorating conditions whilst waiting for the new housing to come on stream.
10. The current Heygate Estate rehousing arrangements were agreed by Executive on 18<sup>th</sup> May 2004, which was primarily a reversion to the basis of the decant policy agreed in March 1998. This gave tenants a choice of rehousing routes, either to a new Housing Association home built as part of the scheme or a relet Council home elsewhere in the borough.
11. Heygate comprises 1212 units, of which 650 are tenanted, 442 are void and 120 are owned by leasehold interests. Lettings of secure tenancies stopped in 2001. 65% of the households currently registered have expressed preference for the new RSL home option. To date, rehousing of Heygate residents has been mainly confined to the early Southern Housing Group development at Wansey Street and some S106 opportunities at Steedman Street and Tabard Square. Gaining vacant possession of all or part of Heygate is currently reliant on the development of early housing sites by RSL partners. Early sites completions are projected for Sept '08 – Feb 2010 on current programme timescales, based on planning applications being submitted from July to December '07. The current timetable for the development of the early housing sites will secure vacant possession of the Heygate in 2010, if they are delivered within the current time estimates. For the Council to meet its revised objectives for an early and safe emptying of the Heygate Estate, the timetable needs to be brought forward to September 2009. An Action Plan that facilitates and encourages tenants and leaseholders to vacate the Estate as early as possible is essential to facilitate this.
14. While the Heygate Estate Action Plan is defined as a Major Project, it has been referred to Executive because of the wider HRA and General Fund implications, and which were not explicitly identified in the set up of the Elephant and Castle project.

## **Factors for consideration**

### **Action Plan Summary**

15. To maintain expectations of change, to provide effective ongoing management and maintenance, and to maintain community safety, it will be necessary to introduce a new approach to rehousing on the estate with an additional option for residents. The proposed changes are summarised as follows:
  - Adoption of a defined phasing plan for rehousing of tenants with a target date of September 2009 for vacant possession.
  - Integration of arrangements for management and maintenance of the estate up to vacant possession to ensure ongoing comfort and security for residents.
  - Provision of an additional choice of moving to a brand new RSL home outside of the immediate area.
  - Acquisition of leasehold interests and rehousing of temporary licensees in the same phased sequence as tenants.
  - Demolition of blocks as soon as possible after vacant possession.
16. A phasing plan will be determined based on the relationship between management and safety issues, void and leaseholder mix, development issues and district heating runs. An indicative plan and timetable is attached at Appendix 1.

### **Estate Management and Community Safety**

17. If adopted the Action Plan approach will require an intensification of effort to undertake the rehousing of the Heygate Estate in a challenging timescale, but also to manage and maintain the estate safely during the process.
18. Management of the estate during the rehousing process will be central to maintaining a sense of stability. The experience of previous schemes and scrutiny consideration all indicate the need for a heavily co-ordinated approach to the housing management, safety and security, and rehousing functions. A proactive, zero tolerance approach will be required, with intensive housing management practice arresting the tendency to visible decline. This approach will need to be deployed across the range of management, including temporary licensees.
19. The primary objective is to undertake rehousing from the block in an orderly way, with the active process being undertaken in a relatively quick timescale to a conclusion i.e. not having one or two households being left isolated. As units become empty, they will be secured and rendered uninhabitable as required. Assessments will have to be made of the technical potential for sectional decommissioning and for the capacity of the estate wide infrastructure to accommodate block by block demolitions. The progress of rehousing will be carefully monitored and a proactive approach taken where the possibility of clearing whole sections emerges or the risk of households becoming isolated can be mitigated. Perimeter security of whole blocks will be arranged for the point of vacant possession, ideally carried out by a demolition contractor already appointed, with demolition to commence as soon as possible thereafter. Demolition responsibility may change after the main development partner selection.

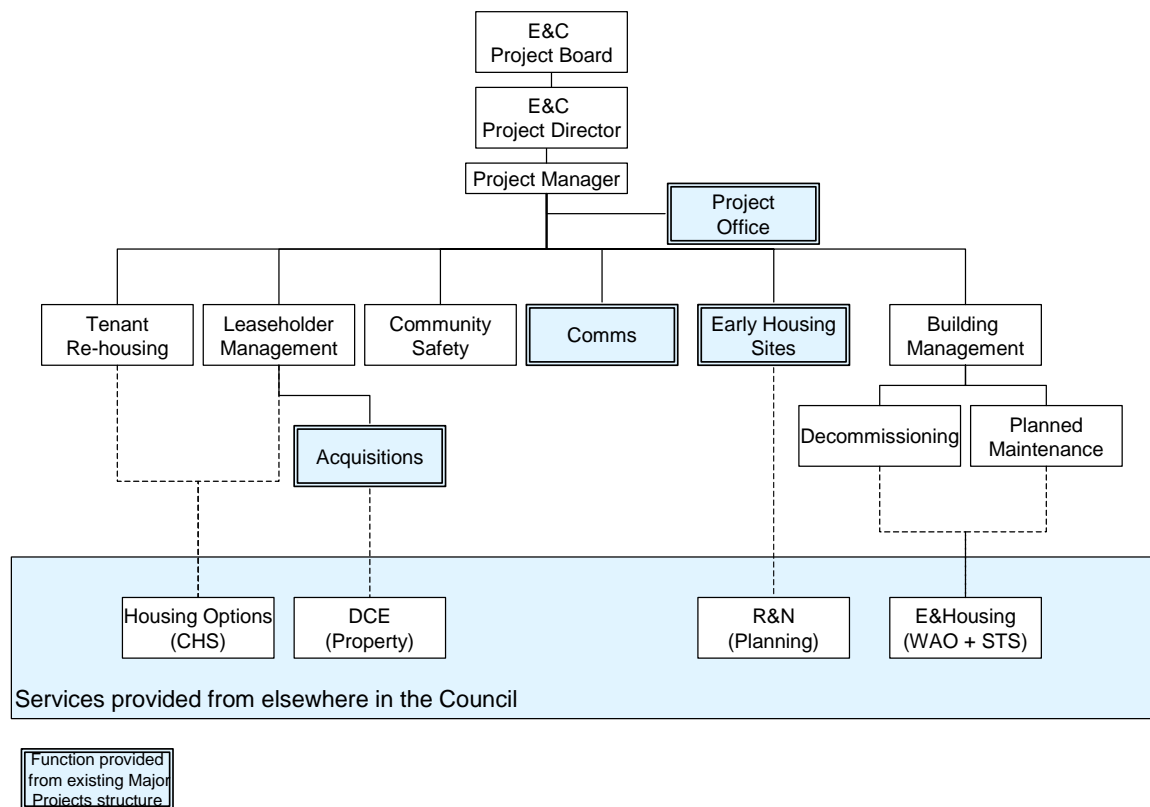


## Project Management Arrangements

20. To deliver vacant possession in an orderly manner and maintain service standards including community safety as far as possible during the process requires the co-ordination of a number of functions. Community safety for all estate residents, staff and visitors over the period of the rehousing operation is of paramount importance. It is proposed that various service strands are joined together in an integrated structure so that the whole public facing part of the rehousing project is delivered comprehensively. The regeneration programme management team will deal with:

- Household registration for rehousing, support and advice in the lead up to and through the rehousing process. Rehousing options for leaseholders in the relevant cases.
- Community safety co-ordination. Response to anti-social activities arising from attraction of empty properties and a diminishing population
- Leaseholder acquisitions and options advice.
- Planned maintenance and security. Decommissioning of whole blocks and parts of blocks as they become empty. Demolition contract management.
- Development of the early housing sites

The team will be established to work in a closely co-ordinated fashion, providing a service that is largely proactive but that can respond quickly to eventualities. Staff will need to have functional specialities, but should also be equipped to work co-operatively with colleagues and to intervene in a multi-disciplinary fashion as the need arises. The objective is for residents to be provided with a seamless 'one stop' service at estate level in which they develop increasing confidence. Clearly, the boundaries with the mainstream housing and other services will need to be clearly defined. The outline functional structure is as follows:



21. The approach depends on close connection between the work areas that contribute to the overall process. It is envisaged that the direct functions outlined above are undertaken by a joint team with direct responsibility. The team will need to connect closely with a range of other services, in particular, repair and maintenance, estate cleaning, housing options, home ownership, temporary accommodation, wider E&C development. It is not envisaged that all staff currently providing a service to Heygate Estate residents will be reorganised into a single unit, but that each service area is either directly represented in the regeneration programme team or works alongside it. For some areas, the team's role will be liaison with and commissioning work from other substantive teams including specialist technical services, legal services, SASBU. As the project progresses through its phases, there will need to be particularly close connection between the rehousing effort applied to tenants and leaseholders, and the discharge of statutory duty and rehousing of temporary licensees.
22. In each service area, there must be a clear definition of whether an activity is moving wholly or partly from another service area. Although the proposed structure is outlined above, further work is needed to agree the size of the team, to establish it and undertake recruitment. It is assumed that part of the service can be met from existing resources, and that some posts can be filled by secondment but that in some functions, additional resources will be required. It is proposed that the rehousing task will be accelerated, but also that management and support will be more intensive and enhanced. Therefore there is an increase in both quality and volume of work. Certain roles eg additional support and advice for choice based lettings and leaseholder options will be an extension of current working practices.

23. The work undertaken by the current rehousing team will be a core component, and it is proposed that the team will be incorporated into the new arrangements, possibly with enhanced roles and scope for personal development. The rehousing team have now been working on the estate for a considerable time and have established direct contact with the majority of households. As outlined in the diagram, they would be joined by staff working on community safety, building services, and communications.
24. It is envisaged that the proposed Heygate model will be followed for other regeneration schemes. In fact there is already an interface with referencing work having started on the South West corner of Aylesbury.

## **Considerations for residents**

### **A. Secure Tenants**

25. The additional rehousing choice will provide more certainty for residents, both generally and in terms of timescale, as well as honouring the existing new build option. Tenants will be able to exercise choice by bidding for any property appearing in the Home search including new RSL units being produced as part of the general development programme outside the Elephant and Castle early sites. Tenants who have opted for rehousing to the early housing sites but who wish to take up the new additional option will be issued with an undertaking by the council in respect of their rights to be offered a property on the early sites when they become available. Equally, if any household wishes to remain permanently in the new RSL home under the new option, they will be allowed to do so. The tenancy to be offered will be the standard assured tenancy granted by RSLs, not a right to temporary occupation. Agreement will be reached with the relevant RSLs about not using introductory tenancies.
26. In the interests of community safety the council will keep the rehousing strategy under review. Given the experience of other regeneration schemes, the council is determined to avoid the situation of small numbers of residents living in a block that makes it increasingly difficult to provide adequate support and services.
27. The success of the approach depends firstly, on an adequate flow of housing supply during the active rehousing period, within the context of the overall housing supply and demand model, so that the overall turnover of rental units, in the case of tenants opting for council re-lets, and the delivery of new NAHP or S106 RSL housing is used to best effect. Work is continuing to finalise the model, but it is anticipated that there are sufficient new RSL homes in the development pipeline to meet the needs of 65% of the 650 Heygate tenants awaiting rehousing. (65% is the proportion of tenants who have opted for a new RSL home). Further close matching work is being undertaken, and will continue, to ensure that the correct mix of sizes is available, including extra bedroom entitlement. It will be particularly important to identify larger households and specific medical needs. The second co-dependency is ensuring that households actively bid when they are switched to Band 1 status; this will need targeted communications and follow up advice and support. It is assumed that Heygate is the highest strategic rehousing priority for the Council and that any subsequent prioritisation is made in the light of the Heygate Action Plan when adopted. It is also assumed that suitable direct offers available when possession action instigated.



28. Home loss compensation (currently £4000) and disturbance expenses will be paid as a matter of course. This would be available as a matter of course and will not require discretionary decisions. However consideration can be given to making a non-statutory payment in certain circumstances, and it is proposed that allowance is made to pay a sum equivalent to home loss to households who exercise the option to move to a new home outside the area and then move to a property on the early housing sites. It is assumed that this will apply to a maximum of 425 tenants. Disturbance expenses would also be payable.
29. In terms of the mix of units required to achieve the overall decant, the entitlement to extra bedrooms will need to be planned for. Under the policy for rehousing in regeneration schemes, qualifying households who are under occupying, will qualify for an extra bedroom in the property they move to, whether it is a new RSL home or a council relet. This policy will apply to tenants moving under the new additional housing option.
30. In addition to the primary rehousing approach, other options remain open to tenants including older suitable tenants to move to sheltered housing and intra estate housing within Heygate, although clearly the latter will be a diminishing and less helpful opportunity as time goes on.

#### B. Leaseholders

31. The acquisition of leasehold properties will also be progressed in parallel with the rehousing of tenants, based on market value and, where necessary using compulsory purchase. Work needs to be concluded on the detailed operation of the leaseholder rehousing policy, to ensure leaseholders are provided with as wide a range of the additional housing options as is possible, in particular shared ownership and equivalent value transactions. The possibility of providing the retained equity option in a non-Elephant and Castle RSL scheme through acquisition by the Council of an equity share is being investigated.
32. A compulsory purchase process, backed by a sufficient capital provision to meet all acquisition costs, will be required to safeguard vacant possession. The availability of funding still needs to be finalised. A resolution to seek CPO powers and the associated funding will be reported to the Major Projects Board in July. Subject to availability of funding, leasehold interests not resulting in a rehousing obligation will be dealt with out of sequence to speed processing.

#### C. Temporary Licensees

33. The majority of the 445 void units are being used for the temporary accommodation for homeless households for whom the Council has a housing responsibility. Temporary licensees will need to be rehoused to alternative temporary accommodation, or permanently rehoused in the same sequence as the secure tenants and leaseholders. Licensees accepted for permanent rehousing will have Band 3 Homeseach status. Direct offers and enforcement by legal action for possession will be required as each phase advances. Should sufficient temporary accommodation not be generated through stock management, the Council will be required to discharge its statutory duty through the procurement of private sector leased properties. This will affect the Council's General Fund position

#### D. Other

34. It should be noted that some non-residential uses e.g. Crossways Church and remaining businesses at Central Buildings will have to be relocated or have their property rights extinguished.

#### Communications

35. Clear communications will be required to explain the rationale and benefits behind the new approach, including targeted mail outs and face to face contact. The communications will make clear that the Council is responding to residents' concerns about management, maintenance and community safety.

#### Financial implications

36. The capital funding requirements for the main activities proposed in the Action Plan have been estimated and profiled below.

##### Anticipated expenditure profile

£m	2007/08	2008/9	2009/10 and on	Total
Leasehold acquisitions <sup>1</sup>	9.150	11.105	2.986	<b>23.241</b>
Leasehold shared equity <sup>2</sup>	0.25	0.25	0.10	<b>0.6</b>
Home Loss <sup>3</sup>	0.6	1.8	1.9	<b>4.3</b>
Security <sup>4</sup>	0.4	0.9	0.3	<b>1.6</b>
Demolition <sup>5</sup>	0	3.0	16.94	<b>19.94</b>
<b>Total</b>	<b>10.4</b>	<b>17.055</b>	<b>22.226</b>	<b>49.681</b>

##### Notes:

<sup>1</sup> Leasehold acquisition shows a relatively flat profile through the life of the plan; in reality the bulk of expenditure is likely to occur towards the end of each of the four phases, because of the time taken to purchase alternative homes etc, but it is assumed that this will be offset by households from later phases being dealt with earlier. The acquisition of non-housing assets, e.g. Crossways Church and businesses on the Heygate Estate is included. All calculations are at present day values.

<sup>2</sup> An allowance is made for the council purchasing some shares of equity in properties being developed in the area to offer leaseholders the opportunity of retained equity purchases.

<sup>3</sup> A single statutory Home Loss payment per household is projected at the current level, and an equivalent sum for 425 households is also included. Disturbance payments are a revenue element referred to below.

<sup>4</sup> Pro rata estimate.

<sup>5</sup> The estimated costs of demolition, including service diversions and on-costs have been provided by the council's cost consultants.

37. The council's capital expenditure required for clearing the Heygate Estate will be reimbursed from capital receipts accrued from the land disposal. The amount and timing of the receipts will not be clarified until the current selection process for the main development partner is completed.
38. The housing investment programme includes a provision of £1,322,080 approved for Heygate lease acquisitions. This is made up of £147,104 being the remaining balance of agreed HRA resources totalling £6.44m, plus £1,174,976 being the remaining balance of general fund receipts of £3m approved by Executive. A separate allocation of £768k is earmarked for home loss payments to tenants in 2008/09. Any increased funding requirement will directly impact on the level of resources available for the planned investment programme, and for decent homes in particular since future reimbursement may go beyond the 2010 target date.
39. Overall, proposed capital expenditure is higher than the level envisaged in previous reports, mainly because we will have dealt with more leaseholder acquisitions and at increased values – no estimate for inflation is ever stated for leasehold values - but also because demolition by the council directly is being introduced for the first time here. It is assumed that the council will undertake the demolition of the whole estate, although in reality it is likely that the responsibility will pass to the selected main development partner during the delivery of the rehousing exercise.
40. Bringing forward the rehousing timetable will impact on the Housing Revenue Account in a number of areas including rental income, housing subsidy, security costs and disturbance payments. It is estimated that cost to the HRA will be £1.5m for each of the years 2008/9 and 2009/10. The additional costs in 2008/09 coincide with budgetary pressures of flagged reductions in housing subsidy from central government.
41. There will be potential increased costs to the General Fund as the statutory duty to provide temporary accommodation will have to be met through increased commissioning of private sector leased properties. Modelling of the potential impact suggests that over a two year decant a worst case scenario would be costs in the region of £3 million. However, actions to mitigate the impact are being taken, with negotiations in progress around reducing the unit cost of Private Sector Leasing across the portfolio. Increased HRA Temporary Accommodation voids from the Aylesbury Estate should also offset projected costs.
42. There will be further revenue effects which will require to be costed as the detailed arrangements are developed, but will include;
  - Extra resources for more intensive management and community safety responses.
  - Extra resources for more direct management of the housing allocations process, including running two lettings systems at once i.e. choice based and direct officers.
  - Legal costs if required of £15k per case on average for determining tenancies, and for discharge of duty for homelessness cases.
  - Loss of Rent for TA at £150.10 per week per unit.
  - HRA / GF impact of alternative temporary accommodation.



## **Effect of proposed changes**

43. Examined under 'key issues for consideration'.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Comments of the Director of Legal and Democratic Services**

44. Section 4 of the Local Government Act 2000 imposes a duty on every local authority to prepare a community strategy for promoting or improving the economic, social and environmental well being of their area. Section 87 of the Local Government Act 2003 also requires all local authorities to have a housing strategy which set out its vision for housing in its area.
45. The Executive will note that Southwark 2016 is a comprehensive community strategy produced by this council. It sets out the council's aim at improving the opportunities available to Southwark's citizen throughout their lives, by improving the Borough's physical environment and creating a public realm that is attractive to and liveable for its residents, business and visitors alike. The Heygate action plan is such a strategy that links well with the Southwark 2016 and housing strategy.
46. In considering, and making determination on the recommendations contained in paragraph 1 to 3 of this report, the Executive will need to satisfy itself that the Heygate action plan demonstrate an effective method of achieving its housing strategy for the area, that it link very well with its action. Where there is a concern, that this action plan will assist it in determining, the effective method for reviewing its strategies.
47. The Executive should note that secure tenants who elect for an RSL property when taken up will become assured tenants.
48. The council may encounter difficulties with tenants, who having been placed in temporary accommodation pending a move to an RSL property refuse to vacate the temporary accommodation. The council would have to take possession proceedings against such tenants and there is a risk that the Council may not be able to regain possession. In the circumstances care should be taken not to inadvertently give or create secure tenancies. The legal department has been instructed that tenants, in the scenario given above, would be allowed to keep the temporary accommodation permanently but the risk should be kept in mind.
49. In law, an undertaking may have legal implications and the use of this word and the construction of any document/agreement incorporating the same should be drafted with care and in conjunction with the legal team.
50. Home Loss/disturbance payments are payable under the Land Compensation Act as amended. However if non-statutory payments are to be made, such payments should be justifiable, objective and fair.
51. Legal services will work closely with all relevant departments and provide legal advice where required to ensure that statutory and guidance requirements are complied with.

## **Comments of the Strategic Director of Finance**

52. The financial implications of the programme proposed in this report on the housing investment programme have not been quantified or reflected in the forward programme. Any additional investment requirements will inevitably have a significant impact in the short term on levels of housing investment available in the rest of the borough and specifically on the planned decent homes and wider stock investment programme. More work is required to resolve the issues around the sources and timing of the proposed financial inputs in support of this programme.
53. The adoption of recommendation 1 for the early rehousing of Heygate residents will have an estimated direct cost to the Housing Revenue Account of £1.5m in 2008/9 and a further £1.5m in 2009/10, as noted in paragraph 40. There will be potential General Fund costs as the knock on effect is managed through the temporary accommodation and the private sector leasing requirements change accordingly. As yet it is difficult to quantify the financial impact and so this will need to be monitored through the lettings process.
54. The capital funding requirement referred to in recommendations 4 and 5 will be subject to change once the final detail of the successful bid for the Master Developer and Planner has been agreed. Once this is known any shortfall in capital funding will need to be the subject of a fully costed capital bid and submitted within the Policy and Resources Strategy process. In the interim, leasehold acquisitions will need to be managed from the existing approved housing capital programme.
55. The recommendations in paragraphs 6 and 7 relating to the project management and service delivery of the rehousing issues from within Major Projects will need to be fully costed. Any recharge to the HRA and any residual cost to the general fund will need to be agreed separately.

## **Comments of Deputy Chief Executive**

56. The proposed rehousing programme for Heygate tenants will increase significantly the proportion of applicants granted Band 1 priority for Homesearch lettings for the duration of the programme. During this period, the applicants most affected will be those in lower bands who are looking for a move around the Elephant and Castle area, as it is anticipated that most of the properties which become available in the area will be let to Heygate tenants. It is intended that tenants' reasonable aspirations will be met through direct offers; in some cases these may be compromised though by the requirements of the programme.
57. Rehousing of regeneration tenants, and the phased closure of Heygate Estate will create pressures on permanent and temporary supply of accommodation. It is likely that these pressures will be met through the use of direct offers of accommodation to temporary residents and through commissioning of additional private sector leased properties. This will have an impact on the Council's General Fund position.
58. Further detailed modelling of the programme is underway to ensure all planned targets are met.

## **Comments of the Strategic Director of Regeneration and Neighbourhoods**

59. The Housing demand and supply model referred to in paragraph 27 shows that it is anticipated that there will be sufficient scope within the system to accommodate this change in terms of the total numbers of homes available but matching of property size and type with requirements has not yet been completed. Updated information, including decisions on the early sites programme, will be incorporated in the supply and demand figures. On an ongoing basis, the model will be used to co-ordinate the supply process, enabling specific adjustments to be made to respond to changing circumstances wherever possible.

## **Consultation**

60. A great deal of consultation work has been undertaken with residents over an extended period. There have regular project newsletters for Heygate Estate in addition to the wider Elephant and Castle newsletters, and a number of exhibition events at key stages. Qualitative research work has also been done at Heygate with a market research company, Marketlink. In addition, the Housing Associations selected to develop the early housing sites work with residents through a stakeholder forum dealing with development issues, and a further one concentrating on housing management.
61. Most of the consultation work is managed in partnership with the Heygate T&RA Project Team where most of the detailed and strategic discussions are held. Three specific pieces of work will be required if the Action Plan approach is adopted: firstly, a general process to communicate the change; secondly, personal contact by the rehousing team to discuss the implications personally; thirdly, ongoing work with the T&RA to sustain the primary consultative body when the rehousing process starts to affect the active membership.
62. This report is the first step in establishing the Action Plan for Heygate, including the introduction of an additional rehousing option and the principle of integrated management. Work will be undertaken on the change with the Heygate T&RA.

## **REASONS FOR URGENCY**

63. The Executive is being asked to agree the adoption of an Action Plan to undertake the rehousing of Heygate Estate residents in a shortened timescale, by September 2009. This response is recommended because of significant concerns about maintaining community safety and the decaying infrastructure of the estate. This is an extremely challenging timescale with very little room for manoeuvre; the only way to undertake this exercise is to have a phased approach to rehousing with phases overlapping, and dependant on the throughput of housing supply. Any delay in starting will inevitably cause blockages in the rehousing process. It is therefore essential that if adopted, the action plan is put in place as soon as is practically possible, and consideration of this cannot reasonably wait until the next meeting of the Executive.



## REASONS FOR LATENESS

64. Following consideration by the Director of Legal and Democratic Services, it was decided that this report should be considered by the Executive and not by the Major Projects Board as originally intended. To reach the next available Executive meeting meant that the report needed to be finalised in a very short timescale.

Background Papers	Held At	Contact
Elephant & Castle project files, decant policy reports.	a) Housing Regeneration Initiatives, 9 Larcom Street, SE17 1RX, and Major Projects, Coburg House SE1 6BD b) Elephant and Castle Project, Coburg House, 63-67 Newington Causeway, SE1 6BD	a) Maurice Soden 020 7525 4925  b) Jon Abbott 020 7525 4902

## APPENDIX A Audit Trail

Lead Officer	Stephen McDonald; Strategic Director of Major Projects		
Report Autho	Maurice Soden; Housing Lead – Major Projects		
Version	Final		
Dated	15.6.07		
Key Decision?	Key		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBE			
Officer Title	Comments Sought	Comments included	
The Director of Legal and Democratic Services	Yes	Yes	
Strategic Director of Finance	Yes	Yes	
Deputy Chief Executive	Yes	Yes	
Strategic Director of Regeneration and Neighbourhoods	Yes	Yes	
Date final report sent to Constitutional Team		15 June 2007	

## APPENDIX 1

### HEYGATE ACTION PLAN – PROPOSED AND INDICATIVE TIMETABLE

Executive – agree Action Plan and funding for leasehold acquisition management & security	18 <sup>th</sup> June 2007
Communications re new approach and phasing	End June 2007
Staffing arrangements	June – Sept 2007
Agree criteria for leaseholder options	September 2007
CPO confirmed	December 2008
<b>Phase 1</b>	
Band 1 rehousing status first phase – start CBL rehousing of Kir and Wansey St (357 units plus hostel)	September 2007
Start rehousing / moving on temporary licensees	October 2007
Rehouse / secure (individual units and sectional decommissioning)	September 2007→
Commence leaseholder buyouts / Commence CPO procedure	September 2007
Gateway 1 for first phase demolition	December 2007
Start direct offers	End January 2008
Phase 1 rehousing completed.	September 2008
Gateway 2 demolition	September 2008
Handover to demolition contractor	October 2008
Phase 1 – demolition start	December 2008
<b>Phase 2</b>	
Band 1 rehousing status second phase – start CBL rehousing of Cuddington (322 units)	December 2007
Start rehousing / moving on temporary licensees	January 2008
Rehouse / secure (individual units and sectional decommissioning)	February 2008→
Commence leaseholder buyouts	February 2008
Gateway 1 for second phase demolition	March 2008
Start direct offers	End February 2008
Phase 2 rehousing completed.	December 2008
Phase 2 – demolition start	March 2009
<b>Phase 3</b>	
Band 1 rehousing status third phase – start CBL rehousing of Chearsley and Risborough (428 units)	March 2008
Start rehousing / moving on temporary licensees	March 2008
Rehouse / secure (individual units and sectional decommissioning)	March 2008→
Commence leaseholder buyouts	April 2008
Gateway 1 for third phase demolition	June 2008
Start direct offers	End June 2008
Phase 3 rehousing completed.	March 2009
Gateway 2 demolition	March 2009
Handover to demolition contractor	April 2009
Phase 3 – demolition start	June 2009
<b>Phase 4</b>	
Band 1 rehousing status fourth first phase – start CBL rehousing of Rodney Road (105 units)	June 2008

Start rehousing / moving on temporary licensees	June 2008
Rehouse / secure (individual units and sectional decommissioning)	June 2008→
Commence leaseholder buyouts	July 2008
Gateway 1 for fourth phase demolition	September 2008
Start direct offers	End October 2008
Phase 4 rehousing completed.	June 2009
Gateway 2 demolition	June 2009
Handover to demolition contractor	July 2009
Phase 4 – demolition start	September 2009
Full vacant possession	December 2009
Fully cleared	March 2010



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## **PLANNING COMMITTEE**

MINUTES of the OPEN section of the meeting of the PLANNING COMMITTEE held on WEDNESDAY DECEMBER 17 2008 at 7.00PM at the Town Hall, Peckham Road, London SE5 8UB.

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**PRESENT:** Councillor James Gurling (chair)  
Councillors Toby Eckersley (vice-chair), Gordon Nardell, Althea Smith, Aubyn Graham and David Hubber

**OFFICERS:** Gary Rice, Head of Development Control  
Stephen Ashworth, Legal Services  
Bridin O'Connor, Development Control  
Michael Tsoukaris, Development Control  
Kenny Uzodike, Constitutional Team

### **INTRODUCTION**

The chair informed the committee that the meeting would be filmed and might be used in a documentary on television about the residents of the Heygate estate. He informed the committee that those wishing not to be filmed should indicate on the consent forms circulated at the meeting.

#### **1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Helen Jardine-Brown.

#### **2. CONFIRMATION OF VOTING MEMBERS**

The members listed as present were confirmed as the voting members for the meeting.

### **NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMED AS URGENT**

The following item were identified as late and urgent. The chair agreed to accept the item for the reasons of urgency to be specified in the relevant minute.

The Addendum report related to the following items:

- Item 6.1 Land Adjoining Library Street, Davidge Street, King Street And Milcote Street, London SE1 0RN

- Item 6.2 Land Adjoining Townsend Street, Beckway Street, Comus Place And Congreve Street, London SE17 1TQ
- Item 6.3 Land Adjoining 60 St George's Road, London SE1 6ET
- Item 6.4 Land Adjoining Albert Barnes House, New Kent Road, London SE1 6PH
- Item 6.5 Land Adjoining Brandon Street, Larcom And Charleston Street, London SE17 1NL

### 3. DISCLOSURE OF INTERESTS AND DISPENSATIONS

Councillor Gordon Nardell declared personal and non prejudicial interests in the following items:

1. Items 6.1-6.5: He informed the committee that he was a registered member of the Southwark cyclist which had sent in consultation replies on all the items.
2. Item 6.3: He informed the committee that a councillor from his party and ward resides in a building a few blocks from the site.
3. Item 6.1-6.5: He informed the committee that he had met with one of the objectors to all the items and informed the committee that he had not predetermined his position on any of the applications and had also informed the objector of this at the meeting.

### RECORDING OF MEMBERS' VOTES

Committee and community council procedure rule 1.8 (4) allows a member to record her/his vote in respect of any motions and amendments. Such requests are detailed in the following minutes. Should a member's vote be recorded in respect to an amendment, a copy of the amendment may be found in the minute file and is available for public inspection.

The committee considered the items set out on the agenda, a copy of which has been incorporated in the minute file. Each of the following paragraphs relates to the item bearing the same number on the agenda.

### MINUTES

- RESOLVED:** That the minutes of the planning committee held on the following days be agreed as an accurate record and signed by the chair.
- November 4 2008
  - December 2 2008 subject to an amendment to paragraph 6.1 (4) to refer to the need for a right turn for east bound traffic on New Kent Road.

### 6. DEVELOPMENT CONTROL (see pages 11-190)

- RESOLVED:** That the determination of planning applications, or formal observations and comments, the instigation of enforcement action and the receipt of the reports on the agenda be considered.



That the decisions made on the planning applications be subject to the conditions and/or made for the reasons in the reports and draft decision notices unless otherwise stated as set out in the agenda.

That where reasons for the decision or condition are not included in the report relating to an individual item, that they be clearly specified.

## **6A ADDENDUM REPORT – DEVELOPMENT CONTROL ITEMS**

The addendum report had not been circulated five clear days in advance of the meeting, nor had it been available for public inspection during that time. The chair agreed to accept the item as urgent to enable members to be aware of late observations, consultation responses, additional information and revisions.

The officer gave an overarching introduction on all the items and members asked questions.

### **6.1 ITEM 6.1: LAND ADJOINING LIBRARY STREET, DAVIDGE STREET, KING STREET AND MILCOTE STREET, LONDON SE1 0RN (Application reference number 08-AP-2427) (See pages 17-55 of the agenda and addendum report pages1-3)**

**PROPOSAL:** *Erection of part three/four/five/six storey block comprising 34 residential flats with private terraces/balconies, communal courtyard and roof garden with pergola and cycle parking; erection of 6 three storey 4 bedroom townhouses with private gardens; community garden*

Members heard an officer's introduction on the report and asked questions of the officer.

The committee heard a presentation from objectors to the application and members asked questions.

The applicant's agents made representations to the committee and answered members' questions.

The committee heard representations from the ward Councillor David Noakes in objection to the application.

**RESOLVED:** That the committee decided that in the case of application 08-AP-2427 that planning permission be granted subject to the following:

1. Subject to the applicant first entering into an appropriate legal agreement by no later than the January 6 2009, planning permission be granted subject to conditions.

2. In the event that the requirements of 1 are not met by the January 6 2009, the head of development control be authorised to refuse planning permission for the reasons set out in paragraph 92 of the report.
3. The conditions as stated the report, the amended condition in the addendum report and the following agreed by committee:
  - 1) That condition 4 be amended to include the requirement that the applicant submit landscaping details to the local planning authority for approval before the commencement of the development.
  - 2) An additional condition to ensure that the treatment of the flank wall on Davidge Street is revisited to maximise sunlight and daylight.
  - 3) The following additional condition: "No development will take place pursuant to this consent until it has been demonstrated to the satisfaction of the local planning authority that the party carrying out development has an interest in the site bound by the planning agreement executed in connection with this permission."

The meeting was adjourned for 10 minutes at 9.41pm to give members a short break and was reconvened at 9.55pm.

**6.2 LAND ADJOINING TOWNSEND STREET, BECKWAY STREET, COMUS PLACE AND CONGREVE STREET, LONDON SE17 1TQ (Application reference number 08-AP-2411)** (See pages 56-90 of the agenda and addendum report pages 3-5)

**PROPOSAL:** *Erection of 4 four storey blocks comprising 16 residential flats / maisonettes and a part eight, part nine storey block containing 21 flats (maximum 29.74m AOD).*

Members heard an officer's introduction on the report and asked questions of the officer.

The committee heard a presentation from objectors to the application and members asked questions.

The applicant's agents made representations to the committee and answered members' questions.

The committee heard representations from the ward Councillor Martin Seaton in objection to the application.

**RESOLVED:** That the planning committee decided that in the case of planning application reference 08-AP-2411 that the planning permission be granted subject to the following conditions:

1. Subject to the applicant first entering into an appropriate legal agreement (at no cost to the council) by no later than January 7 2009, planning permission be granted subject to conditions.
2. In the event that the requirements of 1 are not met by January 7 2009, the head of planning be authorised to refuse planning permission for the reasons set out under paragraph 143 of the report.
  - 1) That the head of development control be authorised to extend the date beyond January 7 2009 if there are outstanding issues relating to car parking in the planning obligations.
3. The conditions as stated in the report and the addendum report and the following:
  - 1) An additional obligation that includes the requirement of a scheme seeking to use best endeavours to increase the level of car parking in the area in accordance with the unitary development plan and to secure 2 additional disabled parking spaces.
  - 2) That condition 4 be amended to ensure that the landscaping scheme is agreed prior to the commencement of the development.
4. The following informative:
 

That the applicant be encouraged to liaise with officers to determine the specific requirements of tree survey, tree protection plan and also submit an arboricultural method statement.

The meeting was adjourned for 2 minutes at 11.25pm to give members a short break and was reconvened at 11.30pm.

**6.3 LAND ADJOINING 60 ST GEORGE'S ROAD, LONDON, SE1 6ET (Application reference number 08-AP-2409 )** (See pages 91-121 of the agenda and addendum report pages 6-8)

**PROPOSAL:** *Erection of a five storey building plus basement comprising 15 residential units (Use Class C3), 1 disabled parking space, 32 cycle parking spaces, plus refuse and recycling storage and associated amenity space.*

Members heard an officer's introduction on the report and asked questions of the officer.

The committee heard a presentation from objectors to the application and members asked questions.



The applicant's agents made representations to the committee and answered members' questions.

The committee heard representations from the ward Councillor David Noakes. He expressed the following concerns about the application to members: public access routes, the sufficiency of the sum allocated to the new playground and the adequacy of arrangements for refuse collection.

**RESOLVED:** That the planning committee decided that in the case of planning application reference 08-AP-2409 that the planning permission be granted subject to the following conditions:

- 1) Subject to the applicant first entering into an appropriate legal agreement (at no cost to the council) by no later than January 05 2009, that planning permission be granted subject to conditions.
- 2) In the event that the requirements of 1 are not met by January 05 2009, the head of planning be authorised to refuse planning permission for the reasons set out under paragraph 85 of the report.
- 3) The conditions as stated in the report, the additional and amended conditions in the addendum report and the following agreed by the committee:
  - 1) That condition 6 be amended to include the requirement that the applicant provide details of and also consult the local residents on the size and location of rubbish bins.
  - 2) An additional condition securing the control over the means of enclosure to the rear wall.
  - 3) An additional condition requiring the applicant to submit details of the facing materials and fenestration at ground floor level and any outstanding issues following this be returned to the planning committee for further consideration.
  - 4) That an additional requirement be included in the heads of terms in the planning agreement to ensure that the "private access" routes are accessible to the public.

**6.4 LAND ADJOINING ALBERT BARNES HOUSE, NEW KENT ROAD, LONDON SE1 6PH (Application reference number 08-AP-2406)** (See pages 122-155 of the agenda and addendum report pages 8-9)

**PROPOSAL:** *Erection of a part 1, 4 and 6 storey building and a part 7 part 8 storey building comprising 52 residential units (Use Class C3), 310.9sq.m commercial floor space (Use Classes A1, A2 or B1), 2 disabled parking spaces, 100 cycle parking spaces, plus refuse and recycling storage and associated amenity space.*

Members heard an officer's introduction on the report and asked questions of the officer.

The committee heard a presentation from objectors to the application and members asked questions.

The applicant's agents made representations to the committee and answered members' questions.

**RESOLVED:** That the planning committee decided that in the case of planning application reference 08-AP-2406 that the planning permission be granted subject to the following conditions:

1. Subject to the applicant first entering into an appropriate legal agreement (at no cost to the council) by no later than 08 January 2009, that planning permission be granted subject to conditions.
2. In the event that the requirements of 1 are not met by 08 January 2009, the head of planning be authorised to refuse planning permission for the reasons set out under paragraph 87 of the report.
3. The conditions as stated in the report, additional conditions in the addendum report and the following agreed by the committee:
  - 1) That condition 12 be amended to include a requirement for the provision of adequate ventilation for all levels of the development.

**6.5 LAND ADJOINING BRANDON STREET, LARCOM AND CHARLESTON STREET, LONDON SE17 1NL (Application reference number 08-AP-2440 )** (See pages 156-190 of the agenda and addendum report pages 9-11)

**PROPOSAL:** *Erection of one part 4, part 5 storey building on the corner of Brandon Street and Charleston Street and one part 5, part 6 storey building on the corner of Brandon Street and Larcom Street, comprising 18 dwellings in total with communal private courtyard and public amenity space at ground floor level.*

Members heard an officer's introduction on the report and asked questions of the officer.

The committee heard a presentation from objectors to the application and members asked questions.

The applicant's agents made representations to the committee and answered members' questions.

**RESOLVED:** That the planning committee decided that in the case of planning application reference 08-AP-2406 that the planning permission be granted subject to the following:

- 1) Subject to the applicant first entering into an appropriate legal agreement (at no cost to the council) by no later than 12 January 2009, planning permission be granted subject to conditions.
- 2) In the event that the requirements of 1 are not met by 12 January 2009, the head of planning be authorised to refuse planning permission for the reasons set out under paragraph 149 of the report.
- 3) The conditions as stated in the report, the additional and amended conditions in the addendum report and the following agreed by the committee
  - 1) An additional condition ensuring the retention of trees adjoining the site as far as possible and only if not, to replant /replace as set out in paragraph 93 of the report.
  - 2) That condition 13 be amended to include the requirement of the provision of adequate lighting and CCTV cameras and to ensure that their location does not adversely affect the design of the development.
  - 3) That condition 19 be amended to include a requirement that the travel plan be implemented.

The meeting ended at 2.00am

**CHAIR:**

**DATE:**



<b>Item No.</b>	<b>Classification:</b> Open	<b>Date:</b> 7 July 2010	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Elephant and Castle – Regeneration Agreement and Disposal of Associated Land	
<b>Ward(s) or groups affected:</b>		Cathedrals, Chaucer, East Walworth and Newington	
<b>From:</b>		Leader of the Council Cabinet Member for Regeneration and Corporate Strategy	

### **Introduction and Recommendations from Leader and Cabinet Member for Regeneration and Corporate Strategy**

The regeneration of the Elephant and Castle is vital to the renewal of our borough. It is a project which was conceived over a decade ago, and the decisions which we take as an administration on the proposed Regeneration Agreement (RA) with Lend Lease ('LL') (Elephant and Castle) Limited are likely to be some of the most significant during this term of office. Therefore, we are delighted to present for the consideration and approval of the Cabinet the following recommendations on the RA with LL (Elephant and Castle) Ltd. We are pleased to have been able to realign the outcome of the negotiations and to bring to fruition such an important milestone on a journey that started in 1999. It is very encouraging to see the recent progress that has been made and we hope that this new pace will continue to be reflected in the regeneration process going forward.

We have fully considered the report from officers, including the supplementary advice from our professional advisors, which commences at paragraph 6 below. We put forward the following recommendations:

### **RECOMMENDATIONS**

1. That Cabinet agrees to the terms of the RA with LL (Elephant and Castle) Ltd for the regeneration of the Elephant & Castle as outlined in this report.
2. That Cabinet approve the disposal of housing land at the Heygate Estate, shown edged in red on the plan at Appendix 1 ("the Land"), to LL on the terms outlined in the RA by way of 999 year leases for premiums plus overage if applicable as set out in the closed report subject to:
  - 2.1. the Council obtaining confirmation from the Secretary of State for the Department for Communities and Local Government ("CLG") that specific consent to the transfer of housing Land will not be necessary; or,
  - 2.2. Council Assembly's approval of an application to CLG for consent to the disposal of housing Land at less than best consideration and that consent being obtained; and,
  - 2.3. other conditions precedent being met.
3. That Cabinet recommends to Council Assembly that it approves an application to CLG for consent to transfer the Land if such consent is necessary

4. That Cabinet agree to a minimum level of affordable housing to be delivered as part of the scheme to be 25% as set out in the Minimum Development Requirements.
5. In the event that negotiations to bring forward the development of the shopping centre site are unsuccessful that Cabinet instructs officers to report back to a future meeting to seek further instruction on the compulsory purchase of the site, underwritten by LL.

## **Background**

6. Since the Executive meeting of 27 July 2009 and subsequent update, a detailed process of discussion and negotiation has been carried out between the Council and LL with the aim of reaching an agreed RA that provided both the Council and LL with the necessary comfort to progress the regeneration of the Elephant and Castle and enter into contract on a long term relationship for the delivery of the Council's ambitions for the Elephant and Castle.
7. Following discussions, the Executive received Heads of Terms for the regeneration at its meeting of 30 November 2009 and agreed to enter into those terms. On the basis of the Heads of Terms, officers have negotiated with LL a detailed RA that sets out the parameters of the contractual relationship between the Council and LL. Update reports were given to the Executive at their meetings in February and March 2010. At the March 2010 meeting of the Executive, it was reported that 95 per cent of the agreement was finalised. At that time, the Executive agreed to make the final decision on the RA at the next scheduled meeting on 22 June 2010 in order to allow for the final detail of the agreement to be drafted and to provide more time for discussions with St Modwen the current owners of the shopping centre.
8. Following the results of the local elections on the 6 May 2010, it was agreed to present a report to the newly elected Cabinet at their meeting on 7 July 2010 in order to allow officers to realign the RA with the aspirations of the new Cabinet. Since the election of the new administration, the negotiations have focused on 3 key elements:
  - Affordable housing
  - The shopping centre
  - Leisure facilities
9. Significant progress has been made on these issues and these are dealt with in greater detail within the body of this report, the closed report and the report on the leisure centre to be presented at the same cabinet meeting.
10. It should be noted that the contents of the RA represent the outcome of a focused period of negotiation and discussion with LL on the regeneration of the Elephant and Castle. The context of the proposed agreement, therefore, represents the culmination of discussions in how best to balance risk and value in order to achieve the maximum benefit for the Council at an appropriate level of exposure whilst realising the wider benefits of the regeneration.

## **RA key terms and Structure**

11. The structure of the RA breaks the project into three key development packages (as demonstrated in the plan at appendix 2 attached to this report) as below:

- Rodney Road (coloured green in the plan at appendix 2)
- Heygate (coloured orange in the plan at appendix 2)
- The shopping centre (coloured pink in the plan at appendix 2)

12. Conditions precedent are applied to each individual package and if the conditions are met then this triggers a draw down of Land on an agreed 999 year lease and the payment to the Council of premium/premiums in accordance with the payment schedule .

#### Lend Lease

13. LL Corporation Ltd is an international property business operating across various aspects of the real estate industry including project management and construction, property development and property investment management.

14. LL Corporation Ltd is ranked third among the top 20 global companies by sales in the real estate industry as classified by Dow Jones (information as at 6 October 2009). At it's last year end in June 2009, the company was valued at \$3958.8m.

#### Security

15. In addition to the guarantee mechanism, certain payments are secured over land at the Elephant and Castle as identified at appendix 3.

#### Overage

##### Profit Overage

16. A key element of the RA is the concept of sharing any overage/super profit on a 50/50 basis. For the purposes of monitoring and calculating any overage, a development account and financial model have been developed; the same model will be utilised to inform assessment of the primary viability condition. The composition of the model has been agreed and is defined in the RA.

##### Planning Overage

17. There is a methodology in place between the Council and LL in relation to any planning overage (which is the additional value created by additional or subsequent planning applications) that may be achieved over and above the current levels of development through the planning process.

#### Financial Model

18. The financial model underpinning the transaction is made up of certain elements in relation to the inputs or costs; and the outputs or revenues. These are summarised in the following tables and have been reviewed by PriceWaterhouseCoopers LLP (PwC).



## Revenues

Revenue element	Definition
Private Housing	Total receipt for private residential units over the life time of the scheme.
Intermediate Housing	Total receipt for sales of intermediate housing units delivered through RSL.
Social for Rent Housing	This is the total receipt expected from social rented housing within the model which will be delivered through the appropriate RSL.
Retail	This is the level of income expected to be achieved through sales and lettings of the commercial space within the scheme.
Car Parking	This is the total revenue gained through sales of car parking spaces within the scheme.
Ground Rent	This is the payment made by the leaseholder to the landlord for consideration of the lease including residential ground rents on private flats.

## Costs

Cost Element	Definition*
Construction Costs	Total construction costs including all demolition, site preparation, infrastructure costs together with all professional team fees and expenses paid by the developer.
Development Costs	The preparation for, acquisition, holding, design, financing, development, marketing, letting etc and the carrying out of the works including project management and development management costs.
Finance Costs	The developer will charge the cost of debt to the development account and will apply the same rate to any money that it invests in the scheme itself.
Developers Profit	LL will receive a profit on cost.
Professional Fees	Actual costs incurred subject to challenge and competitive tendering process

\*NB: definitions are a summary of the legal terminology and are given for information purposes only and should not be relied upon.

19. PwC have compared the relevant aspects of the model to the RA. A number of queries and issues were identified, all of which have now been resolved. As a result of the review of the model, PwC noted that the RA is very complex in structure in order to provide for

the longevity of the project and, therefore, monitoring will be required to ensure that the model is always fit for purpose.

## Demolition

20. As previously reported, the demolition of Rodney Road is already underway and a demolition management agreement has been signed between the Council and LL. This agreement is, however, separate to the works associated with the demolition of the Heygate.
21. In respect of the demolition of the Heygate, the Council and LL have agreed a programme which is aligned with the current estimated projection of vacant possession being achieved for the blocks on the Heygate. LL are to progress demolition of the Heygate in line with this programme with the aim of completion by 2015. The indicative programme is attached to the RA as an annexure and will be reviewed by the management board (see later section on Governance) on an ongoing basis (and is attached here at appendix 4). LL have agreed to start the technical and procurement processes to achieve early demolition as soon as the RA is signed.

## Primary and Secondary Conditions

22. At the time of the 24 November 2009 Executive meeting, officers reported that there were four conditions precedent that needed to be met in order for the scheme to progress. Following further discussion with LL, the concept of conditions precedent has evolved and the progression of the RA is now subject to two tiers of conditionality requiring primary and secondary conditions to be met. The primary conditions must be met to satisfy the progression of a phase and the secondary conditions must be met in order to satisfy the progression of a building on site.

## Governance

23. A management board will be convened to govern the project and it will consist of appropriate representatives for both the Council and LL who will be appointed to monitor the progress of each part of the development. The Council will be represented by the Deputy Chief Executive and the Strategic Director of Regeneration and Neighbourhoods, LL will appoint their Elephant and Castle Development Director and Head of Major Projects to the management board. Further details of how this board will operate are contained within the RA but specific responsibilities are listed below.
24. The management board will perform a strategic role:
  - in monitoring the rights and obligations for both parties within the RA; and,
  - in monitoring and reviewing the delivery of the Minimum Development Requirements and the level and split of affordable housing within the phases.
25. The management board is also able to consider alternative sites for the first development if it is prudent to do so through discussion and approval of the phasing and plot plans.
26. In addition to the functions of the management board outlined above, further governance arrangements for the project include the Council having approval rights to the:

- planning application;
- planning strategy;
- land assembly strategy;
- Master Regeneration Plan (MRP);
- Masterplan;
- Phase plan;
- Plot plan; and,
- Transport strategy.

27. The Council will also receive the following:

- Annual Business Plan;
- Construction Phasing Plan;
- Programme;
- Latest appraisal;
- Marketing & Letting strategy; and,
- Procurement strategy.

28. The management board is made up of a limited membership in order to provide the necessary focus and experience to take the regeneration forward and deliver on the stated objectives for the Elephant and Castle. For the avoidance of doubt, the management board is separate to and different from the proposed Steering Group. The proposed Steering Group will form an integral aspect of the consultation strategy which is contained within the Master Regeneration Plan. The consultation strategy will be formally developed over the next three months in consultation with members, stakeholders and the wider community.

29. The development of the terms of reference for the Steering Group will be carried out in full consultation with the Community Council as well as the wider community and interested stakeholders as a part of the consultation strategy. However, the aim of setting up the Steering Group will be to put in place an appropriate feedback mechanism to review progress of the project and provide a public forum for discussion and debate in respect of the regeneration and its impact on the wider community. Similarly, a feedback mechanism will be put in place to ensure that the views of the Steering Group are raised and discussed with the management board in order to ensure that the views and opinions of all interested parties are considered throughout the development of the project. These proposals will be worked up over time and are part of the consultation strategy which is contained within the MRP. It is anticipated that a full consultation programme will be agreed three months after the RA is signed as part of the annual business plan.

## MUSCo

30. Both the Council and LL acknowledge that a key aspect of the regeneration is the provision of a sustainable energy solution that meets the requirements of the relevant legislation and specifically, to meet the "zero carbon emissions" standard which will be in place from 2016. This standard will be built into the minimum requirements set by the national Building Regulations. The Council will seek to provide a Multi Utility Services Company (MUSCo) as the preferred approach to provide an energy solution for the Elephant and Castle. LL have agreed to work with the proposed MUSCo provider on the development of the MUSCo and associated services.

31. An alternative solution to the MUSCo is one where the developer must meet the zero carbon standard through:

- high levels of energy efficiency (building fabric insulation);
- building mounted renewable energy systems (e.g. PV, biomass boilers, solar thermal, heat pumps etc.);
- payment into an "allowable solutions" fund to offset any remaining carbon emissions that cannot be eliminated via the above. It should be noted that this element can only meet 30% of the total carbon omissions of the development. Guidance from Government suggests that this will be an option only where it can be demonstrated that these savings can not be met on site or near the site through connection to a district network.

#### Shopping centre

32. The shopping centre is included in the RA and the agreed strategy for bringing forward the development of the shopping centre within the RA is that:

- the Shopping centre will form part of the outline planning application along with the Heygate;
- both parties will try to bring the shopping centre and its owners into a Joint Venture arrangement with LL by agreement, enabling the delivery without recourse to CPO;
- if agreement can not be achieved then the Council may choose to use its CPO powers to acquire the shopping centre.

33. Negotiations are currently on-going with St Modwen (the current owners of the shopping centre). However, at the time of writing this report terms have not been agreed.

#### Programme

34. An indicative programme is attached at appendix 4.

#### Project Milestones

35. At this stage, the agreed key milestones are as follows:

Milestone	Date
Signing of RA	July 2010
Commencement of physical demolition of Rodney Road	October 2010 (if it proves viable and expedient, the demolition of the Heygate will be brought forward once the site achieves vacant possession, this will be by agreement between LL and the Council)
Detailed planning consent and conditions precedent met for Rodney Road	end 2011



Outline planning consent received and conditions precedent met for the Heygate	end February 2013 (subject to provision of an extension to allow for legal challenge)
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36. Further milestones will be agreed between both parties through the governance structure as part of the development programme.

#### Pre-development work

37. Following signing of the RA, it is currently envisaged that LL will:

- finalise the Master Regeneration Plan;
- progress pre-development work on the master plan including consultation;
- prepare planning applications for the masterplan to include elements in detail for early phases;
- commence the preparatory work to achieve an early demolition of the Heygate and work on a secondary option in the eventuality that the MUSCo is not delivered.

#### Rodney Road

38. LL have agreed to commence with the demolition of Rodney Road acting as the Council's agents prior to the signing of the RA, subject to the recovery of costs from the Council. On submission of a detailed application for Rodney Road LL will, subject to achieving consent and subject to conditions precedent being met commence construction on site, having regard to the programme.

#### Shopping Centre and the Heygate

39. On submission of an outline application for the shopping centre and the Heygate LL will, subject to achieving consent prepare detailed applications in relation to the development of the shopping centre and the Heygate. On grant of planning consent and subject to conditions precedent being met, LL will commence construction on site.

#### Plot 1 Heygate

40. LL have committed that following the satisfaction of the primary conditions for the Heygate which triggers the draw down of Land they will proceed with the construction of the first building (subject to the satisfaction of the secondary condition) which will prevent the land being drawn down and construction not commencing which would mean that the Land was "land banked" by LL.

#### Plans

41. The RA includes an indicative phase plan (showing the development packages as outlined in appendix 2) and plot plan (which is attached at appendix 5). These plans have been agreed by both parties, they are, however, subject to the statutory planning process, consultation and market forces. There are mechanisms in the governance arrangements to make changes to these plans by agreement between the parties should any of the factors outlined require them to be adapted.

## Consultation and Community Involvement

42. Following the completion of the RA, the Council and LL have proposed through the draft Master Regeneration Plan to produce a complete consultation strategy within three months in order to allow sufficient time for the strategy to develop in consultation with relevant stakeholders and the community. The strategy will provide more detail as to how both parties propose to keep local residents, businesses and other stakeholders informed about:
- the progress of the scheme;
  - how they will have the opportunity to inform the content of the planning application;
  - the development process; and,
  - the critical decision points during the course of the regeneration.
43. The strategy will also include more information on the role and operation of the proposed steering group referred to in the governance section above and how this will interact with the development.

## Master Regeneration Plan

44. The report to Executive on 24 November 2009 set out the commitments by the Council and LL in achieving the broader regeneration benefits of the project with the aim of delivering a successful urban quarter at the Elephant and Castle. The Council's vision for the regeneration was reiterated at that meeting and is incorporated within the Heads of Terms.
45. At the time, a key document to achieving these aims was explained as being the 'Master Regeneration Business Plan'. This document has since been drafted alongside the RA and through its evolution, it is now called the 'Master Regeneration Plan' (MRP). The MRP forms an integral part of the RA, the intention being that it provides an overview of the project and the steps that the Council and LL will take in order to advance the programme and delivery of the regeneration.
46. The MRP is intended to communicate the strategic development management proposals for the RA site at the Elephant and Castle whilst also setting out for residents and businesses those objectives that the Council and LL are seeking to deliver at the RA site and how this will contribute to the wider vision of the Elephant and Castle Opportunity Area.
47. At this point in time, the MRP should be considered a draft document as it will evolve further and in more detail over time following completion of the RA and it will need to be flexible in order to take into account the requirements of the development timeline for the Elephant and Castle. However, it is a document that will be reviewed regularly by both parties at the management board as it will form the basis of the rationale behind the development for the lifetime of the project, this document will be a publicly available resource.
48. It is particularly important to note that the MRP not only addresses the planning and design issues but also the key strategies related to sustainability and socio-economic factors together with the ongoing estate management of the area.

49. The MRP is attached to this report as an appendix (appendix 6), however, in summary the RA contains the following:

- project status and document purpose;
- vision, cornerstones and development objectives for the RA site;
- planning strategy;
- RA site masterplan and design strategy including:
  - masterplan background
  - land uses
  - housing
  - design code
  - indicative RA site plans
- infrastructure strategy;
- land assembly;
- sustainability strategy;
- socio-economic strategy;
- consultation strategy;
- estate management strategy; and,
- health and safety.

#### Leisure Facilities

50. Initially, two plots were considered within the area covered by the RA for the provision of leisure facilities, however, following a technical and financial assessment, these were discounted on value for money grounds. Leisure facilities do not therefore, form part of the RA with LL and the Cabinet will consider at the same Cabinet Meeting options for the delivery of leisure facilities for the Elephant and Castle Opportunity Area. It is however important to recognise that one of the primary funding sources for leisure facilities is anticipated to be payments made under this agreement.

#### Planning Applications Affordable Housing and Section 106

51. LL will be responsible for making the appropriate applications to optimise the site value of the site in accordance with the agreed Master Plan (which forms an appendix to the RA). Issues such as transport infrastructure, Section 106 contributions and quantum of affordable housing will be determined through the statutory planning process in the normal manner. However, within the Elephant and Castle Opportunity Area, the Southwark Plan policy requires at least 35% of all new housing to be provided as affordable with a tenure mix of 50% social rent and 50% intermediate. Where developers propose to vary this policy on the grounds of viability, a 'Three Dragons' tool kit appraisal is required to support the application.

52. The Council has negotiated a contractual obligation on LL to provide a minimum level of affordable housing of 25% which is a variation to the Heads of Terms which did not provide a minimum level. In addition, LL have committed that their planning application will be based on a 50/50 split between Intermediate and Social Rented affordable housing. Irrespective of the planning process and the Three Dragons appraisal of viability, this minimum threshold will need to be met, however, it is hoped that a full policy complement of 35% will be delivered.

53. The core strategy published in November 2009 modifies the Southwark plan approach by setting numerical targets for new housing including affordable housing for the borough as a whole and individual areas within it. In the case of the Elephant and Castle Opportunity Area, 4000 net new homes are to be provided between 2011-2026 of which 35% or 1400 units should be affordable. The previous policy which required a minimum of 35% affordable housing on sites capable of accommodating 15 or more units has been replaced by an approach which requires as much affordable housing on developments of 10 or more units as is "financially viable". In addition, the core strategy approach now requires a minimum of 35% private housing units in developments within the Elephant and Castle Opportunity Area. The required split between social rented and intermediate housing will be set out in the housing development plan document (expected in a years time), however, the split in the current Southwark plan is likely to be maintained. The core strategy examination in public is scheduled for July 2010, following which, an Inspectors binding report is likely to be published in September 2010 after which the core strategy will have a high degree of weight when planning applications (including those which are subject to pre-application discussions) are being considered.
54. The current planning strategy envisages that three applications will be made: a detailed application for Rodney Road and plot 1 Heygate and an outline application for the Heygate and shopping centre. The preferred approach will need to consider the most effective way of managing planning risks associated with the environmental assessment regulations and in particular the potential of a challenge on the grounds that the scheme has been artificially divided as a means of circumventing an assessment of the cumulative effect of the scheme as a whole.
55. Throughout the development of the applications, the Council will be fully involved (as Regeneration Partner) through the governance arrangements which will be in place as a result of the RA and the Council's agreement (acting in a reasonable capacity) and sign off to the planning applications will be required. In addition, the Council will provide a dedicated development management officer to support the planning process.

#### Risks

56. PwC have been involved in the commercial negotiations and have provided advice and input during a long series of meetings. A number of risks have been identified at this stage and PwC have recommended that a risk workshop is carried out at the earliest opportunity with a Council wide team to maintain transparency and to ensure that mitigation measures are in place where necessary. PwC recommend stringent risk management procedures to manage a number of complex risks.

#### TfL

57. The TfL Interchange team have been undertaking a modelling exercise to appraise the impacts of anticipated development within the Elephant & Castle Opportunity Area on both the Northern line and Bakerloo London Underground stations. This is an important exercise with implications for the RA and the planning application that LL are to bring forward.
58. The material is being used to inform the GLA response to the Council's core strategy which will be the subject of an examination in public in the summer. The Council in its role as planning authority will need to demonstrate that it is in conformity with London Plan



requirements including the provision of infrastructure needed to support plan development targets for new homes and jobs. In addition, the Mayor and the local planning authority will seek contributions via a s106 agreement to mitigate the impacts of the development on the transport system arising from development within the opportunity area including that proposed by LL. Other developments in the area would also be expected to make appropriate contributions. There is ongoing engagement between the Council, TfL and LL to consider the likely contributions towards public transport infrastructure.

#### Implications for LL/RA

59. The strategic and local planning authorities will expect the LL scheme to mitigate its impacts on the transport infrastructure. The planning policy framework and objectives are currently being formulated through the core strategy process. LL will be required to undertake a full transport impact assessment to support the planning application and to demonstrate how impacts can be mitigated. None of this material is currently available. The conclusions from the exercise will inform the negotiations with the relevant planning authorities and will inform decisions on the contributions that will be required to mitigate impacts on the transport system. It should be noted that these costs could have implications for the development account, the Council's overage and the achievement of the conditions precedent referred to elsewhere in this report.

#### Statement of Community Impact

60. A full Equalities Impact Assessment (EqIA) of the scheme has been undertaken in accordance with the corporate programme for production of EqIA's; this will need to be reviewed once the RA is agreed. Additional consultation over and above the requirements of the statutory planning process will be undertaken with the local community in the preparation of the planning applications.

### **SUPPLEMENTARY ADVICE FROM PROFESSIONAL ADVISORS**

#### **Herbert Smith (Legal Advisors) – Key Legal Risks**

61. The summary of the RA contained in this report and set out above accurately reflects the final version of the RA.
62. This section in the closed report summarises the main legal risks that arise in the RA and the approach taken to try to minimise the impact of such risks for the Council. The RA is a complex document as it deals with the way in which the regeneration will be progressed over a number of years - the scope and approach of the document has evolved in the negotiation process from the heads of terms that were signed in December 2009.

### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

#### **Supplementary advice of Strategic Director of Communities, Law & Governance**

63. The RA sets out the terms on which it is proposed that the Council's housing land will be disposed of by way of the grant of three 999 year leases.

64. As the land falls within the Council's Housing Portfolio, the disposal can only proceed in accordance with Section 32 of the Housing Act 1985, for which purposes the consent of the Secretary of State for CLG is required.
65. A number of general consents have been issued in the General Housing Consents 2005.
66. Consent E3.1 states:
- "A local authority may dispose of any land held for the purposes of Part II for the best consideration that can reasonably be obtained, provided that any dwelling house included in the disposal:
  - is vacant;
  - will not be used as housing accommodation; and
  - will be demolished"
67. The RA provides that prior to the disposals the dwellings on the land will be vacant, following the programme for achieving vacant possession, and will not subsequently be used as housing accommodation but will be demolished. These requirements of General Consent E3.1 are therefore satisfied and if the payments the Council will receive for the land represent the best consideration that can reasonably be obtained, the specific consent of the Secretary of State will not be required.
68. The Council's independent valuation advisers have advised that CLG should be approached for confirmation as to whether specific consent to the disposal will be required.
69. If CLG confirm that consent will be required or if the payments the Council will receive for the land do not represent the best consideration that can reasonably be obtained, the specific consent of the Secretary of State will be required and an application to CLG will be submitted (with Council Assembly's approval). That application to CLG will form the basis of a report to Council Assembly in October.

### **Supplementary Advice of the Finance Director**

70. This report presents a number of recommendations arising from the RA for the Elephant and Castle regeneration. These follow on from detailed negotiations between the Council and LL following on from agreement to Heads of Terms by both parties in November 2009. Unlike the Heads of Terms, the RA will be legally binding on both parties and the RA therefore reflects a greater level of certainty on key issues relating to the agreement than existed previously.
71. The financial and commercial implications of entering into this RA are laid out in the body of the report and detailed within the agreement itself. They are represented within a financial model that has been agreed between both parties and independently reviewed, challenged and verified by PwC. Drivers Jonas have separately provided critical challenge to the bases for modelling assumptions in addition to external valuation advice.
72. The financial aspects of the agreement are consistent with the intentions of the Best and Final Offer submitted by LL in July 2007, although more detailed discussions have enabled these proposals to be formalised and embedded within the RA, not least in the context of a changing economic environment and market conditions.

73. The Finance Director remains mindful of the financial and other risks inherent within any regeneration scheme of this scale. However, the proposed RA offers the Council guaranteed phased payments on land transfer throughout the development. These payments are on the basis of clear conditions precedent being met as laid out in the RA.
74. The Council has agreed overage provisions with LL within the RA on profit to be shared on a 50:50 basis. In addition, provisions for planning overage within the RA allow the Council a further opportunity to generate additional receipts in the future. Details of the overage arrangements are contained within this report.
75. Receipts arising from these guaranteed payments will be used initially to reimburse the Housing Investment Programme for costs incurred in achieving vacant possession on the site. Further decisions on the use of other receipts will be subject to regulation and to future approvals granted by the Cabinet.
76. The RA requires that the Council shares the risk associated with LL in achieving planning consent. This share of risk is considered appropriate subject to LL acting in good faith and with best endeavours to get to this point. This will be subject to continual engagement between the two parties through the governance arrangements as referred to in paragraphs 23 – 29 and especially the Council's sign off on the planning application itself. The Finance Director notes the need to make reference to any potential future liability within the Council's financial accounts.
77. The Finance Director notes that transfers of land and related payments are subject to regular tests for viability that are under the control of LL, although the Council would not expect to proceed with any scheme were it not viable to do so as this would not be in the interests of either party and may not represent best value.
78. The Council is required to ensure that best consideration is received in respect of any land transfer and these issues are referred to throughout the report (paragraphs 63 - 69). At the point of agreement to the RA, the Council will proceed to seek the consent of the Secretary of State to the transfer of housing land. This forms part of the conditions precedent and will be subject to a report to Council Assembly in due course.
79. The Finance Director notes a range of governance arrangements included as part of the RA. In particular he notes the arrangements for the Management Board, the business planning processes, annual audit arrangements and access to open book accounting. These are linked to a framework of approval routes both set out within the RA and within the Council's existing arrangements. Collectively, these will allow for the Council to have appropriate oversight of the project being delivered by LL under contract. In particular, governance arrangements will need to ensure that all costs and fees are properly controlled throughout the development and are of an appropriate nature.
80. The Council will wish to ensure that appropriate resources are made available to support these essential control mechanisms. These need to be contained within existing budgets and budget planning arrangements and will be supported by contributions from LL.
81. The Finance Director notes the costs relating to the scheme incurred by LL as set out in the report.

82. Appropriate accounting arrangements will need to be put in place to support the various financial transactions inherent within the project including any contingent liability arising from sharing development risk in gaining planning consents. The Finance Director will seek external advice on representation of various sums within the statement of accounts and refer to the District Auditor as necessary.
83. In the context of the RA being agreed by both parties and especially with regard to future guaranteed receipts, the Finance Director will review the Council's wider capital programme in order to ensure that cash flow is appropriate for both Housing Investment and other programmes.

### Reasons for Lateness

84. The discussions and negotiations on the RA have been ongoing between the Council and LL since the agreement of the Heads of Terms. The negotiations and the RA had been substantially completed prior to the Borough Council elections in May 2010. Following the election of the new Administration it was necessary to reopen negotiations in order to re-align some of the elements within the RA to changed priorities. The subsequent redrafting of the RA and the drafting of this report required further advice from the professional advisory team of legal, property and finance specialists. The final drafting of the report was, therefore, not concluded prior to the stage at which Cabinet papers would have been circulated under normal protocols.

### Reasons for Urgency

85. It is not possible to wait until the next meeting of the Cabinet to consider this decision because of the agreed timetable between the Council and LL. The exclusivity agreement between the Council and LL expires at the end of July 2010. A decision on the 7th July allows sufficient time for the appropriate "call in" procedures, including any reconsideration by Cabinet if necessary and any further redrafting of the RA. A decision on 20th July would not allow time for completion of all of the necessary procedures in the available timeframe.

### Background Papers

Background Papers	Held	Contact
23 November 2009 Executive Report Elephant and Castle Heads of Terms	Everton Roberts Constitutional Team	Everton.roberts@southwark.gov.uk Ext. 57221

### Appendices

Appendix 1	Council Land plan
Appendix 2	Development Packages plan
Appendix 3	Security Land plan
Appendix 4	Indicative programme



Appendix 5	Plot plan
Appendix 6	Master Regeneration Plan

## Audit Trail

<b>Cabinet Member</b>	Leader of the Council Cabinet Member for Regeneration and Corporate Strategy		
<b>Lead Officer</b>	Eleanor Kelly – Deputy Chief Executive		
<b>Report Author</b>	Steve Platts – Head of Property Tom Branton – Project Manager		
<b>Version</b>	FINAL		
<b>Dated</b>	30.06.10		
<b>Key Decision?</b>	Yes		
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES</b>			
Officer Title		Comments Sought	Comments included
Strategic Director – Communities, Law & Governance		YES	YES
Finance Director		YES	YES
Date final report sent to Constitutional Support Services			30.06.10

<b>Item No.</b>	<b>Classification:</b>	<b>Date:</b>	<b>Meeting Name:</b>
5.2	OPEN	5 February 2013	Planning Committee
<b>Report title:</b>	<b>Development Management planning application:</b> Application 12/AP/2797 for: Full Planning Permission  <b>Address:</b> LAND BOUNDED BY VICTORY PLACE BALFOUR STREET AND RODNEY ROAD, LONDON SE17  <b>Proposal:</b> Construction of 8 buildings ranging between 4 and 10 storeys in height (maximum building height 38.5m AOD), comprising 235 residential units, 204 sqm (GEA) of retail use (Class A1-A3), car parking beneath podium level, cycle storage, servicing, plant areas, landscaping and public realm improvements.		
<b>Ward(s) or groups affected:</b>	East Walworth		
<b>From:</b>	Head of Development Management		
<b>Application Start Date</b> 03/09/2012		<b>Application Expiry Date</b> 24/12/2012	

## RECOMMENDATION

- 1 That planning permission is granted subject to conditions, the applicant entering into a legal agreement and referral to the Mayor of London.

## BACKGROUND INFORMATION

### Site location and description

- 2 The site is triangular in shape and bounded by Victory Place towards the north, Rodney Road to the south west and Balfour Street to the east. Currently the site is largely vacant, and the previous buildings that occupied the site were demolished in 2011. Surrounding the site there is the Victory Community Park and Victory Primary School to the north of the site, residential properties to the west and east, including the 5 storey Peabody Estate opposite the site on Rodney Road and 2 storey terrace houses to the east of the site on Henshaw Street and other streets running parallel to this. Small commercial and retail premises, including the Rose and Crown Public House are situated to the south of the site. Further to the north west of the site is the wider Heygate Estate.
- 3 Previously located on this site were 105 dwellings, contained in 4 local authority blocks known as the Rodney Road and Wingrave blocks, and these formed part of the Heygate Estate. The buildings on the site were made up of 1-49 Wingrave (8-9 storey block), 50-73 Wingrave (4 storey block) and 74-87 Wingrave,(4 storey block) along with 43-53 Rodney Road (3 storey block) and associated garages. The total estate amounted to 1,212 residential units across both this site and the site to the north east, bounded by New Kent Road, Rodney Place, Rodney Road, Wansey Street, Walworth Road and Elephant road. A raised walkway previously linked the two sites, and has since been demolished. The estate is owned by Southwark

Council, and was originally constructed as social housing.

- 4 The site in its current condition consists of hardstanding, with a number of mature trees, and the only structures are a sub-station and garage. A number of mature trees were also removed during the demolition of the previous residential buildings on the site.

### Details of proposal

- 5 The proposed development forms part of the wider proposals to regenerate the Heygate Estate, and is covered by the Heygate Masterplan area. This area is described in the Elephant and Castle Supplementary Planning Document as proposal site 39P and Strategic Policy 20. Whilst forming part of the masterplan area, this application proposal consists solely of the parcel of land to the south east of the wider Heygate Estate, and is a fully detailed planning application to redevelop the site. An outline application to establish the principles of redeveloping the wider Heygate Estate to the north east of this site, was also submitted to the Local Planning Authority under planning reference 12-AP-1092. Members resolved to grant planning permission in accordance with the Officers recommendation on the 15 January 2013 at Planning Committee, that permission is now subject to the completion of a legal agreement and referral to the GLA. This application proposal is sometimes referred to as 'Phase One' of the wider Heygate Estate development proposals.
- 6 This application proposal details the construction of blocks ranging in height from 4 to 10 storeys in height, to provide residential accommodation and 204sqm of retail floorspace. The breakdown of the proposed residential units is described in the table below:-

Table 1: Schedule of proposed residential units by bedroom number & Tenure

Unit Type	Number of Units	Private Market	Affordable* (Rented & Intermediate)
Studio	9	9	0
1 bed	84	67	17
2 bed	114	90	24
3 bed	26	15	11
4 bed	2	0	2
<b>Total</b>	<b>235</b>	<b>181</b>	<b>54</b>

\*Affordable Homes are proposed to be split 50:50 by habitable rooms, between affordable rent and intermediate tenures. A break down of the affordable units is provided below in the affordable housing section of this report.

- 7 The proposed development of this site has been separated into two sub-plots, 'R1' which is to the north of a new street through the site, called Paragon Row, and 'R2' which is to the south of this new street. Paragon Row follows the intersection of Henshaw Street into Balfour Street, providing a link through the site to Rodney Road.
- 8 Plot R2 includes a raised podium courtyard to provide a communal residential amenity space for residents, with residents' car parking, cycle storage and refuse storage below. There are 8 blocks proposed within these sub-plots:-
- R1A – 10 Storeys with a 7 storey element onto the south of the building;
  - R1B – 7 storeys, stepping up to 8 storeys to the west of the building;
  - R1C – 4 storeys at Balfour Street end, stepping up to 6 storeys;
  - R2A – 9 storeys with a 4 storey element to the west where the building adjoins R2B;
  - R2B – 4 storeys;

- R2C – 5 storeys;
- R2D – 5 storeys; and
- R2E – 5 storeys.

A site plan showing the proposed layouts and heights of buildings is included in appendix 3 of this report.

- 9 The proposals also include the creation of new publicly accessible spaces and routes. These include the retention of trees and new landscaping to create a 'woodland' walk on Victory Place, which also provides playspace that is accessible to both future occupiers of the development and the wider community; a new pedestrianised street through the site called Paragon Row or the existing Victory Place; a new community garden adjacent to R1A to the north of the site, that is publicly accessible from Paragon Row; and a new external seating area (for the retail unit) and landscaped decking area, adjacent to building R2A towards the south of the site.

## 10 Planning history

10-PA-0019 – Application for prior approval, for the demolition of four ex local authority residential blocks and associated walkways. Agreed that prior approval required, and subsequently granted dated 28 October 2010.

11-AP-2617 – Request for an EIA Scoping Opinion for the redevelopment of the area of land within the Elephant and Castle Regeneration Area (known as the Rodney Road Phase) to provide residential dwellings and retail units with associated car parking and landscaping.

12-PA-0033 – Application for prior approval for the demolition of remaining structures and site clearance works. Determined that prior approval was not required.

## 11 Planning history of adjoining sites

THE ESTATE AND SURROUNDING LAND BOUND BY NEW KENT ROAD (A201) TO THE NORTH, RODNEY PLACE AND RODNEY ROAD TO THE EAST, WANSEY STREET TO THE SOUTH AND WALWORTH ROAD (A215) AND ELEPHANT ROAD TO THE WEST, LONDON SE17

12-AP-1092 – Outline application for redevelopment to provide a mixed use development comprising a number of buildings ranging between 13.13m (AOD) and 104.8m (AOD) in height with capacity for between 2,300 (min) and 2,469 (max) residential units together with retail (Class A1-A5), business (Class B1), leisure and community (Class D2 and D1), energy centre (sui generis) uses. New landscaping, park and public realm, car parking, means of access and other associated works.

Officers' recommendation that planning permission be granted subject to conditions and completion of a legal agreement – and referral to the Mayor. Resolution to grant permission at planning committee on the 15 January 2013 – subject to completion of legal agreement and referral to the GLA.

LAND BOUNDED BY WADDING STREET AND STEAD STREET, LONDON SE17

12-AP-1455 – Planning permission granted for demolition of existing buildings, and construction of new buildings ranging in height between 4 and 7 storeys, to provide a total of 140 residential units (19x 1 bed, 85x 2 beds, 32x 3 beds and 4x 4 beds) a 244sqm church hall (use class D1), and a 117sqm retail unit (use class A1); with associated landscaping, amenity space and residential car parking and cycle storage spaces (28 September 2012).



## KEY ISSUES FOR CONSIDERATION

### 12 Summary of main issues

The main issues to be considered in respect of this application are:

- principle of the proposed development in terms of land use and conformity with strategic policies and the Elephant and Castle Supplementary Planning Document;
- impacts from the development as described in the submitted Environmental Statement and in accordance with Environmental Impact Regulations;
- transport issues, and loss of existing parking on the site;
- design issues including layout, heights, massing and elevations;
- affordable housing;
- housing mix and type;
- quality of accommodation;
- traffic issues;
- impact on the amenities of occupiers of adjoining properties;
- energy and sustainability; and
- planning obligations.

### 13 Planning policy

The statutory development plan for the borough comprises the London Plan (2011); Southwark's Core Strategy (2011) and saved policies from the Southwark Plan (2007).

#### Designations

Central Activity Zone  
Air Quality Management Area  
Elephant and Castle Major Town Centre  
Elephant and Castle Opportunity Area

The site also forms part of designated Proposal Site 39P 'Elephant and Castle Core Area' which identifies a large central area of land for comprehensive redevelopment.

#### Core Strategy 2011

- 1 – Sustainable development
- 2 – Sustainable transport
- 5 – Providing new homes
- 6 – Homes for people on different incomes
- 7 – Family homes
- 10 – Jobs and businesses
- 11 - Open spaces and wildlife
- 12 – Design and conservation
- 13 – High environmental standard
- 14 - Implementation and delivery

#### Southwark Plan 2007 (July) - saved policies

The relevant saved policies of the Southwark Plan include:

- 1.7 Development within Town and Local Centres
- 2.5 Planning Obligations

- 3.1 Environmental Effects
- 3.2 Protection of Amenity
- 3.3 Sustainability Appraisal
- 3.4 Energy Efficiency
- 3.6 Air Quality
- 3.7 Waste Reduction
- 3.11 Efficient Use of Land
- 3.12 Quality in Design
- 3.13 Urban Design
- 3.14 Designing Out Crime
- 3.15 Conservation of the historic environment
- 3.18 Setting of listed buildings, conservation areas, and world heritage
- 3.19 Archaeology
- 3.20 Tall buildings
- 3.28 Biodiversity
- 4.1 Density of Residential Development
- 4.2 Quality of Residential Development
- 4.3 Mix of Dwellings
- 4.4 Affordable Housing
- 4.6 Loss of residential accommodation
- 5.1 Locating Developments
- 5.2 Transport Impacts
- 5.3 Walking and Cycling
- 5.6 Car Parking
- 5.7 Parking Standards for disabled people and the mobility impaired

#### Southwark's Supplementary Planning Documents

The Elephant and Castle Supplementary Planning Document 2012  
 Sustainable Design and Construction 2009  
 Affordable Housing 2008 (September) and 2011 Draft  
 Section 106 Planning Obligations 2007  
 Residential Design Standards 2011

#### London Plan 2011

- 2.13 Opportunity Areas and Intensification Areas
- 2.15 Town Centres
- 3.1 Ensuring Equal Life Chances For All
- 3.2 Improving Health And Addressing Health Inequalities
- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality And Design Of Housing Developments
- 3.6 Children And Young People's Play And Informal Recreation Facilities
- 3.7 Large Residential Developments
- 3.8 Housing Choice
- 3.9 Mixed And Balanced Communities
- 3.11 Affordable Housing Targets
- 3.12 Negotiating Affordable Housing On Individual Private Residential And Mixed Use Schemes
- 3.14 Existing Housing
- 4.1 Developing London's Economy
- 4.7 Retail And Town Centre Development
- 5.1 Climate Change Mitigation
- 5.2 Minimising Carbon Emissions
- 5.3 Sustainable Design And Construction.
- 5.6 Decentralised Energy In Development Proposals

- 5.7 Renewable Energy
- 5.11 Green roofs And Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 6.3 Assessing Effects Of Development On Transport Capacity
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.6 Architecture
- 7.7 Location And Design Of Tall And Large Buildings
- 7.8 Heritage Assets And Archaeology
- 7.10 World Heritage Sites
- 7.14 Improving Air Quality
- 7.15 Reducing Noise And Enhancing Soundscapes
- 7.18 Protecting Local Open Space And Addressing Local Deficiency
- 7.19 Biodiversity And Access To Nature
- 7.21 Trees And Woodlands
- 8.2 Planning Obligations

### National Planning Policy Framework (NPPF)

The NPPF came into effect on 27 March 2012 and is a material planning consideration. The document is applicable in its entirety, but the most relevant sections are:

- Section 1: Building a strong competitive economy
- Section 2: Ensuring the vitality of town centres
- Section 4: Promoting sustainable development
- Section 6: Delivering a wide choice of good quality homes
- Section 7: Requiring good design
- Section 8: Promoting healthy communities
- Section 10: Meeting the challenge of climate change, flooding and coastal change
- Section 11: Conserving and enhancing the natural environment
- Section 12: Conserving and enhancing the historic environment

### **Principle of development**

- 14 In terms of policy designations, the application site is located within the Central London sub-region, Central Activities Zone, Elephant and Castle Opportunity Area, the Elephant and Castle Major Town Centre, and a Transport Development Area. Further the site forms part of Proposal Site 39P as designated in the saved Southwark Plan which identifies a core central area (including the application site) of the Elephant and Castle for comprehensive redevelopment. This site forms part of The Heygate Street Character Area as described in the Elephant and Castle Supplementary Planning Document. As such, the principle of regeneration is supported subject to the need to evaluate the proposal against the aims and objectives for the area which are detailed in this report.

### Land Uses

- 15 The Strategy for the Heygate Street Character Area as described in the SPD, relates to both this site and the Heygate development site. The wider Heygate Masterplan site was subject to an outline planning application determined at Planning Committee on the 15 January, where Members resolved to grant planning permission (reference 12-AP-1092). The strategy describes that development on the Heygate Character Area should provide around 3,000 new homes, including approximately 2,500 homes

on the Heygate development site. In addition to this, table A1.1 (Annex 1) of the London Plan provides an indicative employment capacity of 5,000 jobs and a minimum of 4,000 new homes to be delivered over the plan period 2011 – 2031 within the Elephant and Castle Opportunity Area. Therefore the additional 235 residential homes proposed as part of this application proposal is a significant contribution to the achievement of the vision for the area. The application also includes a retail unit (204sqm) which contributes to the mix of uses described as being acceptable in the SPD for this area. Some concerns have been raised by the community in relation to the proposed retail unit, and possible impact on existing businesses in the area. However the size of the proposed retail unit will limit the type of operators that could occupy it and it is unlikely to suit the requirements of a multi-national chain operator, particularly as it is intended to reserve a quantum of the floorspace as affordable retail space.

### Density

- 16 Strategic Policy 5 'Providing new homes' of the Core Strategy describes the expected density range for the Central Activity Zone as being between 650 to 1100 habitable rooms per hectare. Saved appendix 2.6 'Density calculations' of the Southwark Plan sets out the method for calculating density for development sites in Southwark, which takes into account both the number of habitable rooms and non-residential floorspace in the proposed development. The density of this application proposal is 932 habitable rooms per hectare, which is within the acceptable range for the area that the site is located in. When assessing whether the quantum of development proposed on a site is acceptable, reference will also need to be made to the character of surrounding developments, height and scale, and the proximity of the site to public transport modes. This assessment is carried out further below in the design and transport sections of the report.

### **Environmental impact assessment**

- 17 Applications where an Environmental Impact Assessment (EIA) is required will either be mandatory or discretionary, depending on whether they constitute Schedule 1 (mandatory) or Schedule 2 (discretionary) development of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. In this case the proposed development falls under Schedule 2, Category 10b 'urban development project' of the EIA Regulations where the threshold for these projects is a site area exceeding 0.5ha. The application site area is 1.142 ha and therefore is well above this trigger threshold. The site also forms part of wider development proposals over the Heygate Masterplan area, and is described as 'Phase 1' of the regeneration proposals. The wider Masterplan proposals have been developed to outline planning stage, reference 12-AP-1092 and are subject to a separate Environment Statement. An EIA would only be required for this current application site, if it is likely to generate significant environmental effects having regard to the criteria set out in Schedule 3 of the Regulations which include:
  - The characteristics of the development
  - The environmental sensitivity of the location
  - The characteristics of the potential impact.

In the present case, the application is accompanied by an environmental statement and is accordingly EIA development (regulation 4(2) of the 2011 Regulations).

- 18 Prior to the submission of the application, the applicant requested a formal 'Scoping Opinion' under Regulation 13 of the EIA Regulations to ascertain what information the local planning authority considered should be included within the Environmental Statement (ES) (application reference 11-AP-2617).



- 19 Regulation 3 of the EIA Regulations precludes the granting of planning permission unless the council has first taken the 'environmental information' into consideration. The 'environmental information' means the ES, including any further information, any representations made by consultation bodies, and any other person about the environmental effects of the development.
- 20 The submitted Environmental Statement (ES) comprises Main Text and Figures; Technical Appendices; Townscape, Visual and Built Heritage Assessment; and Non-Technical Summary. It details the results of the EIA and provides a detailed verification of the potential beneficial and adverse environmental impacts in relation to the proposed development, including the following areas of impact (in the order they appear in the ES):
- Socio-economics
  - Transport
  - Noise and Vibration
  - Air Quality
  - Ground Conditions and Contamination
  - Water Resources and Flood Risk
  - Ecology
  - Archaeology
  - Wind
  - Daylight, Sunlight and Overshadowing
  - Cumulative Impacts
  - Summary of Mitigation and Residual Impacts
  - Townscape, Visual and Built Heritage (ES Volume 2).
- 21 In assessing the likely environmental effects of a scheme, the ES must identify the existing (baseline) environmental conditions prevailing at the site, and the likely environmental impacts (including magnitude, duration, and significance) taking account of potential sensitive receptors. It further identifies measures to mitigate any adverse impacts, and a summary of potential positive and negative residual effects remaining after mitigation measures is included in the ES in order to assess their significance and acceptability. The environmental statement also discusses alternatives and this is discussed further at paragraphs 198-201.
- 22 Reference to cumulative effects includes reference to two types of cumulative impacts:-
- Type 1 Impacts – The combination of individual impacts (for example noise, dust and visual impacts) from one development (in this case, the proposed development subject to this planning application) on a particular receptor.
  - Type 2 Impacts – The combination of impacts from several developments (in this case, the proposed development together with other reasonably foreseeable schemes (referred to as 'committed developments'), which individually might be insignificant, but when considered together could create a significant cumulative impact.
- 23 Additional environmental information or 'Further Information' (ES Addendum December 2012) was received during the course of the application (December 2012) and in accordance with Regulation 22 of the EIA Regulations all consultees and neighbours were re-consulted and a press notice re-advertised. The further information included revisions to the planning application and are described in the following revised / addendum's to documents:

Design and Access Statement Addendum (including Revised Accommodation Schedule and Affordable Housing Schedule);  
 Landscape Strategy Addendum;  
 Environmental Statement: Non-Technical Summary;  
 Environmental Statement Addendum (including Flood Risk Assessment and Appendices including Thames Water Correspondence, Revised Chapter 16: Daylight, Sunlight and Overshadowing, Revised Technical Appendix 16: Microclimate Report Daylight, Sunlight and Overshadowing);  
 Environmental Statement Volume 2: Townscape, Visual and Built Heritage Assessment Addendum;  
 Waste Strategy Addendum;  
 Sustainability Statement Addendum;  
 Revised Draft Section 106 Heads of Terms;  
 Energy Strategy Addendum; and  
 Statement of Community Involvement Addendum.

Revised drawings were also provided, and the main design changes comprised alterations to facade treatment (including the addition of balconies) on building R1A, and change in orientation of buildings R1B and R1C at ground floor to front onto Victory Place.

- 24 The ES and Further Information (ES Addendum – Regulation 22 response) has been the subject of consultation, the details of which are set out in this report. The assessment of the ES and Further information and the conclusions reached regarding the environmental effects of the proposed development as well as mitigation measures are set out in the report.

#### Conclusion on Environmental Impact Assessment

- 25 The ES concludes that in general the environmental impacts of the development upon socio-economics, transport, noise, vibration, air quality, ground contamination, water resources / flood risk, ecology, archaeology and wind are likely to be insignificant, both during construction and in the operation of the completed development. There are some minor local adverse impacts, sometimes short-term. These are summarised below:
- 26
- Transportation - Increased traffic flows from construction traffic. Short-term, local, adverse and of minor significance
  - Noise and vibration during construction - Vibration generated from construction works impacting on sensitive receptors adjacent to the site. Short-term, local, adverse residual impacts of minor significance on noise sensitive receptors (NSRs) adjacent to the site. Insignificant impact on existing structures.
  - Air quality - Emissions from construction traffic. Temporary, local, short term adverse and of minor significance on the nearest local roads to the site and during peak construction period. Insignificant on the wider road network and outside peak construction periods.
  - Daylight, sunlight and overshadowing during construction - Changes to daylight and sunlight availability to properties surrounding the site and sun-on-ground overshadowing to surrounding amenity spaces. (No mitigation is intended). Gradual increase in massing of the development as it progresses to completion. Those impacts that are perceptible as the development nears completion would be similar to those of the completed development. The report concludes these impacts are insignificant.
  - Townscape, visual and built heritage during construction - Impacts upon

townscape character, the setting of above ground built heritage and visual amenity. Temporary, short-term, local to district and of minor to moderate adverse significance.

27 The ES also concludes that there are some beneficial impacts resulting from the development of varying degrees, and these are summarised below:

28 • Socio-Economics during construction - Job creation through provision of employment and training initiatives via BeOnsite. Temporary, short to medium-term, beneficial and of minor significance at the local scale. Increased local spend. Temporary, short to medium-term, local, beneficial and of minor significance.

• Socio-Economics in the completed development - New housing provision. Long-term, district, beneficial and of moderate significance. Increased local spend. Long-term, local, beneficial and of minor significance. Reduction of real and perceived levels of crime. Long-term, local, beneficial and of minor significance.

• Transportation in the completed development - Impact on pedestrian and cyclist journeys. Long-term, local, beneficial and of moderate significance. Impact on underground capacity and accessibility. Long-term, local, beneficial and of moderate significance. (Due to a financial contribution to improve services).

• Water resources and flood risk in the completed development - Surface water flood risk reduced through the incorporation of SuDS into the scheme. Long-term, local, beneficial and of minor significance.

• Ecology in the completed development - Change to on-site habitat. Long-term, local, beneficial and of minor significance. Impact on bats, with appropriate lighting used and installation of bat boxes. Long-term, local, beneficial and of minor significance. Impact on birds, with installation of bird boxes. Long-term, local, beneficial and of minor significance.

• Wind in the completed development - Impacts on pedestrian comfort in public realm surrounding the site. Insignificant to long-term, local, beneficial and of moderate significance. Impacts on pedestrian comfort in the public realm within the site. Insignificant to long-term, local, beneficial and of minor significance.

• Townscape, visual and built heritage in the completed development Impacts upon local views. Minor beneficial to substantial beneficial.

29 Cumulative Impacts - As described above, two types of cumulative impacts have been considered, firstly in relation to the combination of individual impacts arising from the development on a particular receptor, and secondly in relation to reasonable foreseeable developments which in isolation may be insignificant, but when considered together could result in significant impacts.

30 In total 19 additional 'committed' developments have been considered within the cumulative impacts assessment, including:-

- Heygate Masterplan;
- Stead Street;
- Oakmayne Plaza; and
- Elephant and Castle Shopping Centre Redevelopment.

31 During construction of the proposed development, similar works on the other

committed development would be likely to result in temporarily increased traffic, noise, emissions and visual impacts on the local townscape. The implementation of mitigation measures described in the construction environmental management plan for the development (as well as plans relative to other permitted developments) will minimise the cumulative impacts from these construction effects.

32 The key cumulative impacts of the development once completed are described in the applicants environmental statement and set out below:-

- The provision of between 235 residential units by the development and between approximately 4,095 and 4,255 residential units by the committed developments would cumulatively and significantly contribute to achievement of the housing targets of Southwark Council;
- The development in isolation would generate 11 jobs and the committed developments are expected to provide an additional estimated 1,460 to 2,685 jobs. This would significantly contribute towards the 5,000 net new job target identified within Southwark Council's planning policies including the Elephant and Castle SPD / OAPF;
- The development and committed developments together are anticipated to increase expenditure within the borough. The combined annual household spending of the Development and the committed developments could give rise to approximately £63 to £64 million. In terms of employee spending, the cumulative sum is estimated at between £1.9 and £2.8 million per annum;
- The development and other committed developments would be likely to result in significant beneficial cumulative townscape character impacts in the Walworth Road, new Kent Road and Larcom Street areas, including the proposed Larcom Street Conservation Area; and
- The development and other committed developments would be likely to result in significant beneficial cumulative impacts on views from Nursery Park Row and Brandon Street.

33 Officers are satisfied that the ES which has been submitted complied with the requirements of the EIA Regulations and is sufficient to enable an assessment of the likely effects of the proposal to be undertaken in determining the application. A detailed officer assessment of the potential and residual impacts of the proposed development, taking into account the ES and the relevant planning policy considerations, is provided below.

#### **Impact of proposed development on amenity of adjoining occupiers and surrounding area**

34 Policy 3.2 of the Southwark Plan states that planning permission for development will not be granted where it would cause a loss of amenity, including disturbance from noise, to present and future occupiers in the surrounding area or on the application site. Furthermore, there is a requirement in policy 3.1 to ensure that development proposals will not cause material adverse effects on the environment and quality of life. Strategic Policy 13 of the Core Strategy requires developments to avoid amenity and environmental problems that affect how we enjoy the environment in which we live and work.

#### Daylight, Sunlight and Overshadowing

35 A Daylight and Sunlight Report has been prepared by XCO2 for the application site,



which assesses the proposed development against the Building Research Establishments (BRE) guide 'Site Layout Planning for Daylight & Sunlight 2011: A Guide to Good Practice, Second Edition'. The BRE Guide states that 'If any part of a new building or extension, measured in a vertical section perpendicular to a main window wall of an existing building, from the centre of the lowest window, subtends an angle of more than 25 degrees to the horizontal, then the diffused daylighting of the existing building *may be* affected.' This would then require a further testing to establish whether there is an adverse impact as a result of the development upon existing surrounding occupier's daylight and sunlight.

36 In terms of daylight, two methods were used to test levels, the Vertical Sky Component (VSC) was used both within the development and for surrounding properties, and where in the development VSC target level were not achieved, the Average Daylight Factor (ADF) was then calculated. The ADF calculation assesses the quality and distribution of light within a room served by a window and takes into account the VSC. The VSC calculates the amount of daylight reaching the outside face of the window.

37 In considering the impact upon sunlight, the test is based upon a calculation of annual probable sunlight hours (APSH) which is an annual average based upon probability. The sunlight test only needs to be carried out if the window faces affected within 90 degrees of due south. In relation to overshadowing, the 2011 BRE Guidelines suggests that the Spring Equinox (21 March) is an appropriate date for assessment, and using specialist software the sun path is tracked to determine where the sun will reach the ground.

#### 38 *Daylight to Surrounding Properties*

The BRE guidance explains that a property should retain a VSC level of at least 27%, in order to confirm that diffused daylighting remains satisfactory. Should a property receive a VSC level of less than 27% following construction of a new development, then the proposed VSC should not be less than 0.8 times its former (existing) value, if the reduction in daylight is to remain unnoticeable. When the internal layout and room-use in a dwelling is known, ADF can be used to assess whether the resulting daylight levels are acceptable. ADF uses VSC to confirm the angle of sky visibility and then formulates the quality of daylighting within the room, taking into account the room's use. BRE recommends the following minimum ADF values, 2% for kitchens and open plan living, 1.5% for living rooms, and 1% for bedrooms.

39 The submitted report assesses the impact upon the relevant facades and windows within 15 properties that are in residential use, and located immediately adjacent to the application site. These properties are located on:-

- Elba Place;
- Victory Place;
- Rodney Road;
- Balfour Street; and
- Chatham Street.

40 The submitted report describes significance criteria of impacts, being either insignificant, minor, moderate or substantial in adverse impact, and this is described further in the table below. The proposed development will have a minor to moderate impact on the surrounding properties. Following construction of the proposed development out of 376 windows within surrounding residential properties, 288 (77%) are predicted to retain a daylight VSC level of at least 27%, or a resulting VSC of at least 80% of its existing value. (Note that the submitted ES incorrectly totals the

number of windows to be 374, however all windows are accounted for in the submitted schedules).

41 Table 2: Summary of Daylight Impacts to Surrounding Dwellings

Significance of impact	Criteria description	Number of windows (As percentage %)
Insignificant Impact	No obstruction of the 25 Degree Line or a VSC value of 27% or greater, or a RVSC value following development of at least 80% of its existing value.	288 (77%)
Adverse Impact of Minor Significance	A VSC of less than 27% and a RVSC following development of between 65% and 80% of its existing value.	58 (15%)
Adverse Impact of Moderate Significance	A VSC of less than 27% and a RVSC following development between 50% and 65% of its existing value.	30 (8%)
Adverse Impact of Substantial Significance	A VSC of less than 27% and a RVSC following development of less than 50% of its existing value.	0 (0%)

In summary 88 windows have a resulting VSC less than 27% and 0.8 times its former value.

- 42 The windows where impacts upon daylight are considered to be significant, to varying degrees, are located in the Peabody buildings located opposite the site on Rodney Road, the residential block on Victory Place located north and opposite the site, and residential properties on the corner of Balfour Street and Henshaw Street.
- 43 Of the 88 windows where impacts are significant, 10 serve non-habitable bathroom or basement areas where testing is not required and 43 serve bedroom areas where access to daylight is considered to be less important. Of the remaining living room / kitchen areas with windows that are impacted by the development, 27 have either additional windows, alternative aspects or are served by bay windows, which will provide rooms with additional daylight. The last 8 windows all have VSC levels in excess of 20% and retain a value of at least 0.6 times the former value, with the exception of 1 kitchen which is 0.54 times its former value.
- 44 While it is necessary to test the impacts from the proposed development in comparison to the existing site conditions, these results need to be considered in light of the cleared nature of the site. The daylight to surrounding properties is therefore unusually high and the undeveloped nature of the site could be described as an almost abnormal condition. Therefore it is useful to compare the impacts from the previous buildings (Wingrave Estate) upon surrounding properties daylight, to the proposed development impacts. Whilst this does not necessarily reflect the existing conditions experienced on the site, it can be a useful comparison in understanding the full effect of this development upon surrounding properties daylight.
- 45 When considering the 78 habitable room windows that experience significant impacts from the proposed development, there are 12 habitable room windows that have a VSC in excess of the former value with the previous Rodney Road / Wingrave Estate buildings in place, and an additional 13 habitable room windows with a VSC value over 0.8 times the former value with the Rodney Road / Wingrave Estate buildings in place. Therefore the impacts upon these windows can be described as improved

when compared to the site condition with the previous (demolished) buildings in place.

#### *Sunlight and Overshadowing of Surrounding Properties*

- 46 In terms of sunlight, all of the surrounding residential property windows assessed will experience an insignificant impact upon the level of sunlight received. In relation to overshadowing, 8 amenity spaces were tested and all 8 were found to receive 2 hours of sunlight over 50% of the area and / or will be within the permissible 20% reduction set within the 2011 BRE Guidelines.

#### *Cumulative Impacts*

- 47 The cumulative impacts of other approved or proposed developments in place have also been assessed. The proposed minimum and maximum parameter plans for the Heygate Estate (application reference 12-AP-1092) were found to alter impacts on and surrounding this application site. This impact would occur from either the minimum or maximum parameter plan in place, and in summary, there would be a similar number of windows that pass the first 25 degree line test, and therefore would not be impacted, but there would overall be a slight decrease in the number of windows achieving a VSC of 27% and achieving 80% of their former value. Therefore with the Heygate development in place, there would be a slight increase in the number of windows that would not meet the BRE Guidelines. This change is due to the massing of the proposed Heygate development when compared to the existing Heygate Estate buildings.

#### *Conclusion on Daylight, Sunlight and Overshadowing to Surrounding Properties*

- 48 The submitted Daylight and Sunlight Assessment shows that some surrounding properties will have windows that experience reduced daylight levels as a result of the proposed development. However a significant proportion of these windows have additional windows, bay windows that provide additional light from side panes, or alternative aspects. There are also a large number of bedrooms impacted, where daylight levels are considered to be of less significance. While the number of windows impacted is unfortunate, the cleared character of the site is an abnormal condition, and therefore the impact upon some resident's daylight levels is to be expected. It is also important to note that the BRE Guidelines should not be applied rigidly, and should be used in addition to site specific character assessment and considerations. This will include the designation of this site for residential development, and the wider benefits from the development of this site. Therefore on balance it is considered that the impacts upon surrounding resident's daylight and sunlight are acceptable.

#### Privacy and Overlooking

- 49 Supplementary Planning Guidance for Residential Design Standards 2008 states that in order to prevent unnecessary problems of overlooking, loss of privacy and disturbance, development should achieve the following distances between residential windows:
- A minimum distance of 12m at the front of the building and any elevation that fronts onto a highway;
  - A minimum distance of 21m at the rear of the building.
- 50 All windows both within the development and between the development and surrounding residential properties, comply with these distances as a minimum. Therefore there are no concerns relating to impacts upon privacy or overlooking as a result of the application.

## Development Programme and Construction

- 51 The approximate duration of construction works on the site is identified to be 24 months. It is intended to prepare a construction environmental management plan to identify environmental mitigation measures that will provide environmental protection during construction. The submitted ES describes that the plan will include the following:-
- Restrictions and targets for specific work activities in order to minimise environmental impacts, including disruption and disturbance to local residents;
  - Details of the means by which appropriate environmental monitoring, record keeping and reporting will be managed to ensure the above targets are being met;
  - Procedure(s) to deal with necessary 'abnormal' works that may result in deviation from the agreed procedures and targets; and
  - Provision for a programme of regular environmental audits and reviews at key stages in the construction programme.
- 52 It is recommended that in the event that planning permission is granted, a condition is included to require the submission of a Construction Environmental Management Plan for approval by officers, prior to commencement of construction works on the site.

## Air Quality

- 53 An assessment of possible impacts upon air quality has been submitted as part of the ES. It describes impacts upon surrounding occupiers both during construction and after completion of the proposed development.
- 54 The main impact on local air quality will be during construction and relates to dust. This will most likely be generated by earthworks during construction. The dust nuisance would be experienced by those living closest to the site on a temporary, short-term basis. Measures to minimise this impact and prevent dust are described in the submitted Construction Management Plan (CMP), which forms part of the Construction Environmental Management Plan (CEMP) developed for the proposal. Emissions associated with construction equipment and machinery on the site would be small when compared to the emissions from the existing large volume of vehicles travelling on roads in the surrounding area, and therefore will not significantly alter the existing situation. The impact of vehicles entering and leaving the site during construction is expected to have a minor impact in the context of local background pollutant concentrations and existing local road traffic emissions. These impacts are also mitigated through measures described in the CMP and are summarised below:
- 55
- Erection of appropriate hoarding and / or fencing to reduce dust dispersion and restrict public access;
  - Careful selection of construction methods and plant, to be used, including its location;
  - Switching off all of the plant when not in use;
  - Regularly maintaining and servicing vehicles, equipment and plant;
  - Agreed operational hours;
  - Appropriate handling and storage of materials;
  - Damping down surfaces during dry weather;
  - Using dust screens;
  - Use of wheel washers;
  - Using water sprayers and hoarding, dust covers, restricting drop heights onto lorries, and storing dusty materials in appropriate locations;



- Prohibiting the burning of construction waste on the site; and
- Monitoring throughout the construction period to enable proactive management of dust and particulate matter levels.

56 Following completion and occupation of the proposed development it is concluded that the development will result in an imperceptible change in air quality. A residential travel plan has been developed and is included in the submitted travel plan with the planning application. It aims to reduce reliance on the private car and encourage travel by more sustainable modes of transport, including public transport. This will further reduce any associated impacts upon air quality as a result of the operation of the development.

### Noise and Vibration

57 The greatest potential for impact upon surrounding noise sensitive receptors (NSRs) during construction of the development is from piling and structural works, and construction of the envelope roof and shell. This is when works will be taking place immediately adjacent to residential dwellings on Balfour Street and Victory Primary School. Mitigation is proposed through the Construction Environmental Management Plan (CEMP) to combat potential noise impacts from these works. In relation to vibration impacts during construction, it is anticipated that piled foundations will be used for the taller buildings proposed, and that the use of bored concrete piles will minimise vibration exposure.

58 A draft CEMP has been submitted with the application, and will require final approval as part of approval of details attached to conditions, in the event that planning permission is granted. It sets out a number of measures to be incorporated to reduce impacts from construction noise upon surrounding occupiers. These include:-

- Selecting inherently quiet plant;
- Using, where necessary and practicable, enclosures and screens around any noisy fixed plant; and
- Adhering to relevant British Standards;
- Requirements for monitoring and record keeping;
- Mechanisms for third parties to register complaints and the procedures for responding to complaints;
- Provisions for reporting, public liaison and prior notification, especially where dispensations will be required; and
- Requirements for monitoring of noise and / or vibration as well as audit procedures.

Even with these mitigation measures in place, some short-term disturbance to NSRs immediately adjacent to the site is likely when works occur on or near the site boundary, resulting in short-term, local, adverse residual impacts of minor significance.

59 Within the complete development, once operational, there are three potential sources of noise, each summarised below:

60 1) *Building services plant noise* - Any item of fixed plant installed as part of the development will have the potential to generate noise. It is understood that the plant proposed as part of the development consists of the following; combined heat and power plant; refrigeration plant associated with the proposed retail unit; substation; central potable water storage and distribution plant; sprinkler tank and distribution system; and smoke ventilation plant. Mitigation for building services and fixed plant will include the following:-

- Procurement of 'quiet' non-tonal plant;
- Locate plant and air vents away from noise sensitive receptors;
- Acoustic enclosures;
- In-duct attenuators;
- Acoustic louvers; and
- Isolation of plant from building structure.

- 61 2) *Break-out noise from retail use and servicing and delivery noise* - The proposed development includes a retail unit which could be used as a cafe. The retail unit is just over 200sqm, and therefore likely to have a daytime retail use, which given the small size, would not be expected to generate significant noise, and will only require minimal servicing. Therefore impacts would be insignificant as a result of this unit.
- 62 3) *Road traffic noise* - The Travel Plan submitted with the application seeks to minimise the number of journeys made by private car in association with the development. In addition to this the location of the site, in a PTAL 6 (public transport accessibility level) area, where links to public transport are excellent will ensure that there are insignificant impacts from traffic noise as a result of the operation of the proposed development.

#### *Conclusions on Noise and Air Quality Impacts*

- 63 It is likely that there will be potential for impacts upon surrounding residents from noise and airborne particles during construction of the development; however the application of mitigation measures through a Construction Management Plan will ensure that these impacts do not significantly impact the amenity of residents. These impacts will also be temporary. There are no significant long-term impacts upon surrounding residents from noise and poor air quality as a result of the development and where necessary adequate mitigation is provided through conditions attached to any planning consent.

#### **Impact of adjoining and nearby uses on occupiers and users of proposed development**

- 64 The site is located in an area characterised by mixed uses, but with a predominate residential nature. The site is designated for development, and the proposed development will be in keeping with surrounding uses. Therefore the future occupiers of the proposed development will not be adversely impacted by existing surrounding uses.

#### **Design issues and impact on character and setting of a listed building and/or conservation area**

- 65 Strategic policy 12 'Design and conservation' of the Core Strategy requires development to achieve the highest possible standards of design for buildings and public spaces to help create attractive and distinctive places which are safe, easy to get around and a pleasure to be in. Saved policies 3.12 'Quality in design' and 3.13 'Urban design' of the Southwark Plan sets out the requirement that developments achieve a high quality of architectural design and that the relationship between different buildings and streets, squares, parks and other spaces is taken into account. Policies in the Elephant and Castle Supplementary Planning Document also describe the design aspirations for the Heygate street character area in SPD 27 'Built environment'. Figure 22: indicative proposals for the Heygate Street Character Area (pg 88 of the SPD) also sets out guidance for development in this area, which should influence, but not necessarily dictate, proposals for this site and the wider Heygate street area. The national policy context is set by the National Planning

Policy Framework (NPPF). Paragraph 56 of the NPPF 2012 notes the importance of design to the built environment, as a key aspect of sustainable development and indivisible from good planning. Paragraph 64 also notes that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Paragraph 60 of the NPPF also notes that developments should seek to promote or reinforce local distinctiveness.

- 66 This proposal site is roughly triangular in shape, with very open aspects on each side and is influenced by a wide variety of townscape conditions. The longest edge of the site fronting onto Rodney Road could be considered as the primary frontage to the development, as Rodney Road is a significant access route from the south up to the wider Heygate Estate and Elephant and Castle transport hub. Opposite the site on Rodney Road, is the Peabody Estate, a modulated and finely detailed group of buildings providing a strong frontage that defines Rodney Road with a considerable amount of architectural interest and a scale that is consistent with the local context, at 5 storeys in height. The Peabody buildings set a strong reference point for the development of this proposal site.
- 67 The eastern edge of the site faces onto Balfour Street where the road interconnects with both Henshaw Street and Chatham Street. Henshaw Street has a consistent character, setting the formality and regularity of its streetscape and is characterised by 3 storey residential buildings. Its street layout was partly reflected in the previous 1960s/70s development of this site, the Wingrave Estate, which made no other response to the local context or urban grain of the area. The northern edge of the site is very different in character, with an access road to the adjacent Victory Primary School (one of the largest buildings in the area). The only building fronting onto Victory Place is the Grade II listed Elephant House. Victory Park also creates an open and green aspect to the north of the site. The local area has a number of other large green spaces, with Nursery Row Park and the Chatham Street park both having elevated sections that afford panoramic vistas of the surrounding townscape. These vistas are important for their appreciation of the general consistency of scale within the wider area, within which any development of a significantly greater size will be visually prominent.
- 68 The proposed site layout comprises 8 blocks grouped around the site edge (and along a transverse street) to re-define the urban grain and street-frontages. The southern section of the site is proposed to be formed by 5 linked blocks (R2A on the southern tip, linked to R2B & C onto Rodney Road; blocks R2D & E form an L-shaped block onto Paragon Row / Balfour Street) around a raised central podium. Paragon Row runs transversely through the site as a continuation of Henshaw Street, kinking at its south eastern end to be perpendicular to the junction with Rodney Road. The northern edge of Paragon Row is formed by proposed blocks R1B and C, with R1B kinking to the north west end. The north-western corner of the site is occupied by proposed block R1A, and the north / north western edge of the site is formed by a largely landscaped Victory Place, with reduced vehicular access. While Paragon Row will form the primary access route across the site, Victory Place has been given enhanced prominence by re-orientation of proposed blocks R1B and C onto it. The southern tip of the site is also an open landscaped space, which can be used by the commercial unit in the base of block R2A.

#### Height, scale and massing

- 69 In accordance with saved policy 3.11, the height, scale and massing of buildings should be appropriate to the local context and should not unduly dominate surrounding areas. In the area that the application site is located, the immediate context is defined by a predominance of three to five-storey buildings. The proposal

has chosen to mark both the southern tip and north west corner of the application site with tall blocks that would both exceed 30m in height being 9 and 10 storeys, respectively.

- 70 Saved Policy 3.20 'Tall Buildings' of the Southwark Plan, requires that buildings that are significantly taller than their surroundings or over 30 metres tall should ensure that they contribute positively to the landscape, are located at a point of landmark significance, are of the highest architectural standard, relate well to their surroundings, and contribute positively to the skyline or providing key focus within views.
- 71 Officers consider that there is some rationale for a taller block towards the north west corner of the site, being a reference or gateway to the developing Heygate Masterplan area. It is appreciated that the southern tip is located at the confluence of a number of road junctions and this could justify some prominence in the design of the block here including increased height. Considerable efforts have been made during the pre-application period to articulate the southern face of the block, stepping into three sections that are also set-back on the upper-levels, and with the additional depth created by balconies. This articulation of the southern massing has been generally successful. Proposed block R1A is 10-storey building with a partial stepped down 7 storey element onto the south eastern edge. There are significant areas of new public realm and landscaping also proposed at the base of both R1A and R2A.
- 72 A positive feature of building R1A is that its most prominent aspect is located on the northern approach. It would be viewed as the more slender end of the building. This would also be the case when viewing the wider side of the block at oblique angles. Being part of this larger site development (Heygate masterplan area) and perceived within a group of similarly designed buildings will help to rationalise the two larger blocks within their context. As the emerging context of the area evolves, a much higher character to buildings in the streetscape will appear to the north, which will increase the suitability of this site as an intersection between the lower rise character south of the site and the higher emerging context to the north.
- 73 In light of the emerging context to the north of the site as part of aspirations for the wider Masterplan area, buildings R1A and R2A can be considered acceptable and in accordance with policies 3.11 and 3.20.
- 74 Proposed blocks R2B and C are 5 and 6 storeys, respectively, both of which will be slightly taller than the Peabody Buildings opposite, but not excessively so. There is little articulation to the massing of these blocks, and they form a relatively long flat-faced wall onto Rodney Road. Some effort has been made to add depth and variety to the balconies where the two blocks join, which provides some interest. The proposed linked blocks R2D and E are 5 and 4-storey respectively, and while there is limited articulation of the massing, their smaller scale makes this acceptable. The proposed linked blocks R1B and C rise in four stages from 4-storey onto Balfour Street to 8-storey at the western end, which does give the overall bulk some dramatic variety in the stepping-form, and further articulation is formed through projecting bays and projecting / recessed balconies. Officers consider that the proposed blocks R1C and R2E are of a scale that responds most positively to their existing eastern context, and that the scale of blocks R2B, R2C, R2d and R1B is acceptable.
- 75 Layout of buildings

The general principles of the site layout are rational and would include a raised podium area. Officers consider that, as a building typology, few podium courtyards have been implemented successfully in the UK, and while the courtyard garden itself



may be a pleasant private space for the residents to enjoy, its contribution to the surrounding streetscene is limited. Raised courtyards / podium spaces often face the street with dead-frontages, servicing or louvres that may make a negative contribution to the surrounding streetscape. There are two sections where the podium is exposed onto the street edge. The remaining podium edges are screened by the proposed blocks. Roughly a 24m section of the podium faces onto Balfour Street and an 18m section onto the new Paragon Row within the site. Planting is proposed to screen these podium edges with a hedge and evergreen climbing plants. Prior to the establishment of this planting, the podium edge onto Balfour Street will appear as a timber fence. This condition typifies the contribution podium courtyards make to their surrounding townscape. The northern face of the podium onto Paragon Row includes a central section of the facade as a glazed lobby frontage, a 'water-feature' comprised of collected rainfall and green wall, and section of louvred frontage to the cycle-store.

- 76 The appearance of these areas of podium require will further consideration at the detailed design stage, and it is recommended that conditions be attached to any planning consent to require the submission of details of the appearance of these edges.

#### Elevational treatment

- 77 The proposed elevational treatment of facades continues the architectural typology of the proposal with simple contemporary forms and regularity of expression. During the pre-application process officers have raised some concern over this approach, which could appear over simplistic, and have encouraged the architects to develop a language of aesthetic treatment to enrich the blocks and give them depth and identity.
- 78 The proposed Rodney Road facade is clad with coloured facing-bricks which grade from dark brown at the base up to blue at the top of Block R1A in a semi-abstract response to the rich detailing and materials of the Peabody Buildings. This colouration as architectural expression can be effective. A buff-coloured brick is proposed for 'internal' facades and red brick on the outer street fronting faces. The use of the abstract colouration and red facing brick is generally welcomed, both as a contextual response and as a means to tie the development together. On such a large grouping of significantly scaled buildings, the bricks will need to be of sufficiently high quality to provide interest through texture and colour to the facades. Subtlety in the facade treatment is achieved by panels of textured brickwork, and is also used to emphasise the lower-floors / base of the blocks.
- 79 Generally the facades are composed of a palette that, while limited in its variety, will give interest to the facades and consistency of detailing across the eight proposed blocks. Generally the lower levels are defined by a specific treatment, whether they are flats or duplexes that gives a defined base to the blocks. The duplex units have a recessed ground floor that provides additional defensible-space and some interest to the overall facade. Above this the window layout is repeated on every floor as the apartments are stacked vertically with the windows occasionally staggered for interest. The window sizes are generous and this should give good lighting to the interiors. Windows reveals are used to create some depth and three-dimensionality to the facades. More interest is added by the generous balconies, most of which are fully projecting with a lightweight and 'glassy' appearance. Similar interest is given to the blocks by the vertical projecting bays, predominantly glazed, on the north-facing single-aspect units. The exception to the brickwork cladding is the stepped and recessed southern face of Block R2A, which is largely glazed with additional 'lightweight cladding'. All materials will require further approval by way of condition in the event that planning permission is granted.

- 80 During the course of this application a number of elements have been amended, specifically following advice from the councils Design Review Panel, officers and the GLA. The Design Review Panel provided an assessment of the application at both pre-application stage and at formal application stage. Their comments are included at paragraph 13 of appendix 2 in this report and the application was subsequently revised to address the concerns raised by the panel. Proposed block R1A has had its solid parapet replaced with a set-back glazed parapet, reducing its perceived bulk. The top three levels now have larger windows and projecting balconies, which both 'lightens' the top and gives it more interest. Four horizontal slit windows have also been added to the largely blank northern gable to give some interest. The lift over-run/stair-access extension remains a prominent element on this block, but its cladding has been changed to glazing which should improve its appearance. Proposed blocks R1B and C have had their lower duplex units reoriented onto Victory Place, which gives much more life and activity to this area along with enhanced communal entrance points. These are both considered to be significant design improvements to these blocks and responds to the GLA's initial comments on the application proposal in their Stage 1 report. The vertically stacked bay windows to the north facing single-aspect units have also had their masonry corner replaced with wrap-around glazing, which will improve the daylight and aspect within the units.
- 81 Saved Policy 3.14 Designing out crime, requires that development in both the private and public realm, should be designed to improve community safety and crime prevention. With such a large permeable site, secure-by-design issues will need to be carefully assessed with the local Police Liaison Officer. The Metropolitan Police have confirmed that the developer intends to achieve secure by design, and this will have informed the design process. In addition to this, the re-orientation of Blocks R1B and C onto Victory Place should increase over-looking and activity onto an area that was potentially the most likely to be conducive to lower levels of safety and security.
- 82 A high quality of design and materials will be required for the street environment including street furniture, planting and public art. This should be coordinated wherever possible to avoid unnecessary clutter and ensure a safe, informative and attractive environment. The overall landscaping of this site is potentially developing to be a very positive element of the proposal with a variety and richness that should create a high quality environment that unifies the whole site with its cohesive nature. The retention of the mature trees onto Balfour Street and Victory Place is viewed as a crucial component for the site-wide landscaping, as is the provision of additional street trees to all edges. The landscaping layout of the front gardens that line the outer edges of most of the blocks provides good defensible space and some activity to these frontages.

Impact on the setting of surrounding conservation areas, listed buildings and any other heritage assets

- 83 In terms of heritage assets, those with the most direct impact will be Elephant House and Lady Margaret Church, both Grade II listed. Elephant House will be in close proximity to Blocks R1B and C which rise from 4-8 storeys, although the proposal is screened by mature trees to mitigate the direct impact of the increase in scale that the proposed blocks will create opposite. The landscaping treatment of Victory Place should enhance the setting to Elephant House. Lady Margaret Church, as can be seen in View 4 of the verified townscape views, will be impacted-upon by the bulk of the 9 storey block R2A, which as a result of its height is considered overbearing to the wider setting, and therefore is unlikely to positively enhance its setting. However, as with Elephant House, the retention of mature trees opposite the Church will help to mitigate the impacts on its setting, as will the gap in-between Blocks R2A and E

which is also opposite the Church. The proposed Larcom Street Conservation Area will be the closest such area to the site, which has been tested for impact with the townscape view 8. The impact on un-designated heritage assets must also be considered, which would include the Peabody estate and much of Henshaw Street. Officers consider that the change from the existing site condition is beneficial, and the proposal does not have any direct negative impacts upon surrounding heritage assets.

#### Verified Townscape views

- 84 The submitted Environmental Statement includes Volume 2, Townscape, Visual and Built Heritage Assessment. This document provides an assessment of the potential likely significant impacts that the development will have on the surrounding townscape character. Local views of the proposed development (represented as a wire line or as computer generated image) have been assessed, and images presented to show the existing view, proposed view with the development in place and the proposed view with both the development in place and other cumulative developments, including the Heygate Masterplan site.
- 85 View 1 from the northern end of Balfour Street is screened to a large extent by the street trees and those in Victory Park, and will have the south-western vista closed by block R2A, and block R1A; however, the indicative blocks of the Heygate Masterplan significantly reduce the prominence of the these two blocks (R1A and R2A).
- 86 View 2 down Henshaw Street is framed by the regularity of its terraces with the focal / closing-point held by R1A block. The impact that this block will be significant; however it will be seen as a physical / visual culmination of the three R1 blocks that step-up in a logical manner from the Henshaw Street terraces. It is also worth noting that the proposed development (on plan) continues the building-lines of Henshaw Street which gives visual continuity and an extension to this streetscape, which helps to mitigate the change in scale.
- 87 View 3 looks westwards from the elevated point in Salisbury Row Park. The general regularity of scale in the middle-distance is only broken by the Strata Tower in the background. The bulks of R1A and R2A will appear prominent in this proposed view. The view also shows the towers from the Heygate Masterplan proposal, which will (individually and cumulatively) have a much more significant impact on the townscape and will assist in harmonising the scale of R1A and R2A within this view.
- 88 View 4 is looking westwards along Chatham Street and portrays the proposal within the setting of the grade II listed Lady Margaret Church. Block R2A dominates this view and will affect the setting of the listed building due to its scale. The proposed building will become more prominent as you move towards the development site and closer to block R2A, but is balanced to some degree by the retained trees and open-gap formed by the exposed podium, which allows the Church a clear skyline and green background.
- 89 View 5 (along with the closer View 9 to the north) displays the southern approach up Rodney Road to the site and the prominence of block R2A within the townscape. This view, in which both the southern and eastern facades of the block are visible, illustrates the relationship that R2A will have with the lower-scale buildings. Officers recognise that significant efforts have been made to modulate the scale of Block R2A with set-backs and step-ins in relation to this context. A justification has been put forward that Block R2A will be a gateway/marker building to the Heygate Masterplan site beyond.

- 90 View 6 is from Nursery Row Park shows the wider townscape context and skyline. The general regularity of scale is broken by the distant Strata Tower to the west and the far-distant Shard, and shows the prominence of R1A and R2A in relationship to the Peabody Housing blocks. This prominence will be lost once the implemented Stead Street development is completed, as indicated on the cumulative view. View 7 is similar to V6, and shows a view eastwards along Brandon Street with similar impacts.
- 91 View 8 is a more distant view along Charleston Street (within the proposed Larcom Street Conservation Area) that shows the wider impacts of block R2A as it appears in the skyline above the streetscape vista. While there is some impact upon the broader setting of the conservation area such interjections are relatively common and expected within Central London.
- 92 View 9 shows the northern approach to the site where Heygate Street turns into Rodney road. Block R1A rises above the surrounding townscape. R1A is seen end-on/obliquely, which presents a more slender view of its bulk with the full width of its Rodney Road frontage being less visible. During the course of this application the architects have increased the modulation and interest of the northern face of Block R1A with projecting balconies and enhanced fenestration to the upper levels, which has improved its aspect to the northern townscape. A slight reduction in height of the parapet also reduces its visual impact.

#### Conclusion on design issues

- 93 This application proposal represents a challenging proposition, attempting to respond to an emerging context to the north of the site that does not currently exist. Seen without the Heygate Masterplan outline proposals, the application could be considered inappropriate for the existing streetscape character and scale. The justification for buildings of height on the site relies on the proximity of the Heygate Masterplan site in defining the perception of this site as a 'gateway' to that area. However in light of the Masterplan site, the development of this site with buildings that are taller than the immediate context may appear incongruous for a period until the completion of buildings to the north form the wider townscape character to which the development proposal for this site responds.
- 94 The challenges that the proposals present for the existing townscape character are acknowledged, but the assessment of these proposals cannot be undertaken in isolation of the Heygate Masterplan proposals and the significant implications that development of that site to the north will have on this application site. Indeed this application is intended to form the first phase of those proposals, and as such can be viewed as the catalyst for regeneration of the Masterplan area. The strategic importance of the Heygate masterplan is therefore intrinsic to the assessment of proposals on the site, and as a result, forms a clear justification for an alternative approach to design development here. This application site is in need of redevelopment, is designated for such, and forms part of the wider regeneration proposals for the Elephant and Castle area. In its current form the site provides little to the streetscape, and as a derelict site detracts from the appearance of the area. The difficult economic climate that currently exists is relevant in the assessment of this application, and has meant that development of land is facing exceptional difficulties at a time when housing is in short supply. This application includes the construction of much needed housing including affordable housing on a site designated for such development. Therefore in light of the site specific circumstances, the overall compliance with the development plan given the Masterplan aspirations for the Elephant and Castle area, and the need for housing on this site, officers consider that the design of the proposal is acceptable.

## Affordable Housing

- 95 Strategic Policy 6 'Homes for people on different incomes' requires affordable housing in all new developments of 10 or more units. In the Elephant and Castle Opportunity Area, developments are required to provide a minimum of 35% affordable housing and at least 35% of the scheme should be for private housing. The Elephant and Castle Supplementary Planning Document goes on to explain this further and describes in policy SPD 5: 'New Homes' that developments in the opportunity area will provide a minimum of 4,000 net new homes between 2011 and 2012, including at least 1,400 affordable in total. Of the affordable homes 50% should be social rent and 50% for intermediate.
- 96 This application proposal includes 54 Units that will be affordable, split equally between intermediate and affordable rent tenures. The table below provides a breakdown of the affordable units to be included in the development:-

**Table 3: Breakdown of Affordable Units**

Unit No.	Tenure	No. of beds	Wheelchair (Y/N)	No. of habitable rooms
R1A-GRD-01	Intermediate	1	Yes	2
R1A-GRD-02	Intermediate	3	Yes	5
R1A-GRD-03	Intermediate	3	Yes	5
R1A-GRD-04	Intermediate	1	No	3
R2B-GRD-01	Social	3	No	5
R2B-GRD-02	Social	3	No	5
R2B-GRD-03	Intermediate	4	No	6
R2B-GRD-04	Social	3	Yes	5
R2B-GRD-05	Social	3	Yes	5
R2B-02-01	Intermediate	2	No	4
R2B-03-01	Intermediate	2	No	4
R2B-02-02	Intermediate	2	No	4
R2B-03-02	Intermediate	2	No	4
R2B-02-03	Intermediate	2	No	4
R2B-03-03	Intermediate	2	No	4
R2B-02-04	Intermediate	2	No	4
R2B-03-04	Intermediate	2	No	4
R2B-02-05	Intermediate	1	No	3
R2B-03-05	Intermediate	1	No	3
R2B-02-06	Intermediate	1	No	2
R2B-03-06	Intermediate	1	No	2
R2C-GRD-01	Social	3	Yes	5
R2C-GRD-02	Social	3	Yes	5
R2C-GRD-03	Intermediate	4	No	6
R2C-GRD-04	Intermediate	3	No	5
R2C-02-01	Social	2	No	4
R2C-03-01	Social	2	No	4
R2C-02-02	Social	2	No	4
R2C-03-02	Social	2	No	4
R2C-04-02	Social	2	No	4
R2C-02-03	Social	2	No	4
R2C-03-03	Social	2	No	4
R2C-04-03	Social	2	No	4
R2C-02-04	Social	2	No	4
R2C-03-04	Social	2	No	4
R2C-04-04	Social	2	No	4



Unit No.	Tenure	No. of beds	Wheelchair (Y/N)	No. of habitable rooms
R2C-02-05	Social	1	No	2
R2C-03-05	Social	1	No	2
R2C-04-05	Social	1	No	2
R2C-02-06	Social	1	No	2
R2C-03-06	Social	1	No	2
R2C-04-06	Social	1	No	2
R2C-04-01	Social	2	No	3
R2D-GRD-03	Intermediate	3	Yes	5
R2D-GRD-04	Intermediate	1	No	2
R2D-01-01	Intermediate	2	No	3
R2E-GRD-01	Social	3	Yes	5
R2E-GRD-02	Social	3	Yes	5
R2E-01-02	Intermediate	2	No	4
R2E-02-02	Intermediate	2	No	4
R2E-01-03	Intermediate	1	No	2
R2E-02-03	Intermediate	1	No	2
<b>Total Number of Units: 54 (out of a total 235 equating to 23%)</b>				
<b>Total Number of Habitable Rooms: 195 (24.5%)</b>				

- 97 The number of affordable homes provided equates to 24.5% of the development (on a habitable room basis), and therefore falls short of the required 35% in this part of the borough. There are 10 affordable units that are wheelchair accessible, and therefore the number of habitable rooms required on an affordable basis can be decreased by the same number in accordance with guidance in Southwark's Affordable Housing SPD. Therefore the requirement for 35% affordable units or 277.9 habitable rooms, decreases to 267.9 habitable rooms or 33.7%, which means that the shortfall is 9.2% or 72.9 habitable rooms in this development scheme.
- 98 A viability assessment has been submitted with the application proposal, and it describes the challenging economic considerations that the developer faces with the development of this site. The assessment has been appraised by the District Valuers, who concluded that the development proposal could not support 35% on site affordable housing. It is also concluded that the proposed scheme can not viably support 25% affordable housing. Therefore the applicant's offer of 25% affordable housing can be considered the most that can realistically be achieved in the current economic climate, however in the event that the development of the site was delayed, a review of the financial status of the proposals would be required to ensure that any change in market conditions was reflected in the affordable housing contribution on this site.
- 99 The units that make up the affordable rent part of the development are to be made available at a social rent level for 3 and 4 bedroom homes (equating to 8 units) and at an affordable rent level for 1 and 2 bedroom homes at 50% of market rent (equating to 18 units). This amounts to 26 units overall, that will be available at a level lower than that set by the Greater London Authority's (GLA) 2011-15 Affordable Housing Programme, which is a positive aspect of the development proposal. The intermediate units proposed will be made available on a shared ownership basis, with 50% available in accordance with Southwark's Affordable Housing SPD guidance on income thresholds, and 50% available in accordance with the GLA's guidance. Southwark's guidance on income thresholds has been generated in order to ensure that shared ownership units are in reality affordable and accessible to people in Southwark, based upon the income levels that exist in Southwark for people who would otherwise be unable to access the housing market. The GLA's guidance is less onerous in this regard, and therefore would not necessarily secure the same

affordability because it is based upon a London wide assessment of income levels. Therefore while the inclusion of all units on a shared ownership basis in accordance with Southwark's guidance would ordinarily be expected, in light of the wider viability concerns related to the development, it is accepted that 50% of the shared ownership units will meet the GLA's income thresholds.

- 100 London Plan policy 3.14 resists the loss of housing, including affordable housing, unless it is replaced at existing or higher densities with at least equivalent floorspace. This site was previously occupied by the Rodney Road and Wingrave blocks of the Heygate Estate. Prior to the demolition of these blocks, there were 105 affordable residential dwellings with a total floorspace of 10,359sqm (GEA). The proposal includes a total of 21,525sqm (GEA) of residential floorspace, which will deliver 235 residential units. This represents a net uplift of 11,166sqm (GEA) of residential floorspace and 130 residential units.
- 101 In terms of affordable housing alone, 54 of the proposed units with a combined floorspace of 5,344sqm (GEA) would be affordable. This results in a net loss of 51 units and 5,015sqm (GEA) of floorspace when the proposal is considered in isolation of the wider Heygate Masterplan area. Following the decision to redevelop the Heygate Estate, 15 'Early Housing' sites were identified in the locality for development and replacement of affordable housing. To date, 428 homes have been constructed or are under construction, and an additional 84 have planning permission. These homes seek to account replacement provision of affordable homes over both this current application site and the wider Heygate Masterplan site. In these particular circumstances, Officers do not consider that it is the right approach to consider policy 3.14 of the London Plan against the development of this site in isolation. Therefore the 51 units for affordable housing that this proposal falls short of it viewed in isolation, are accounted for through provision on the Early Housing sites.
- 102 Officers are satisfied that in the specific circumstances of this case and having regard to the viability appraisals which have been undertaken and tested by the District Valuer that the affordable housing proposed is acceptable. The proposal secures the most affordable housing that can realistically be achieved without threatening the deliverability of the scheme to an unreasonable extent.

### **Dwelling Mix**

- 103 Strategic Policy 7 'Family homes' of the Core Strategy requires developments with 10 or more units to provide a minimum 60% of units with 2 or more bedrooms and within the Elephant and Castle Opportunity Area a minimum of 10% 3, 4 or 5 bedroom units.

Table 4: Break down of the proposed units by bedroom number:-

<b>Unit Type</b>	<b>Number of Units</b>	<b>Percentage (%)</b>
Studio	9	3.8
1 bed	84	35.7
2 bed	114	48.5
3 bed	26	11
4 bed	2	0.85
<b>Total</b>	<b>235</b>	<b>100</b>

- 104 This application proposal provides 60.3% of units with 2 or more bedrooms and 11.85% of units with 3 or more bedrooms and therefore fulfils the minimum policy requirements for family homes.
- 105 Saved policy 3.4 'Mix of dwellings' of the Southwark Plan requires 10% of units in residential developments to be wheelchair accessible, on a habitable room basis. This

proposal intends to fulfil this requirement, with 10% of dwellings designed to comply with the South East London Housing Partnerships Wheelchair Housing Design Guidelines (SELHPWHDG), as appended to Southwark's Residential Accommodation. In the event that planning permission is granted, it is recommended that the legal agreement include provisions to secure the construction of these wheelchair accessible units and the fit out of all social housing wheelchair units to the SELHPWHDG requirements. Officers are satisfied that the submitted application drawings currently show that these units will meet the SELHPWHDG requirements.

### **Quality of residential accommodation**

- 106 Saved policy 4.2 'Quality of residential accommodation' states that planning permission will be granted for residential development, where it achieves good quality living conditions, and includes high standards of accessibility, outlook, privacy, natural daylight, ventilation, outdoor amenity space, safety, security and protection from pollution including noise and light.

#### Daylighting analysis

- 107 The development proposes a majority of units with dual aspects, amounting to 56% of the scheme. In addition to this, the expected daylight to residential units has been assessed in accordance with the BRE guidelines described above at paragraph 38.

- 108 In total 842 windows were assessed in the proposed development. The results of this testing is summarised as follows:-

- 68.4% pass the 25 degree line test to achieve good levels of daylight;
- n addition to this:-
- 9.4% achieve a VSC of at least 27%;
- 18.4% achieve a VSC of between 15% and 27%;
- 2.7% achieve a VSC of between 5% and 15%; and
- 1.1% achieve a VSC of between 0% and 5%.

- 109 Where VSC levels are expected to be lower than 15% a further test of the ADF level was undertaken, which is a more accurate assessment of daylight coverage in rooms according to use. This test found that 17 of the 24 rooms tested would achieve the recommended ADF level described in the BRE guidelines. The 7 remaining rooms that fail to achieve the recommended ADF level are all located on the ground floor and 3 are open plan kitchen / living spaces that have a higher requirement for daylight ADF levels of 2%, while the remaining 4 are bedrooms that require an ADF level of 1%. These rooms are all labelled within the submitted Daylight and Sunlight Assessment as 'Kitchen, living, dining' however from the submitted drawings, it is clear that 4 of the rooms are actually bedrooms. Within these 7 rooms, ADF values have been measured to be between 0% and 1.8%, and are all located in different units. The failure of these 7 habitable rooms (within 7 units) to achieve the recommended ADF levels set out in the BRE Guidelines is of concern to Officers. Of the 7 rooms, 4 bedrooms fail to achieve an ADF value of 1% (being between 0% and 0.94%), while the 3 living / kitchen spaces fail to achieve an ADF value of 2% (being between 1.22 and 1.88%), all of these rooms are intended to form habitable spaces for units. The lighting levels expected in these ground floor rooms in R2B, C and D are a negative aspect of the application proposal. This is particularly the case for building R2D where a bedroom has an expected ADF level of 0.00%. It should be noted that the room that achieves an ADF of 0% is as a result of the overhang floor above and the height of the building on the other side of Paragon Row (all part of the proposed development), and that these factors prevent the room from receiving any direct luminance from the sky. The room would still have access to some indirect light reflected off adjacent surfaces. The other 7 rooms with the lowest lighting levels have similarly resulted from the

overhang of first floors, heights of adjacent buildings, or northerly aspects, which are all features within the proposed development.

- 110 This is a strategically important development proposal and as the first phase of the wider Heygate redevelopment, it forms the catalyst for the regeneration of the Heygate Masterplan area. Given the total number of units (235 residential units), the vast majority of units will experience good daylighting levels, and in light of the site specific circumstances, proportionately this can be considered acceptable. Of the 7 units with rooms that have an ADF level of under 1%, 5 are for market sale, including the unit with a habitable room that has a level of 0.00%. The remaining 2 units are affordable, and while they both have a bedroom that fall below the required ADF levels, both would also benefit from kitchen / dining spaces that achieve good daylight levels.

#### Outdoor amenity space

- 111 Policy 4.2(ii) of the Southwark Plan and Section 3.2 of the SPD on Residential Design Standards states that development should provide high standards of outdoor/green amenity space. The draft SPD advises that development should as a minimum meet and seek to exceed the following standards:
- 50m<sup>2</sup> of communal space per development;
  - For units containing 3 or more bedrooms, 10m<sup>2</sup> of private amenity space;
  - For units containing 2 or less bedrooms, ideally 10m<sup>2</sup> of private amenity space, and where this is not possible the remaining amount should be provided to the communal amenity space requirement.
- 112 In this development the requirement for amenity space is 2,400sqm. The application proposal includes 1,452sqm of private amenity space in the form of balconies, terraces and gardens, with all units with 3 or more bedrooms having at least 10sqm of private amenity space. The application also includes a communal residential courtyard that is 1,002sqm in size, giving a total of 2,454sqm of amenity space which is in compliance with the policy requirement. In addition to this, there are also publicly accessible spaces, such as a new community garden on Paragon Row / Victory Place and a new 'Woodland Walk' on Victory Place.
- 113 The table below describes the amount of communal amenity space provided in the development, compared to the policy requirement, as well as the children yield that can be calculated for the development and related play space requirement.

Table 5: Amenity space and Playspace Provision

No. of units.	SPD requirement for communal amenity space (sqm)	Communal amenity space provided on site (sqm)	No. of children (yield)	Under 5 playspace provided
235	948sqm plus 430sqm of playspace (of which 190sqm forms under 5's doorstep playspace).	1,002sqm within raised courtyard with 406sqm of informal and formal doorstep play space on the site within Victory Place, in the raised courtyard and the Garden Square.	52 (of which 28 under 5's)	206sqm

It is intended that the over 5's access play opportunities in surrounding open spaces and parks, including the Victory Community Park and Nursery Row Park, both a short walk from the site. Communal areas will also provide a range of less formal 'playable'

public space.

#### Internal space standards

- 114 Supplementary Planning Document for Residential Design Standards 2011 details minimum space standards for residential units.
- 115 The table below describes the range of unit size proposed in this scheme, compared to the Residential Design standards.

Table 6: Size of units

Unit size	Minimum standard (sqm)	Proposed size range (sqm)
Studio	38	38.9-41
1 bed (2 persons)	50	50-55.2
2 bed (3 persons)	61	61-78.4
2 bed (4 persons)	70	
2 bed (average)	66	
3 bed (4 persons)	74	96-111.9
3 bed (5 persons)	86	
3 bed (6 persons)	95	
3 bed (average)	85	
4 bed (5 persons)	90	107.4-109
4 bed (6 persons)	99	
4+ bed (average)	95	

All units achieve the minimum standards for unit size, as well as the minimum standards for individual room size within units. The larger family units are particularly generous in size.

#### Conclusion on quality of accommodation

- 116 Overall the proposed development can generally be considered to comply with development plan policies and proposes an adequate quality of residential amenity. Where there is some shortfall in the achievement of minimum policy standards in relation to daylight within the development, this cannot be considered to be so harmful as to justify the refusal of this strategically important development scheme. However as proposals for the wider Masterplan site develop, officers will expect that a higher standard of residential accommodation is achieved, meeting Southwark's residential design standards in all cases, as a minimum. This application should not therefore be considered a precedent for the type of accommodation standards that will be applied to detailed schemes developed for the Masterplan site.

#### **Traffic issues**

- 117 Strategic policy 2 of the Core Strategy 'Sustainable transport' sets out that through development, the council will encourage walking, cycling and the use of public transport. The application site is located in a high PTAL (Transport for London Public Transport Accessibility Level) area of 6, and therefore benefits from excellent links to public transport. A Transport Assessment has been provided with the application to describe possible impacts upon the transport network as a result of the proposed development.

#### Car Parking

- 118 Saved policy 5.6 of the Southwark Plan requires development in the area of the



application site to be car-free, and this is reiterated in the Elephant and Castle Supplementary Planning Document. Policy 6.13Eb of the London Plan also supports this approach, promoting car-free developments in areas with high public transport accessibility. The application proposal includes 24 designated disabled parking bays, and in addition to this, a further 23 non-designated bays, which equates to a provision for 20% parking (10% of which is disabled parking bays). The inclusion of these 23 non-designated bays as part of the development does not comply with policies that require developments in areas of high public transport accessibility to be car-free.

- 119 The applicant submits that these additional parking bays are intended to be used by the occupants of the larger family sized units in the proposed development.
- 120 The inclusion of these additional parking bays in an area with excellent access to public transport is unfortunate. However the application proposal is for housing on a site designated for housing development, and the redevelopment of this site as phase 1 of the Heygate Masterplan area, is intended to form the catalyst for the wider regeneration of the entire Elephant and Castle area. The site is within an area in need of regeneration and identified as such in policies of both the local authority and GLA. This proposed development would also bring forward numerous benefits for the area, including the redevelopment of this vacant, unattractive site, and related public realm improvements. The inclusion of car parking is therefore not considered to be a sufficient reason to warrant the refusal of this application, for the redevelopment of this strategically important site, for much needed housing including 25% affordable housing.
- 121 Although the inclusion of car parking in this development proposal is regrettable, there are mitigation measures that can be put in place to reduce impacts resulting from traffic movements associated with the car parking at this development site. This should include the following:-
- 122
  - The principles of a parking management plan should be developed and approved before commencement of the development. The submitted Transport Assessment describes that a car parking management strategy will be developed and implemented, and this should include:-
    - Monitoring of usage of the car park (to be used to inform future assessments for parking need in relation to other development schemes, included the wider Masterplan site);
    - Provision of real time public transport information;
    - Management of the car park including control of entry to the car park; and
    - A description of how parking will be managed to ensure that residents are not 'locked-in' to the ownership or rental of parking spaces, and that there are no financial disincentives to giving up a parking space;
  - Car Club
  - Strategic Transport Contribution
- 123 In addition to this, it is noted that the number of motorcycle / scooter parking spaces has been reduced from 13 in the original application drawings, to 6 in the revised submission (received December 2012). This reduction is welcome; however the complete removal of all motorcycle spaces would have been preferred.
- 124 On balance, the provision of 23 parking bays (in addition to disabled parking bays) and 6 motorcycle spaces is accepted, in light of site specific circumstances and the mitigation measures to be secured as part of any approval of planning permission. This mitigation should be secured as part of any legal agreement or conditions attached to a decision.

## 125 Disabled Parking

Saved policy 5.7 'Parking standards for disabled people and mobility impaired' requires developments to include provision for a minimum of one disabled parking bay for every wheelchair accessible unit in the development. The application proposal provides 24 wheelchair accessible units, and an equal number of disabled parking bays. These bays should not be specifically attached to individual units, in recognition that not all occupiers of wheelchair accessible units will have a private car, and not all blue badge holders will necessarily require a wheelchair accessible unit. The application proposal is therefore policy compliant in this regard.

- 126 Officers request that in addition to the provision of 20% of spaces with electric vehicle charging points in the car park, all disabled bays are also equipped with a charging point, in recognition that these bays will be allocated to individuals who may require both an accessible bay and charging point. This can be secured by condition in the event that planning permission is granted.

## Cycle Storage

- 127 The application proposal includes provision for the storage of 291 cycles. This is in excess of minimum requirements that require provision for 1 cycle space for every 1 or 2 bedroom unit, and 2 cycle spaces for every unit with 3 or more bedrooms, which would equate to 263 cycle storage spaces in this development proposal. This is a positive aspect of the application scheme, and should assist in encouraging occupiers to use this more sustainable mode of transport rather than rely on private car ownership.
- 128 The cycle storage has been provided as a mix of 115 Sheffield stands and 176 in a stacking system. Sheffield stands are the preferred storage type, being easily accessible to all uses. The stacking system, whilst providing a secure form of storage to many users, is not suitable for bikes that are not of a standard size (for example children's bikes) and require a degree of strength / dexterity that not all users will necessarily have. The inclusion of a good proportion of Sheffield stands should however ensure ample choice for all cycle users, allowing every range of bike and user ability to be accommodated. In the event that planning permission is granted, it is recommended that conditions are included requesting details of residential cycle storage, so that officers can ensure that the correct space requirements are met. In addition to this, the drawings currently fail to identify the cycle storage attached to the commercial units, and therefore details will also be required of this prior to commencement of the development.

## Servicing & Waste Collection

- 129 It is ordinarily expected that servicing is provided within the boundaries of a development site, to ensure that highway movements are not impacted by the parking of servicing vehicles, which would congest adjacent roads. The small retail unit in this development scheme is intended to be serviced from on-street, but given the small size of the unit, and the low level of deliveries expected to be related to this commercial unit, an on-street servicing arrangement is acceptable. A Servicing Management Plan should be secured by condition, and will provide further information on how the servicing of the retail unit will be accommodated without detriment to the surrounding highway network.
- 130 Further information is also required regarding the management of deliveries to the site, and specifically in relation to the residential units. This can be requested through a condition requiring the submission of a delivery management plan for the residential dwellings in the development.

131 In relation to the waste collection strategy for the residential units proposed, the original application was submitted with some on street collections from Balfour Street. Residents raised a number of objections to this arrangement, and officers advised the applicant that such an arrangement would be unacceptable because of resulting obstruction on the highway. The applicant elected to alter the arrangement as part of amendments to the application, the current arrangements for waste collection have been confirmed as follows:-

- Building R1A – storage provided within the buildings and collection from the waste store lay-by to be provided on Rodney Road;
- Buildings R1B, R1C, R2B, R2C, R2D & R2E – storage to be located within the footprints of buildings with a management arrangement to present all bins into R2A for collection;
- R2A – storage provided within the building and provision made for a separate waste store for the retail unit. Collection is via a managed solution with presentation to a waste collection area within the building.

The amended waste strategy document submitted as part of revised proposals for the site, confirms that there will be no waste bins left on the street or in the public realm for collection. Provided these revised arrangements are secured by condition, the servicing arrangements are considered to be acceptable.

#### Traffic Impacts During Construction

132 The draft Construction Management Plan submitted with the application sets out acceptable principles, but is fairly general at this stage. Therefore in the event that planning permission is granted, a final Construction Management Plan should be requested by condition, and this should contain more detail as a construction programme can at that stage be finalised. It is important that good quality, clean and safe access to the school is maintained at all stages of construction, and that there is no reversing onto or from the highway at any times for safety reasons. The plan should contain a Travel Plan for construction workers, with commitments to providing information on public transport, walking and cycling routes. Provision of cycle parking for construction workers should also be included and monitored to ensure that there is a sufficient number to cater for demand.

133 In the construction management plan, a Traffic Management Plan (TMP) is proposed. The scope of the TMP is largely acceptable, but should include greater detail on measures to monitor and train drivers. This should include reference to a cyclist awareness course in Urban (or London) Driving Certificate of Professional Competence qualification. These measures will contribute further to the mitigation of potentially significant increased risk to road safety arising from the operation of goods vehicles related to the construction of the development.

#### Travel Plan

134 A travel plan has been submitted with the application. It is good quality and conforms to the London Borough of Southwark's policies as well as Transport for London travel planning best practice. Should planning permission be granted, it is recommended that the travel plan is secured by Section 106 agreement as well as the sum of £3,000 for monitoring of the travel plan.

#### **Ecology - Impact on trees and landscape**

135 London Plan Policy 7.21 'Trees and Woodlands' states that through planning

decisions, trees of value should be retained and any lost as the result of development should be replaced following the principle of 'right place, right tree' and that wherever appropriate, the planting of additional trees should be included in new developments, particularly large-canopied species. The London Plan also advises that the assessment of trees should be undertaken using a combination of amenity assessment (BS5837) and a recognised tree valuation method (CAVAT or i-tree) that also takes into account social, economic and environmental factors. Southwark's policies also recognise the importance of trees, with Core Strategy policy 11 'Open spaces and wildlife' stating that through development the protection of woodland and trees will be undertaken, improving the overall greenness of places. Policy 11 also identifies that development is required to avoid harm to protected and priority plants and animals, to help improve and create habitat. Saved Southwark Plan policy 3.28 'Biodiversity' also confirms that in the determination of all planning applications the local planning authority will take into account biodiversity and encourage the inclusion in developments features which enhance biodiversity.

136 Elephant and Castle Supplementary Planning Document policy 28 'Natural environment' states that development on the Heygate development site (which includes this current application area) should:-

- Provide new green open space including a new park;
- Link new and existing open spaces using a network of green routes;
- Provide high quality landscaping which provides interest and attraction throughout the year;
- Retain and enhance trees and canopy cover where ever possible, applying policy SPD19. The tree strategy for the Heygate development site should:
  - Use trees to help reinforce the character of streets and spaces;
  - Provide a mix of species, structural landscaping trees as well as ornamental trees which create diversity, character and delight;
  - Use trees to enhance habitats and biodiversity;
  - Increase canopy cover to counteract the urban heat-island effect;
  - Retain as many existing trees as possible, taking into account the character of streets and spaces, their quality, group value and value as individual specimens;
  - Provide a legacy for future generations.
- Improve the biodiversity value of sites.

137 A landscape strategy has been prepared by Grant Associates and submitted as part of the application documents for the site. It describes the intended landscaping works on the site which includes the retention of 25 number trees, the planting of new trees to replace removed trees, wider landscape planting across the site, including the creation of new public 'pocket' spaces, and the incorporation of a features to support and benefit local habitat and wildlife in the area.

### 138 Ecology

The submitted ES includes an assessment of possible impacts upon ecology as a result of the development. An ecological desk study was undertaken as part of the assessment to collate existing ecological records for the site and its adjacent areas. Bat surveys were also undertaken by The Ecology Consultancy on the site, both prior to demolition and following demolition of buildings trees were assessed for their bat roost potential.

139 There were no trees found to have potential to contain roosting bats, as the trees were in good health and lacked suitable roosting features, such as woodpecker holes and other suitable internal cavities. The only remaining built features on the site consist of the substation and adjacent garage, and these also lacked any access points, gaps,

cracks or crevices that would be suitable for bat roosting. It is noted in the report that trees present some limited foraging and commuting opportunities for species such as Pipistrelle bats, however overall the site was concluded to be sub-optimal as a foraging resource. The surveys undertaken prior to demolition of former buildings on the site also showed no evidence of roosting bats or foraging bats.

- 140 In relation to birds, the report describes that the removal of several trees during construction of the development, will cause a minor loss of potential nesting and foraging opportunities at the site. Mitigation measures are therefore recommended, including the monitoring of breeding birds continuously during construction. The applicant also sets out the intention to remove trees and shrubs on the site outside of the breeding bird season wherever possible, and that where works cannot be undertaken outside of the breeding bird season, an ecologist will inspect any trees / shrubs prior to removal. If a nest is detected, then a buffer zone would be created around the nest, and clearance of the area delayed until the young have left the nest. If vegetation removal were to disturb an active nest during the bird breeding season, then this would be an offence under the Wildlife and Countryside Act 1981 (as amended).
- 141 The submitted landscape strategy sets out a number of measures to be incorporated into the development which are intended to enhance ecological and wildlife value on the site. As the existing site is largely covered by hardsurfacing, the existing opportunities for wildlife are limited, with the exception of existing trees which provide canopy spread for wildlife. The measures to be incorporated into the development can be summarised as follows:-
- Providing a habitat replacement strategy for any significant loss of nesting and / or foraging opportunities being created;
  - Creating habitat diverse green / brown roofs that cover 40% of roof areas and be a mix of extensive green roofs and biodiverse roofs to establish different habitats and encourage birds; and
  - Incorporation of bird and bat refuges either within the structure of buildings or within the public realm.
- 142 In light of the limited quality of existing biodiversity on the site (with the exception of trees which are considered below), the impacts upon ecology are likely to be insignificant where adequate mitigation measures are secured by conditions to any grant of planning consent. The council's Ecology Officer has recommended a number of conditions that will mitigate potential impacts, including the clearance of vegetation, implementation of agreed biodiversity mitigation / enhancement, submission of an ecological management plan, ecological monitoring, green roofs and bird and bat boxes. It is therefore recommended that these conditions be attached to any planning permission associated with this site.

### Trees and Landscape

- 143 A Tree Survey has been carried out and included within the submitted Landscape Strategy for the site. The survey was prepared by an Arboricultural Consultant in accordance with BS5837: 2010 – Trees in relation to design, demolition and construction – Recommendations (a British Standards document). Trees are assessed to fall into 4 possible categories, the first relating to trees that are unsuitable for retention, and the remaining three relating to trees that may be suitable for retention. The categories are summarised below:-
- Category U – Trees in a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years;
  - Category A – Trees of high quality with an estimated remaining life expectancy of



- at least 40 years;
- Category B – Trees of moderate quality with an estimated remaining life expectancy of at least 20 years; and
- Category C – Trees of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150mm.

144 The tree strategy describes the proposed trees for retention, removal or planting that would be incorporated into the development. The proposals include strategies for a continuation of street tree planting to enhance existing green infrastructure linkages on Balfour Street and Rodney Road. This also includes the retention of trees on Victory Place. Hedges are also proposed to be planted to define and enclose the junction at the southern end of the boundary, as well as a new orchard, which are both welcome features of the development proposals for landscaping.

145 There are 10 trees that require removal as part of the development, largely to facilitate the buildings that are proposed for construction. Of these trees there are 4 category A trees, 3 category B trees and 3 category C trees. The trees proposed for removal consist of 5 London Plane trees, 2 Sweet Chestnut, 1 Norway Maple, 1 Silver Birch and 1 Pissard's Plum. The removal of any trees from the site, regardless of category or amenity value will require mitigation in the form of replacement planting. Replacement tree planting within the site will need to be of a sufficient quantum to replace the canopy cover of existing trees for removal. Prior to this application proposal, there were 16 trees and 3 tree groups that were removed from the site to facilitate demolition, the removal of these previous trees from the site does not form part of this application, but it should be noted that there is additional planting proposed by the developer outside of the application site.

146 Proposed tree strategy shows the following tree planting within the site:

- 2 street trees in Balfour Street within the red line boundary of the site
- 8 'grove trees' on site
- 3 'signature trees' on site
- 13 avenue trees on site
- 11 street trees Rodney Road within the red line boundary for the site
- 30 courtyard (podium) multi-stem trees
- 25 existing retained

In total 67 new trees proposed on site, of varying size and maturity. Of the 67, 26 are of longer term suitability and are a good replacement for the more substantial trees removed from the site. The planting of all of these trees can be secured through conditions and the submission of detailed landscaping plans for the site.

147 The proposed street tree planting (planting of trees outside of the site) will need to be secured through clauses in a legal agreement attached to any planning consent. The provisions should secure the planting of a minimum of 24 additional trees off site, and require the submission of plans for agreement by the local planning authority showing the location of the trees to be planted, including any cross sections to buildings where required. This will ensure that suitable and sustainable locations for the growth of the trees will be found. This planting can either be provided by the developer in discussion (and with approval from) the Highway Authority or a financial payment can be provided to the council to cover the cost of planting.

148 There are 25 trees proposed for retention, 14 category A trees, 4 category B trees and 5 category C trees. These trees are identified on a Tree Protection Plan within the Landscape Strategy document. Tree protection measures will be required on the site to facilitate tree retention, which will include tree protection fencing and minimum working areas to be retained between the fencing and furthest extent of buildings to be constructed. Temporary ground protection will also be required in the root protection

areas of trees in these areas. Where there are excavation works proposed within the root protection areas of retained trees, it is proposed that steel sheeting will be driven into the ground along the external line of footings, and all excavation carried out from within the building footprint so as not to further impact on retained trees. It is recommended that in the event that planning permission is granted for the development tree protection measures are secured by condition.

- 149 The close proximity of large retained trees will require pruning where existing crowns spread to be in contact with proposed elevations at Victory Place (plot R1A & B), Balfour street (R2E & R2A) and Balfour St junction (R2A). However given the previous interaction of tree crowns with the former building lines this is considered to be achievable without adverse impacts to tree retention or amenity, on the condition that suitable pruning is specified together with longer term site management and maintenance scheme.
- 150 The council's Urban Forester has assessed the proposals for tree removal, retention and planting on the site (comments at paragraph 10 of Appendix 2), and confirmed that the arrangements are acceptable. A CAVAT assessment of the value of the trees proposed for removal has been carried out, and officers agree with the findings of this assessment and consider that the proposed approach to tree replacement is acceptable.

#### Conclusion on trees and landscape

- 151 Overall the tree strategy proposes suitable mitigation of tree and canopy loss, by both replacement planting within the site and 24 additional trees off-site. It is noted that the report specifies that the tree survey is valid for 1 year, however given the maturity and former management specifications of the remaining trees further surveys of the site would only need to be done before the end of the growing season. This is because there would be no significant increases in stem girth or canopy spread within the intervening period which would necessarily affect or change recommendations in the survey relating to future maintenance or replacement. Therefore, only in the event that the development does not commence by September 2013 would a resurvey then be appropriate. This can be specified in conditions attached to any grant of consent.
- 152 The proposed landscape scheme includes various planting specifications located along footways, on raised podiums, within swales, raised beds, private gardens, as hedging and on balconies together with the more structural tree planting along Balfour Street.
- 153 The landscape strategy describes the intention to provide suitable connections into and across the site, with legible routes through the site and clear access points. Key features that are proposed within the landscaping for the site include the use of a rain garden to attenuate water runoff, a decked cafe area at the southern gateway to the site on Balfour Street, communal gardens, play areas, a community orchard space, roof terrace areas and avenue planting.
- 154 Given the extent of raised planting areas, it is important that sufficient planting depths are provided to ensure the longevity of any planting included in this area. Proposed planting will also require suitable irrigation, which may be provided by recycled grey water or via attenuation tanks. The drawings currently submitted do not clearly show that all planters and planting areas on the podium will achieve a minimum 1m depth, and therefore conditions are required in the event that planning permission is granted, to require further submission of detailed sections of the courtyard area.

## Socio-Economics

- 155 A Socio-Economic report has been submitted with the application, and sets out the baseline conditions in Southwark related to employment, local spend, number of houses, healthcare provision, local amenity space, public safety / crime and education. The impact that the proposed development might have upon each of these areas is then assessed.
- 156 *Employment* – It is estimated that the development would generate 60 construction jobs during a 24 month construction programme, and 11 jobs within the completed development related to the retail unit proposed. There is also potential for additional employment associated with the residential units including concierges, property management, landscaping etc. It is also proposed to enhance potential employment opportunities through the section 106 legal agreement, securing training initiatives via BeOnsite. Overall the impact upon employment would be insignificant, with medium-term benefits of minor significance.
- 157 *Local Spend* – Local spending will increase as a result of the jobs created by the development both during construction and once complete. While the number of workers generated during construction would have beneficial impact of minor significance on local spend, this would be for the medium term only. The additional jobs created in the complete development will also increase local spending, as will the new 235 households created by the development. The additional spending generated by the completed development will have a long-term, local, beneficial impact of minor significance.
- 158 *Housing* – The development will contribute to meeting Southwark Council's annual housing target for the borough, delivering 12% of Southwark's overall housing target, and 6% of net new homes targeted in the London Plan and Elephant and Castle Supplementary Planning Document. This will have long-term, district, benefits of moderate significance.
- 159 *Healthcare* – According to NHS Business Service's data (2011) the average list size of the local 14 GP surgeries is 1,200 patients per GP, which is below the Healthy Urban Unit recommended level of 1,800 patients. There are also seven dental surgeries within 1km of the site that are all currently accepting new NHS patients. While the calculation method provides some indication of the surrounding capacity of healthcare practices to accommodate an increased population as a result of this development, more detail regarding calculation of the health baseline would have been useful. This is in light of the cumulative impacts that are likely to result from the proposed population increases in other surrounding developments. Whilst there may be the capacity to absorb an extra 400 people within existing infrastructure, the Elephant and Castle Opportunity Area, in total, is expected to add a new resident population of 4000 and 5000 new jobs in the longer term which could create pressures on healthcare practices. It is however accepted that the new population created by this specific development can probably be accommodated within existing services, and it is also relevant that there is mitigation in the form of funding through the section 106 legal agreement also proposed.
- 160 Therefore impacts from this development upon healthcare in the area are considered to be insignificant.
- 161 *Open Space and Playspace* – There are a number of open spaces and parks in the local area, and the development also includes new public open space, semi-private communal space and private gardens. These spaces will be sufficient to cater for the needs of children associated with the households created in the development. Because of the improvements to public realm and open space in the development

proposal, it is concluded that impacts will be beneficial of minor significance.

- 162 *Public Safety and Crime* – The development includes new public realm and the new households that will bring additional natural surveillance. There will also be features such as CCTV and active frontages that will discourage opportunity for criminal and anti-social behaviour. Mitigation in the form of funding through the section 106 legal agreement is also proposed. Overall the development is concluded to have long-term, local, beneficial impacts of minor significance.
- 163 *Education* – The calculated estimated child yield for the development is expected to generate net demand for approximately 17 primary school places and 7 secondary school places. Mitigation in the form of funding through the section 106 legal agreement is also proposed. Overall the impact of the development upon both primary and secondary school capacity is expected to be insignificant.

#### *Conclusion on Socio-Economic Impacts of the Development*

- 164 Overall there will be no long-term, significant adverse impacts as a result of the development.

#### **Ground Conditions and Contamination**

- 165 A Ground Conditions and contamination desk study and preliminary risk assessment report has been prepared by Arup for the application site, and submitted with the application. The assessment identifies that the site has potential for existing ground contamination that could pose a risk to human health and groundwater once the development is complete and operational. However the potential for there to be significant contamination on the site is considered to be low, and mitigation measures can be carried out during construction to manage potential ground contamination should it be discovered. If any gross contamination is discovered during the construction works, this will be tested and appropriate remedial measures taken, including validation testing and removal from the site in accordance with relevant waste management legislation. A foundation works risk assessment is proposed to be prepared in consultation with the environment agency to establish the appropriate piling methodology and minimise the risk to the deep aquifer from piling works penetrating through contaminated soils. Clean topsoil will be provided in all soft landscaped areas to reduce the likelihood of plants coming into direct contact with any residual contamination. With this mitigation in place, the development would not cause an unacceptable contamination risk.

#### **Water Resources and Flood Risk**

- 166 A flood risk assessment has been prepared by Arup for the application site and submitted, along with correspondence from Thames Water regarding water supply. The majority of the site is located with Flood Zone 3a, but along with the rest of the borough, the site is protected by the Thames Tidal Defences, and therefore tidal and fluvial flood risk at the site is concluded to be low. A surface water strategy is however still required, to ensure that the development will not increase surface water discharge into sewers, and in accordance with policies of the Core Strategy, reduce surface water run-off by a minimum of 50%. The development proposes to incorporate a sustainable urban drainage strategy (SuDS) that will allow for the potential increase in rainfall due to climate change. Thames Water have confirmed that there is capacity within the existing sewer network in the vicinity of the site, to accommodate the estimated surface water and foul water discharge associated with the development. In conclusion the development will have beneficial impacts of minor significance upon surface water discharge rates, and insignificant residual impacts upon sewer network. Thames Water has also confirmed that the estimated water requirements resulting

from the development can be accommodated within the existing infrastructure in the area.

### **Archaeology**

- 167 A desk-based archaeological assessment has been prepared as part of this application by Waterman. This document is based upon a search of the surrounding archaeology within a 300m radius from the centre of the site, and includes an 'approximate' plot of a radius of 250m around the boundary of the site. As such the sample area examined has not crossed the New Kent Road and identified the extensive evidence for the Roman burial ground in the area of Harper Road, the Globe Academy and Deverel Street. There is no evidence to indicate the southern boundary of the burial ground and an examination of the HER records shows that no significant archaeological work has been undertaken between the development site and the area of known burials. This is with the exception of an evaluation at the junction of Harper Road and the New Kent Road and a site to the south side of the New Kent Road opposite the junction with Harper Road where later activity had removed any archaeological potential from the site, but where potential for a ground surface in this area during the Roman period was identified.
- 168 Based upon the lack of archaeological work between the known area of the cemetery south of Watling Street and the large area of the site in question it is recommended that a programme of archaeological observation and recording is maintained during groundworks on site. This should be secured by condition, and the report time tabled to be completed following site work.

### **Wind**

- 169 A wind microclimate assessment has been prepared by XCO2 and submitted with the application. It describes wind modelling and analysis of the likely significant impacts of the development. The assessment finds that following completion of the development, the likely wind conditions will be suitable both within and surrounding the proposed development. Therefore it is concluded that there is insignificant to minor significant beneficial impacts from the development upon wind, as it will provide additional shelter in places when compared to the current site condition.

### **Equalities implications**

- 170 Section 149 of the Equality Act 2010 provides that the council must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 171 The relevant protected characteristics are:
- Age
  - Disability
  - gender reassignment
  - pregnancy and maternity
  - race
  - religion or belief
  - sex
  - sexual orientation.



- 172 It should be noted that the Elephant and Castle Opportunity Area Supplementary Planning Document was supported by an equality impact assessment.
- 173 The submitted ES includes assessment of the Socio-Economic impacts of the development. Overall it can be concluded that the development will make a positive contribution towards the overall regeneration objectives for the Elephant and Castle Opportunity Area and those regeneration objectives have been compiled in light of equality impacts.
- 174 In terms of the completed development the overall equalities impact is positive. In the broadest sense the development will have a positive impact on all the target groups. The development will result in the creation of employment which will be a positive impact for local unemployed people. Affordable retail floorspace will be provided and secured in the legal agreement resulting in a positive impact for new and existing businesses. Surrounding existing communities will benefit from new public realm and routes through the site, including new informal play space to be provided on Victory Place. Affordable homes will be provided contributing to the creation of mixed communities. New housing which will include wheelchair units and be built to lifetime homes standard which will result in a positive impact for those with disability. Contributions will be provided to improve existing infrastructure including education and health provision, as well as transport infrastructure. The proposed development will therefore have a positive impact in terms of equalities.
- 175 The council therefore consider that the proposed scheme and the regeneration of the area that the development will bring about which aims to deliver a mixed and balanced community is compatible with its equalities duties and will have some beneficial impact on protected groups, the advancement of equality of opportunity and the fostering good relations between persons who share a relevant protected characteristic and persons who do not share it.

#### **Planning obligations (S.106 undertaking or agreement)**

- 176 Saved policy 2.5 of the Southwark Plan and Policy 6A.5 of the London Plan advise that planning obligations should be secured to overcome the negative impacts of a generally acceptable proposal. Saved policy 2.5 of the Southwark Plan is reinforced by the Supplementary Planning Document (SPD) on Section 106 Planning Obligations, which sets out in detail the type of development that qualifies for planning obligations, and Circular 05/05, which advises that every planning application will be judged on its merits against relevant policy, guidance and other material considerations when assessing planning obligations.
- 177 The table below demonstrates the standard contributions generated from the Supplementary Planning Documents s106 toolkit and the contributions proposed by the applicant:

Table 7: Planning obligations

<b>Planning Obligation</b>	<b>Amount of planning gain calculated by toolkit (£)</b>	<b>Applicant financial contribution (£)</b>	<b>Applicant 'in-kind' works equivalent costing (£)</b>
Education	293,667	293,667	n/a
Employment during construction	168,932	In-Kind	Provision via BeOnSite, targets as below

<b>Planning Obligation</b>	<b>Amount of planning gain calculated by toolkit (£)</b>	<b>Applicant financial contribution (£)</b>	<b>Applicant 'in-kind' works equivalent costing (£)</b>
Employment during construction management fee	13,697	13,697	n/a
Public Open Space, Children's Play Equipment and Sports Development	224,199	In-Kind	Cost of works to Victory Place and Community Garden (251,362)
Transport Strategic	Replaced by E&C SPD Tariff 2,041,864	2,041,864	n/a
Transport Site Specific	117,500	In-Kind + 2,750 to amend TMO & 3,000 for Travel Plan monitoring	Creation of new access, pedestrian and cycle routes, street furniture & signage, car club bay and membership, lighting (175,324)
Public Realm	176,250	In-Kind	Paragon Row, Balfour Street, Rodney Road and Southern Gateway (516,699)
Health	257,064	257,064	n/a
Community Facilities	34,733	34,733	n/a
Works to Balfour Street	n/a	250,000	n/a
Tree Planting Outside of Site	n/a	If financial contribution 24,000	Location & specification tbc to minimum value of 24,000
Affordable Retail Space	n/a	In-Kind	75sqm of gross internal area
Sub-total	3,327,906	2,920,775	943,385
Admin	£63,279	Admin (in-kind + financial contribution) £68,642	
<b>Total</b>	<b>£3,391,185</b>	<b>Total applicant contribution (in-kind works + financial contributions) £3,872,802</b>	

- 178 High levels of unemployment, low incomes and deprivation persist in the borough because of certain barriers to employment that people experience, most notably the lack of skills that are required in the jobs market. Reducing deprivation is an essential part of developing socially sustainable communities, especially in growing and intensifying communities. Sourcing local labour, and reducing the need to travel is a

fundamental part of creating of sustainable communities, and delivering the objectives of the London and Southwark Plans. The WPC contribution would secure the cost of providing a WPC to assist in the placement of unemployed jobseekers from the local area into jobs within the final development either through an existing WPC programme, or through setting up a new programme to target the employment sector of the final development. The applicant has agreed to provide its own training initiative programme through the BeOnSite organisation and targets are expected to require the achievement of 125 job or training opportunities during construction. The council will monitor the achievement of these targets, and in the event that agreed targets are not met, the development will pay the sum required under the section 106 SPD toolkit.

- 179 In addition to employment during construction, it is also intended that an area of affordable retail space is included in the development, of no less than 75sqm gross internal area, which will be provided by the developer at a subsidised rent to small businesses within the Borough. The developer will be required through the legal agreement to construct the affordable retail floorspace in shell form, including shop fronts.
- 180 A financial contribution of £250,000 is intended to be provided to the Council, in order to contribute towards the establishment of a new project for improvement works on Balfour Street. Balfour Street adjoins the site and has been identified by the Highway group as being appropriate for upgrading works to the highway, including junctions and crossings, and the pedestrian footpath. This would be beneficial to both the existing population in the area, as well as the new occupiers of the application site who are likely to use Balfour Street on a daily basis. The project will be subject to a more detailed assessment of required works, design and costings. The final cost of improvement works is likely to be more than the £250,000 offered by the applicant, and it is intended that contributions from other sources and development sites in the vicinity of Balfour Street be pooled to facilitate funding of the improvement works.
- 181 The applicant is proposing to plant 24 trees off site, and the legal agreement can be used to secure the submission of further details of this planting strategy, including the proposed location, species and size of trees for planting. The cost of planting will need to be provided to the council, and will need to amount to a minimum of £24,000 plus any additional sums to cover the cost of maintenance for 3 years.
- 182 Site specific transport measures are proposed to be incorporated into the development, including works to create cycle routes, pedestrian crossings, car club bay and the financing of membership for new occupiers into a car club scheme for a minimum of 3 years (including provision of an appropriate number of child car seats to be informed and implemented through the Travel Plan). An additional sum of £2,700 will also be required to cover the cost of amending the traffic management order, to prevent new occupiers from obtaining parking permits for on-street parking.
- 183 A contribution towards education provision in Southwark is required as part of the development, in order to cover the capital cost of providing new school places required as a direct result of a proposed development. Without appropriate mitigation of the impacts from residential development upon education, schools will be put under undue pressure and reduce the ability of the Local Education Authority (LEA) to fulfil its statutory function, which will be unacceptable in planning terms. The applicant has agreed to pay the sum required under the section 106 SPD toolkit.
- 184 Residents in the Borough require access to primary healthcare, they will need to use local PCT GP clinics, and acute and mental services which will directly impact on demand for existing services. Standard charges apply to mitigate the additional demand as per the S106 planning obligations SPD, and the applicant has agreed to pay the sum required under the section 106 SPD toolkit.

- 185 The Elephant and Castle Supplementary Planning Document policy 20 's106 Planning obligations and the community infrastructure levy (CIL)' sets out that the Strategic Transport contribution ordinarily calculated by Southwark's s106 toolkit will be replaced by a strategic transport tariff. The policy also describes that for all developments in the opportunity area which provide either at least 100sqm of additional floorspace or one or more additional dwelling units strategic transport improvements will be a priority in negotiating planning obligations. This is based upon Transport for London's analysis, which demonstrates that it is necessary to carry out improvements to strategic transport infrastructure in order to accommodate the anticipated level of growth in the opportunity area. These improvement works include works to the northern roundabout and improvements to the northern line station.
- 186 It is the opinion of the council that the planning obligations sought meet the planning tests of Circular 05/05 and the CIL regulations (122 and 123). The contributions would be spent on delivering new school places as a result of the development, job creation during construction and in the final development, improvements to open spaces and sports facilities, improvements to increase the capacity of transport provision across the borough, improvements to the public realm, new health facilities and improvements to community facilities. These are necessary in planning terms, directly related to the development and fairly and reasonably related to the impacts of the development. It is acknowledged that a number of residents have raised concerns that improvements to the public realm are confined to within the site boundaries only, however officers consider that these proposed in-kind works sufficiently relate to the impacts of the development proposed and will also provide new access routes across the site to the benefit of the wider community. An additional financial contribution to be pooled to fund improvement works to Balfour Street (outside of the site) is also fairly sought, and reasonably relates to the impacts of the development proposed. Residents have also raised concern about the large Strategic Transport Contribution, however officers consider that the contributions to transport are fairly and reasonably related to the impacts of the development proposed. Therefore in the event that planning permission is granted, it is recommended that the above provisions are secured through a legal agreement attached to the consent.

#### Mayoral Community Infrastructure Levy

- 187 S143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive in the payment of CIL as a material "local financial consideration" in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail.
- 188 This development proposes 19,613sqm of additional residential floorspace, 2,227sqm of other floorspace associated with residential use and 176sqm of retail floorspace, resulting in a CIL calculation of £770,560.

#### **Sustainable development implications**

- 189 The National Planning Policy Framework (NPPF) sets out that the purpose of the planning system is to contribute towards the achievement of sustainable development. Sustainable development is described as consisting of three broad dimensions, economic, social and environmental. The economic and social implications from this proposed development are covered in greater detail above.
- 190 In relation to environmental implications of development, section 10 of the NPPF 'Meeting the challenge of climate change, flooding and coastal change' describes the key role that planning has in securing radical reductions in greenhouse emissions,

providing resilience to the impacts of climate change and supporting the delivery of renewable and low carbon energy and associated infrastructure. Southwark's Core Strategy sets out the approach to achieving sustainable development in the borough in Strategic Policy 1, describing that development will be supported if it meets the needs of Southwark's population in a way that respects the limits of the planet's resources and protects the environment. Strategic Policy 13 'High environmental standards' then sets out how this can be achieved, by requiring development to meet the following targets:-

- Residential development should achieve at least Code for Sustainable Homes Level 4;
- Community facilities, including schools, should achieve at least BREEAM 'very good';
- All other non-residential development should achieve at least BREEAM 'excellent';
- Major development should achieve a 44% saving in carbon dioxide emissions above building regulations from energy efficiency, efficient energy supply and renewable energy generation;
- Major development must achieve a reduction in carbon dioxide of 20% from using on-site or local low and zero carbon sources of energy;
- Major development must reduce surface water run-off by more than 50%;
- Major housing developments must achieve a potable water target of 105 litres per person per day.

The Elephant and Castle Supplementary Planning Document restates these requirements in SPD 19 'Energy, water and waste' where it requires development to meet the highest possible environmental standards, in line with the Core Strategy and the London Plan. Southwark's Sustainable Design and Construction Supplementary Planning Document also provides further guidance on how to incorporate sustainable design and construction methods into development.

- 191 Policies 5.2, 5.3, and 5.7 in The London Plan 2011 outline the measures that the Mayor expects developments to incorporate as part of the sustainable design and construction of energy efficient development schemes. In the consideration of energy efficient measures, application proposals should apply the Mayors Energy Hierarchy, using passive design and energy efficient measures to reduce heating and cooling loads, and feasibility assessments for low and zero carbon energy systems described in the London Renewable 'Toolkit'. Policy 5.6 'Decentralised energy in development proposals' states that development proposals should evaluate the feasibility of Combined Heat and Power (CHP) systems, and where a new CHP system is appropriate, also examine opportunities to extend the system beyond the site boundary to adjacent sites. The London Plan also encourages developers to investigate opportunities to incorporate energy from waste, or where technically feasible, renewable energy in developments. In addition to this, where a district CHP system provides part of a developments power and / or heating and / or cooling demand, suitable renewable energy technologies should also be considered in addition to the CHP system.
- 192 The applicant has submitted a sustainability assessment with the application. This describes that the proposed development has achieved a code for sustainable homes pre-assessment score of 72.96% which demonstrates that the proposed development is capable of achieving code level 4. This can be secured as a minimum by condition in the event that planning permission is granted, and it will be required that further testing is undertaken at each design stage and post construction, to ensure that the minimum code 4 level is achieved in the completed development.
- 193 The development includes sustainable urban drainage systems that will reduce surface water run-off by a minimum of 50% and incorporate grey water recycling.



- 194 The applicant has also submitted an Energy Strategy as part of the application documents. It describes how the development will comply with the carbon reduction and planning policy targets set out above. It is proposed to incorporate a number of measures into the fabric of buildings in the development to improve the energy efficiency and performance of the buildings.
- 195 The submitted energy strategy describes that the development will achieve a 52.5% reduction in carbon on Part L1A 2006 Building Regulations from the fabric of the building and incorporation of low energy appliances. The development achieves a 44.2% reduction in site wide carbon emissions from the incorporation of a central energy centre, and district heating network with high energy efficiency gas boilers and gas CHP from the Heygate Masterplan, or a centralised local CHP engine backed by highly efficient gas-fired condensing boilers within the development itself. The connection to the wider Masterplan CHP network is dependent upon the energy centre being built. Therefore it is recommended that if planning permission is granted for this application, the legal agreement should include clauses to require connection to the Heygate energy network once built. In the event that it is not built, the development includes its own CHP system to provide clean energy, and the legal agreement will require the developer to investigate connection to a district heat / power network, should it become operational on another site – and not the Heygate Masterplan site. It is considered that through these provisions, the incorporation of clean energy in the development will be secured.
- 196 The development is also required to incorporate 'green' energy through the use of on-site renewable energy. The Energy Strategy document describes that a variety of renewable energy options were assessed for suitability, including solar hot water, small scale wind turbines, air / ground source heat pumps and biomass. All of these options were found to be unsuitable for the proposed development, for a variety of reasons, including the lack of compatibility with the CHP system, inappropriate environmental conditions (i.e. lack of wind speed), and environmental impacts (i.e. poor air quality as a result of biomass). Therefore the most appropriate form of on-site renewable energy was found to be roof mounted PVs. These can provide a carbon emission reduction of 3.5% only, which is a result of the limited energy generation that they can achieve as well as the pressures on roof space from other requirements, such as green roofs. While the shortfall from the policy requirement for 20% is unfortunate, this requirement is only applicable where the on-site provision is feasible, and the testing undertaken on this site adequately demonstrates that PVs mounted on the roof to reduce carbon emissions by 3.5% is the maximum, practical, achievable quantum of on-site renewable energy. It should also be noted that the Energy Strategy includes a commitment to connect to the wider Heygate Masterplan CHP network once it becomes operational, and this may include the provision of Biomethane, which is an emerging form of renewable energy as a type of clean gas. This is a welcome addition to the energy proposals on the site, and as described above, can be secured through a legal agreement attached to any grant of planning consent.

### **Alternatives**

- 197 In accordance with EIA Regulations it is necessary to consider the main alternatives to the proposed development, and these have been assessed under three categories, the 'no development' alternative, alternative sites, and alternative uses and designs. Each of these categories has been considered in the applicants environmental statement and this is summarised further below.

#### *The 'No Development' Alternative*

- 198 This option has not been pursued as an alternative in reflection of adopted planning policy that designates this site for development. The site is identified for new

development as part of the vision for the regeneration of the Elephant and Castle area, and this is set out in the Elephant and Castle SPD. The applicant has also already entered into an agreement with Southwark Council (as the current owner of the site) for the redevelopment of the site. Therefore not developing this site would negatively impact the planned aspirations for new housing in the Elephant and Castle Opportunity Area. The site is already cleared for development and therefore failing to develop the site would form a potential blight on the character of the streetscape here. Officers are satisfied that this is sufficient justification for not pursuing this particular alternative as a realistic option.

#### *Alternative Sites*

- 199 Similarly, the applicant has not pursued this option for the development, for largely the same reasons described above for the 'no development' alternative. In summary there are specific policy development objectives for this site, which the submitted application scheme seeks to satisfy, and therefore alternative sites have not been considered for this particular development. Officers are satisfied that this is sufficient justification for not pursuing this particular alternative as a realistic option.

#### *Alternative Uses and Designs*

- 200 The applicant has not considered fundamentally different alternative uses, or mix of uses, for the site that would be beyond those identified in the Elephant and Castle SPD / OAPF. Officers consider this to be acceptable given that there are identified land uses for this site set out in adopted policy documents. In relation to design development, the design of the development has evolved in response to site constraints as identified by the applicant in the submitted ES document.

#### **Conclusion on planning issues**

- 201 The application proposal presents the opportunity to fulfil the aspirations of the Elephant and Castle supplementary Planning Document for this site, providing much needed housing and a small retail unit, all in accordance with the required land uses on this site designated for redevelopment. Further, the proposal makes an important contribution towards delivering the council's wider vision for the Elephant and Castle Opportunity Area as an attractive central London destination, and a more desirable place for both existing and new residents. The proposed development form has been designed in anticipation of, and to complement, the proposals for the Heygate Masterplan site, which are subject to an outline planning application (reference 12-AP-1092) which Members resolved to grant planning permission on 15 January 2013, subject to completion of a Section 106 Agreement and referral of the application to the Mayor of London. There are many beneficial aspects of the proposals for this site, including the retention of trees, extensive landscaping proposals including new tree planting on and off the site, the creation of new publicly accessible spaces, and the provision of affordable housing.
- 202 Creating a development to fulfil the aspirations of the Elephant and Castle SPD and providing these features that will benefit the wider community, including new public spaces, has been a challenge for the developer at this time of economic uncertainty. This has meant that the development of this site, as proposed, is not viable, viability issues have impacted the quantum of affordable housing included on the site. Officers have concerns in relation to daylight levels within the proposed development and the quantum of car parking proposed. Whilst concerns have been raised by officers regarding these aspects of the proposal, the assessment of this proposal is undertaken in light of the proposals for the wider Heygate Masterplan site and taking account of the overall regenerative benefits that the redevelopment of the Heygate Estate would bring to the Elephant and Castle. When assessed in the context of the

Masterplan aspirations, the scale of buildings becomes more acceptable, and can provide a mid point of reference between the existing context to the south and emerging context to the north. The quality of accommodation is generally acceptable, and only fails to achieve minimum standards in relation to achieving good daylight levels to units. This issue alone would not be sufficient to justify the refusal of this scheme and needs to be balanced with the many beneficial aspects of the development proposal as well as the scheme's strategic importance, of being the first phase of the redevelopment of the Heygate Estate. A lesser quantum of car parking would have been preferred, but with adequate mitigation measures in place, particularly through implementation of a Travel Plan for the site, it is considered that the degree of harm generated by the additional car parking would not be so serious as to justify the refusal of this strategically important proposal.

- 203 The application also includes a number of beneficial features, including extensive new landscaping and public realm that will improve the street environment for both future and existing residents in the area. There are also significant financial contributions towards infrastructure improvements and further improvements to the public realm surrounding the site that will benefit the wider community in Elephant and Castle. The development of this brownfield site will enhance the existing townscape which is blighted by this vacant and derelict site. Viewed in light of these significant benefits, the shortcomings in the proposal can be considered to be relatively minor.
- 204 This is a strategically important development given its role in the redevelopment of the Elephant and Castle. Officers have concerns about some aspects of the development namely daylight and quantum of car parking but it is considered that the overall benefits of the scheme outweigh those concerns. Officers consider that the proposed development is in overall conformity with the development plan and that the scheme is acceptable subject to the imposition of appropriate conditions and s.106 obligations.

### **Community impact statement**

- 205 In line with the council's community impact statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process and the impacts are set out above. In addition to this, the applicant has undertaken their own consultation prior to lodging the application. This consultation is described in the applicant's 'Statement of Community Involvement' which accompanied the application.
- 206 Soundings have produced a statement of community involvement as part of this planning application, and this describes the consultation undertaken by the developer with the local community and other stakeholders / interested parties.
- 207 The consultation was undertaken in a variety of media including:-
- 7,000 flyers distributed to all homes and businesses in the Opportunity Area, and left at key busy locations;
  - Two newsletters summarising consultation findings, advertising events and inviting people to get involved with the Heygate Masterplan and Phase One have been distributed to over 7,000 homes and businesses in the area. A digital version was circulated to the project database;
  - Posters displayed in local shops and on the fence surrounding the site;
  - Adverts in Southwark News and Southwark Weekender;
  - Press releases to local, regional and national newspapers, trade publications and websites;
  - Articles and news items on the project website;

- Articles on the council website; and
- Email invitations to the project contact database.

208 Events were also held to engage with interested parties. Public exhibitions were hosted at the Consultation Hub on Walworth Road, with models and drawings provided. Feedback forms were provided to visitors to the events and accepted up to a week after the event. Design workshops were hosted as well as a 'Walk and Talk' event where local residents, community members and businesses walked the area with the applicant's design team.

209 Key issues identified as part of community feedback are summarised below:-

- Project name – objection to reference to the site as 'Rodney Road' and it was therefore determined that the project be called 'Phase 1';
- Affordable housing – the quantum and split between different types of affordable housing;
- Housing mix – the amount of family housing;
- Unit numbers – the amount of new homes proposed;
- Raised courtyards – concern that the raised courtyards give a perception of a loss of public open space and that it would be harder for new and old sections of the community to interact;
- Overlooking of the school;
- Car parking – the quantum considered to be excessive;
- Height of buildings – considered to be too high;
- Building line along Balfour Street – building proposed to be closer to the pavement line than previous buildings on the site;
- Sunlight and daylight;
- Victory Place vehicular access;
- Public access between Victory Place and Paragon Row;
- Concern regarding the location of car park entrances;
- Improvements to Balfour Street requested;
- Trees – the loss of trees on the site;
- Architectural quality – concern regarding the cladding material and choice of brick colour; and
- Interim uses – concern regarding vehicular access and anti social behaviour of students outside the facility.

210 The report goes on to recommend a number of actions following the consultation undertaken to date, which includes consideration of responses received and the undertaking of further consultation by the applicant.

### **Consultation**

211 Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1.

### **Consultation replies**

212 Details of consultation responses received are set out in Appendix 2.

### **Summary of neighbour consultation responses**

213 25 responses received in objection to the application proposal, including 2 following re-consultation.

	Issue	Officer Response
	Excessive density and overdevelopment	The application proposal has a density of 932 habitable rooms per hectare which is within the density range of 650-1100 habitable rooms per hectare expected in the Central Activities Zone where the site is located. This is discussed in the report at paragraph 16.
	Lack of affordable housing	The application was accompanied by a viability assessment that demonstrates that the proposed development could not viably provide more than the 25% of affordable housing offered. This is discussed in the report at paragraphs 95-102.
	Loss of trees	The councils Urban Forester has assessed the strategy for tree removal and replacement, and has not raised any objections to this (appendix 2 paragraph 10 of the report). The number of replacement trees intended to be planted suitably replaces those lost by the development, and this is discussed in the report at paragraph 142-151.
	Waste bins on Balfour Street	It is no longer intended that waste bins be left on Balfour Street for collection, and space has now been incorporated beneath the podium area for storage. It is recommended that this arrangement be secured by condition, and this is discussed in the report at paragraph 131.
	Gated courtyard area	Officers have raised concerns about the impact that podium edges will have on the street edge, but consider through the submission of further details required by condition, a quality finish can be secured (paragraphs 75-76 of the report). There is also a new public route created through the site and extensive landscaping proposed which is of high quality and this is discussed in paragraph 82 of the report.
	Large contribution to transport infrastructure	The strategic transport contribution has been calculated in accordance with the formulae in the Elephant and Castle Supplementary Planning Document and reasonably relates to the quantum of development proposed. It is required to mitigate the impacts of this development upon transport infrastructure and this is discussed in paragraphs 176-187 of the report.



	Issue	Officer Response
	Excessive height	The proposed height and scale of buildings in the development is appropriate in light of the emerging context of buildings to the north as part of the Heygate Masterplan site. This is discussed in paragraphs 65-94 of the report, and specifically in paragraph 73 where it is concluded that the proposed heights to buildings is acceptable.
	Impacts upon surrounding properties daylight and sunlight	A Daylight and Sunlight Assessment has been submitted with the application and assess impacts upon surrounding properties. These impacts are not considered to be significantly harmful, and this is discussed in paragraphs 35-48 of the report.
	S106 contributions all provided within the site	The applicant is providing extensive landscaping as part of in-kind contributions to public realm, including the creation of a new public route. These works are required to mitigate the impacts of the development. In addition to this a contribution to the creation of a Balfour Street Project Bank is proposed. This is discussed further in paragraphs 176-187 of the report.
	Excessive number of parking spaces	This is considered in paragraphs 118-124 in the report, and it is concluded that the number of parking spaces proposed can be mitigated through measures in the Travel Plan.
	Design not a contextual response to the area	The design of the development is considered in paragraphs 65-94 of the report, and it is concluded to be acceptable.
	Previously the site incorporated community facilities and was accessible to the wider public	Paragraph 82 of the report describes the positive proposals for landscaping as part of the development, and these new spaces will be fully open to the wider public in the area. A contribution to community facilities is also proposed as discussed in paragraph 176-187 of the report.
	The proposed retail unit and impact on the existing area	The proposed land uses and impact of the retail unit is considered in paragraph 15 of the report. It is not considered likely that a multi-national operator would take on the unit, particularly as a quantum of the floorspace is reserved as affordable retail floorspace.

	Issue	Officer Response
	Playspace provision provided off-site and not on-site	The quantum of playspace required and provided on the site is assessed at paragraph 113, which also confirms that there is informal play space proposed in the podium courtyard area. This will provide for older children, as will local parks in close proximity to the development site.
	Increased strain on infrastructure as a result of the increased population	Contributions to improve the capacity of local infrastructure, and mitigate the impact of this development, are considered in paragraphs 176-187 of this report.

2 responses received in support of the application proposals.

### Human rights implications

- 214 This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
- 215 This application has the legitimate aim of providing a mixed use (residential and small retail unit) development. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/H1064A  Application file: 12/AP/2797  Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: <a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a> Case officer telephone: 020 7525 5597 Council website: <a href="http://www.southwark.gov.uk">www.southwark.gov.uk</a>

## APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Site plan of proposed development with storey heights
Appendix 4	Image 1
Appendix 5	Image 2
Appendix 6	Recommendation

## AUDIT TRAIL

ASDH TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Rachel Gleave, Senior Planning Officer	
Version	Final	
Dated	24 January 2013	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Strategic Director of finance and Corporate Services	No	No
Strategic Director of Environment and Leisure	Yes	Yes
Strategic Director of Housing and Community Services	Yes	Yes
Director of Regeneration	Yes	Yes
Date final report sent to Constitutional Team		24 January 2013

## APPENDIX 1

### Consultation Undertaken

- 1 **Site notice date:** 03/10/2012
- 2 **Press notice date:** September 2012
- 3 **Case officer site visit date:** Numerous
- 4 **Neighbour consultation letters sent:** Initial letters sent on 13 September, following publication of all documents on-line, subsequent letters sent on 25 September 2012.
- 5 **Internal services consulted:** 13/09/2012
  - Design and Conservation Team
  - Housing Regeneration
  - Economic Development
  - Ecology
  - Southwark Primary Care Trust
  - Elephant and Castle Special Projects Team
  - Archaeology Officer
  - Environmental Protection Team
  - Public Realm
  - Urban Forester
  - Planning Policy
  - Waste Management
  - Transport Planning
- 6 **Statutory and non-statutory organisations:** 13/09/2012
  - Metropolitan Police
  - English Heritage
  - London Fire and Emergency Planning Team
  - Transport for London
  - London Underground
  - Network Rail
  - Thames Water
  - Environment Agency
  - Department for Communities and Local Government
  - Natural England
  - Aquiva
  - EDF Energy
  - Greater London Authority
  - London Borough of Lambeth
  - City of Westminster
- 7 **Neighbours and local groups**
  - Southwark Cyclists;
  - Elephant and Castle Amenity Network;
  - Rodney Road Tenants and Residents Association;
  - Friends of Nursery Row Park; and
  - Approximately 900 letters sent to occupiers on the following surrounding streets:-
  - Deacon Way, Rodney Road, Chatham Street, Brandon Street, Orb Street, Balfour Street,

Elba Place, Larcom Street, Rodney Place, John Maurice Close, Victory Place, New Kent Road, Munton Road, Salisbury Close, Henshaw Street, Charleston Street, Baytree Mews and Townsend Street.

**8 Re-consultation:**

Press Notice dated 6 December 2012 and letters to neighbours and local groups (included responders to original consultation) 6 December 2012.



## APPENDIX 2

### Consultation Responses Received

#### Internal services

##### Design and Conservation Team

- 1 Comments received and assessment provided in main body of report.

- 2 Economic Development

The local economy team has previously commented on the outline application for the Heygate Estate (12-AP-1092) that there is, as yet, no clear local economic development strategy provided for the development. While these proposals are clearly residential rather than mixed use, and smaller in scale to the Heygate outline application, we fully appreciate from discussions with the applicant that the approaches to delivering local employment and skills and local supply chain development to be linked across the sites. A plan for delivering local employment and skills and local supply chain development to be linked across the sites. A plan for delivering these in the context of the wider development proposals should be included as part of the section 106 agreement.

- 3 Ecology

The development proposed to create a number of ecological features detailed in the landscape plan and environmental statement.

These include:

Green walls;

Green roofs of two types wildflower and grass and biodiverse;

Rain gardens and rain pools;

Hedges tree planting;

Woodland gardens; and

Bat and bird nesting boxes within the built structures.

The combination of these habitats and features will clearly result in gains for biodiversity and are welcomed by the ecology officer.

The southern end of the development links to 2 local parks Salisbury Row and Nursery Row Park and the northern end links to Victory Park.

An important factor in this development is that the new habitat in the form of woodland gardens, hedges, green roofs, and street trees provide an important link for biodiversity to these local green spaces and improves the wider green infrastructure in the area. It is therefore very important that these habitats and features are delivered to a high standard as part of this development.

Recommend conditions to secure the implementation of these ecological features in the development.

- 4 Southwark Primary Care Trust

Many aspects of this scheme are welcomed as they have a clear potential to improve the wider determinants of health and well-being: e.g. high quality housing; increased employment opportunities; improved retail offer and higher local spend; new open space; an improved public realm and an emphasis upon sustainability and high quality design.

#### Impacts on health care services

More detail regarding calculation the health baseline would have been useful. The stated

method is a comparison of the existing average ratio of patients to General Practitioners (GPs) with the most frequently used planning assumptions of an acceptable average ratio of 1,800 patients per GP.) Whilst this is a useful starting point, other contextual factors need to be considered, some of which are discussed briefly below. As the chapter notes, some impacts can only be evaluated on a qualitative basis.

In thinking about the long term impacts, it needs to be recognised that all the component developments in the Elephant and Castle Opportunity area will have substantial cumulative impact on the 14 general practices mapped here, particularly those practices nearest the new developments. Whilst there may be the capacity to absorb an extra 400 people in the existing infrastructure, the Elephant and Castle Opportunity area, in total, is expected to add a new resident population of 4000 and 5000 new jobs in the longer term. This could create severe pressures on these practices and to some extent it is artificial to consider this development in isolation.

Although it is useful to know how many GPs there are in an area, population growth cannot simply be mitigated by increasing the number of GPs. The NHS will be required to provide a wider range of services to this population including hospital and maternity care, mental health, and community services such as health visitors, district nurses, sexual health, speech and language, physiotherapy etc.

In terms of premises, many of the existing services are housed in small, not fit for purpose buildings and will need to relocate into a larger integrated health facility to meet the needs of the new and existing population and allow service reconfiguration and rationalisation of the acute sector services including mental health.

In the longer term, it is unlikely that the existing services will be able to cope with the amount of population growth these new developments are generating without re-provision of services to a new larger site.

Chapter 17 of the EIA states that the cumulative population increase of the Development (3,870 - 4,155) with the committed developments (up to approximately 3,400) could also give rise to additional pressures upon healthcare services. Although there is surplus capacity currently in the local healthcare facilities relative to the Site, there is a potential for the increased population in the Elephant and Castle area resulting from the Development and committed developments to cause additional healthcare service demands beyond existing provision. Accordingly, the Type 2 cumulative residual impacts upon healthcare would be long-term, adverse and of minor significance. However, it is expected that the applicant of each of the committed developments would have undertaken the required assessment of this potential impact and should any mitigation be required this would be agreed with SC for each application.

## **Recommendation**

The point regarding the need to consider the cumulative impact of the development was made in the PCT response to the HIA of the larger scheme on the Heygate Estate. (Ref: 12/AP/3203) It is accepted that the new population in this specific development can probably be accommodated within existing services, and it is appreciated that there will be a S106 contribution.

However it remains important to bear the whole picture and duration of the development of the Elephant and Castle Opportunity Area in mind in order to ensure that long term planning of health infrastructure is well-aligned with it. How and when will the actions mentioned in chapter 17 in terms of assessing cumulative impacts of this and other developments on health care need and infrastructure in the area be undertaken and monitored?

## 5 Elephant and Castle Special Projects Team

Letter of support noting the regeneration benefits of the application proposals and relationship to the wider Heygate development masterplan.

## 6 Archaeology Officer

The applicants have undertaken a desk-based archaeological assessment to inform their environmental statement. This document is based upon a search of the surrounding archaeology within a 300m radius from the centre of the site, and includes an 'approximate' plot of a radius of 250m around the boundary of the site. As such the sample area examined has not crossed the New Kent Road and identified the extensive evidence for the Roman burial ground in the area of Harper Road, the Globe Academy and Deverel Street. There is no good evidence for the south boundary of the burial ground and an examination of the HER records shows that no significant archaeological work has been undertaken north of the development site except for an evaluation at the junction of Harper Road and the New Kent Road that identified deep alluvial deposits relating to the Rockingham Anomaly and a site to the south side of the New Kent Road opposite the junction with Harper Road where later activity had removed any archaeological potential from the site, however sand and gravel were present, rather than alluvial deposits indicating a potential for a ground surface in this area during the Roman period, outside the Rockingham Anomaly.

Based upon the lack of archaeological work between the known area of the cemetery south of Watling Street and the large area of the site in question it is recommended that a programme of archaeological observation and recording is maintained during groundworks on site. This should be secured by the following condition, and the report time tabled to be completed following site work.

Two conditions are recommended to secure the archaeological interests of the site:

- Archaeological Mitigation
- Archaeological Reporting.

## 7 Environmental Protection Team

### Air Quality

The development site is very close to sensitive receptors (schools/residential/play-space) therefore, issues regarding dirt and dust will need very careful consideration and control using the Construction Management Plan and powers and permissions under the Control of Pollution Act 1974. It is anticipated the CMP will also cover environmental monitoring standards and locations and that the development will be sensibly timed and phased to ensure protection to sensitive off site locations is achieved as quickly as possible once development starts.

Pollution from CHP Plant into an area of generally poor air quality. CHP plants in the vicinity have agreed to have catalysers fitted to reduce pollution loadings. It is strongly recommended that this development fits catalysers. It is essential that the developer monitor the plume of the proposed CHP Plant to ensure the exhaust plume will not affect premises either on or off site. It is essential that the CHP Plant meets all legislation regarding the Clean Air Acts, Chimney Height Regs. etc.

Commercial premises may include hot food outlets which will create odours. External AQ for this portion of the Heygate redevelopment will not require internal ventilation to ensure good internal air quality.

Conditions recommended relating to extract ventilation and the CHP plant.

## 8 *Noise and Vibration*

The development site is very close to sensitive receptors (schools/residential/play space) therefore issues regarding noise will need very careful consideration and control using the Construction Management Plan and powers and permissions under the Control of Pollution Act 1974.

It is anticipated that the developer will be using augured or hydraulic piling methods. Vibratory piling is not acceptable. It is anticipated the CMP will also cover environmental monitoring standards and locations and that the development will be sensibly timed and phased to ensure protection to sensitive off site locations is achieved as quickly as possible once development starts.

Conditions recommended relating to servicing hours, internal noise levels, protection for residential premises against sound from commercial premises, and prevention of noise from vibration.

### *Other Matter*

Conditions also recommended to require the submission of the Construction Environmental Management Plan, land contamination and details of lighting.

## 9 Public Realm

Detailed discussions are ongoing with the Councils Highway Authority regarding proposals. Routes through this site are not proposed for adoption, but are intended to be built to adoptable standards. Highway Approval will be required separately for works to surrounding highway land on Balfour Street, Victory Place and Rodney Road.

## 10 Urban Forester

The proposed landscape scheme includes various planting specifications located along footways, on raised podiums, within swales, raised beds, private gardens, as hedging and on balconies together with more structural tree planting along Balfour St.

The aim of the landscape strategy is to provide suitable connections into and across the site, with ease of wayfinding and access. Key features include the use of a rain garden to attenuate water runoff, a decked cafe area at the southern gateway to the site on Balfour St, productive communal gardens, play areas, community orchard space, roof terraces and avenue planting as well as a redesigned pedestrian link along Victory Place. These are enhanced by planting which over the course of pre-application discussions have been amended to improve their aesthetic and design qualities.

High quality natural stone surfaces are proposed which provide a coherent theme connecting and designating key spaces. These are designed in conjunction with a SUDs strategy including green areas and permeable paving.

The tree strategy shows a welcome continuation of street trees to enhance the existing green infrastructure linkages (avenues and other street greening) on Balfour Street and Rodney Road, including the retention of mature trees on Victory Place. The proposed use of hedging is a good response to define and enclose the junction at the southern boundary whilst a proposed orchard is also welcome. Cross sections have been provided for public realm throughout the development. Generally, these need to show how the provision of street greening, and in particular street trees, will be adoptable by highways.

Sufficient pavement widths and distances from stems to building facades will be required to allow the growth of mature trees, such that a minimum of 1.5m is maintained between the tree canopy and adjacent elevations. Fastigate tree species are acceptable,

however, for large trees which have the most beneficial effects, highways are likely to insist on a minimum of 4.5 metres (including the 1.5m distance requirement as above). Cross sections are therefore needed to confirm this is achievable along both Balfour Street and Rodney Road, including the potential for footway widening.

The use of build-outs on Balfour Street likely to be required which is not currently shown on plans.

The close proximity of large retained trees will require pruning where existing crowns spread to be in contact with proposed elevations at Victory Place (plot R1A & B), Balfour street (R2E & R2A) and Balfour St junction (R2A). However, given the previous interaction of tree crowns with the former building lines this is considered to be achievable without adverse impacts to tree retention or amenity, on the condition that suitable pruning is specified together with longer term site management and maintenance scheme.

Overall, the tree strategy proposes suitable mitigation of tree and canopy loss form, by both replacement planting within the site and 24 additional trees off-site.

Amendments are required to species as below which can be controlled via condition:

- Signature trees: Liquidambar as proposed.
- Balfour St: Fastigate Carpinus as proposed within extended footway
- Rodney Road: Cherry as proposed within gardens  
Gingko, Liquidambar or tbc within extended footway
- Grove: Birch as proposed
- Private gardens: Malus and similar as proposed and tbc.
- Courtyard: various flowering as proposed or tbc

Offsite planting will require agreement via s106 payment, on the basis of £1000 per unit the total amount payable is £24,000.

In order to have the required impact and immediate contribution to amenity, planting will require semi-mature specimen sizes. Tree pit specification will require special consideration in order to ensure successful establishment and growth. This should be provided using extensive below ground cellular confinement systems (e.g. Silvacell) which can be combined with SUDs. Lessons learned from similar landscaping within made ground should be adopted using specifications used at the Olympic park (Integrating trees and utilities [www.london2012.com/learninglegacy](http://www.london2012.com/learninglegacy))

Given the extent of basements and number of balconies and other raised planting, prior agreement on the specification of landscaping above podiums and in planters should ideally not be left as a reserved matter. Proposed specimen planting of trees on roofs, other exposed planting and that within enclosed soil units will require suitable irrigation, which may be provided by recycled grey water or via attenuation tanks. Alternatively, where these are provided for private amenity space, for example on balconies, suitable irrigation methods should be designed.

In order to ensure that the type and quality of landscaping aspired to is sustainable it needs to achieve a reasonable level of maturity and longevity. This requires ample soil, water and exploitable rooting volumes which, in turn, will rely on sufficient weight loading, maintenance and other engineering tolerances.

Conditions recommended concerning the approval of Landscaping plan, Tree protection and Green/brown roof/ living walls/ vertical gardens and planters

Subsequent additional comment received via email following discussions with the Case



Officer regarding the results and timing of the survey:-

Although it states that the site may need to be resurveyed after a year, given the maturity and former management specifications of the remaining trees I see no reason why this would need to be done before the end of the growing season. This is because there would be no significant increases in stem girth or canopy spread within the intervening period which would necessarily affect or change recommendations as to their condition, future maintenance or replacement.

Should development begin after September 2013 a resurvey would then be appropriate.

The softworks plan ECR337-AL-AW-1-001 accurately shows tree canopy coverage such that there is minimal conflict with proposed elevations. This is because the canopies have grown in relation to former building footprints with the result that they have grown towards light and away from the building locations.

However, landscape cross sections appear to show planters which are of only 500mm depth. This is unacceptable especially where tree planting is proposed, whereby a minimum of 1m depth of soil is required. Total soil volumes also need to be confirmed, ideally on plans of scale 1:50.

## 11 Planning Policy

### *Housing*

The provision of 235 new homes on the site will significantly contribute towards the target for 4,000 net new homes in the Opportunity Area established by Policy 5 of the Core Strategy.

In relation to affordable housing, It is noted that the proposal does not include a policy compliant quantum or mix of affordable housing. We do not provide comment on the submitted viability assessment, but suggest that mechanisms be put in place through the section 106 agreements for each phase of the entire Heygate development to include a review mechanism to ensure that the maximum amount of affordable housing is delivered within the development when it is completed.

It is noted that 11% 3-bed units and 1% four bed units are proposed. The council's preference would be to include more 3&4 bedroom units where possible, but it is noted that the proposals are compliant with policy 7 of the Core Strategy.

### *Retail*

The proposal includes 204 sqm of Use Class A1-A3 at the ground floor in Building R2A facing onto a new public space, on the corner of Rodney Road and Balfour Street. The application site is surrounded primarily by residential development, and the provision of smaller retail units in the development can be supported to ensure that local shopping or leisure facilities are available to new and existing residents. The proposed retail provision will complement the recently approved retail unit in the development site at Stead Street to the south, and the existing Rodney Road shops, ensuring that local residents can have a wider choice of amenities. It will be important to consider the potential negative impacts which a new cafe or restaurant (A3) could have on the community such as noise until late at night with potential courtyard seating. We suggest a condition is applied which requires mitigation measures to be considered and incorporated into the operation of the retail uses and the public space.

The provision of an active frontage at ground level facing onto the key gateway public space on the corner of Rodney Road is supported by Policy SPD27 which promotes the design of community amenity spaces to accommodate a range of activities including

seating areas and appropriate landscaping.

### *Parking*

The Development proposes space for 23 wheelchair parking spaces (one space for every wheel chair unit proposed) and a further 24 private residential car parking spaces predominantly for the larger family units, 263 cycle spaces for residents of the scheme, with the majority provided in Sheffield stand systems and additional cycle parking via a stacked system. An additional 28 cycle spaces are provided within the public realm for visitors (including 2 for the retail use). 13 motorcycle spaces are also provided.

SPD 12 of the SPD sets out that all development in the central activities zone (CAZ) should be car-free, aside from an adequate provision of parking for disabled persons and for car club spaces. Our objective is to encourage people in the area to use sustainable types of transport, such as walking, cycling and public transport. In conjunction with improving public transport, minimising car parking is a way of reducing the number of car trips made which in turn reduces congestion and pollution. The PTAL in the area is at levels of 5 and 6 also supports this approach. We have acknowledged in the SPD that there may be occasional instances where the saleability of new homes is affected if development is car-free, which may impact on viability. However the financial appraisal will need to justify the provision of car parking spaces.

### *Socio-Economics*

The Socio-Economic assessment assesses the impact of the development on the existing healthcare facilities in the area. It has concluded that the average list size of the local 14 GP surgeries in the local survey area is 1,200 patients per GP. The most frequently used planning assumptions take an average of 1,800 patients per GP as being considered acceptable and therefore there is likely to be sufficient GP capacity in the local area to deal with the additional demand generated by the development with an 'insignificant impact' resulting on healthcare services.

We raise some concern on the limited scope of the assessment with regard to the usual rational that local health services are solely related to what a GP provides. This is in the context of previous discussions which have been undertaken between Southwark NHS representatives, the council's public health policy officer, policy officers and also the applicant's consultants 'Quod and DP9' in August 2012 to discuss the outline planning application proposal's Health Impact Assessment. It was agreed at that time that more up to date baseline information would be collected, and the impacts and mitigation measures reviewed, leading to an amended HIA. The amended HIA concludes that whilst there is some surplus capacity available locally, it is acknowledged that overall population growth in this area (workers and residents) will increase the level of demand on these facilities. Furthermore, the outline proposals include a maximum of 5,000 sqm of D1 Floorspace, a proportion of which could be used for additional healthcare provision should there be an identified demand for additional facilities. This also allows for the potential to provide a new premises for an existing healthcare provider should they express interest in moving into this location. The HIA sets out that further consultation is therefore required with Southwark Council, relevant stakeholders and the health services to determine the future healthcare requirements within the local area going forward.

The assessment of the demand for health care services of the proposed development should be aligned with the wider Heygate Estate development site and the information contained within the amended Health Impact Assessment (Sept 2012) for the wider outline proposals (currently under separate comment).

The applicant has experience in running construction employment and training initiatives and it is understood that an employment strategy and employment centre will be

delivered in partnership with BeOnsite, Southwark Council, local agencies, training providers and contractors. The aim of this will be to encourage participation from the local labour market in the construction phase, particularly those seeking employment or those facing barriers to employment. It is noted that the section 106 draft heads of terms sets out 'in kind' contributions towards employment training and support and construction employment through BeOnsite. Comments from the local economic strategy officer should be sought regarding the progress of an employment strategy.

### *Sustainability and Energy*

The sustainability statement has provided a good level of detail to comply with Policy 1 of the Core Strategy in explaining how the proposals address economic, social and environmental needs. There are some elements to the overall sustainability of the proposed development which need on-going monitoring and assessment from other council officers, such as the proposed car parking provision.

The flood risk assessment provides detail on the surface water management for the site, and will meet the required standard of 50% reduction in existing run-off rate. More detailed assessment of the SUDs strategy for the site should be directed to the council's environmental officer for flood risk management.

The energy statement demonstrates how the energy hierarchy has been applied to the proposed development in order to achieve the carbon reduction targets set out in the London Plan and strategic Policy 13 of the Council's adopted Core Strategy (2011). Core Strategy policy 13 requires all residential development to meet at least Code for Sustainable Homes Level 4 and all new non-residential development to achieve BREEAM "excellent." The energy statement sets out residential elements of the proposal will meet Code for Sustainable Homes Level 4, this should be secured by condition.

It has been previously agreed that a BREEAM pre-assessment will only be required for all non-residential units above 1,000sqm within the proposed development. Whilst we consider that a BREEAM 'Excellent' rating should be achieved on smaller non-residential units, the council recognises the limitations of applying the BREEAM methodology before the fit-out of the units and therefore considers a threshold of 1,000sqm to be acceptable in this instance.

The energy statement demonstrates how the proposal will achieve a 44.2% improvement on the building regulations (2006) which meets the Core Strategy target of achieving 44% saving in carbon dioxide (CO<sub>2</sub>) emissions above the Building Regulations (2006). This is equivalent to 25 % carbon dioxide reductions against Part L 2010 calculations including unregulated emissions in line with London Plan policy 5.2

It is proposed that the development will eventually connect to the Heygate district heating network. However, as the development is to be constructed before the Heygate Masterplan energy centre, it is proposed, that a communal heating network is established and a centralised lead CHP engine backed by gas-fired condensing boilers is located within the development. This approach is in line with London Plan policy 5.6(a), Core Strategy Policy 13, and the guidance set out in the Elephant and Castle SPD (SPD19) and we would wish to see the proposal to connect to the Heygate district heat network secured by s106 planning obligation.

Policy 13 of the Core Strategy which requires 20% reduction in carbon dioxide from on-site local low and zero carbon sources of energy. This is supported by the London Plan (2011) which states in policy 5.7 that major development proposals should provide a reduction in expected carbon dioxide emissions through the use of on-site renewable energy generation, where feasible. The London Plan (2011) also states that there is a

presumption that all major development proposals will seek to reduce carbon dioxide emissions by at least 20 per cent through the use of on-site renewable energy generation wherever feasible.

A feasibility assessment of renewable technologies is included in the energy statement, it is proposed that solar PVs are incorporated into the development, the 40m<sup>2</sup> array would only achieve a 1% CO<sub>2</sub> saving. This is contrary to policy 13 of the Core Strategy and further work should be undertaken to assess whether a higher saving from on-site renewable technologies can be achieved.

The energy statement sets out a proposal to use Biomethane for the district heat network. Whilst we support the use of biomethane and the overall contribution this will make to the carbon reduction of the scheme, we do not consider that this would meet the requirements of core strategy policy 13.

Section 3.5 of the council's adopted Sustainable Design and Construction SPD states that energy should be supplied as much as possible from renewable sources on-site or locally. This is less wasteful and will reduce our reliance on remote sources of energy, including imported oil and gas. The Council does not consider the use of biomethane to be an acceptable "on-site" renewable technology.

Although the Zero Carbon Homes guidance indicates that this may be an acceptable 'on site allowable solution' in the future, this is proposed to be in addition to the usual carbon compliance measures required by planning policies. Allowable solutions will come into effect in 2016 following changes to the building regulations and should only be used to off set any carbon abatement that cannot be achieved on site.

If the biomethane option is to be pursued alongside the on-site renewable technologies, the council would wish to secure this through a S106 mechanism using calculations, using a charge based on agreed cost per ton of CO<sub>2</sub> which is not abated using on-site technologies. The in-lieu contribution would be paid to the council if the biomethane was not secured and implemented in the development.

## 12 Transport Planning

Comments received and assessment provided in main body of report.

## 13 Design Review Panel

This project previously came to the DRP on the 8th May 2012 and the designers first of all addressed the issues that were raised in the previous report, namely: the overall scale of the proposal and its response to context; the north facing single aspect units; the communal entrances to each block; the graded coloured brickwork on Rodney Road and other elevational treatment; and the issue of bedrooms located on the ground floor on the busy Rodney Road frontage.

The panel accepted the plausibility of the scale and massing of the proposal as a response to the surrounding townscape, but felt that the massing of the 10 storey block at the northern end of the site depended on a future and potentially uncertain context. They noted that the model showed the completed H13 site of the Heygate masterplan to the NW, which was very persuasive in terms of establishing a larger scale context, but of course this site is a long way from being developed. The Panel noted the lower-height on the blocks facing onto Rodney Road and Balfour Street as making a more successful response to their context. They also considered that the taller blocks to the southern tip and NW corner of the site were generally justifiable in terms of scale, but had a disparity in terms of their massing and articulation.

While the southern tall block has been articulated with a stepping southern facade and setback upper levels, emphasised by material changes, the northern tall block has only a stepped element from 7 to 10-storey to vary its bulk and massing. The architectural treatment to this block is also rather limited, which combines with the form to present an extremely austere face to the northern context, from where it will appear as a major townscape element. The Panel considers that this block in particular would benefit from a greater degree of articulation in its massing, coupled with an enhanced architectural treatment that would complement and emphasise a refinement of its form, particularly on the north and north-eastern faces.

In terms of internal layout, the Panel reiterated two issues that had been raised at the previous DRP. They noted that in principle the DRP considered single-aspect north-facing units to be unacceptable, but added that this was an issue for Officers to assess in terms of policy. The other issue related to the viability of bedrooms located on the ground floor on the busy Rodney Road frontage in the duplex units, which were considered to be less than ideal relative to amenity and providing a more active frontage, being contrary to the typical layout for such units (where one might find the kitchen/diner at ground-level). The Panel also questioned how the duplex units were to be accessed, noting that if a primary access was established off the raised courtyard would decrease activity on the streetscape. Related to this there was also a received lack of emphasis/legibility given to the communal entrances within the elevational composition.

The Panel noted the particular importance of the graded coloured brickwork on Rodney Road elevation as an architectural treatment, as well as the high quality and complex landscaping plan. The brickwork will be complicated to quality-control on site to achieve the desired aesthetic, but the Developer noted that they already had a brickwork-programmer considering how to manage this issue. Returning to the tall northern block, the Panel considered there may be a slight conflict on the Rodney Road elevation where the polychromatic brickwork may clash with other architectural treatments (such as the fenestration and balconies), whereas on its other elevations there was a deficit of such treatment/features. With regard to the landscaping, on-site estate-management would be required to maintain the landscaping to its desired quality and appearance/amenity.

In conclusion the Panel welcomed the scheme and encouraged the designers to further refine the proposals, particularly with regard to the tall northern block.

#### *Case Officer Comment*

*Following presentation of the proposal at the DRP, the applicant elected to revise the proposal as described in the Design section of this report and restated below:-*

*Proposed block R1A has had its solid parapet replaced with a set-back glazed parapet, reducing its perceived bulk. The top three levels now have larger windows and projecting balconies, which both 'lightens' the top and gives it more interest. Four horizontal slit windows have also been added to the largely blank northern gable to give some interest. The lift over-run/stair-access extension remains a prominent element on this block, but its cladding has been changed to glazing which should improve its appearance. Proposed blocks R1B and C have had their lower duplex units reoriented onto Victory Place, which gives much more life and activity to this area along with enhanced communal entrance points. These are both considered to be significant design improvements to these blocks and also responds to the GLA's initial comments on the application proposal in their Stage 1 report. The vertically stacked bay windows to the north facing single-aspect units have also had their masonry corner replaced with wrap-around glazing, which will improve the daylight and aspect within the units.*



## Statutory and non-statutory organisations

### 14 Metropolitan Police

The application intends to achieve secured by design. No further comments.

### 15 English Heritage

This application should be determined in accordance with national and local policy guidance, and on the basis of Southwark's own conservation advice.

### 16 London Fire and Emergency Planning Team

No comments at this time, a full building consultation will take place with Southwark Building Control (or approved inspector) when the application is received from them.

### 17 Transport for London

Request the following:-

The council's verification of the calculation of the strategic transport contribution;

Clarification of the number and distribution of trip rates by bus and agreement of the wording of conditions and or section 106 agreement to provide a contribution to pump priming for bus service capacity enhancements and associated infrastructure and a contribution towards a new cycle hire docking station;

Securing an agreed travel plan, service management plan and construction management plan by way of condition of any planning approval.

#### *Case Officer Comment*

*Contributions towards improvements to the bus network and the provision of cycle hire docking stations have been grouped under provisions forming part of the wider Heygate Masterplan outline application.*

### 18 London Underground

No comment.

### 19 Thames Water

No objections, recommend conditions relating to waste and water contamination.

### 20 Environment Agency

No objection, recommend conditions to secure measures in the submitted flood risk assessment and the incorporation of SuDs.

### 21 Natural England

Natural England does not consider that this application poses any likely or significant risk to those features of the natural environment for which we would otherwise provide a more detailed consultation response, and no specific comment is made on this proposal.

### 22 Aquiva

The proposed development will not affect the integrity of Re-Broadcast Links and there are no microwave links issues. In addition Arquiva can confirm that there are no issues with any other Arquiva owned or managed telecom infrastructure at or near to this

development.

23 Greater London Authority

**Housing**

The applicant should confirm the nature of affordable housing provision having regard to London Plan policies 3.10, 3.11, 3.12 and 3.14 and amend the scheme to comply with London Plan policy 3.5;

**Urban design**

The proposal is inconsistent with London Plan policies 7.1, 7.2, 7.3, 7.4, 7.5 and 7.6 and should be amended in accordance with advice from GLA officers;

**Climate change mitigation and adaptation**

The applicant should address the deficiencies identified in the energy strategy and update this to be consistent with London Plan policies 5.2, 5.5-5.8;

**Transport**

The applicant should address the comments raised in discussion with TfL and ensure that the proposals would be consistent with London Plan policies 6.3, 6.7 and 6.9.

*Case Officer comments*

*Following receipt of these comments, the application was revised and referred back to the GLA. No further comments were received; the application is still subject to a stage II referral to the GLA.*

24 City of Westminster

No comments.

25 The Westminster Society

No objection.

26 Simon Hughes MP &  
Councillor Paul Noblet

- Lack of affordable housing on the site;
- The 25% level of affordable housing agreed for the development is unacceptable and in particular object to the lack of homes for social rent – only 8 out of 200 homes;
- The proposal has excessive density and should be limited to 210 dwellings;
- Whilst commend some of the environmental features of the development and recognise that it reaches the required code for sustainable homes levels, concerned about the loss of some mature trees on the site, in breach of the London Plan requirement;
- Object to the proposals for waste from the site to be in bins on Balfour Street;
- Object to the 'gated' nature of the southern half of the development;
- Concerned about the effect which buildings of greater height and massing could have on the safety of pedestrians and cyclists at the junction of Rodney Road, Balfour Street and Orb Street;
- Impact on the amenity of residents on Balfour Street due to loss of daylight;
- Little time has been spent listening to the views of local people in terms of improvements to the streetscape.

## Neighbours and local groups

### Local Groups

#### 27 Friends of Nursery Row Park

- Excessive density and overdevelopment of the site in a quiet, low-rise residential neighbourhood. There should be no more than 210 units. This would still represent a doubling of the previous density;
- Object to the breach of Council policy on 35% affordable housing, replacing 100% Council housing with an essentially private estate;
- Object to the destruction of half the remaining trees in breach of London Plan requirement not to destroy large canopy trees within or very close to a site;
- Object to plans that would see waste from the site left in industrial scale bins on Balfour Street, waste must be managed and collected within the site itself;
- The southern half of the development, south of Paragon Row is effectively 'gated'. This will have a detrimental impact on community cohesion;
- The s106 of £4 million are being spent only within the site and on the Northern Underground station. Request that Southwark Council impose conditions requiring s106 monies to be spent on public realm and green infrastructure improvements to Balfour Street and the surrounding area.

#### 28 Southwark Living Streets & Southwark Cyclists

- While welcome the redevelopment of the site and the creation of publicly accessible pedestrian routes through the site, concerned that there is no guarantee of the public realm improvements which are much needed and have been much promised for Balfour Street. Concerned that little consideration is given about the timing and planning of improvements to Rodney Road and Orb Street junction
- Suggest that specific conditions are set concerning the spending of s106 monies on both the Balfour Street area, Rodney Road and the Orb Street junction in accordance with the public realm masterplan which Lend Lease began to develop for the area in 2012. Spending s106 only within the site or on the Northern Underground Station at the E&C will represent a significant failure of the promises that have been made about the wider benefits of the whole Heygate regeneration both for local people and other Southwark residents. It will also be in contradiction of the adopted E&C SPD which envisages local people being encouraged to make new or more frequent journeys on foot or by cycle as a direct result of this development.

#### 29 Rodney Road Traders Association, 104 Rodney Road

- Object to the construction of the 204sqm retail unit (class A1) that could be developed and let to a multinational chain store for supermarket use;
- This would adversely impact struggling nearby traders and create more traffic, parking and noise;
- Object to the narrowing of the existing narrow streets to create pavement widening;
- Loss of parking bays;
- Provision of bicycle, motorcycle, cars, service and delivery vehicles parking bays.

#### 30 People's Republic of Southwark

Object to the application.

- If it is assumed that the planning policies and legislation are there to protect land owners from being dispossessed of their homes and land so that the development

can do with the land as they pleased, then this application rips any such 'protection' to shreds.

- The councils SPD states that there should be at least 35% 'affordable' housing on developments in the area. Before it was demolished the Phase 1 site was 100% social housing. This application proposes 25% affordable housing, and only 8 are social rented;
- Council's Core Strategy and SPD state that the new developments should be car-free. The planning application is not;
- The segregation this application proposes may well be in breach of the European Human Rights, as the proposal to gate off the 'public' realm for the exclusive benefit of the 'new' residents shows exactly what the developer thinks of the existing communities;
- Density of the proposal is totally inappropriate for its immediate, quiet, low-rise residential neighbourhood;
- Destruction of trees is in breach of the London Plan requirement not to destroy large canopy trees within or very close to the site; and
- The issue of where the s106 money will be spent should be addressed, unhappy that half of it will be spent on transport (with TfL) and the other half on segregated, exclusive 'public' realm within the gated development.

## Neighbours

### 25 responses received in objection to the application.

#### 31 9 responses received from the following addresses:-

102 Brandon Street	By email – no address
By email – no address	7 Dauncey House
By email - no address	By email – no address
162 Caroline Gardens, Asylum Road	69C Balfour Street
130 Draper House	

In summary the objections raised concerned the following:-

- Excessive density and overdevelopment of the site in a quiet, low-rise residential neighbourhood. There should be no more than 210 units. This would still represent a doubling of the previous density;
- Object to the breach of council policy on 35% affordable housing, replacing 100% council housing with an essentially private estate;
- Object to the destruction of half the remaining trees in breach of London Plan requirement not to destroy large canopy trees within or very close to a site;
- Object to plans that would see waste from the site left in industrial scale bins on Balfour Street, waste must be managed and collected within the site itself;
- The southern half of the development, south of Paragon Row is effectively 'gated'. This will have a detrimental impact on community cohesion;
- The s106 of £4 million are being spent only within the site and on the Northern Underground station. Request that Southwark Council impose conditions requiring s106 monies to be spent on public realm and green infrastructure improvements to Balfour Street and the surrounding area.

#### 32 16 Spectrum Place – Dr Ben Johnson – Council Candidate for the East Walworth By-Election Liberal Democrats

Object to the planning application.

- The proposed 25% affordable homes are unacceptable. The development should provide 35% affordable homes, and of these, the majority should be socially rented;

- The proposed local improvements seem to be a 'woodland path' through the development. Local residents have been able to walk through the Heygate estate since it was built;
- This development is of paramount importance to the population of Walworth and sets the stage for the remainder of the Heygate Site, and therefore should not be rushed.

### 33 By email – no address provided

- The current application has insufficient allowance for social housing;
- The height of the proposed structures is excessive given the height of surrounding buildings, and will adversely affect sunlight and existing views;
- The gated 'podium' section of the proposed development denotes social exclusion, replacing public space with private space;
- The density of the development is not in keeping with former and current levels of density in the region. Since Lend Lease have annexed this section from the Heygate Masterplan, it is imperative that any development of Phase 1 sets a precedent for the subsequent development of the broader site;
- The proposal will see all section 106 monies spent within the new development, albeit within publicly accessible space;
- The proposed development includes a number of parking spaces in excess of those required by disability laws. Southwark council operates a policy of not allowing for parking spaces in new developments.

### 34 58 Sutherland Square

- The application evidences little understanding of the unique sense of place within the neighbourhood. It is misleading and inaccurate to place an overly dense scheme, clearly a major change of scale, density and pattern, within a residential neighbourhood and claim a 'contextual' approach;
- The lack of sensitivity is evidenced through examples including:-  
Limited information of street-based studies along Rodney Road, Balfour Street and Victory Place. The site appears to have been considered as an island with limited consideration of the public realm of surrounding streets and road. The contorted geometries of the plan forms. The legibility of place, especially with the significantly higher and bulkier element adjacent to the school on Rodney Road;
- The excessive number of cars and location beneath the podium has driven the building form to the detriment of the street;
- The application sets a dangerous precedent for new development within the Elephant;
- The lack of truly affordable rental housing and secure tenure is contrary to Southwark's policies within the SPD and vision of an inclusive neighbourhood.

### 35 85C Balfour Street

- The application represents a gross overdevelopment of the site;
- The Wingrave site held a games pitch which was open to the public and which was in use continually, providing not just a sports facility but also a street side presence that increased security for passers-by. In addition, the Wingrave residents and other local householders shared in the generous community facilities provided on the main Heygate site;
- The council's own policy on car free developments at the Elephant and Castle is contravened by this application. Encouraging more car ownership here is detrimental to all those affected by the air quality – some of the worst pollution in the capital;
- Lend Lease has shown scant regard for the unanimous local campaign over recent years to protect as many of the trees on the entire Heygate footprint as possible.

Tens of trees have already been removed from the Phase 1 site, including some on the boundaries which we were told would be preserved;

- The offered recompense of planting trees in surrounding streets and parks does nothing to fill the gaping hole in the tree canopy over most of the site. Further, the supposed offer of a woodland trail along the Victory Place boundary will only maintain the council's own boundary trees planted over 40 years ago. This application threatens a further 10 of the remaining trees;
- Lend Lease have misrepresented to residents the extent of public realm improvements that will take place in surrounding streets;
- When council policies were negotiated, the word 'affordable' had not been corrupted as it has now, both by the last labour and the current coalition governments. What was meant for this site was social housing, however Lend Lease are offering 8 dwellings as replacement for 102 dwellings, and object in the strongest possible terms to this aspect of the proposal which disregards all local need and local context.

### 36 87 Balfour Street

Object to the application because it fails to comply with policies of the local authority and London Plan, specifically:-

- Social housing, in particular on council-level rents, offering an almost entirely private development;
- Building for vast numbers of cars in a car-free regeneration in or on the very edge of zone 1;
- The development is exclusive and excluding, raised and gated;
- Lack of the proper valuation of trees and green infrastructure (choosing post-demo, rather than pre-demo as a baseline);
- Ignores E&C SPD requirements on waste disposal;
- Fails to enhance existing habitats (lack of Balfour Street green corridor);
- Fails to comply with London Plan's provisions on large species / canopy trees and their value and need to protect and enhance or at least restore to site, replace with development sites or immediately related to those sites;
- Fraudulent claim that destroyed trees and green infrastructure have been replaced by the local authority;
- Not a single penny is being directed towards the actual public realm of the street which will serve the site in terms of cars, waste collection, delivery and the strain of 1600 trips per day;
- Lack of any recognition in the development proposals, of comments made by members of the public during consultation with the developer;
- Also object to the following matters:-
- Excessive density and over-development of the site in a quiet, low-rise residential neighbourhood. The number of units should be reduced from 235 to 210. The planned barrier-block buildings to the north of the site rise too steeply and too high;
- Destruction of trees and their 'public welfare' values, which is in breach of London Plan requirements to destroy trees in developments and replace large canopy trees within or very close to the site. The pre-demo CAVAT values must be used as the baseline to calculate canopy / amenity values;
- The developer and Local Authority should share and publish the CAVAT surveys of the pre-demolition site and work from there forwards to honour local residents priorities;
- Section 106 monies of £4,000,000 are being spent only within the half-gated site to improve those property values exclusively – and on the Northern line station works. Not one penny is intended to be spent on the immediate context;
- The waste disposal plans would leave industrial-scale bins in large number from this development for collection on Balfour Street;
- The application to build 20% car provision plus several motorbikes in a place that



has a PTAL rating of 6b in a car-free, in a zone 1 area, in the 21 Century going forwards to peak climate change effects, is truly obscene;

- The submitted Design and Access Statement erroneously states that there was no access through the Phase 1 site pre-demolition, in order to suggest that the insertion of Paragon Row is a regenerative element, or development gain. There were three ground-level pedestrian routes through the Phase 1 site pre-demolition, as well as raised walkways which were used by both residents of the Wingrave Estate and the surrounding neighbourhood;
- Lend Lease display a disinterest in the place, in the people of the place and focus exclusively on their own interest;
- The Outline Masterplan is itself riddled with abuses but makes nice promises, notably about trees, the reality was also going to emerge at Phase 1, and so it has and it should be opposed and substantively revised;
- Also criticism of the Local Authority and its processing the planning applications.

### 37 85E Balfour Street

Object to the application.

- The proposals ignore the existing character and sense of place of surrounding streets;
- It is inappropriate to create an Olympic Village style development in this part of south London, a grid platter of inward-looking courtyards does nothing to create and promote a sense of place and neighbourhood;
- Limited information of street-based studies, the site appears to have been considered as an island with little consideration of the public realm of the surrounding roads;
- How is a significantly higher and bulkier element adjacent to the school on Rodney Road justified;
- The proposals have given little thought to how the area might connect, through routes outside of the red line of the development site, to the adjacent neighbourhoods in every direction and the community facilities;
- If it is justified to increase the density of this neighbourhood because of its existing excellent public transport connection then there should be little need to make much provision in section 106 for a transport contribution. To the extent that transport improvements required are mainly for people moving through the area the connecting between bus / tube / rail then such improvements should be provided by the Mayor from the CIL he is collecting;
- Object to the breach of Council policy on 35% affordable housing, replacing 100% Council housing with an essentially private estate;
- Object to the destruction of half the remaining trees in breach of the London Plan requirement not to destroy large canopy trees within or very close to the site;
- The excessive number of parking spaces and their location beneath the podium appears to have determined the building form to the detriment of the street;
- Object to plans that would see waste from the site left in industrial scale bins on Balfour Street;
- There must be conditions requiring section 106 monies to be spent on public realm and green infrastructure improvements to Balfour Street and the surrounding area.

### 38 11 Henshaw Street

- Excessive density and over-development of this site in a quiet, low-rise residential neighbourhood;
- Object to the breach of Council policy for 35% affordable housing;
- Object to the destruction of half the remaining trees in breach of London Plan requirement not to destroy large canopy trees within or very close to the site;
- Object to plans which would see waste from the site left in industrial scale bins on

Balfour Street;

- Blocks are too high and monolithic, where maisonettes once stood, and creates overlooking;
- No assurances provided in relation to the retail space and what business will be allowed to set up there i.e. no betting shops;
- The daylight study by Lend Lease was done in March and does not show a true reflection of overshadowing of the Victory School playground, Peabody Estate, Balfour Street and Henshaw Street;
- Loss of public realm due to the private gated community;
- Should be a car free development;
- Lend Lease have ignored consultation responses from the public;
- Object to the provision of playspace off-site;
- No proposals within the application of where the new community hall will be;
- Object to s106 monies of £4 million being spent only within the site and on the Northern Underground Station;
- The application does nothing to blend in with the local streetscape of surrounding buildings.

#### 39 21 Garland Court

- Object to the destruction of half the remaining trees in breach of the London Plan;
- Also object to waste being left on Balfour Street. Waste must be managed and collected within the site itself.

#### 40 Henshaw Street (no number provided)

- While welcome the redevelopment opportunities that support the regeneration of the elephant and Castle as a whole, have the following concerns;
- Under the Localism Act 2011 and the Neighbourhood Consultation paper, the community should participate in shaping where they live through the better planning of development, yet the finally planning application has none of the recommendations which have been made by the community. There is no benefit to the wider community from the development, and only to TfL. There is no financial benefit to the community to fund infrastructure and facilities to accommodate the impact of the development. The proposed development will not be fully integrated within the existing community but will have a segregated private development that does not support the ethos and vision of the 'big society';
- The development will materially reduce sunlight and daylight and increase overshadowing throughout the day, due to its height and positioning;
- There will be an increase in traffic movements as part of the development, however there is no related increase in safety measures on surrounding roads;
- There will be increased parking, and the current plan does not demonstrate how overflow will be accommodated within the current development nor the increased pressure that will be in place in the surrounding areas;
- The location of waste units is unacceptable, forcing people into the road on Balfour Street. Leaving high concentration of waste in open / uncontrolled space is unacceptable, should be retained within the premises;
- The increased strain of infrastructure and services without financial mitigation;
- The previous proposals indicated that there would be a greater percentage of green space, and this planning proposal does not take into account earlier suggestions;
- With a higher concentration of population and increased retail facilities there will be a greater demand for support from the police by local communities for any community or anti-social behaviour;
- This is a primarily residential area with multiple low rise flats and houses, with this proposed development of 10 storey building, this will materially impact the townscape;

- There is no recognition of the impact on the environment – of what the CO2 footprint is of this development, and to what extent has carbon positive development considered what other options have been put in place to offset pressure on energy within this development.

41 The Vicarage, 51 Chatham Street

- Building R2A will cast a shadow between September and April that will block sunlight falling onto the South facing elevation of the Vicarage for much of the day;
- The projecting balconies and roof terrace in block R2E will be directly opposite windows in the Vicarage creating loss of light and noise;
- The entrance and connecting driveway to the below-courtyard parking facility, will be opposite the windows in the Vicarage, and possible that car headlights will shine into windows, as well as noise.

42 89 Balfour Street

- Consider that the proposed development will severely impact the daylight and sunlight received by surrounding properties;
- The density of the proposed new development is significantly greater than that of the previous development. Concerned that this will result in an increase in the levels of traffic and noise in what is otherwise a very quiet and peaceful residential neighbourhood;

43 By email – no address provided

- Pleased that the site will be developed for housing as a replacement for the demolished housing previously on the site;
- Pleased that the proposals intend to retain a proportion of the existing mature trees on the site which provide so much amenity to the locality;
- Concerned by the relationship of the development to its context, and that this is to the detriment of the surrounding locality;
- Concerned regarding the massing of the proposal, in particularly the nine storey block at the southern end of the development adjacent to the multiplex junction of Rodney road, Balfour Street, Wadding Street, Stead Street and Orb Street. This road junction and the plots / buildings surrounding it form an important local node point;
- One of the qualities of the previous development on the site was that the buildings dropped in scale from north to south, and this had advantages for the streetscape;
- The nine storey southern block (R2A) in the current proposals goes against all these advantages. If built as proposed it will massively dominate the surrounding locality and spoil the amenity of the current space;
- The large block makes sense when viewed purely in terms of the Heygate re-development, as it acts as a 'gateway' building, signifying the beginning of the redeveloped zone. But in terms of the rest of the local area it will provide an incongruous domination, entirely antipathetic to sensitive integration with the existing urban texture;
- Even at five storeys equivalent to the adjacent Peabody housing this would pose a problem but at nine it is remarkably heavy handed and is likely to spoil a pleasant locality;
- Also concerned about overshadowing of the proposed courtyard in the development during the day.

44 89A Balfour Street

- The current development plan is using Balfour Street as a waste dump;

- Balfour Street is a busy thoroughfare. Having it clogged up with bins every week could be dangerous for pedestrians if they have to walk on the road to avoid the bins;
- The lay-by to be built on Rodney Road for building R1A should be extended to accommodate all of the waste from the development;
- Regarding the location of building GRD and its connected buildings, strongly object to its placement. The prior building running parallel with Henshaw Street had its southern wall along boundary between 87 and 89 Balfour Street. This allowed 89 and 91 Balfour Street to enjoy plenty of direct sunlight and an abundance of light to the properties. The new development will block light and sunlight to properties;
- Having reviewed the submitted daylight and sunlight assessment, conclude that the light to surrounding properties will be severely reduced;
- Also strongly object to Lend Lease's targets for Vertical Sky Component – VSC as outlined in the Daylight and Sunlight Assessment, the target of 16% has been set using a selection of sample properties surrounding the area, but only 2 properties have a target value this low. Most properties actually are above 20% VSC, therefore the BRE recommended target of 27% is not that unrealistic. Suggest that the target has been set so low to ensure properties pass the target;
- Object to the same target being used on this specific phase 1 development as it is not representative of the properties that actually surround this development and will be affected by it.

#### 45 49 Chatham Street

- Object to the proposals because of resulting impacts upon sunshine and direct light to surrounding properties;
- The 4-storey buildings opposite the Balfour Street side of my property are, on the plan, both higher than the previous flats that were demolished;
- The new flats have individual balconies facing across Balfour Street, and concerned about the extra height, closer proximity of the buildings and the residents' use of balconies, which will reduce the amount of direct light and create a more noisy environment;
- The proposed entrance for the covered car-park beneath a terraced area of the new development is in Balfour Street, and appears to be almost opposite neighbouring windows. Concerned about the potential for extra noise and night-headlights from this exit / entrance as an intrusive nuisance;
- Understand that there is presently a proposal for large bins to collect waste from the development. Request that these are within the boundary of the site itself.

#### 46 79B Balfour Street

- Shocked and very worried that so many dwellings are planned to be built on the site between Rodney Road and Balfour Street;
- Object to the small number of social housing units planned considering the Heygate was all social housing;
- Also object to the height that some of the buildings may reach, 10 floors is extreme;
- Have concerns regarding the tallest building looking into Victory Primary School playground;
- Question the large number of proposed units on quite a small footprint, more cars, more pollution (noise and generally) the more dangerous local streets become with less light, less sky and less privacy.

#### 47 12 Henshaw Street

- Object to the density of the development;
- The section 106 monies are only being spent within the new development;

- The proposals for waste disposal are completely unacceptable. The waste generated by the development must be managed within the development;
- The council planning strategy proposes that new developments in Elephant and Castle are car free, the current proposals are in clear breach of the strategy.

## **2 responses received in support of the application.**

### **48 By email – no address provided**

- As an employee working in Hannibal House above the E&C shopping centre, i spend all my working hours in and around the central part of E&C. Unfortunately this area is a depressing place to work in; most of the buildings are either ugly, shabby or both. The other severe problem is the quality of commercial establishments;
- Lend Lease's proposal is precisely what this area needs. It would breathe new life into the neighbourhood and transform it into a friendly, welcoming place to be. If some of the old buildings in the area were replaced, and clean new commercial units opened, and the location in question brightened up with landscaping and pedestrian areas, countless individuals would regularly use the space to relax and escape;
- Without this regeneration, the area will remain a dark, repellent and ugly location.

### **49 27 Henshaw Street**

- The scale density and design of the proposal is well suited to the neighbourhood;
- the scale and height of the development is appropriate for the neighbourhood. It does not overwhelm the scale of the street and creates a new link to Rodney Road;
- One concern is parking, while support parking on site, would hope that the Borough will ensure that the residents of the new building are not able to obtain residents parking permits for the surrounding streets.

## **Following re-consultation undertaken on the 06-12-2012**

## **Two responses received in objection to the application.**

### **50 Rodney Road Traders Association**

Object to the construction of a 204sqm retail unit class A1 that could be developed and let to multinational chain store for supermarket use.

Object to the narrowing of existing narrow streets to create payment widening.

Object to loss of parking bays.

Provision of bicycle, motorcycle, cars, service and delivery vehicle parking bays.

### **51 58 Sutherland Square**

Summary of objections:-

- Lack of vision – the proposals does not indicate any clear urban strategy or connectivity relative to existing pattern, grain and hierarchy, nor draw reference from existing local precedents.
- Lack of comprehensive strategic proposals – material is general or lack detail.
- Existing trees – Lack of a comprehensive strategy for the existing mature trees.
- Lack of adequate contextual description and precedents;
- A lack of hierarchy of sale of public realm spaces;
- No indication of impact on existing infrastructure and community facilities;
- Limited opportunities for social housing; and
- Lack of detailed proposals for Rodney Road.

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## ABOUT ELEPHANT AND CASTLE

### Walworth Road

Walworth Road is Elephant and Castle's high street



#### About Walworth Road

Walworth Road is Elephant and Castle's high street. One mile long, it runs from the Elephant and Castle junction in the north to Burgess Park in the south.



(<https://www.elephantandcastle.org.uk/wp-content/uploads/2018/09/WalwoRthRd64sm.jpg>)

Walworth Road looking south towards Burgess Park

The street began life as a simple route through Walworth Common back in the days when the area was mainly farmland. By the late 18<sup>th</sup> century it had developed into a significant London suburb and today it's home to around 400 businesses and more than 5,000 people.

Walworth Road is a classic London high street: a bustling, thriving microcosm of the city in all its infinite variety and energy. Its trading history spans the centuries from the ancient East Street Market through to the long-gone, grand Victorian stores (for which the area was once famed (<https://www.elephantandcastle.org.uk/a-brief-history/the-piccadilly-of-the-south/>)) and on to today's eclectic mix of small shops; supermarkets; nail bars; furniture and electrical retailers; big name stores; pubs and independent cafes that serve food from across the globe.

The streetscape and architecture is equally diverse. From the soaring Strata tower to the stately red brick façades of Walworth Town Hall and Manor Place Baths; from the elegant Georgian terrace that once housed the Labour Party HQ to the sleek 21<sup>st</sup> century apartments at Printworks, Walworth Road embodies a cross-section of London history.

**ELEPHANT AND CASTLE PARTNERSHIP (/)** The street is bookended by two major parks, the new Elephant Park in the north and the vast Burgess Park in the south. In-between, the street is dotted with green public spaces, including Walworth Square.

Over the years, Walworth Road and its surrounds have been home to some famous faces. Charlie Chaplin is reputed to have been born on East Street (referenced in his classic 1917 film *Easy Street*). Two of Britain's greatest scientists – Michael Faraday (<https://www.elephantandcastle.org.uk/a-brief-history/power-up-michael-faraday/>), a pioneer in the field of electro-magnetism and Charles Babbage (<https://www.elephantandcastle.org.uk/a-brief-history/babbage/>), widely regarded as the father of modern computing – were both born in the area (just months apart, in 1791). And Walworth Road was also home to the early feminist, Mary Wollstonecraft (<https://www.elephantandcastle.org.uk/a-brief-history/wollstonecrafts-walworth/>) and more recently to the esoteric, 20<sup>th</sup> century artist, Austin Osman Spare (<https://www.elephantandcastle.org.uk/a-brief-history/visions-austin-osman-spare/>).

## Regeneration



Elephant Park is almost complete

Walworth has changed constantly over the last 300 years and continues to do so today.

**ELEPHANT AND CASTLE PARTNERSHIP (//)** The regeneration of Elephant and Castle (the northern end of Walworth Road) has delivered many improvements over the last ten years. These include Elephant Park, the new Southwark Heritage Centre and Walworth Library, plus a new public square next-door to the historic Walworth Town Hall.

Now, a new town centre is now being built on the site of the old Elephant and Castle shopping centre. Alongside the Elephant Park scheme, this development will help to restore some of the Walworth street pattern of old (streets that were lost to the Blitz and the demolitions of the 1960s). It will reconnect Walworth Road to the centre of Elephant and Castle and create new routes that favour pedestrians over cars (<https://www.elephantandcastle.org.uk/better-place-walk/>).

As well as delivering new homes and jobs, all the new developments will contribute to making the area a much more pleasant environment for shoppers and visitors as well as those who live and work in the neighbourhood. Walworth Road retailers and businesses also stand to benefit from a big boost in trade thanks to the Elephant and Castle regeneration.

## Explore Walworth Road

There's a huge amount to see and do on Walworth Road. Working roughly north to south, here are just a few highlights to get you started on your journey.

## ELEPHANT AND CASTLE PARTNERSHIP (/)



A stunning new park

### **Elephant Park**

Elephant Park is a major development at the top of Walworth Road. As well as thousands of new homes, the development includes one of the largest new parks to be built in central London for decades. Find out more (<https://www.elephantpark.co.uk/>)

### **Dragon Castle**

Behind those big red double-doors, opposite Elephant Park, lies the Dragon Castle, Walworth's celebrated Chinese restaurant. Hailed by restaurant critics as the best Chinese food outside of Soho, this giant 400-seater restaurant is at its most popular on Sundays when people pour in from across town for Dim Sum. Find out more (<https://elephantandcastle.org.uk/about-elephant-and-castle/dragon-castle/>)

### **Hotel Elephant**

Located just-off Walworth Road, Hotel Elephant is a not-for-profit company that supports local artists and creative enterprise. It provides affordable workspace and runs a programme of education projects, exhibitions, events and film screenings. Find them on Spare Street – a row of converted railway arches named in honour of Walworth artist Austin Osman Spare. Find out more (<http://www.hotelelephant.co.uk>)



The World Wall at the Heritage Centre

### **Southwark Heritage Centre and Walworth Library**

A new council facility delivered in partnership with Lendlease, the Southwark Heritage Centre and Walworth Library opened in May 2021. As well as housing a library, the centre tells the story of Southwark, past and present, and exhibits artefacts from the borough's extensive heritage collection. Find out more (<https://www.southwark.gov.uk/libraries/southwark-heritage-centre-and-walworth-library>)

### **Walworth Town Hall**

Walworth Town Hall dates back to 1865. It has served many municipal purposes over the past 150 years and, until recently, it was also home to Walworth's Cuming Museum (<https://heritage.southwark.gov.uk/>). Southwark Council is working with General Projects (<https://www.generalprojects.com/en/>) to restore the buildings (following a fire in 2013). When complete, the restored town hall will open onto the brand new Walworth Square (built in 2018). Find out more (<https://www.southwark.gov.uk/news/2022/mar/work-begins-on-refurbishing-walworth-town-hall>)



## 140-152 Walworth Road

ELEPHANT  
AND  
CASTLE  
PARTNERSHIP (V)

This historic Georgian terrace, opposite the town hall, was once the headquarters for the National Labour Party and many people still refer to it as John Smith House after the former party leader. Today, part of it is used as a hotel, the Safestay, and the other half is a new pub, the Manor of Walworth, which opened in 2018.

### Superarts

Just off Walworth Road on Larcom Street, Superarts has been teaching local children dance and performing arts for over 50 years. Run by Susan and Irene Hayes, many former pupils have gone on to perform in major West End shows while the current crop can regularly be found performing at events around Elephant and Castle and beyond. Find out more (<https://elephantandcastle.org.uk/about-elephant-and-castle/superarts/>)

### The Tankard Pub

The Tankard is an attractive Victorian pub built in mock Tudor style, complete with patterned chimney. A fixture on Walworth Road since the 1860s, it's the kind of traditional, no-frills, single-room pub that you don't see so often these days. A simple but welcoming place for locals to get together, catch-up and gossip over a pint – once upon a time most pubs were like this.



## **ELEPHANT**

### **AND Baldwins Apothecary**

#### **CASTLE**

#### **PARTNERSHIP (7)**



G. Baldwin & Co is London's oldest herbalist. The business was founded on Walworth Road in 1844 and has been here ever since. Celebrated for its authentic sarsaparilla, today Baldwins is best known as a health food shop which supplies essential oils, tinctures and all manner of health products. Find out more (<https://elephantandcastle.org.uk/about-elephant-and-castle/baldwins-taste-times-gone/>)

### **Pullens Yards**

Just off Walworth Road, Pullens Yards, with its cobblestones and handsome brickwork, has the feel of a nostalgic film set. Indeed, several film directors have used this charming Walworth enclave as a location. The Yards were purpose built for crafts people and small traders in the 1870s and they're still home to silversmiths, ceramicists, fashion designers and artists today. They even have their own lute maker. Find out more (<http://www.pullensyards.co.uk/>)

### **Electric Elephant Cafe**

Taking pride of place on the corner of Iliffe Yard and Crampton Street, the Electric Elephant is a popular lunch spot for the people who live and work in and around Pullens Yards. Voted best cafe in Elephant and Castle by the readers of Time Out, the Electric Elephant has been delighting the local community for more than a decade. The cafe offers catering services around the neighbourhood and is always one of the main attractions at the regular Pullens Yards Open Studio events. Find out more (<http://www.electricelephantcafe.co.uk/index.html>)

### **Husky Studios**

A short walk from the Tankard on Amelia street, you'll find Husky Studios. These are some of the largest recording and rehearsal spaces available in central London. Coming up to their 40th anniversary, Husky's have played host to a diverse range of producers, choreographers, record labels and bands. Recent customers include Little Mix and The X-Factor Find out more (<http://www.huskystudios.co.uk/about-husky-studios/>)

### **Threadneedleman**

Threadneedleman was a traditional tailors that created sharp suits for discerning gentlemen. There has been a tailors at 187 Walworth Road for almost a century. Sadly, the shop is currently closed.

### **Amore Cafe**

Amore is a popular local cafe and the perfect place to visit for a hearty full English. Always doing a brisk trade, Amore serves up all the traditional fare you'd expect from a small high

street cafe alongside a neat line in cakes, tasty paninis and an endless supply of fresh, hot, Italian coffee.

## **CASTLE**

### **PARTNERSHIP (U)** **Manor Place Baths**

Manor Place Baths opened in 1898. They were an important facility for the community at a time when most homes in the area didn't have hot water let alone bathrooms. The bath house complex provided people with a place to wash, do their laundry and to swim and exercise as well. It also had a sideline, hosting boxing matches, and was one of London's most renowned boxing venues for 70 years. Today, the Grade II listed building has been converted into new homes along with the recycling depot next door. Find out more (<https://elephantandcastle.org.uk/a-brief-history/manor-place/>)



Walworth Garden

### **Walworth Garden**

Walworth Garden is a green haven on Manor Place, off Walworth Road. Walworth Garden began in 1987 when a group of local residents reclaimed a derelict street corner to create a community garden. Today it's become the focal point for a local charity dedicated to changing lives through horticulture. Find out more (<https://walworthgarden.org.uk>)

This Thai restaurant is a big favourite amongst the local community. Located on Walworth Road since 2008, it's the third successful restaurant in a row for Ameer Khasru and Chalor Santhaveesuk who've both been in the restaurant business for more than thirty years. Find out more (<https://elephantandcastle.org.uk/about-elephant-and-castle/mama-thai/>)

### **Lynne's Electrical Superstore**

Lynne's has been trading on Walworth Road for more than 60 years. A traditional business supplying all manner of electrical goods, Lynne's has been the place to go for a fridge, washing machine, TV or radio since the 1960s. In an era of internet shopping and big brand chains, Lynne's continues to fly the flag for independent high street retail. Find out more (<https://www.lynneselectrical.co.uk/>)

### **Schwar and Co**

Schwar and Co is a family run jewellers. Based on Walworth Road since 1838 they can probably lay claim to being Walworth's oldest (continuously trading) business. Specialists in buying and selling mainly gold and diamond pieces, Schwar and Co have been the go-to people for generations of local people looking for the personal touch.



## East Street Market

East Street, known locally as East Lane (or just The Lane) is home to one of the oldest markets in London (dating back to the 16<sup>th</sup> century). The market ran the length of Walworth Road from the 1800s up until the advent of the trams when it was moved off the main road and onto East Street. Today it boasts more than 130 stalls, selling everything from fresh fruit and veg to fabric and clothes; handbags to household goods. East Street is also home to market pub The Good Intent and the 55 East enterprise centre. Find out more (<https://www.southwark.gov.uk/business/markets-and-street-trading/southwark-markets?chapter=3>)

## La Luna

La Luna has been serving up authentic, Italian food for a quarter of a century, including their trademark pizzas. The owner, Antonio Adiletta (originally from Salerno) worked as a chef all over the world before taking over at La Luna in 2011. The restaurant still regularly gets five-star reviews from customers on websites like Trip Advisor. Find out more (<https://www.lalunapizzeria.co.uk>)



Behind the bar at the Beehive

## **The Beehive Pub**

**THE ELEPHANT AND CASTLE PARTNERSHIP (//)**  
The Beehive Pub dates back to the 1780s. Once part of the Montpelier Tea Gardens and later the Surrey Zoological Gardens (<https://elephantandcastle.org.uk/a-brief-history/when-tigers-roamed-the-elephant/>), today the pub sits next to the tranquil oasis of what's become Pasley Park – part of the beautiful, Georgian Sutherland Square conservation area. The McNicholas family have run the pub for 30 odd years and during their tenure it's acquired a reputation as the best place in Walworth for a traditional Sunday roast. Find out more (<https://www.thebeehivepub.london/>)

## **St Peters and Inspire**

Nearly 200 years old, St Peters is a Grade 1 listed Anglican church in Liverpool Grove. Built in 1823, the church was designed by Sir John Soane who also designed the Bank of England building and the Dulwich Picture Gallery. The crypt at St Peters is home to Inspire, a local charity which runs an independent community centre alongside a range of charitable projects. Find out more (<https://www.in-spire.org.uk>)

## **Louie Louie**

Named after the classic 50s R&B record, new kid on the block, Louie Louie has rapidly established itself as one of the neighbourhood's coolest hangouts. Founded by DJ Chris Greenwood and the team behind nearby Fowlds Café, Louie Louie is a café by day and a bar/restaurant by night. It hosts regular residencies from a rotating cast of chefs who exemplify the best new cooking that London has to offer. Find out more (<http://louielouie.london/>)

## **Orbit Beers**

Tucked away in Fielding Street's railway arches (just off Walworth Road) Orbit combines owner Robert Middleton's passion for craft beer with his lifelong love of indie music. Established in 2014, the self proclaimed "Hi-fidelity brewery" makes a range of delicious ales all named in honour of the big names of indie. You can try a drop of Nico, Peel or Neu at one of their regular tasting sessions or at one of the many nearby outlets, including Louie Louie, the Longwave bar and the Beehive. Find out more (<https://www.elephantandcastle.org.uk/about-elephant-and-castle/going-into-orbit/>)





Arments

### **Arments**

In contrast to Louie Louie, Arments has been a stalwart of Walworth dining since 1914. The proud holder of a heritage blue plaque, this classic Pie and Mash shop eschews fickle fashions and fads to continue serving the local community in the manner that's suited them, just fine, for more than a century. But that's not to say they're immune to changing times. These days you can order a 'Pie in a Box' for delivery and even their vegetarian fans get a choice of two different pies to slather with Arments' old-school green liquor. Find out more (<http://www.armentspieandmash.com/>)



Jo, Niamh and Jacqui at the Blue Elephant

### **Blue Elephant Theatre**

Just south of Walworth Road, you'll find this small but immensely energetic, community theatre. Opened in 1999 by writer and director Antonio Ribeiro, the Blue Elephant was set up as a place for emerging artists to present new work; a tradition that it continues to this day. It also runs an extensive programme of theatre workshops and activities for young people in the area. Find out more (<https://elephantandcastle.org.uk/about-elephant-and-castle/blue-elephant/>)

### **Burgess Park**

The last stop before Camberwell is the immensely popular Burgess Park. This huge green space was created in stages following the Second World War. It incorporates areas destroyed by the Blitz and later demolitions and covers the route of the old Grand Surrey Canal (now infilled). As well as being a beautiful and peaceful place to walk, cycle or have a picnic, Burgess Park includes a number of attractions which pull in visitors from across south London. These include

**ELEPHANT AND CASTLE PARTNERSHIP (/)** an Olympic class BMX track (which opened in 2013) and Chumleigh Gardens, home to a global array of plants designed to reflect the diversity of the local community. Find out more (<https://www.southwark.gov.uk/parks-and-open-spaces/parks/burgess-park>)

## ABOUT ELEPHANT AND CASTLE

← **Who's involved** (<https://www.elephantandcastle.org.uk/whos-involved/>)

**About Elephant and Castle** → (<https://www.elephantandcastle.org.uk/about-elephant-and-castle/>)



## ABOUT ELEPHANT AND CASTLE

**Read about the area** (<https://www.elephantandcastle.org.uk/about-elephant-and-castle/>)



## THE REGENERATION MAP

**Locate the projects** (<https://www.elephantandcastle.org.uk/elephant-and-castle-regeneration-map/>)



## STAY UP TO DATE

**Latest news** (<https://www.elephantandcastle.org.uk/latest-news/>)

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## Letter of Evidence for H1 Planning Inquiry

We are owners of an apartment in Hurlock Heights since 2019, when the H2 Plot tower was completed and available for occupancy. We had committed to purchase the dwelling from Lendlease in 2015, before any construction had taken place. Lendlease advertised West Grove and Elephant Park as a new, vibrant residential neighbourhood in the heart of Elephant & Castle. We chose our particular apartment facing northwest, with views of Elephant Park, the currently undeveloped H1 plot and the redeveloping town centre. Lendlease presented the H1 Plot as a future residential building, to consist of three low-level buildings and one high-rise, adjacent to Elephant Road. The design of the high-rise would be in harmony with the rest of the estate, and was clearly shown in scale models and brochures as so, during the time of the purchase in 2015.

Last year, our attention was drawn to Lendlease's drastically new development plan for the H1 Plot, which we both objected to, via Southwark Council's planning website and the various Elephant Park public consultations, along with many other local residents. Since then, we have become part of the Community of Objectors for H1, being the Rule 6 party to the September Planning Inquiry. Our main concern and objection is to the extreme change to the building design. The proposed development consists of one massive structure, a huge mass of a building, that covers the entire footprint of the plot. Although the height is similar to that of the originally planned, slender high-rise (approx. 26 stories), the new, proposed design is not in keeping with the rest of the estate's buildings, both in terms of its overall size and shape. It is ironic to now read in Lendlease's 2015 Elephant Park brochure that the architect claims that "we didn't want the tallest building to make a fashion statement. We wanted it to feel elegant in a hundred years' time". How far from the truth will the proposed metal-framed monstrosity look like?

As a result, this single, large, dense structure will cast a massive shadow over large parts of the estate, particularly Elephant Park, the tree-house, numerous businesses and parts of the H2 and H7 residential buildings during the afternoon and early evening. The sun's shadow will no longer diffuse through various buildings, as earlier proposed, being blocked entirely by the H1 structure, preventing residents and locals from fully enjoying the park and open spaces. It will significantly reduce light, especially for residents in the lower floors of the H2 and H7 buildings, and also increasing the wind-tunnel effect along Deacon Street.

In addition, the conversion of the building's use, from residential dwellings into offices, is also a key point of contention. The presence of a large office complex and its office workers, located within a purely residential estate, would drastically change the social harmony from one of "urban tranquillity, with the possibility for social interaction and relaxation", that Lendlease claimed (Rob Heasman, Project Director, Lendlease, 2015), and one that is vividly growing here in West Grove. There is further irony in Lendlease's 2015 Elephant Park brochure where the architect claims to "give the feeling of being in a private garden square, a modern take on a Georgian archetype". It would also deny the Borough the potential for mixed community living, including affordable house. The flourishing sense of community and families using the area will be drastically affected for the worst.

The change in Lendlease's H1 Plot plan is insensitive, inappropriate and unnecessary. The visual impact will be unsightly and inharmonious with the estate and the Walworth Road heritage, creating too much shadow and a wind tunnel in the immediate area. Lendlease need to re-focus on designing and constructing a residential building that will complete the development of West Grove (as was their vision pre 2015), leaving an environmentally friendly and architecturally pleasing legacy for generations to come.

Clearly, this is not something that the majority of the locals, residents and businesses want, us included. We feel very upset and distressed at these potential, drastic changes to our home and neighbourhood. Lendlease have backtracked on their promises to the residents of West Grove and are not listening to us, our neighbours and the council of Southwark borough. That makes us feel frustrated, disappointed, vulnerable and ignored. We need the members of the Planning Inquiry to support the local residents of Southwark on this critical matter.

Regards,

**Mark Dixon & Silvia Fernández, 25<sup>th</sup> July 2023**

Owners of an apartment in Hurlock Heights/Plot H2

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Adam Whittles & Rositsa Dzhikelova  
Apartment 1305 Hurlock Heights  
4 Deacon Street  
London SE17 1GE

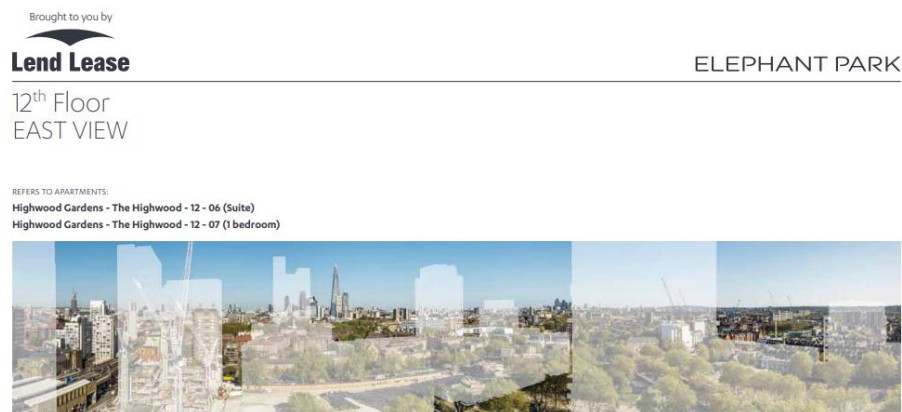
3<sup>rd</sup> August 2023

To whom it may concern,

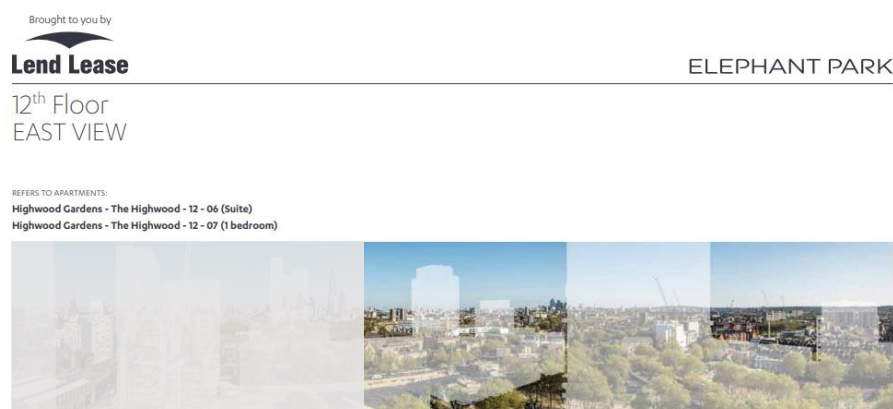
We are current owners of apartment 1305 Hurlock Heights and part of the Community Objectors of H1. We committed to purchase our property off-plan in 2017, at which point Lendlease were promoting:

“Elephant Park is a new **residential development** designed around a leafy landscape that boasts a brand new park”

At no point did Lendlease mention plans to build substantial commercial premises at the Elephant Park development. Furthermore, the below is taken from a “view book” that Lendlease provided to prospective owners, which illustrates the impact their original plans would have to specific views:



As an illustration, this is how our views would be impacted under their current proposals:



As you can see, the new proposals will significantly impact the daylight entering our property and will also impact on the level of privacy we currently enjoy.

We feel utterly betrayed by Lendlease, not just in their complete disregard for current owners but also in the manner they have gone about handling this new proposal. Even though local residents have made their voice heard with an unprecedented amount of objections submitted at the local planning level and Southwark Council sensibly rejected their proposal, Lendlease are still attempting to bully their way through.

Southwark Council is desperately short of adequate housing, which is what the area needs. Not an overbearing and out of place office block. We hope that you fully consider our objections.

Yours faithfully,

Adam Whittles & Rositsa Dzhikelova



Photo provided by COH1



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## A TALE OF TWO ARCHITECTS

One of the features that makes West Grove an exceptional place to live is its architectural diversity: it is a place of strong contrasts and richly detailed layers, where striking geometric building shapes are set against clusters of charmingly varied buildings that were partly inspired by the jigsaws of European houses that have sprung up over hundreds of years. Ultimately, however, its variety and individual buildings relate to each other through a shared emphasis on heritage.

“Orchard Gardens is designed to offer a sense of comfort and community – that you belong to something bigger,” says Simon Hudspith, a partner

at Panter Hudspith, the architectural practice behind this element of West Grove. “It gives the feeling of being in a private garden square, a modern take on a Georgian archetype.”

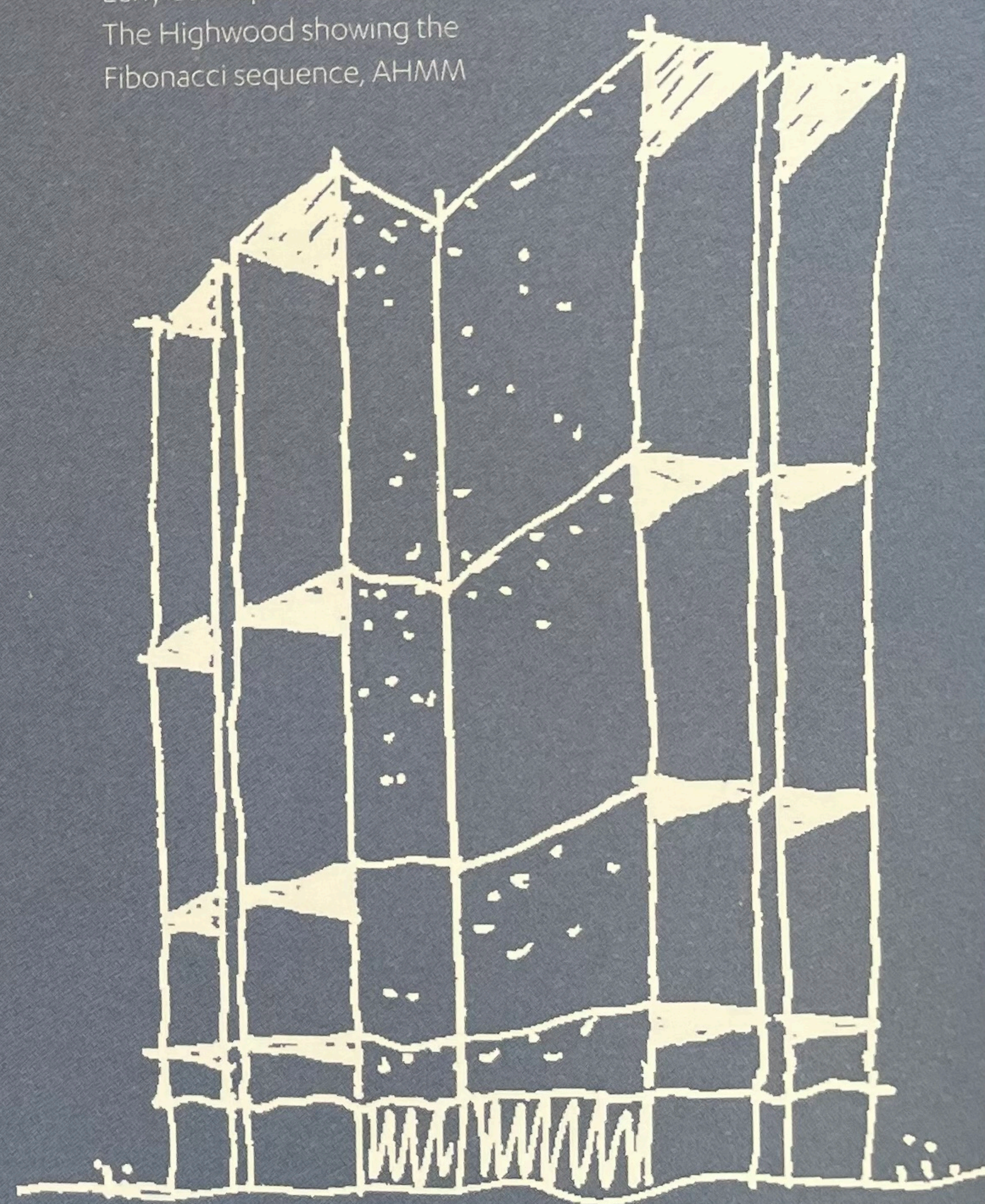
Highwood Gardens also recalls the bygone glamour of another era. “What we were interested in was the historical grandeur of the Elephant & Castle, particularly during the late Victorian period,” says Andrew O’Donnell, associate director of Allford Hall Monaghan Morris, which designed Highwood Gardens. By using rich materials, the buildings speak to the heritage of the site.

The local character of Southwark,

with its long history of performing arts, has inspired the interiors of Highwood Gardens and Orchard Gardens, which draw on three distinct periods of Elephant & Castle’s history: its Victorian heritage, its heyday in the 1920s and its contemporary renewal. “The other thing we were fascinated by was that Elephant & Castle was one of the main hubs for London’s tram network before it was decommissioned in the 1950s,” says O’Donnell. “There was something about the design of the trams that we thought was really amazing.”

“The interior design was very much about a contemporary reinterpretation of the qualities of those periods,”

Early conceptual sketch of The Highwood showing the Fibonacci sequence, AHMM



*“We didn’t want the tallest building to make a fashion statement. We wanted it to feel elegant in a hundred years’ time.”*

**Paul Monaghan**, director, AHMM

All images are for illustrative purposes only



- 01**  
Residents' grow garden
- 02**  
Residents' room and terrace
- 03**  
Central shopping street
- 04**  
Cycle-hire docking station
- 05**  
Market Square (adjacent site)
- 06**  
The park
- 07**  
Walworth Square
- 08**  
Pocket parks
- 09**  
Park Pavilion café and facilities
- 10**  
Fresco restaurants along the promenade
- 11**  
Private courtyards
- 12**  
Walworth Road High Street
- 13**  
Swimming pond with aquatic planting
- 14**  
West Grove Club Lobby
- 15**  
Residents' Gym
- 16**  
Energy Centre



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## WEST GROVE

West Grove fronts onto the new central shopping street and is made up of 593 homes in a range of different sizes, set within two tall buildings and a series of mansion blocks. The shops, community services and cafés are designed to suit all tastes and needs, providing convenient facilities on your doorstep. This phase forms an attractive edge to the new Walworth Square and Southwark Council's heritage-listed Walworth Town Hall, which will offer a variety of civic uses such as potentially hosting weddings and community gatherings, as well as a library or museum.

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## SOUTH GARDENS

South Gardens is the first and most family-oriented part of the scheme, with 360 homes including the only townhouses and the largest proportion of three and four-bedroom houses. The buildings range from low-rise townhouses to mid-rise mansion blocks and a 16-storey tower, all set around generous internal courtyards and amenities, including up to five new shops.

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## WEST GROVE SQUARE

With approximately 290 new homes located near Elephant & Castle railway station and alongside a planned new outdoor market next door, West Grove Square will have a strong community feel and easy access to Elephant Park's leisure facilities and restaurants.

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## PARK CENTRAL

Park Central is ideally located for the artisan shops and cafés planned for the central shopping street, as well as the al fresco park-side dining offered by the restaurants along the park promenade and leisure facilities. There will be approximately 520 homes – a combination of family-sized duplexes and apartments, set within tall buildings and mansion buildings.

---

## EAST GROVE

Designed as a haven for small businesses, East Grove is poised to become a hub for innovation, creativity and talent. East Grove will provide approximately 710 homes and flexible working spaces. Alongside this, expect to find a health club and landmark tower that completes the distinctive skyline.



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# Housing Allocations Scheme

Closed 1 Jun 2021

Opened 1 Feb 2021

---

## Contact

Ricky Bellot

(Housing Choice and Supply Manager )

Housing options

0207 525 5950

[housingconsultation@southwark.gov.uk](mailto:housingconsultation@southwark.gov.uk) (<mailto:housingconsultation@southwark.gov.uk>)

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## Overview

### Why do we need an allocations scheme?

There is a massive shortage of council housing in the UK; the problem is bigger in London than anywhere else. In Southwark, we have just over 14,000 households on our housing register but we can only house approximately 1,000 households every year.

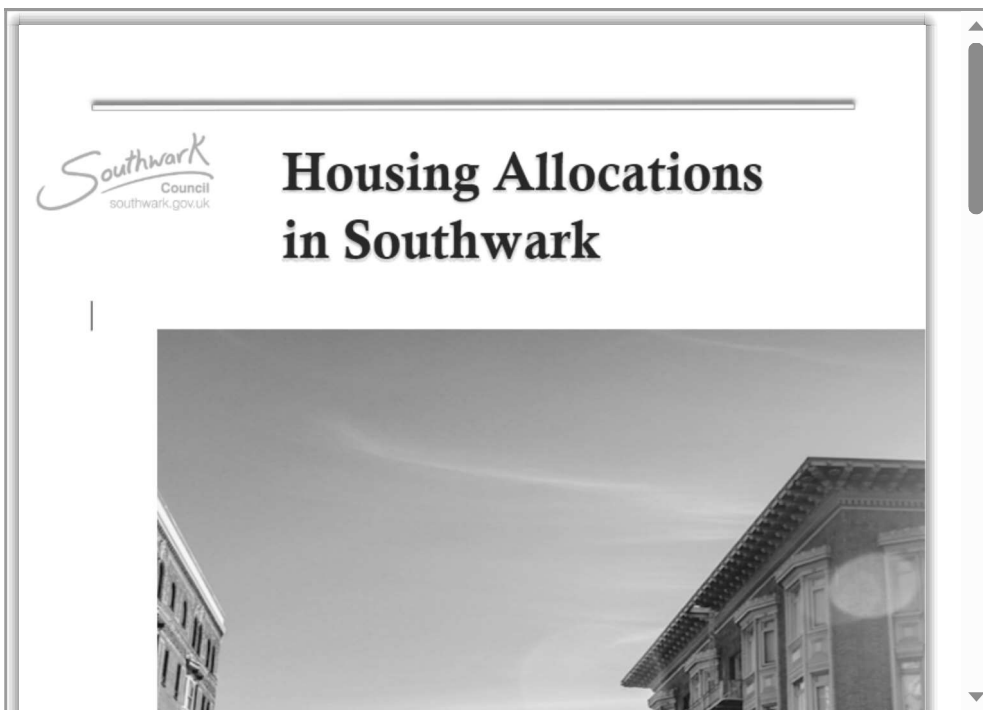
Therefore we have to decide who gets priority and the allocations scheme is how we do this. Longer term, we are using every tool at our disposal to increase the supply of all kinds of homes across the borough, including building 11,000 new council homes for social rent.

### How does the Allocations Scheme work?

We think our housing should go to those who need it the most and this is reflected in the allocations scheme.

When someone applies to join the housing register, we assess their application and place it into one of 4 bands. Band 1 is the highest priority and band 4 is the lowest. Here is a summary of the four bands in the current format and the proposed revised listings:

Allocations table and proposed changes



The above is only a brief summary- here is the [existing full allocations scheme](http://moderngov.southwark.gov.uk/documents/s41248/Appendix%20%20Housing%20Allocations%20scheme.pdf) (<http://moderngov.southwark.gov.uk/documents/s41248/Appendix%20%20Housing%20Allocations%20scheme.pdf>)

The full revised policy proposals can be found [here](http://www.southwark.gov.uk/proposedallocationsscheme2021) (<http://www.southwark.gov.uk/proposedallocationsscheme2021>).

### **Update 12th April**

**Please Note:** the end date of this consultation has been extended to 1st June. A new Frequently Asked Questions (FAQ) document was also attached below on 12th April.

There is also a printable version of the form attached below, which you can return to Housing Choice and Supply Team, Southwark Council, 160 Tooley Street, London SE1P 5LX by the closing date 1st June 2021.

If you responded to this consultation [on or before 12th April](#), and would like to make additional comments about the Housing Allocations scheme after reading the FAQ, please go to the special feedback questionnaire [here \(/housing-community-services-department-community-engagement-team/08650de5\)](#).

## **Why your views matter**

We know that having a safe and secure home is one of the most important things in life.


We also know that we make better decisions when we listen to residents, and stakeholders, so we genuinely want to know what you think.





We will publish the results of this consultation and explain how we plan to use your feedback in summer 2021.

---

## Related

 [Table of allocations scheme amendments \(https://consultations.southwark.gov.uk/housing-community-services-department-community-engagement-team/housing-allocation/supporting\\_documents/Table%20%20Allocations%20Scheme%20amendments%20%2011%20March%202021.pdf\)](https://consultations.southwark.gov.uk/housing-community-services-department-community-engagement-team/housing-allocation/supporting_documents/Table%20%20Allocations%20Scheme%20amendments%20%2011%20March%202021.pdf)  
32.7 KB (PDF document)

 [FAQ \(https://consultations.southwark.gov.uk/housing-community-services-department-community-engagement-team/housing-allocation/supporting\\_documents/FAQ.pdf\)](https://consultations.southwark.gov.uk/housing-community-services-department-community-engagement-team/housing-allocation/supporting_documents/FAQ.pdf)  
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 [Printable consultation document \(https://consultations.southwark.gov.uk/housing-community-services-department-community-engagement-team/housing-allocation/supporting\\_documents/Summary%20of%20Housing%20Consultation%20April%202021.pdf\)](https://consultations.southwark.gov.uk/housing-community-services-department-community-engagement-team/housing-allocation/supporting_documents/Summary%20of%20Housing%20Consultation%20April%202021.pdf)  
690.7 KB (PDF document)

 [existing scheme \(http://moderngov.southwark.gov.uk/documents/s41248/Appendix%20%20Housing%20Allocations%20scheme.pdf\)](http://moderngov.southwark.gov.uk/documents/s41248/Appendix%20%20Housing%20Allocations%20scheme.pdf)

 [proposed scheme \(http://www.southwark.gov.uk/proposedallocationsscheme2021\)](http://www.southwark.gov.uk/proposedallocationsscheme2021)

---

### Areas

All Areas

### Audiences

Anyone from any background

### Interests

Housing

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Citizen Space ([https://www.delib.net/citizen\\_space](https://www.delib.net/citizen_space)) from Delib (<https://www.delib.net>)



From Design Specification revised Feb 2021 para 3.2

Left image – Heygate estate, OPP site outline in red

A comparison of the images shows that the right half of H1 would cover most of the lower half of the long block on west perimeter (Claydon). Claydon had 216 units in total (Options Appraisal, Allot and Lomax Study 1998).

03 Aug 23

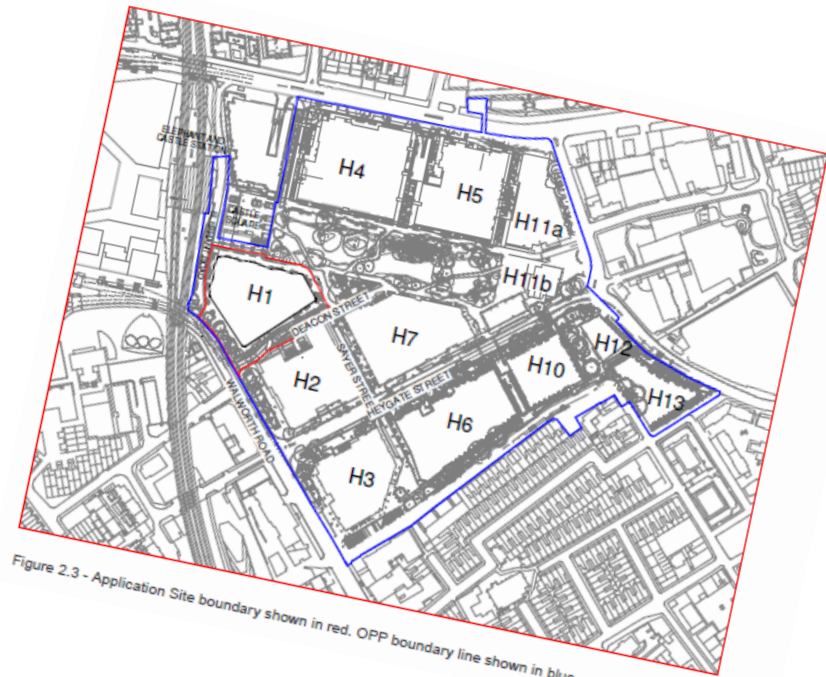


Figure 2.3 - Application Site boundary shown in red. OPP boundary line shown in blue.

From Reconciliation and Comparison Statement Dec 2021 fig 2.3

Right image (tilted) – Elephant Park, OPP site outline in blue; H1 in red

This page is intentionally left blank.

Terry Redpath  
Via email  
[terryr02@aol.com](mailto:terryr02@aol.com)

Amina Dayal  
Information Officer  
Customer Resolution Team  
Housing and Modernisation  
[accessinfo@southwark.gov.uk](mailto:accessinfo@southwark.gov.uk)

Date: 26 May 2020

**Ref: 1995630**

Dear Terry Redpath

**Re: Information Request**

Thank you for your request for information, which we received on 10 March 2020. This information is being provided as a statutory obligation under the Freedom of Information Act 2000.

**Your request**

Thank you for your response. However I perhaps never made my enquiry as specific as I intended.

"How many former Heygate estate tenants and leaseholders have returned to the redeveloped estate?"

**Our response**

We can confirm that 48 Households moved back.

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If you are unhappy with the service you have received in relation to your request and wish to make an appeal for a review of our decision, you should contact us at [accessinfo@southwark.gov.uk](mailto:accessinfo@southwark.gov.uk), quoting the reference number above.

If you are not content with the outcome of your appeal you may apply directly to the Information Commissioner for a decision. Generally, the Information Commissioner cannot make a decision unless you have first exhausted our internal appeal procedure and you should contact her within 2 months of the outcome of your internal appeal. Further information on the Freedom of Information Act is available through the Information Commissioner at [www.ico.org.uk](http://www.ico.org.uk)

Yours sincerely

Amina Dayal  
Information Officer





ARTICLE

CONTACTS &amp; RELATED RESEARCH

## European office occupancy rates continue to rise

### CONTENTS

[Key points](#)[European office occupancy](#)[Guest contributor: Measurement](#)[What next for the workplace?](#)

### KEY POINTS:

European office occupancy rates have increased from 43% (June 2022) to 55% (February 2023), behind the pre-pandemic average of 70%

Occupiers show a preference to work during the middle of the week with occupancy rates highest on Tuesdays (63%), Wednesdays (62%) and Thursdays (61%)

Friday occupancy rates are an average 17 percentage points lower than Tuesday

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### EUROPEAN OFFICE OCCUPANCY

companies will use office space in the future. Nevertheless, European office leasing activity bounced back in 2022 to reach 2% above the pre-pandemic average, reflecting an increase in hiring, a shift to more energy-efficient space and occupiers seeking to differentiate themselves from competition by providing best-in-class space.

But how are these offices being utilised? How has office occupancy changed, and how does this vary across key European cities? Savills European office occupancy spotlight outlines the major changes and ultimately, what this means for the future of the workplace.

### ***How have we measured occupancy rates?***

Savills Research has analysed office occupancy rates based on the average number of office workers over the course of a working week (excluding bank holidays and industrial strike action) for a sample of fully let, multi-let office buildings located in the central business district (CBD) of selected European cities. The data is based on Building Management Systems from Savills European Property Management network taken during February 2023, and attendance is based on one user's access card per day.

### ***How has occupancy changed over the past nine months?***

The average occupancy rate across European offices increased from 43% in June 2022 to 55% in February 2023, a 12 percentage point increase. Savills calculates that the average office occupancy rate was circa 70% prior to the pandemic, meaning occupancy rates although climbing, are not back to their pre-pandemic levels. 70% was considered an optimal rate, as a fully utilised office becomes uncomfortable with every seat taken, and below that would mean the office is being underutilised.

### ***What could be the reasons for the change?***

There are multiple factors that may be behind the increase in occupancy. Work-from-home fatigue and the increased desire for workplace interaction are likely to have impacted attitudes following an extended period of lockdown restrictions, encouraging workers back to the office to be among colleagues. The ease of in-person collaboration for more creative tasks and perceived job progression and enhanced prospects may also be encouraging employees to return to the office.

**“We are also observing more businesses for hybrid working policies, providing workers a definitive structure to work around**

- Georgia Ferris, Analyst, Commercial Research

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***Where is office occupancy currently highest?***

The cities recording the highest rates of occupancy in February 2023 were Paris CBD (66%), Madrid (65%) and Stockholm (60%). At the other end, London West End (50%), London City (48%) and Warsaw (46%) recorded the lowest rates of occupancy.

Madrid's high occupancy rate may be a result of a higher proportion of city-centre living, meaning employees have a shorter commute to the office and is therefore more convenient. The cost of commuting may also be a key player in levels of office occupancy- according to Numbeo, the price of a monthly metro pass is the highest in London (€183). On the other hand, the same pass in Madrid (€54) and Paris (€84) proves more cost-effective for workers and may influence their decision to commute.

In Warsaw, a remote working culture has become increasingly popular since the pandemic, so much so that in Poland, the formal regulation of remote work will be written into employment law in 2023.

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**Source:** Savills Research

### Which cities have observed the largest change in occupancy rates?

Prague has recorded the largest increase in occupancy rates, increasing by 16 percentage points to 54% between June 2022 and February 2023, followed by Dublin, which recorded a 15 percentage point increase to 56%. In Dublin, we may be observing a rise in presenteeism given the weakening economic climate and potential for job losses in the technology sector.

Occupancy in both London West- End and London City increased by between the two observation periods. Although still amongst the main cities with the lowest occupancy rates, multiple factors may have led to this increase in occupancy. London City typically consists of a higher proportion of finance and professional services, which typically now have returned to the office, while London West End has a more diverse office use landscape that may have encouraged workers back to the office.

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### Which days are workers attending the office and how is this changing?

Friday as having the lowest occupancy rate (45%), where occupancy levels are an average of 17 percentage points lower than the midweek peak across Europe.

The market with the highest drop-off rate at the end of the week is Madrid, with occupancy 29 percentage points lower on a Friday than during the peak, likely due to longer working hours during the week and shorter hours on Fridays. Dublin follows, with a drop-off rate of 23 percentage points. This is perhaps the result of more permanent hybrid working patterns, with many occupiers shifting to working remotely at the start and end of the week. Conversely, in Prague, average occupancy is only 7 percentage points lower on a Friday than the peak.

Excluding Friday from the analysis, the average occupancy rate would sit at 61%, much closer to the pre-pandemic rate and reflecting the shift to hybrid working on a Friday since the pandemic.

### ***Average daily occupancy rates: peak on Tuesday to Thursday***

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**Source:** Savills Research

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### ***How did the recent industrial strikes impact Paris' office occupancy rates***

Analysing the data in Paris, we observed two Tuesdays during the observation period where occupancy rates were an average of 35 percentage points lower on the strike days.

### ***What next? Are occupancy rates beginning to peak?***

Overall, average occupancy rates will remain lower than pre-pandemic, with fewer employees attending the workplace five days per week. Although, how occupiers use the space will be increasingly flexible moving forward. For example, using the office on meetings are scheduled, and for more collaborative tasks.

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## ...with more employees demanding the ability to hybrid work, we expect average European occupancy rates to stabilise at circa 55–60%

- Mike Barnes, Associate Director, Commercial Research

We expect some increases in occupancy levels for markets such as London, although with more employees demanding the ability to hybrid work, we expect average European occupancy rates to stabilise at circa 55–60%, reflecting lower levels on Fridays. More focus will be paid to managing occupancy peaks during the middle of the week. Indeed, employers are likely to de-densify their space, in which case total capacity would fall, as fitout and provision of collaborative space will be increasingly important to attract and retain talent- this was a correction that was always needed, particularly in markets with high office densities, such as London and Dublin.

### GUEST CONTRIBUTOR: MEASUREMENT

#### *Workspace occupancy trends*

##### About Measurement

Through Workplace Observation Studies (WOS), sensor studies, and experience sampling (using Habital), we collect data from the work environment. In the WOS studies, we measure occupancy, utilisation, and activities performed in the workplace. This data is then collected in our interactive dashboards that contain graphics providing actionable insights. In this report, we gathered the data of our 134 WOS studies performed in 2022 as post-pandemic and compared it with the last full pre-pandemic year (2019). We included data from 128 studies performed in 2019.

##### Workspace occupancy

A workspace (meeting facility or workstation) is regarded as occupied when it is in use, regardless of the number of people using it. Workspace occupancy rate is the ratio of the number of spaces being occupied at any point as a proportion of the total number of spaces available. According to the data, we have seen a reduction in office occupancy since the pandemic. In 2022, we reported an average occupancy rate of 30%, while in 2019 this was 40%. This represents a point reduction. Furthermore, we note that the 30% occupancy also includes 'Signs of life' which refers to occurrences when a desk is in use, but not occupied (for example, a jacket or cup at the desk).

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**Source:** Measurement

## Sector variation

Our data also shows a variation in occupancy across sectors. Finance records the highest occupancy rate of 37%, which is unsurprising given the financial services industry were amongst the fastest to return to the office once pandemic restrictions were lifted. This is followed closely by the energy sector with an average occupancy rate of 35%. Sitting in the middle at the average occupancy rate is the technology sector (31%) where it seems likely that many organisations can, and have adopted hybrid working strategies.

## Workstation activities

### *How have workplace activities changed since the pandemic?*

(Fixed) computer work decreased post-pandemic and has seemingly been replaced by an increase in mobile computer work (laptops or tablets). Working on a mobile device is increasing in popularity as this makes the shift between remote and office work a smoother process. We have also observed a 2% decrease in meetings at workstations, which appears to be compensated with an increase in individual calling and videoconferencing.

Observing activities in meeting room facilities, we note that the frequency of in-person meetings has decreased by 15% while videoconferencing in meeting facilities has increased by 17%; meeting facilities today are increasingly being used for individual calling and mobile computer work.

## WHAT NEXT FOR THE WORKPLACE?

### *KKS Savills explores the emerging trends*

In the last two years, following a number of working-from-home mandates due to the Covid-19<sup>1</sup> pandemic, fringe working trends such as video conferencing, screen-shared content and working from home suddenly became commonplace for most companies. The office was

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KKS Savills has been helping companies assess, repurpose and resize their office space based on their occupancy rates. We create workplace strategies, design office interiors and offer change management. Most companies are faced with one of the following scenarios:

## Scenario A

A company has an existing workplace that has low occupancy rates. It has a dated office design made up mostly of cramped traditional desks with very few alternative work settings and support spaces (meeting rooms, quiet rooms, collaboration spaces, social spaces, health & wellbeing spaces, and personal storage). The number of traditional desks is reduced to match average occupancy levels, the space between and around them is made more comfortable and the remaining area is redesigned to house all the modern alternative work settings and support spaces that are required for a mobile workforce to learn, produce, share and celebrate together. In most cases, this generally results in a small to no reduction of overall office area based on the improvements needed to make up for the original lack in modern ways of working.

## Scenario B

A company has an existing workplace that has low occupancy rates. It already has a good allocation of modern alternative work settings that support its traditional assigned desk population. In this scenario, the number of desks can be reduced to match the occupancy levels and an overall reduction of space could be made.

## Clear communication of change

When facing a change in the way an office is used, companies need to clearly communicate the 'why'. Opportunities and challenges need to be assessed and companies need to decide what is most important to them and their staff. Does a reduction in space / rent / fit-out cost / furniture cost / carbon footprint / energy usage equate to the loss of personalised / assigned workspaces and the effort it can take to learn new ways of working and office protocols?

## If you build it, will they come?

Sometimes, even the most modern, well-designed spaces aren't enough to make staff want to return to the office. More than often, we are asked by our clients, 'what will entice our staff back to the office?' and the answer can be more of a psychological one than a physical one.

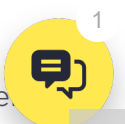
Why people choose to work from home or the office can be a mixture of all or one of the following:

Day-to-day working facilities – are they better in the office or at home?  
person to person based on salary, age, role, seniority, country, location

Office building amenities – do they offer anything that benefits the user?

Commute time – is the office and are your colleagues worth the time it takes to get there?

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## HOW IS THIS IMPACTING NEW REQUIREMENTS?

Whilst leasing activity has been off to a more subdued start this year, there continues to be encouraging signs for the Central London office market, with levels of underlying activity remaining at high levels.

At present, active Central London-wide requirements equate to 9.7m sq ft/ 900,000 sq m. This is up on the ten-year long-term average by 10%, as London continues to experience strong levels of demand from Financial sector occupiers.

There is yet to be any strong indication from this analysis that occupiers are seeking to take less space. Over a quarter, 26% of occupiers with an active requirement are currently seeking to acquire a similar amount of space (5,000 sq ft/ 500 sq m, less or more compared to their current occupation). Overall, there are more occupiers increasing their space (52%) than decreasing the amount of space they occupy (22%).

[Back to top of page](#)

OFFICE SPACE

### Authors



**Mike Barnes**

European Research, Associate Director  
Commercial Research

[CONTACT NOW](#)



**Georgia Ferris**

European Research Analyst  
Commercial Research

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### Read Time:

5 minutes

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## Market in Minutes: Aberdeen Occupational Office Data – H1 2023

COMMERCIAL LEASING | 09 AUGUST 2023

## Market in Minutes: Edinburgh Occupational Office Data H1 2023

### Residential Property

#### FOR SALE

Property for sale

Property for sale Scotland

Property for sale England

Property for sale Wales

Property for sale in London

New developments for sale in England

New developments for sale in London

New developments for sale in Scotland

#### FOR RENT

Property to rent in UK

Property to rent Scotland

Property to rent England

Property to rent Wales

Property to rent in London

New developments to rent in England

New developments to rent in London

New developments to rent in Scotland

### Commercial Property

#### FOR SALE

Commercial property for sale

Development property for sale

Industrial properties for sale

#### FOR RENT

Office property to let

Industrial property to let

Pubs to let

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Hotels for sale

Land for sale

Industrial property for sale England

Hotels for sale in England

Offices for sale in England

Flexible office space

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Rural property for sale

Farms for sale

Equestrian property for sale

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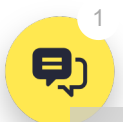
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Telecoms

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Utilities

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London  
SE17 1FR

+44 (0) 20 3697 5000  
[Ele-ask@lendlease.com](mailto:Ele-ask@lendlease.com)

10 February 2022

[REDACTED]  
Regeneration & Neighbourhoods  
London Borough of Southwark  
PO Box 64529  
London  
SE1P 5LX

Dear [REDACTED],

#### **PLOT H1: HEALTH HUB IN LIEU OF AFFORDABLE WORKSPACE**

We write in relation to planning application reference 21/AP/1819 for the redevelopment ('the H1 Development') of Plot H1, Elephant Park, Elephant and Castle, London, SE1 ('the Site'), specifically regarding the potential provision of an NHS Health Hub ('the Health Hub'), delivered as part of the H1 Development in lieu of affordable workspace.

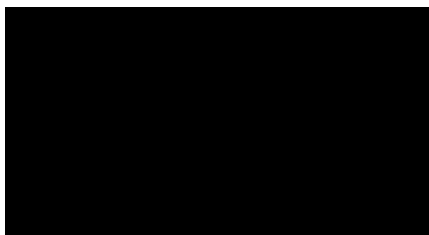
We understand from your email dated 26th January 2022 that the Council consider the Health Hub to be the priority use for the space identified within the H1 Development, having regard to the New Southwark Plan Area Vision Policy, local need, and feedback from Guy's and St Thomas' Trust.

We hereby confirm that it is also our preference for this space to come forward as the Health Hub. We have been engaging with the NHS Southeast London Clinical Commissioning Group and the London Borough of Southwark on this opportunity since October 2020 and have agreed a Memorandum of Understanding (MOU) that provides the framework for the ongoing collaboration between all parties to develop and deliver the Health Hub. This represents the most advanced stage which can be reached between all parties in advance of securing planning permission. A copy of the MOU is enclosed for reference.

We therefore confirm that we anticipate the Section 106 agreement for the H1 Development to contain obligations to reflect this priority.

We trust the above is clear however, should you require any further information or clarification, please let us know.

Yours sincerely



---

**Dated:** 09 February

2022

- (1) LENDLEASE RESIDENTIAL (CG) LIMITED
  - (2) THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF SOUTHWARK
  - (3) NHS ORGANISATIONS VIA SOUTHEAST LONDON CLINICAL COMMISSIONING GROUP (SEL CCG)
- 

**Memorandum of understanding**

---

relating to land at Plot H1, Elephant Park, Elephant and Castle, London SE17

## PARTICULARS

**Date** 09 February 2022

**Lendlease** LENDLEASE RESIDENTIAL (CG) LIMITED (Company Number 2009006) whose registered office is at 20 Triton Street, Regent's Place, London NW1 3BF

**NHS Organisations** NHS ORGANISATIONS VIA SOUTHEAST LONDON CLINICAL COMMISSIONING GROUP (CCG) of 160 Tooley Street, London, SE1 2QH

**LBS** THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF SOUTHWARK of 160 Tooley Street, London SE1 2TZ

**Confidential Information** All information disclosed by or on behalf of Lendlease relating to the Property and the Transaction or to facilitate the Transaction irrespective of the manner or form in which it is given and whether disclosed before, on or after the date of this Memorandum.

**Property** The property known as part ground, part mezzanine and first floors at Plot H1, Elephant Park, Elephant and Castle, London SE17.

**Transaction** The proposed grant of a lease of the whole of the Property for a term of 30 years for use as a health hub. Such lease to be between Lendlease (or its group company) and a nominated NHS organisation via South East London Clinical Commissioning Group to be granted pursuant to a conditional agreement for lease.

**THIS MEMORANDUM** is made on the date set out in the Particulars

**BETWEEN**

- (1) Lendlease;
- (2) NHS Organisations; and
- (3) LBS;

together known as the “Parties”

**BACKGROUND**

- (A) Lendlease and the Parties wish to agree the framework by which the Parties will work in collaboration to facilitate agreement on the terms of the Transaction.
- (B) The parties wish to document certain terms in connection with the Transaction, which they intend will form the basis of the legal documentation in relation to the Transaction.
- (C) The terms in this Memorandum are not exhaustive and the Parties acknowledge that the principles outlined in this Memorandum are subject to legal exchange of contracts
- (D) The parties acknowledge that the letting of the Property shall be subject to planning approval, which the parties recognise is a separate and independent process.
- (E) The NHS is looking for a suitable space to develop a support hub (in effect a health centre for GP and community health nursing services) to serve the population at Elephant & Castle and the existing people currently served by the Princess Street and Manor Place GP Surgeries.
- (F) Following the lessons learned as a result of needing to put COVID-safe practices in place, the building should have both ‘in’ and ‘out’ doors, rather than a single entry. There should also be 2 lifts that are not constrained by a narrow lobby area.
- (G) Test fit studies have been developed through collaboration with Lendlease and the NHS Organisations and are documented in Appendix 1. These test fits will form the basis for ongoing refinement of the scope of services to be provided within the health hub and therefore inform future design development.
- (H) Space requirements to be updated with square metre requirements and proposed schedule of accommodation.

**OPERATIVE PROVISIONS**

**1. EFFECT OF THIS MEMORANDUM**

Save in relation to the provisions of paragraph 2 (*Confidentiality*) this Memorandum does not create legally binding obligations on either party and no part of this Memorandum creates an offer or acceptance of or in relation to any term.

**2. CONFIDENTIALITY**

2.1 In consideration of Lendlease entering into this Memorandum NHS Organisations agree that they will:

- 2.1.1 keep confidential all Confidential Information disclosed to them and take all reasonable security precautions in the safekeeping of the Confidential Information;



- 2.1.2 not use the Confidential Information for any purpose other than in relation to the Transaction.
- 2.2 NHS Organisations agree not to disclose all or any of the Confidential Information to any third parties, other than those of its directors and employees or professional advisors to whom the Confidential Information must be disclosed in order for them to evaluate it and NHS Organisations shall ensure that any person to whom the Confidential Information is disclosed under deals with the Confidential Information as though he or she or they were bound by the terms of this Memorandum.
- 2.3 If requested to do so in writing by Lendlease at any time NHS Organisations are to:
  - 2.3.1 cease to use the Confidential Information for any purpose;
  - 2.3.2 immediately return to Lendlease all Confidential Information disclosed to them and any copies made of the Confidential Information;
  - 2.3.3 destroy or delete all studies, notes, memoranda, extracts, summaries or any other records (whether in written, computer or any other format) which are based in whole or in part on the Confidential Information.
- 2.4 For the avoidance of doubt the disclosure of the existence of this Memorandum to the planning authority in support of Lendlease's planning application for the development of the land on which the Property is situated shall be permitted and such disclosure of the existence of this Memorandum shall not be treated as Confidential Information for the purposes of this clause 2.
- 3. **PUBLIC INFORMATION**

No Party shall make any public statement or release of information regarding the Transaction without Lendlease's written consent save as may be required by law.
- 4. **HEADS OF TERMS – GENERAL PRINCIPLES**
  - 4.1 The Parties will cooperate and work together to agree a set of heads of terms documenting the detailed terms of the Transaction ("**HoTs**") as soon as possible and in any case prior to 29 July 2022 (the "**Target Date**").
  - 4.2 In order to achieve agreed HoTs by the Target Date:
    - 4.2.1 the Parties shall identify and provide to Lendlease details of the key processes, internal approvals and milestones that need to be adhered to and achieved within their respective organisations in order to facilitate agreement of the HoTs by the Target Date and for the advancement of the Transaction;
    - 4.2.2 NHS Organisations shall identify and provide to Lendlease a list of key information required to reach agreed HoTs, such information to be provided within six weeks of the date of this Memorandum including, but not limited to:
      - 4.2.2.1 the outline scope of the design brief for the Property required by NHS Organisations at the Property;
      - 4.2.2.2 the size of the Property to be demised to NHS Organisations pursuant to the Transaction;
      - 4.2.2.3 the target date for occupation of the Property by NHS Organisations;
      - 4.2.2.4 any other key requirements relating to the proposed development and lease of the Property;

- 4.2.3 NHS Organisations and LBS shall provide Lendlease with all reasonable support in a timely manner to facilitate the Transaction and the development of the Property.
- 4.3 All Parties have agreed to work together collaboratively to achieve the satisfaction of the obligations in clause 4.2 and to share available information between themselves, acting in good faith at all times and to collaborate in the advancement of Transaction for the purposes of delivery of the Property as a health hub for the benefit of the local community.
- 4.4 NHS Organisations and Lendlease will negotiate in good faith with a view to:
- 4.4.1 agreeing the HoTs on or before the Target Date;
- 4.4.2 exchanging an agreement for lease for the Transaction;
- 4.4.3 completing the lease of the Property.

5. **KEY INDIVIDUALS**

- 5.1 The Parties recognise the need for suitable representation from each of the Parties to share information, discuss matters, and to make recommendations to their respective organisations, all in a timely manner so as to implement the provisions of this Memorandum and the Parties have therefore nominated the following key individuals for this purpose:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- 5.2 The Parties will within one month of the date of this Memorandum seek to agree the terms of reference, participation and frequency of meetings of the Key Individuals.

6. **FAIR DEALINGS**

The Parties agree to act with good faith towards each other and where reasonably required and reasonably available provide each other with information required by the other to progress the matters set out in this Memorandum.

7. **TERMINATION**

Any Party may serve written notice on the others terminating this Memorandum at any point and without a requirement to provide any reasons.

8. **NOTICES**

8.1 Notices under this Memorandum shall be in writing and sent to a Party's registered office as set out in the Particulars of this Memorandum. Notices may be given, and shall be deemed received:

8.1.1 by first-class post: two business days after posting;

8.1.2 by hand: on delivery.

8.2 This clause does not apply to notices given in legal proceedings or arbitration.

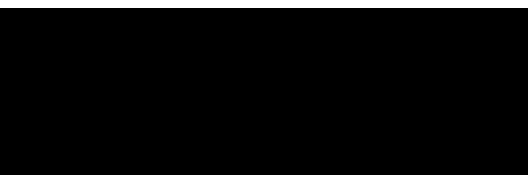
9. **RIGHTS OF THIRD PARTIES**

A person who is not a party to the Memorandum constituted by this letter shall not be able to enforce any of its terms under the Contracts (Rights of Third Parties) Act 1999.

10. **GOVERNING LAW AND JURISDICTION**

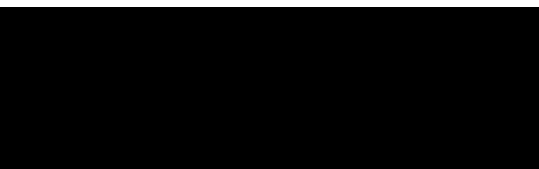
10.1 The agreement constituted by this Memorandum and any dispute or claim arising out of, or in connection with, it, its subject matter or formation (including non-contractual disputes or claims) shall be governed by, and construed in accordance with, the laws of England and Wales.

10.2 The courts of England and Wales shall have exclusive jurisdiction to settle any dispute or claim arising out of, or in connection with, this letter, its subject matter or formation (including non-contractual disputes or claims).



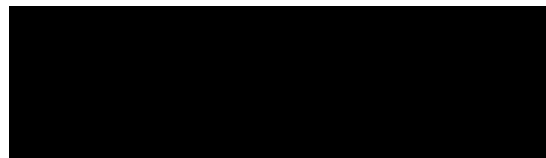
**SIGNED** by

for and on behalf of LENDLEASE RESIDENTIAL (CG) LIMITED



**SIGNED** by

for and on behalf of NHS SOUTHEAST LONDON CLINICAL COMMISSIONING GROUP (CCG)

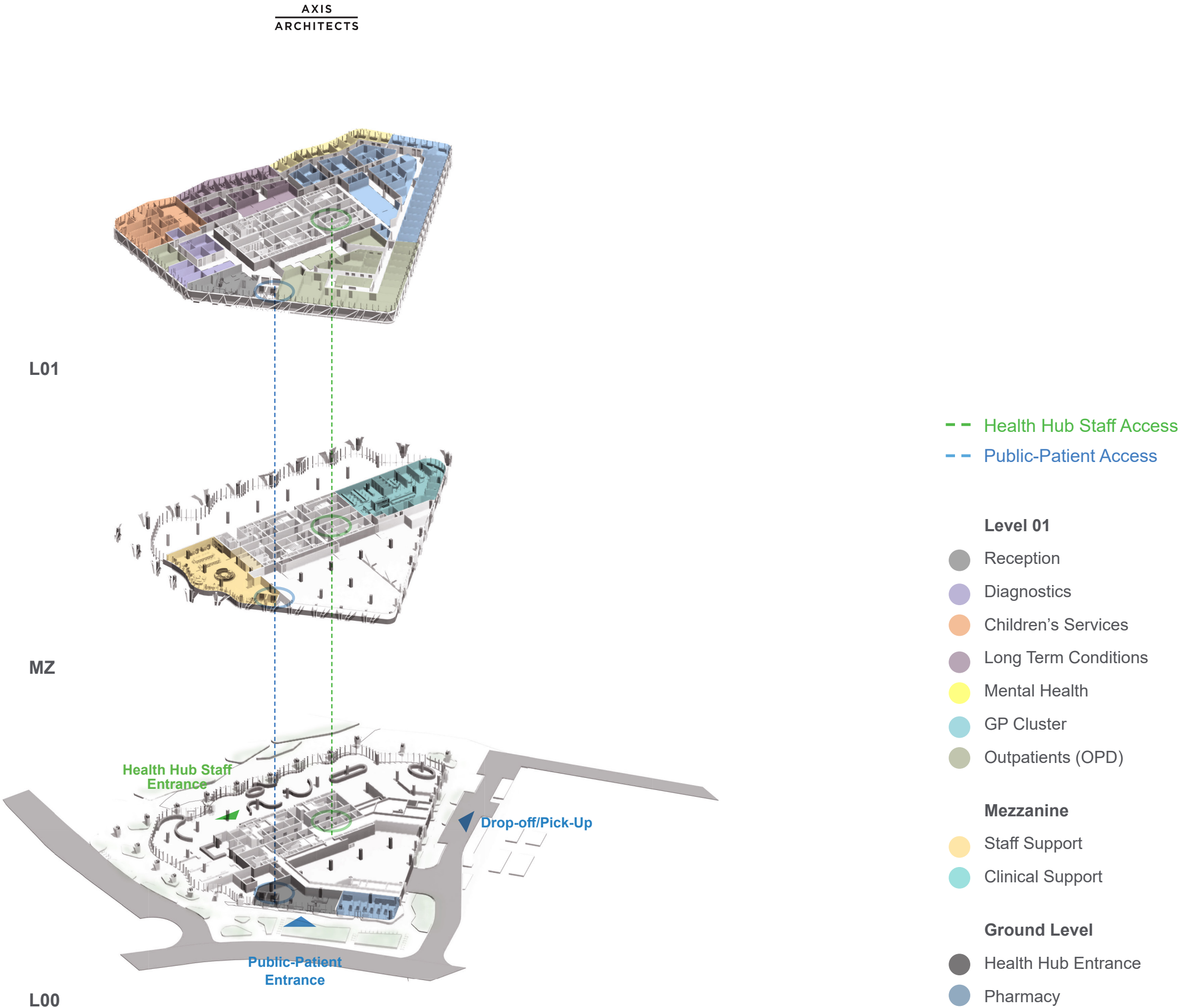


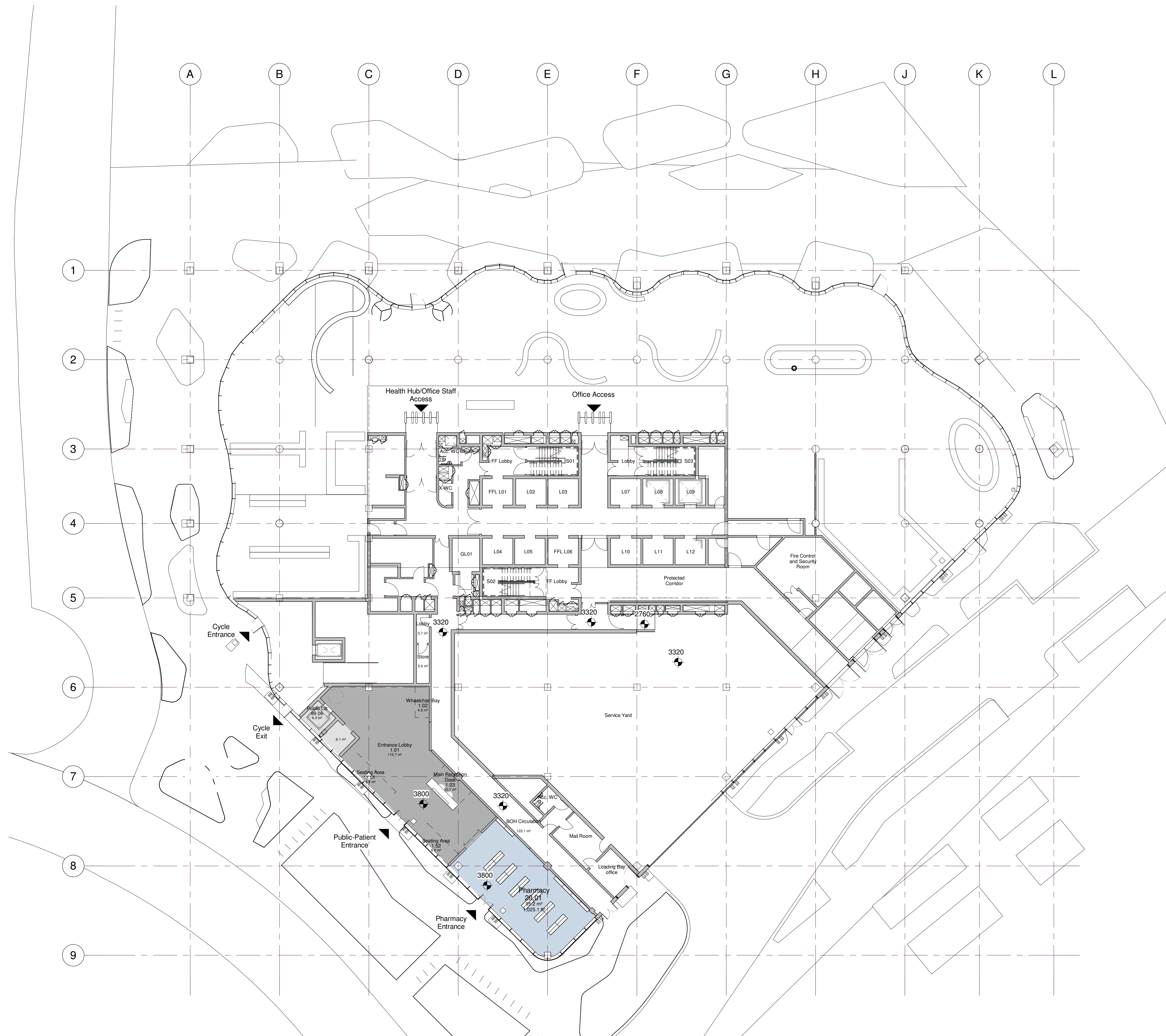
**SIGNED** by

for and on behalf of THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF SOUTHWARK

## APPENDIX 1 – HEALTH HUB TEST FITS

Plot H1, Elephant Park  
Indicative Health Hub Test Fit





Key

- Communications
- Pharmacy
- Public Space









- Key
- Children's Services
  - Circulation
  - Communications
  - Core - Circulation Public Access
  - Core - Circulation Restricted Access
  - Core - Visitor WCs
  - Diagnostics
  - GP Cluster
  - Long Term Conditions
  - Mental Health
  - OPD
  - Public Space

## EXHIBIT



Picture 01  
Looking west towards  
Walworth Rd from  
outside Hana Coffee,  
between H1 and  
Hurlock Heights,  
meadow behind picnic  
benches.



Picture 02  
Looking north from Park towards H1.



Picture 03  
Looking from west side of  
Walworth Rd from corner of  
Hampton St towards H1, Deacon  
St entry to right.



Picture 04  
Looking north at H1, meadow in  
middle ground, from outside  
Hurlock Heights.



## ELEPHANT AND CASTLE SHOPPING CENTRE – PROGRESS REPORT

## New homes in Elephant and Castle Opportunity Area

Scheme	Total Units	For sale	Affordable			Intermediate
			Total	Social rent	Affordable rent	
Heygate Replacement Housing Sites						
Arch Street	52	0	52	18		34
Bolton Crescent*	103	0	103	88		15
Brandon Street	18	0	18	18		0
Comus Place	37	0	37	37		0
Library Street	40	0	40	21		19
Royal Road*	96	0	96	76		20
St George's Road	15	0	15	15		0
Stead Street	140	56	84	84		0
Symington House* (Harper Road)	72	0	72	50		22
Wansey Street	19	12	19	12		7

Notes

<b>Total Heygate Replacement</b>	<b>592</b>	<b>68</b>	<b>536</b>	<b>419</b>	<b>0</b>	<b>117</b>
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<i>Market provision</i>						
360 Tower	457	278	179	79		100
Eileen House	355	270	65	0		65
Meadow Row	19	12	7	3		4
7 Munton Road	29	0	29	25		4
89-93 Newington Causeway	38	27	11	0		11
134 New Kent Road	21	0	21	10		11
O Central	182	138	44	18		26
Printworks	164	97	67	24		43
St George's Circus (128 -150 Blackfriars Road)	336	275	79	56		23
South Central	113	88	25	13		12
Strata Tower	408	310	98	0		98
1 The Elephant	284	284	0	0		0
Vantage Tower	68	48	20	0		20
237 Walworth Road	54	37	17	9		8
Elephant 1 [50 New Kent Road] **	373	373	0	0		0
5-9 Rockingham Street	30	20	10	4		6
2-16 Amelia Street	55	35	20	10		10
Manor Place	270	166	104	44		60
Chatelaine House	54	37	17	7		10
87 Newington Causeway	48	32	16	8		8
Trafalgar Place	235	181	54	26		28
E&C Shopping Centre [east & west sites]	979	649	330	116	214	
136-142 New Kent Road	81	59	22	12		10
111-123 Crampton Street	48	33	15	6		9

14/AP/3871

16/AP/4458 AR includes 53 LL

17/AP/3910

<b>Market Total</b>	<b>4701</b>	<b>3449</b>	<b>1250</b>	<b>470</b>	<b>214</b>	<b>566</b>
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Scheme	Total Units	For sale	Affordable			Intermediate
			Total	Social rent	Affordable rent	
Elephant park [Lend Lease former Heygate]						
MP1 [H6,10,13] ***	360	284	76	17	4	55
MP2 [H2,3] ***	595	472	123	26	39	58
MP3 [H4,]***	445	354	91	17	26	48
MP3 [H5] ***	384	309	75	9	32	34
MP4 [H11a/11b]	481	377	104	8	46	50
MP5 [H7]	421	340	81	23	18	40

subject to planning

<b>EP Built/Consented</b>	<b>2686</b>	<b>2136</b>	<b>550</b>	<b>100</b>	<b>165</b>	<b>285</b>
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<b>TOTALS</b>	<b>7979</b>	<b>5653</b>	<b>2336</b>	<b>989</b>	<b>379</b>	<b>968</b>
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.R and 161 DMR