

Planning Committee

Tuesday 15 January 2013

6.00 pm

Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

Membership

Councillor Nick Dolezal (Chair)
Councillor Darren Merrill (Vice-Chair)
Councillor Kevin Ahern
Councillor Chris Brown
Councillor Robin Crookshank Hilton
Councillor Mark Gettleson
Councillor Adele Morris

Reserves

Councillor James Barber
Councillor Neil Coyle
Councillor Dan Garfield
Councillor Nick Stanton
Councillor Mark Williams

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

You have the right to request to inspect copies of minutes and reports on this agenda as well as the background documents used in the preparation of these reports.

Babysitting/Carers allowances

If you are a resident of the borough and have paid someone to look after your children, an elderly dependant or a dependant with disabilities so that you could attend this meeting, you may claim an allowance from the council. Please collect a claim form at the meeting.

Access

The council is committed to making its meetings accessible. Further details on building access, translation, provision of signers etc for this meeting are on the council's web site: www.southwark.gov.uk or please contact the person below.

Contact

Kenny Uzodike on 020 7525 7236 or email: kenny.uzodike@southwark.gov.uk
Webpage: <http://www.southwark.gov.uk>

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 7 January 2013



Planning Committee

Tuesday 15 January 2013

6.00 pm

Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

Order of Business

| Item No. | Title | Page No. |
|-----------|---|----------|
| | PART A - OPEN BUSINESS | |
| | PROCEDURE NOTE | |
| 1. | APOLOGIES | |
| | To receive any apologies for absence. | |
| 2. | CONFIRMATION OF VOTING MEMBERS | |
| | A representative of each political group will confirm the voting members of the committee. | |
| 3. | NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT | |
| | In special circumstances, an item of business may be added to an agenda within five clear days of the meeting. | |
| 4. | DISCLOSURE OF INTERESTS AND DISPENSATIONS | |
| | Members to declare any personal interests and dispensation in respect of any item of business to be considered at this meeting. | |
| 5. | MINUTES | 3 - 5 |
| | To approve as a correct record the Minutes of the open section of the meeting held on 4 December 2012. | |

6. DEVELOPMENT MANAGEMENT

6 - 10

6.1. THE HEYGATE 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

11 - 185

Application for outline planning permission for redevelopment of the site to provide mixed use development (Reg. No. 12/AP/1092).

6.2. THE HEYGATE ESTATE AND SURROUNDING LAND BOUND BY NEW KENT (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

186 - 195

Application for full planning permission for demolition of all existing structures and bridges and associated works (Reg. No. 12/AP/3203).

ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.

EXCLUSION OF PRESS AND PUBLIC

The following motion should be moved, seconded and approved if the committee wishes to exclude the press and public to deal with reports revealing exempt information:

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure rules of the Constitution.”

PART B - CLOSED BUSINESS

ANY OTHER CLOSED BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.

Date: 7 January 2013



PLANNING COMMITTEE

Guidance on conduct of business for planning applications, enforcement cases and other planning proposals

1. The reports are taken in the order of business on the agenda.
2. The officers present the report and recommendations and answer points raised by members of the committee.
3. Your role as a member of the planning committee is to make planning decisions openly, impartially, with sound judgement and for justifiable reasons in accordance with the statutory planning framework.
4. The following may address the committee (if they are present and wish to speak) for **not more than 3 minutes each**.

- (a) One representative (spokesperson) for any objectors. If there is more than one objector wishing to speak, the time is then divided within the 3-minute time slot.
- (b) The applicant or applicant's agent.
- (c) One representative for any supporters (who live within 100 metres of the development site).
- (d) Ward councillor (spokesperson) from where the proposal is located.
- (e) The members of the committee will then debate the application and consider the recommendation.

Note: Members of the committee may question those who speak only on matters relevant to the roles and functions of the planning committee that are outlined in the constitution and in accordance with the statutory planning framework.

5. If there are a number of people who are objecting to, or are in support of, an application or an enforcement of action, you are requested to identify a representative to address the committee. If more than one person wishes to speak, the 3-minute time allowance must be divided amongst those who wish to speak. Where you are unable to decide who is to speak in advance of the meeting, you are advised to meet with other objectors in the foyer of council offices prior to the start of the meeting to identify a representative. If this is not possible, the chair will ask which objector(s) would like to speak at the point the actual item is being considered.

Note: Each speaker should restrict their comments to the planning aspects of the proposal and should avoid repeating what is already in the report.

6. This is a council committee meeting, which is open to the public and there should be no interruptions from the audience.

7. No smoking is allowed at committee and no recording is permitted without the consent of the meeting on the night, or consent in advance from the chair.

The arrangements at the meeting may be varied at the discretion of the chair.

Contacts: The Head of Development Management
Planning Section, Chief Executive's Department
Tel: 0207 525 5437; or

Planning Committee Clerk, Constitutional Team
Corporate Strategy, Chief Executive's Department
Tel: 0207 525 7236



Planning Committee

MINUTES of the OPEN section of the Planning Committee held on Tuesday 4 December 2012 at 7.00 pm at Ground Floor Meeting Room G02B - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Nick Dolezal (Chair)
Councillor Darren Merrill (Vice-Chair)
Councillor Chris Brown
Councillor Mark Gettleson
Councillor Adele Morris
Councillor Neil Coyle (Reserve)
Councillor Nick Stanton (Reserve)

OFFICERS: Gary Rice, Head of Development Management
Yvonne Lewis, Development Management
Michael Tsoukaris, Planning Design
Helen Goulden, Transport Planning
Suzan Yildiz, Legal Services
Virginia Wynn-Jones, Constitutional Team

1. APOLOGIES

Apologies for absence were received from Councillors Kevin Ahern and Robin Crookshank Hilton. Councillors Neil Coyle and Nick Stanton (reserves) attended on their behalf.

2. CONFIRMATION OF VOTING MEMBERS

The members present were confirmed as the voting members.

3. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

The chair informed the committee of the following additional documents circulated prior to the meeting:

1. Addendum report relating to item 6.1.

The chair agreed to accept a late and urgent submission from the objectors to item 6.1.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

5. MINUTES

RESOLVED:

That the minutes of the open section of the meeting held 6 November 2012 be agreed as a correct record and signed by the chair.

6. DEVELOPMENT MANAGEMENT

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.

RESOLVED:

1. 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.
2. That the decisions made on the planning applications be subject to the conditions and/or made for the reasons set out in the attached reports and draft decision notices unless otherwise stated.
3. That where reasons for the decision or condition are not included in the report relating to an individual item, that they be clearly specified.

6. MARSHALL HOUSE, 6 PAGES WALK, LONDON SE1 4SB

Planning application reference number 12-AP-2707

Report: See pages 17-64 of the agenda and addendum report pages 1-4.

PROPOSAL:

Demolition of existing warehouse building and construction of buildings ranging in height from 4 storeys to 6 storeys, plus basement, to provide 82 residential units with landscaping, refuse/recycling facilities, cycle storage and car parking, access and associated works.

Members heard a representation from objectors to the application and asked questions.

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

Members debated the application and asked questions of the officers.

A motion to grant planning permission was moved, seconded, put to the vote and declared to be carried.

RESOLVED:

That in reference to application number 12-AP-2707, planning permission be granted subject to the following conditions:

1. That the applicant enter into an appropriate legal agreement by no later than 10 December 2012.
2. In the event that the legal agreement is not entered into by 10 December 2012 then the head of development management be authorised to refuse planning permission for the reasons set out in paragraph 137 of the report.
3. To conditions as follows:
 - As stated in the draft decision notice and amended in the addendum report
 - The additional conditions as stated in the addendum report.

The meeting closed at 8.30pm.

CHAIR:

DATED:

| | | | |
|------------------------------------|--------------------------------|---------------------------------|--|
| Item No. 6. | Classification: Open | Date: 15 January 2013 | Meeting Name: Planning Committee |
| Report title: | | Development Management | |
| Ward(s) or groups affected: | | All | |
| From: | | Proper Constitutional Officer | |

RECOMMENDATIONS

1. That the determination of planning applications, or formal observations and comments, the instigation of enforcement action and the receipt of the reports included in the attached items be considered.
2. That the decisions made on the planning applications be subject to the conditions and/or made for the reasons set out in the attached reports unless otherwise stated.
3. That where reasons for decisions or conditions are not included or not as included in the reports relating to an individual item, they be clearly specified.

BACKGROUND INFORMATION

4. The council's powers to consider planning business are detailed in Part 3F which describes the role and functions of the planning committee and planning sub-committees. These were agreed by the annual meeting of the council on 23 May 2012. The matters reserved to the planning committee and planning sub-committees exercising planning functions are described in part 3F of the Southwark Council constitution.

KEY ISSUES FOR CONSIDERATION

5. In respect of the attached planning committee items members are asked, where appropriate:
 - a. To determine those applications in respect of site(s) within the borough, subject where applicable, to the consent of the Secretary of State for Communities and Local Government and any directions made by the Mayor of London.
 - b. To give observations on applications in respect of which the council is not the planning authority in planning matters but which relate to site(s) within the borough, or where the site(s) is outside the borough but may affect the amenity of residents within the borough.
 - c. To receive for information any reports on the previous determination of applications, current activities on site, or other information relating to specific planning applications requested by members.

6. Each of the following items are preceded by a map showing the location of the land/property to which the report relates. Following the report, there is a draft decision notice detailing the officer's recommendation indicating approval or refusal. Where a refusal is recommended the draft decision notice will detail the reasons for such refusal.
7. Applicants have the right to appeal to Planning Inspector against a refusal of planning permission and against any condition imposed as part of permission. Costs are incurred in presenting the council's case at appeal which maybe substantial if the matter is dealt with at a public inquiry.
8. The sanctioning of enforcement action can also involve costs such as process serving, court costs and of legal representation.
9. Where either party is felt to have acted unreasonably in an appeal the inspector can make an award of costs against the offending party.
10. All legal/counsel fees and costs as well as awards of costs against the council are borne by the budget of the relevant department.

Community impact statement

11. Community impact considerations are contained within each item.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services

12. A resolution to grant planning permission shall mean that the development & building control manager is authorised to grant planning permission. The resolution does not itself constitute the permission and only the formal document authorised by the committee and issued under the signature of the head of development management shall constitute a planning permission. Any additional conditions required by the committee will be recorded in the minutes and the final planning permission issued will reflect the requirements of the planning committee.
13. A resolution to grant planning permission subject to legal agreement shall mean that the head of development management is authorised to issue a planning permission subject to the applicant and any other necessary party entering into a written agreement in a form of words prepared by the director of legal services, and which is satisfactory to the head of development management. Developers meet the council's legal costs of such agreements. Such an agreement shall be entered into under section 106 of the Town and Country Planning Act 1990 or under another appropriate enactment as shall be determined by the director of legal services. The planning permission will not be issued unless such an agreement is completed.
14. Section 70 of the Town and Country Planning Act 1990 as amended requires the council to have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations when dealing with applications for planning permission. Where there is any conflict with any policy contained in the development plan, the conflict must be resolved in favour of the policy which is

contained in the last document to be adopted, approved or published, as the case may be (s38(5) Planning and Compulsory Purchase Act 2004).

15. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The development plan is currently Southwark's Core Strategy adopted by the council in April 2011, saved policies contained in the Southwark Plan 2007, the where there is any conflict with any policy contained in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published, as the case may be (s38(5) Planning and Compulsory Purchase Act 2004).
16. On 15 January 2012 section 143 of the Localism Act 2011 came into force which provides that local finance considerations (such as government grants and other financial assistance such as New Homes Bonus) and monies received through CIL (including the Mayoral CIL) are a material consideration to be taken into account in the determination of planning applications in England. However, the weight to be attached to such matters remains a matter for the decision-maker.
17. "Regulation 122 of the Community Infrastructure Levy regulations (CIL) 2010, provides that "a planning obligation may only constitute a reason for granting planning permission if the obligation is:
 - a. necessary to make the development acceptable in planning terms;
 - b. directly related to the development; and
 - c. fairly and reasonably related to the scale and kind to the development.

A planning obligation may only constitute a reason for granting planning permission if it complies with the above statutory tests."

18. The obligation must also be such as a reasonable planning authority, duly appreciating its statutory duties can properly impose, i.e. it must not be so unreasonable that no reasonable authority could have imposed it. Before resolving to grant planning permission subject to a legal agreement members should therefore satisfy themselves that the subject matter of the proposed agreement will meet these tests.
19. The National Planning Policy Framework (NPPF) came into force on 27 March 2012. The NPPF replaces previous government guidance including all PPGs and PPSs. For the purpose of decision-taking policies in the Core Strategy (and the London Plan) should not be considered out of date simply because they were adopted prior to publication of the NPPF. For 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted in accordance with the Planning and Compulsory Purchase Act (PCPA) 2004 even if there is a limited degree of conflict with the NPPF.
20. In other cases and following and following the 12 month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. This is the approach to be taken when considering saved plan policies under the Southwark Plan 2007. The approach to be taken is that the closer the

policies in the Southwark Plan to the policies in the NPPF, the greater the weight that may be given.

BACKGROUND DOCUMENTS

| Background Papers | Held At | Contact |
|--|---|---|
| Council assembly agenda 23 May 2012 | Constitutional Team 160 Tooley Street London SE1 2QH | Kenny Uzodike 020 7525 7236 |
| Each planning committee item has a separate planning case file | Development Management, 160 Tooley Street, London SE1 2QH | The named case officer as listed or Gary Rice 020 7525 5437 |

APPENDICES

| No. | Title |
|------|-------|
| None | |

AUDIT TRAIL

| | | | |
|--|---|-----------------|-------------------|
| Lead Officer | Ian Millichap, Constitutional Manager | | |
| Report Author | Kenny Uzodike, Assistant Constitutional Officer Suzan Yildiz, Senior Planning Lawyer | | |
| Version | Final | | |
| Dated | November 2012 | | |
| Key Decision | No | | |
| CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER | | | |
| Officer Title | | Comments sought | Comments included |
| Director of Legal Services | | Yes | Yes |
| Head of Development Management | | No | No |
| Cabinet Member | | No | No |
| Date final report sent to Constitutional Team | | | November 2012 |

ITEMS ON AGENDA OF THE PLANNING COMMITTEE
on Tuesday 15 January 2013

Appl. Type Outline Planning Permission

Reg. No. 12-AP-1092

Site THE HEYGATE 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

TP No. TP/H1064A

Ward East Walworth

Officer Helen Goulden

Recommendation GRANT SUBJECT TO LEGAL AGREEMENT AND GLA

Item 6/1

Proposal

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.

The application is accompanied by an Environmental Statement submitted pursuant to the Town and Country Planning (Environmental Impact Assessment) 2011.

Appl. Type Full Planning Permission

Reg. No. 12-AP-3203

Site THE HEYGATE ESTATE AND SURROUNDING LAND BOUND BY NEW KENT (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

TP No. TP/H1064A

Ward East Walworth

Officer Helen Goulden

Recommendation GRANT SUBJECT TO LEGAL AGREEMENT AND GLA

Item 6/2

Proposal

Demolition of all existing structures and bridges and associated works.

The application is accompanied by an Environmental Statement submitted under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011.

Agenda Item 6.1

11

General Notes

1. Dimensions are in millimetres unless stated otherwise.
2. Levels are in metres AOD unless stated otherwise.
3. Dimensions govern.
4. Do not scale off drawing.
5. All dimensions to be verified on site before proceeding.
6. All discrepancies to be notified in writing to make architects.

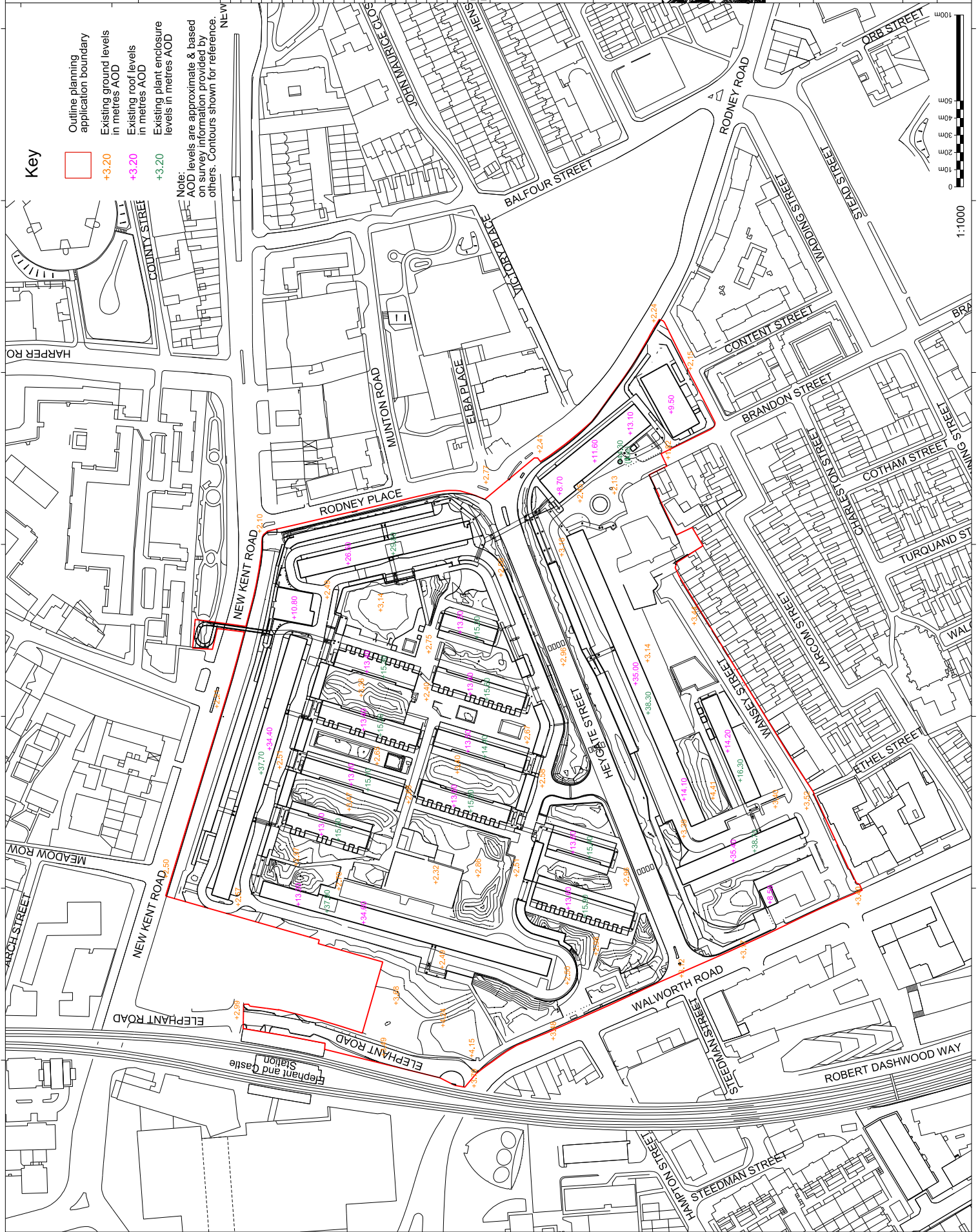
© make ltd. 2006

Note:
AOD levels are approximate & based on survey information provided by others. Contours shown for reference.

Key

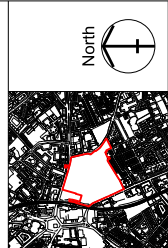
- Outline planning application boundary
- Existing ground levels in metres AOD
- Existing roof levels in metres AOD
- Existing plant enclosure levels in metres AOD

- +3.20
- +3.20
- +3.20



make
55-65 Whitfield Street
London W1T 4HE
tel +44 (0) 20 7636 5151
fax +44 (0) 20 7636 5252
info@makearchitects.com
www.makearchitects.com

Client
Lend Lease
(Elephant and Castle) Limited



Project
The Heygate Masterplan

Drawing Title
Existing site plan
Issued for information
(not approval)

| | | | | | |
|-------------|--------|-----------|-----|---------|----------|
| Scale | 1:1000 | Page Size | A1 | Date | 28.03.12 |
| Project No. | A401 | Draw No. | P20 | Rev No. | P-0 |

| | | | |
|--|--|---|----------------------|
| Item No. | Classification: | Date: | Meeting Name: |
| 6.1 & 6.2 | OPEN | 15 January 2013 | Planning Committee |
| Report title: | Development Management planning application: Address: THE HEYGATE 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 Two Applications 12/AP/3203 (Full Planning Application): Demolition of all existing structures and bridges and associated works. 12/AP/1092 (Outline Planning Application): 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. The application is accompanied by an environmental statement submitted under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011. | | |
| Ward(s) or groups affected: | East Walworth | | |
| From: | Head of Development Management | | |
| Application Start Date 02/04/2012 | | Application Expiry Date 30/11/2012 | |

RECOMMENDATION

- 1
 - a) That planning permission is GRANTED subject to conditions, the applicant entering into an appropriate legal agreement, and referral to the Mayor of London.
 - b) If it is resolved to grant planning permission, it is confirmed that the environmental information has been taken into account as required by Regulation 3(4) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.
 - c) That it is confirmed that, following issue of the planning decision, the head of development management should place a statement on the statutory register pursuant to Regulation 24 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 which contains the information required by Regulation 21 and for the purposes of Regulation 24(1)(c) being the main reasons and considerations on which the planning committee's decision was based shall be set out as in the report.

BACKGROUND INFORMATION

Introduction

- 2 The redevelopment of the Heygate estate has been long awaited. The application proposal is the culmination of a wide range of aspirations from numerous stakeholders over a very extensive period of time. At its simplest it seeks to deliver a significant number of new homes, doubling the existing provision, within a newly regenerated area thus meeting one the key objectives of the council's strategic planning policy over more than 10 years. New homes will be provided over a range of tenures thus improving the mix within the area. A varied mix will be provided in terms of unit size and in particular a significant percentage of family homes and wheelchair accessible accommodation will be provided.
- 3 The design of the proposals will contribute towards the development of the Elephant and Castle as a distinctive urban quarter and consolidate its position within central London. The proposal includes a number of tall buildings which will make its mark on the London skyline underlining the importance of Elephant and Castle within London. The scheme includes a significant area of public open space in the form of a park at the heart of the development next to the proposed new market square.
- 4 The proposals replace buildings with a very poor environmental performance with development that will achieve code for sustainable homes level 4. A new decentralised energy centre will provide heat to the development. This facility has the potential to further improve the environmental performance of the scheme to code 5 through the use of bio-methane.
- 5 Whilst it has taken over ten years to finally develop and submit a scheme for planning permission it will take a further decade and longer to implement a scheme of this scale. This is an ambitious proposal particularly in the current economic climate. Acknowledging that there are impacts along the way nonetheless the scheme promises to deliver a major regeneration of the area with obvious benefits for the future. This report provides a detailed assessment of the proposals, which are in outline, and identifies all impacts for consideration.

Site location and description

- 6 The application site comprises the Heygate Estate bounded by New Kent Road to the north, Rodney Place and Rodney Road the east, the eastern end of Larcom Street and Wansey Street to the south and Walworth Road and Elephant Road to the west. The former Volvo site on Elephant Road and New Kent Road is located on the western edge of the site with the railway viaduct immediately abutting it along Elephant Road. (The shopping centre is immediately beyond to the west) .Heygate Street which dissects the site is included within the application red line boundary and remains the major vehicular route through the site. Also included within the application site boundary is the pedestrian bridge which extends onto the north site of New Kent Road.
- 7 The application site, which is almost entirely vacant now, comprises a number of residential blocks ranging in height from 4 to 14 storeys. There is a total of 1107 dwellings within the estate. The Heygate estate also includes the site on the eastern side of Rodney Road, now known as Phase 1. However this is subject of a separate detailed application currently under consideration. It is a cleared site and previously accommodated 105 dwellings. The combined total of the two sites is 1212 units.
- 8 Set within a relatively green setting the existing buildings are arranged with the larger 12 storey long blocks defining the edges of the estate with lower scale blocks behind.

The estate has a vast number of mature trees, ranging in quality. Heygate Street is lined with trees as is Rodney Place. There are substantial mature trees to be found on the Walworth Road frontage as well.

- 9 North of the estate on New Kent Road is further residential development with a variety of heights. The housing on this side of the road is set well back from the back edge of pavement giving a spacious feel to the area albeit fronting a busy trunk road. On the east of Rodney Place is more typical Victorian development with 2 and 3 storey properties. In the distance to the east along New Kent Road is Driscoll House a substantial Victorian Grade II listed building. Further south on Rodney Road is the Peabody estate comprising quite handsome red brick blocks of flats. Opposite to the east on Rodney Road is a cleared site which will be phase 1 of the Heygate redevelopment.
- 10 The southern boundary to the site is Wansey Street which is a traditional residential street comprising a mix of Victorian and more modern housing. The scale of building ranges from 2 to 6 storeys along this street. The old Town Hall is on the corner of Wansey Street opposite the south western corner of the proposal site.
- 11 The west side of Walworth Road comprises more substantial buildings ranging from 3 to 6/7 storeys and includes some student accommodation. The western site boundary is Elephant Road running north/south alongside the railway viaduct. So to the north, east and south the area is largely residential whereas the western and north west boundaries are characterised by more commercial larger scale buildings.

Details of proposals

- 12 **12/AP/2986 - Full Planning Permission** is sought for the demolition of all existing buildings and structures, bridges and associated works. It is proposed to have a cleared site and the demolition works are proposed to be carried out over a period of 2 years.
- 13 **12/AP/1092 - Outline Planning Permission** is sought for a mixed use development comprising residential, retail, commercial (B1), leisure and community uses, an energy centre, new landscaping, a park and public realm, car parking and other associated works.
The details of the outline development are described in 3 documents for which approval is sought: Development Specification; Parameter Plans; and the Design Strategy Document (DSD). All other documents submitted provide supporting information which is considered in the main body of this report. The application is also accompanied by an Environmental Statement.
- 14 The quantum of development is specified in the **Development Specification** and is expressed as a range as follows :

Residential (C3) between a minimum of 2,300 & a maximum of 2,469 residential units;
Retail (A1/A2/A3/A4/A5): min 10,000 and max 16,750 sq ms
Business (B1): min 2,000 & max 5,000 sq ms
Community and culture (D1): min 1,000 & max 5,000 sq ms
Leisure (D2): min 1,000 & max 5,000 sq ms
Energy Centre (sui generis): min 500 & max 925 sq ms
The proposed park would have a minimum area of 0.8 hectares (8,000 sq ms)
- 15 The **Parameter Plans** show the site sub-divided into a number of plots (H1 – H7, H10, H11a, H11b, H12 & H13), 12 in total together with the park area on which is identified a plot for a pavilion/park building. With the exception of Plot H12 which is the

proposed Energy Centre, each plot is intended to provide a mix of uses with the principal use being residential. Ground and first floor uses in each plot are proposed to include some or all of the following uses: retail, business and community and leisure except for Plots H10, H11b which do not include business use and H13 which has Residential and A class uses only. The distribution of uses will vary but the completed development will be in accordance with the range of floorspace stipulated in the **Development Specification (DS)** as noted above. It is not anticipated that the uses would be distributed pro rata across all the plots. This will be a matter determined at Reserved Matters stage.

- 16 The parameter plans (effectively the outline plans) also provide the framework for future Reserved Matters Applications in defining the individual plot extent, minimum and maximum at ground/mezzanine and upper levels, range of heights of buildings (min & max), the siting of buildings and area of 'no build' which is effectively the minimum courtyard area to each plot. The plot extent is distinct from any building in that the plots included balcony projections, private amenity and commercial spill-out space outside the public realm. Buildings will be located within the plots but are subject to design control. In effect the plot is like a 'development envelope'. The design controls are specified in the **Design Strategy Document (DSD)**.
- 17 Other than Plots H10, H12 & H13 each plot will have a number of buildings with a mix of heights from low rise (up to 4 storeys), to mid-height (5 -11 storeys) to tall (12 storeys and above).
- 18 Along Walworth Road plots H1, H2 & H3 will each include a tall building on the north west corner of each plot. On H1 this will have a minimum height of 71.7m and a maximum height of 82.6ms (equivalent to 19/23 storeys); H2 - min 81.1m max 104.8 (equivalent to 22/30 storeys) H3 – min 47.9m max 68.9m (equivalent 13/18 storeys)
- 19 On New Kent Road plots H4, H5 & H11a will each include a tall building on the north west corner of each plot. On H4 & H5 this will have a minimum height of 70.9m and a maximum height of 87.5ms (equivalent to 19/24 storeys); and on H11a this would result in a minimum height of 50.2m and a maximum height of 68.2m (equivalent 13/18 storeys).
- 20 Plot H6 is behind Plot H3 located between Heygate Street and Wansey St. It also includes a tall building on the north west corner of the plot fronting Heygate Street. This will have a minimum height of 37.7m and a maximum height of 55.23m equivalent to 9/14 storeys.
- 21 Plot H7 is situated on the north side of Heygate Street behind Plot H2 and will front the new park. The tall building on this plot is also on the north west corner. This will have minimum height of 66.7m and a maximum height of 84.2m equivalent to 18/23 storeys.
- 22 The final plot to include a tall building is Plot 11b which is located on the eastern end of the new park just west of Rodney Place. The minimum height of this tall building would be 66.6m, the maximum 84.2m. In storeys this equates to between 18 and 25 storeys.
- 23 Plots without tall buildings include H10 & H13. Plot H10 is at the eastern end of Wansey Street and fronting Heygate Street where the indicative height is for 3 storeys buildings on Wansey Street with mid-rise buildings (indicated at 8 storeys) facing onto Heygate Street. Plot H13 fronts Rodney Road and will have a range of low rise and mid-rise buildings
- 24 On the plots fronting the new park the proposed buildings, other than those already

mentioned, would be mid-rise in height. The indicative Masterplan shows these to be typically 9 to 11 storeys. The Indicative Masterplan is an example of how the parameter plans can be interpreted in the future but is provided for illustrative purposes only.

- 25 Plot H12 which is located at the corner of Heygate Street and Rodney Road will comprise the Energy Centre and will have an equivalent height of 2 storeys.
- 26 A new park is proposed as part of the development. This will have a minimum area of 0.8 ha and is located relatively centrally between the plots fronting new Kent Road and those fronting Heygate Street.
- 27 Alongside the Development Specification and parameter plans the other key document for which approval is sought is the **Design Strategy Document (DSD)**. In essence this is the 'book of rules' which will govern the future interpretation of the parameter plans within the terms of an outline planning permission. All matters are reserved: access, scale, appearance, layout and landscaping. Any reserved matters application will be assessed against all relevant adopted policies and standards, inclusive of Southwark's policies and the London Plan, as well as the DSD.
- 28 The DSD identifies the key design principles to be adhered to in any Reserved Matters Application. The approach is to divide the site into 5 Character Areas: the Park, Walworth Road, New Kent Road, Walworth Local and Rodney Neighbourhood with each area having its own set of design principles. Each character area has defined properties which inform the scale, typology and appearance for that area. In taking this approach the DSD ensures that the specific site characteristics and character of immediately neighbouring development is taken into account in the design of the individual phases and the individual frontages which may vary considerably on a single plot. For example the plots on New Kent Road have frontages onto the park as well as onto the main road. These are very different and require specific design responses. The southern plots front onto Heygate Street but also have a frontage onto Wansey Street which is of a very different character. The DSD deals with this by identifying different principles for the range of conditions which the plots have to contend with.
- 29 The DSD contains numerous controls which limit the amount of development on any one plot and in particular preclude building up to the maximum in all respects. This ensures that there will always be an amount of public realm around the base of buildings and also that the full extent of the plot cannot be built upon on all edges.
- 30 One of the key underlying principles requires the plots to be built out as perimeter block developments. This helps to define the character of the streets but will also help to maximise the potential of daylight and sunlight penetrating into the courtyard as well as allowing views in and out of those areas. It is a fundamental principle of the DSD that active frontages will delineate the public realm which should be legible. The location of tall buildings in specific positions will assist in this regard and help contribute to a vibrant environment.
- 31 The principles in relation to the park deal with building typologies, pedestrian and cycle movement access, land uses and views, amongst other matters.
- 32 The DSD is the framework for defining an approach to appearance and character of the plots as they come forward as reserved matters application. The Illustrative Masterplan (IMP), which is not for approval but illustrative only, is an example of how the three documents for approval can be interpreted.
- 33 Reserved matters applications will come forward for each individual plot, i.e. on a plot

by plot basis. However there may be instances where 2 or more plots come forward as a combined phase. In that instance separate applications will still be submitted for each plot concerned notwithstanding that they may be constructed together.

- 34 In the first instance Reserved matters applications will consider all details: access, design, appearance, layout and landscaping and the details provided will relate to the entire plot and all the buildings included within the plot. Areas of associated public realm associated with the plots will also be included and where plots are adjacent to the park, that area of park associated with the plot will be included in the Reserved matters application.
- 35 Although the application documents include a phasing plan, given the lengthy period for implementation this may be subject to change. However any changes to the phasing would be controlled by condition. Furthermore any variation in the phasing could potentially trigger further environmental assessment and this again would be controlled by condition. The submitted phasing plan indicates that the development would commence with Plot H4 fronting New Kent Road followed by Plot H1 on Walworth Road. The energy centre is proposed in this second phase followed by the larger plots on New Kent Road and Walworth Road. The later phases would include the plots on the south side of Heygate Street/ Wansey Street. The last plot to be developed is indicated as Plot H11a which is the tall building located at the eastern end of the park.

Background to development proposal

- 36 The council has been actively pursuing a programme for the regeneration of the Elephant and Castle since the late 1990s. The regeneration of the council owned Heygate Estate is a critical part of the council's overall vision for the area. In 2002 a decision was taken by the council's executive not to let new tenancies on the Heygate Estate when the property became vacant and it was agreed that a plan for the area should be prepared which would be adopted as supplementary planning guidance and include the following principles:
 - The demolition of the 1,212 dwelling Heygate Estate - the main Heygate Estate and Rodney Road site (of which 1,023 were social rented units and the remainder were in private, leasehold ownership)
 - The replacement of the Heygate Estate through an "Off-site" (i.e. not on the existing Heygate footprint) programme of replacement affordable homes. These were to be developed through two routes:
 - A "Heygate Replacement Programme" to be developed on council owned sites in partnership with RSLs (Registered Social Landlord)
 - Secure S106 affordable housing on private residential development in line with planning policy
 - Replace the Heygate Estate with a mixed tenure, mixed use neighbourhood. The affordable element would be in line with planning policy.
- 37 Supplementary planning guidance for the Elephant and Castle was adopted in 2004 which set out the principal development objectives for the area and how they might be achieved. The focus was a plan to bring forward the comprehensive phased regeneration of the core area at the heart of the Elephant and Castle focussing on the shopping centre, northern end of Walworth Road, the transport interchange, and the demolition and redevelopment of the Heygate Estate.
- 38 In 2005 the council launched twin procurement processes to identify housing association partners to build replacement affordable homes for Heygate residents on a

number of council owned sites in proximity to Elephant and Castle and also to identify a commercial partner to work with to redevelop the Heygate itself.

- 39 In July 2007 the council's executive agreed to select Lend Lease Europe as its development partner. The economic downturn that occurred from late 2007 resulted in a delay in completion of full contractual documentation. Consequently, it was not until July 2010 that the council and Lend Lease formally entered into a contract (referred to as the Regeneration Agreement) for the redevelopment of the Heygate Estate.
- 40 To facilitate the redevelopment of the Heygate, the council in partnership with RSLs implemented their off-site "Heygate Replacement Programme" in July 2007 which was designed to accelerate the re-housing of tenants and leaseholders from the estate. There are now no tenants left on the estate and only four leaseholders. The first phase of the demolition of the Heygate estate at Rodney Road (105 dwellings) was completed in July 2011 and the site is now the subject of a current planning application for redevelopment for residential use. The Heygate blocks on the south side of Heygate Street are all vacant and currently being prepared for demolition.
- 41 The off-site Heygate replacement programme will, when complete, generate 512 affordable housing units from 10 development schemes ("Early Housing Sites") which will in part replace the Heygate Estate. To date 428 affordable units have been completed or are under construction which leaves a requirement to replace a further 595 affordable units from the 1,023 affordable units originally on the estate. Planning permission was granted in September 2012 for the final early housing site on Stead Street and once this is under construction the requirement will reduce to 511 units to be delivered.
- 42 The details and status of the Early Housing Sites are set out in the table below.

| Scheme | Status | Total | Social Rent | Inter-mediate | Private sale |
|--|--------------------|--------------|--------------------|----------------------|---------------------|
| Bolton Crescent | Completed | 103 | 88 | 15 | 0 |
| Brandon Street | Completed | 18 | 18 | 0 | 0 |
| Library Street | Completed | 40 | 21 | 19 | 0 |
| Arch Street | Completed | 52 | 34 | 18 | 0 |
| St. George's Road | Completed | 15 | 15 | 0 | 0 |
| Comus Place | Completed | 37 | 37 | 0 | 0 |
| Wansey Street | Completed | 31 | 15 | 0 | 16 |
| Symington House | Under construction | 72 | 50 | 22 | 0 |
| Royal Road | Under construction | 96 | 76 | 0 | 20 |
| Sub-total Affordable completed/ under-construction | | | 354 | 74 | |
| Stead Street | Permission granted | 140 | 80 | 4 | 56 |
| TOTAL | | 604 | 434 | 78 | 92 |

- 43 In July 2011 it was agreed to vary the regeneration agreement to bring forward the demolition of the buildings on the main part of the Heygate Estate (i.e. those within the application boundary). In July 2012 the council's Strategic Director of Finance and Corporate Services approved a business case for £15.25 million to forward fund the demolition of the Heygate Estate. Preliminary works to facilitate this will take place over the next 6-9 months and, subject to planning permission being granted for the demolition of the blocks, it is anticipated that full demolition works would commence around Summer 2013 should the demolition application be approved.
- 44 The council made a compulsory purchase order to the Secretary of State in September 2012 in order to terminate the remaining four residential leases, the Crossways Church and secure vacant possession of the estate. Objections to the CPO have been made and a Public Inquiry to consider these is scheduled for February 2013.
- 45 In terms of overall housing delivery, between April 2005 and March 2011, 1,170 new homes have been built in the Elephant and Castle Opportunity Area, of which 339 are affordable homes (122 social rented and 217 intermediate), not including the 512 affordable homes from the Early Housing sites. Taking account of developments in the pipeline (187 affordable units), a total of 1,038 affordable homes (i.e. 339 + 512 + 187 units) have either been completed, are under construction or have planning consent within the Opportunity Area. Of these 617 are social rent and 421 are shared ownership units.
- 46 The council's development capacity assessment estimates that there is a capacity for 6,400 new homes to be built in the Opportunity Area between 2011 and 2026. Based on our current planning policies we expect 2,145 of these to be affordable homes and therefore the area has the capacity to generate additional affordable homes. A combination of the off-site Early Housing Sites and the provision of replacement on-site affordable housing on the Heygate Estate can meet the requirements of regional and local plan policy.
- 47 The delivery of the Early Housing Sites along with other developments that have taken place such as Strata Tower, the redevelopment of sites alongside the rail viaduct, the removal of the southern roundabout and subways, and the refurbishment of St. Mary's Churchyard represent significant progress towards the council's vision for the area. Planning permission has been granted earlier this year for a new leisure facility and 37-storey residential tower on the site of the former Elephant and Castle Fusion Leisure Centre which, when built, will play a key role in delivering objectives for the area. In this context, the submission of planning applications for the demolition and redevelopment of the Heygate Estate represents an important mile-stone in the overall regeneration of the Elephant and Castle.

Planning history of application site

- 48 There have been no major planning applications on the application site since the Heygate Estate was built during the early 1970s. The most recent planning application of most relevance concerns the erection of security fencing on:

Land bounded by Brandon Street, Heygate Street, Walworth Road, and Wansey Street – Application Reference 11-AP-3450

Permission was granted on 8 December 2011 for: Erection of a 3m and 2.4 m high steel mesh fence for security around part of the Heygate Estate (Swanbourne, Kingshill, and Wansey blocks) with new site access points from Brandon Street and Wansey Street for a temporary period of 5 years.

Planning history of adjoining sites

Former Castle Industrial Estate, Elephant Road – Application Reference 08-AP-2403 (now known as Oakmayne Plaza Development - 50 New Kent Road)

- 49 Permission was granted on 22 December 2008 for: Erection of 3 buildings linked by a two storey podium incorporating retail and restaurant use across the ground floor (Use Classes A1/A3), retail / restaurant, crèche and cinema use across the first and mezzanine floors (Use Classes A1/A3/D1/D2) and basement car parking with associated storage facilities together with new landscaping to link to a proposed market square and 577 cycle spaces. Northern building located on New Kent Road to consist of 243 student rooms (Use Class C2) over 18 storeys above podium level (68.3m AOD, lift overrun to 70.7m); Western building along Elephant Road to consist of 262 private residential units (Use Class C3) over 23 storeys above podium level (87.5m AOD); Southern building to consist of 111 private residential units (Use Class C3) over 15 storeys above podium level (63.10m AOD).
- 50 This application was a resubmission of a scheme previously granted permission in 28 May 2008 (application reference 07-AP-1449). The scheme has been implemented but no works have been carried out above grade. Indeed activities ceased on the site some time ago. Hoardings remain erected around the site perimeter

Land bounded by Elephant Road, Former Castle Industrial Estate, Deacon Way and open space fronting Walworth Road – Application Reference 07-AP-1448

- 51 Permission was granted on 28 May 2008 for: Provision of a Market Square (public open space) and Basement Service Area.
- 52 This application was considered in parallel with the original application for the main development reference 07-AP-1449 which was subsequently revised.

Other development sites

- 53 A number of other planning applications have been submitted on other key developments within the Opportunity Area as detailed below.

Former Elephant and Castle Swimming Pool, 22 Elephant and Castle – Application Reference 12-AP-2239

- 54 Planning permission was granted on 23 November 2012 for: Redevelopment to provide a 37 storey building (maximum building height 127m AOD) and 4 storey pavilion building (maximum building height 20.5m AOD) comprising 284 residential units, 809 sqm flexible ground floor retail / financial and professional services / restaurant uses (Class A1-A3) and 413 sqm commercial (Use Class B1) use, basement car parking, vehicular access from Brook Drive, servicing and plant areas, landscaping and public realm improvements, and associated works.

Former Leisure Centre, 22 Elephant and Castle – Application Reference 12-AP-2570

- 55 Planning permission was granted on 7 November 2012 for: Redevelopment to provide a new public leisure centre (maximum height of 21.2m) comprising swimming pool, learner pool, gymnasium, four court sports hall, studio spaces, indoor cycling room, a crèche and cafe, disabled parking, cycle parking, landscaping and public realm, services and plant areas.

Land bounded by Victory Place, Balfour Street and Rodney Road – Application Reference 12-AP-2797

- 56 An application was submitted on 3 September 2012 for: 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. This application has not yet been determined.

Land bounded by Wadding Street and Stead Street – Application Reference 12-AP-1455

- 57 Planning permission was granted on 28 September 2012 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 (19 x 1 bed, 85 x 2 bed, 32 x 3 beds and 4 x 4 beds), a 244 sqm church hall (use class D1), and a 117 sqm retail unit (use class A1) with associated landscaping, amenity space and residential car parking and cycle storage spaces.

45-53 Rodney Road, 1-49 Wingrave, 50-73 Wingrave, Heygate Estate – Application Reference 10-PA-0019

- 58 On 28 October 2010 Prior Approval was granted for the demolition of four ex local authority blocks and associated walkways that formed part of the Heygate Estate. The site is now largely cleared and is the subject of a current application for redevelopment – application 12-AP-2797.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 59 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;
 - Environmental impact assessment;
 - Density and dwelling mix;
 - Affordable housing;
 - Impact on the amenities of occupiers of adjoining properties;
 - Impact of adjoining uses on occupiers of proposed development;
 - Transport issues;
 - Quality of residential accommodation;
 - Design issues, including layout, heights and massing;
 - Impact on strategic and local views and setting of adjacent listed buildings and conservation areas;
 - Ecology;
 - Impact on trees and open space;
 - Wind;
 - Archaeology;
 - Site contamination;
 - Flood risk;
 - Socio-economic implications;
 - Equalities implications;
 - Planning obligations; and
 - Energy and sustainability.

Planning policy

60 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).

- 61 The application site is located within the:
- Central Activities Area (CAZ)
 - Elephant and Castle Opportunity Area
 - Elephant and Castle Major Town Centre
 - Transport Development Area
 - Air Quality Management 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. The Elephant and Castle lies in the background of the townscape view looking from the Serpentine Bridge in Hyde Park to Westminster (Townscape View No. 23A.1 of the London View Management Framework 2011).

62 With the exception of the listed K2 phone box on New Kent Road there are no listed buildings or conservation areas located within the application site. However there are a number of listed buildings and conservation areas within proximity to the site. The ones closest are:

- Southwark Municipal Offices and attached railings, Walworth Road
- Southwark Central Library and Cuming Museum, Walworth Road
- The Walworth Clinic 157-163 Walworth Road
- 140, 142, 150, and 152 Walworth Road
- Elephant House, Victory Place
- 154-170 New Kent Road
- Driscoll House, 172 New Kent Road
- The Star and Cross Church, Falmouth Road
- Pullens Estate Conservation Area
- Proposed Draft Larcom Street Conservation Area

63 The policies most relevant to the determination of the demolition and outline planning applications are listed below.

Core Strategy 2011

- 64 Strategic Policy 1 – Sustainable development
 Strategic Policy 2 – Sustainable transport
 Strategic Policy 3 – Shopping, leisure and entertainment
 Strategic Policy 4 – Places to learn and enjoy
 Strategic Policy 5 – Providing new homes
 Strategic Policy 6 – Homes for people on different incomes
 Strategic Policy 7 – Family homes
 Strategic Policy 10 – Jobs and businesses
 Strategic Policy 11 – Open spaces and wildlife
 Strategic Policy 12 – Design and conservation
 Strategic Policy 13 – High environmental standards
 Strategic Policy 14 – Implementation and delivery

Southwark Plan 2007 (July) - saved policies

- 65 Policy 1.1 Access to employment opportunities
 Policy 1.7 Development within town and local centres

Policy 2.2 Provision of new community facilities
 Policy 2.5 Planning obligations
 Policy 3.1 Environmental effects
 Policy 3.2 Protection of amenity
 Policy 3.3 Sustainability assessment
 Policy 3.4 Energy efficiency
 Policy 3.6 Air quality
 Policy 3.7 Waste reduction
 Policy 3.9 Water
 Policy 3.11 Efficient use of land
 Policy 3.12 Quality in design
 Policy 3.13 Urban design
 Policy 3.14 Designing out crime
 Policy 3.18 Setting of listed buildings, conservation areas and world heritage sites
 Policy 3.19 Archaeology
 Policy 3.20 Tall buildings
 Policy 3.21 Strategic views
 Policy 3.22 Important local views
 Policy 3.28 Biodiversity
 Policy 4.1 Density of residential development
 Policy 4.2 Quality of residential accommodation
 Policy 4.3 Mix of dwellings
 Policy 4.4 Affordable housing
 Policy 4.5 Wheelchair affordable housing
 Policy 4.6 Loss of residential accommodation
 Policy 5.1 Locating developments
 Policy 5.2 Transport impacts
 Policy 5.3 Walking and cycling
 Policy 5.4 Public transport improvements
 Policy 5.5 Transport Development Areas
 Policy 5.6 Car parking
 Policy 5.7 Parking standards for disabled and the mobility impaired
 Policy 5.8 Other parking

London Plan 2011

- 66
- Policy 1.1 Delivering the strategic vision and objectives for London
 - Policy 2.5 Sub-regions
 - Policy 2.9 Inner London
 - Policy 2.10 Central Activities Zone – Strategic Priorities
 - Policy 2.11 Central Activities Zone – Strategic Functions
 - Policy 2.12 Central Activities Zone – Predominantly local activities
 - Policy 2.13 Opportunity areas and intensification areas
 - Policy 2.15 Town centres
 - Policy 2.18 Green infrastructure and the network of open and green spaces
 - Policy 3.1 Ensuring equal life chances for all
 - Policy 3.2 Health and addressing health inequalities
 - Policy 3.3 Increasing housing supply
 - Policy 3.4 Optimising housing potential
 - Policy 3.5 Quality and design of housing developments
 - Policy 3.6 Children and young people's play and informal recreation facilities
 - Policy 3.7 Large residential developments
 - Policy 3.8 Housing choice
 - Policy 3.9 Mixed and balanced communities
 - Policy 3.10 Definition of affordable housing
 - Policy 3.11 Affordable housing targets
 - Policy 3.12 Negotiating affordable housing on individual private residential and mixed

use schemes

Policy 3.13 Affordable housing thresholds

Policy 3.14 Existing housing

Policy 3.15 Coordination of housing development and investment

Policy 3.16 Protection and enhancement of social infrastructure

Policy 3.17 Health and social care facilities

Policy 4.1 Developing London's economy

Policy 4.2 Offices

Policy 4.3 Mixed use development and offices

Policy 4.6 Support for enhancement of arts, culture, sport and entertainment provision

Policy 4.7 Retail and town centre development

Policy 4.8 Supporting a successful and diverse retail sector

Policy 4.9 Small shops

Policy 4.10 New and emerging economic sectors

Policy 4.11 Encouraging a connected economy

Policy 4.12 Improving opportunities for all

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.5 Decentralised energy networks

Policy 5.6 Decentralised energy in development proposals

Policy 5.7 Renewable energy

Policy 5.8 Innovative energy technologies

Policy 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.12 Flood risk management

Policy 5.13 Sustainable drainage

Policy 5.14 Water quality and waste water infrastructure

Policy 5.15 Water use and supplies

Policy 5.16 Waste self-sufficiency

Policy 6.1 Strategic approach

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.4 Enhancing London's transport connectivity

Policy 6.5 Funding Crossrail and other strategically important transport infrastructure

Policy 6.7 Better streets and surface transport

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.11 Smoothing traffic flow and tackling congestion

Policy 6.12 Road network capacity

Policy 6.13 Parking

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.7 Location and design of tall and large buildings

Policy 7.8 Heritage assets and archaeology

Policy 7.9 Heritage-led regeneration

Policy 7.10 World Heritage Sites

Policy 7.11 London View Management Framework

Policy 7.12 Implementing the London View Management Framework

Policy 7.14 Improving air quality

Policy 7.15 Reducing noise and enhancing soundscapes

Policy 7.18 Protecting local open space and addressing local deficiency

Policy 7.19 Biodiversity and access to nature

Policy 7.21 Trees and woodlands
 Policy 8.2 Planning obligations
 Policy 8.3 Community Infrastructure Levy

Regional Supplementary Planning Documents (SPDs) and guidance

- 67 London View Management Framework (2012)
 Providing for Children and Young People's Play and Informal Recreation (2012)
 Sustainable Design and Construction (2006)
 The Mayor's Energy Strategy (2010)
 The Mayor's Transport Strategy (2010)
 World Heritage Sites (2012)
 The Mayor's Economic Development Strategy (2010)
 Housing (2012)
 Planning for Equality & Diversity in London (2007)
 The Mayor's Climate Change Mitigation and Energy Strategy (2011)

Southwark Supplementary Planning Documents (SPDs)

- 68 Sustainability Assessment (2009)
 Design and Access Statements (2007)
 Section 106 Planning Obligations (2007)
 Residential Design Standards (2011)
 Affordable Housing (2008)
 Sustainable Transport (2008)
 Sustainable Design and Construction (2009)
 Elephant and Castle SPD / Opportunity Area Planning Framework (OAPF) 2012
 Draft Affordable Housing 2011

National Planning Policy Framework (NPPF)

- 69 The NPPF came into effect on 27 March 2012 and is a material planning consideration.
- 70 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 high 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

Draft Revised Early Minor Alteration to the London Plan (2012)

- 71 The Mayor has published revised early alterations to the London Plan 2011. These are aimed at ensuring the London Plan is fully consistent with the NPPF and also incorporate early minor alterations which were issued for public consultation in February 2012. Both sets of alterations were considered at an Examination in Public (EIP) held on 22 November 2012. The proposed alterations include changing the affordable housing policies to take account of the Government's new "affordable rent" product.

Principle of development

- 72 The NPPF sets out the Government's strong commitment to delivering sustainable

development. This is the principal theme underpinning both London-wide and Southwark plan policies where the regeneration of areas such as the Elephant and Castle is of high priority.

- 73 In terms of policy designations, the application site is located within the Central London sub-region, Central Activities Zone, Elephant and Castle Opportunity Area, a 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 of the Elephant and Castle (including the application site) for comprehensive redevelopment. As such, the principle of regeneration and the uses proposed are supported subject to the need to evaluate the proposal against the aims and objectives for the area which are detailed in this report.

Elephant and Castle Opportunity Area

- 74 The London Plan considers Opportunity Areas to be *“the capital’s major reservoir of brownfield land with significant capacity to accommodate new housing, commercial and other developments linked to existing or potential improvements to public transport.”* (paragraph 2.58). Accordingly, Policy 2.13 states that Opportunity Areas should seek to optimise residential and non-residential densities, provide social and other infrastructure to sustain growth, and, where appropriate, contain a mix of uses.
- 75 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. It is further noted that:
- 76 *“The Area is undergoing major transformation with significant investment in housing and potential for new retail provision integrated with a more efficient and attractive transport interchange. There is scope to create a series of connected public open spaces complemented by environmental and traffic management improvements. Resolution of these and rail related issues are crucial to the successful redevelopment of this southern gateway to central London.”*
- 77 This is reinforced in the Southwark Core Strategy which identifies the Elephant and Castle Opportunity Area as one of the borough’s growth areas where development will be prioritised. Strategic Targets Policy 2 reflects the London Plan targets, seeking 4,000 new homes and 5,000 new jobs; but further seeks around 45,000 sqm of additional shopping and leisure space. Southwark’s vision for the Opportunity Area is set out on pages 44 and 45 of the Core Strategy:

“Elephant and Castle has potential for redevelopment into an attractive central London destination. We will facilitate regeneration of the Elephant and Castle into a more desirable place for both existing and new residents. There will be excellent shopping, leisure facilities and cultural activities. London South Bank University and London University of the Arts will develop further as important centres of learning. Elephant and Castle will continue to be highly accessible from other places in Southwark and London...”

Elephant and Castle Supplementary Planning Document / Opportunity Area Planning Framework (SPD / OAPF)

- 78 The SPD expands upon the Core Strategy and details the council’s vision and strategy for the Opportunity Area and provides a framework to guide development over the next 15 years. The Opportunity Area is divided into character areas where the application site forms the principal part of the ‘Heygate Street Character Area’. The strategy for the area is:

- Use the redevelopment opportunity of the Heygate development site to create a vibrant new quarter at the heart of the Elephant and Castle;
- Provide around 3,000 new homes in the character area, including approximately 2,500 new homes through a phased development on the Heygate development site
- Provide a range of retail opportunities, including large format stores on Walworth Road and New Kent Road frontages and smaller affordable units on secondary routes
- Provide a mix of business, leisure and community uses on the Heygate development site
- Ensure that development contributes to an improvement in public transport services
- Provide strong links between the shopping centre and the Heygate site through opening arches in the railway viaduct
- Introduce a choice of north-south and east-west routes through the Heygate site
- Provide a market square and new public park in the heart of the Heygate site
- Maximise the number of trees on the Heygate development site which can be retained
- Promote built form of the highest quality on the Heygate estate
- Enable interim uses of the Heygate development site which reduce blight whilst the redevelopment takes place, improve security and provide a resource for the local community
- Provide a tall building at the northern end of Walworth Road which together with Strata helps define a gateway into the central area
- Provide a district CHP / communal heating system for the Heygate development site which has the potential to link to the shopping centre, and leisure centre and other external buildings where viable.

- 79 The proposed scheme would provide a high density mixed use development on a brownfield site and this fully accords with the principle of accommodating large scale development within Opportunity Areas. Furthermore, the proposal meets the key objectives for the character area (identified above) and these are discussed below in the relevant sections of this report.

Housing

- 80 The delivery of a wide choice of high quality homes and the creation of sustainable, inclusive and mixed communities is a key objective of the NPPF and in this respect it advises that housing applications should be considered in the context of the presumption in favour of sustainable development (paragraphs 49 and 50).
- 81 The existing Heygate Estate provides 1,107 residential units (or a total floorspace of 89,358 sqm GEA) within the application site boundary (934 council tenancies / 173 leaseholders). London Plan Policy 3.14 and saved Policy 4.6 of the Southwark Plan seek to resist the loss of housing unless the housing is replaced at existing or higher densities with at least equivalent floorspace. All the proposed development plots would include residential accommodation, with the exception of the Energy Centre (Plot H12) and the Pavilion building (Plot Pav.1), providing between 2,300 and 2,469 new homes across the site (or 160,579 sqm and 254,400 sqm GEA residential floorspace). This represents a net increase of between 1,193 and 1,362 residential units (or up to 165,042 sqm GEA of residential floorspace).
- 82 The most recent version of the Council's Development Capacity Assessment (June 2011) states that between April 2005 and March 2011, 1,170 new homes have been built in the Opportunity Area. The SPD sets a target of 4,000 new homes (with circa

2,500 homes on the development site) to be built between 2011 and 2026 and therefore the provision of net additional homes will significantly contribute towards the target of 4,000 new homes to be provided in the Opportunity Area and this is strongly supported. When taking account of the existing residential use on the site and the uplift in new homes to be delivered, residential use on the site is appropriate in land use terms.

Retail

- 83 The application site is located within the Elephant and Castle / Walworth Road Major Town Centre where Core Strategy Strategic Policy 3 seeks up to 45,000 sqm of new shopping and leisure floorspace. Southwark Plan saved policy 1.7 states that most new developments for retail and other town centre uses should be accommodated within the existing town and local centres, subject to:

- The scale and nature of the proposal is appropriate to the character and function of the centre and the catchment area it seeks to serve; and
- The proposal will not harm the vitality and viability of the centre; and
- A mix of uses is provided where appropriate; and
- Any floorspace currently in A Class Use should be retained or replaced unless the proposed use provides a direct service to the general public and the proposal would not harm the retail vitality and viability of the centre.

A retail assessment was submitted with the application.

- 84 The proposal would deliver a minimum of 10,000 sqm (GEA) and maximum of 16,750 sqm (GEA) of retail floorspace (Use Classes A1-A5). The jobs generated by the maximum quantum of retail floorspace would provide employment for approximately 750 people. It will be important to seek that the maximum quantum of retail space is provided to ensure a mixed town centre development at the heart of the Elephant and Castle which effectively links the Shopping Centre to the rest of the town centre along Walworth Road. The provision of new retail space will help consolidate and strengthen the Elephant and Castle's role as a major town centre.

Location, unit size and mix of retail

- 85 Policy SPD 25: Land uses of the SPD/OAPF requires development on the Heygate development site to provide a strategy for provision of retail space which:
- Provides a mix of retail types including new comparison goods floorspace, which complements retail uses elsewhere in the town centre and improves choice
 - Ensures that the distribution and phasing of retail space is coherent and deliverable
 - Provides a range of unit sizes and affordable retail units
 - Provides food and drink uses (A1-A5) which complement other evening uses and broaden the centre's appeal to a wide range of people
 - Contributes to the creation of distinct character areas
 - Reinforces the function of Walworth Road as a shopping high street
 - Activates New Kent Road as a key route into the town centre
 - Provides a secondary retail street parallel to Walworth Road
 - Activates the edges of the market square and the town park.
- 86 The retail floorspace would be capable of being distributed at basement, ground, and mezzanine levels across Plots H1, H2, H3, H4, H5, H6, H7, H11a, H11b, H12, and H13.

- 87 The retail strategy for the development site proposes branded multiples and independents to be located along Walworth Road to provide a traditional 'high Street' offer while the development plots along New Kent Road could accommodate larger double storey units suitable for furniture shops, showrooms etc. A new central shopping street parallel to Walworth Road would provide the focus for small local and independent retailers. The main concentration of cafe, bar and restaurant uses is likely to be located on the perimeter of the park, particularly at the western end. These would be interspersed with convenience and comparison shops to encourage footfall and provide an active frontage to ensure the park is overlooked at all times of the day and evening.
- 88 The proposed distribution of the retail units with key frontages along Walworth Road and New Kent Road is in line with SPD / OAPF retail strategy. Improving the high street offer along this part of Walworth Road will activate what is currently a dead frontage created by the existing Heygate Estate thereby better integrating the Shopping Centre with the remainder of Walworth Road. The provision of larger format stores along New Kent Road will increase the diversity of retail offer and active ground floor frontages will help improve what is currently a rather difficult and harsh environment. Active frontages along the secondary retail street and around the park will ensure high levels of pedestrian footfall throughout the site.
- 89 The inclusion of a street with a focus on independent and smaller retailers is particularly supported. The retail strategy commits to provide a minimum 10% of the new retail floorspace to be provided as affordable space. The location of the affordable units should be given equal priority alongside the market units in terms of accessibility and projected footfall on the site. The affordable retail space will need to be secured within a S106 legal agreement which should include an overall strategy for defining and allocating affordable space.
- 90 The flexibility of locations and mix of retail units and sizes sought at this outline stage is supported but at the detailed Reserved Matters stage it will be important to ensure that the proposed retail offer takes into account the retail provision existing in the wider town centre. Some uses, for example Class A5 hot food takeaway and Class A2 betting shops / loan shops, are increasing in number within particular shopping frontages in the borough including Walworth Road. A key town centre objective is to maintain a balance of uses in the town centre and this will be an important consideration in any future assessment.

Retail impact

- 91 The retail impact assessment assesses the impact of the proposed development on other town centres in the borough as well as centres outside the borough: Brixton, Lower Marsh/The Cut, Clapham, New Cross, and Deptford. In addition, three "committed developments" have been identified and included in the impact analysis for completeness. These are Surrey Quays Shopping Centre, Oakmayne Plaza Development (50 New Kent Road), and London Bridge Station where planning permission has been granted (between 2008 and 2011) for increased retail floorspace. The assessment tests the maximum gross 16,750 sqm GEA quantum condition with a likely split between convenience and comparison goods floorspace. It uses 2012 as the base year and assesses the potential impacts at 2018 (completion of Plot H4 – which is the likely first phase) and 2023 for the remainder of the retail development.
- 92 The study found that the impact (i.e. trade diversion) of the proposed and committed developments in terms of convenience and comparison shopping would not be at such a level as to cause harm to other town centres; indeed there would be an overall positive impact on Elephant and Castle / Walworth Road Town Centre as well as London Bridge and Canada Water. In the case of convenience floorspace, the highest

cumulative impact would be on the out of centre stores (i.e. Asda on Old Kent Road, Tesco on Dunton Road, and Tesco on Kennington Lane) but these out of town stores are not protected by policy. Overall, the study found that there would be a below 5% trade diversion from the centres tested in terms of comparison and convenience shopping.

- 93 In retail planning terms it is accepted that impacts 10% and below are generally considered acceptable and would not have a detrimental impact on a centre or store which is healthy. As part of the assessment, retail health checks were undertaken for Southwark's major and district centres and, in the context of these checks, the impact assessment has shown that there would not be any significant detrimental impact on any town centre as a result of the proposed development.
- 94 Local concerns have been raised that the proposal would displace or have a negative impact on existing independent traders in the area and that the retail assessment doesn't assess the impact of the development on existing local retailers. A further criticism is that the application should secure a commitment to affordable retail units for existing traders and should recognise the important contribution of small retail units and street markets surrounding the site as well as the contribution of minority ethnic businesses.
- 95 The submitted assessment details the existing retail context of the Elephant and Castle Town Centre, particularly noting the retail offer of the Shopping Centre, New Kent Road and Walworth Road, including East Street Market. The study found low vacancy levels (under 5%) were currently experienced in the Shopping Centre and along Walworth Road and that they provided a diverse range of independent and lower and multiple retailers catering for a multi-cultural catchment area. As set out above, the proposal is predicted to have a positive, beneficial impact on the Elephant and Castle Town Centre including the delivery of jobs for approximately 750 people (FTE) based on maximum retail floorspace and between £33-35m of convenience and comparison expenditure to the area which will also support existing shops and facilities. The retail strategy is intended to complement and enhance existing retail provision provided elsewhere in the centre in order to maximise choice. The development would deliver modern retail units of varying sizes that would be attractive to both multiple and smaller retailers and there will be a strong commitment to affordable units secured via legal agreement.
- 96 Overall, officers are satisfied that the proposal will not cause any demonstrable harm to the vitality, viability and functioning of other town centres in Southwark or in town centres outside the borough. It will result in significant benefits to the Elephant and Castle town centre through an enhanced retail offer, additional retail expenditure, and significantly improving the linkages between the main shopping centre and Walworth Road.

Business

Quantum floorspace

- 97 The Core Strategy sets a target of 25,000 – 30,000 sqm of new business floorspace to be delivered over the plan period; no specific target is set for the Heygate Street Character Area. Between 2,000 sqm and 5,000 sqm GEA of Class B1 floorspace is proposed which has the potential to be delivered at basement, ground and mezzanine floors across Plots H1, H2, H3, H4, H5, H6, H7, and H11a. Given the size and significance of the application site within the Opportunity Area and the long-term delivery of the scheme, a higher quantum of proposed business floorspace would have been preferred given the proven need for such accommodation.

- 98 It is agreed that the demand for large purpose built offices in the Elephant and Castle is low but there is a demand for good quality premises for SMEs (small medium enterprises) who play a vital role in providing goods and services to the major business hubs (such as the City and West End). The council's Employment Land Review (2010) forecasts the need to provide a significant amount of new office business space by 2026 to meet the needs of the 'local office market' located outside of the SE1 area of the borough. In addition to the presence of large and international occupiers in the north of the borough, there are a considerable and growing number of SMEs that create 'localised' demand for Class B1 floorspace. Local estate agents confirm that Southwark has seen an increase in the number of SMEs compared to other areas of London. In 2011, there were 4,374 start-up businesses in the borough; an increase of 672 businesses compared with 2010 figures. Southwark's current market is characterised by a lack of modern, good quality developments with most premises consisting of conversions from the Georgian housing stock. Local estate agents maintain that demand for commercial space in the area is relatively good, but expect that demand for higher quality space significantly outweighs supply.

Unit size and location

- 99 The applicant advises that the strategy for business space is predicated on a fragmented delivery across the site with the provision of a variety of unit sizes for small and medium sized enterprises and a variety of occupiers. The business floorspace would include an Estate Management Office on site.
- 100 The proposal for a variety of unit sizes and occupiers is welcome. SPD 4: Jobs and Business of the Elephant and Castle SPD / OAPF supports the provision of flexibly designed business floorspace to accommodate a range of unit sizes to help meet the needs of local office market and SME businesses. In particular, support is given to the provision of affordable business space in the form of managed workspace or incubator units. Officers would therefore encourage a greater range of business unit sizes, including the provision of some larger units which could be easily configured to meet occupiers' demands in terms of overall floorspace, floor-to-ceiling heights (inclusion or removal of mezzanine floors) etc.
- 101 A concern was raised during the course of the application about the fragmentation of business space across the development site as shown in the Illustrative Masterplan (March 2012 version). This depicted the business floorspace to be split over the ground, mezzanine and first floor and included a large number of small units fragmented across the site. It is considered that accessible, visible business space clusters along the main high street frontages is desirable as part of an integrated town centre development. The September 2012 revisions introduce alternative example scenarios of business use distribution in the amended Illustrative Masterplan which the applicant advises show the possible consolidation of the office provision in certain locations of the site to demonstrate how this could be developed at Reserved Matters stage.
- 102 The design and location of commercial units in mixed-use developments need to be considered carefully to ensure that they are marketable and attractive to prospective occupiers. The revised illustrative material shows:
- Option 1 – maintains the originally submitted distribution strategy showing a quantum of 4,988 sqm spread amongst small units over six plots fronting the primary commercial routes
 - Option 2 – shows a layout which distributes 3,919 sqm over three plots, consolidating the space along the secondary routes leading through to the Park from New Kent Road
 - Option 3 – shows a layout which distributes a quantum of 2,358 sqm over

three plots provided just on the ground and mezzanine floors of the routes leading from New Kent Road through to the Park.

- 103 This has proved useful in order to show the impact of the two alternative options relative to the distribution of the retail and community floorspace across the site. However, it would have been helpful to understand how the different business quantum in each of the scenarios affected the quantum of retail and community space that could be delivered. It would have been useful to include more information about the design constraints to achieving a higher quantum of business floorspace than that proposed as well as commentary about the commercial market factors which have influenced the proposed business quantum and location of business floorspace across the site and the estimated commercial yields of the office and retail floorspace over the long-term.
- 104 In summary, a greater quantum of Class B1 business floorspace would have been preferred given the proven need for more business space, the long-term delivery of the development and that this is a key site in the Opportunity Area. However, there is also a pressing need for other land uses in the area such as housing, retail, community uses and more open space and so the proposed business proposal must be balanced with the need to deliver other uses to enable the successful regeneration of the Elephant and Castle. Moreover, the SPD/OAPF does not specify a level of business floorspace to be delivered in the Heygate Street Character Area rather the strategy is to provide a mix of business, leisure and community uses. In this respect the proposal conforms to this objective. An important consideration at the detailed Reserved Matters stage will be the distribution and variety of business space to ensure that that high quality, marketable business units are provided to meet local office demand. It is therefore strongly recommended that the maximum quantum of business floorspace is delivered. On balance and taking into account the wider regenerative benefits of the scheme the business proposal is accepted.

Community, leisure and cultural uses

- 105 A minimum of 1,000 sqm (GEA) and a maximum of 5,000 sqm (GEA) of community and cultural uses (Class D1) are proposed as well as a minimum of 1,000 sqm (GEA) and maximum of 5,000 sqm (GEA) of leisure use (Class D2). These uses would be capable of being distributed across the site in Plots H1, H2, H3, H4, H5, H6, H7, H10, H11a, H11b and H12.
- 106 A wide range of town centre uses, including D1 community and D2 leisure use classes, are encouraged on the Heygate development site in order to contribute towards consolidating the Elephant and Castle as a major town centre and increase its appeal to a wider catchment. The provision of such uses is therefore considered acceptable in principle.

Health (Class D1)

- 107 The application includes a Health Impact Assessment (HIA) which has been revised due to concerns raised during the course of the application.
- 108 The HIA Addendum (September 2012) concludes that whilst there is some surplus capacity available locally, it is acknowledged that the overall population growth in this area (both workers and residents) will increase the level of demand on these existing facilities. The outline proposal includes 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 new premises for an existing healthcare provider should they express an interest in moving into this location. The HIA Addendum recommends that further

consultation is therefore required with the council, relevant stakeholders and the health services to determine in the future healthcare requirements within the local area going forward.

- 109 Southwark NHS advise that although the report argues that the existing health care has a good level of provision in terms of access to GPs, and that there is some surplus capacity within existing primary healthcare facilities within 1km of the proposed development, the current GP service provision is mainly operating from converted housing and commercial premises with limited ability to expand and develop.
- 110 The redevelopment of the Heygate Estate would offer the NHS the opportunity for a purpose built community health facility which incorporates relocating one or several GP practices, sharing services with community health and providing dedicated mental health services. The potential for safeguarding space (500 sqm in size) for a new health facility is secured in the S106 legal agreement or in the event that an actual facility is not provided a financial sum will be payable to mitigate the impacts of the development.

Other Class D1 community and Class D2 leisure uses

- 111 Local concerns are raised that the proposal will result in a net loss of community facilities provided on site and that the minimum proposed floorspace figures for community and cultural uses should ensure there is no net loss. The revised Development Specification (September 2012) includes updated figures for the existing Heygate Estate buildings, citing 2,530 sqm of existing community and culture (Class D1) floorspace. One of the existing principal community uses on the site is Crossways Church on New Kent Road where the council is currently in discussions with the church to try and secure relocation to alternative premises in the locality. The intention is therefore not to lose this facility but that it remains available for the local community, including future occupiers of the proposed development. The proposal would allow for the net increase in community facilities if the maximum 5,000 sqm floorspace were delivered.
- 112 At this outline stage the mix and range of Class D community and leisure uses has not been established; the precise nature and location of the provision within each development plot will be determined at the detailed reserved matters stage. However, it is anticipated that the uses may include: gym/fitness facilities; creche; health centre; library; workshop space; and community building(s). The need for community uses will have to be reviewed at future stages as needs are likely to change as the population changes and users are identified. Wherever possible facilities should be made available to all members of the public in order to benefit both existing residents as well as future residents of the development. Further, it will need to be ensured that the size and location of the facility would not be detrimental to the amenity of existing residents and future occupiers of the development.

Environmental impact assessment

- 113 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 9.71 ha and therefore is well above this trigger threshold. Notwithstanding this, an EIA is only required 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; and
- the characteristics of the potential impact.

- 114 It is considered that the development is likely to generate significant environmental effects based upon a review of Schedule 3 and therefore an EIA is required.
- 115 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-2616).
- 116 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.
- 117 The ES must assess the likely environmental impacts at each stage of the development programme. Although two planning applications (a full application for the demolition of existing Heygate buildings and an outline application for the redevelopment of the estate) have been submitted, the accompanying EIA relates to both applications and hence covers the impacts arising from the demolition and construction phases as well as the impacts arising from the completed and operational development. As only outline approval is sought at this stage for the construction of the development, the EIA has assessed the parameters of the proposed development in terms of the 'maximum' and 'minimum' extents of building envelopes and Gross External Areas (GEA) by land use.
- 118 It is not necessarily the case that planning permission should be refused if a development has the potential to have significant adverse impacts; it has to be decided whether any of the identified adverse impacts are capable of being mitigated or at least reduced to a level where the impact would not be so significant or adverse as to warrant a refusal of permission.
- 119 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);
- Transportation
 - Noise and Vibration
 - Air Quality
 - Ground Conditions and Contamination
 - Water Resources and Flood Risk
 - Ecology
 - Archaeology
 - Wind
 - Daylight, Sunlight and Overshadowing
 - Socio-economics
 - Cumulative Impacts
 - Townscape, Visual and Built Heritage (ES Volume 2).

- 120 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.
- 121 Reference to cumulative effects includes the combined effects of different types of impact, for example noise, dust and visual impacts, impact interactions and impacts from several other known developments which individually may be insignificant but when considered together could amount to a cumulative impact.
- 122 Additional environmental information or 'Further Information' (ES Addendum September 2012) was received during the course of the application (September 2012) and in accordance with Regulation 22 of the EIA Regulations all statutory consultees and neighbours were re-consulted in writing and a further press notice advertised in the local press. 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 (where required) are set out in the report.

Alternatives

- 123 Schedule 4 of the EIA Regulations sets out the information that is required for an ES, which includes an outline of the main alternatives considered. The ES considers three alternative options.

'No development' alternative

- 124 This option would leave the site as it currently exists. This was considered to constitute a negative impact ... The ES notes that the site has been earmarked for development due to its poor quality urban environment and that the 1970's buildings are deteriorating and the subways and raised walkways create an un-inviting and hostile environment. Further, that the site is identified in the Council's Elephant and Castle SPD as one of 35 development sites in the wider OA and that a regeneration agreement with the Council as landowner was entered into in 2010.

Alternative sites

- 125 No other alternative sites have been considered in the ES because of the points raised above and that there would be few sites elsewhere in the Elephant and Castle that could accommodate this scale of development, including a new park.

Alternative uses and design

- 126 The ES advises that the land uses and mix were identified by policy and no land use alternatives were considered beyond those set out in the Elephant and Castle SPD. Further, that the development parameters applied for accord with policy documents and that the design has evolved throughout the process (including at application stage) in response to environmental constraints and opportunities.
- 127 Officers consider that the application site forms a significant component of the Proposal Site 39P and it forms the majority of the Heygate Street Character Area where the aim is to regenerate the Heygate Estate with a mixed use development to create a vibrant new quarter at the heart of the Elephant and Castle. Officers concur that there are a number of problems with the existing Heygate Estate including navigation problems (high level walkways) and the refurbishment of the existing stock

would not address these concerns nor deliver the wider vision for the OA. As such the 'do nothing' approach is not feasible. There are no other sites in the OA that could facilitate this size of development and it will significantly contribute towards meeting the targets for new homes and jobs in the area. As such, officers conclude that the ES is satisfactory in demonstrating that other alternative options would not be viable or supported on planning policy terms. It is therefore considered that the applicant has adequately addressed this aspect of the EIA Regulations.

Cumulative developments

- 128 The ES Addendum (September 2012) provides an updated assessment of the likely significant cumulative impacts of the development during demolition, construction and operational phases of the development. Two types of impacts have been considered, the combined effect of individual impacts (such as noise, dust, and visual impact) from one development on receptors, and the likely combination of impacts from other "committed developments" in the surrounding area.
- 129 Since the Addendum was submitted the status of a number of the listed schemes has changed.

Schemes with resolution to grant

12-AP-1455 Stead Street = Permission granted 28 September 2012

Current planning applications

11-AP-2862 Chatelaine House, 182-202 Walworth Road = Withdrawn

12-AP-2239 St Mary's Residential Development = Permission granted 23 November 2012

12-AP-2570 Elephant and Castle Leisure Centre = Permission granted 7 November 2012

- 130 The cumulative impacts arising from the demolition and construction of the proposed development from construction traffic, noise, vibration, air quality, daylight and sunlight and visual amenity would be short to medium term local adverse impacts of minor significance. As discussed elsewhere in the report, mitigation measures would be in place (such as Environmental Management Plans) to ensure these impacts were minimised.
- 131 There are a number of other schemes in the vicinity and so similar construction works on the other sites combined with the proposed development would be likely to result in temporary local adverse impact.
- 132 The cumulative impacts of the completed development, in conjunction with other committed schemes were found to be minimal with the exception of beneficial cumulative socio-economic impacts and increased open space provision.
- 133 Officers acknowledge that there will be adverse impacts resulting from the construction of this scheme alongside other schemes, the impact of which may not necessarily be short term given the length of the anticipated construction period. However, such impacts will be minimised as far as possible and they have to be balanced with the long-term significant regenerative benefits that the scheme will deliver to the site and the wider Opportunity Area. It is considered that the cumulatively impacts have been adequately considered in the ES and that they are acceptable and would not result in significant adverse effects upon the environment that would warrant planning permission being refused.

Conclusion on environmental impact assessment

134 The ES concludes that in relation to the majority of environmental impacts, the residual impacts of the proposed development (demolition, construction, and operational phases) following mitigation would be insignificant. However there are likely to be some adverse minor impacts particularly during the demolition and construction phases and traffic related long term impacts from the completed development. *Adverse residual impacts of minor significance* of varying duration have been identified in relation to:

- Increased traffic flows arising from demolition and construction related traffic (temporary, short to medium-term)
- Increased operational development traffic flows on the surrounding local highway network (long-term)
- Increased passenger trips on the Northern and Bakerloo LUL Lines at E&C (long-term)
- Noise, vibration, and dust from demolition and construction activities impacting on existing on-site occupants, surrounding residential receptors and future occupants of early phases of the development (temporary, short-term)
- Emissions from demolition and construction traffic (temporary, short-term)
- Impacts upon local air quality resulting from operational traffic and heating plant emissions (long-term)
- Removal of on-site semi-natural vegetation which can't be mitigated during demolition and construction works (temporary, short to medium-term)
- Impact upon townscape character, setting of built heritage assets and visual amenity (temporary, short to medium-term)

135 The proposed scheme would have a number of major overarching, long-term beneficial impacts of varying significance and these have been identified in relation to:

- Improved pedestrian and cyclist permeability through the site and provision of enhanced pedestrian and cycle facilities
- Alleviation of passenger crowding within Northern Line Ticket Hall and Northern Line platforms at E&C LUL Station through partial funding of additional lifts
- Increased passenger trips on National Rail Services at E&C
- Reduction of surface water discharge rate to 50% of the existing discharge rate with the use of underground attenuation tanks
- Creation of new semi-natural vegetation (new planting; green/brown roofs; living walls)
- Enhancement of bat and bird habitats (no net loss of tree numbers on site; off-site planting; green/brown roofs; creation of wildlife refuges on site)
- Provision of up to 2,469 new homes, including affordable housing
- Creation of up to 1,255 jobs on site
- Enhancement of the retail offer and increased retail expenditure
- Creation of up to £35.9m annually in household spending and up to £1.6m from on-site employee spending
- Provision of open space, including a new Park, and playable spaces
- Creation of a pedestrian permeable development with mix of land uses
- Impacts upon the setting of conservation areas, local heritage assets, setting of St Paul's, listed structures, regional and local views.

136 Temporary, short to medium term beneficial impacts have also been identified which include:

- Changes to daylight and sunlight availability to surrounding properties and quantum of overshadowing to surrounding amenity spaces during demolition

and construction

- Creation of circa 1,080 FTE construction jobs (temporary, short to medium-term)
- Creation of circa £550,000 annual local spend from construction workers (temporary, short to medium-term).

- 137 A detailed assessment of the potential and residual impacts of the proposed development is provided below, taking into account the ES and the relevant planning policy considerations. Officers are satisfied that the ES (taken together with the further information received pursuant to regulation 22) is adequate to enable a properly informed assessment of the environmental impacts of the proposal to be undertaken.

Density and dwelling mix

Density

- 138 Saved Policy 3.11 of the Southwark Plan requires development to maximise the efficient use of land whilst ensuring a number of criteria are met including safeguarding neighbouring amenity and making a positive response to local context. Policy clearly states that permission will not be granted for development that is considered to be an unjustified underdevelopment or an overdevelopment of the site.
- 139 The application site is within the central activities zone where a density of between 650 – 1,100 habitable rooms per hectare is expected as set out in Core Strategy Strategic Policy 5. Densities may be exceeded in the Opportunity Area when developments are of an exemplary standard. The site area is 9.71 including the new park, Heygate Street and Wansey Street, but excluding the surrounding major roads. Taking into account the non-residential floorspace, the proposal will result in a site-wide density of 1,054 habitable rooms per hectare based on a maximum number of 9,052 habitable rooms or 2,469 residential units and therefore is within the density range normally expected. Density will need further assessment at detailed Reserved Matters stage for each of the development phases.

Dwelling mix

- 140 London Plan Policy 3.8 requires new developments to offer a range of housing choices in terms of the mix of housing sizes and types. Core Strategy Strategic Policy 7 requires major development in the Elephant and Castle OA to have at least 60% of units with 2 or more bedrooms and 10% of units to have 3, 4 or 5 bedrooms. No more than 5% of units should be studio flats.
- 141 The original submission complied with the required mix, but committed only to providing 10% minimum 3-bedroom units as opposed to providing any larger 4 or 5 bedroom. The revised submission offers a minimum 10% of 3 *plus* bedroom units which broadens the housing choice. This is particularly positive given the shortage of larger family dwellings in the borough.
- 142 The London Plan also requires 10% of new housing to be designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. Saved policy 4.3 of the Southwark Plan requires a minimum of 10% of the units to be provided as wheelchair accessible. Prior to implementation, a site wide strategy will be submitted to demonstrate the delivery of 10% wheelchair accessible dwellings and these will be identified for each development plot at Reserved Matters stage. The affordable housing units will be constructed and fitted out in accordance with the South East London Housing Partnership Wheelchair Design Guidelines so that they are fully accessible to wheelchair users from the outset. However due to uncertainty over the

demand for wheelchair units in the private and intermediate sector and given the lengthy timeframe for project delivery it is agreed that these units could be designed to be adaptable in that they will be fitted out to a 'base specification' and adaptations made to meet individual wheelchair user's requirements (at no additional fit-out cost to the wheelchair user). The wheelchair accommodation will be secured by legal agreement.

- 143 All the proposed units in the development will be designed to 'Lifetime Homes' standard and a commitment to meet this standard is contained within the Design Strategy Document.

Affordable housing

- 144 Policy SP6 of the Core Strategy requires as much affordable housing as is financially viable and specifically a minimum of 1400 affordable units within the Elephant & Castle Opportunity Area between 2011 and 2026. (A minimum of 35% private housing is also required in the same area.)
- 145 Policy 4.4 of the Southwark Plan requires provision of 35% affordable housing on developments within the Elephant and Castle. The Affordable Housing SPD specifies that this provision should be split by tenure; 50% social rented & 50% intermediate.
- 146 Policy 3.8 of the London Plan requires new developments to offer a range of housing choices and the provision of affordable family housing. Policy 3.12 states that the "maximum reasonable amount of affordable housing should be sought having regard to:" a number of factors including "the need to encourage rather than restrain residential development, the need to promote mixed and balanced communities, and the specific circumstances of individual sites". The policy also advises that "Negotiations on sites should take account of their individual circumstances including development viability, the availability of public subsidy, the implications of phased development including provisions for re-appraising the viability of schemes prior to implementation..."
- 147 In addition Policy 3.14 states that the loss of housing, including affordable housing, should be resisted unless the housing is replaced at existing or higher densities with at least equivalent floorspace.
- 148 Although the application is in outline the proposal identifies the level of affordable housing at 25% with a tenure split of 50% rented and 50% shared ownership (intermediate). The rented accommodation will be on the basis of Social rent levels for 3 and 4 bedroom homes and Affordable Rents on smaller units (1 & 2 bedrooms at no more than 50% of market rent); the shared ownership will be set at two different income thresholds 50% at the Southwark affordability caps and 50% at GLA affordability caps. This will be secured within the S106 legal agreement.
- 149 At 25% the level of affordable housing proposed is below the level set by SP policy 4.4. The applicant has submitted a detailed financial appraisal to demonstrate that a scheme providing 35% affordable housing would be unviable and would produce a very substantial overall deficit. Even at 25% the scheme is also unviable but depending on which particular scenario is run on the Financial Model (i.e. where varying values are input in different combinations for a range of key factors; build costs, finance rate, escalation etc) the deficit becomes a lot less or the profit level becomes less unattractive. Including the smaller affordable rent units at 50% market rent and including 50% of the shared ownership at GLA income levels reduces the deficit but does not eliminate it.
- 150 The viability assessment has been scrutinised by the District Valuer on behalf of the

Local Planning Authority. Having considered the extensive range of data that is required to provide a detailed assessment of such a vast scheme and over a very extended build programme – circa 15 years - the advice received is that the applicant's financial appraisal presents a reasonable account of the viability of the scheme. In broad terms the DV accepts the applicant's appraisal and agrees that the scheme cannot support the policy requirement of 35% affordable housing. The level of affordable housing that could be provided on a viable scheme is 9.4%. (Whilst some of the precise figures supplied aren't necessarily agreed the overall conclusion as to the lack of viability is. There is a difference of opinion on the scale of the deficit but not that a significant deficit exists nor that the scheme is not viable.)

- 151 The viability of the scheme is problematic due to a number of factors. Firstly the scale of the project is vast both in terms of the amount of development proposed, in the region of 2,500 residential units, and the timescale. The nature of the development, which involves the demolition of an existing housing estate, requires significant infrastructure and upfront costs which have to be provided at the outset of the development. The cost of demolition and the infrastructure in terms of utilities and access routes etc is very significant, and in addition this results in an extensive pre-development period. For example the demolition of the estate is expected to take approximately 2 years. This delays the commencement of development and as a direct consequence income from sales. Therefore the initial funding costs which are exceedingly high are incurred for a longer period without any return thus impacting negatively on the viability of the scheme. In effect, the financing costs of this development over an extended timescale have a significant negative impact on viability.
- 152 In assessing the viability of the scheme the financial model has used the price of the land as land value rather than the Established Use Value (EUV). Whilst this deviates from the normal methodology, the viability has also been tested against the EUV which is lower. Even with a lower land value (EUV) the scheme remains unviable and not capable of supporting the level of affordable housing required by policy.
- 153 The applicant submits that the proposal of 25% affordable housing, given the viability gap, represents a very big risk on its part. Nonetheless in view of its obligation in the separate Regeneration Agreement with the Council as landowner, it remains committed to providing this level of affordable housing. Given that the development is phased and extends over a prolonged period it would normally be expected that the viability situation should be reviewed so that in the event of an economic upturn an increased level of affordable housing could be secured.
- 154 In this case what is proposed is an initial review where there is a delay in implementation beyond 2 years from the first approval of reserved matters. Such a review would determine whether there is scope to provide an increased level of affordable housing up to a maximum of 35%. It should however be noted that the Indicative viable level of 9.4% indicates that a very significant economic upturn would be required in order to bring the viability to a level of Affordable Housing above the 25% proposed in this application. Hence, it is unlikely (in the light of the current viability gap) that a review would secure any increase in the quantum of affordable housing that could be supported by the scheme but it is envisaged that there will be a mechanism for this to be examined in the circumstances then prevailing.
- 155 The other circumstance that could potentially lead to an improved provision of affordable housing would be if public funding became available during the course of 12- 15 year build programme. In such a scenario it would be appropriate, first of all, to utilise such funds to improve the affordability of the social housing i.e. to reduce the rent levels of the 1 & 2 bed units below 50% market value or increase the proportion of intermediate housing at Southwark income threshold levels. In the particular

circumstances of this proposal it is considered that improving the affordability of the proposed social housing would be of greater benefit than an increase in the actual quantum. However if the level of funding was sufficient to provide both an improvement in affordability and an increased quantum then the legal agreement will require this up to a maximum of 35% affordable housing.

156 The delivery of the affordable housing is proposed on the following basis:

20% by completion of 400 units;
 20% by completion of 800 units;
 25% by completion of 1200 units;
 25% by completion of 1600 units;
 25% by completion of 2000 units and
 25% by completion of final unit (max 2469) (%ages are cumulative)

157 This represents a relatively even delivery of affordable housing across the development as a whole even if it is slightly lower over the first phases. Although the affordable housing will comprise a range of unit sizes within both tenures, the proposal is to bring forward a higher proportion of 3 bed units (at target rents) in the early phases. This will be alongside a higher proportion of the required intermediate housing so that towards the end of the delivery of the development the last plots will comprise a greater number of the 1 and 2 bed rented units with reduced proportions of intermediate. However the variable rate of delivery of rented against intermediate could range from, in the very early stages i.e. on the first 800 units, between a minimum of 25% rented against a maximum 75% shared ownership to a maximum of 40% rented against minimum 60% shared ownership. As the development progresses, the balance between rented and intermediate becomes more even. The variable rates of delivery of the different size and tenure will not alter the overall mix of affordable housing so that at the end of the development the total amount of affordable housing will not be less than 25% with a 50:50 split between rented and shared ownership.

158 **Table 1: CUMULATIVE DELIVERY MILESTONES AND MIX**

| Milestones (total number of units completed, including private and affordable) | Proportion of Affordable Housing to be provided by <u>Habitable Rooms</u> on completion of each cumulative milestone | Tenure Mix to be provided within the total provision of Affordable Housing by <u>Habitable Rooms</u> on completion of each cumulative milestone | | Min and Max provision of 3 bed Target within the total provision of Affordable Housing by <u>Habitable Rooms</u> on completion of each cumulative milestone |
|--|--|---|-------------------------|---|
| | | RENTED | SHARED OWNERSHIP | RENTED 3 BED |
| 400 | Min 20% | Min 25% | Max 75% | Min 20% Max 35% |
| 800 | Min 20% | Min 25% | Max 75% | Min 20% Max 35% |
| 1,200 | Min 25% | Min 35% | Max 65% | Min 20% Max 30% |
| 1,600 | Min 25% | Min 40% | Max 60% | Min 18% Max 21% |

| Milestone | Proportion of Affordable Housing to be provided by <u>Habitable Rooms</u> on completion of the Development | Tenure Mix to be provided within the total provision of Affordable Housing by <u>Habitable Rooms</u> | | Max provision of 3 bed Target within the total provision of Affordable Housing by <u>Habitable Rooms</u> |
|--------------------------------|--|--|-----|--|
| | | | | |
| On completion of the last unit | Target 25% aggregate | 50% | 50% | Max 18% |

159 **Table 2: Affordable Housing Provision – Minimum levels**

| MIN Development (based on 2,300 units) | | 1 bed | 2 bed | 3 + bed | TOTALS |
|--|---|------------------|-------|------------------|------------------------|
| | <u>Rented</u> | | | | |
| | Habitable Rooms [assuming no unit in the Development has a room larger than 27.5 m ²] | No less than 501 | | No less than 286 | Total no less than 787 |
| | Units | [194]* | | [71]* | [265]* |
| | <u>Shared Ownership</u> | 1 + bed | | | |
| | Habitable Rooms [assuming no unit in the Development has a room larger than 27.5 m ²] | No less than 787 | | | Total no less than 787 |
| | Units | [268]* | | | [268]* |

* indicative only

- 160 The applicant had originally suggested that, in order to assist the viability of the scheme, the affordable housing would not be delivered pro-rata but at different levels on different plots with a delay in any provision of affordable housing until the second phase. A more even distribution across all the plots is welcome and would be more consistent with policy. Whilst the weighting in favour of intermediate housing in the early phases is not ideal there needs to be regard for the viability of individual plots early on. Ultimately the required balance will be achieved and, acknowledging the greater proportion of the larger rented units in the early phases, the proposal in this regard is considered acceptable.
- 161 The viability of the scheme has been adversely affected by the imposition of the CIL, which has been calculated at £9.1m, and the withdrawal of HCA funding for affordable housing.
- 162 It is considered that at 25% and on the basis of the submitted financial appraisal the proposed level of affordable housing is as much, if not more, as can reasonably be delivered and to that extent the requirements of policy SP6 are met. Equally the requirements of the London Plan with regard to mixed communities, viability, the phasing and the individual circumstances of the case are also considered to have been met particularly bearing in mind the absence of HCA funding.
- 163 One further consideration relates to the issue of the existing social housing on site as against that proposed. Members will be aware that the redevelopment of the Heygate

estate has been a long established objective and the relocation of tenants has occurred over a considerable period of time. In 2003 the UDP identified a number of sites for the provision of replacement affordable housing that would be lost in the redevelopment of the estate. To date 7 sites have been developed, 2 sites are currently under construction and 1 has recently been granted planning permission and is expected to commence shortly. The combined provision of all these sites amounts to 512 affordable units both rented (434) and shared ownership (78) (as set out earlier in this report – Background to development proposal - table) . In order to fully replace the existing affordable housing on the Heygate estate there is an outstanding requirement to provide a further 511 affordable units. The indicative Masterplan shows that a total of 570 new affordable units would be provided and in the event of the maximum development being built out that number would increase to 574. The minimum development would also secure in excess of 511 so that the requirement to replace the existing affordable housing on the Heygate estate will be met

- 164 Although it is recognised that the tenure split with both social rented and shared ownership differs from the actual tenure of the previous housing nonetheless this would be in compliance with policy which does not make a distinction between different affordable tenures. In addition it will contribute towards the objective of securing mixed communities within the area.
- 165 The precise mix of unit size within the affordable housing will be determined on a plot by plot basis under the reserved matters applications. The policy requirement will need to be met. However the indications are that there will be a significant proportion of the larger units within the rented section, in the region of 28%, set against the policy requirement of 10%. This is to be welcomed.
- 166 The provision of affordable housing at 25% is below the level required by policy which is 35%. However the viable level for this development would be much less – in the region of 9.4% and hence the provision of 25%, albeit with some affordable rent and GLA income thresholds for intermediate housing, should be viewed positively. The required tenure split is met and there is a higher proportion of larger units within the rented sector which is welcome. Whilst there is a variable pace of delivery of the affordable housing this is justified on the basis of the poor viability of the scheme and given the specific circumstances of this proposal officers consider the affordable housing provision to be acceptable.
- 167 Furthermore, officers are satisfied that in the light of the viability evidence and the scope for some review in the specified circumstances described above, that an appropriate balance has been struck between ensuring the deliverability of the scheme and securing as much affordable housing as is realistically possible.

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

- 168 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.
- 169 A development of the size and scale proposed will clearly have potential significant impacts (particularly at demolition and construction phases) on the amenities and quality of life of occupiers of properties both adjoining and in the vicinity of the site;

hence the proposal has required an EIA in order to ascertain the likely associated environmental impacts and how these impacts can be mitigated. The accompanying ES and ES Addendum deals with the substantive issues raised by local residents. The ES includes a draft Construction Management Plan which includes an indicative construction programme and phasing, demolition and asbestos removal works, as well as construction traffic and site access. The demolition and construction works would be undertaken in phases across the site over an overall period of approximately 13 years. The demolition works are predicted to be of 24 months duration. It is noted that the phasing shown for both demolition and construction works in the ES is indicative only and detailed phasing plans will need to be secured by conditions attached to the demolition and outline applications

Daylight and sunlight

- 170 An assessment of the likely significant impacts of the development on daylight and sunlight is contained in the ES and updated in the ES Addendum. At this outline stage the precise location and scale of individual buildings and the gaps between them are unknown and therefore the assessment relies on the maximum and minimum development parameter envelopes to assess the likely impacts on neighbouring residential properties. Only existing residential properties that have windows facing towards the site were assessed and included only those at the lowest levels (basement and / or ground floor) as these would be the worst affected. Floors above this would experience better access to daylight and sunlight as a natural consequence of their upper floor location. Local concerns have been raised that tall buildings will have a negative effect on sunlight and shading.
- 171 The methodology used was carried out in accordance with the BRE Guidance 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice' 2011. The daylight assessments take into account the amount of sky that can be viewed from the centre of a window. The first test '25 degree rule' is if any part of a new building, when measured in a vertical section perpendicular to the rear wall of an existing property, subtends an angle of more than 25 degrees at the centre of the lowest window, then more detailed daylight tests will need to be carried out to ascertain the extent of the impacts.
- 172 In relation to the more detailed tests, the assessment uses the Vertical Sky Component (VSC) methods. Absolute VSC considers the potential for daylight by calculating the angle of vertical sky at the centre of each of the residential windows which look towards the site. The BRE target figure for VSC is 27% or greater to maintain good levels of daylight (the maximum value being 40% for a completely unobstructed wall).
- 173 If the 27% VSC target cannot be achieved, then a comparison of existing and proposed VSC levels (Relative VSC) with the new development in place should be calculated. The BRE advises that acceptable levels of daylight can still be achieved if VSC levels are within 0.8 (or 80%) of their original value. Any greater loss (i.e. loss of 20% or more) would mean there would be a noticeable reduction in the amount of daylight received.
- 174 The assessment advises that the BRE 27% target is much higher than is relevant in this location and that a lower VSC target of 15% would better reflect the urban setting of the application site. However, the daylight impacts of proposed developments in Southwark are normally assessed using the 27% VSC target and officers do not consider there is a justifiable reason to use a lower target value in this instance. It is recognised that the BRE guidance has been drafted for use in both urban and suburban areas and that it needs to be applied with flexibility, particularly in urban areas where the character of higher density accommodation will inevitably have different

impacts to lower density suburban areas.

- 175 Windows to 23 residential properties located immediately adjacent to the application site failed to meet the '25 degree rule' and required further assessment. These properties are located on:
- New Kent Road
 - Rodney Place
 - Rodney Road
 - Larcom Street
 - Brandon Street
 - Wansey Street
- 176 The assessment found that if the development was built to the maximum parameter envelope, then the majority of these residential properties would not retain adequate daylight levels and therefore would experience long term adverse impacts of moderate or substantial significance. For the minimum parameter envelope, the majority of windows assessed would experience an insignificant daylight impact (i.e. either retaining a VSC value of 27% or more, or less than 20% reduction) and therefore no noticeable reduction in daylight. A relatively small number of windows (41 out of 233 windows) would experience long term adverse impacts of minor significance which means there could be a slight noticeable reduction in the levels of daylight.

Sunlight

- 177 In considering the impact on sunlight, the BRE test is to calculate the Probable Sunlight Hours (PSH) taking into account the amount of sun available across the year and during the winter months for each window that faces 90 degrees of due south. The BRE guidance requires that a window should receive at least 25% of annual probable sunlight hours (or 372 hours) and at least 5% of sunlight hours (22 hours) during the winter. If the reduction in sunlight with the completed development is 20% or less of the original value then it is considered that sunlight received is adequate.
- 178 11 properties on New Kent Road and Rodney Place would have windows facing within 90 degrees of due south. In testing the maximum parameter envelope, most windows would experience an insignificant impact on available sunlight but five properties would experience long term adverse impacts of moderate or substantial significance. All properties would experience an insignificant impact if the development was built to the minimum parameter envelope.

Overshadowing

- 179 In terms of overshadowing the BRE guidance recommends that outdoor amenity areas to be adequately sunlit throughout the year, at least half of a garden or amenity area should receive at least 2 hours of sunlight on 21 March. The assessment found that there would be no perceived difference to adjacent existing amenity areas from the existing situation in the case of both the maximum and minimum parameter conditions in place.
- 180 As is evidenced above, the detailed design of the development will need to carefully consider the daylight and sunlight impacts to avoid seriously affecting the light to existing adjoining residents. That said, it is noted that the windows tested were those most likely to be seriously affected and because the assessment relied on maximum and minimum envelopes of the development parameters, without allowing for any break or gap within the building frontage, the detailed design of the buildings will improve the results. Measures such as the inclusion of gaps between the new buildings, the separation distances to the facades of neighbouring buildings and building form and articulation will be required to minimise the daylight impact of the

proposed development and therefore will be important features of future design. The ES has however demonstrated that the development could be built within the development parameters to ensure that impacts are kept to an acceptable level taking account of the site's urban town centre location. A Daylight and Sunlight Assessment will be required for each development phase and it will be a key consideration at detailed Reserved Matters stage.

- 181 During the demolition and construction phases the likely impacts on daylight and sunlight would be less than in the completed development. Demolition of the existing buildings would lead to a temporary improvement in light conditions to nearby adjacent properties as well as those occupied premises within the application site. During construction there would be a gradually increasing impact on daylight and sunlight levels as each phase of the development is built.

Outlook and privacy

- 182 In order to prevent harmful overlooking the council's Residential Design Standards SPD requires developments to achieve a separation distance of 12m at the front of a building and any elevation that fronts a highway and a minimum 21m separation at the rear of buildings.
- 183 At this outline stage the parameter plans show maximum and minimum plot extents rather than the building line or position of buildings with the plots inclusive of space for gardens or other amenity space (such as upper floor balconies) as well as spill out space for commercial units. Commitments to ensuring adequate separation distances between buildings are set out in the Design Strategy Document and these commitments will need to be adhered to when the individual plots are designed in detail and submitted for the Reserved Matters applications.
- 184 The closest residential properties to the proposed development that would directly face the proposed development would be those along Wansey Street. Here the revised parameter plans show a commitment to provide a minimum separation distance of 10m between that plot closest to the Wansey Street properties (Plot H10) and the red line application which extends up to the pavement in front of the existing properties on the south side of the road. In terms of separation distances between actual building faces, the Design Strategy Document commits to a minimum distance of 15m between building faces along Wansey Street. Hence this would comply with the minimum recommended 12m separation distance set out in the council's guidelines. Given the sensitivity of this boundary edge, a condition is recommended to ensure these minimum separation distances are achieved along the Wansey Street frontage.

Air quality

- 185 The site is within an Air Quality Management Area due to the presence of high concentrations of nitrogen oxide and particulate matter. An Air Quality Assessment forms part of the ES and this is updated in the ES Addendum (September 2012).

Demolition and construction

- 186 The principal impacts on air quality would be dust-generating activities and vehicle emissions from construction traffic. There are four residential units currently occupied on the development site as well as existing residential properties in the near vicinity, the closest being properties on Rodney Road (to the east) and Wansey Street (to the south) which are within 20m of the site boundary. There are a large number of local objections in relation to impacts on residential amenity during demolition and construction, particularly those relating to dust and noise.

- 187 Dust is most likely to be generated from demolition and earthworks. The ES predicts that those residents living closest to the site or on the site itself are most likely to experience nuisance from dust and in the absence of mitigation these people could experience short-term, local adverse impacts of moderate significance. A range of measures to minimise dust would be implemented as part of a Demolition and Construction Environmental Management Plans, for example erection of hoardings to reduce dust dispersion, dampening down surfaces etc, so residual impacts would be reduced to those of minor significance.
- 188 The environmental management plans would also include measures to control construction traffic to ensure that traffic was restricted to main arterial routes and avoid sensitive roads (including residential roads). Exhaust emissions from construction vehicles entering and leaving the site would give rise to local short term adverse residual impacts of minor significance on the local roads nearest to the site and during peak demolition and construction periods but the impact would reduce to insignificant on the wider main road network and outside of peak periods.
- 189 The council's environmental protection team (EPT) suggest that the above findings of the ES are rather conservative and that even using the most appropriate and up to date abatement methods, demolition (and construction works) on such a scale as that proposed will cause significant local pollution to air due to dust and emissions from plant associated with the site. As the site is already in an area where local air quality is a concern, the developer and contractors will need to have high regard for minimising emissions to air from all associated activities. The measures set out to reduce dust during demolition and construction are general, although this is to be expected in the case of the broad nature of the outline application (i.e. construction works). Emissions to air from construction will need to be addressed in detail when considering the construction environmental management plans which will need to be submitted for each development phase given that construction methods will vary. This matter can be adequately addressed through appropriate conditions and/or planning obligations.
- 190 Similarly, each phase of demolition will require a specific demolition environmental management plan to ensure that the works and methodology are tailored to the proximity to off-site and potentially on-site sensitive receptors. For example, whilst it will be acceptable to use high reach machines in central areas of the site on sensitive boundaries with limited stand-off distances it will be necessary to use dismantling techniques to the ground. It is anticipated that as the development proceeds through different demolition phases the crusher location and materials handling practices may vary.
- 191 In terms of dust monitoring, a background air quality survey will need to be undertaken before commencement of demolition and monitoring for particulates will be required at agreed locations throughout the demolition phases and to ensure local soiling levels due to dust remain within specified parameters. The surveys, both before and during the demolition phases will need to take account of the prevailing wind and sensitive receptors located within the site environs.
- 192 EPT have queried the indicative proposed demolition phasing, in particular, that it should co-ordinate better with the proposed construction phasing. For example, Proposed Demolition Area 1 (blocks to the south of Heygate Street facing Wansey Street) would be demolished first, however new blocks wouldn't be constructed here until the later Construction Phases 4 and 5 (Years 7 to 13 of the construction programme). The proposed demolition and construction phasing are indicative at this stage and EPT accept that the submission of detailed demolition and construction phasing plans for approval can be secured by conditions.
- 193 The proposed demolition and construction phases will lead to long-term stockpiles and

open areas which will generate dust and potentially attract vermin. Any open areas and stockpiles which would be left open for more than 3 months will require securing and sealing / seeding to consolidate the surfaces and to prevent the wind entrainment of dust. It is essential that all drains and sewers on site are effectively capped to prevent vermin infestation. Again, this matter can be satisfactorily dealt with by condition.

Completed development

- 194 It is predicted that the development would result in only a small change in air quality when taking account of the maximum traffic that could be generated by the development. A Travel Plan will be implemented with the aim of reducing reliance on the car by all users of the development. EPT note that no detailed information is provided on the likely dispersion of exhaust gases from the proposed gas boilers / CHP plant at this outline stage. The boilers and CHP plant will need 3d dispersion modelling detail as any chimney stack is likely to impact laterally on high buildings both on-site and off-site, thereby adversely affecting both existing and future residents. It is anticipated that worst case scenarios will be explored as the proposed stack heights may not be adequate given the height of some of the proposed blocks within the development. This issue has been identified within the ES as requiring further work and will be addressed at detailed design stage.

Noise and vibration

- 195 The ES and ES Addendum assess the likely significant noise and vibration impacts of the development. The potential noise impacts arising from the demolition and construction phases are a matter of concern for local residents, particularly those living on Wansey Street.

Demolition and construction

- 196 The ES identifies a number of noise sensitive receptors both on-site and surrounding the development site, including Wansey Street (Figure 8.1a ES Addendum). Short term noise monitoring has been carried out at six locations around the site, along Walworth Road, New Kent Road, Rodney Place and Rodney Road. The dominant noise source at each of these locations was road traffic noise. Future occupiers of earlier completed development phases could potentially be affected by construction noise and vibration when later phases are being built. As well as noise from plant and machinery operating on site, there would be potential noise from construction traffic. The main source of vibration would be piling.
- 197 The ES acknowledges that adverse impacts would arise during demolition and construction and these impacts would be substantial when these activities take place closest to the site boundaries (particularly Wansey Street, Rodney Place, Brandon Street, and Walworth Road). Demolition works would have a substantial adverse impact on those occupiers currently on-site. When works are being carried out further away from a receptor then the impacts would be less. As such, the impacts on sensitive receptors would change during the works depending on which phase of the development was being implemented and the distance from the receptor. Such impacts are proposed to be mitigated through Environmental Management Plans which are predicted to reduce impacts to those of minor significance.
- 198 EPT consider that the noise assessment methodology is sound and is satisfied that the noise sensitive receptors have been identified. A local concern was received that the choice of noise sensitive receptors in the Environmental Statement didn't represent the worst case scenario. The purpose of the assessment was not to identify every individual sensitive premises but rather to identify the frontages where there are

noise sensitive land uses present. In this case all the main road frontages have been identified as containing sensitive receptors such as residential or schools and have accordingly been taken into account in the assessment.

- 199 Given the outline nature of the application the findings of the baseline noise survey are general. Noise measurements were taken to establish the prevailing noise levels within the vicinity in order to assess the potential off-site noise impacts on the proposed development. However, it will be necessary to take further noise readings at quiet locations in the vicinity where on-site noise from demolition and construction will impact on residents in the vicinity. The background noise monitoring locations chosen are noisy locations and while they are good for assessing the noise impacts on the proposed development from off-site noise, they are less useful for assessing the impacts of the demolition and construction at the quieter locations particularly on the southern and eastern perimeter of the site. However, the identification of areas where adverse impacts are likely to occur and the causative activities, if conservative, are as anticipated. Further noise monitoring and vibration surveys need to be undertaken for each phase of the development and this can be secured by condition to ensure that these are submitted prior to commencement of the demolition works and at detailed Reserved Matters stage prior to each development phase. EPT concur that the control of construction and demolition noise can be adequately dealt with using Environmental Management Plans. Equally officers are satisfied that the baseline noise assessment work within the ES was sufficient to enable a proper assessment to be made of the impacts of the proposed development.
- 200 Wansey Street residents have queried whether noise testing was carried out along their street. The applicant has confirmed that for the purposes of the ES noise monitoring was undertaken along the main roads (i.e. locations of dominant noise sources) and was not carried out on Wansey Street as this is a quiet cul-de-sac where noise would arise from vehicles requiring access only. As set out above, the purpose of the noise monitoring was to establish baseline noise levels in order to assess the likely amenities for future residential receptors. An assessment of potential noise and vibration on existing residents during demolition and construction was calculated using standard noise source levels of different activities during demolition and construction as set out in BS: 5228 (contained in Appendix 8.3a of the ES Addendum). This clearly shows that the predicted impact without mitigation would vary from insignificant to adverse substantial impact for all identified sensitive receptors depending on proximity and nature of the activity. It will therefore be important to ensure that appropriate mitigation is in place and EPT have confirmed this can be adequately managed throughout the development process.
- 201 Wansey Street residents are also concerned about construction vehicles using Wansey Street to access that part of the estate south of Heygate Street. It will be necessary to ensure that the routes for construction and demolition traffic are as far as possible confined to the main roads such as Heygate Street, New Kent Road and Walworth Road. The final routes for construction traffic will be agreed through the Demolition and Construction Management Plans.

Completed development

- 202 All the plots could accommodate non-residential uses and therefore in the operational development an important consideration will be the impacts of associated noise and disturbance will be an important consideration. This matter will be addressed at the detailed Reserved Matters stage when the precise location, mix and size of unit are known for each development plot.
- 203 A number of residents have raised concerns about the new public space "Walworth Square" proposed at the junction of Wansey Street and Walworth Road. In particular,

residents from Garland Court are concerned that their bedroom windows would directly overlook this square. The Illustrative Landscape Masterplan shows that the main part of the square would extend along the side of the Town Hall with cafe spill out space contained within this area. The space outside Garland Court would form the end of the proposed new secondary street and will therefore function as public highway. It will be necessary at the detailed design stage to ensure the square and its treatment takes account of local residential amenity.

- 204 The ES concludes that the increase in noise levels resulting from additional traffic generated by the development would be insignificant on all local roads other than Rodney Place which is the only location likely to experience a perceptible increase in traffic noise, with a long-term residual impact of moderate significance for the receptors here. A Travel Plan and monitoring will be in place with the aim of travel by car.

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

- 205 The existing uses surrounding the site are considered compatible with the proposed development. In this location the major factor affecting future occupiers would be the acoustic and air pollution impact.

Air quality – in the completed development

- 206 The ES assessment of the completed and operational development focuses on traffic related emissions as this is the main source of air pollution in the Elephant and Castle. The ES advises that there is the potential for early phases of the proposed development to be occupied whilst later phases are being constructed. The following locations within the development are considered to be those most likely to be exposed to the worst case air quality conditions (i.e. the lowest floor levels of the development where residential receptors are present, that would be nearest to road traffic, and nearest to emissions from the heating plant in Plot H12 Energy Centre):

- Plot H13 southern corner
- Plot H4 northern corner
- Plot H11a northern corner
- Plot H13 northern corner

- 207 The ES advises that further work will be undertaken at the detailed Reserved Matters stage to minimise the potential impacts of the proposed energy plant and road sources on future occupiers within the development.
- 208 EPT advise that the ES submitted is broad in scope but this is acceptable given the outline nature of the application. However, using air quality data from 2010 as the reference year means that nitrogen dioxide levels are underestimated as the predicted reductions from anticipated changes in vehicle emissions have not materialised and monitored levels have increased between 2010 and 2012. Should the proposed design parameters remain largely unchanged, future residential units along the New Kent Road and Walworth Road frontages, and those within proximity to the CHP plant will require mechanical, filtered ventilation so that occupiers can keep their windows closed to protect themselves from poor external air quality. As such air quality (and noise) issues will need to be carefully considered in the final design of the proposed buildings. It will also be essential to protect indoor air quality and it will be expected that all proposed buildings meet the principles of EN 13779 on Ventilation and Air-Conditioning Systems. Basement car parks or servicing areas will also require effective ventilation.

Noise and vibration – completed development

- 209 As noted above, the background noise monitoring locations and results are considered robust in terms of assessing the impact on future occupiers of the development site. The ES concludes that given some areas of the development would be exposed to elevated noise levels, acoustic attenuation measures will need to be incorporated at the detailed design stage. With appropriate ventilation and glazing specification the ES considers that good internal noise levels could be achieved within the proposed residential dwellings. EPT concur that due to noise from rail and road traffic that some of the units facing the main roads and in proximity to the energy centre would need forced ventilation to enable residents to keep their windows shut to protect from high noise levels. Further private amenity space (balconies / gardens) will not be appropriate in these locations depending on vertical or horizontal distances from the sources.
- 210 EPT will expect the good standards set out in the ES for internal noise levels in the residential dwellings are met. Some external noise levels measured are very high and therefore will require addressing at the detailed design stage with appropriate specifications on acoustic attenuation performance for glazing and building cladding. Clearly some areas and aspects of the development will not be suitable for balconies. Mechanical ventilation and acoustic glazing of varying specifications will be required on different frontages. The suitability of the site for residential development is clear given its previous use, and whilst it is proposed to bring frontages close to known noise sources this can be mitigated by the means identified above.
- 211 The existing uses surrounding the site are considered compatible with the need to provide acceptable living conditions for future occupiers of the proposed development. Given existing noise levels largely arising from traffic movements surround the site any noise or disturbance from premises within the shopping centre of other surrounding uses are not such to result in significant harm for future residents, especially given the sound insulation

Transport issues

- 212 Saved Policy 5.1 of the Southwark Plan states that major developments generating a significant number of trips should be located near transport nodes. Saved Policy 5.2 advises that planning permission will be granted for development unless there is an adverse impact on transport networks; and/or adequate provision has not been made for servicing, circulation and access; and /or consideration has not been given to impacts of the development on the bus priority network and the Transport for London (TfL) road network. Core Strategy Strategic Policy 2 encourages walking, cycling and the use of public transport rather than travel by car.
- 213 SPD 26: Transport and movement of the Elephant and Castle SPD / OAPF states that the comprehensive redevelopment of the Heygate Estate offers an opportunity to demonstrate the highest standards of street design to encourage walking and cycling in an environment where motor vehicles are still permitted. Development in the Heygate Street Character Area should provide a layout which is easy for pedestrians and cyclists to move around, establishing north-south routes which connect with Meadow Row, Harper Road and Falmouth Road on the north side of New Kent Road and Brandon Street and Walworth Road to the south, as well as east-west routes which link Walworth Road with Rodney Road and Rodney Place. On street car parking should be minimised, at most limited to car clubs and disabled visitors. In addition provision should be made for bus standing to support the improved delivery of bus services for the area. All major developments are required to provide a transport assessment.

- 214 An assessment of the likely significant environmental impacts of the development on transport is included within the ES. The ES Addendum (September 2012) supersedes the ES March version. Further, a Transport Assessment and Addendum have also been submitted together with a draft Travel Plan. The application site has excellent levels of public transport accessibility and this is reflected in the PTAL rating of 6a/6b which is the highest possible level.

Pedestrians and cyclists

- 215 The ES predicts that the development will generate additional walking and cycling trips on the local network. The proposed estate layout is highly permeable to both pedestrians and cyclists; indeed pedestrian access to the development will be provided at 14 locations. The indicative layout of streets provided with the application (though not for agreement at this outline stage) shows a good quality environment for these users. Where estate roads are shared with vehicles, they will be for local access by small numbers of vehicles. New pedestrian crossings are proposed for Walworth Road (near Elephant Road), Rodney Place, and Heygate Street to further integrate the site with the surrounding area. Significant numbers of pedestrians are expected to move from the development to the rail station, shopping centre and the underground station and bus stops beyond. A section of Elephant Road outside the rail station is proposed to be restricted to pedestrians and cyclists, particularly to assist in the movements of these large numbers of pedestrians. It has not been possible for officers or the applicant to successfully engage with Network Rail and the owner of the shopping centre to secure improvements to their properties. It is anticipated that opportunities would arise to pursue these if an application for improvement of the shopping centre comes forward.
- 216 Significant works are proposed to the Elephant & Castle northern roundabout to remove the pedestrian subways and provide “at-grade” (i.e. surface-level) crossings. This will involve signalising the remaining three unsignalised junctions within the roundabout which, together with a thorough improvement to road markings, will improve safety for all traffic. TfL is currently reviewing the design with the intention of maximising pedestrian and cyclist safety benefits.
- 217 All routes on the estate will be available for use by cyclists. In addition, there will be two signed cycle routes through the estate. The first, a diversion of London Cycle Network link 177 to a more direct route, will run from Brandon Street to New Kent Road to connect with the existing cycle path there. The cycle path on New Kent Road will be improved and moved to the north side of the footway to avoid conflict with the shops proposed for the Heygate Estate frontage. The second route will run from Walworth Road (at a point yet to be determined which will depend on the feasibility of providing safe cycle turning arrangements) to New Kent Road in the vicinity of Meadow Row to connect with existing cycle routes there. Both routes will be clear, reasonably direct and signed, but will not necessarily have any particular surfacing and will not be segregated from pedestrians or the low level of motor vehicle traffic on estate roads. Cycle lanes on Heygate Street and Rodney Place will also be retained, providing a good quality on-road route around the estate. A construction management plan will be required to show how facilities for cyclists will be retained at all stages of construction.
- 218 TfL has proposed a Cycle Superhighway (CSH6) on Walworth Road connecting with the existing CSH7 in the Elephant & Castle area. Details of this route have not yet been determined by TfL, specifically the point at which the two CSH routes would join. Evidence shows that the majority of cyclists travelling on north-south journeys in this area choose to use the Elephant & Castle northern roundabout rather than the existing CSH7 western bypass on Churchyard Row and Elliot Row. The significant works proposed to the northern roundabout will help to address cycle safety problems there

and so make the main road route more attractive.

- 219 Across the estate the applicant has indicated a good level of on-street cycle parking for visitors. Within the plots, the applicant has agreed to provide cycle parking to London Plan minimum quantum. The applicant has been made aware that, at reserved matters stage, we will seek to secure the provision of cycle parking that is suitable and accessible for use by all users, regardless of age or physical strength and dexterity, and the provision of other features to encourage cycle use such as lockers, pumps and tools within communal cycle stores.
- 220 Options for providing Cycle Hire Docking Stations will be left to the reserved matters stage in consultation with TfL. This will be a combination of extensions to existing docking and provision of new ones, providing at least 90 new docking points in total. The requirement for cycle docking will be secured in the legal agreement as required by TfL.
- 221 As a result of these proposed improvements to the pedestrian and cyclist infrastructure the ES finds that the development would have a long-term, local beneficial residual impact of moderate significance.

Estate roads

- 222 The promotion of an environment of high quality streets and public open spaces which provide good pedestrian and cyclist permeability is supported and welcomed. The applicant is proposing that the internal roads will remain "estate roads". This is acceptable provided the roads are constructed to a standard suitable for adoption in order to protect the Council from potential significant expense should adoption become necessary at a later date. The indicative layout of streets (details to be approved at reserved matters stage) demonstrate that it would be relatively easy to meet the Council's Streetscape Design Manual standards and reach agreement over the use of suitable high quality materials.
- 223 While accesses from, and junctions with, the existing public highway are acceptable in principle, details of design should be included as reserved matters. Ultimately their acceptability will depend on detailed design and formal road safety audits, and the acceptability of the design of the public highway or private road to which they lead.
- 224 At present, Wansey Street is a no-through-road accessed from Walworth Road. The proposal includes a public open space and children's play area at that point, and instead proposes that Wansey Street (including new properties fronting it) is accessed from the Brandon Street end. This should have minimal impact on conditions within the street.

Car parking

- 225 A total of 616 parking spaces are proposed for the development, generally in off-street car parks but with a maximum of 62 spaces "on-street" within the estate. This equates to a parking ratio of between 0.25 and 0.27 parking spaces per dwelling based on minimum and maximum numbers of residential units. Parking for disabled residents is provided at a rate of one space for every ten residential units, which is the council's normal requirement and therefore welcomed. Details will be considered at the reserved matters stage to ensure that disabled parking for each plot is convenient to building cores serving wheelchair-accessible units. A parking management plan will be required to demonstrate that, among other things, the development will cater for its own disabled parking requirements in the future.
- 226 Since the site is within the CAZ and a Controlled Parking Zone (CPZ), saved policy

5.6 of the Southwark Plan 2007 requires the development to be car free aside from spaces for disabled users and car-clubs. This is re-iterated in SPD 12 of the Elephant and Castle SPD. Taking account of the required 10% disabled parking provision there is an overprovision of between 0.15 and 0.17 spaces per dwelling. A number of objections have been received to this stating that the scheme should have zero parking. The additional car parking has been justified by the applicant due to its impact on viability which, has been supported by the District Valuer as a fair representation. The applicant has acknowledged that the cost of providing parking is never fully recovered in sale prices, but claims that the benefits of an increased rate of sales outweighs the cost of funding the construction of the space. The requirement for a Car Parking Scheme to be submitted as part of any Reserved Matters application which includes residential dwellings will be secured by legal agreement. This will need to set out the considerations that have informed the proposed amount of car parking for that plot(s), including deliverability and saleability of the scheme. Details of how the car parking spaces will be managed and allocated will be provided through the submission of a Car Parking Management Plan prior to occupation of each development plot. Again, this will be secured by legal agreement.

- 227 The Transport Assessment suggests that some general on-street parking will be provided for shoppers. Robust justification for this will be required at the detailed design stage to demonstrate why this is required as the council's preference is for on-street spaces to be reserved only for car-club vehicles and for disabled visitors and shoppers in order to ensure pedestrian and cycle friendly environments.
- 228 Free car club membership will be provided for three years for the first occupants of each residential unit, as is normal, in order to discourage car use and to support the car-free (or low-car) nature of the development. Sufficient car club vehicles (including vans if required) will be provided within the estate to give a good level of service at peak times. The provision of child car seats, to be administered by the concierge service, has been secured in order to increase the attraction of car club use to families and thus reduce the perceived need for car ownership. Obligations relating to the car club scheme will be secured by legal agreement.
- 229 The applicant proposes a large number of motorcycle parking spaces. The reasons given for seeking car-free development in this area apply equally to motorcycles, which generally have poor environmental performance despite offering high miles-per-gallon. Consequently, as for car parking, it is recommended that through the reserved matters stage for each plot officers seek to minimise or eliminate motorcycle parking
- 230 To protect the amenity of existing residents in respect of parking, all properties within the proposed estate will be excluded from eligibility for on-street parking permits and contracts to park in Council-owned car parks. An obligation in the legal agreement will require that on-site parking places (other than for car clubs and disabled visitors) will be restricted to use by residents only, thus preventing their use by commuters from outside the estate.

Traffic impacts

- 231 Due to the relatively low level of parking, the traffic impact of the development is predicted to be quite small and can be accommodated at local junctions without the need for improvement. The ES predicted that the completed development (built and occupied to the maximum floorspace) would result in marginal increases in traffic flows (5% or less), with the exception of Rodney Place and to a lesser extent on Heygate Street where increases are predicted to be higher. Overall, the ES considers that the development would have a long-term local adverse impact of minor significance on traffic flow. As noted above, the proposed car club parking spaces and implementation of a Travel Plan to help mitigate the impact of increased car use. The

draft site-wide Travel Plan submitted is generally acceptable and will be secured via legal agreement to provide additional support measures to, among other things, reduce the traffic impact. With mitigation measures in place the ES predicts long-term local adverse residual impacts of minor significance as a result of the development.

- 232 A number of new accesses to the estate are proposed from the surrounding streets. These, together with the new signalised crossings of Walworth Road (near Elephant Road) and Heygate Street, will have minimal impact on the flow of traffic along these roads.

Public transport impact

- 233 Significant work has been undertaken with TfL to determine the impact of the development on public transport. The development is expected to generate approximately 500 two-way bus trips in the morning peak hour, equivalent to over 7 full double-deck buses. While there is a small amount of spare capacity on some bus corridors leaving the area towards Central London (the most likely destination), others are already full. It is therefore necessary to improve bus services in order to cater for the additional demand generated by the redevelopment of the estate. TfL has accepted that improvement of bus services can be delayed until the majority of the development has been built.
- 234 Negotiations have concluded with two options for such an improvement which are included in the legal agreement.. The first would allow buses to turn within or on the edge of the site and to stand adjacent to one of the development plots. The stand for two buses would allow for its use by a service of around 6 to 8 buses per hour. This service could be provided by the extension of an existing service that terminates to the north of the area, which would require an additional vehicle to be in service to retain the existing service frequency. This additional vehicle would cost £220,000 per year, which would be met by the applicant for a period of five years before TfL would be willing to accept the risk of running the service at a loss.
- 235 The second and preferred option would involve extending a service along Rodney Road/Flint Street/Thurlow Street to Albany Road. This further extension option has the significant benefit of providing an additional bus service to the Aylesbury Estate but would require a second additional bus to be in service to retain existing service frequencies. This would cost an additional £220,000 per year as compared to the shorter route extension option (i.e. £440,000 per year for five years in total). It is expected that redevelopment of the Aylesbury Estate will generate contributions required to mitigate the impacts of that development and hence will allow funding for this option to be secured. From Albany Road there are various options for bus standing locations, such as extending the bus service to an existing stand on the Tesco site on Old Kent Road, or to the Surrey Triangle site in Lewisham. Alternatively a new stand could be provided within Burgess Park.
- 236 Any revision to bus services will necessarily require a consultation by TfL who are willing to accept the risk of additional costs arising from a negative outcome from such a consultation.
- 237 The applicant has expressed a desire to remove the existing westbound bus lane in Heygate Street in order to provide a greater amount of public realm. However, modelling undertaken to support the ES has shown that at peak times the bus lane provides bus journey time and reliability benefits to the small number of buses using it, and the proposed bus service extension will increase the number of passengers that benefit from it. Its use outside peak times has been shown to provide little benefit, and so to facilitate servicing access to frontages it is recommended that operating hours are reduced to morning and evening peak periods only at an appropriate stage of the

development.

Rail services

- 238 The existing Elephant & Castle rail station is served by up to 21 trains per hour toward Central London in the morning peak. The impact of additional passengers generated by the development is minimal.

Underground services

- 239 Elephant & Castle is served by both Northern and Bakerloo underground lines, with separate ticket halls for each but with a link between them at platform level. While underground services currently have sufficient capacity to accommodate additional passengers arising from background growth and the developments planned for the Opportunity Area, the Northern Line ticket hall has very limited vertical capacity between ticket hall and platform level. This is provided by two lifts and a staircase that falls far below current standards. Any disruption to lift services or current peaks of passenger entry flows lead to queuing within the "paid-for" side of the ticket hall. Since space here is very limited, the next step of station management is to close the ticket gates, which leads to queues quickly blocking the limited width of footway outside the station. Diversion of passengers to the Bakerloo Line ticket hall would give rise to similar problems there.
- 240 The proposed development will undoubtedly lead to an increase in passengers using the Bakerloo and Northern underground lines. The ES predicts this increase of be of long-term, local adverse impact of minor significance. However, through the development of the Elephant and Castle SPD and this planning application it has been shown that the addition of three lifts at the Northern Line ticket hall would be sufficient to cater for anticipated flows, though an escalator-based option (which requires considerable work within the existing shopping centre, and additional capital cost) is a far more attractive solution that is more resilient in operational terms and would cater for longer-term passenger growth. The Elephant & Castle OAPF/SPD set a tariff for development which will contribute toward the cost of the necessary improvements. In accordance with the tariff regime the applicant will provide a financial contribution (relative to the size and scale of the proposal) towards the cost of these works. On the basis that improvements to the ticket hall take place, the ES predicts the residual impact of the development to have a long-term, local, beneficial impact of moderate significance.

Servicing

- 241 The ES states that the development (at maximum quantum of floorspace) is expected to generate a total of 370 servicing trips per day (24-hour) to all land uses. As such this could have a long-term, local adverse impact of minor significance. The general approach to servicing (including waste collection) is that:
- Units with a heavy servicing requirement will have dedicated off-street servicing;
 - Units with a lighter requirement and where off-street provision would disproportionately dictate the built form, servicing on-street is acceptable subject to concerns over the impact on traffic flow and road safety. On quiet roads within the development it will be expected that on-street servicing will have minimal impact, while on more significant roads lay-bys will be provided at the expense of developable area.

This approach is acceptable, but it is recommended that a site-wide Servicing Management Plan is secured since, given the generally narrow nature of the roads

within the estate, on-street servicing to one plot could impact on the acceptability of on-street servicing to an adjacent plot. Provision to support courier and supermarket deliveries (for example the facility for concierge services to store deliveries for later collection by residents) would help to resolve conflict and so will be sought through the Servicing Management Plan. With this Plan in place, the ES considers that the residual impact of the development on servicing would be insignificant.

Demolition and construction

- 242 The ES found that during demolition and construction there would be short to medium term local adverse impacts of minor significance on the highway network as a result of increased traffic flows associated with construction traffic. In terms of mitigation, the implementation of a Construction Management Plan (which would include agreed routes for construction vehicles, restricted times for vehicles entering and leaving the site and so on) would reduce impacts to an extent but the short to medium-term minor adverse residual impacts would remain.
- 243 Indicative construction programme and phasing has been submitted which advises that construction traffic routes will be agreed prior to works being implemented. It is proposed that construction vehicle movements would be restricted to the main arterial routes and specific arrangements where appropriate would be agreed to ensure vehicles do not pass through residential areas. The most appropriate routes for construction traffic are along the TLRN (Transport for London Road Network). Site access would be established around the perimeter of the site with gate positions used to suit the location of the demolition and construction works as they move across the site. The draft indicative Construction Management Plan (CMP) provided at this stage is generally acceptable, but many of the details of construction will only be developed at reserved matters stage. It is therefore recommended that a CMP will need to be secured for each development phase. This should include a clear commitment to the use of companies with good environmental records, the use of vehicles fitted with appropriate equipment, and securing a good level of driver training, to reduce the environmental and road safety impact of construction.

Quality of residential accommodation

- 244 Saved policy 4.2 of the Southwark Plan states that planning permission will be granted for residential development where it achieves good quality living conditions, including outlook and privacy, and natural daylight.

Internal accommodation

- 245 At this outline stage the details of the internal size and layout of the proposed residential accommodation is unknown. However the Housing Statement (March 2012) and Design Strategy Document (March 2012) commit to designing all residential development to meet the minimum standards of the London Plan, Southwark's Residential Design Standards SPD or equivalent policy at the time of the submission of Reserved Matters applications. Furthermore, all single aspect north facing flats will be avoided where possible and all residential buildings will have visible entrances and a reception area on the ground floor that will be clearly identifiable from the street.
- 246 SPD 5: New homes of Southwark's Elephant and Castle SPD / OAPF requires all new homes in the Opportunity Area to have generous space standards and provide a good standard of living accommodation. The Residential Design Standards SPD defines the minimum standards required for internal accommodation, including overall unit and individual room sizes. The applicant's commitment to designing to minimum standards is noted but wherever possible minimum standards should be exceeded; indeed an exemplary standard of accommodation will be required on the plots which exceed

maximum densities (650-1100 habitable rooms per hectare). At this stage a site wide density of 1,057 habitable rooms per hectare has been established but density will need to be calculated at the detailed Reserved Matters stage for each phase and its highly likely that the plots incorporating tall buildings will exceed the density range normally expected. The factors that would constitute exemplary design are set out in the Residential Design Standards SPD and include a predominance of dual aspect units and that minimum unit / room sizes are exceeded

Amenity space provision

- 247 It is proposed that all the units will have private amenity space in the form of a balcony, garden or terrace. The fact that all the residential units will have access to private outdoor space is welcome. It will be important to ensure at the detailed design stage that the larger family 3-bedroom units have direct access to at least 10 sqm of private outdoor space. In the case of family housing private outdoor space must be provided that is *useable* for a family as well as being capable of providing a safe outdoor area for children. Therefore it would not be acceptable to fragment the minimum 10 sqm into a number of small amenity spaces as these cannot be easily or flexibly used by the number of people to be accommodated (i.e. 5 or 6 persons in a 3-bedroom unit).
- 248 All the plots will have a minimum 50 sqm of communal amenity space which will be provided at grade or on a raised podium and located in the inner part of the plot. The landscaped courtyard will be designed to be used for a variety of activities, such as child play and seating areas, and will be easily overlooked by flats within the development for passive surveillance.

Child play space provision

- 249 Policy 3.6 of the London Plan requires development proposals to make provision for play and informal recreation based on the expected child population generated by the scheme. Southwark's Residential Design Standards SPD states that a minimum of 10 sqm of play space per child bed space should be provided.
- 250 At this outline stage the precise child population generated both site-wide and for each development plot is unknown. Since the submission of the application the Mayor has published revised guidance on child play provision (Shaping Neighbourhoods Play and Informal Recreation SPG September 2012) which includes an updated child yield calculation methodology. This has been taken into account in the Landscape Strategy Addendum (September 2012) which provides an updated play strategy based on a revised child yield calculation which advises that between 479 and 512 children (all ages) would be accommodated within the development. This addresses the issue raised by the GLA in the stage 1 report.
- 251 The overarching approach to child play space will be to provide as much doorstep play areas (suitable for 0-5 years) as is practicably possible within each plot. Where the required amount can't be accommodated within the plot, additional doorstep play areas will be provided within the public realm, located within 100m of the development plot they are providing for. Doorstep play would be split between structured play and informal playable space. Local play (5-11 years) will be accommodated within the public realm at various locations across the site. An objection to the proposed play provision was received stating that the Play Strategy breaches the London Plan by the non-provision of youth space on the site. In terms of the over 12 years, the Park will offer informal play opportunities for this age group (as well as younger children) and there are formal facilities within proximity of the site suitable for this age group. Further, the applicant has offered £300,000 to be put towards providing new or enhanced facilities in the locality and this will be secured by legal agreement. The

delivery of the play space will be linked to the construction phasing of the plots and open spaces.

Daylight analysis within the development

- 252 Assessments were undertaken on worst case locations (i.e. lowest residential floors) where the ES reports that for both the maximum and minimum development envelopes adequate daylight is predicted to be received at those facades which don't directly face other facades within the proposed development. Essentially these include all the outward facing facades such as those facing New Kent Road, Rodney Road, Rodney Place, Wansey Street, Walworth Road and those facing the proposed new Park. For those facades that face other proposed development facades in most cases the predicted daylight levels would not meet BRE target levels for both maximum and minimum development envelopes.
- 253 In terms of available sunlight, adequate levels would be received at both maximum and minimum parameters for those facades orientated 90 degrees of due south, where these don't directly face other development facades. These include the facades within 90 degrees of due south of Plots H1, H2, H4, H5, H6, H10 and H13 facing Walworth Road, Rodney Road, and those facing the Park. For those facades that directly face other facades then the majority of windows fail to meet BRE sunlight criteria for the maximum parameters but do meet the criteria for the minimum parameter envelopes.

Overshadowing – internal courtyards and new park

- 254 If the development was built to the maximum parameter envelope then only the courtyard within Plot H13 would achieve at least 50% of its area receiving 2 hours of sunlight on 21 March while all other courtyards would fail. It is predicted that 48% of the Park would receive at least 2 hours of sunlight on 21 March.
- 255 The results for the minimum parameter envelope show that the Park would meet the BRE criteria. With the exception of Plot H13 all the internal courtyards while experiencing an improvement in sunlight would still fail to meet BRE criteria.
- 256 It is clear that the development will need to be carefully designed if an adequate amount of daylight and sunlight is to be achieved to the proposed development. The detailed design of the buildings (including building form, articulation, facade treatment, and fenestration) will allow some improvement to the assessment results but it may well be that further design measures will be required such as using larger glazing panels, locating non-habitable rooms to facades which receive less light and so on.

Privacy and overlooking within the development

- 257 Parameter Plan identifies a minimum no build area which will form part of a larger internal courtyard space where no building footprint, balcony or building projections would be allowed. As the precise location of the buildings within the plots is not known at this stage it is not possible to assess the separation distances between the internally facing units. However the Design Strategy Document commits to ensuring that the residential units will be arranged to safeguard the amenity and privacy of future occupiers.
- 258 Southwark's Residential Design Standards SPD normally requires a minimum distance of 21m to the rear of buildings to prevent harmful overlooking but in dense urban and town centre locations such as the Elephant and Castle where higher densities are expected it is accepted that the 21m separation may not be achieved. In such cases, developments would be expected to provide a separation between

buildings that is reflective of the distances between existing buildings in the locality and the surrounding street typology to demonstrate an appropriate design response for the area. Consideration will need to be given to the fenestration to ensure where possible that habitable room windows don't directly face other habitable rooms within close proximity. Other privacy measures such as obscure glazing or blinds / shutters can be used to prevent future overlooking and all the balconies can be fitted with privacy screens.

Conclusion on quality of proposed residential accommodation

- 259 It is considered that the proposed development is capable of providing a good standard of residential accommodation, including outdoor amenity space and child play provision, subject to future detailed design measures as set out in the Design Strategy Document and other relevant application documentation. The ES has adequately demonstrated that it would be possible to design the development within the maximum and minimum parameters so that acceptable levels of daylight and sunlight within the development could be achieved. This aspect of the scheme will need to be further assessed as part of the Reserved Matters applications to be submitted for each development phase.

Design issues

- 260 Chapter 7 of the London Plan deals with design related matters. In particular Policy 7.1 sets out the design principles required for new development and Policy 7.6 requires that architecture should make a positive contribution to the public realm, streetscape and cityscape. Policy 7.7 sets out policy in relation to the location and design of tall buildings. This states that tall and large buildings should generally be limited to sites in the CAZ, Opportunity Areas, or town centres. The Heygate site is located within all of these designated areas and therefore meets the London Plan locational criteria for tall buildings.
- 261 The relevant Southwark design policies include Strategic Policy 12 of the Core Strategy and saved policies 3.12 and 3.13 of the Southwark Plan. Essentially these policies require the highest possible standards of design for buildings and public spaces. Saved policy 3.20 specifically deals with tall buildings and applies to any building over 30m tall.

Masterplan layout

- 262 The proposed development will comprise 12 development plots (H1 to H13), plus pavilion building (Plot Pav.1) set within a network of open spaces (including new Park), and landscaped public routes. With the exception of the pavilion building, each development plot would contain a number of perimeter blocks of varying height from low-rise (1 to 4 floors), mid-rise (5 to 11 floors) and tall buildings (12 floors or more), depending on their location within the Masterplan site. A central landscaped amenity courtyard would be provided within each plot at grade or raised up to a maximum of two floors above street level.
- 263 The site would contain five 'character areas' which would be defined by their mix of land uses, plot typology, height, scale and appearance of buildings as well as hierarchy of open spaces and public realm. The character areas are:
- The Park
 - Walworth Road
 - New Kent Road
 - Walworth Local
 - Rodney Neighbourhood

These are designed to ensure the development responds to the differing characters of the surrounding context and to ensure the transition in scale from tall gateway building conditions towards the north-west of the site down to lower-scale development towards the south.

- 264 The proposed layout retains many of the urban qualities of the adjacent existing group of buildings and street typology and sets to complement them, keeping the essence of their robust and confident structure and enhancing them with sensitive additions and alterations. The lack of permeability and integration of the existing Heygate Estate with the surrounding area has created an environment which is difficult to move around in. The proposal seeks to address this and would reinstate strong frontages to New Kent Road, Walworth Road, Heygate Street and Wansey Street, whilst creating new local routes to draw people through the site and to the new Park that will become a focal point. This new permeability will stitch the Heygate site into its local context which together with the Park will deliver considerable urban design benefits to the area.
- 265 Whilst officers are generally supportive of the proposed site layout there were a couple of matters that needed revision or additional to make the scheme acceptable in terms of design.
- 266 A concern was raised with the original submission over the separation between development Plots H1 and H2 fronting Walworth Road. At ground and mezzanine floor Parameter Plan 03 allowed a distance of at least 15m between these plots; however, at upper floor levels it appeared from Parameter Plan 04 that this space could be bridged over. The new route between Plots H1 and H2 plays an important role in connecting the new Masterplan site to the existing urban fabric as it would reinstate the connection to Walworth Road and introduce a visual and physical connection aligned with Hampton Street (west of Walworth Road) through to the new Park.
- 267 The revised Parameter Plans and Design Strategy Document Addendum (September 2012) confirm that the separation between Plots H1 and H2 would be at least 15m at ground floor and at least 10m at upper level (inclusive of balconies). This will ensure that a clear route is provided from Walworth Road through to the new Park which generally would align with Hampton Street to the west, thereby creating a clear gap at all levels between Plots H1 and H2. The revised Design Strategy Document includes strengthened commitments to ensure that a route from Walworth Road to the Park will be secured and a visual connection safeguarded from Hampton Street to the Park. It is therefore considered that this matter has been adequately addressed.
- 268 A further issue was over the proposed frontage onto Wansey Street which forms an important edge to the Heygate that would face directly onto existing residential properties. Wansey Street is a quiet residential street which retains much of its historic character and forms part of the draft Larcom Street Conservation Area. The original Parameter Plans illustrate a clear separation between Plots H3 and H6 and the Wansey Street properties opposite. However, the distance from Plot H10 appears considerably reduced, thereby raising implications for the outlook and amenity of residents. The revised Parameter Plans clearly depict a minimum 10m separation to be provided between the upper floors of Plot 10 and the properties on the opposite side of the road. Further, the Design Strategy Document commits to providing a minimum distance of 15m between building faces along Wansey Street. Notwithstanding this and given the sensitivity of this edge a condition is recommended to ensure minimum separation distances are achieved along the Wansey Street frontage.

Internal courtyards

- 269 Lengthy discussions have taken place regarding the suitability of raised courtyards

and their ability to provide a quality design solution. Past experience has shown that quite often they do not support the levels or longevity of mature dense planting indicated at planning application stage due to the lack of available soil depth and/or air ventilation necessary for the servicing beneath. Further, the interaction of raised courtyards with the street is often problematic, resulting in blank edges to the streetscape.

- 270 Internal courtyards are proposed at grade on Plots H10 and H11b in both maximum and minimum development scenarios. Along the main routes of New Kent Road and Walworth Road it is envisaged that large format retail stores would be located at ground and mezzanine floors and therefore it is accepted that Plots H1, H2, H3, H4 and H5 would have their courtyards raised to first or second floors.
- 271 However, officers have queried why the parameter plans allow Plots H6, H7, and H13 to have raised courtyards at first floor level. Plots H6 and H7 have a frontage onto the proposed secondary retail street (parallel to Walworth Road) where smaller independent businesses or affordable retail units could be concentrated. Here the parameter plans allow either an at grade courtyard for the entire plot or a raised courtyard element on the shopping street elevation. In this case officers considered that the typical size of the non-residential uses and their servicing requirements would not necessarily justify a raised courtyard on this part of the plot. With regards to Plot H13, this would be located in a quiet residential area at the northern end of Brandon Street, where non-commercial uses located here are likely to be small scale. The maximum parameter condition shown on Parameter Plan P04 would allow a courtyard at first floor level (7.88m AOD high), which at this height could appear inappropriate in its context and the exposed flank of the podium on the residential street would be disruptive in the streetscene. Should this remain at reserved matters stage this will need very careful handling to be successful.
- 272 Although the parameter plans have not been amended in respect of the internal courtyards, additional commitments are included in the Design Strategy Addendum. These ensure that if at detailed Reserved Matters stage the courtyards to Plots H6, and H13 are not proposed at grade, a robust justification would have to be provided to explain why these courtyards have to be raised (such as the necessity of providing larger mixed units or site constraints) and it would have to be demonstrated that the raised courtyards can achieve the standards and quality required for the plot. On balance it is considered this matter has been resolved and can be satisfactorily dealt with at the detailed Reserved Matters stage.

Scale and massing

- 273 Parameter Plans P08 and P09 together with relevant sections of the Design Strategy Document establish the scale, height and massing of the proposed Masterplan scheme. Across the site the minimum building height would be 13.53m AOD rising to a maximum 104.8m AOD. The Design Strategy Document includes a comprehensive tall building strategy which sets out the rationale for their location within the site and the design principles that will provide the framework for future detailed design.
- 274 The Elephant and Castle SPD/OAPF provides detailed guidance on design and building heights and identifies suitable locations for tall buildings in the area. Within the Heygate Street Character Area, the tallest building should be located at the northern end of Walworth Road which together with Strata would consolidate the emerging cluster of tall buildings and define the gateways into the central area. Buildings should diminish in height away from the tallest points of the cluster to manage the transition down to lower scale development in the adjacent Brandon Street and Walworth Character Areas. No more than one tall building should be provided in a single block.

- 275 Low-rise buildings are proposed at the southern end of the Masterplan site, in the vicinity of Wansey Street and Brandon Street, with mid-rise buildings concentrated around the new Park and along the main arterial routes. Nine tall buildings would be positioned in each of the Plots along Walworth Road (Plots H1, H2, H3), New Kent Road (H4, H5, H11a) and at the eastern end of the Park (Plot H11b). The height, scale and massing generally conforms to the approach set out in the Elephant and Castle SPD in terms of defining an emerging cluster of tall buildings at the Elephant and Castle whilst responding to the lower-scale existing site edges towards the south. However officers did raise concerns over the absolute height of tall buildings on development Plots H3 and H11b. In addition a number of local objections have been received to do with excessive building heights.
- 276 Issues concerning tall buildings in relation to impacts on strategic views, heritage assets and World Heritage Sites have been raised by some statutory consultees (namely the Mayor of London, City of London, and English Heritage). These matters are dealt with separately in the next section of the report titled 'Impact on strategic and local views and on the character and setting of listed buildings and/or conservation areas'.

Plot H3 – Walworth Road

- 277 The original submission proposed a height of between 51.9m and 68.9m for the tall building component. Concerns were raised in relation to the impact on the setting of listed buildings to the south, including the Grade II listed Town Hall, as well as its relationship with the tall building on the adjacent Plot H2 (between 81.05m and 104.8m AOD) which is the tallest building on the Masterplan site. The proposed scale of the H3 tall building was considered to be too great in relation to H2 and as a result didn't successfully articulate the required gradual transition in height along the Walworth Road.
- 278 The revised document submission reduces the minimum height of Plot H3 tall building from 51.9m to 47.9m AOD (a reduction of 4m) in order to enable greater flexibility for its design in relation to the immediate context. Additional design commitments are included in the Design Strategy Addendum for Plots H2 and H3 to ensure that at detailed Reserved Matters stage, the tall buildings are designed to respect the setting of the Town hall and ensure due consideration is given to the transition in height of the tall buildings along Walworth Road. This will ensure an appropriate step in height is maintained between the buildings. Although the maximum parameter height hasn't been revised (retained at 68.9m AOD), the proposed changes will allow an appropriate height to be established which will mitigate its impact on adjacent historic buildings to the south and articulate the stepped arrangement with the tall building on Plot H2. Accordingly the resubmission addresses officer's earlier concerns.

Plot H11b – Park

- 279 The tall building on Plot H11b at a height of between 72.95m and 89.2m AOD would be the second tallest building on the Masterplan site and was originally positioned directly facing onto Rodney Road with a mid-rise block located onto the park. Officers raised concerns over its absolute height in terms of impacts on the Strategic View from the Serpentine Bridge as well as listed buildings along New Kent Road (discussed in detail below) and its lack of relationship with the new park.
- 280 The revised submission reduces both the maximum and minimum height parameters to between 84.2m (5m reduction) and 66.5m AOD (6.45m reduction) respectively. The plot layout is reconfigured in that the mid-rise block is repositioned along the Heygate Street frontage rather than onto the park thereby completing this important street frontage and allowing the amenity space for this plot to front the new Park. This

reconfiguration enables the tall building to be prominently located at the end of the Park, with no intervening buildings, so that there is now a direct relationship between this tall building and the Park. The proposed reduction in height allows the building to act as a counterpoint to the tall building in Plot H2; in effect 'book-marking' the Masterplan site. Further, the tall building now plays an important role in the wider locale and benefits from its prominent location on the Brandon Street axis and the confluence of Rodney Road, Rodney Place and Heygate Street. Its reduced height mitigates its previously harmful impact on the local and historic setting as detailed later in the report.

Architectural design

- 281 The detailed architectural design of the completed Masterplan is not the subject of this outline application. The application material includes what is effectively a design code in the Design Strategy Document as well as an Illustrative Masterplan in the Design and Access Statement. These two documents provide a good indication of the scale and massing of the completed schemes and set out the design 'rules' or 'codes' that will need to be adhered to as the detailed design for each development plot comes forward. In effect, these documents set the design framework for the detailed development of the Masterplan site.
- 282 Prior to the submission of the application, a number of architects were invited by the applicant to prepare designs for some of the development plots to demonstrate how the prescriptive guidance set out in the Design Strategy Document could result in a cohesive and high quality development. The results of the design "charette" are contained in the Design Strategy Document; notably this was developed further as a result of the charette and ongoing discussions with the council and GLA. This demonstrates the importance of the design rules established at the outline stage of the process in order to ensure the delivery of a high quality of design and architectural treatment at later detailed design stage.
- 283 Taking account of the number of tall buildings on the Masterplan site it is likely that the density for the development plots will be either be at the upper end or above the density levels normally expected for the area. Any buildings exceeding these levels would have to achieve an exemplary standard of design or be considered world-class architecture.
- 284 Further, each development plot has an important role to play in the overall Masterplan with certain tall buildings (such as those on Plot H11b at the eastern end of the new Park and on Plots H1 and H2 at the northern end of Walworth Road) acting as key focal points for the Masterplan. The role that each plot plays is further defined by its position within the various Character Areas proposed across the site. These character areas will require a deliberate design response that reinforces the relationship of each development plot to the Masterplan as well as its immediate surroundings and as such will require design features and materials that will reinforce each character area. It will be need to be demonstrated at Reserved Matters stage how the proposed design has followed the design codes set out in the Design Strategy Document, how it achieves the wider ambitions of the Masterplan as a whole and uses architectural features and materials to reinforce the various character areas to ensure an appropriate contextual response.

Impact on strategic and local views and on the character and setting of listed buildings and/or conservation areas

- 285 NPPF, Paragraph 132 states that *"when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the*

weight should be." Paragraphs 133-135 further state that when a proposed development will lead to harm or loss, to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

- 286 Policies 7.11 and 7.12 of the London Plan set out the principles on which London's views should be considered. Further guidance is given in the Mayors' London View Management Framework (LVMF) SPG 2012 which relates to the management of important London views, including Protected Vistas of St Paul's Cathedral, the Palace of Westminster, and the Tower of London. The proposed development lies in the Wider Setting Consultation Area of the Protected Vista of the Palace of Westminster in Townscape View 23A.1 from the Serpentine Bridge in Hyde Park. It would be potentially visible in a number of London Panoramas.
- 287 Consideration also needs to be given to the impacts of the proposed development on London's World Heritage Sites (WHS), specifically Westminster WHS which includes the Palace of Westminster, Westminster Abbey and St. Margaret's Church. London Plan Policy 7.10 and Policy 7.10 in the LVMF SPG states that development should not cause adverse impact on WHS or their setting, including any buffer zone which is likely to compromise a viewer's ability to appreciate its 'Outstanding Universal Value'.(OUV).
- 288 Saved Policies 3.21 (Strategic views), 3.22 (Local views) and 3.18 (setting of listed buildings, conservation areas and world heritage sites) of the Southwark Plan and Strategic Policy 12 of the Core Strategy (Design and conservation) are particularly relevant to this scheme and all seek to preserve or enhance Southwark's historic environment and make sure that the height and design of development conserves and enhances strategic and important local views. More specifically, SPD 27: Built environment of the Elephant and Castle SPD / OAPF seeks to:
- conserve the significance of the Old Town Hall and its setting by ensuring that development around the proposed Walworth Square has a consistent height which reflects the height of the Old Town Hall.
 - conserve and enhance the significance of the potential Larcom Street conservation area and its setting, in particular by ensuring that the scale of the development adjacent to the conservation area responds to the prevailing heights (generally 3-storeys) in the conservation area.
- 289 The potential impact on townscape has been considered in a Townscape, Visual and Built Heritage Assessment (TVBHA) which forms part of the ES (Volume 2). Addendums were submitted in September 2012 to take account of the changes made to the scheme during the course of the application and to consider the likely impact on four residential units, Crossways Church, and occupiers of retail premises above the Old Heygate Boiler House who still occupy the site. As the proposal is at outline stage, the ES assesses the maximum and minimum parameters and this is considered appropriate.
- 290 Apart from the listed K2 phone kiosk on New Kent Road there are no listed buildings within the site boundary and no part of the site falls within a conservation area. However the proposed development could affect the setting of a number of adjacent Grade II listed buildings and designed conservation areas, including:
- Southwark Municipal Offices and attached railings, Walworth Road
 - Southwark Central Library and Cuming Museum, Walworth Road
 - The Walworth Clinic, 157-163 Walworth Road
 - 140,142, 150 and 152 Walworth Road
 - Elephant House, Victory Place
 - 154-170 New Kent Road

- Driscoll House, 172 New Kent Road
- The Star and Cross Church, Falmouth Road
- Pullens Estate Conservation Area
- Proposed Draft Larcom Street Conservation Area.

Demolition and construction

- 291 The ES advises that the likely significant impacts on townscape character and visual amenity would vary according to the nature of the demolition and construction works over time. Demolition and construction activities would have the greatest visual impact in the areas adjoining the site, including the setting of built heritage assets, where the predicted impact is of short to medium-term adverse impact of moderate significance. Temporary impacts on views would reduce the further away from the site so that in distant views including LVMF London Panoramas and the Townscape View from Hyde Park the visual impacts would be insignificant.
- 292 Officers consider that the demolition works pose no harm to the setting of adjacent heritage assets and the works could be secured by condition(s) to ensure adequate protection of nearby heritage assets for the duration of the works. This includes the K2 telephone kiosk located on New Kent Road within the site. In addition, the detailed design of the hoarding to be erected around the site perimeter should be secured by condition to ensure an attractive street frontage for the duration of the works.
- 293 Visual adverse impacts of short to medium-term prior to the completion of the development are inevitable on a scheme of this size and scale. However, it is considered that given their nature and duration the adverse impacts are acceptable in order to secure the comprehensive redevelopment and regeneration of this strategically important site within the Opportunity Area.

Completed development

- 294 The ES considers that all likely significant impacts, both positive and negative, arising from the development would be long-term. The assessment is based on the massing and articulation defined by the Parameter Plans and the design requirements set out in the Design Strategy Document. The ES Addendum (September 2012) deals with changes made to the scheme during the course of the application.

Strategic views

- 295 In the Strategic Views 1 (from Alexandra Palace), View 2 (from Kenwood House), and View 3 (from Parliament Hill) the ES clearly demonstrates that the proposed cluster of tall buildings on the application site does not affect the viewer's ability to recognise and appreciate the strategically important landmark of St. Paul's Cathedral. In View 4 (from Primrose Hill) the ES demonstrates that the proposed cluster does not affect the viewer's ability to recognise and appreciate the strategically important landmark of the Palace of Westminster WHS.
- 296 The principal view to be considered in terms of strategic views and impacts on the setting of the Palace of Westminster WHS is that from the Serpentine Bridge (LVMF 23A.1). Accordingly the ES assesses (in Views 5) the proposal in winter and summer months from the main assessment point in the centre of the bridge as well as a series of points along the bridge to show the likely kinetic views of Westminster Palace. In this sequence of views the ES demonstrates that the proposed cluster of tall buildings would drift in and out of the view as one approaches the designated central assessment point. In the approach from the northern bank of the Serpentine, the cluster would be viewed together with other existing tall buildings such as Strata. However, as one approaches the central assessment point the tall buildings would be

in the shadow of the Westminster WHS with the exception of those on Plots H4, H5 and Plot H11b.

- 297 The GLA Stage I Report also raised a concern that these proposed tall buildings would potentially breach the threshold plane of the background wider setting consultation area. The LVMF requires new buildings in the background to be subordinate to the World Heritage Site and buildings that exceed the threshold plane of the Wider Setting Consultation Area in the background should preserve or enhance the viewer's ability to recognise and appreciate Westminster Palace. It was not evident that this would be the case in respect of the tall buildings on in Plots H4, H5 and H11b.

Plots H4 and H5 – New Kent Road

- 298 The minimum and maximum parameter heights of the tall buildings on these two plots are between 70.9m and 87.5m AOD. At the maximum height, they would exceed the background assessment plane of the Strategic View from the Serpentine Bridge and could impact on the Palace of Westminster World Heritage Site, at least in the winter months. These buildings would be located immediately east of the Oakmayne Plaza Development (50 New Kent Road) which has a consented height of 87.5m AOD. If this development is built to the consented height, then the proposed building on Plots H4 and H5 would be obscured and would not affect this strategic view. Although the Oakmayne scheme has been implemented, to date no above grade works have commenced. There is therefore no guarantee that the Oakmayne scheme would offer the shadow that the tall buildings on Plots H4 and H5 rely on.
- 299 The amended September 2012 submission does not revise the heights of Plots H4 and H5 tall buildings, rather it introduces further design commitments in the Design Strategy Addendum to ensure that these plots are not visible in the strategic view, irrespective of whether the adjacent Oakmayne Plaza Development is built.
- Scenario 1 – without Oakmayne Plaza Development obscuring Plots H4 and H5 in the view: the maximum heights of Plots H4 and H5 will not exceed 84.2m AOD (the likely height of the Illustrative Masterplan); and
 - Scenario 2 – with Oakmayne Plaza Development obscuring Plots H4 and H5 in the view: the maximum AOD of 87.5m proposed for both buildings will remain permissible as the proposal would not be visible in the view.
- 300 English Heritage initially raised an objection to the application due to the proposed height of Plot H4 on the basis of the harm it would cause to the designated view from the Serpentine Bridge principally by the intrusion of Plot H4 upon the view of the two west towers of Westminster Abbey. A further presentation of the scheme by the applicant to English Heritage to explain the proposal in greater depth resulted in that objection being withdrawn. They state (by letter dated 31 October 2012) that notwithstanding the predicted impact of the consented Oakmayne Plaza scheme, Plot H4 would be visible in the view from the Serpentine Bridge at least in the winter months. In their opinion this would cause some harm to that view by intruding upon the skyline view of what is a key building in the Westminster World Heritage Site. However, in withdrawing the original objection English Heritage acknowledge that the redevelopment of the Heygate Estate would deliver significant public benefits in social and placemaking terms but clearly require consideration of the impact of the tall building on Plot H4 on the designated view. The scheme concept relies on the location of a series of tall buildings in order to deliver the quantum of housing required and to create a coherent environment with its own defined identity. The impact on the designated view would be essentially limited to winter months and will be marginal in that the building has the potential to appear in the distant background of the buildings within the World Heritage site at this time of year. Assuming the scheme on the neighbouring plot comes forward, as is the intention and is apparently scheduled for

early 2013, then no impact occurs.

- 301 Officers are satisfied that the proposed additional design commitments adequately deal with Plots H4 and H5 at this outline application stage. The proposed height, and their detailed design and appearance have been reserved to detailed design stage when more information would be available about the progress of the Oakmayne Plaza Development as well as the architectural qualities of the proposed tall buildings on Plots H4 and H5. When the detailed design of these two plots comes forward, they will each have to demonstrate their contribution to the strategic view and how it affects the viewer's ability to recognise and appreciate the strategic landmark of the Palace of Westminster WHS.

Plot H11b – the Park

- 302 At the originally proposed maximum height of 89.2m AOD this was considered excessive and would be visible in the strategic view from the Serpentine Bridge. The revised 2012 submission reduces both the minimum and maximum parameter heights to remove it from the view and therefore this issue has been fully addressed. The maximum height would be 84.2m.
- 303 With regards to other protected views, the ES demonstrates that the proposed cluster of tall buildings will not have an impact on the strategic view prospects from Tower Bridge, Waterloo Bridge or Vauxhall Bridge and they will not impact upon the setting of Somerset House or the viewer's appreciation of Lambeth Palace.
- 304 As part of the original consultation on the application, the City of London commented that the proposed tall buildings lie to the southwest of the White Tower and Tower of London World Heritage Site and this issue should be addressed in the EIA. The ES Addendum details the views testing that has been carried out which demonstrate that likely impacts on the Tower of London are found to be insignificant. The City have confirmed that they are satisfied that the proposal would not impact on the setting of the WHS.

Local views

- 305 The impact of the proposed development on a large number of local views has been tested in the ES. These demonstrate that the proposed distribution of heights across the site would preserve the setting and appreciation of a number of heritage assets in the wider area, including the Grade II listed church of St George the Martyr on Borough High Street, the Imperial War Museum and Trinity Church Square, Pullens Estate, West Square and St. George's Conservation Areas. The ES also illustrates there would not be a harmful impact on heritage assets located on the border with Lambeth borough, including listed buildings on Kennington Park Road, Kennington Lane and Walcott Square.
- 306 Closer to the application site, the revisions to Plot H3 and its relationship to the adjacent Plot H2 tall building ensure a more sensitive relationship with the listed Town Hall and Library on Walworth Road as well other listed buildings on this street in order to preserve their setting as well as better articulate the transition in scale between these important civic buildings and the Masterplan. The reduced height of Plot H11b will mean that from a number of vantage points, including New Kent Road, Nursery Row Park and from Brandon Street there would be an acceptable impact on the listed buildings along New Kent Road, including Driscoll House and Nos. 157-170 New Kent Road, and that Plot H11b will become the focus of local views and important gateway to the Masterplan site improving the legibility of the area.
- 307 A number of views in the ES clarify the proposed cluster of tall buildings on the local

open spaces. These views demonstrate how the proposed scheme reflects the aspiration of the Elephant and Castle SPD/OAPF and improves the legibility of the local townscape. The clustering of buildings rising in scale towards the transport interchange at the Elephant and Castle would allow viewers to orientate towards the main transport node and would not intrude or appear dominating from these open spaces.

- 308 In views from Rodney Road and Stead Street it is demonstrated how the taller elements of the Masterplan will articulate the skyline in the local view. In contrast to the slab-like appearance of the existing Heygate blocks, the proposed varying heights of blocks given the Masterplan a highly articulated silhouette which has the potential to be attractive and interesting. The views demonstrate how the current singular form of Strata could be complimented by similarly-scaled buildings so to establish the cluster of buildings in this area and provide greater legibility to the townscape.
- 309 The view taken from the proposed draft Larcom Street Conservation Area shows the articulated skyline of the proposal in contrast with the slab-like appearance of the existing Heygate blocks which are clearly visible in this view. Most prominent are the tall buildings on Plots H5, H6, and H7 and therefore in the maximum parameter condition these buildings appear more dominant and in a layered form and therefore will require very sensitive articulation to ensure that they won't have a harmful impact in this historic context.
- 310 A key important view in the borough is that from Camberwell Road towards St. Paul's Cathedral. This important view would be preserved by the proposed scheme as the proposed tall buildings (particularly H4 and H5) would help to define this view as they flank St. Paul's in the view. It will be important to ensure at the Reserved Matters stage that any tall buildings on plots H4 and H5 do not crowd the Cathedral in this view.
- 311 Overall, while short term visual impacts have been identified during the demolition and construction phases, no long term detrimental impacts on local and strategic heritage assets have been identified at this outline stage. The detailed design and sensitivity of architectural treatment will be a key consideration at Reserved Matters stage.

Ecology implications

- 312 Saved policy 3.28 of the Southwark Plan requires that biodiversity is taken into account in all planning applications and encourages the inclusion of features which enhance biodiversity. Strategic Policy 11 concerning open spaces and wildlife requires new development to avoid harming protected and priority plants and animals to help improve and create habitat.
- 313 The ES assesses the potential impacts of the proposed development in the ecological and nature conservation resources on, and in proximity to the site. An Extended Phase 1 Habitat Survey informed the ES (March 2012). However, the site has since been re-surveyed (on 21 August 2012) due to a known change in the habitats present on the site. The latest survey is reported in the ES Addendum (September 2012).
- 314 The application site is not designated in relation to nature conservation but 19 Sites of Importance for Nature Conservation (SINCs) are located within 2km of the site. Victory Park and Elba Place Nature Garden SINC, located 0.1km to the east, is the closest. The results of the updated Phase 1 Habitat Survey confirm that all habitats previously recorded (buildings and hardstandings, scattered trees, ornamental planting, amenity grassland and scrub) are still present but a recently constructed pond was identified. In addition, some areas of vegetation have been cleared to form communal gardens and small areas of vegetable planting have been established. The

ES acknowledges that trees and shrub habitat on the site provide nesting and foraging opportunities to bird species and a limited foraging and commuting habitat to common non-light sensitive bat species. However, given the quality of the habit, its location and surrounding environment, the current site is of limited ecological interest.

Demolition and construction

- 315 The ES considers that the demolition and construction works are likely to have a temporary short to medium-term minor adverse impact on the Victory Park and Elba Place Nature Garden SINC due to its close proximity. There would be insignificant impact on other SINC's given that they are further away and taking account of the urban environs. In terms of on-site habitat, short to medium-term minor adverse impact would be experienced due to the loss of trees and vegetation and therefore potential nesting and foraging opportunities.
- 316 In terms of mitigation, the ES advises that updated Habitat Surveys would be carried out (where existing survey data is more than 2 years old) prior to demolition works to check whether habitats have become suitable for protected species. Further, demolition and construction works would be controlled through the implementation of Demolition and Construction Environmental Management Plans. With this mitigation in place the likely residual impact on the SINC's within the vicinity would be insignificant.
- 317 The council's ecology officer concurs that the site has limited ecological value due to the dominance of buildings and hardstandings. The bat monitoring survey established there are no bat roosts on the site and that low numbers of bats were recorded on the site in 2011. The Ecological Assessment and Bat Surveys meet best practice guidance and provide good evidence of the ecological value of the site. Therefore no concerns are raised on the demolition of the existing buildings. There will be some short-term ecological impact from tree removal but in the long-term there will be an enhancement and gain for biodiversity.

Completed development

- 318 The completed development would have a residual insignificant impact on nearby SINC's. The ecological value of the site itself would be enhanced due to proposed enhancement measures, including green and brown roofs, living walls and the provision of nesting and foraging opportunities for birds and bats. Such measures would be secured for the lifetime of the development by the implementation of an Environmental Management Plan.
- 319 The ecology officer advises that the proposed creation of new space, including new ecological features (such as native planting and natural habitat creation) will provide a positive gain for biodiversity in the area. The outline application contains the correct level of detail but at Reserved Matters stage further details will be required, such as the composition of the green / brown roofs, and details of the type and location of the nesting/foraging features. Further bat surveys may also be required as a bat activity survey is valid only for a year. This will need to be secured by condition for each of the development plots.

Impact on trees and open space

- 320 Policy 7.18 of the London Plan supports the creation of new open space in London. Core Strategy Strategic Policy 13 seeks to improve, protect and maintain a network of open spaces and green corridors. Key intents are to protect woodland and trees and improve the overall greenness of places and requiring new development to help improve the quality of and access to open spaces and trees, particularly in areas deficient of open space. The Elephant and Castle SPD, SPD: 28 Natural environment

requires new open space, including a new park, to be provided in the Heygate Street Character Area and that development should retain and enhance trees and canopy wherever possible.

- 321 A comprehensive Landscape and Tree Strategy (March 2012) with Addendums (September 2012) have been submitted in support of the site's redevelopment. These encompass tree planting and new open space on the former housing estate and on adjacent highways, including the New Kent Road, Walworth Road and Heygate Street.
- 322 The proposed redevelopment seeks to retain the trees considered to be of greatest contribution to amenity, whilst also providing new green infrastructure. This comprises a new park, smaller open spaces, gateway squares and internal streets, footways and courtyards. Private amenity space is proposed in courtyards located within the development plots as well as gardens, balconies and terraces. This would be further enhanced by biodiverse roofs, green walls, water features and other street greening.
- 323 At the heart of the Masterplan is a new public park extending east-west across the site. This will exist within a hierarchy of open spaces linked by green street corridors. The park has a minimum area of 0.8 hectares, secured in the legal agreement, of green open space and will sit within a wider park setting (New Park Character Area) which includes adjacent walkways and the new market square to be provided as part of the Oakmayne Plaza Development. Constraints imposed by the existing varied ground levels within the park would be resolved through the retention of trees at the existing grade wherever possible, thereby immediately creating a sense of place. This would be enhanced by street and pavement furniture, lighting, water, play features, and other elements. Walkways would cross the park connecting north-south also seek to respond sensitively to changes in topography in order to avoid damage to tree roots. The park would be divided into three character areas with a gradation of formal uses from west to east, ranging from a new pavilion adjacent to the market square to a quieter more naturalistic area to the east.
- 324 Local objections have been received about the small size of the park, particularly if the plots adjacent to the park are built to their maximum extents, and how 'public' the park would be.
- 325 If the adjacent plots are all built to the maximum condition then this would reduce the width of the public realm surrounding the park; the actual core 0.8 hectares of open space would not be affected. Parameter Plan P06 shows the minimum publicly accessible park space that would be provided. The park has been designed to align with the adjacent Oakmayne market square (2,050 sqm) and it is envisaged that the ground floor of the plots facing the park would contain retail cafe / restaurant uses that could "spill-out" to overlook the park promenade (perimeter walkway) and open space. Hence the park would appear much larger in its setting than its minimum core area.
- 326 Maintenance and management of the park shall be the responsibility of the developer but a clause will be included in the legal agreement to allow the public free and unobstructed access. This will be the same as for any public open space within the borough. The park will be open in that there will be no enclosures such as fencing.
- 327 In addition to the new park, a series of civic spaces or small squares are proposed across the site that creates focal points at Walworth Square, Park Place, New Kent Road, and Victory Place. These spaces act as gateways which channel views into the townscape and incorporate innovative use of seating, high quality hard surfaces, artwork and a welcome use of water and lighting to animate and enhance these key spaces. Additional small park space is proposed at Brandon Place (840 sqm) located between Plot H10 and the new Energy Centre. This would provide an informal recreational area with small play area. Wansey Street Community Garden (740 sqm)

would provide an informal recreational and wildlife garden. One of the objectives of the tree strategy is to retain existing trees in all of the civic spaces and small gardens aim to retain existing trees.

- 328 Streetscapes within and along the site perimeter provide a green infrastructure grid defined by different typologies according to their function. Again, the most significantly sized and better condition trees are proposed for retention whilst in-fill and other structural avenue planting is proposed to complete missing green linkages. The proposed landscape treatment includes seating and lighting within ample pavement widths. Tree pit construction below ground specifies trenches which integrate drainage and cellular soil confinement systems to allow an optimum amount of rooting space. These would be located away from utilities, which are within combined service corridors, and other constraints normally associated with highway designs.
- 329 Trees located on the southern side of Heygate Street, which are of a high quality/value, are proposed to be retained, but those on the north side will removed in order to facilitate road narrowing and the creation of residential front gardens. This is considered appropriate given that these trees are generally in a poorer condition and that large sized replacements of better quality can be provided.
- 330 Residents have commented that the proposal will result in a substantial loss of public green space in the area, even when taking account of the new park, and that much of the green areas would take the form of private elevated courtyards. It is the case that each of the plots will have internal courtyards for the use of residents within those plots rather than for general public use. As set out above, the proposal would see the creation of a hierarchy of green open spaces, civic squares and landscaped streets which totals at least 4.53 hectares of public realm (including the park) as shown on Parameter Plan P05. If the development plots are not built to their maximum plot extents then the public realm would increase. This is in contrast to the current Heygate Site where minimal public realm is provided as all the land associated with the housing blocks is private land for the use and enjoyment of residents on the estate although in practice this has been more widely accessible. The exception to this is a small piece of land immediately to the south of the Oakmayne Plaza scheme (and within the application site boundary) that was formerly known as Elephant Road Park. This previously formed a larger area of open space that contained play equipment available for local residents. The loss of this facility was considered by the Planning Inspector at the Public Inquiry into the Southwark Plan in 2005 when he was considering the designation of Proposal Site 39P for comprehensive redevelopment. The Inspector accepted the loss of the park on the grounds of the regenerative benefits that redevelopment would bring. The adjacent Oakmayne Market Square consented under application reference 07-AP-1448 would be developed across a portion of the park and its loss was considered as part of this application. The remainder of the park within the Heygate application boundary has more recently been used as a site compound for the adjacent Oakmayne Plaza Development.
- 331 Both the submitted Water Management Strategy and Landscape Estate Management Strategy indicate that a detailed framework is to be submitted that describes management implications over the landscape establishment and maturation periods with a 2-years defect liability period (i.e. the contractor would be responsible for the maintenance and replacement of any defective plants, materials, fixtures and fittings). Responsibility would then be handed over to a private estate management company for long-term maintenance. Appropriate control of landscape establishment and future management works can be secured by condition to include a longer rectification period which bridges the establishment and maturation phases.
- 332 Other than retaining the highest value trees, the strategy aims to provide a strong planting framework and the creation of distinctive characters for streets, squares and

courtyards. Inherent within this vision is the recognition of the important economic cultural and climate change adaption benefits which a mature landscape provides, as well as the more commonly understood environmental contribution. The rationale for tree retention is based on single specimen, group and avenue typologies, each of which has differing functions and roles. For example, an avenue may consist of individuals of relatively poorer quality yet be important as a group, whereas individual specimens should be of a higher quality in order to fulfil a more focal and aesthetic purpose. The control of more detailed testing of trees can be secured by condition.

- 333 The Tree Strategy considers the existing tree stock and provides an impact assessment of the proposed development and the potential for an enhanced and maturing canopy cover. The overarching approach and long-term vision for green infrastructure is to increase the number of trees on and off-site so that the CAVAT (Capital Asset Value of Amenity Trees) is improved by 5% by completion of the development in 2026 (construction lifetime anticipated to be 2014-2026). Together with the target for canopy cover increase, the strategy therefore complies with London Plan and climate change adaptation policy objectives as discussed below.
- 334 CAVAT interpretations adhere to the correct methodology based on cross-sectional area, accessibility, functional value, amenity, appropriateness and life expectancy to provide a total value of £14.2 million. This is in line with that calculated independently by the Council's Urban Forester. Of the total value, 60% would be provided by London Plane trees which form the largest and longest lived elements of the structural framework within retained green infrastructure. The total girth of the trees to be removed would be 306.3 sqm.
- 335 A large number of objections have been received in relation to trees, particularly over the number of mature trees to be lost, the lack of proper valuation of the trees and comprehensive strategy for the existing on-site mature trees.
- 336 The Tree Strategy seeks to retain the best existing trees on the site and replace all of those lost so there would be no net loss of trees. Of the 406 existing trees on the site, 210 (or 52%) are Category A or B trees i.e. those of moderate to high quality which make a substantial contribution to amenity. A total of 283 trees are proposed for removal in order to facilitate the development which represents 70% of the trees within the site. However, 119 (42%) of these are Category C or R i.e. those in such a condition that their existing value would be lost within 10 years or those which should be removed for good arboricultural reasons. All of the trees proposed for removal are to be replaced such that the tree stock would be enhanced by phased new planting which would increase species diversity, age class structure and habitat. Conditions are recommended to ensure that the trees to be retained are adequately protected during all development phases.
- 337 In order to enable both the CAVAT value and overall canopy cover to be replaced, an additional 1200 trees would be planted off-site within a 1km radius over a period 2014 – 2018. The details of this are yet to be confirmed but a survey to include trial pits has been outlined by the applicant in order to verify the suitability of planting locations according to "right tree right place" guidelines. The provision of off-site mitigation of tree loss needs to take account of the phasing of the redevelopment such that canopy cover is addressed in a co-ordinated manner. The greatest loss of trees is scheduled for Phases 3-5 (i.e. 2019-2024) and therefore tree replacement off-site should be implemented prior to 2019 and appropriate conditions therefore need to be secured on a phase by phase basis. The submission a Tree Strategy in respect of the 1,200 off-site trees will be secured in the legal agreement.

Estate Management

- 338 The issue of public realm and its management has been raised by a number of residents. The Estate Management Strategy advises that once the development is complete the management of the public realm will be undertaken by an Estate Management Company (EMC) and will include:

- Unadopted secondary and tertiary roads that run through the development
- Squares and plazas
- Landscaped areas including raised planters
- Footpaths and cycle routes which are accessible by the public
- Parks and open space.

It therefore doesn't include the private gardens and communal courtyards within the plots or existing adopted roads including New Kent Road, Walworth Road, and Heygate Street. In the case of Wansey Street, the new public Walworth Square proposed at the junction of Walworth Road would be managed by the EMC but the rest of Wansey Street would remain adopted road and thereby maintained by the council. The fact that an EMC would maintain the public realm within the site does not in any way reduce public access to these spaces and routes.

Demolition

- 339 Although the submitted tree strategy includes an arboricultural survey, the outline protection plan (drawing no. 120207-EC-TTP-AM-1.0 Scale 1:750) requires further detail in order for the prevention of damage to be sufficiently assured. The report does not include root protection area calculations on which the protection areas are shown and refers to a superseded British Standard.
- 340 Given the notable constraints related to the proximity and size of the proposed retained trees next to blocks to be demolished, plus the variety of level changes throughout the site, tree and root protection plans will be required to a larger scale with detailed cross sections. The extent and duration of operations will also require close monitoring and supervision by a site arboriculturalist throughout the demolition and site preparation phases. Confirmation is also required of the type of pruning works specified for retained trees which in some cases may need substantial crown reduction. All of these matters will be secured by condition at reserved matters stage when the full detail is provided. In addition conditions on outline planning permission are also recommended to ensure tree protection.
- 341 Overall the proposed Landscape and Tree Strategies are well designed and maximise the design aims identified within the Elephant and Castle SPD. The proposal therefore accords with plan policies subject to conditions.

Wind

- 342 The ES assesses the implications of the proposed development on wind conditions within and immediately surrounding the site. The ES notes that the precise location and scale of buildings, building entrances, and the gaps between buildings is not known at this outline stage and therefore the maximum and minimum building envelopes are tested.
- 343 Once buildings on the site have been demolished there will be the potential for wind to blow openly across the site and increase wind exposure on and immediately adjoining the site. Because construction works would be phased (and predicted to commence immediately after the final demolition phase) wind conditions would adjust towards the conditions of the completed development. As such the demolition and construction phases would have an insignificant impact on local wind conditions.

- 344 In terms of the completed development, are generally considered suitable for the intended uses (i.e. suitable for sitting, standing, leisure / business walking). However, there will be a number of locations where adverse impacts of minor to moderate significance would exist in the absence of any mitigation. The results vary depending on the maximum or minimum parameter conditions but include a number of the routes between the plots, at a number of building entrances, some of the ground and raised level communal courtyards, and some of the public opens spaces, including Walworth Square, Wansey Street Community Garden, and Brandon Place (located between Plots H10 and H12). Outside of the development site, certain areas along New Kent Road would be exposed to winds stronger than the intended uses. In these locations measures will need to be implemented to improve wind conditions.
- 345 This could be achieved by suitable landscaping planting and/or screening and mitigation will need to be designed and incorporated into the detailed design of the development plots, public realm and open spaces. Officers consider that these matters would need to be resolved at the Reserved Matters application stage and therefore further wind assessments will be required to demonstrate that the impacts can be minimised to an acceptable standard. Overall, given that no adverse impacts would be experienced as a result of the demolition and constructions works and further assessments can be secured at the detailed design stage the proposal is considered acceptable.

Archaeological matters

- 346 Policy 3.19 of the Southwark Plan requires an archaeological assessment and evaluation of the application site for planning applications affecting sites within Archaeological Priority Zones (APZs). Although the application site is not located within an APZ, parts of three APZs are within 250m of the site boundary ('Elephant and Castle, Kennington Road' 140m to the west, 'Walworth' 80m to the south; and 'Old Kent Road' 140m to the north east). The ES therefore includes a desk based archaeological assessment of the site. The council's Archaeology Officer considered the original assessment insufficient and consequently a revised assessment was included in the ES Addendum (September 2012).
- 347 The revised assessment identifies low archaeological potential for remains of Roman and post-Medieval date on the site. The previous phases of residential development associated with the existing Heygate Estate and likely cultivation of the area before this would have damaged any earlier sub-surface heritage assets. Notwithstanding this, the site has some potential for sub-surface heritage asset remains of Roman date due to the recording of Roman ditches on the Oakmayne Plaza site. These ditches were not deemed to be of high significance but their presence raises the potential for similar evidence of Roman activity on that part of the site closest to the adjacent Oakmayne site.
- 348 During demolition and construction damage to or destruction of buried heritage assets may result due to works associated with the construction of basements and foundations and the laying of services. Consequently, in the absence of mitigation the potential impact upon potentially archaeological remains would be at worst a permanent *adverse impact of minor significance*. However, in order to mitigate impact on potential further Roman ditches and post-Medieval buried heritage assets, the assessment recommends a watching brief (a programme of archaeological monitoring and recording) during ground works for the north-western part of the site. The report advises that the implementation of such a programme would result in *insignificant residual impact*. Once the development is constructed, there would be no impacts upon archaeological remains and therefore no mitigation would be required at this stage.

- 349 The council's Archaeological Officer considers that the Heygate Estate represents a major phase of public housing and is worthy of record prior to its demolition. The recording should include an assessment of the documentary archive for the existing buildings and the archaeological recording of a small selection of the individual flats or houses present on the site together with some general photography of the complex. These works would need to be secured by conditions ensuring the archaeological building recording and publication and archiving takes place. With these measures in place, officers agree that no significant residual effects are likely to result and the proposal accords with policy 3.19 of the Southwark Plan.

Contamination

- 350 A Ground Contamination Desk Study and Preliminary Risk Assessment report forms part of the ES and ES Addendum. The purpose of the report is to establish the potential for significant ground contamination to exist at the site and the likely risk posed to a range of sensitive receptors such as humans, aquifers and flora. The study found that there is the potential for localised contamination, the most likely contamination source related to the presence of Made Ground (artificial deposits) across the site. However, the potential for significant contamination to be present is low.
- 351 The ES recommends that a Site Investigation and detailed risk assessment should be undertaken prior to construction to determine whether remediation was required and, if necessary, followed by a Validation Report. All demolition and construction works would be carried out in accordance with a Construction Management Plan which would include measures designed to minimise potentially harmful impacts. With these measures in place the likely residual impacts both during construction and to future occupiers of the site would be insignificant.
- 352 The Council's Environmental Protection Team advises that the conclusions of the desk-based study are adequate. The site is generally low risk but there are some areas where previous land uses and made ground will need further investigation. This can be addressed at the detailed Reserved Matters stage for each development phase. There is also an identified issue with possible un-exploded ordnance across the site and it is evident that contamination will be present in some areas of the site. The Verification Strategy as outlined in the ES is acceptable. Conditions are required to ensure that the recommendations of the Arup report dated March 2012 are adhered to and any changes are reported to the Local Planning Authority. It is therefore concluded that this aspect of the scheme has been satisfactorily addressed.

Flood risk

- 353 Strategic Policy 12 of the Core Strategy allows development to occur in the protected Thames flood zone as long as it is designed to be safe and resilient to flooding and meets the Exceptions Test. The policy also requires major developments to reduce surface water run-off by at least 50%.
- 354 The ES and ES Addendum consider the likely impacts of the development on flood risk, groundwater levels and surface water drainage. The majority of the site is located within Flood Zone 3a which is considered to be an area of high risk of flooding due to the proximity of the tidal River Thames. However the site is protected by the Thames Tidal Defences. The remainder of the site is located within Flood Zone 2. A Flood Risk Assessment is included within the ES.
- 355 During demolition and construction phases the ES predicts that potential risk from tidal flood risk would be insignificant. Changes in site conditions will have the potential to result in a temporary risk in surface water flooding but measures would be in place as

part of the Environmental Management Plan to control surface water run off from the site. All basements would be constructed to be water resistant. In the completed development measures such as SUDS (Sustainable Urban Drainage Systems) would be incorporated within the development plots and public realm. The Environment Agency has confirmed that they have no objections, subject to conditions to ensure that flood mitigation measures are undertaken.

- 356 A significant part of Southwark is within Flood Zone 3. There are no sites of this size that are at a lower risk of flooding for some distance. The application site is designated for comprehensive redevelopment for mixed use purposes, including housing, and the development of brownfield sites is encouraged to maximise the efficient use of land. The proposal would incorporate substantial soft landscaping, including new Park, as well as green and brown roofs which will attenuate surface water run off from the site and thereby contribute towards a reduction in flood risk. Furthermore, the proposal would have significant social, economic and environmental benefits that are considered to outweigh any risk from flooding and therefore the proposal is considered to meet the Exceptions Test.

Socio-Economic implications

- 357 The ES Addendum advises that there are a small number of occupied residential units and operational commercial uses within the application site who would be displaced by the proposed development. The Council has made a Compulsory Purchase Order (CPO) for the site and this was submitted to the Secretary of State in September 2012. Objections to the Order have been made and as a consequence a Public Inquiry will be held in February 2013. If the Order is confirmed, it will facilitate the re-housing of the existing residents on site. The ES advises that the leases for the active on-site commercial properties will have expired before the commencement of the main construction works for the development. The council is currently in negotiation with the stakeholders of Crossway Church to secure relocation of this facility. Although in the short term the impact of the proposal on the on-site residents, businesses and Church would be adverse and of substantial significance, in the long term impacts would be insignificant due to relocation.
- 358 The ES estimates that approximately 10,800 person years of construction employment would be generated during the 13-year demolition and construction phases with a predicted increase in the level of expenditure locally from construction workers. The applicant proposes employment and training initiatives via BeOnSite, a not for profit company. The completed development would positively contribute towards meeting local and regional housing targets and will create more employment opportunities than the existing use of the site. The ES acknowledges that the new population would result in further demand for education and health provision but appropriate S106 contributions will be secured. The retail offer would help to increase the level of expenditure locally as well as improve the retail offer in the Elephant and Castle town centre without diverting significant trade for other nearby retail centres. The ES estimates that the new residential population and new employees on the site could potentially contribute between £34.3 and £37.6 million annually to the local area. The new Park and other areas of local open space will be a positive benefit. The socio economic benefits arising from the development are concluded to be positive and will add to the overall regeneration benefits arising from the scheme.

Equalities implications

- 359 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.

360 The relevant protected characteristics are:

- Age
- Disability
- gender reassignment
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation.

361 It should be noted that the Elephant and Castle Opportunity Area Supplementary Planning Document was supported by an equality impact assessment.

362 The ES in support of these planning applications also contains a development specific equalities impact assessment. That addendum identifies the key equalities characteristics that need to be assessed and the related groups are covered in the wider ES.

363 Overall there is considered to be a positive impact on all groups as a result of the development. The impacts arising during demolition have been identified earlier in this report. In terms of specific groups there are no disproportionate or special impacts identified during this phase other than potentially the various faith groups and others who occupy the Crossways Church. However a replacement facility is proposed to be provided and the intention is for the Church to remain in situ until this is available. The mitigation required is to programme the demolition of the Crossways Church in the final phase of demolition. This therefore removes the impact.

364 During the construction phase there are no specific equalities impacts in that all adverse construction impacts are essentially evenly distributed and do not disadvantage any particular group. There are minor beneficial impacts arising for unemployed people due to the number of potential construction jobs.

365 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. There is the potential for a new or improved health facility. The development will result in the creation of employment which will be a positive impact for local unemployed people. Affordable retail units will be provided and secured in the legal agreement resulting in a positive impact for new and existing businesses. Young people benefit in terms of the improved open space and play facilities which will be provided over the term of the development. Affordable homes will be provided to replace those lost in the existing estate and a varied housing mix will extend choice contributing to a more mixed community. New housing which will include wheelchair units and be built to lifetime homes standard will result in a positive impact for those with disability. Improved public transport in terms of the bus and underground service will have a positive impact for all groups. The improved physical environment will ensure greater accessibility across the site both in terms of open space and new accommodation be it commercial, community or residential and thereby constituting a positive impact in terms of equalities.

366 The GLA has indicated that it considers that the proposal is consistent with policy 3.1 of the London Plan (strategic policy on ensuring equal life chance for all).

- 367 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)

- 368 Regulation 122 of the Community Infrastructure Levy (CIL) 2010 Regulations came into force on 6 April 2010. Regulation 122 makes it unlawful for a planning obligation to be taken into account when determining a planning application for a development, or any part of a development, if the obligation does not meet all of the following tests:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

- 369 The above tests which are echoed in 204 of the NPPF and planning obligations are requirements of 8.2 of the London Plan and 2.5 of Saved policy 2.5 of the Southwark Plan to provide mitigation for the impacts of a development.

- 370 SPD20 of the Elephant and Castle SPD / Opportunity Framework 2012 requires a contribution towards strategic transport improvements in the opportunity area. SPD20 identifies both a rate, £104 per sqm of additional floor space, and specific priority projects of the northern roundabout at grade works and the northern line ticket hall. Both these items of infrastructure are noted in the Transport Assessment as requiring improvements to meet the impacts of this development. The applicant has agreed to a policy compliant contribution towards these items.

- 371 The council's S106 planning obligations SPD adopted in 2007, details a number of areas of infrastructure that are usually placed under greater pressure from new major developments. In response to this pressure where on site provision is neither required nor practical contributions are secured in a S106 to provide off-site mitigation.

- 372 The proposal will deliver a range of benefits in line with the council's SPD. The mayoral CIL applies (£9.1m) together with the Elephant & Castle OAPF tariff (formerly the Strategic Transport payment). This is calculated at £13,027,708. The large part of the S106 requirements are proposed to be provided on site. For certain items; Employment in the development, Employment during construction, Health and Community facilities, there is a default amount identified in the event that on-site provision doesn't come forward. Financial contributions for Education, over 12s site play provision, the Employment during construction management fee and the administrative charge will be triggered at the relevant time as identified in the legal agreement.

- 373 The following details the toolkit requirements as applied to the application site and what the applicant is proposing to provide on site or in kind.

| PLANNING OBLIGATION | SUMMARY OF COUNCIL REQUIREMENT | S106 2007 SPD v.11 | Required mitigation for application | Applicant's offer |
|----------------------------|--|---------------------------|--|--------------------------|
| AFFORDABLE HOUSING | On site provision for 15 units or more. (Zero = on site) | | | 25% (50%/50%) |
| EDUCATION | £11,156 per school place | 2,886,886 | 1,319,286 | 1,319,286 |

| | | | | |
|---|---|-----------|---|---|
| EMPLOYMENT IN THE DEVELOPMENT | To provide training and support into employment through a WPC for one person costs £2667 | 257,961 | £257,961 | £257,961 |
| EMPLOYMENT DURING CONSTRUCTION | Contribution to workplace co-ordinator programme, including training and network support £76463 per annum | 2,051,763 | Agreed targets with up to £2,051,763 default payment. | Agreed targets with up to £2,051,763 default payment. |
| EMPLOYMENT DURING CONSTRUCTION MANAGEMENT FEE | Contribution to the management and co-ordination of the construction workplace co-ordinator programme | 166,359 | 166,359 | 166,359 |
| PUBLIC OPEN SPACE, CHILDRENS' PLAY EQUIPMENT, AND SPORTS DEVELOPMENT | £71 per person for open space (and additional £71 per person in areas of park deficiency) | 3,255,939 | On site new park, new pocket parks | New park, new pocket parks, new community gardens to the south of Wansey Street (est value £6.87m) |
| | £80 per child for childrens' play equipment | | On site play provision | On site play provision (est £400k) |
| | £349 per person for sports development | | None, as significant over provision of POS and new E&C leisure centre | None, as significant over provision of POS and new E&C leisure centre |
| TRANSPORT STRATEGIC | £223 per person. - Replaced by E&C OAPF Tariff | 1,350,530 | Replaced by E&C Tariff | 0 |
| TRANSPORT SITE SPECIFIC | Costed on a site-by-site basis. Eg zebra crossing £30,000 | 1,505,340 | New on site crossings, streets, bus stops and cycle routes. Car clubs, travel plan, raised table on Heygate St, Barclay's bikes and S278 works | New on site crossings, streets, bus stops and cycle routes. Car clubs, travel plan, raised table on Heygate St, Barclay's bikes and S278 works (est £4.1m) |
| TRANSPORT FOR LONDON | Costed on a site-by-site basis | 0 | 1,100,000 less any payments from Phase One and St Mary's plus 1no bus stand | 1,100,000 less any payments from Phase One and St Mary's plus 1no. bus stand. |
| CROSSRAIL CHARGE | Based on indicative sums | 0 | 0 | 0 |
| PUBLIC REALM | Costed on a site-by-site basis. For example street lighting £2100 per column | 2,122,590 | On site provision of new footways, improvements to Elephant Rd, hard and soft land landscaping including 2 new squares lighting and 1200 off-site trees | Provision of new footways, improvements to Elephant Rd, hard and soft land landscaping including 2 new squares, lighting and 1200 off-site trees (est £10.5m) |
| ARCHAEOLOGY | Site up to 1000sqm would cost £2400 | 0 | 0 | 0 |

| | | | | |
|--|---|-------------------|---|---|
| HEALTH | £961 per unit | 2,700,815 | 500sqm on site or contribution capped at £1,489,879 | 500sqm on site or contribution capped at £1,489,879 |
| COMMUNITY FACILITIES | £73 per person | 383,602 | On site provision | On site provision (worth at least £383,602) |
| OTHER, INCLUDING | Costed on a site-by-site basis. | 0 | 0 | 0 |
| Over 12's off site play provision | Contribution required as on site provision not being provided | 0 | 300,000 | 300,000 |
| E&C OPAF Strategic Transport Tariff | £104 per sqm of additional floor space for residential, £12 per sqm per on uplift of Retail (nonaffordable) /other. | 0 | 13,027,708 | 13,027,708 |
| | | 16,868,668 | | |
| Admin charge | 2% of the first £3 million of monetary contributions to be provided thereunder and 1% of monetary contributions to be provided thereafter | 196,818 | 189,134 | 189,134 |
| Total contributions | Contributions to the Council | 16,878,604 | 16,360,448 | 16,360,448 |
| | Estimated value of in-lieu works | | plus in lieu works (est at £10.809m) | 25,795,244 |
| Total including in-lieu | | | 27,102,487 | 42,155,692 |

Assumptions: Retail uplift of 13,417sqm, new office of 4988sqm, new residential Private (123 x studios, 655 x1bed, 1022 x2b, 99x3b), Intermediate (88x1b, 130x2b, 69x3b,) SR (85x1b, 116x2b, 82x3b)

Education

- 374 An estimated 238 (school aged) children could be housed by the proposed new development, over an estimated 10 - 12 year construction period. Local primary and secondary schools are profiled to be at or close to capacity within the next few years. The S106 SPD toolkit(s) provides for a contribution per estimated child toward both local primary and secondary provision. The default toolkit applies to all new residential units, including replacement units. However, given the embedded existing capacity associated with the current residential units (notwithstanding that the estate is all but vacant), the long development timeline, and the provision of education contributions from the Early Housing sites, which was developed to provide replacement accommodation for Heygate residents, officers consider that the applicant's position, that with the over provision of other obligations a contribution based only on the additional units would be reasonable. The total education contribution will be £1,319,286 which will be paid on the development of each plot based on the number of units the relevant plot provides.

Employment in the Development

- 375 The applicant proposes to provide the required contribution. This will be triggered on a phased basis.

Employment during construction

- 376 The applicant proposes to deliver the employment during construction on-site by means of a programme which aids unemployed Southwark residents into employment through training and apprenticeships. A minimum target of construction jobs for Southwark jobless will be set within the legal agreement and this will be a minimum of 397 although the overall target will be double. Also in the event of under-performance a default payment will be triggered the amount of which would be dependent on the level of under-performance. The job target and payment are all calculated on the basis of the standard toolkit formula.

Employment during construction management fee

- 377 Contribution to the management and co-ordination of the construction workplace co-ordinator programme, enabling the council to support and monitor the in-lieu employment during construction and in the development obligations. The fee has been calculated on the basis of the standard toolkit amount and the applicant's proposal is in line with this requirement.

Affordable retail

- 378 In line with the requirements of the Elephant and Castle SPD the legal agreement secures the provision of affordable retail units within the development. This will equate to 10% of the total retail floorspace within the development and the legal agreements sets out the terms and conditions of the leases for these units. In essence the first 5 years of the relevant lease will range from a period of rent free to increasing percentages of market rent. This reflects the standard provisions for such floorspace in similar developments and legal agreements in the borough.

Public open space, children's play equipment, and sports development

- 379 A new public open space with associated planting and maintenance is a fundamental policy requirement of the redevelopment and provision of this quantity of new residential units. The new 0.8ha park along with additional door step and local play provision will be secured in the s106 together with public access equivalent to council maintained parks. The park has an established cost of over £6.9m which is significantly in excess of the amount required by the SPD toolkit. The on-site play provision proposed will equate to an estimated value of £400,000. Whilst normally there would be a requirement for Sports development in this case given the high value of the parks work and the introduction of the new Leisure Centre at the Elephant and Castle officers consider that the omission of a sports development contribution in this context is acceptable. The park will be delivered in two tranches where half the area will be provided alongside the neighbouring plots either north or south (any one of plots H1,2, 4 or 5). The full park area will be delivered where either the northern pair or southern pair of plots are developed or where a combination of H1 & H4 or H2 & H5 are delivered consecutively. In the event that the phasing is varied so that none of the above plots come forward early then the legal agreement will make provision for a temporary park provision of 0.4ha (half the total park area) at an alternative location within the site.
- 380 A further provision of the legal agreement is to set up a Parks Advisory Group to help inform a brief and develop a master plan for the park provision. The group would comprise representatives from local groups, the Council (local ward members) and the developer.

Transport site specific

- 381 New roads within the development and the reinstatement of Heygate Street, pavements, crossing on Walworth Road, New Kent Road and Rodney Road and a new north-south cycle route are required by the development. The S106 will require obligations to provide these works, along with Car Clubs and Barclay's Bikes, all of which are estimated as significantly in excess of the standard toolkit contribution £7,500,000 as against a toolkit requirement of £1,525,725.

Transport for London

- 382 TfL have required provision for an extended bus service together with bus stands. A contribution of £1.1m, minus any contributions from St Mary's and Phase 1 (Rodney Road), will be made by the developer towards the costs of extending a bus service into the new development. The extra bus capacity will be required by the 7th anniversary of implementation when the first of 5 payments will be triggered. Should the developer elect to have an off site rather than on site bus stand, the cost of further extending the bus service to the off-site stands will be met by the developer to a total maximum of £2.2m, including the £1.1m but minus the other development payments.

Public realm

- 383 New lighting, paving, hard and soft landscaping are required by the development. The S106 will include obligations to provide these works, along with on and off site tree re-provision, all of which are estimated as significantly in excess of the standard toolkit contribution. The value of the works proposed are estimated at £10.5m as against a toolkit requirement of £ 2,122,590.

Archaeology

- 384 As the site is not in an Archaeology Priority Zone, no obligations are being sought.

Health

- 385 500 sqm of space for Health has been identified in the indicative master plan. Although there is currently sufficient local provision, additional capacity is required to meet the increased need from the new units. Should a health provider chose not to take this space, then a contribution equivalent to the S106 toolkit on the additional residential units on site would be payable (£1,489,879). This contribution would enable existing off-site facilities to be expanded to meet the additional need from the development. It is considered, as with the education contribution, that as there is existing health provision embedded in the local area from the existing residential units, only the impact of the additional units needs to be address for the health provision.
- 386 The legal agreement will require the developer to commit to either the on-site provision or the contribution on completion of the 750th unit. If opting for the contribution the payment for the first 750 units becomes due at that point. Thereafter contributions would be triggered at the completion of each plot as per the provisions for the education contribution. Where a health facility is to be provided on site it will be constructed and transferred to the PCT on completion of 1800th unit.

Community facilities

- 387 The application proposes a minimum of 1,000 sqms of community floorspace which could emerge in any one of a number of plots. This is considered to be appropriate as on-site provision of at least equivalent if not greater value than the toolkit contribution that would be triggered which amounts to £389,185. The legal agreement will include

an obligation to either provide this on site or by way of a contribution in a similar manner to the health provision described above.

Over 12's off site play provision

- 388 The contribution is necessary as on site provision as required by the London Plan is not being provided and the contribution is sufficient to provide that level of mitigation off site. It is envisaged that the provision will be made locally so that it is convenient for the target group within the development. The payment amounts to £300,00 which should allow for the provision of a MUGA or similar in order to meet the requirement

E&C SPD/OAPF – Strategic transport tariff

- 389 This tariff replaces the former Strategic Transport payment within the toolkit. It is a mandatory payment and is to be applied to the improvements identified in the OAPF for the Northern Line ticket hall and the Northern Roundabout. The payment is calculated at a set rate for additional floor space for residential and any uplift in retail floorspace (see table above). The requirement for this development amounts to £13,027,708. The legal agreement secures the payment on the following basis:

Either:

On a plot by plot basis with 50% of the pro-rata amount paid on implementation of the plot and 50% on completion (for each and every plot)

Or:

In the event of a Transport & Works Order coming forward for the Northern Line Ticket hall an initial payment – 1st of 4 equal payments – in December 2018 with the 3 subsequent annual payments on the anniversary.

- 390 In terms of the overall value of mitigation proposed the combined total of on-site/ in-lieu works has been calculated to be £26,053,205. Together with payments of £16,360,448 the combined value of contributions and on-site/in-lieu works would be £42,155,692. Set against the total toolkit requirement of £27,102,487 the over-provision in terms of the required value of open space, transport and public realm set against, what could potentially be construed as the under-provision of education, health and sports development (in relation to health only if not provided on site) is considered acceptable. The overall level of mitigation is considered appropriate for a development of this nature given all the circumstances.
- 391 In assessing the impacts and requirements of this application against the tests of Regulation 122 and the requirements of 8.2 of the London Plan and Saved policy 2.5 of the Southwark Plan, S106 SPD and SPD20 of the Elephant and Castle SPD / Opportunity Framework 2012, it is considered the obligations are necessary, directly related to the impacts of the development and fair.

Sustainable development implications

- 392 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. 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:-

- 393
- 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', 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.

- 394 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 buildings. In the consideration of energy efficient measures, application proposals should apply the Mayor's 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.
- 395 A Sustainability Strategy has been prepared and submitted with the application documents. This sets out how sustainable development has been considered throughout the design evolution of the Heygate masterplan outline proposals (and the wider Heygate Regeneration area), as well as how sustainability will be considered through the development process, through to detailed design, construction and operation.
- 396 The Sustainability Strategy sets out that as part of the consideration of sustainability in the development proposals, the applicant has prepared a sustainability brief for the development, organised sustainability workshops and meetings, produced technical studies and undertaken a Sustainability Appraisal of the development. The Strategy explains that there is a commitment to achieve a Code for Sustainable Homes (CSH) Level 4 for the residential units. In relation to the non-residential floorspace in the

development, a BREEAM assessment has been considered. BREEAM assesses the environmental impact of a building against a range of issues, and credits are awarded where the building achieves a benchmark performance. It is the equivalent test to CSH, but for use for non-residential floorspace. The commercial floorspace proposed as part of this application would be spread out throughout the site area, and would not be concentrated within a single building. At this outline stage of the planning and design process, the exact size and end use for the proposed commercial floorspace is not known. Therefore the applicant has undertaken to be subject to a general commitment to achieve BREEAM 'excellent' rating for commercial units (over 1000sqm), in accordance with minimum policy requirements. It has not been considered necessary to undertake this commitment for the smaller units below 1000sqm in this instance, as the operations within smaller units are likely to be less suitable for assessment against the BREEAM criteria, for example, because of reduced servicing requirements. In addition to a commitment to meet minimum BREEAM requirements for commercial floorspace, the Strategy also describes a commitment to comply with BREEAM 'very good' rating for any community use floorspace in the development.

397 It is proposed that the development include a number of measures to reduce potable water demand and improve water conservation. Water-efficient sanitary ware such as water meters, spray taps and low flow showers are intended to be included in the constructed development. The applicant has also committed to the production of a design specification to achieve consumption of 105 litres per person a day within the proposed residential dwellings. An irrigation system is intended for communal garden spaces, using rainwater and reducing the demand for potable water garden irrigation. It is also intended that the development achieve a 50% reduction in surface water run off from the existing site levels, and this is in accordance with minimum requirements in the London Plan and Southwark's Core Strategy. A sustainable urban drainage strategy has also been developed as part of the landscape strategy for the proposed development, and it is intended to utilise roof areas for green / blue roof areas, as well as ground areas for filter drains and permeable paving.

398 An energy strategy and energy strategy addendum have been submitted with the application. It is intended that these documents demonstrate how the proposal would comply with the requirements of the London Plan and Southwark's Core Strategy for energy efficient and low carbon solutions in development. Policies within the London Plan and Southwark's Core Strategy, require developments to apply the Mayor's Energy Hierarchy. The 'Hierarchy' consists of applying the following measures into the development as a consecutive set of principles:-

1. Be Lean – use energy efficient design to reduce the need for energy in the operation of the development;

2. Be Clean – use on site low carbon energy generation, including the use of Combined Heat and Power Systems; and lastly

3. Be Green – incorporate renewable energy technologies into the development.

The premise of the Energy Hierarchy is to reduce the need for energy within a development in so far as is possible, before applying measures to deal with the remaining (reduced) energy demand from low and zero carbon sources. Taking each of the Energy Hierarchy criteria described above, the measures intended to be included within this proposed development are outlined below.

'Be Lean'

399 The application and design of the proposed development is at outline stage only, and therefore it is difficult to be certain of how measures to improve energy efficiency will

physically manifest themselves within the proposed buildings. However the applicant has developed a strategy which will require higher levels of insulation and air tightness within the proposed residential buildings, and a definite consequence of these measures will be increased energy efficiency of buildings. This strategy of measures will inform the next design stages for the development, ensuring that buildings are finished to an energy efficient standard. Other measures include ventilation to facilitate effective natural passive ventilation, and requiring any mechanical ventilation systems to be highly efficient, incorporating heat recovery from relevant areas of the building (i.e. kitchen / bathroom). Opportunities for natural lighting will also be maximised, to minimise reliance on artificial lighting, and where artificial lighting is used, this will be low energy lighting and LED lighting with smart controls. Whilst maximising opportunity for daylight, solar gains will be minimised through passive control measures to prevent overheating during summer months. Glazing types will be designed and applied so that it will directly contribute to ventilation, daylight and thermal strategies.

'Be Clean'

- 400 It is proposed to include two centralised gas Combined Heat and Power (CHP) systems to serve the developments need for space heating and residential hot water supply. This is in preference to a building by building approach which would only satisfy individual buildings heat and power requirements. The proposed energy strategy takes a holistic approach to satisfying the energy needs of the wider development, and intends to maximise the efficiency of the energy supply. Therefore the preferred energy-efficient generation technology is two centralised gas CHPs delivering both space heat and residential hot water, via a low temperature hot water District Heat Network (DHN) to the proposed development. The DHN also provides opportunity for the extension of the network to sites outside of this development area.
- 401 District heating is the supply of heat to a number of buildings or homes from a centralised source through a network of insulated pipes carrying hot water or steam. It is highly efficient and less polluting than localised boilers, and when combined with CHP systems, it is a particularly low-carbon form of energy distribution. District heating pipes are not specific to the technology used to generate the heat and so can connect to a range of sources of heat supply including CHP, biomass, energy from waste, ground source heat pumps, geothermal heat or large power stations. This means that networks can be put in place now, based on whichever heat supply technology is most appropriate and upgraded over time, for example to more renewable sources of heat.
- 402 The energy strategy for this development needs to evolve in sequence with the lengthy construction programme, and needs to relate to the energy demand resulting from the occupation of completed buildings. Therefore while CHP systems are proposed, because of the size of the Energy Centre required to meet the energy demands of the completed development, it would only be possible to switch on the system once there is sufficient demand for the energy from the centre. Therefore the formalisation of the DHN and realisation of the Energy Centre is a gradual process that would take place over a period of years.
- 403 Initially it is proposed to use high energy efficient gas boilers to meet energy demands in the first building phase (around year 2018). This is because the occupation levels within those buildings would not be high enough to justify turning on the site wide energy solution, and the creation of smaller CHP systems to satisfy the energy demands of individual buildings in the interim would be inefficient and contrary to the site wide initiative. Once the second phase of the development is complete (around year 2019), the occupation levels will be such that the first CHP system can begin to serve the developments energy needs. A second CHP is then intended when the

energy demand increases following completion of the buildings in phase 3 of the development (around year 2021). Between the switch on of the first CHP and the second CHP unit, energy efficient gas boilers will again satisfy the energy needs of the new additional occupiers. With the operation of these CHP systems, the site wide districting heating solution will come into fruition.

- 404 The proposed DHN would be designed to operate as a low temperature hot water system. There are a number of buildings / developments in close proximity to the Heygate Masterplan site that could connect to the DHN at a later date. While the submitted energy strategy notes that capacity for the CHP units will not be reached within the developments initial phases, it is recognised that these surrounding developments could be suitable for connection to the DHN and that this could increase thermal energy demand to a sufficient degree, allowing the switch-on of the CHP systems at an earlier phase in the development programme. To ensure that there is sufficient opportunity for these surrounding buildings (outside of the application site) to connect to the DHN, the design of the DHN and Energy Centre is intended to be suitably flexible and 'future proofed' to facilitate this increased thermal demand. It is estimated that the Energy Centre would be able to accommodate approximately 1,000 additional dwellings, outside of the application site. Concerns have been raised by some residents that the proposed Energy Centre would not have enough capacity to provide power for both the Heygate and surrounding residents as part of the DHN, however it is possible through a planning permission, to require the Energy Centre to be built to accommodate an additional 1,000 homes outside of the site. This would mean that in the event that the plant equipment installed into the centre had reached capacity, additional plant would have to be installed by the developer to accommodate additional capacity, in order to comply with this requirement. The submitted Energy Strategy identifies a number of surrounding developments likely to be suitable for connection to the Masterplan DHN, including the developments at St Marys (Former Elephant and Castle Swimming Pool) and Phase One of the Heygate Estate, Rodney Road (Land bounded by Victory Place, Balfour Street and Rodney Road). Furthermore, in future it is likely that plant equipment will modernise and developments around the newly redeveloped Heygate site could be constructed with sufficient plant to feed into the DHN without adding additional strain to the Energy Centre, therefore the DHN would not necessarily be limited by the plant capacity within the Energy Centre.

'Be Green'

- 405 The submitted energy strategy includes an investigation of a number of different renewable energy types, and the feasibility of incorporating them into the proposed development. Taking each technology in turn, an assessment of possible renewable energy solutions is provided below:-

406 i. Solar PV

It is estimated that 25% of the indicative roof area of the Heygate Masterplan could be made available for solar PV. This is an estimate only, because the detailed design phase is yet to be undertaken and this is an outline application only. It is possible that this could be increased, however based upon the current estimate, a reduction in carbon emissions from the site of 6.3% would be possible from the inclusion of PVs.

ii. Solar Thermal

This technology satisfies hot water and space heating demand. It can be used to preheat boilers or DHN return flow. The thermal water and space heating demand is already intended to be met by the inclusion of CHPs in the development, and therefore solar thermal would be less compatible with the strategy and results in the use of less energy efficient individual gas boilers in the scheme. The alternative to individual systems, with the use of solar thermal in combination with a DHN, would reduce the temperature rise required by the boilers or CHP, and therefore an auxiliary heat

source (i.e. gas boiler) would be required.

iii. Biomass Boiler & Biomass CHP

Both of these technologies require the transportation of biomass wood fuel to the site for combustion into gas energy. Both the transportation and combustion of the fuel result in possible impacts upon air quality in the area. There is also increased need for storage capacity to facilitate fuel deliveries, and flue requirements to ensure pollutants are not dispelled in close proximity to residential units within and outside the development site area.

iv. Wind

The opportunity for wind turbines is severely limited in densely populated urban environments such as where the application site is located, this is due to wind speeds being heavily affected and reduced by the height of surrounding buildings.

v. Ground Source and Air Source Heat Pumps

Both of these technologies run at a maximum efficiency at lower output temperatures than the proposed DHN for space heating design, and therefore are better suited to underfloor heating. There is also a relatively low output from these forms of renewable energies, with a small amount of electricity being required to run the pumps in the first instance, further reducing the possible carbon savings produced.

- 407 Of the above renewable energy technologies assessed, Solar PVs is the most compatible with the intended CHP DHN Energy Centre solution for the site. However the level of carbon reduction as a result of incorporating PVs into the development is limited, and would require substantial areas of roof area to form any meaningful carbon saving on the site. Therefore the applicant has sought to investigate other possible energy sources that could be sought off-site, but still form a green and renewable source of energy for the development.
- 408 Biomethane is an alternative fuel source to natural gas. It is created when biogas, generated through the anaerobic digestion of sewage, waste or crops, is cleaned to remove other gases, creating a gas that is approximately 98% methane. The biomethane can then be injected into the gas network and gain accreditation under the Green Gas Certification Scheme (GGCS), which is administered by the Renewable Energy Association. When injected into the grid it displaces the same amount of conventional gas. The GGCS then tracks the green gas from its injection into the gas distribution network and sale onto a supplier or trader, through to when it is sold on to an end consumer. It is important to note that the GGCS tracks the contractual flows of green gas rather than the physical flows of green gas. The platform through which the gas is tracked and authenticated has been created by web development agency SAV
- 409 Biomethane grid injection is recognised by the Department of Energy and Climate Change as a renewable fuel within the Renewable heat Incentive scheme. Currently there are two operational biomethane injection plants in the UK at Didcot Sewage Works, Oxfordshire and Adnams Brewery, Suffolk. The use of biomethane instead of traditional fossil fuels such as natural gas, would clearly lead to a reduction in the amount of carbon that results from the operation of the development. The use of biomethane as a renewal fuel in the development could provide a reduction in CO2 emissions of 853 tonnes. This equates to displacing 27% of the Heygate Masterplan site demand for natural gas. If all of the gas required at the Energy Centre on the site is displaced by biomethane, this would reduce the regulated emissions from the site to zero.
- 410 Biomethane is a relatively new form of renewable energy, and therefore how the development will implement an energy strategy using biomethane as a renewable source is not yet finalised. While there are two biomethane injection plants in the UK, these are not suitable to support the operation of biomethane in this development proposal, and the proposed energy strategy relies upon the rollout of new biomethane plants in the UK prior to the use of biomethane as a renewable energy solution for the

site. Or alternatively, the utilisation of a biomethane injection plant outside of the UK. The introduction of new biomethane injection plants is feasible given the growing understanding and status of biomethane as a renewable energy solution, but a biomethane strategy cannot be considered with certainty as a renewable energy solution for the development at this stage. Therefore the inclusion of biomethane as a renewable energy strategy for the site would require review at each reserved matters stage, to ensure the practicality of implementing green gas into the scheme, and the realisation of carbon savings associated with it.

- 411 A further difficulty with the reliance on biomethane as the renewable energy solution for the site is that it is produced off-site. Southwark's Core Strategy policy 13 'High environmental standards' requires developments to achieve a 20% reduction in resultant carbon emissions from *on-site* renewable energy. Therefore the use of biomethane would not satisfy this policy requirement. It is possible that as new renewable energy infrastructure and technologies are established, the focus on the production of renewable energy on-site will shift, and the use of off-site renewable energy may become acceptable. This is a developing area of technological understanding and it is expected that policies will alter in future as technology progresses. Given the long build out programme for this application, and that the detail is currently at outline stage only; it is acceptable to reserve matters concerning the application of renewable energy in the development, and allow future assessment to take place in accordance with adopted policy at the time that details are finalised.
- 412 The submitted Energy Strategy demonstrates that a minimum of 6.3% carbon reduction could be achieved from the inclusion of PVs on the site. It is therefore possible to include renewable technology as part of the development, produced on-site. If planning permission were granted for this outline application, it is possible to secure the investigation of on-site renewable technologies at each reserved matters stage, which could include PVs or other technologies. At each reserved matters stage amendments to the currently submitted Energy Strategy could be submitted to show how adopted policy standards (at the time of that application) will be satisfied. If the policy standards require the inclusion of on-site renewable technologies, then this will need to be incorporated into the development. However it is also possible to allow for future development of the infrastructure for green gas and associated advancement in planning policy, to ensure that should focus shift in favour of the biomethane renewable energy strategy proposed the scheme is able to incorporate the biomethane strategy in the development and maximise carbon reduction on the site. How this can be secured is discussed below, in the conclusion of this section on sustainable design and construction.
- 413 In addition to the above policy considerations for the creation of sustainable development, the applicant seeks to achieve zero carbon certification for the development. The Zero Carbon Hub are working with the Department of Communities and Local Government to determine a definition of zero carbon, and the associated criteria that a development would need to satisfy to be certified zero carbon development. The aspirations of the development to achieve zero carbon certification are welcome, and the proposed measures set out in the Sustainability Assessment and Energy Strategy set out the measures that will reduce carbon emissions on the site. Through these measures, the proposed development will also result in carbon savings when compared to the existing buildings on the site.
- 414 The carbon embodied within the proposed buildings would be greater than that embodied in existing buildings, because the proposed buildings are at a greater density and scale than the existing buildings. However the energy efficiency of the proposed buildings, and the use of low and zero carbon energy forms, mean that the overall quantum of carbon associated with the site would be reduced when compared with the inefficient existing buildings on the site. While the proposed park and tree

planting / landscaping measures for the site also play a part in the embodied carbon of the development, it is relatively small when compared to the carbon embodied in buildings, resulting from occupation and operation of buildings on the site. Therefore the existing trees and planting and proposed trees and landscaping would only marginally impact the carbon life cycle of this site. Despite significantly increasing the number of homes on the site, a development of the proposed density, constructed to be energy efficient as described above, could be expected to 'payback' the carbon emissions, from constructing the planned development, within approximately 16 years. By approximately 20 – 25 years, the operational carbon savings would be expected to equal the embodied emissions of both the existing estate and the new development.

- 415 The applicant has also become a developer partner of the Clinton Climate Initiative, and as part of this, the proposed Heygate development has been incorporated into the Climate Positive Development Program (CPDP). Through CPDP, developers seek to meet a "climate positive" emissions target by reducing and offsetting the net-negative operational greenhouse gas emissions from a site. This climate positive outcome is achieved by reducing emissions on site through energy efficient and green energy solutions, and by offsetting emissions in the surrounding community through low carbon programs. In order to achieve a Climate Positive outcome, the developer of this site would need to earn Climate Positive Credits by reducing emissions on-site and abating emissions from surrounding communities. One example of how the developer might abate emissions from surrounding communities could be by funding the retrofitting of a public building or school with renewable energy technologies. The intention of the developer to achieve a Climate Positive outcome is a welcome aspect of the application proposals.

Conclusion on sustainable development implications

- 416 The submitted sustainability assessment and energy strategy are acceptable in part, but will require amendment and revision as the scheme develops to reserved matters stage. It will be necessary to secure the achievement of Code Level 4 and BREEAM 'very good' or 'excellent' as required by particular uses, as part of planning conditions attached to any approval of the application. The submitted Energy Strategy currently describes appropriate measures and intentions in relation the construction of energy efficient buildings and the incorporation of a Combined Heat and Power system and District Heat Network, however further details and provision of these elements would need to be secured as part of planning obligations secured in a legal agreement attached to a planning permission (should it be granted). It will be necessary to continue the review of biomethane to determine whether it will be possible to rely upon this 'green gas' as part of the operation of the development. In any event, it will be necessary to review the arrangements to satisfy policy requirements for renewable energy in developments. This can be included in a legal agreement, and should be reflective of possible future policy changes that would permit reliance upon off-site renewable energy provision. However as policy currently stands, the development would need to satisfy the requirement for a 20% reduction in carbon emissions from on-site renewable energy, and assuming this remains unchanged, future applications for reserved matters will need to demonstrate how the development will satisfy this criterion. With the incorporation of this requirement through the legal agreement, the provision of renewable energy can be secured, and therefore is considered to be acceptable.

Conclusion on planning issues

- 417 The Elephant and Castle is identified in the development plan as an area in need of regeneration where the application site forms a principal component of the wider Opportunity Area. The Heygate Estate has long since been identified as being in need of redevelopment as estate refurbishment would not address the problems identified

with the estate or deliver the Council's wider vision for the Opportunity Area as an attractive central London destination.

- 418 The development proposal would deliver a high density mixed use scheme on a brownfield site in a central and easily accessible location. It will make a significant contribution towards meeting London-wide and local housing targets for new homes, including affordable housing, built to a high standard and providing improved standards of living accommodation. The proposal will help to consolidate the Elephant and Castle as a Major Town Centre through the provision of a varied mix of land uses on the site, including a range of business, retail, community and leisure uses. In this respect the scheme would generate a significant amount of employment opportunities in the area, both at construction phase and within the completed development. In addition the proposal would result in a substantial increase in local open space through a new Park as well as smaller open spaces, public square and new public routes which will significantly improve pedestrian and cycle permeability around this part of the Elephant and Castle as well as provide opportunities for enhancing biodiversity. The proposal will assist in the delivery of public transport improvements on both buses and by underground.
- 419 The outline application is broad in nature and as such matters such as design and appearance of the new buildings will be dealt with at the detailed design Reserved Matters stage. However no impacts at this stage have been identified that suggest that the scheme would have a significantly harmful impact on strategic and local views, heritage assets and World Heritage Sites.
- 420 It is recognised that the redevelopment of the Heygate Estate, including demolition, has the potential for significant environmental impacts and therefore an Environmental Statement was submitted in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. In coming to a decision on the demolition and outline applications, officers had full regard to the Environmental Statement and all submissions relating to considerations contained in that Statement. This includes an assessment of possible alternative options and why these were not feasible as well as an assessment of the cumulative impacts of this and other nearby developments. Following mitigation measures, there are likely to be some adverse impacts associated with the demolition and construction phases (for example, increased noise, dust, vibration, construction traffic, and impacts on townscape character) but these impacts are short to medium term and none of these issues are considered to amount to such significant harm that would justify the refusal of planning permission. Furthermore, they would not outweigh the significant and long term benefits that would be gained from the redevelopment of the site.
- 421 Other policies have also been considered but as set out in the report no impacts and/or conflicts with planning policy have been identified that couldn't adequately be dealt with by planning obligation or condition. The proposal is broadly consistent with key policies as set out in the Core Strategy, Southwark Plan and London Plan. Although, for reasons of viability, the level of affordable housing is below the policy requirement of 35%, the overall benefits of the scheme in terms of regeneration, employment, public open space and improvement to the physical environment are considered to merit approval. Whilst the energy strategy requires further review, given the ongoing development of policy in this regard the arrangements for reviewing this strategy should ensure a sustainable development over the longer term programme of the implementation of this scheme. Having regard to all the policies considered and any other material planning considerations it is recommended that planning permission is granted subject to conditions and the completion of a legal agreement.
- 422 A summary of the reasons for granting planning permission for the demolition and outline planning applications, including summaries of the development plan policies

that have been taken into account, are included on the draft decision notices.

- 423 Discussions are ongoing in respect of the recommended conditions and it is intended to include an updated draft within the Addendum Report to the Committee.

Community impact statement

- 424 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. The impact on local people is set out above.

Consultation

- 425 Details of consultation and any re-consultation undertaken in respect of the outline and demolition applications are set out in Appendix 1.

Consultation replies

- 426 Details of consultation responses received for the outline application are set out in Appendix 2.

Details of consultation responses received for the demolition application are set out in Appendix 3.

- 427 **Summary of consultation responses**

| | Issue | Officer Response |
|---|---|--|
| 1 | Lack of Affordable Housing. | Refer to Paragraphs 144-167 The application proposes 25% affordable housing. A financial appraisal has been submitted to justify this level of provision. The legal agreement will include clause(s) to require a viability review to increase the affordability or quantum of affordable housing in certain circumstances. |
| 2 | Insufficient provision for renewable energy as part of the development. | Refer to Paragraphs 405-416 Renewable energy will be utilised in the development. The details of the provision will be secured at the Reserved Matters stage and a review of the proposed biomethane option / renewable technologies will be secured via the legal agreement. |
| 3 | Loss of trees. | Refer to Paragraphs 320-341 Details of how existing trees to be retained will be protected during demolition and construction phases will be required by condition(s). Details of a Site wide Tree Strategy which accords with the principle of no net loss of trees on site will be required by condition. Off- |

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| | | site tree planting will be dealt with via the legal agreement. |
| 4 | High number of car parking spaces proposed. | Refer to Paragraphs 225-226 The additional car parking is justified by viability reasons. A Car Parking Scheme which sets out the considerations that have informed the proposed amount of parking for each plot(s) will be secured by legal agreement as well as a Car Parking Management Plan. |
| 5 | Insufficient consideration of cycle routes, particularly a north south bypass over the Elephant and Castle Roundabout. | Refer to Paragraphs 217-218 All routes within the development will be available for use by cyclists as well as two signed cycle routes. TfL propose a new Cycle Superhighway (CSH6) connecting with the existing CSH7. |
| 6 | Insufficient public transport infrastructure. | Refer to Paragraphs 233-240, 373, 382 and 389 The legal agreement will secure monies towards improvements to the Northern Line Ticket Hall and Northern Roundabout. The legal agreement will also secure options for improvements to local bus services including additional bus stands / extension to existing bus routes. |
| 7 | Loss of amenity space and related privatisation of the public realm (proposed management scheme for site landscapes including the park). | Refer to Paragraphs 324-327, 330, 338, 373, 379 and 383 A minimum of 4.53 ha of new public realm will be created, including a new public Park (minimum 0.8ha). The developer will be responsible for the management and maintenance of the Park but the legal agreement will secure the public free and unobstructed access. A Parks Advisory Group (comprising representatives from local groups, the Council and the developer) will be created to develop a masterplan for the Park. Existing adopted roads will remain but new roads within the development will be managed by an Estate Management Company. Details of an Estate Management Strategy will be secured via the legal agreement. |
| 8 | Concern regarding the number of residential units proposed and overpopulation as a result. | Refer to Paragraphs 72-82 and 138-139 The application site is within an Opportunity Area where high density mixed use development is strongly supported to maximise the efficient use of land and to help address the pressing need for more housing. The proposed |

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| | | density of the scheme sits within the density range normally expected for this area. |
| 9 | Concern regarding the location of the community centre and public space, and related impacts from noise upon residents in Garland Court / Wansey Street. | <p>Paragraphs 112 and 202-203</p> <p>The precise location and size of non-residential uses within each development plot is not known and all material is indicative / illustrative at this outline stage. The impact of such uses on existing residents and future occupiers of the development will be fully assessed at Reserved Matters stage.</p> <p>The main part of the proposed square will extend alongside the Town Hall. The design / treatment of the square will need to take account of local residential amenity.</p> |
| 10 | Requests for the release of information relating to the viability of the scheme. | <p>The applicant has submitted a detailed financial appraisal in relation to affordable housing. The appraisal contains commercially sensitive data and is treated as "Private & Confidential". The LPA does not normally release such material in the public domain, so this application is not treated differently from any other planning application. The viability evidence has been assessed by the District Valuer on behalf of the LPA. The officer report includes an assessment of the viability appraisal.</p> |
| 11 | Poor consultation undertaken by the developer / applicant. | <p>The applicant has submitted a detailed Statement of Community Involvement. This describes the Community Forum meetings, Liaison Group meetings, walk/talk events etc that have been carried out since May 2011. Officers do not agree with the suggestion that the applicant has been poor in the consultation undertaken; rather it is considered that there has been a thorough consultation exercise carried out in respect of the planning applications.</p> |
| 12 | Height and design of the proposed development inappropriate for the character of the existing area. | <p>Refer to Paragraphs 273-284</p> <p>The proposal includes a number of tall buildings across the site. The heights are concentrated towards the northern end of the site along the main road frontages to help define an emerging cluster of buildings (including Strata Tower) at the gateway of the E&C. Low-rise buildings are proposed at the southern end of the site to respond to the lower-scale of existing adjacent properties. This is in</p> |

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| | | <p>accordance with the E&C SPD.</p> <p>The detailed architectural design of the buildings is not the subject of the outline application but will be considered carefully at the detailed Reserved Matters stage. The submitted DSD sets out the 'design rules' that will need to be adhered to in the design of the development.</p> |
| 13 | Adverse impact upon the setting of adjacent existing or planned conservation areas and listed buildings. | <p>Refer to Paragraphs 288-293 and 305-311</p> <p>The impact on townscape and heritage assets is considered in the Townscape, Visual and Built Heritage Assessment. The proposed heights and massing of the tall buildings on Plots H3 and H2 are considered to preserve the setting of the listed Walworth Town Hall and the height of Plot H11b will mean there will be an acceptable impact on the listed buildings along New Kent Road. Measures to protect the listed K2 Telephone Kiosk on New Kent Road (located within the application site boundary) during demolition and construction will be secured by condition(s).</p> <p>The view taken from the draft Larcom Street Conservation Area (being the one closest to the application site) shows a well articulated skyline resulting from the proposed development. It is recognised that the detailed design of Plots H5, H6, and H7 will require sensitive articulation at the detailed design stage.</p> |
| 14 | Concern that there will be vehicular access through Wansey Street during construction. | <p>Refer to Paragraph 201</p> <p>Construction traffic will be confined to main roads. The final routes will be agreed through Demolition and Construction Management Plans secured by condition(s) and legal agreement.</p> |
| 15 | Request that a noise survey is undertaken on Wansey Street. | <p>Refer to Paragraph 200</p> <p>Noise monitoring was undertaken on main roads (known dominant noise sources) to assess likely amenities for future occupiers of the development. Potential noise impacts during construction on existing adjacent residents (including Wansey Street) were calculated using standard noise data from BS5228. Demolition and Construction Management Plans will include target levels to be achieved for noise and these will be secured by condition(s) and legal agreement.</p> |

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| 16 | No provision for sports facilities. | Refer to Paragraphs 251 and 379 Doorstep and local play space will be provided in development plots and areas of public realm. The Park will offer the opportunity for informal recreation. £300,000 will be paid towards the provision of a MUGA (or similar) within the vicinity for over 12s provision (secured by legal agreement). Given the cost of providing a new Park and that a new Leisure Centre will be built at the E&C then the omission of a specific payment for sports provision is considered acceptable. |
| 17 | Loss of floorspace in community use. | Refer to Paragraph 111 and 387 The proposal would allow up to 5,000 sqm of community floorspace to be provided. Negotiations are taking place with Crossways Church to secure alternative premises to ensure this facility would not be lost. |
| 18 | Resulting poor air quality, dust and vibration during construction. | Refer to Paragraphs 185-201 The ES acknowledges that impacts associated with construction are likely to be significant and hence mitigation measures will need to be in place to reduce the impacts as far as possible. Each phase of the works will require Construction Management Plans and these will be secured by legal agreement / conditions. |
| 19 | Documents difficult to understand and too numerous. | The demolition and redevelopment of the Heygate Estate is a significant project that will be phased over a 13-year build programme. Inevitably the planning application contains a large number of detailed documents, including an Environmental Statement, to properly assess the proposal and its impacts at each stage of the development programme. A Non-Technical Summary was submitted to aid understanding of complex technical data contained in the Environmental Statement. The LPA undertook an extended consultation period for the first round of consultation on the outline application and offered a number of 'design surgeries' for members of the public who wished to discuss the application with a planner. |
| 20 | Lack of reference to securing jobs in the operational development for | Refer to Paragraphs 89, 94-95 373 and 375 |

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| | local people (not just during construction). | The proposal will result in new commercial floorspace. The legal agreement will secure 10% of affordable retail space which will be prioritised for existing SMEs in the E&C OA. Further, the applicant will pay £257,961 towards providing training and support into employment in the completed development. |
| 21 | Social impacts should be assessed, and concern that the development would not deliver a sustainable community. | The application included a Health Impact Assessment, Equalities Impact Assessment and the Environmental Statement contained a chapter on Socio-Economics. The proposal will provide a range of housing types and tenure in order to contribute towards the objective of securing mixed and balanced communities in a sustainable and highly accessible location. |

Human rights implications

- 428 These planning applications engage 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.
- 429 These applications have the legitimate aim of demolishing the substantial part of the existing Heygate Estate and redeveloping to provide a high density mixed use development comprising residential, business, retail, community and leisure uses as well as a new public Park and Energy Centre. 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/1092 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: planning.enquiries@southwark.gov.uk Case officer telephone: 020-7525-5349 Council website: www.southwark.gov.uk |

APPENDICES

| No. | Title |
|------------|--|
| Appendix 1 | Consultation undertaken |
| Appendix 2 | Consultation responses received relating to outline application |
| Appendix 3 | Consultation responses received relating to demolition application |
| Appendix 4 | Recommendation item 6.1 |
| Appendix 5 | Recommendation item 6.2 |

AUDIT TRAIL

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|--|---|-------------------|--|
| Lead Officer | Gary Rice, Head of Development Management | | |
| Report Author | Helen Goulden, Team leader, Major Applications Team | | |
| Version | Final | | |
| Dated | 4 January 2012 | | |
| Key Decision | No | | |
| CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER | | | |
| Officer Title | Comments Sought | Comments Included | |
| Director of Legal Services | Yes | Yes | |
| 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 | | 4 January 2012 | |

APPENDIX 1

CONSULTATION UNDERTAKEN IN RELATION TO OUTLINE APPLICATION FOR REDEVELOPMENT OF THE SITE REF: 10-AP-1092

Consultation Undertaken

Site notice date:

11-05-2012

Press notice date:

10-05-2012

Case officer site visit date:

Numerous.

Neighbour consultation letters sent:

10-05-2012

Internal services consulted:

10-05-2012

Planning Policy
Transport Group
Design and Conservation Team
Archaeology Officer
Economic Development
Urban Forester (Arboricultural Officer)
Ecology Officer
Environmental Protection Officer
Housing Regeneration Initiatives
Elephant and Castle Regeneration – Property
Waste Management
Public Realm (Highways)
Southwark Primary Care Trust (NHS)

Statutory and non-statutory organisations consulted:

10-05-2012
Greater London Authority
London Fire & Emergency Planning
City of Westminster
London Borough of Lewisham
London Borough of Bromley
City of London

London Borough of Lambeth
 London Borough of Haringey
 London Borough of Islington
 English Heritage
 Natural England
 Environment Agency
 Metropolitan Police
 London Underground
 Network Rail
 Thames Water
 Transport for London
 Department for Communities and Local Government
 Aquiva
 The Royal Parks
 EDF Energy

Neighbours and local groups consulted:

Neighbour notification letters sent to 2716 properties within circa 100m radius of the application site.

Re-consultation:

09-10-2012 Notification to all statutory and internal consultees.
 08-10-2012 Letters sent to all original addresses plus and additional respondents.
 11-10-2012 Press Notice.

Consultation undertaken in relation planning application for Demolition of existing buildings on structures on the site ref:12-AP-3203

Consultation Undertaken

Site notice date:

11-10-2012

Press notice date:

11-10-2012

Case officer site visit date:

Numerous

Neighbour consultation letters sent:

09-10-2012

Internal services consulted:

Design and Conservation Team
Ecology Officer
Elephant and Castle Regeneration - Property
Environmental Protection Team
Archaeology Officer
Transport Planning Team
Urban Forester (Arboricultural Officer)

Statutory and non-statutory organisations consulted:

Environment Agency
Department for Communities and Local Government
Greater London Authority
London Fire & Emergency Planning
Natural England
Transport for London

Neighbours and local groups consulted:

Neighbour notification letters sent to 2716 properties within circa 100m radius of the application site.

Re-consultation:

n/a

APPENDIX 2

CONSULTATION RESPONSES RECEIVED RELATING TO OUTLINE APPLICATION 10-AP-1092

Internal services

1 Planning Policy

No key objections to the proposal.

- The provision of additional homes on the masterplan site will significantly contribute towards the target in policy 5 of the Core Strategy, for 4,000 new homes in the Opportunity Area;
- Further clarification will be needed at the reserved matters stage to ensure that the policy regarding provision of affordable housing in developments is considered alongside viability. Suggest mechanisms to be put in place through the section 106 agreements for each phase to include a review mechanism to ensure that the maximum amount of affordable housing is delivered throughout the process;
- Policy requires 35% affordable housing and 35% private housing, the housing statement does not set out how much of either type of housing is being proposed, only that viability tests will be needed at the reserved matters application stage. This clarification will be required at reserved matters stage;
- The council's preference is that larger 4 and 5 bedroom units are also included in the scheme, the application only refers to 3 bedroom units;
- All new units will need to meet the minimum standards in the adopted Residential Design Standards SPD 2011;
- A minimum of 2,000sqm and maximum of 5,000sqm of business floorspace is proposed. The saved Southwark Plan proposal site 39P requirement is for a minimum of 45,000sqm of B1 space, including incubator space, managed workspace and accommodation. A greater quantum of business floorspace is therefore encouraged within the development site, which can be supported by an underlying demand in the 'local office market' for suitable high quality office premises.

2 Transport Group

- Pedestrians and Cyclists

The indicative layout to streets is permeable to both pedestrians and cyclists;

Where estate roads are shared with vehicles, they will be for local access by a small number of vehicles;

New pedestrian crossings are proposed for Walworth Road (near Elephant Road) and Heygate Street;

Significant works are proposed to the Elephant & Castle northern roundabout to remove the pedestrian subways and provide 'at-grade' (i.e. surface-level) crossings. This will involve the signalising the remaining three unsignalised junctions within the roundabout which, together with a thorough improvement to road markings, will improve safety for all traffic. TfL is currently reviewing the design with the intention of maximising pedestrian and cyclist safety benefits;

All routes on the estate will be available for use by cyclists, and there will be two signed routes;

TfL has proposed a Cycle Superhighway (CSH6) on Walworth Road connecting with the existing CSH7 in the Elephant & Castle area. Details of this route have not yet been determined by TfL, specifically the point at which the two CSH routes would join. Evidence shows that the majority of cyclists travelling on north-south journeys in this area choose to use the Elephant and Castle northern roundabout rather than the existing CSH7 'western bypass' on Churchyard Row and Elliot Row. The significant works proposed to the northern roundabout will help to address cycle safety problems there and so make the 'main road' route more attractive; Provision of one or two cycle hire docking stations has been secured, with details to be agreed at reserved matters stage.

- Car Parking

It is proposed that parking for disabled residents is provided at a rate of one space for every ten residential units, which is our normal requirement and therefore welcomed. Details will be considered at the reserved matters stage to ensure that disabled parking for each plot is convenient to building cores serving wheelchair-accessible units. A parking management plan will be required to demonstrate that, among other things, the development will cater for its own disabled parking requirements in the future;

Since it is within the Central Activities Zone and a Controlled Parking Zone, policy 5.6 of The Southwark Plan (saved) requires the development to be car-free aside from spaces for disabled users and car-clubs. This was more recently repeated in policy SPD12 of the Elephant & Castle SPD (March 2012). A departure from this policy has been justified by the applicant due to its impact on viability which, while not supported by any specific data, has been supported by the District Valuation Service as a fair representation. The applicant has acknowledged that the cost of providing parking is never fully recovered in sale prices, but claims that the benefits of an increased rate of sales outweighs the cost of funding the construction of the space;

A method of collecting data on the impact on sale price and sales rates from earlier phases in order to feed into viability calculations for later phases has been suggested by officers but rejected by the applicant, and the review of parking offered in the Transport Assessment has also been rejected. Similarly, methods of mitigating the impact of the parking and of additional trips on the network which would not affect viability have been suggested by officers but rejected;

In line with the reasons given for the policies of the Southwark Plan, the development should be motorcycle-free as well as car-free;

To protect the amenity of existing residents in respect of parking, all properties within the proposed estate will be excluded from eligibility for on-street parking permits and contracts to park in Council-owned car parks.

- Traffic Impact

Because of the relatively low level of parking, the traffic impact of the development is expected to be quite small and can be accommodated at local junctions without the need for improvement. A site-wide travel plan submitted in draft is generally acceptable and will be secured in order to provide support for measures to, among other things, reduce the traffic impact.

- Public Transport Impact

The development is expected to generate approximately 500 bus trips in the morning peak hour, equivalent to over 7 full double-deck buses. While there is a small amount of spare capacity on some bus corridors leaving the area towards Central London, the

others are already full. It is therefore necessary to improve the bus services in order to cater for the additional demand generated by the redevelopment of the estate and TfL have accepted that the improvement can be delayed until the majority of the development has been built.

- Rail Services

The existing Elephant and Castle rail station is served by up to 21 trains per hour toward Central London in the morning peak. The impact of additional passengers generated by the development is minimal.

- Underground Services

Through the development of the Elephant & Castle Opportunity Area Planning Framework / Supplementary Planning Document and this planning application it has been shown that the addition of three lifts at the Northern Line ticket hall would be sufficient to cater for anticipated flows. The Elephant & Castle OAPF/SPD set a tariff for development which will contribute toward the cost of the necessary improvements.

- Servicing

The approach to servicing is acceptable, but it is recommended that a site-wide Servicing Management Plan is secured since, given the generally narrow nature of the roads within the estate, on-street servicing to one plot could impact on the acceptability of on-street servicing to an adjacent plot. Provision of support courier and supermarket deliveries would help to resolve conflict and so will be sought through the Servicing Management Plan.

- Construction

The draft Construction Management Plan provided at this stage is generally acceptable, but many of the details of construction will only be developed at reserved matters stage. It is therefore recommended that a site-wide CMP is secured, to be amended for approval at the reserved matters stage for each plot or cluster of plots.

3 Economic Development Team

- Retail;

The proposed distribution of the retail with key frontages along the Walworth Road and New Kent Road is appropriate to maintain and develop the town centre functions of these streets. The inclusion of a secondary retail street with a focus on independent and smaller retailers is supported. The distribution of the 10% affordable retail space within this secondary street and around the park is encouraged. The location of the affordable units should be given equal priority with market rent units in terms of accessibility and projected footfall on the site.

- Commercial;

The quantum of commercial floorspace remains an inadequate contribution to the SPD / OAPF target of 25,000sqm-30,000sqm of commercial floorspace given the significance of the site within the Opportunity Area and the potential for local market growth over the development period. Very limited justification has been provided for the very low levels of commercial space in terms of design and market constraints.

- Local Economic Benefits;

The difference between the maximum and minimum levels in the completed development is significant and the minimum levels are of concern. Clauses are recommended to be included in the s106 agreement.

4 Arboricultural Officer

- Landscaping proposals are generally acceptable, and suitable control of landscape establishment and future management works can be provided via condition to include a longer rectification period which bridges the establishment and maturation phases.
- The tree strategy considers the existing tree stock in relation to current and emerging planning policy, and impacts assessment of the proposed development and the potential for an enhanced and maturing canopy cover. The general approach and longer term vision for green infrastructure seeks to increase the Capital Asset Valuation of Amenity Tree (CAVAT) value both on and off site so that, by completion, this is increased by 5% together with the target for canopy cover increase, the strategy therefore complies with London Plan and climate change adaptation policy objectives.
- Other than retaining the highest value trees, both in terms of condition and CAVAT, the strategy aims to provide a strong planting framework and creation of distinctive characters for streets, squares and courtyards. Inherent within this vision is the recognition of the important economic, cultural and climate change adaptation benefits which a mature landscape provides, as well as the more commonly understood environmental contribution. The rationale for tree retention is based on single specimen, group and avenue typologies, each of which play differing functions and roles. For example, an avenue may consist of individuals of relatively poor quality yet be important as a whole, whereas individual specimens should be of a higher quality in order to fulfil a more focal and aesthetic purpose. The control of more detailed testing of trees identified for retention can be provided via condition.
- Overall the proposed landscape layout is well designed and maximises the green infrastructure and design aims outlined within Open Space, Elephant and Castle SPDs and tree strategy.
- Conditions recommended concerning the following:-
Tree protection, landscaping plan, tree planting, and green roofs.

Comments on revised application documents following re-consultation on 08/10/12:-

- The amended tree strategy and landscape documents are restricted to changes at plot H11b, indicative cycle routes and related play areas. These have been made following pre and post-submission discussions with the council, public and other consultees.
- Overall the design changes result in a positive impact upon the quality and extent of amenity.
- The realignment of the mid-rise buildings and frontage conditions onto Heygate Street opens up internal green views across and into the park.
- The changes result in the removal of 1 mature category B Plane tree (T55) which is to be replaced as part of the tree strategy. This can be achieved as part of the proposed new planting within the site; on Heygate Street, to the rear of plot H7 and on the amended communal amenity space above the podium at H11b.
- Changes to the illustrative cycle routes cause no adverse impacts in relation to the landscape plan.
- It is important to note that although improvements are all made at grade, the proposed reconfigured amenity space is above basement slab conditions. Careful evaluation of design, engineering tolerances and maintenance specifications will therefore be required in order for the quality of landscape aspired to, to be sustainable. For example, mature trees are shown above 1.0-1.5m build up over the slab. This is potentially acceptable; however sufficient total exploitable soil volume needs to be confirmed.

5 Ecology Officer

The Ecological Assessment and bat surveys meet best practice and provide good

evidence of the ecological value of the site and species present. Agree with the findings and recommendations. The proposed creation of new green space including new ecological features such as native planting and natural habitat creation will provide gain for biodiversity in the area. The outline application contains the correct level of detail with regard to ecology and it is acknowledged that for further full applications, more detail of the proposals will be required. For example details of the composition of the brown roofs, details on the type and location of the nesting / roosting features and an ecological management plan. Further bat surveys may be required as a bat activity survey is valid for a year. The submitted bat survey is still valid.

6 Environmental Protection Team

The Environmental Protection Team has considered the areas of contaminated land, air, noise & Construction Environment Management Plans separately below. Conditions are recommended in relation to these topic areas.

In general the ES is comprehensive with regard to these issues. The chosen method of presentation has led to some 'lack of flow' as information on some elements is located in several places within the documents provided. The results of some of the assessments with regard to Noise and Air Quality impacts from the demolition and construction phase are conservative, however, this is not unusual, nor unexpected, at the outline application stage. Please note that the demolition aspects have been commented on in a separate, but related consultation and the recommendations should be read together.

Each plot/phase of development will be required to produce a detailed planning application and bespoke Construction Environmental Management Plan. It is possible that each phase will be built by different contractors at different points in time. Also, as the development of the whole site will be spread over a number of years there is ample opportunity for the plot design, land uses around the site, best practice guidance and environmental standards to change. As each plot/phase of the development comes forward for detailed planning consent many of the issues identified in the ES will be revisited in more depth, depending on the location, detailed design and eventual use of each plot.

The Environmental Protection Team have addressed this outline application as if commenting on a set of design principles for the redevelopment of the Heygate area and where appropriate have suggested conditions that will overarch each plot/phase detailed planning application. Detailed matters will be addressed as each plot/phase comes forward for approval.

External Air Quality

The site is in an LAQMA, designated due to NO_x and particulates, where there is poor air quality due to road network. The ES for the outline permission is broad in scope, as would be anticipated. Using air quality data from 2010 as the reference year means that NO₂ levels are underestimated as the predicted reductions from anticipated changes in vehicle emissions have not materialised and monitored levels have increased between 2010 and 2012. Reference is made to the Old Kent Road figure for NO₂ being 45 µg/m³. This has been superseded in time and the figure is now 57 µg/m³. It is agreed that the dispersion model ADMS – Roads is an appropriate model to use. Should the outline

design remain significantly unchanged residential units proposed for the site (New Kent Road frontage/ Walworth Road Frontage/ in proximity to the CHP/Boiler Plant) will require mechanical, filtered ventilation to enable residents to keep windows closed to protect themselves from poor external air quality. The on-site NO₂ monitoring gives results that are in the right ball park for the area. Environmental air quality (and noise) issues will need to be considered in the location and final design of the structures proposed, particularly with regard to New Kent Road, Walworth Road and the CHP/Boiler plant.

Internal Air Quality

As external air quality is known to be poor it is essential that indoor air quality is protected. The Environmental Protection Team would expect that all buildings constructed on site meet the principles of EN 13779 on Ventilation and Air-Conditioning Systems. Any underground car-parks or servicing areas will also require effective ventilation.

Construction phasing

It is considered that the co-ordination of the demolition and construction phasing is far from ideal and requires re-consideration

Emissions to Air from Construction

The identification of issues affecting the site during the construction and use phases is thorough and the results have great correlation with what would be anticipated. The Environmental Protection Team agree with the list of dust sensitive locations off-site, however, would recommend all schools/pre-school nurseries/hospitals/care homes and similar and should be annotated on the sensitive receptor map. The list of selected receptor addresses and the modelling of sensitive receptors gives results that would be anticipated for the area. The listed actions to reduce dust from both the demolition and construction phases are very general, as would be anticipated at this stage. Emissions to air from construction will be addressed in detail when considering the various Construction Environment Management Plans as the methods used will vary for each phase of construction. The developer's attention is brought to *The London Dust Code - The control of dust and emissions from construction and demolition - Best Practice Guidance*. This is the minimum acceptable standard for operations. That said it is recommended to expressly include:

- a) upward pointing exhausts for mobile plant on the site; and
- b) to include information/actions for extreme weather and the suspension of works where dust management becomes so onerous as to be ineffective and any dust generating actions must cease.

There are concerns regarding the levels of HGV traffic that the site will generate. Site practices will be required to work within parameters that have been considered as part of a Traffic Plan for the site. The Traffic Plan will include maximum numbers of movements per day, holding areas, loading areas, hard-standing areas, surfaced haul routes, delivery bays, stock areas, etc. The Traffic Plan will be designed to protect local air quality and the integrity and flow of traffic on designated approach routes.

The site perimeter will need to be well secured and will require a solid hoarding

designed to minimise off site impacts. It shall have a minimum height of 3m. It is anticipated that these issues will be addressed in detail in the Construction Environment Management Plans that will be conditioned on the detailed applications for each phase of build/plot.

CHP/Boiler Plant

No detailed information is provided on the likely dispersion of exhaust gasses from the gas boilers/CHP plant. The LPA will require clarification regarding this as CHP is not recommended in this location due to poor background air quality. The Boiler/CHP plant will need full 3d dispersion modelling detail as any stack is highly likely to impact laterally on high buildings both on and off-site adversely affecting residents. It is anticipated worst case scenarios will be explored by the developer as the proposed stack heights may not be adequate given the height of some of the blocks proposed on the development. This issue has been identified within the ES as requiring further work. Recent nearby developments with similar plants that have gained permission have had abatement technology for the CHP/Boiler plant conditioned, this is strongly recommended in this location. There is draft guidance regarding CHP plants in London which is currently out for consultation which may be of interest to the developer called 'The Mayor's combined heat and power emissions standards for Nitrogen Oxides'

Odour due to Commercial Food Preparation

Potential odour nuisance from commercial kitchens in restaurants, take-aways and cafes that may locate to proposed commercial and retail units.

Noise Impacts from Construction

The construction noise assessment methodology appears sound but the results regarding impacts are conservative. The results of the baseline noise survey are as would be anticipated. The Environmental Protection Team considers the list of noise sensitive receptors is satisfactory. Environmental noise measurements have been taken at locations needed to assess off-site noise impacts on to the site. It will be necessary to take further noise readings at quiet locations where on-site noise from construction and use will impact onto off-site residents. This will be addressed at the detailed planning application stage as each plot/phase comes forward for full permission. The control of construction and demolition noise will be mainly dealt with using Construction Environmental Management Plans. these will also cover the routing of vehicles in and out of the site/s. Comments have been made with regard to site entrances when responding to the application for demolition on the site and it is reiterated that access and egress to the various plots/phases from Heygate Street is the preferred option due to road safety and public nuisance issues, other access points may be considered as part of one-way routes or for use in the case of emergencies.

Background noise monitoring locations – all the monitoring locations chosen are noisy locations, therefore, they are good for assessing the noise impacts on the proposed development from off-site noise, but, less useful for assessing the impacts of the construction and use of the site on completion at the quieter locations on the southern and eastern perimeters of the site. However, the identification of areas where adverse impacts will occur and what the causative activities will be are, if potentially understated, as anticipated. Further noise impact detail will be required for each plot/phase as the detailed planning applications are submitted. The Noise and Vibration Assessment described in the ES is thorough and comprehensive and all figures quoted appear broadly efficacious, some of the monitoring times are short but the quietest times of day

between 03.00 and 04.00hrs have been mainly covered.

The Environmental Protection Team does not agree with the noise levels stated in Table 8.6 for when noise readings are above threshold (trigger level). It would be anticipated that working methodologies would be designed to not breach the trigger level/s and therefore suggest the following:-

| Level above threshold trigger <i>dB(A) Laq T</i> | Definition |
|--|---|
| 0 | Insignificant |
| 0.1 – 3.0 | Adverse Minor (technical breach of condition but minor impact) |
| 3.1-5.0 | Adverse Moderate (technical breach but investigate and resolve /change working practices) |
| 5.1 + | Adverse Substantial (significant breach of condition – gather evidence regarding potential legal action for breach) |

Noise Impacts from Road & Rail on Proposed Residential Units

Should the outline design remain significantly unchanged some of the residential units on site such as the New Kent Road frontage, Walworth Road Frontage and in proximity to the CHP/Boiler Plant will require forced ventilation to enable residents to keep windows closed to protect themselves from high levels of external noise. Private external amenity space (balconies/private gardens) will not be appropriate in these locations depending on vertical or horizontal distance from the sources. The projected increase in noise from road traffic on Rodney Place could be mitigated through modifications to the road network, variable speed limits, planting, improved traffic management and the installation of protection measures for off-site sensitive uses. In general the results of the Road Traffic Assessment Calculations are as anticipated.

Noise Impacts from Commercial and Retail Activities both on-site (proposed) and off-site (existing)

The Environmental Protection Team would expect this issue to be addressed at the detailed design stage but it is flagged up as an early consideration as the sensitive consideration of the location and aspect of any leisure uses (in relation to residential units) proposed will maximise their flexibility under other licensing and permitting regimes. Also blocks with commercial units may require service yard (possibly underground) designing in to prevent noise nuisance from deliveries and waste collections.

Noise Impacts from Plant on Proposed and Existing Residential Units

The proposals in the ES are satisfactory. It is anticipated that significant noise attenuation works will be required on the CHP/Boiler plant as the termination point of any stack and the plant housing are likely to impact on nearby proposed (and existing)

residences. It will be essential that noise outputs from the CHP/Boiler plant are modelled in detail prior to agreement of the final design. It is agreed that there will need to be a condition to ensure plant noise from all plant, including lifts, fans, air handling units is 10dbA below background (L90). This condition would also apply to any retro fitted plant e.g. commercial kitchen extraction systems/air handling units, etc. It would be advised that the developers think about the termination heights for commercial kitchen extraction at the design stage e.g. leaving space for flues to get through structures, etc. It is recommended that any plant internal to buildings is as quiet as possible (silent running) and isolated from the structure to prevent flanking transmission of noise and tones.

Noise Impacts Residential to Residential

The Environmental Protection Team will expect the preferred standards outlined in the ES, therefore, the good standards for internal acoustic environments stated in BS 8233:1999 are to be met within residential developments. Some external noise levels measured are very high and will require addressing at the design stage with appropriate specifications on acoustic attenuation performance for glazing and building cladding. When designing internal layouts it is recommended that rooms with similar use patterns and type are next to each other in both the vertical and horizontal planes and that the scheme design should improve on the standard for internal sound transmission between residences in Building Regulations Document E by +5 dB(A). Private external amenity areas should meet a maximum of 55dB(A) LaeqT. Clearly some areas/aspects of the development will not be suitable for balconies. Mechanical ventilation and acoustic glazing of varying specifications will be required on different frontages. The suitability of the site for residential development is clear given its previous use; however, it is proposed to take some frontages closer to known noise sources. Required noise attenuation works will need to be checked by post-construction testing prior to habitation.

Noise Impact due to Proposed land Uses

Plot H3 has a corner cut off facing toward existing Wansey Street residents and block H6. It is considered that the removed corner would be far better placed orienting towards Southwark Town Hall and Walworth Road to create a space that is more usable, easily accessible by the wider community and to minimise the noise impact that any community activities in the space would have on existing residents.

Vibration Impacts due to Construction

Vibration impacts affecting off-site residents during construction and in proposed residential units from rail and underground sources post construction. For vibration the standards are BS 6472-1:2008 Guide to evaluation of human exposure to vibration in buildings. Vibration sources other than blasting & BS 5228-2:2009 Code of practice for noise and vibration control on construction and open sites:

Note that comments made by the GLA regarding this application are all valid. It is most likely that these considerations will be applied at the more detailed stages in the development process.

Land Contamination - Desk Study

The conclusions of the desk study are adequate, the site is mainly low risk with some

areas where previous land uses and made ground will need further investigation. This will be addressed in detail at the detailed planning application stage for each relevant plot/phase. There is also an identified issue with potential unexploded ordnance across the site. The verification strategy as outlined in the ES is acceptable. Contamination will be present in some areas. Conditions are required to ensure the developer follows recommendations of the Arup report dated March 2012 and reports any changes to the LPA in short order.

Construction Management Plan

The ES is adequate for the construction phase; all major considerations are addressed to some degree. There will be opportunity to clarify requirements through the Construction Environment Management Plans for each plot/phase prior to construction commencing. Some elements of the site preparation and construction will require the developer/contractor to use non-standard methodologies to reduce/remove identified environmental impacts.

Lighting

Following development there will be many pedestrian through routes under use at all times of day, the development must be well lit throughout the night at ground level, especially in the park. The lighting design should be mindful of pedestrian security and the ILE Guidance notes on obtrusive lighting. Lighting of commercial hoardings, advertisements and residential entrances should contribute to street scene without causing glare or adverse impacts on road users.

7 Housing Regeneration Initiatives

No comments.

8 Elephant and Castle Regeneration Team – Property Division

Letter in support of applications 12-AP-1092 & 12-AP-3203

- The applications are a significant step forward in the council's plan to regenerate the Elephant and Castle;
- The site forms a significant component of the core site (39P) which has been saved as part of the Core Strategy adopted in 2011;
- Regeneration benefits in relation to place making, job creation, housing, affordable housing, Sustainability, corporate plan, s106 and public consultation (summarised key points, for more detail refer to letter dated 13th November).

9 Archaeology Officer

The applicants have submitted a desk based assessment, whilst this includes a baseline of data for this project important archaeological sites which have the potential to be impacted by the proposal are not included in the discussion or analysis;

The baseline archaeological data included does not reflect the full range of the archaeological resource detailed in the GLHER for this area. In terms of the study area for this document, no radius of sources has been indicated or included with the mapping. Generally a 250m radius is suitable;

This document requires revision starting with an adequate archaeological background

from within a 250m radius around the boundary of the site.

Comments on revised application documents following re-consultation on 08/10/12:-

Following discussions with the applicants the broad conclusions of their desk-based assessment can be seen to be acceptable. Conditions are recommended concerning archaeological mitigation and reporting.

10 Planning Policy and Southwark NHS

The Health Impact Assessment (HIA) does not include a scoping exercise which involves consultation with key stakeholders and the community to establish firm foundations for the HIA;

A multidisciplinary and participatory approach to preparing an HIA is encouraged in best practice guidance. Minimal engagement with council and NHS officers has been undertaken and it is unclear whether active engagement with the local community on health impacts has been undertaken;

The HIA sets out that there is a good standard of primary healthcare facilities within 1km of the site, and capacity exists at GP practices to accommodate the increased population as a result of the development. The HIA identifies local GP numbers and patient list size, and whilst the HIA does state that the relatively low list size does not necessarily imply surplus capacity in local primary care facilities, there has been no consultation undertaken with Southwark NHS on these assumptions. It is advised that further analysis is undertaken in consultation with Southwark NHS;

The proposal includes provision of 5,000sqm of D1 floorspace, of which a proportion could be provided for an additional healthcare facility which has been identified as being needed by Southwark NHS. Further discussion will be required in the preparation of the reserved matters applications;

In relation to the Statement of Community Involvement, in principle the extent of consultation seems well considered. The slightly underwhelming aspect is in terms of outreach and how they have engaged with harder to reach groups;

The submitted Equalities Impact Assessment is broadly based on the methodology the council uses in preparing Equalities Analysis of policy documents. The submitted EqlA addresses the groups identified as having protected characteristics in the Equality Act 2010. It states that broader policy and social factors are more likely to have equality impacts than the redevelopment of the Heygate estate, but nonetheless most likely affected. The statement says that whilst it is very difficult to quantify the potential impacts, they have tried to take into consideration the potential 'direction of any impacts'.

Comments on revised application documents following re-consultation on 08/10/12:-

- The Health Impact Assessment (HIA) is substantially as it was in the earlier version however welcome the areas of greater clarification. Also the fact that the need for ongoing monitoring and discussion with the local authority and NHS Southwark emerges clearly as a recommendation and that a summary matrix of selected health impacts has been added at the end.

- Request that earlier comments are carried forward, as it is not always clear if all of the original comments have been addressed.

- In terms of assessing how health / social care needs will be met, the cumulative impact of other developments in the area needs to be kept under consideration. Other developments that increase demand for the same local general practices mean that this development cannot be assessed in isolation. As the development is close to the borough border, any large schemes in North Lambeth which may impact on demand for healthcare also need to be assessed.

- The redevelopment of the Heygate could offer the NHS a purpose built community health facility, which incorporates, relocating one or several GP practices, sharing services with community health and providing dedicated mental health services. The building would also allow services currently housed in the Acute sector to relocate, to provide a more local service.

11 Highway Authority

- The Estate Management Strategy document included with the application assumes management of existing areas of adopted Highway by an Estate Management Company (and potential stopping up). No discussions have yet taken place between the applicant and highway authority regarding these proposals. Stopping up will not be acceptable whilst areas of existing adopted Highway will remain under the management of the Highway Authority. Alternative management arrangements may be acceptable subject to general Highway Authority control being retained.

- The application proposes the creation of a substantial number of new Highways within the site which it is not intended to offer for adoption. No discussions have yet taken place between the applicant and the Highway Authority regarding these proposals. Consequently their acceptability cannot be confirmed at this stage. The application is advised that consent to new road access junctions shall, amongst other things, be subject in part to proposals for new private streets meeting adoptable standards of design.

- General concern is raised about the proposed number of new private streets (unadopted highways) within the application given the likely impact on the council's ability to control the network and manage the boroughs streets and spaces for the benefit of residents, businesses and the travelling public. If this course is pursued then it is strongly recommended that robust alternative management and enforcement regimes are included in any consent.

- Whilst there are some issues with proposed designs for new highways within the site, these are considered to be relatively minor and it is likely to be possible to resolve these through further design development through the course of later detailed design submissions. In general, highway design proposals are welcome though they will require further development in line with adoptable standards to meet safety and accessibility requirements.

- It is recommended that the minimum critical distance for streets be increased to 12m in all instances. In the absence of this it is unlikely that street trees and other planting will be accommodated adequately;

- Discussion has not yet taken place between the Applicant and the Highway Authority regarding the proposed works to existing adopted highways within the site, proposed off-street highway works, or proposed construction and demolition access and management works and arrangements. The acceptability of proposals in these respects cannot therefore be confirmed at this stage.

12 Waste Management

No comments.

Statutory and non-statutory organisations

13 Greater London Authority

London Plan policies on land use, housing, open space and trees, children's play space,

urban design, inclusive access, equalities, noise, air quality, climate change mitigation and adaptation, and transport are relevant to this application. The application complies with some of these policies but not with others, for the following reasons:-

- Land use: The proposed land uses are consistent with those anticipated by the London Plan, Southwark Core Strategy and the Elephant and Castle SPD and OAPF;
- Housing: The proposal is consistent with London Plan policies 3.4 and 3.5. The proposal is currently inconsistent with London Plan policies 3.8, 3.10, 3.11, 3.12 and 3.14.

Suggested change:

The applicant should, pending the outcome of the financial viability appraisal, discuss and agree the proposed approach to estate renewal and affordable housing provision with GLA officers towards compliance with London Plan policies 3.8, 3.10, 3.11, 3.12 and 3.14;

- Open space and trees: The proposal is consistent with London Plan policies 7.18 and 7.21;
- Children's play space: The proposal is inconsistent with London Plan Policy 3.6.

Suggested change:

The applicant should agree an approach to ensuring that the appropriate quantum and type of play space would be included in each part of the scheme and in each phase, and demonstrate that the proposal would be consistent with the relevant policy and guidance;

- Urban design: The proposed design has much to commend it, especially in terms of compliance with London Plan policies 7.1, 7.3 and 7.4 but would not comply with the London Plan policies 7.6, 7.7, 7.8, 7.9, 7.10, 7.11.

Suggested change:

The applicant should address the matters raised regarding the masterplan and impact on strategic views and demonstrate that the proposal would be consistent with the relevant policy and guidance.

- Inclusive access: The proposed design is consistent with London Plan Policy 7.2;
- Equalities: The proposal is consistent with London Plan policy 3.1, subject to appropriate conditions and / or obligations;
- Noise and air quality: The proposal is currently consistent with London Plan policies 7.14 and 7.15;
- Climate change mitigation and adaptation: The proposal is consistent with London Plan policies 5.2, 5.3, 5.5 – 5.8 and 5.9 – 5.15;
- Transport: the proposals are inconsistent with London Plan policies 6.2, 6.3, 6.7, 6.9, 6.10, 6.11 and 8.3.

Suggested change:

The applicant should address the detailed comments raised in discussion with TfL and Council officers and ensure that the proposals would be consistent with all relevant policies and guidance.

14 Transport for London

Detailed response provided as part of the GLA stage 1 report.

15 London Underground

No objections – suggest conditions to ensure that redevelopment of the site will not be detrimental to London Underground tunnels or structures.

16 Thames Water

No objections – suggest conditions relating to piling, foundation works, groundwater and impact studies of the existing water supply infrastructure.

17 London Fire and Emergency Planning Authority

No comments.

18 Arqiva

No concerns regarding the application. However, note that the EIA only considered fixed line electronic communications and not the potential impact on wireless networks. To that extent we do regard the EIA as deficient and whilst having no objection, it is possible that other wireless network operators may have concerns. Draw attention to the second bullet of paragraph 44 of the National Planning Policy Framework and document issued by OFCOM.

19 City of London

The proposed tall buildings lie to the southwest of the White Tower and World Heritage Site and would be of concern if they impacted on this setting. This issue should be addressed in the EIA and reference made to the views and approaches identified in the Local Setting Study by Historic Royal Palaces. The current submission does not include sufficient information to assess the impact, if any, of the development on the World Heritage Site.

Comments on revised application documents following re-consultation on 08/10/12:-
Satisfied that the proposed development of the Heygate Estate would not impact the setting of the World Heritage Site.

20 City of Westminster

No comments.

21 London Borough of Lewisham

No objection in principle.

22 London Borough of Islington

No objection.

23 English Heritage

Strongly object to the granting of planning permission because of the harm that would be caused to the London View Management Framework designated view from the Serpentine Bridge in Hyde Park, principally by the intrusion of the proposed tall building on Plot H4 upon the view of the two west towers of Westminster Abbey.

Comments on revised application documents following re-consultation on 08/10/12:-
Received a further detailed presentation from the applicants and their professional team,

including the provision of large scale photographs which enabled a closer appreciation of the likely impacts than previously available. Notwithstanding the predicted impact of the consented Oakmayne Plaza scheme, it is clear that the building on Plot H4 would be visible in the view from the Serpentine Bridge, at least in the winter months. This would cause some harm to that view by intruding upon the skyline view of what is a key building in the Westminster World Heritage Site (WWHS). However, it is acknowledged that the redevelopment of the Heygate Estate would deliver significant public benefits in social and place-making terms. Whilst the Council will wish to consider a range of material considerations, request that the impact upon the view of the WWHS is taken into account.

24 Natural England

Our main comments on this development are contained in our letter dated 18th June 2012. We have also provided additional comments on the demolition aspect of the proposed development on the 2nd November 2012. Have no further comments to make on the information as currently submitted.

25 Environment Agency

No objection to the planning application as submitted, subject to conditions being attached to any planning permission granted. Informative regarding waste management also requested.

Conditions are recommended regarding the completion of the development in accordance with the mitigation measures recommended in the approved Flood Risk Assessment, contaminated land, piling, and Sustainable Urban Drainage systems.

Comments on revised application documents following re-consultation on 08/10/12:-

Note that the Environmental Statement by Waterman Energy, Environment and Design Ltd (dated March 2012 with reference EED11988.R.9.4.1.MP) makes reference to a desk-based study of ground conditions which concludes that there is the potential for contamination to exist and recommends that a site investigation be undertaken to inform whether remediation may be necessary (chapter 9).

No objection to the planning application as submitted, subject to the attachment of conditions concerning mitigation of flood risk, land contamination and SUDS.

26 London City Airport

Based on the maximum building heights of 104.8m AOD, the airport has no safeguarding objection to the proposals.

27 Heathrow

No safeguarding objections to the proposed development. However, make the following observation in relation to Cranes. The nature of the proposed development means that it is possible that a crane may be required during its construction. Therefore, would like to draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues'.

28 London Gatwick Airport

Site is outside the safeguarding area for Gatwick Airport, therefore no comments to make.

- 29 Department of Communities and Local Government
Acknowledgement of consultation received.

Neighbours and local groups

- 30 Local Groups

10 responses received from Local Groups, 9 in objection to the application and 1 with comments.

- 31 **Comment**

Southwark Living Streets

Applaud the developer's commitment to improving the conditions for those on foot (and those who cycle) through the Heygate site and more generally the connections which they are seeking to make throughout the surrounding area in all directions. Also support the place-making that is intended and the creation of significant public spaces.

Make the following comments:-

- The council requirement for zero car parking over and above provision for disabled properties should be more closely adhered to;
- Question Lend Leases' insistence upon 25% parking, and the data that Arup have produced in support of this;
- Little regard should be given to the PERS scores that were identified for the area surrounding the development, no part of the TfL managed pedestrian environment in the area is fit for purpose and these assessments should be disregarded;
- Absence of a crossing of the New Kent Road at the northern end of Elephant Road;
- Consultation should be undertaken with local groups on the definition and design of the Tertiary vehicle routes;
- The design of Rodney Road between the junction with Rodney Place and the Orb Street junction appears to have been given insufficient attention.

In objection

- 32 Elephant and Castle Community Forum

Open Letter from the Chair

Summary of objections:-

- Concerns on the transparency of the process and the level and quality of information being provided;
- Lack of clarity of vision for the neighbourhood;
- Lack of cohesion and co-ordination across the regeneration area;
- Lack of communication with the community, heightened by extremely tight timescales and lack of a clear, detailed process that does not allow for effective community engagement, information that is not freely available or accessible, little material to focus discussion, with a strong feeling that the consultation is a one-way exchange;
- Short timescale for the adoption of the Elephant and Castle SPD;

- A lack of a comprehensive strategy for the existing mature trees on the site;
- Lack of adequate contextual description and precedents;
- A lack of hierarchy of scale of public spaces, absence of an approach to building entrances, frontages, depths and heights, and no description of the scale change between the existing grain and proposals;
- Impact on existing infrastructure and community facilities;
- Limited opportunities for social housing and recent changes in rent setting excluding those local to the area;
- Car parking strategy is unclear, and a car free solution should be promoted in dense urban areas with good public transport;
- Lack of detailed proposals for Rodney Road.

33 Drivers Jonas Deloitte, Representations on behalf of the Trustees of the Tate Gallery

Generally supportive of the proposal in principle, and make the following comments:-

- In relation to open space and positive linkages, Tate believes that the proposal has responded well to its initial surroundings and local area, but requests that wider and more strategic routes are incorporated into the scheme. This is a key principal of the Bankside Urban Forest (BUF) which seeks to ensure that open spaces are considered in a coordinated (not piecemeal) way, meshing existing projects and initiatives with new opportunities. Tate supports the importance placed on the provision of trees on the site;
- In relation to design and layout, Tate notes that this is an outline application and the detailed design will be approved separately through reserved matters. Tate encourages the commission of local artists in the detailed phase of design. Tate would like to be informed and asked to comment when the detailed design comes forward;
- Tate notes the potential opportunities identified to respond to the existing creative energy with appropriate spaces and venues for art and cultural activities. Tate encourages the further exploration of how art and culture can be embedded into the scheme and how the proposal can respond and connect to the strategic cultural area along Bankside.

34 Elephant Amenity Network

Summary of objections:-

- Scheme Viability.

The disclosure of information relating to the basic modelling assumptions of the viability assessment and details concerning the transfer of public land is in the interests of the local community. Have the following questions:

Has the site now been formally and contractually sold, so that the council has a capital receipt, or is the sale conditional upon the approval of outline planning consent or completion of demolition?

If the land is being transferred to the applicant on a phased basis, what are the phasing arrangements for this? What other conditions might there be to any sale and will the Council be seeking equity retention or imposing any covenants on the land?

Is the sale on a freehold or long leasehold basis?

What are the modelling assumptions informing the viability assessment? Is viability being assessed according to the Residual land Value method – whereby the consideration paid for the land is based on what is remaining after the deduction of all costs and planning obligations (i.e. 35% affordable housing). Or is the viability assessment based on a 'Market Value' approach – whereby the land consideration is included as a fixed cost to the scheme, and the planning obligations are altered

according to what is viable after the fixed costs have been covered?

What is the precise legal / contractual basis of the agreement for the minimum percentage of 25% affordable housing? What legal recourse has the Council should the applicant not meet this percentage?

How might the transfer of ownership to the applicant affect its capacity to raise funds for the scheme in the current financial climate?

Many of the original benefits of the scheme are being lost on the grounds that they are financially unviable, while the local community can make little independent judgement of the accuracy of the applicant's claim.

- Consultation Process.

Lack of relevant information (due to commercial sensitivity, oversimplification of what was presented and lack of clarity as to which issues were of material consideration;

The consultation process was misleading on the issues of affordable housing and sustainable development;

The pre-planning application consultation process has not raised the possibility of the development providing less than 25% affordable housing;

The pre-planning application consultation process did not include consultation on the feasibility of using biomethane gas as fuel for the development's new district heating system.

- The new park and estate management.

Concerned about the lack of open and green space in the development, as well as access to and management of this space;

Concerned that the management arrangements will reduce public access and tenant access to amenity spaces. Request that Southwark Council adopt amenity spaces and streets;

Strongly object to the off-site provision of recreational space for older children, rather than on-site provision.

- Sustainability.

Do not believe that the proposed development will contribute towards achieving the sustainability objectives set out in local planning policy;

The application does not support existing communities, or contribute to the creation of sustainable and mixed communities, and is not inclusive and encourages segregation, and will further exacerbate social, economic and other inequalities, as they do not reflect the diverse needs of existing and future residents;

All methods of supplying heat and water that rely on renewable sources of energy have been rejected on grounds of their cost impact on viability. The applicant suggests that at some point in the future it might be able to source some of its gas requirements through biomethane injection offsetting. We understand that this is still very much an untested technology experiencing widely acknowledged technical difficulties. There are no operational biomethane plants injecting within any capacity into the UK gas network, biomethane injection is also not listed as an allowable solution for carbon offsetting in the UK;

Homes will not be built to Code for Sustainable Homes Level 6, but to Code level 4. These are not carbon zero homes;

The application does not include embodied carbon within the carbon accounting methods;

The application does not include refurbishment of the estate as an alternative model;

The scheme has been artificially divided as a means of circumventing an assessment of the cumulative impact of the scheme, which is a breach of the 2011 EIA regulations;

The application does not guarantee retention of any existing trees, which 36 (of the existing 406 trees) identified for possible retention subject to further more detailed

testing.

- Employment and Retail.

There should be a target for local jobs, defined within a catchment area that is local, and the training and support should be provided by the developer to achieve this;

The Retail Impact Assessment does not assess the development's impact on existing retailers on the New Kent Road, Harper Road, Rodney Road shopping parade, East Street Market and the Latin American Retail on Elephant Road and Eagle's Yard;

The application should secure commitment to affordable retail units for existing traders, should recognise the important contribution of small retail units and street markets surrounding the site, and also recognise the contribution of minority ethnic businesses to the variety of retail offers in the area and to cultural diversity.

- Car Parking & Assessment of Pedestrian Environment.

Support the comments of Southwark Living Streets on this matter;

Council should retain its vision of zero car parking in new developments.

- Access.

Absence of a crossing of the New Kent Road at the northern end of Elephant Road;

Consultation should be undertaken with local groups on the definition and design of the Tertiary vehicle routes;

The design of Rodney Road between the junction with Rodney Place and the Orb Street junction appears to have been given insufficient attention.

- Cycling.

Object to the applicant's inadequate consideration of cycling, both in terms of trips generated by the development, and in terms of the impact of the development on trips passing through the development area;

There is insufficient data in the submitted Transport Assessment on cycle movements;

The developer makes no proposals to improve the strategic routes for cyclists in the area;

The development will have a negative impact on existing cycling routes, with a huge increase in bus and car traffic associated with the development;

Cycle parking is inadequate, and should exceed minimum London Plan standards;

While there is an intention to use part of the strategic transport tariff to utilise a new design to the northern roundabout, the intended changes fail to address the needs of cyclists.

- Section 106.

S106 contributions for affordable housing should be ring-fenced for social rented housing;

Applicant fails to provide for a library;

Request a planning condition to secure the involvement of the local community in determining all aspects and details of these facilities;

Concerned that an inordinate proportion of the total spend will be on transport infrastructure.

- Affordable Housing.

Object to 'affordable rent' forming any part of the affordable housing offer (ref Housing Statement 8.4 Viability). The rents are beyond the means of most local people and of the many thousands on Southwark's housing list;

Object to the omission of a commitment to build a minimum of 35% affordable housing as required by Southwark's Core Strategy;

Unless the application specifies the tenure, residential mix, affordability and space standards, it cannot be determined as policy compliant.

- Tall Buildings.

Object to the applicant's tall building strategy. The buildings proposed for the frontage of

the park quality as 'tall' according to the Core Strategy and should be treated as such;
 Concerned that the tall buildings will have a negative effect on micro-climate, particularly sunlight, shading and ground level wind canyon effect;
 Object to the tall buildings lacking public accessibility, with viewing galleries, exhibition spaces etc. Object to the cluster of tall buildings being separated physically or practically from the surrounding community creating a 'gated community' effect.

35 Pullens Tenants and Residents Association

Summary of objections:-

- The application provides no benefit or hope to the people of Southwark;
- The Council is already providing an extensive subsidy to Lend Lease through demolition costs, interest and land and the social housing offered by Lend Lease doesn't even cover these costs let alone comply with Southwark's policy of a minimum of 35% of social housing in such developments;
- No providing 35% social housing on the Heygate sites will lead to a mono-tenure led by buy-to-let landlords who will have no concerns for the broader community;
- Given the levels of multiple deprivation in Southwark and particularly around the Elephant and Castle, only an introduction of well paid jobs and training opportunities for local residents will bring any improvements to the local businesses;
- The application provides no details of how the developer will enforce any imposed policy of local recruitment for jobs and training positions on their contractors and down the usual very long sub-contractor, agency and gang master chains;
- Even though this is an outline application, it should be rejected as even the very limited concessions do not comply with Southwark's current planning policy nor do they provide any benefit to the people of Southwark in terms of the acute housing and economic needs of most people in the borough.

36 Rodney Road Tenants and Residents Association

Summary of objections:-

- No commitment to affordable housing. This is contrary to Southwark's planning policy (35%), and a real scandal. Over 900 council homes are to be lost and no minimum number of affordable homes will be built;
- The removal of a large number of mature trees;
- 600 parking spaces, putting pressure on local roads and affecting the amenity of local residents.

37 Southwark's Group of Tenants Organisation

Summary of objections:-

- Lack of commitment to any affordable housing;
- Demolition of buildings on the estate, which are structurally sound and should be refurbished and brought back into use for council tenants;
- Planning policy requires a minimum of 35% affordable housing in developments, it is not acceptable for a multi-million pound operation like Lend Lease to insist that any provision of affordable homes will be subject to measures of viability;
- Object to the council's agreement to fund the demolition of the buildings on the Heygate.

38 Garland Court Tenants and Residents Association

Summary of objections:-

- If built out to the maximum building heights the resulting environment would be a seriously unpleasant one of narrow, canyon like streets;
- The application generally is very difficult to comprehend; the drawings are deceptively simple and the associated documents run to 500 pages;
- Other than the eastern end of Wansey Street, the combination of maximum building heights coupled with maximum plots would create dense, high buildings in narrow streets, creating a really unpleasant environment as well as damaging Garland Court residents amenity;
- The scale of new buildings would damage the setting of the planned Larcom Street conservation area and the listed town hall;
- One of the objectives of the Masterplan was to retain existing trees. It doesn't look like the plane trees in Wansey Street could be retained if the maximum building plot is adopted because they fall within the footprint of buildings;
- If buildings were built out to the minimum extents Wansey Street would feel more comfortable along most of the street and it may be possible to retain the existing trees in Wansey Street, but it is not clear without detailed dimensions;
- A mix of uses creates a recipe for a successful and lively place, but the scope for B1/D1/D2 uses on the upper floors of block H.6 as well as ground floors in H.3 and H.6 opposite Garland court could generate unacceptable levels of noise and activity in a residential environment, especially as all bedrooms in Garland Court face north onto the public space;
- A new square located directly opposite Garland Court bedrooms, has the potential to damage residential amenity. Some of the proposed land uses on H.3 and H.6 have the scope when positioned over the square to generate unacceptable levels of noise and activity in a residential environment;
- The scope to damage residents amenity is greatly increased by the maximum height and plot option because it brings potentially unsuitable land uses for a residential street closer to Wansy Street and Garland Court;
- By shifting block H.3 closer to Walworth Road, the benefits of the new public square could be realised with less damage to residents amenity;
- It is not clear if the new routes between Heygate Street and Wansey Street will be for vehicles;
- Residents have concerns regarding the impact on parking space in Wansey Street;
- Object to the loss of a small local open space / playground on the site of the present Mobile Gardeners project, which was previously shown in the Masterplan;
- Request a background noise survey for Wansey Street before any work starts, as it is a quiet residential cul-de-sac with low traffic use. This will enable assessment of any future noise pollution as a result of demolition and construction.

39 Southwark Cyclists

This application fails to meet agreed standards with Southwark Council and fails those who travel across the borough by bike.

Summary of objections:-

Founding Analysis

- The analysis presented in documents to justify the proposed development is a gross misrepresentation of the state of affairs in Elephant and Castle;
- The Elephant and Castle Junction is the most dangerous junction in London, according to TfL figures obtained by Assembly Member Val Shawcross;

- New Kent road is highly congested fast dual carriage way, ending at another dangerous gyratory and flyover complex and accommodating an on pavement cycle lane that is frequently interrupted;
- Other key local roads make scant provision for cycling;
- The Transport Assessment is critically wrong in its founding premises. This error is incorporated in the proposed development to the detriment of local people and Londoners;
- Note with dismay that the Northern Roundabout is addressed in the Transport Assessment without one mention made of cycling, and that the Halcrow report similarly makes not mention of cycling. Therefore the proposals it recommends must be dismissed until a proper analysis is completed;

Roundabout Widening

- Object to the widening of the roundabout. The developer has not included any quantitative assessment of cycling volumes and requirements in their analysis, at key collisions blackspot, and they are then proposing to widen the roundabout to provide five lanes of motor traffic. This will increase speeds and thus danger to cyclists and an alternative design must be requested of the developer;

North South Access

- The SPD was altered to reflect suggestions for desired routes;
- A large number of respondents made a specific request for an eastern cycle bypass in the consultation stages. There is no reference in the statement of community involvement to this and fear that this omission will give an inaccurate picture of the demand for such provision;
- Disappointed the developer has chosen not to develop these routes;
- Object that the developer seeks to isolate 'commuters' from other uses with regard to bikes, but not by any other mode;
- Object to the omission and urge the Council to insist upon a North South route, as noted in the SPD, that allows local journeys and facilitates the existing repressed demand for routes around the elephant junction;
- The developer is concerned about fast commuter cyclists passing through the development. Unfortunately the hostile environment of SE1 for cycling has inhibited the broader uptake of cycle to date. It is not national, London or Southwark policy to discourage commuting by bike;
- Do not consider the developers alternative route as acceptable, as it does not meet the SPD requirement to be convenient and direct;
- The development will have a negative impact on existing routes. The existing heavily used London Cycle Network route from Camberwell up Portland and Brandon Street along New Kent road and into the E&C cycle bypass will be significantly worsened by the huge increase in bus and car traffic planned for Rodney Place and Heygate Street;

Cycle Parking Standards

- It is stated in the Transport Statement that these arrangements have been discussed with Southwark Cyclists and this is incorrect, and we believe that the cycle parking is potentially inadequate;
- There is no commitment to any spaces, and a minimum above London Plan requirements should be secured;

Junction Arrangements

- It is unclear from the supplied documentation of the exact arrangements at a number of crucial junctions in the proposed development;
- Particular attention should be drawn to Elephant Road which is not a safe cycling route, New Kent Road where the existing cycling route should be brought up to a better standard, and Heygate Street, Rodney Road as the only major road absorbed by the

development these routes should have segregated cycling provision.

Additional response also received suggesting that conditions be attached to any planning consent, as summarised below:-

Requiring drivers of heavy vehicles associated with the construction of the development to be registered for membership of Transport for London's Fleet Operator Recognition Scheme to a Bronze standard or higher;

To ensure that safety equipment is included on all vehicles to allow clear visibility of drivers of cyclists;

That the drivers of vehicles have a driving licence check with the DVLA;

Driver training be required;

A Collision Report is produced;

A FORS Report is produced; and

That the developer obliged its contractors and subcontractors to comply with these conditions.

40 People's Republic of Southwark

Summary of objections:-

- Local community have not be listened to during community consultation with developer (log of concerns raised by the People's Republic of Southwark at consultation events provided);

- The outline application seems to have changed little, if at all, since the Masterplan concept and principles were first presented. The overall proposal remains very much developer-led, creating maximum quantity at minimum cost to ensure investor returns;

- The design of the proposal is an uninspired and unexciting grid of solid rectangular blocks of glass / brick / concrete;

- The commitment to provide affordable housing is highly arguable. Southwark Council core Strategy Strategic Policy 6 requires provision of 35% affordable housing, the Development Specification Documents says instead that 'as much affordable housing as is financially viable in line with planning policy. Future viability tests will establish the level of affordable housing to be provided on a phased approach';

- Proposal for an excessive provision of retail remained, although the community argued against it in the past. Little evidence to support the theory that concentration of retail within a narrowly defined town centre has a beneficial impact on the small, independent and local businesses and retail outside the 'town centre' boundaries;

- Ratio of affordable units needs to be carefully examined, to ensure that small, local and independent businesses as well as start-ups are not disadvantaged;

- Proposed provision of community, culture and leisure spaces remained poor, although the community argued in favour of more provision in the past;

- The proposal interpretation of 'public' space remained deeply cynical although the community repeatedly expressed their concerns about this in the past. A new park in the middle of an urban wasteland would be wonderful and praiseworthy. Heygate already has very publically accessible 'Pleasure Gardens'. The new park which wouldn't effectively be new would be smaller than what already exists;

- The proposal still includes provision of 616 (marginally less than originally proposed) car parking spaces, although the community argued against this in the past, and although the development, as stipulated in the existing policies, should be car free;

- It is not clear what percentage of jobs would be new (as opposed to existing retail / business / D1 / D2 moving into new units);

- It is not clear what percentage of jobs are to be provided to local residents;

- The proposal is not an example of sustainable development, it does not support

existing communities and does not contribute to the creation of sustainable and mixed communities. The design is not inclusive and encourages segregation, and the uses proposed would further exacerbate social, economic and other inequalities;

- The development does not fulfil PPS, London Plan or Core Strategy requirements for consumer choice, distribution of facilities, local food production, 35% affordable housing, protection of open space and car-free developments.

41 **Neighbour Representations**

156 consultation responses were received in response to the first round of public consultation undertaken on the application.

Comment

- 42 Email representation that states the following: 'Happy for you not to change things.'

In objection

- 43 53 identical representations received raising an objection specifically in relation to affordable housing:

| | |
|---|---|
| 83a; 85c Balfour Street | 8; 373b Walworth Road |
| Flat 7, 90 Queen's Road | 14 Dante Road (2 responses received) |
| 33 Manor Place | 31 King Arthur Close |
| Flat 3, Signal House, 137 Great Suffolk Street (2 responses received) | Scrip, 31 Mill Street |
| Flat 23, Symington House, Deverell Street | 183 East Street |
| 3A Bawdale Road | Pembroke House, 80 Tatum Street (3 responses received) |
| Flat 52 Pullens Buildings, Penton Place | 468 Wendover, Thurlow Street |
| 53 Woodsford | c/o Cambridge House, 1 Addington Square |
| 30 Longstone Court | 63 Marston, Deacon Way |
| 162 Caroline Gardens | 58 Sutherland Square |
| 1; 88 Amelia Street | 35 Arrol House, Rockingham Street |
| Flat D, 6 Wescott Road | 15 Hamilton Square |
| 21B Rosenthorpe Road | 95; 155 Brook Drive, Kennington |
| 49 Cuddington Deacon Way (2 responses received) | 16 Purbrook Estate |
| 85 Grosvenor Park | 7 Greig Terrace |
| 222 Croxted Road, Herne Hill | 32 St Mary's Road |
| 102 Brandon Street | 56 Lant Street |
| 9 Heber Road | 14 Bazeley House, Library Street (2 responses received) |
| 56 Dawes House, Orb Street | 5 Abinger House |
| 94 Draper House, E&C | 59 Stephenson House, Bath Terrace |
| 7 Dauncey House, Webber Row | 22 Great Dover Street, SE1 |
| 37 Alberta Street, SE17 | |

No / insufficient affordable housing - To lose 1,200 affordable homes on the Heygate estate in the middle of a housing crisis is not right. Southwark needs all the affordable homes it can get. A future “viability” test is entirely inadequate and belies the consistent promises throughout the applicant’s “consultation” process. Even if 25% ‘affordable’ is to be included, the Council’s policy will not have been followed. Throughout the consultation process the public has been misled about affordable housing provision.

44 46 identical representations received from:

| | |
|--|--|
| 54 Underhill Road | 33 Wood Vale (2 responses received) |
| 5 De Laune Street | 56 Crampton Street |
| 110 Lordship Lane | 40 Denman Road |
| 34; 38 Peacock Street, Pullens Buildings | 103a Chadwick Road |
| 1; 17; 50 Smeaton Court, Rockingham Street | 60; 89 Albert Barnes House |
| 10 St Matthews Court, Meadow Row | 49 Wicksteed House, County Street |
| 83a Balfour Street | 177 Taplow, Thurlow Street |
| 114 Brandon Street | SE15 2TP |
| 39; 162 Caroline Gardens, Asylum Road | 88 Amelia Street |
| 32 Bridport, Cadiz Street | 3 St Peter House, Queens Row Street |
| 136 Coldharbour Lane | 8 Livingstone House, Wyndham Road |
| 120 Penrose House, Penrose Street | 30 Ashfield Road |
| 32 Henshaw Street | 8 Charleston Street |
| 18 Dunnice House, East Street | 35 King Charles Court, Royal Road |
| 63 Forsyth, Cooks Road | 1B St Luke’s Avenue |
| 10 Muirfield Close | 15 Phelp Street |
| 166 Crampton Street | 37 Vernon Road, Seven Kings |
| Flat B, 46 Surrey Square | 22 Fielding Street |
| Flat 4, 15 John Maurice Close | 34 Taplow House (2 responses received) |
| 56 Dawes House, Orb Street | |
| | |

The objections raised are:

- No affordable housing;
- No on-site renewable energy provision;
- The council’s policy states there should be 35% affordable housing and 20% on-site renewable energy;
- Loss of vast number of mature trees;
- High number of parking spaces;
- Failure to provide essential cycle-route and public transport infrastructure;
- Privatisation of the public realm;
- Loss of amenity space; and
- Loss of community facilities.

45 16 identical representations were received from:

| | |
|-----------------------------|----------------------------|
| Valmar Road, Camberwell | E-mail address |
| 26a Wickham Road | 63 Amesbury Road, Dagenham |
| 6 Inglemere Road | 12 Aysgarth Road |
| Flat 901, 9 Steedman Street | 71d The Cut |

| | |
|--|---|
| Apmt 409; 8 Walworth Road (2 responses received) | 62 Glenfarg Road, Catford |
| Flat 2, 101 Burton Road | 48 Thorne Road |
| 53b Barrett's Grove | 4 th Floor, 93 Westminster Bridge Road |
| 226 Sellincourt Road | |

The concerns are summarised as:

- Don't agree that "Existing pedestrian and cycling facilities on the roads surrounding the site are generally good". Or that "The area surrounding the development is already well served by cycle routes on and off street". E&C is one of London's most hostile junctions for cycling, has been the site of 86 serious cycling injuries 2010-2011. Object to widening of the roundabout to 5 lanes as this will increase vehicle speeds and make cycling more dangerous.
- Failure to incorporate a north-south route that is 'convenient, direct and safe'. Many requested this route but have not been recorded in the statement of community engagement. The separation of 'leisure' and 'commuting' cyclists is not supported by national, London or Southwark policy.
- Omission of a direct route between Brandon Street and Falmouth Road which was supported in consultation.
- Unclear how critical junctions will be arranged and these need to be clarified to the satisfaction of cyclists: 1. Elephant Road – how will this be used / arrangements for turns; 2. The New Kent Road – how will the existing cycle path be improved and integrated into the new scheme; 3. Heygate Street / Rodney Road – these routes should have segregating cycle provision with dedicated junction arrangements.

- 46 3 Individual responses specifically objecting to more residential units because of concerns regarding overpopulation in the area, received from:-
89 Albert Barnes House;
40 Smeaton Court;
20 Albert Barnes House.

Object to plans for more residential buildings because the area is already overpopulated. Impact on services which are already strained and at breaking point. Already have Strata Tower, should be reducing the population, not expanding.

- 47 11 Individual responses specifically objecting to impacts upon cyclists, received from the following addresses:-
- Flat 1, 135 Dulwich Road;
226 Sellingcourt Road;
22 Gilbert Road;
No address provided;
No address, sent via 1 Marylebone High Street;
19 Sylvan Hill;
40 Linden Grove;
16 Sears Street;
201 Grange Road;
79 Sudbourne Road;
2 Coleman Road;

The objections raised are reflected in the response received from Southwark Cyclists. The development does not resolve the need for cycle bypass on the eastern side of the roundabout, and does not separate cyclists from lorries. Doesn't meet the requirements of the Elephant and Castle SPD for a north – south route that is 'convenient, direct and safe.' The Heygate Lorry Driver Induction Training Programme should be specifically development for frequent lorry drivers working on the Heygate project. Also unsafe for pedestrians.

48 4 Individual responses specifically in objection to the possible noise impacts resulting from the development upon Wansey Street (Garland Court) residents, received from the following addresses:-

21 Garland Court;
Garland Court (number not provided);
15 Garland Court;
3 Garland Court;

The objections specifically refer to the location of the proposed community centre, and public square, where there could be noisy activities and anti-social behaviour. Residents request that the square is located towards the end of Wansey Street. The responses also refer to the Environmental Statement, and the lack of background noise data collected for Wansey Street.

49 Flat 59, 8 Shad Thames

Development has no renewable energy generation, inadequate cycling and pedestrian facilities. No affordable housing. Masses of public space will be privatised. More detail about the financial side of the development needs to be released.

50 9 Garland Court, Wansey Street (2 responses received)

- Dissatisfied and disappointed with Lend Lease and Soundings consultations with residents in Garland Court and Wansey Street. Suggestions have been ignored, any revisions to their proposals have diverted further away from the initial vision for the street;
- Difficult to understand the application documents, safeguards should be made clearer and more explicit;
- New public square would be placed in front of Garland Court, where there are bedrooms facing onto it, and this will be noisy and damage residents amenity;
- E&C Redevelopment should be divided into two zones on the axis of Heygate Street. The southern part should respect the residential character and continuous street lines of the neighbouring Victorian streets. The northern part could contain the taller, more commercial aspect of the redevelopment, community facilities and civic squares. The scale of the buildings in Plots H3 and parts of H6 would damage the setting of the planned Larcom Street CA. Proposals for these two zones should have been treated as two separate planning applications;
- The height and position of block H.3 will overwhelm the listed Town Hall;
- The eastern half of Garland Court would be faced by and overlooked from block H6, which could be 9/10 storeys high and only 15m away;
- Not clear whether access to proposed residential units within blocks H3, H6, H12, and

H13 would be from Wansey Street. If so, it will increase vehicular traffic and reduce the quality and character of Wansey Street. All vehicular access should be from the Heygate axis;

- Open area at the end of Wansey Street is being transformed for interim garden use and would be eventually integrated as an open area / toddler play area. With the proposed location of H10 this would not be possible;
- The original masterplan proposed a small local open space at the eastern end of Wansey Street, a popular feature where the present Mobile Gardeners project is located. This will no longer be possible given the proposed building plot positions coupled with the proposed vehicle access arrangements;
- Assurances were given that Wansey Street would remain as a no-through road. The submitted drawings seem to leave Lend Lease with all options open. Will they allow vehicular access into Wansey Street from Brandon Road, Heygate Street as well as directly from Rodney Road?
- Object to the maximum building heights. Development on the north side of Wansey Street should reflect the character and heights of existing buildings;
- Object to community uses being located directly opposite Garland Court. This along with the civic square would damage residents' amenity;
- Not clear what is being proposed for the buildings. Object if any non-residential uses apply to the proposed buildings facing Wansey Street;
- Not clear whether Lend Lease are committed to retaining the plane trees that line Wansey Street. Principle objection to the masterplan is the loss of trees.

51 49 Cuddington, Deacon Way, SE17

- Sustainability

Application fails to consider the refurbishment of the existing buildings and other considerations affecting the carbon impact accounting. The failure to provide any on-site renewable energy production is a breach of local and national planning policies. The proposed plans to create a 'climate positive' development will have the opposite effect; it will result in the removal of an important carbon sink and the production of thousands of tonnes of unnecessary CO2 emissions.

Alternatives – considering alternatives to the demolition of existing housing is a national, London and Southwark plan policy. Allot & Max Study (1998) found that the homes were in structurally good condition and made recommendations for refurbishment. The application doesn't reference this report and fails to consider alternatives to demolition.

Carbon impact – application fails to include embodied carbon in its carbon accounting methods. The carbon emissions resulting from demolition and construction of the replacement homes will be disregarded.

Operative carbon – renewable sources of energy have been rejected on grounds of their cost impact on viability. Biomethane injection is an untested technology experiencing technical difficulties. It isn't listed as an 'allowable solution' for carbon offsetting in the UK. The new proposed district heating network will not extend beyond the Heygate footprint and will not supply telecoms, potable water, non-potable water, drainage, gas, fibre optics, and vacuum waste as the original MUSCO. New homes will be built to only CSH 4 and these will not be zero carbon homes. Energy Statement fails to include air conditioning in its energy demand forecasts. The sequestration value of existing trees is not included within the carbon accounting model. The loss of this vast carbon sink of 450 mature trees will have a significant on the carbon impact figures and climate change.

- Design / social mix

Design of the building will create a hostile environment and it proposes no affordable

housing. The claim to deliver a more mixed community will result in an exclusively single tenure neighbourhood and increased social inclusion.

Proposed design – does nothing to address issue of noise disturbance from major roads. Existing design benefits from long-spanning blocks which protect existing homes from noise disturbance. Object to the number and height of the proposed tall buildings. Will give the area an oppressive monolithic character. They will have a negative effect on micro-climate, sunlight, shading and ground level wind canyon effect. Blocks / massing is overtly gridded and will feel as fortress-like and appear as a 'gated community'.

Social mix – replacement development comprising exclusively people on high income brackets which is physically and socially segregated from its surrounding community.

- Public realm improvements

The proposed public realm improvements will result in a significant depreciation of the existing public realm.

Public Park – will be just 0.8 ha in size, be hemmed in and overshadowed between two rows of tall buildings. Redevelopment will result in a net loss of more than half of the existing floorspace designated for community facilities and net loss of more than two thirds of existing open amenity space.

Estate Management Strategy – new part will be privately owned and managed. This will create further social exclusion

Tree strategy – there is no guarantee that any trees will be retained.

Northern roundabout – application proposes to increase the size of the traffic lanes on the roundabout. Plans appear to block TfL's proposed Cycle Superhighway 6 (Penge to the City).

Northern Line tube station – fails to mention how it intends to fund the £106m requirement to the necessary upgrade to the transport infrastructure at the tube station.

52 Resident of Garland Court, no number provided, sent via Keppel Street

Add to the objections raised by the Garland Court residents association. In particular concerned about buildings being built out to the maximum parameters and associated impacts upon buildings / trees in the street, and the omission of a green space previously shown at the far end of Wansey Street.

53 Resident of Wansey Steet, no number provided

- The character of Wansey Street is a quiet residential cul-de-sac is at threat from the proposed maximum heights of buildings to the north;
- The proximity of buildings to the north of Wansey Street could impact the retention of mature trees that are important to the character of the street;
- the street leading north from Wansey Street towards Elephant and Castle is narrow with tall buildings, and will be a wind tunnel;
- The building adjacent to the Town Hall will overwhelm this handsom building;
- The civic square has been moved to opposite Garland Court for no apparent reason, it's previous position was preferable. Garland Court has bedrooms overlooking this area.

54 23 Garland Court

- The height of buildings opposite Garland Court will be too high and not in keeping with the quiet residential cul-de-sac character of Wansey Street. The building potentially 9

storeys high close to Walworth Road will dwarf the listed town hall;

- The public square seems to have been moved outside Garland Court, concerned this stay outside Garland Court late into the night, with related noise and anti-social behaviour concerns. The bedrooms in Garland Court face this area;
- The community centre opposite Garland Court should be restricted to working hours opening to prevent noise impacts;
- Not clear whether all the trees on Wansey Street will be retained;
- Request a survey of noise levels in Wansey Street;
- The new road access from Brandon Street seems to cut through the space originally designated as a community green space.

55 88 Amelia Street

Object on the grounds that the development proposes no affordable housing and no renewable energy. Council's planning policy requires 35% affordable housing and 20% on-site renewable energy provision. Also object to the loss of large numbers of trees on the site, the high number of parking spaces and the failure to provide essential cycle-route and public transport infrastructure. Object that there appears to be no provision to provide new sports facilities, in particular a swimming pool to replace the leisure centre. Object to the privatisation of the public realm, the loss of amenity space and the loss of community facilities.

56 63 Marston Deacon Way

Object to the demolition of any structures, bridges or rights of way that might affect my property directly or indirectly.

57 32 Smeaton Court

Do not support plans for residential units to be built because of the volume of people already living here, but do support a new park.

58 30 Albert Barnes House

Opposed to plans to build yet more homes. It would be better to build a MacDonald restaurant, it would be the worlds biggest restaurant to cater for the areas huge population.

59 55 Albert Barnes House

Not in favour of new homes being built in Elephant and Castle. The land could be used to build a world class football stadium which would generate jobs for the community.

60 88 Albert Barnes House

Against planning permission for residential blocks to be built. Would rather have a sports facility which would have table tennis.

61 6 Garland Court

- Omission of 'Wansey Street' as a labelled street on drawings and related concerns that

this could lead to impacts on Wansey Street residents being overlooked;

- Wansey Street has been overlooked in relation to pre-construction noise level monitoring in the submitted Environmental Statement;
- Concerned about impacts upon residents of Wansey Street from noise;
- Concerned impacts upon Wansey Street residents from poor air quality, dust and vibration during construction;
- The planning application boundary line in Wansey Street is confusing as shown in all drawings, as it encompasses Wansey Street. The boundary line is drawn right up against Garland Court and Wansey Street residential buildings. Presumably there will be no demolition / construction across Wansey Street and therefore the boundary line should be clear on all drawings;
- The proposed uses for blocks H6 and H10 along Wansey Street, include retail, business, community and leisure, all of which would be inappropriate use in a quiet residential cul-de-sac;
- The documents are difficult to understand, there is an unhelpful overuse of acronyms which together with the huge volume of documents to plough through, makes the experience off-putting and likely to have deterred people from making representations.

62 130 Draper House &
28 Wollaston Close

- The development requested represents a substantial theft of public green space that will be irreversible. The proposed development will slash the amount of publicly accessible green space in the area, even when taking into account the new park, because so much green / shared area will be made into private, elevated courtyards;
- The reason given for privatising these spaces is to create gated gardens, but in practice these are underutilised in private developments compared to public development, and they will be overshadowed by the high walls surrounding;
- The true reason for the theft of public space is to provide valuable car parking spaces without having to pay the price of submerging them, as has been done at the neighbouring high quality Strata development and even Southwark Council's own Draper House;
- These raised courtyards will create long stretches of street with raised barrier walls, which will actively harm the streetscape;
- The development has too much parking. Planning policy for the Elephant and Castle Opportunity Area aims for new developments to be car free (with an allowance for disabled parking). This development proposes 25% of homes will have car parking spaces. The parking will have a negative impact upon traffic levels in the area;
- Affordable housing levels. The development provides insufficient affordable housing when compared to the council's planning policy minimum of 35% affordable housing as per the adopted Core Strategy. We are losing 1,200 affordable homes on the Heygate Estate in the middle of a housing crisis;
- A combination of allowing a disproportionate amount of parking and privatisation of garden space, will risk losing forever some of the precious and finite green public realm available in the E&C area. This will result in a short term private financial gain, but will impoverish both the privatised spaces and deprive the wider area of the value they could bring to the character of the area.

63 3 Garland Court

- The noise, dust and fumes from the demolition, construction and associated vehicle

and plant movements will lead to a significant loss of amenity to residents of Garland Court / Wansey Street;

- Recommend conditions to ensure controls on these matters.

64 28 Thornton House

- Consultation with the developer has not been a transparent or engaging process. Misleading information has been provided. Told throughout the process that there would be 25% affordable housing, but the applicant has withdrawn this commitment.
- The design code required by the Regeneration Agreement has remained a secret throughout. There was a strong bias throughout the pre-application consultation preventing any dialogue on housing issues. Feedback forms did not cover issues such as doubling density, height and massing working well with established character or on pedestrian and cyclists having priority over vehicles;
- For the existing floorspace to either double or treble amounts to overdevelopment, and concerned about related impacts upon local residents, the local character and the identity of the place at Elephant and Castle;
- The basement floorspace applied for is very high and if an amount towards the upper end was sought (188,000sqm out of a maximum proposed floorspace of 330,741sqm) this would distort the development. Basement floorspace should be excluded from the total floorspace sought and applied for separately;
- Object to the applicant proposing a net loss of community floorspace;
- The application fails to comply with London Plan policy 7.1 and the emerging SPG on lifetime neighbourhoods. The concept that brings everything together should be the lifetime neighbourhood and a commitment that the facilities and services provided are accessible and affordable and relevant to all. The Masterplan design principles make no reference to what makes for an active and supportive local community;
- There is no provision of new social infrastructure;
- The low or zero level of affordable housing is not Southwark policy compliant (35% is required), the very low level of family housing (only 10%) and the size of homes (the policy aim should be to exceed minimum standards) are not compliant with the London Plan or HCA requirements;
- Object to failure to provide a diversity of housing choice;
- Object to the loss of open space, the new park is very small;
- The tall buildings definition of 12 floors + does not comply with the Core Strategy definition of tall buildings as 10 floors + and any building that is significantly higher than surrounding buildings will be regarded as a tall building;
- High density does not have to mean very tall buildings and repetitive massing;
- The tall buildings principles and studies do not appear to have been undertaken in accordance with London Plan policy 7.7 which requires sensitive locations where there are conservation areas or listed buildings;
- Object to the inclusion of Elephant Road Park within both the Oakmayne and Lend Lease applications. This needs to be corrected and the playground reinstated;
- The Play Strategy breaches the London Plan by the non-provision of youth space on the site;
- Object to the lack of reference to jobs for local people. Jobs for local residents (with a minimum local jobs target of 30%), and not just opportunities in the construction industry, should be a key principle, as should a commitment to the London Living Wage;
- There has been a failure to support existing retail at the Shopping Centre, East Street Market and local shopping parades as part of the retail offer;
- The new retail development at the top end of Walworth Road will impact upon existing

traders;

- The Development Specification fails to describe renewable energy and drainage, district heating / CHP and environmental sustainability. The Clinton designation was partly based on the innovative Multi Utility Services company (MUSCo) supplying low carbon energy, non-portable water and data connectivity and this has been deleted;
- Sustainability refers to social impact as well as environmental and economic and there has been no study to value in social terms what has been lost and is being provided. There should be a social impact assessment or Strategic Environmental Assessment to cover this;
- Object to the proposed demolition of Crossway Church, the ex-Heygate shopping units on Rodney Road and the meeting space provided by the 2 Heygate clubrooms. Interim uses should be blossoming throughout the development site.

65 58 Sutherland Square

- A sustainable community is one which is inclusive, vibrant and diverse and values people from all backgrounds. The principles of the masterplan place emphasis on raised courtyards and deep plan blocks, with vehicle servicing at the ground floor. The proposals, with the predominant typology of raised courtyards and towers, are exclusive rather than inclusive. There is little sense of human scale or tiering of scales within the design of the blocks and streets;
- The lack of commitment of affordable housing is demonstrated in the Development Specification. The policy figure of 35% for Affordable Housing for the Elephant is not included in the Specification. A figure of 25%, 10% below policy, is included in the Section 106 agreement, this falls short of the requirements of the Core Strategy;
- Strong reservations regarding the masterplan in terms of typology, residential tenures and lack of human sensitivity in its design, has the hallmarks of a 'nowhere' place, a citadel disconnected from the surrounding neighbourhood;
- Central to building a new neighbourhood and community is the need to have a clearly defined vision. The statements made on vision are generic, rather than place specific. Part of the vision refers to new park, this is misleading as the park is part of the existing green space of the Heygate Estate. Images of the new park are oversized;
- Objections to the process of dialogue and consultation with the community. Information and documentation has been limited and confusing, and the consultation process has been one-way, with the community giving views and information, rather than a dialogue and discussion or exchange;
- Misrepresentation of the proposals, with an over emphasis on trees, concealing the physicality, amount, height and massing of the proposals. Lack of sections through the proposals, a sell of a new park, rather than a message of improving an existing green space, a lack of clear existing and proposed comparative drawings, and few on the ground perspectives linking with existing views;
- The proposals lack a cohesive legibility in terms of hierarchy and grain. This is evident in the deep plan blocks at ground and mezzanine floors, which bear little relationship in scale and pattern to the existing context;
- Blocks appear monolithic and have a limited relationship or connectivity with local context;
- The original brief and regeneration agreement have not been made available to local people, despite repeated requests. The distribution of tall buildings across the site demonstrates that the constraints on the site do not allow for a cohesive and appropriate grouping of built form, relative to the amount demanded by the brief;
- An approach which respects and enhances the existing urban condition, would retain

the existing trees along the north of Heygate Street and celebrate the avenue of greenness;

- The Walworth Road edge needs far greater consideration of the urban pattern and public realm;
- These towers will have a poor relationship with the public realm at ground level and will have a detrimental effect on wind speeds and microclimate;
- The proposals make provision for a significant amount of car parking spaces. Many of the early housing sites in Southwark included provision for only one or two wheelchair accessible spaces on the basis of their proximity to the major transport hub at The Elephant. This approach of a minimal amount of car parking, and therefore vehicle movements, should be adopted for the masterplan;
- The development of Supplementary Planning Guidance in parallel with the masterplan for the Heygate Estate means that an objective strategy is a much greater challenge. The Council's partnership with the developers clearly establishes shared agendas, and therefore a greater possibility that the influence of developers' interests are placed before those of the people whom the Council represent;
- The impact of densification and major development on local services – doctors, schools, green spaces and services – has yet to be explained and communicated in an appropriate and understandable way to the existing community;
- The process over the last year or so has demonstrated a focus from the project team to drive through the original proposals, disconnected from a real connectivity with place;
- Core objection to the masterplan is a strong concern on whether it can deliver a place for a sustainable, inclusive and integrated community. Remain unconvinced that the project team have fully considered the impact of densification on existing communities and services. Also concerned that an appropriate strategic framework for weaving new and existing communities together is not in place. Such a framework would demonstrate a celebration of Southwark's diverse community and champion people of all income levels. The regeneration is an opportunity to respond to current thinking and lead the way with an open and inclusive review. Therefore call for this outline application to be rejected.

66 87 Balfour Street

General objections and concerns raised regarding Southwark Council's management of development plans, relationship with the development and liaison with the community regarding regeneration initiatives. Criticisms of Southwark as the Local Authority and the treatment of the local community by the LA, as well as criticisms of Planners.

Summary of objections on the application proposals:-

- The most obvious outrage in the OMP is its careful and deliberate exclusion of the first phase of the process at Phase 1 – as per the Regeneration Agreement – from the provisions and process of the Masterplan application. Concern regarding the loss of trees, green spaces and infrastructure, and the excessive density of the proposal in a quiet low-rise residential neighbourhood. The plans represent a clear over-development of the site, abrogates OMP principles which talk of respecting the context of the place, its character with pre- and circa 1900 buildings of varying note, the tree-lined streets, parks including a SINC, and of building heights intended to rise from the low level residential intimacies of Balfour and Wansey Streets to significant height at the railways and motorways of the existing E&C;
- The site must be treated equally, honestly, openly and continuously according to the Regeneration Agreement and the OMP and adhere to London Plan provisions as a minimum;

- All the important variables in the plan and most obviously all the trees and green infrastructure, public space, green space, health and well being, 'public welfare' and amenity values herein are presented as Reserved Matters. These will only be addressed once the massively excessive plans are approved automatically – which is how Southwark have treated and will treat of them;
- These plans show wholly unacceptable maximal Ground Floor extents in almost every direction let alone first floor ones and without even mentioning the sudden appearance of basements in the plans. Concerned that the extent of ground floors and basements will result in the loss of trees and the existing forest;
- The trees and green infrastructure must not be reserved for consideration separately from ground floor planning extent nor first floor extents but the two elements must be considered / approved together, otherwise this is a complete wholesale sham and needs to be called in to the GLA and stopped dead in its tracks;
- 25% affordable housing does not meet policy requirements of at least 35% social housing provision in new developments. This so-called affordable element must include either council housing or target rents in the half of the quantum that is to be rented as a very minimum;
- At present, the policy-flaunting proportion will be part-buy, which means they are essentially a private development, the other half of the so-called affordable quantum is to be rented at anything up to 80% of private rental market values which makes this essentially a purely private development;
- This development requires a proper proportion of new housing, which replaces 100% Council housing, is Council housing and / or rented at target rents; actually affordable to the people who have been flushed away or who have held on tenaciously in the area around;
- Units should be tenure-build but also built to the highest standards conceivable in order to justify destroying easily updated / graded buildings so early in their natural life;
- Make the financial viability process open-book and let's have a proper meaningful discussion about it with a cross-section of the existing community and across generation;
- Object to the lack of sustainability in the development and the OMP. The original ideas for development of the site included measures that no longer feature in the development;
- Objection to building for cars in a car-free regeneration. This is supposed to be a car-free regeneration because the site is in the centre of London and boasts one of if not the best-connected public transport nexus in the city and although it is utterly incoherent and will according to these plans remain so afterwards;
- Objection to plans to increase the roundabout by a further lane, making it more attractive to motorised vehicles from across the city and beyond;
- Code 4 is another woefully low level to aim this so-called regeneration at. If it is not viable then don't destroy, or don't give the money to TfL like fools. Build less, build sustainably, build well. Request that the standard is raised to Code Level 6;
- Planning consents must be conditional upon retention and restoration and replacement of trees and green infrastructure as an elemental minimum;
- Phase 1 must restore already and soon-to-be destroyed large canopy trees on site, as well as replace off-site in as close proximity as possible to it, which in this case means along Balfour Street and it must do this early not late;
- These plans envisage a horrible uniformity of grid and block, detailed with chain retail outlets in a defiant stand against any ambition or attention to the place as possible;
- Should undertake a proper valuation of the trees, promise to restore every single tree should be upgraded to specify the type of tree, and restore large canopy trees.

- The provisions for tree retention and replacement is not good enough, more trees must be retained and not so needlessly destroyed;
- Publicness of the so-called 'public' private park. One obvious impact of the maximum ground floor plans, plus first floor extents is that the so-called 'public park' is down to 59m across at ground level, and less at high levels;
- The shrinking of the park will have direct and marked consequences for the ability to retain the trees which is why this must be conditioned. The park must be defined and that definition must measure 64m at ground and above levels. It must be the 200m it claims it will be and it must jag out in the southwest corner to about 85m;
- Objection to uniform barrier blocks or mega-cubes and narrow spaces between. The gaps between buildings must be widened and kept wide to make this meaningful. Gaps between buildings must adhere to minimums, or policy bottom lines, but aspire to something more;
- These massive characterless blocks of podia must be broken up and that breaking up (which can be done by alleyways, archways into open centres) should be inserted into any permissions granted here;
- The current plans and their visuals already look significantly dated;
- The OMP should have a real and convincing commitment to retain trees, forest, canopy cover, the whole green infrastructural continuity of it all and all that immediately links to it, to make it a better place for walkers, runners, cyclists, the very young, the very old, visitors, residents, workers, to meet elementary 21st Century criteria, to add to London's green city not reduce it, and to invest much deeper in these elements in the absence of any others;
- That means giving real attention to sustainability, not to meet policy minimums or codes, but to set independent, much higher and more meaningful standards because they are part of a fully articulated vision or purpose for all this destruction and rebuild to take place;
- One obviously totem of this is to create a public park of meaningful proportion, with real active usability and improvised ongoing change and use allowed – food growing, wild gardens, quiet zones, and for the park to be actually public.

67 18 Market Place, Blue Anchor Lane

- Object that many of the original benefits of the regeneration scheme are being lost due to financial viability (MUSCO, affordable housing);
- Object that the pre-planning consultation did not raise the possibility of the development providing less than 25% affordable housing;
- The report should state that the local community was not informed or consulted about the amount of affordable housing being less than 25%;
- No pre-planning consultation on the use of biomethane gas as fuel;
- Loss of existing amenity open space;
- Object to the proposed management arrangements for the new park;
- Object that there is no detail of the Estate Management Company, and concerned that it will introduce unwarranted restrictions on the activities and the use of the park;
- Southwark Council should adopt and manage the streets and public areas in the development;
- Object to the off-site provision of recreational space for older children;
- Object to the Estate Management Strategy and the privatised public realm that will result from this development and this has not been addressed in the submitted Equalities Impact Assessment;
- No on-site or offsite provision of renewable energy generation;

- Object that the existing standard gas-fired boiler and district heating network is being replaced with a new standard gas-fired boiler and district heating network servicing just the new Heygate development, it doesn't provide the same services as the MUSCO;
- Object that all methods of supplying heat and water that rely on renewable sources of energy have been rejected on grounds of their cost impact on viability. Biomethane use is unrealistic and untested;
- The homes will be built to CSH level 4 and not level 6, these will not be zero carbon homes;
- The application does not meet Core Strategy requirements for carbon emissions and does not include embodied carbon within the carbon accounting methods;
- The rectangular grid design separates people, and much of the open space is private, the application does not support existing communities and does not contribute to the creation of sustainable mixed communities;
- Object that the application does not include the refurbishment of the existing estate;
- The cumulative environmental impact of both this scheme and that of the Heygate East application Phase 1 Rodney Road, should be considered together. Splitting the scheme into two applications is in breach of the 2011 Environmental Impact Assessment Regulations;
- There is no guarantee that the existing trees will be retained on the site;
- The application does not make clear what percentage of 750 jobs generated would be new, what percentage of the jobs is likely to be provided to local residents, whether the existing local supply and demand for retail and catering work actually support the development proposal.
- Object to the Retail Impact Assessment as it does not assess the development's impact on the existing retailers on the New Kent Road, Harper Road, Rodney and Eagle's Yard;
- The s106 needs to include a long term commitment to provide affordable retail units for existing independent traders and shops;
- The application should be revised to recognise the important contribution of small retail units surrounding the site and cultural diversity, giving recognition to the 70 Latin American businesses at the Elephant and Castle;
- Support the Council's vision of zero car parking in new developments and object to the applicant's insistence on 25% parking as a baseline for the future;
- There should be a crossing of the New Kent Road at the northern end of Elephant Road;
- There should be commitment to consult with local interest groups about the definition and design of the Tertiary vehicle routes;
- For pedestrians to be genuinely safe, the streets should be designed to allow vehicles to move at no more than 10mph;
- Rodney Road, between the junction of Rodney Place and Orb Street, should have the carriageway reduced;
- Object to the applicant's inadequate consideration of cycling, both in terms of trips generated by the development and in terms of the impact of the development on trips passing through the development area;
- The application fails to meet Supplementary Planning Document requirements as there is no data provided or estimation of cycle 'desire lines' or any attempt to capture the existing volume of cycling on the cycle bypass and through the adjacent Northern Roundabout;
- Object to the critical failure to provide a route for the new cycle superhighway;
- Object to the omission of cycling and cyclists from consideration of the Northern Roundabout (the Halcrow Report) and the proposal to use part of the transport tariff for

redesigning the roundabout without consideration of cyclists' needs;

- Object to the proposal to widen the Northern Roundabout to accommodate five lanes of motor traffic;
- The development will have a negative impact on existing cycle routes;
- The cycle parking proposals are inadequate and there is no commitment to a minimum number of spaces;
- The applicant fails to quantify s106 spend on affordable / social rented housing, it is imperative that a significant amount of s106 supports affordable housing;
- S106 contributions for affordable housing should be ring-fenced for social rented housing to ensure that the social rented housing targets can be met;
- Object that there is no provision for a library / lifelong learning centre, any building for use by voluntary and community sector groups and the kind of comprehensive range of facilities promised by the 2004 Elephant and Castle framework;
- Object to the inordinate proportion of total spend that will be on transport infrastructure at the expense of affordable housing, education, employment, public open and play space, public realm, health facilities and community facilities;
- Object to the inclusion of affordable rent which will be beyond the means of most local people and many thousands on the Southwark housing list;
- Object to the omission of a commitment to build a minimum of 35% affordable housing as required by Southwark's Core Strategy, and there is no commitment to fulfil the minimum 25% affordable housing included in the Regeneration Agreement;
- The application omits the tenure mix and levels of affordability for each tenure;
- The buildings that front onto the park qualify as 'tall' according to the Core Strategy and should be treated as such;
- Object that the tall buildings will have a negative effect on micro-climate, particularly sunlight, shading and ground level wind canyon effect;
- Object that tall buildings lack public accessibility;
- Object to the building blocks / massing being overtly gridded which will feel as monolithic as the blocks being replaced;
- Object to the cluster of tall buildings being separated physically or practically from the surrounding community, so that the effect is of a gated community.

In support

68 Camberwell Green (no address provided)

- As a worker in Hannibal House the plans will have direct impact upon quality of life;
- The Elephant and Castle is an area characterised by hideous 60s architecture, disused public spaces and substandard pedestrian access. The Heygate Estate is the main culprit;
- The shopping centre is also a monolithic eyesore and aesthetically speaking has no place opposite the Metropolitan Tabernacle;
- There is also a lack of decent coffee shops or drinking establishments;
- Therefore support the application as the area is in need of redevelopment;
- Improved pedestrianisation would make it a pleasant place to walk around;
- New trees are in the plans, they will improve the look of the area, and reduce air pollution;
- Strongly attracted by the green credentials of Lend Lease;
- New cycle paths will be incorporated into the development, which will improve the area; and
- The regeneration plans are essential for the reputation of the area and to improve

safety (for pedestrians and cyclists).

Responses from Neighbours and Local Groups following re-consultation undertaken on the 8 October 2012.

Local Groups

69 Elephant Amenity Network

Consultation Process

- Note that the application now contains a commitment to 25% affordable housing, which deals with part of our objection 2.1, however, a large element of the affordable housing will be 'affordable rent'. We therefore make a fresh objection that there were no consultations on the introduction of this new, more expensive kind of affordable housing for rent, in place of 'social rented' housing;
- We also note the addendum to the Energy Statement about the use of biomethane gas, but maintain our original objection that there was no consultation on the feasibility of its use;

The new Park and Estate Management

- Note that there is no revision to the Estate Management Strategy. We understand from conversations with planning officers that the Park and public realm will not be managed by the Estate Management team. The strategy refers to a 'Management Team' managing the public realm, without further detail (4.1), this requires clarification;
- Note and welcome the statement that the Developer 'may explore the opportunity for future adoption of the public realm by the local authority' (4.1) and request that adoption occurs;

Sustainability

- Note the changes made in the addendum to the Energy Statement. The addition of Phase 1 Heygate to possible future District Heat Network (DHN) connections (Table 8) is welcome. However achieving the DHN connections remain an aspiration rather than a concrete proposal and the capacity of the Energy Centre to do this awaits confirmation at the design stage (3.3.2 pg12). Making connections and providing the capacity should be a condition of approving the application;
- Note the changes to section (3.3.10). The developer's commitment to provide a detailed energy strategy as part of each detailed planning application is welcome. Concern about the reliance on biomethane gas remains however. The source of the gas still appears tenuous and the alternatives lack detail and are being reserved for later applications. 'Plan B' and the 'Options Summary' have also been removed from the application. Does this mean that Solar PV and Biomass have been discarded as alternatives? In light of these concerns we do not think the proposals are sufficiently robust for approval;

Section 106

- Welcome the increases in expenditure where they have been made, other than that for strategic transport, which has increased to £13.03m from £11.68m. Note the reduction in the education contribution and therefore reiterate original objections to this;
- Note that there has been no improvement to the presentation of the figures for affordable housing; despite the applicant confirming to providing 25% affordable housing the contributions are not quantified (reiterate original objections);
- Note that the existing Heygate floorspace has decreased considerably, and that while the uplift should increase the amount of s106 payments, the increase in total from £50m to £51.3m is matched by the increase in strategic transport infrastructure spending by

£1.3m. It would therefore appear as if there is no local benefit from the gain, request confirmation on this;

- While there is an overall decrease in floorspace, there is now a greater loss of Heygate community and culture and retail floorspace. The minimum floorspace provided by the new development for these uses must ensure no net loss;

- The review mechanism reference in the original Heads of Terms has been omitted, request reasoning for this;

Affordable housing

- Welcome the improvement on the application made by the applicant's commitment to providing a minimum figure of 25%, however the application does not provide 35% affordable housing as required by Southwark's affordable housing policy. There will be no social rented 1 or 2 bed units, only 'affordable rent' units. Table 7.1 is highly confusing, it is impossible to say how many social rented units or affordable rent units there will be;

- Request a briefing note showing achieved or expected delivery of affordable and social rented housing on each housing site within the Masterplan and information on the impact upon the viability assessment resulting from the affordable housing change;

Tall Buildings

- Object to the revised Parameter Plans which leave several issues unclear – whether existing footpaths and pavements are within the red line and will cease to be public space, and whether balconies will be a minimum of 15m from an adjacent residential building;

- Propose that the parameter plans be redrawn with a minimum 15m plot extent and for all footpaths and highways to be within the public realm.

[Respondent also restates original comments / objections]

70 Garland Court Residents Association

- The amendments and clarification go some way towards explaining why the worst case scenario of development to the maximum plot sizes cannot as well as must not take place;

- The Tree Strategy Plan shows Wansey Street's plane trees retained, so we presume that any new development has to sit behind them, and note that elsewhere on Wansey Street there is a minimum of 15m between building plots, a dimension which would complement the Victorian Street character;

- Nevertheless the majority of the original objections raised still stand. Principle objection continues to be the new public square immediately outside Garland court and its associated D1/D2 community uses. Even if built out to the minimum plot parameters, the space and its associated community uses will create a lot of new activity outside Garland Court, all of whose bedrooms face the public square, and damage resident's amenity;

- Don't consider that reserving subsequent approval for matters such as access, scale, appearance, layout and landscaping will overcome the fundamental problems created by the location of the square and its community uses. Continue to urge that it is moved towards Walworth Road where it can better relate to and complement the public activities of the listed old town hall building.

[Respondent also restates initial comments / objections]

71 Rt Hon Simon Hughes MP and Walworth Liberal Democrats

- Affordable Housing

The 2012 OAPF/SPD clearly states that there should be 35% (or approximately 900 units) of affordable housing delivered on-site. I support the current council policy and object to the considerably lower amount of social housing (25%) proposed;

Understand that the policy requirement of 35% in the Elephant and Castle SPD was adopted following a 2010 affordable housing viability assessment study that found it to be feasible;

When the community were consulted about the Heygate Estate, the promise was that there would be at least as many homes built (either by the council or by housing associations) as there would be council homes lost, but with rents at what were then defined as affordable rents – namely social rents or target rents. While the government has introduced a new definition of affordable rents, there is an obligation on the council and the developer to provide 1107 units at the old definition of affordability;

Southwark's residents should not be expected to sacrifice the prospect of new social rent and other affordable homes to enable increased returns for developers and their shareholders;

- Viability

Object to the financial viability tests being applied in the present confidential manner and believe they should be much more transparent for elected representatives and other members of the public to see and assess;

- Car parking and cycle parking

Given that the masterplan area has public transport accessibility levels of 5 and 6, object to the fact that the proposed outline application has far too many car parking spaces;

Propose that in recognition of the need to encourage families to move to the new homes, and in light of the high levels of public transport at the Elephant and Castle, car parking is limited to a maximum of 250 spaces for the three and four bedroom units only, including 10% reserved for disabled residents and 20% electric vehicles;

- Energy

Extremely disappointed at the abandonment of the MUSCO project to provide green and affordable energy – not only for buildings on the Heygate 'footprint' but also to link both new and existing buildings across the Elephant and Castle 'opportunity area'. This disappointment has been compounded by the limited proposals in the outline application that only offer scope for 1,000 additional units to be connected to the energy centres for the new Heygate developments. While this may support the majority of new CHP boilers connected to a number of surrounding estates, such as Newington, Salisbury, Rockingham, and Browning. I also believe that a new green energy centre could play an extremely important role in the sustainable redevelopment of the Aylesbury Estate.

- Small businesses

Lack of reference to the impact of new commercial developments on both East Street market and many small businesses in the area, particularly the large number of Latin American businesses;

- Trees

Reaffirm the previous administration's 2010 support of local residents for retaining the majority of existing mature trees on the site;

- Education and health facilities

Welcome the investment outlined in the draft 106 / CIL agreement but remain concerned about the complete absence of detail as to what these facilities will look like, and whether a new primary school will be forthcoming to serve both new and existing residents;

- Process for deciding planning application

Suggest that the committee meets as close to the Heygate site as possible to allow residents to attend; that the agenda is published further in advance than normal as it will

be larger than one with the usual detailed applications for individual developments; and if necessary, the committee should consider meeting over two evenings to allow for representations from as many of the interested members of the public as possible and appropriate debate.

72 Pullens Tenants and Residents Association

- The revised application should be rejected just as the original application 12-AP-1092;
- There is no benefit to the people of Southwark and it does not comply with the London Borough of Southwark's policy of 35% social housing. No independent forensic accounting assessment has been conducted and published to justify any reduction in this policy. No details have been given of the revised social housing proposals in the renewed application. The number of dwellings given does not specify room number or sizes or any breakdown of floor area;
- Such a large number of rentals under the current short term tenancy legislation will result in a largely transient population that will not encourage any communitiy regeneration, just the opposite.

73 Heygate Leaseholders Group (49 Cuddington, Deacon Way)

- Whilst the new revised housing statement does now include a minimum target of 25% affordable housing, it is not proposing the type of affordable housing required by planning policy or negotiated in the Regeneration Agreement, which both require half of all affordable housing to be social rent;
- Affordable rent tenure is not affordable, and is beyond the means of most of our former neighbours here on the Heygate Estate;
- The planning application makes no provision for the retained equity homes;
- It will result in the creation of a private gated community for the wealthy, and will lead to a further segregation in London. This is further exacerbated by the planning application's Estate Management Strategy, which purposes that he entire 10 hectare footprint comes under the control of a privately managed 'Estate Management Company' patrolled by a private 'Town Centre Security Team';
- Sustainability, up until January 2011 the regeneration masterplan promised to replace this with an Energy Centre which would supply up to 10,000 homes in the entre E&C area with renewable energy. This strategy appears to have been abandoned in its entirety, the outline planning application makes no commitment to any renewable energy whatsoever. It proposes a replacement district heating network significantly smaller than the existing one, which supplies only those homes on the first phase of the Heygate redevelopment or any other developments in the area. Moreover there is insufficient capacity to supply any other developments due to the proposed size of the new Energy Centre. The Energy Strategy is also misleading in its attempt to mitigate the 20% on-site renewable energy requirement set out in local planning policy. It includes biomethane gas, but there is currently no such supply of biomethane available in the UK, and that there are a number of legal, technical and operational difficulties surrounding its implementation. The planning application's Tree Strategy is equally ambiguous and non-committal. The application therefore makes no firm commitment to retain any of the 400 mature tree on the existing site;
- Transport, there have been many people injured and killed in the roads around Elephant and Castle in the past two and half years. The original regeneration plans included proposals to tackle this problem by creating pedestrianised civic square spanning across the northern roundabout connecting the two tube stations and creating

a pedestrian precinct. The northern roundabout is officially the most dangerous traffic interchange for cyclists in London and cannot be crossed by pedestrians. The final masterplan application has dropped all plans to reduce car domination. The civic square has been shelved, and it is actually proposed to reduce the size of the roundabout to increase the width of the vehicle traffic lanes. In addition the application proposes to block TfL's plans for a much needed eastern cycle bypass as part of the proposed superhighway. It is also proposed to create 678 new parking spaces at the Elephant, which is in breach of planning policy and unnecessary in a zone 1 public transport hub;

- Human Rights Act, as remaining residents on the Heygate Estate, this planning application affects our homes and therefore engages certain human rights under the Human Rights Act (HRA). The rights potentially engaged by this application, including the right to a fair hearing and the right to respect for private and family life are considered to be unlawfully interfered with by this proposal. The failure to provide residents with access to the financial viability assessment submitted along with this proposal, has affected our rights to effective participation by failing to provide us with access to all relevant information informing this decision, which directly affects our homes and thus our private and family lives.

74 Southwark Group of Tenants Organisations

Strongly object to the revised planning application.

The current application, whilst a small improvement on the original application (which committed to no affordable housing), is fundamentally flawed and should be rejected on the following grounds:-

- The application proposes 25% 'affordable' housing. This is contrary to the Council's own policy 6 in its adopted Core Strategy;
- The only genuine affordable housing within this 25% is the social rented housing. There are only 8 proposed social rented units in phase 1. Only the three bedroom units shall be social rented. All other 'affordable' units shall be 'affordable' rent or shared ownership. Therefore the majority of 'affordable' rent shall not be genuinely affordable;
- Affordable rent can mean up to 80% of market rent. This application proposes 50% of market rent. This would mean a two bedroom flat would cost £160.53 per week, whereas a social rented unit would be £112 per week. Whilst 50% of market rent is better than 80% this is still substantially more expensive than Council rents;
- It will be very hard for the Council to enforce s106 clauses in any agreement keeping shared ownership homes and affordable rented homes under affordability caps. The most likely outcome is that these affordability caps will be breached.
- Opposed to the demolition and redevelopment of the Heygate Estate on the basis that around 1,000 Council Homes are to be removed, and no Council Homes are to replace them. This amounts to social cleansing on a significant scale.

75 On behalf of the Latin American Women's Rights Services and Latin American retailers at E&C

- The Latin American Recognition Campaign (LARC) is a campaign in support of the Latin American community, and therefore considers the recent recognition from Southwark council towards the Latin American people in the borough as a great achievement of high significance;
- Request that a landmark or space within the borough is provided that the Latin American community can identify with such as a Community Centre, a statue, or a Latin American park;

- The Elephant and Castle area should be declared as a Latin American area (Barrio Latino);
- In support of affordable housing and an affordable rent scheme that can allow small businesses to carry on operating;
- In support of new library facilities, community centres, and for the development of any element that promotes culture and learning in the area for everyone;
- Object to the planning application because the Retail Impact Assessment does not assess the development's impact on existing retailers on the New Kent Road, Harper Road, Rodney Road shopping parade, East Street market and the Latin American retail on Elephant road and Eagle's Yard;
- S106 support needs to be given through a long term commitment to affordable retail units for existing independent traders and shops;
- Also object on the basis of sustainability of businesses during the regeneration process; ability to remain in the area after redevelopment; number of affordable retail spaces in the new development needs to be made clear; what support will be provided to existing business; there is a decrease in retail space for small local retailers; the capacity of the proposed plan to maintain the current mix of activities is of concern; there is a lack of commitment to protect current tenants from excessive rent increases in the next few years; landlords may favour well established brands displacing current tenants; reassurance needs to be given to retailers about the alternatives available to them; a clear definition of affordable space is needed and the percentage of affordable units on the site;
- Object to the lack of any provision for social and community infrastructure in the current plans.

76 Neighbour Representations

46 consultation responses received in response to the re-consultation on 08/10/12.

In objection

77 26 identical responses received from the following addresses:

| | |
|--|---------------------------------------|
| Flat 4 SE1 4HY (4 responses received) | 7 th Floor, Hannibal House |
| 2 Burwash House | 32 Shad Thames |
| Apartment 409, 8 Walworth Road | 15 Hamilton Square, Kipling Street |
| 13 Hayles Street | 21 Guinness Court, Snowfields |
| Department of Geography, Kings College | 144 Borough High Street |
| 64a Peckham Road | 6 Dale Road |
| 5 Melbourne Grove | 52 Marmora Road |
| 38 Wingfield Street | 126 Grove Park |
| 85A Danby Street | 327 Lordship Lane |
| 19 Pattinson House, Redcross Way | 204 Baltic Quay, 1 Sweden Gate |
| 39 Creasy Estate, Aberdour Street | 10 Chatham Street |
| SE5 8LE | |

The objections raised are:

- No affordable housing;
- No on-site renewable energy provision;
- The council's policy states there should be 35% affordable housing and 20% on-site

renewable energy;

- Loss of vast number of mature trees;
- High number of parking spaces;
- Failure to provide essential cycle-route and public transport infrastructure;
- Privatisation of the public realm;
- Loss of amenity space; and
- Loss of community facilities.

78 89 Albert Barnes House

Against planning permission because Elephant and Castle has enough residential buildings.

79 40 Albert Barnes House

Against these plans because of the lack of green space the proposed park is too small. Elephant and Castle needs a big park similar in size to Burgess Park.

80 Resident of Wansey Street

- During demolition access to the site could be through Wansey Street and I think that Heygate Street would be more suitable, as Heygate is not a residential street, there is a TfL bicycle station on Wansey Street, and there is a busy bus stop on Wansey Street / Larcom Street; and
- A square is planned opposite Garland Court. This would be better moved in the direction of the Walworth Road where it will cause less disturbance to residents.

81 Resident of Garland Court

- Object to the new public square, mainly the size and location;
 - The open space will be used by non-residents who would have no reason to think about local residents, as they will view this as being a public place and will not focus on the potential high noise levels. There is also potential for anti-social behaviour in close proximity to bedrooms serving Garland Court; and
 - As a current parking permit holder (M1 Zone), parking remains a priority concern. Parking for new residents should not negatively impact, restrict or minimize parking for existing parking permit holders.
- [Respondent also restates original objections]

82 87 Albert Barnes House

- Object to lack of green space in the area;
- There are too many flats in Elephant and Castle;
- Examples of existing flat blocks in the area with insufficient parking and lack of space.

83 28 Matthews Court, 1 Meadow Row
11 St Matthews Court, 1 Meadow Row

Objections summarised as follows:-

Elephant and Castle (and London as a whole) is already overpopulated and cluttered with flat blocks.

84 9 Garland Court (2 responses received)

- Concern over the size of this application and its lack of clarity and complicated (and sometimes misleading) presentation;
- Strong concerns about the impact that the proposed redevelopment will have on the character of Wansey Street and on existing resident's amenities;
- Wansey Street is a quiet, solely residential cul-de-sac. It contains some 20 Victorian terraced houses as well as 31 flats within the award winning Garland Court;
- Proposals will alter the character of the existing cul-de-sac by redirecting the vehicular access;
- The existing garden at the current end of the cul-de-sac will more or less disappear;
- Not enough regard has been made to retain the character and continuous line of existing terraced houses in the proposals for the new side of the street;
- Building heights have been increased (in relation to the remaining buildings) and the street line interrupted with wide openings between proposed blocks;
- The street will effectively be reduced in length leaving Garland Court no longer a part of it;
- There is a danger that Wansey Street will be used extensively for access during demolition and construction work (large gates have been installed in the fence opposite Garland Court). As the Wansey Street buildings will probably be the last ones built this would mean that residents would effectively live on a building site for the next 10-20 years;
- Strongly object to the plans to use Wansey Street for access or egress of any lorries, demolition / construction equipment, goods vehicles, workforce or deliveries to and from the redevelopment site;
- The location of the proposed Walworth Square (along with shops, cafes, overlooking roof gardens and a possible Community Hall) directly opposite Garland Court is the most damaging aspect of the proposals. Bedrooms within the 31 Garland Court flats face the street. Walworth Square should be relocated onto the Shell Petrol Station site.

85 28 Thornton House, Townsend Street

Original Objections Stand – in addition:-

- Consultation

The revisions are not easy to review and what they amount to is not highlighted in the Council consultation letter;

The continuing poor level of consultation by Lend Lease, and its public relations company Soundings, is also shown by the introduction through the revisions of the affordable rent product and the Design User Guide;

- Floorspace

A detailed survey of the floorspace at the existing Heygate Estate has significantly changed the amount of retail and community facilities (to increase) on the site;

Residents have previously argued that the applicant has seriously underestimated the existing community buildings on the Heygate estate. Because of previous misunderstandings, the detailed survey should be made available to verify the accuracy of this new figure. The applicant should also consider afresh the retention of at least some of these community buildings;

Given the loss of community facilities is greater than previously planned, it is disappointing that the applicant has not made any subsequent changes to the Development Specification. It is also disappointing that the applicant has amalgamated

worship space and community buildings in para.4.27 of the Development Specification without consultation. Request that the minimum floorspace for community facilities be increased to 2,530sqm;

- Affordable Housing

The application does not provide the 35% affordable housing required by Southwark policy;

There will be no social rented 1 or 2 bed units, only 'affordable rent' units that will be about £140 and £160pw respectively, compared to about £90 and £100pw if they were social;

There is no quantified breakdown of the housing tenure, so it is impossible to say how many social rented units or affordable units there will be;

Despite the opportunity provided by the Housing Addendum to look afresh, the applicant makes no revisions to family housing, the size of homes or the diversity of the housing offer all of which remain inadequate;

Information should be provided to explain the impact on the viability assessment of the affordable housing change;

- Heads of Terms

Object to the Section 106 agreement showing an increase in the amount to be spent on strategic transport from £11.68 million to £13.03 million. This exacerbates the problem of strategic transport pushing out other section 106 spend, whilst making almost no impression on the huge funding gap for infrastructure delivery;

Object to the deletion of the review mechanisms from the Heads of Terms;

Object to the deletion of the reference to social housing in the draft heads of terms;

- Open Space and Public Realm

There is no revision of the Estate Management Strategy and the revised Parameter Plans are unclear whether pavements and footpaths are inside the red line;

- Developments in planning policy

The applicant has failed to address the adoption of the Elephant and Castle SPD and National Planning Policy Framework (NPPF) in the revised documents. The applicant seems to have put together a new phrase based on some wording in national policy in order to justify its breach of Southwark planning policies. On a number of occasions, the developer uses the expression 'the material consideration overriding planning policy is the viability and deliverability of the scheme as a whole.' (para.4.13 of the Planning Statement). Viability and deliverability are very much part of the planning policy (NPPF para.173). The developer also seems completely unaware that for a scheme to be viable it needs to demonstrate that the necessary infrastructure can be brought forward in a timely fashion. This application fails to do.

86 85e Balfour Street

Object to the Heygate Outline Planning Application.

- Believe that the Heygate application and Phase One (ref: 12-AP-2797) should be taken together and considered at the same committee. As well as other surrounding sites and the Opportunity Area Planning Framework (OAPF). There is a danger that planning applications are being considered in a piecemeal way in isolation of each other;

- A grid pattern of inward-looking courtyards does nothing to create and promote a sense of place and neighbourhood;

- Object to the breach of council policy on 35% affordable housing replacing 100% Council Housing, with an essentially private estate. There is a great need for genuinely affordable homes for a wide range of people, particularly families with children and also older people. This means homes comparable to council rents. The report should clearly

indicate the review mechanisms that will be put in place the 20-25 year regeneration programme and how locally elected members and other stakeholders will be involved;

- Concerned regarding the amount of open and green space in the development, as well as access to and management of this space. The footprint outlined in the planning application currently contains a total of 2.42 hectares of amenity open space. The proposed park will contain just 0.8 hectares – an unwelcome loss of more than two thirds of the existing amenity open space;

- Also object to the management arrangements for the park. Propose that the estate management should be reconsidered and that Southwark Council adopt and manage the streets and public areas of the development. The Estate Management Strategy – and the ‘privatised’ public realm that will result from this development have not been addressed in Lend Lease’s Equalities Impact Assessment;

- The application provides no guarantee of the retaining any of the existing trees on the site at all. Of the 406 existing trees, the applicant has identified 36 trees within the main forest canopy for the site for possible retention. However, these are all subject to ‘further more detailed testing’;

- The existing trees are actually about 60 years old;

- Concerned about the financial viability of the development scheme, but don’t feel there has been any meaningful discussion of this aspect of the application in public. The disclosure of information relating to the basic modelling assumptions of the viability assessment and details concerning the transfer of public land is in the interests of the local community. It appears that many of the original benefits of the scheme are being lost on the grounds that they are financially unviable, however without an ‘open book’ approach it is not possible to residents to make an assessment of this;

- Serious concerns about the poverty of the consultation process. The Statement of Community Involvement does not provide an accurate reflection of the process and the range of views presented;

- The proposal has given little thought to how the area might connect to adjacent neighbourhoods and community facilities;

- Object to the applicants inadequate consideration of cycling, both in terms of trips generated by the development, and in terms of the impact of the development on trips passing through the development area;

- The application fails to meet the SPD requirement in that there is no data provided or estimated about cycle ‘desire lines’ or any attempt to capture the existing volume of cycling on the cycle bypass and through the adjacent Northern Roundabout;

- The conclusions reached about cycle movements are unsound because there is no consideration of existing, generated and future underlying levels of cycling;

- Cycle parking is inadequate;

- Should be little need for financial contribution to public transport improvements as part of this development, which should be provided by the Mayor from the CIL he is already collecting;

- The Development Specification Document does not make clear, what percentage of jobs would be new (rather than existing retail / business / D1 & D2 moving into new units), what percentage of the jobs is likely to be provided to local residents, and whether the existing local supply and demand for retail and catering work actually support the development proposal;

- Object that the Retail Impact Assessment does not assess the development’s impact on existing independent retailers on the New Kent Road, Harper Road, Rodney Road shopping parades, East Street market and the Latin American retail on Elephant Road and Eagle’s Yard;

- The council should retain its vision of zero car parking in new developments. The

PTAL level at the site is 6b – the highest level of accessibility, so question the applicant's insistence on 25% parking as a baseline for the future;

- Do not believe that the proposed development will contribute towards achieving the sustainability objectives set out in local planning policy and nor are they examples of sustainable development, as identified within National Planning Policy Framework;
- The existing gas-fired boiler and district heat network supplied heat and hot water to over 2,000 homes on the Heygate and neighbouring Salisbury estates, which the new network will not extend beyond the Heygate footprint and will not supply telecoms, potable water, non-potable water, drainage, gas, fibreoptics, and vacuum waste, as the original Multi Utility Services Company (MUSCo) was designed to do;
- Object to reliance on biomethane as a non-proven and unidentified 'allowable' solution;
- Object that homes will only be built to Code for Sustainable Homes level 4 and not 6;
- The split of the two applications (Heygate and Phase 1 applications) is a means of circumventing as assessment of the cumulative impact of the scheme as a whole, contrary to the 2011 Environmental Impact Assessment Regulations;
- There must be conditions requiring Section 106 monies to be spent on public realm and green infrastructure improvements to Balfour Street;
- The applicant fails to quantify the s106 spend on affordable / social rented housing;
- The applicant fails to provide a library / lifelong learning centre; and
- Concerned that an inordinate proportion of the total spend will be on transport infrastructure.

87 7M Peabody Estate

- Large private estates such as these suck life out of communities;
- This development does not factor in any plans whatsoever for affordable housing, something that is in violation of Southwark's own policy. As what is typically designated 'affordable housing' is still out of reach for many of Southwark's lifelong residents;
- Southwark council must insist that the minimum 35% of properties are affordable housing, and that some is designated as much-needed social housing. Furthermore, this development should not be allowed to be private and cut off from the wider area.

88 By Email – No Address

- Object to no social housing, which is contrary to the Council's Core Strategy;
- Concern regarding sustainability and the development.

89 3 Individual responses specifically in objection to the possible noise impacts resulting from the development upon Wansey Street (Garland Court) residents, received from the following addresses:-

Flat 28 Garland Court
2 Garland Court
9 Garland Court

The objections specifically refer to the location of the proposed community centre, and public square, where there could be noisy activities and anti-social behaviour, in close proximity to bedrooms in Garland Court. Residents request that the square is located towards the end of Wansey Street. The responses also refer to the Environmental Statement, and the lack of background noise data collected for Wansey Street.

90 15 Garland Court

This application will affect the character and setting of a number of Listed Buildings and Conservation Areas as well as a World Heritage Site. It is not clear how and where the buildings will appear and whether they will impact Wansey Street Residents. It is not clear if there will be traffic problems, or parking problems affecting Wansey Street. It is not clear if existing features are affected or daylight and sunlight. It is not clear if the development will be noisy, and if Garland Court residents with bedrooms facing Wansey Street will be impacted. It is not clear if there are any shops proposed on Wansey Street.

91 Flat 2, 33 Wood Vale

- The amount of development is simply too great. The cost of this redevelopment will involve an unacceptable loss of green space and of mature trees in the borough;
- Plans could easily be designed to fit around the concentrations of trees between the maisonettes and on Walworth Road by the bus stop;
- Preferred outcome would be for the Heygate Estate would be to see it turned into a public park; this more than any redevelopment would surely help regenerate Elephant and Castle in a meaningful way.

In Support

92 2 response received following re-consultation.

93 12 Soane House

- It will change the perception of Elephant and Castle and Heygate Estate in particular, from an ugly place to an attractive environment and this will make a big difference in the area. The redevelopment of sites such as the one in Albany Place / Ruskin Way has proved that new modern homes are key to the transformation of the area;
- Modern, high quality homes are much needed in the area;
- The proposed open space and new park are welcome as there is never enough open space in an area for outdoor activities such as running. The new park will be a great addition to the existing Burgess Park;
- Commercial uses at ground floor will ensure that the environment will be active and alive;
- The proposed cafes and restaurant will be a great addition to the offer in Elephant and Castle as an evening destination;
- Although the height of the proposed buildings does appear small when compared to Strata the massing is well proportionate overall and will create new landmarks in Elephant and Castle.

94 19 West Square

- Write in support of the application as the proposals will result in a number of benefits;
- Over 2,000 high quality homes close to the centre of London which are desperately needed;
- The benefit of a new Park that celebrates the existing trees on the site, and creates a new central focus in the area;
- Space for cafes, restaurants and shops that will complement and enhance the existing economy;

- New jobs both in the construction and the completed development; and
- An important catalyst in the regeneration of the wider area, in particular the desperately needed improvements to the Northern Roundabout.

APPENDIX 3

RESPONSES FROM INTERNAL CONSULTEES ON APPLICATION FOR DEMOLITION REFERENCE 12/AP/3203

1 Ecology Officer

The bat monitoring survey established that there are no bat roosts on the site. Low numbers of bats have been recorded on the site in 2011. The site has limited ecology value due to the dominance of buildings and hard standing. No concerns are raised regarding ecology and the demolition of buildings. There will be some short term ecological impact from the tree removal, however the proposed mitigation measures will result in an enhancement and gain for biodiversity.

2 Arboricultural Officer

A tree strategy has been submitted which includes an arboricultural survey, however the outline protection plan provided (12-AP-1092; drawing no.120207-EC-TPP-AM-1.0, scale 1:750) requires further detail in order for the prevention of damage to be sufficiently assured. The report does not include roof protection area calculations on which the protection areas are shown and refers to a superseded British Standard. Given the constraints related to the proximity and size of retained trees next to blocks due to be demolished, and the variety of level changes throughout the site, tree and root protection plans are required to a larger scale with detailed cross sections. The extent and duration of operations will also require close monitoring and supervision by a site arboriculturist throughout the demolition and site preparation phases. Lastly, confirmation is required of the type of pruning works specified for retained trees which in some cases may need substantial crown reduction. Conditions are recommended concerning tree protection.

3 Environmental Protection Team

Recommend approval subject to conditions concerning air quality, noise and vibration, land contamination, demolition environmental management plan and lighting. Comments on these topic areas below.

Air Quality

This demolition will be taking place within an LAQMA designated due to NO₂ and Particulates. Even using the most appropriate and up-to-date abatement methods, demolition (and construction) on this scale will cause significant local pollution to air due to dust and emissions from plant associated with the site. As the site is in an area where air quality is already a concern the developer and contractors on site will need to have high regard for minimising emissions to air from all activities.

Demolition Phasing

The EP Team are aware that there are several households still in occupation on the site. There is great concern that the developer is considering commencing demolition whilst there are still households in residence. Given the high likelihood of the presence of asbestos within buildings, the activities and methods both proposed, and anticipated,

with a large scale demolition (retaining safe access, large vehicles, high levels of atmospheric dust, falling masonry, etc.) the Environmental Protection Team would strongly counsel against this unnecessarily risky approach which holds clear health threats to the individuals concerned and to not commence works until the site is clear of inhabitants.

It is considered that the demolition phasing is far from ideal and that it does not co-ordinate with the construction phasing. Demolition Area 1 is discrete and unoccupied; however, it is not phase 1 of the build but phase 5. Its blocks would shield the residential areas to the south of the development from the noise, dust and undesirable views that the redevelopment will cause as this area is not likely to be rebuilt for several (over 5) years. Demolition Area 2 contains large tall blocks which are substantial barriers which would minimise the off-site impacts the development will cause with the block parallel to New Kent Road, in particular, having value to protect the sensitive land uses on the other side of the road. Demolition Area 3 is the heart of the site and would be better as Phase 1 of the demolition. It would be anticipated that the proposed park area would be the last area to be developed rather than developing it in construction phases 1 & 2. The space could be used for on-site storage of materials and machinery and it would not be damaged in the subsequent phases of construction if it were completed in the latter stages of the redevelopment.

Overall, given the length and local impacts of this large scale re-development the EP Team would urge the developer to better consider the phasing of the demolition (and construction) phases and better co-ordinate them with each other to prevent adjacent land uses being next to a large open site for up to, and in some cases over, a decade.

The currently proposed phases of demolition (and construction) will lead to long term stockpiles and open areas which will generate dust and potentially attract vermin and unauthorised occupation. Any open areas and stockpiles which are proposed to be left open for more than 3 months will require securing and sealing/seeding to consolidate the surfaces and to prevent the wind entrainment of dust. It is essential that all drains and sewers on the site are located and effectively capped to prevent infestation by vermin.

Demolition methodology

This will be addressed in detail when considering the various Demolition Environment Management Plans as the methods will vary for each phase of the demolition. The developer's attention is brought to *The London Dust Code - The control of dust and emissions from construction and demolition - Best Practice Guidance*. This is the minimum acceptable standard for operations.

There are concerns regarding the levels of HGV traffic that the site will generate. Site practices will be required to work within parameters that have been considered as part of a Traffic Plan for the site. The Traffic Plan will include maximum numbers of movements per day, holding areas, loading areas, hard-standing areas, surfaced haul routes, delivery bays, stock areas, etc. The Traffic Plan will be designed to protect local air quality and the integrity and flow of traffic on designated approach routes.

There are concerns that crushing operations, which create significant noise and dust, have not been well considered. It is strongly recommended that the developer consider a single and central crushing location and that the crusher is housed in a structure designed to contain noise and dust.

The site perimeter will need to be well secured and will require a solid hoarding designed to minimise off site impacts. It shall have a minimum height of 3m.

Dust Monitoring

The developer, or their contractors, will be required to undertake a background air quality to survey before demolition commences, monitor for particulates (PM10, PM2.5, TSP) at agreed locations throughout the demolition phase/s and to ensure local soiling levels due to dust remain within specified parameters. The surveys, both before and during the demolition phase/s, will need to take account of the prevailing wind and sensitive receptors in the environs of the site.

Noise and Vibration

The access points to the site from Heygate Street, New Kent Road, Rodney Road and Walworth Road are appropriate, however, the access points proposed for Wansey Street, Brandon Street and Elephant Road are inappropriate due to reasons of undue and unnecessary dust, dirt, noise and vibration impacts for adjacent land users. The residents of Wansey Street would also lose safe access to their premises. Unless these access points are for emergency use only, or to facilitate a one way system for the site, the Environmental Protection Team would ask that the developer better consider the access and egress points to minimise off site disturbance.

Demolition on this scale will cause significant noise and vibration to residents and businesses adjacent and nearby to the site.

Lighting

For safety reasons there shall be minimal working after dark. Should lighting be required for either work or site security contractors must ensure that any lighting used shines into the site from the periphery and does not cause glare to any land, highway or railway beyond the site boundary.

4 Archaeology Officer

The Heygate represents a major phase of public housing construction in the Borough of Southwark, as such it is an important site and is worthy of record prior to its demolition. The recording should include an assessment of the documentary archive for these buildings and the archaeological recording of a small selection of the individual flats or houses present on site together with some general photography of the complex. Conditions are suggested concerning building recording and archaeological reporting.

5 Elephant and Castle Regeneration Team – Property Division

Letter in support of applications 12-AP-1092 & 12-AP-3203

- The applications are a significant step forward in the council's plan to regenerate the Elephant and Castle;
- The site forms a significant component of the core site (39P) which has been saved as part of the Core Strategy adopted in 2011;
- Regeneration benefits in relation to place making, job creation, housing, affordable housing, Sustainability, corporate plan, s106 and public consultation (summarised key points, for more detail refer to letter dated 13th November).

Responses from Statutory Consultees on application for demolition reference 12/AP/3203

6 Environment Agency

No objection to the planning application submitted, subject to conditions regarding the application of the mitigation measures outlined in the submitted Flood Risk Assessment to the demolition works, contamination, piling and SUDs.

7 Natural England

Main comments regarding this application are contained in the consultation response submitted in relation to application 12-AP-1092 Outline application for redevelopment of the Heygate Estate. In relation to demolition, expect to see a clear dust management plan included in the Demolition Environmental Management Plan (DEMP): this should also include details of the tree protection zones and how any dust build up on trees will be addressed. The DEMP should also include clear procedures should any bats be discovered on site and for nesting birds. Vegetation clearance should only occur outside the bird breeding season March to August inclusive. If outside this period hand inspection by suitably qualified personnel should precede any clearance and if nesting birds found, work to cease in that area until the young birds have fledged.

8 London Fire and Emergency Planning Authority

No comments on the application.

The development should comply with the requirements of B5 of Approved Document B and a full building consultation will take place with the Southwark Building Control (or other approved assessor) when the application is received from them.

9 Transport for London

Request that TfL is consulted during the drafting of conditions and the section 106 agreement. Request that a condition is included to require submission of a construction management plan for each phase of the demolition, to be approved by the LPA in consultation with TfL prior to commencement.

Responses from Neighbours and Local Groups on application for demolition reference 12/AP/3203

Local Groups (application 12/AP/3203)

10 Garland Court Tenants and Residents Association

This application does not contain any conclusive details about vehicle access to the Heygate South demolition site.

Key Concerns expressed by Wansey Street Residents:-

- Wansey Street is a heavily pedestrianised no-through road;
- School children (St. John's C of E) use the public pathway into Larcom Street mornings and afternoons;
- The One-Stop Shop is accessed by numerous visitors from 9am-5pm directly opposite one of the new gates;

- There is a cycle docking station right next to one gate used all day by people who may be unsteady on their bicycles;
- Local residents and visitors have no other pedestrian access to and from Walworth Road;
- 10 bus routes along Walworth Road pass and / or queue during busy hours at the end of Wansey Street already making it difficult for vehicles exiting or entering Wansey Street;
- Buses block traffic, making it awkward both for pedestrians and cyclists crossing the top of Wansey Street;
- Number of cyclists travelling south down Walworth Road would be endangered by lorries moving in and out of Wansey Street;
- The situation would be made worse with lorries turning the corner and / or backing up to the entrance into Wansey Street;
- The bedrooms in Garland Court directly face the Wansey Street gate onto the estate so vehicular noise and pollution will reduce the Garland Court resident's amenity;
- Wansey Street already has been used by articulated lorries queuing as early as 6am when the student block was built in Walworth Road.

Neighbour Representations

11 responses received in objection to the application.

11 Flat 15 Garland Court 26 Wansey Street

Email – address not provided

Email – address not provided

6 Garland Court

4 Garland Court

Key concerns and Objections:

As set out above in the Garland Court Residents Association comments:-

- Wansey Street is a heavily pedestrianised no-through road;
- School children (St. John's C of E) use the public pathway into Larcom Street mornings and afternoons;
- The One-Stop Shop is accessed by numerous visitors from 9am-5pm directly opposite one of the new gates;
- There is a cycle docking station right next to one gate used all day by people who may be unsteady on their bicycles;
- Local residents and visitors have no other pedestrian access to and from Walworth Road;
- 10 bus routes along Walworth Road pass and / or queue during busy hours at the end of Wansey Street already making it difficult for vehicles exiting or entering Wansey Street;
- Buses block traffic, making it awkward both for pedestrians and cyclists crossing the top of Wansey Street;
- Number of cyclists travelling south down Walworth Road would be endangered by lorries moving in and out of Wansey Street;
- The situation would be made worse with lorries turning the corner and / or backing up to the entrance into Wansey Street;
- The bedrooms in Garland Court directly face the Wansey Street gate onto the estate so vehicular noise and pollution will reduce the Garland Court resident's amenity.

12 9 Garland Court (2 responses received)

- Object to the use of Wansey Street as a vehicle access route for demolition and construction on the Heygate south site;
 - It will damage Wansey Street residents' amenity and disrupt pedestrians and the bus lane at the very busy Walworth Road / Wansey Street junction. Heygate Street would be a much more sensible route for both access and egress.
 - Lack of clarity of this application with regard to the effects the proposed work will have on the daily life and amenities of existing residents living in Wansey Street;
 - Unsure why the pavements are included within the marked site boundary, seek assurances that this is solely due to the proposed surface work to the road and pavements at the end of the redevelopment work and not in order to include the whole road into the proposed building site;
 - Would also like assurance that the two gates which have already been put in place, near the Walworth Road end of Wansey Street, when the fencing was erected a few months ago, does not indicate that these will be used during demolition and construction. Any access / egress will be from Heygate Street, which would not affect residents and which has no bus routes;
 - Wansey Street already has been used by articulated lorries queuing as early as 6am when the student block was built in Walworth Road;
 - Strongly object to any plans to use Wansey Street for access or egress / parking of any lorries, demolition equipment, goods vehicles, workforce or deliveries to and from the redevelopment site, or related to any works or demolition as part of the entire regeneration;
- (The respondent also restates the key concerns set out by the Garland Residents Association detailed above).

13 Resident of Wansey Street

- During demolition access to the site could be through Wansey Street and I think that Heygate Street would be more suitable, as Heygate is not a residential street, there is a TfL bicycle station on Wansey Street, and there is a busy bus stop on Wansey Street / Larcom Street; and
- A square is planned opposite Garland Court. This would be better moved in the direction of the Walworth Road where it will cause less disturbance to residents.

14 K10 Peabody Estate, Rodney Road

Shocked to read that the Southwark Central Library, Cuming Museum and other building in that area are in line for being demolished. These are beautiful buildings, full of character and part of the history of Southwark.

Case Officer Comment:-

To clarify, the Southwark Central Library and Cuming Museum are not proposed for demolition and this application relates to the demolition of the Heygate Estate only.

15 95 New Kent Road

- The ES identifies sensitive receptors at Albert Barnes House and 154 New Kent Road. The former is not directly opposite the demolition site, being 90m from the nearest building to be demolished, plus there is a substantial set back from the highway. The

latter is nowhere near the site, being 180m from the nearest building to be demolished, with substantial buildings between in line of sight;

- Fail to see how the ES can robustly conclude on the magnitude of the effect, when on the extensive northern boundary of the site only one receptor has been chosen and then only just within 100m, and thus how reasonable conclusions on the effects that will be experienced by at least 100 residential properties that directly face the site and lie within 100m of the site;
- There are bedrooms in surrounding buildings within 6m of the demolition site;
- The ES does not assess any of the 100 or so residential properties facing the site;
- The ES is defective in respect of construction phase air quality assessment. It cannot be considered a worst case in respect of the 100+ properties described; indeed it is not capable of providing a robust assessment of the likely effects at those locations; the choice of 154 New Kent Road is irrational when judged simply by the ES's own methodology which refers to a 100m distance for soiling; and the absence of a sensitive receptor identified despite some being within 6m of the pedestrian footbridge demolition is also irrational;
- It is concerning that the phasing of the demolition will see the large continuous block along New Kent Road potentially demolished early on, preventing it from forming a 'screen' for dust that could impact surrounding properties;
- It would be irrational for the ES and application to make no commitment as to the phasing of demolition regarding the retention of that building as mitigation for air and noise impacts;
- Clarity on whether the Rodney Place / New Kent Road junction will be modified and then a proper assessment of its noise and air quality impacts is required;
- The crushing of concrete on site will take months of continuous operation of crushers, and no assessment is made in the construction noise assessment of this equipment, nor in the ES, nor in the CEMP, yet it could be noisier than percussive piling and more continuous;
- Works should not start at 8am on Saturdays given the close proximity to residential properties;
- Request that the Environmental Health Officer look at this in some detail and that a Regulation 19 request for revised assessment and commitments is made; and
- Do not consider that these matters can be left to reserved matters stage, given the scale of demolition, its proximity to homes and especially when demolition is to start in a few months time. They could affect the EIA assessment findings adversely, and would not be subject to oversight by the Council, being delegated decisions.

16 15 Garland Court

This application will affect the character and setting of a number of Listed Buildings and Conservation Areas as well as a World Heritage Site. It is not clear how and where the buildings will appear and whether they will impact Wansey Street Residents. It is not clear if there will be traffic problems, or parking problems affecting Wansey Street. It is not clear if existing features are affected or daylight and sunlight. It is not clear if the development will be noisy, and if Garland Court residents with bedrooms facing Wansey Street will be impacted. It is not clear if there are any shops proposed on Wansey Street.

17 **In Support** - No responses received.

RECOMMENDATION LDD MONITORING FORM REQUIRED

This document shows the case officer's recommended decision for the application referred to below.
This document is not a decision notice for this application.

| | | | |
|-------------------------|--|--------------------|------------|
| Applicant | Lend Lease (Elephant and Castle) Ltd | Reg. Number | 12/AP/1092 |
| Application Type | Outline Planning Permission | Case Number | TP/H1064A |
| Recommendation | Grant subject to Legal Agreement and GLA | | |

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

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.

The application is accompanied by an Environmental Statement submitted pursuant to the Town and Country Planning (Environmental Impact Assessment) 2011.

At: THE HEYGATE 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

**In accordance with application received on 02/04/2012
and revisions/amendments received on 04/05/2012
28/09/2012**

and Applicant's Drawing Nos. Parameter Plans

P01 Rev P-0; P03 Rev P-1; P04 Rev P-1; P05 Rev P-1; P06 Rev P-1; P07 Rev P-1; P08 Rev P-1; P09 Rev P-1; P10 Rev P-1; P20 Rev P-0

Design Strategy Document (March 2012) and Addendum (September 2012); Development Specification (Revised September 2012); Design & Access Statement (March 2012) and Addendum (September 2012); Transport Assessment (March 2012) and Addendum (September 2012); Planning Statement (March 2012) and Addendum (September 2012); Tree Strategy (March 2012) and Addendum (September 2012); Landscape Strategy (March 2012) and Addendum (September 2012); Vision and Destination Statement (March 2012); Travel Plan (Revised September 2012); Access Statement (March 2012); Housing Statement (March 2012) and Addendum (September 2012); Retail Assessment (March 2012); Draft Section 106 Heads of Terms (Revised September 2012); Statement of Community Involvement (March 2012); Sustainability Statement (March 2012); Energy Strategy (March 2012) and Addendum (September 2012); Waste Strategy (March 2012); Utilities and Services Infrastructure Strategy (March 2012); Health Impact Assessment (March 2012) and Addendum (September 2012); Equalities Impact Assessment (Revised September 2012); Estate Management Strategy (March 2012); Glossary of Terms (March 2012) Design User Guide (September 2012); Summary of Revisions to the Outline Planning Application (September 2012); Environmental Statement & Appendices (March 2012) and Addendum (September 2012).

Reasons for granting permission.

The planning application accords with the provisions of the development plan, and in particular with the relevant policies of the Core Strategy (2011), Southwark Plan (2007) and the London Plan (2011) as listed below. The planning application is also considered acceptable in the light of the provisions of the National Planning Policy Framework. This planning application was considered with regard to various policies, but not exclusively:

Strategic policies of the Core Strategy 2011

Strategic Policy 1 – Sustainable development requires development to improve the places we live and work in and enable a better quality of life for Southwark's diverse population.

Strategic Policy 2 – Sustainable transport states that we will encourage walking, cycling and the use of public transport rather than travel by car.

Strategic Policy 3 - Shopping, leisure and entertainment states that we will maintain a network of successful town centres which have a wide range of shops, services and facilities, to help meet the needs of Southwark's population.

Strategic Policy 4 - Places for learning, enjoyment and healthy lifestyles advises that there will be a wide range of well used community facilities that provide spaces for many different communities and activities in accessible areas.

Strategic Policy 5 – Providing new homes requires development to meet the housing needs of people who want to live in Southwark and London by providing high quality new homes in attractive environments, particularly in our growth areas.

Strategic Policy 6 – Homes for people on different incomes seeks to ensure that developments provide homes including social rented, intermediate and private for people on a wide range of incomes. Developments should provide as much affordable housing as is reasonably possible whilst also meeting the needs of other types of development and encouraging mixed communities.

Strategic Policy 7 – Family homes states that development will provide more family housing with 3 or more bedrooms for people of all incomes to help make Southwark a borough which is affordable for families. New homes will have enough space for the needs of occupants.

Strategic Policy 10 – Jobs and businesses encourages the increase in the number of jobs in Southwark and create an environment in which businesses can thrive.

Strategic Policy 11 - Open spaces and wildlife states a commitment to improve, protect and maintain a network of open spaces and green corridors that will make places attractive and provide sport, leisure, and food growing opportunities for a growing population. We will protect and improve habitats for a variety of wildlife.

Strategic Policy 12 – Design and conservation 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.

Strategic Policy 13 – High environmental standards requires development to respect the limit's of the planet's natural resources, reduce pollution and damage to the environment, and help us adapt to climate change.

Strategic Policy 14 - Implementation and delivery advises that planning obligations will be used to reduce or mitigate the impact of developments.

Saved policies of the Southwark Plan 2007

Policy 1.1 "Access to employment opportunities" seeks to ensure that for all developments over 1,000 sqm of new or improved floorspace that provide or generate employment, the LPA will enter into planning obligations to improve employment participation within Southwark.

Policy 1.7 "Development within Town and Local Centres" states that most new developments for retail and other town centre uses should be accommodated within the existing town centres.

Policy 2.2 "Provision of new community facilities" states that planning permission will be granted for new community facilities provided that provision is made to enable the facility to be used by all members of the community and that the facility is not detrimental to the amenity of present and future occupiers of the surrounding area.

Policy 2.5 "Planning obligations" seeks to ensure that any adverse effect arising from a development is taken into account and mitigated, and contributions towards infrastructure and the environment to support the development are secured, where relevant.

Policy 3.1 "Environmental effects" seeks to ensure there will be no material adverse effect on the environment and quality of life resulting from new development.

Policy 3.2 "Protection of amenity" protects against the loss of amenity, including disturbance from noise, to present and future occupiers in the surrounding area or on the application site.

Policy 3.3 "Sustainability assessment" requires major applications to be supported by a sustainability assessment.

Policy 3.4 "Energy efficiency" states that development should be designed to maximise energy efficiency and to minimise and reduce energy consumption and CO2 emissions.

Policy 3.6 "Air quality" states that permission will not be granted for development that would lead to a reduction in air quality.

Policy 3.7 "Waste reduction" states that all developments are required to ensure adequate provision of recycling, composting, and residual waste disposal, collection and storage facilities as well as demonstrate how the waste management hierarchy will be applied during construction and after the development is completed.

Policy 3.9 "Water" requires all developments to incorporate measures to reduce the demand for water, and recycle grey

water and rainwater. In addition all new developments must use preventative measures to ensure that they do not lead to a reduction in water quality.

Policy 3.11 "Efficient use of land" states that all developments should ensure that they maximise the efficient use of land.

Policy 3.12 "Quality in design" requires new development to achieve a high quality of architectural and urban design.

Policy 3.13 "Urban design" seeks to ensure that principles of good urban design are taken into account in all developments.

Policy 3.14 "Designing out crime" states that developments, in both the private and public realm, should be designed to improve community safety and crime prevention.

Policy 3.15 "Conservation of the historic environment" states that developments should preserve or enhance the special or historic character or appearance of buildings or areas of historic or architectural significance. Planning proposals that have an adverse effect on the historic environment will not be permitted.

Policy 3.17 "Listed buildings" states that development proposals involving a listed building should preserve the building and its features or special architectural or historic interest.

Policy 3.18 "Setting of listed buildings, conservation areas, and world heritage sites" requires developments to preserve or enhance the setting or important views of a listed building, the setting or views into and out of a conservation area, and the setting or important views of or from a world heritage site.

Policy 3.19 "Archaeology" advises there is a presumption in favour preservation in situ, to protect and safeguard archaeological remains of national and local importance.

Policy 3.20 "Tall buildings" states that planning permission may be granted for buildings that are significantly taller than their surroundings or have a significant impact on the skyline, on sites which have excellent accessibility to public transport facilities and are located in the Central Activities Zone (particularly in Opportunity Areas) outside landmark viewing corridors.

Policy 3.21 "Strategic views" states that the LPA will seek to protect and enhance the strategic views of St. Paul's Cathedral.

Policy 3.22 "Important local views" advises that the LPA will seek to protect and enhance identified views, panoramas, prospects and their settings that contribute to the image and built environment of the borough and wider London.

Policy 3.28 "Biodiversity" states that the LPA will take biodiversity into account in its determination of all planning applications and will encourage the inclusion in developments of features which enhance biodiversity.

Policy 4.1 "Density of residential development" provides density ranges for different zones within the borough.

Policy 4.2 "Quality of residential accommodation" advises that permission will be granted for residential development provided that they achieve good quality living conditions and high standards of accessibility, privacy and outlook, natural daylight and sunlight, ventilation, outdoor space, safety and security, and protection from pollution.

Policy 4.3 "Mix of dwellings" states that all major residential development should provide a mix of dwelling sizes and types to cater for the range of housing needs of the area.

Policy 4.4 "Affordable housing" seeks to secure affordable housing as part of private development.

Policy 4.6 "Loss of residential accommodation" advises that development will not be permitted where it results in the net loss of residential floorspace except in certain circumstances.

Policy 5.1 "Locating developments" states that the location of development must be appropriate to the size and trip-generating characteristics of the development.

Policy 5.2 "Transport impacts" states that planning permission will be granted for development unless there is an adverse impact on transport networks, and/or adequate provision has not been made for servicing, circulation and access to and from the site, and/or consideration has not been given to impacts on the Transport for London road network.

Policy 5.3 "Walking and cycling" advises that planning permission will be granted for development provided there is adequate provision for pedestrians and cyclists within the development and where practicable within the surrounding area.

Policy 5.6 "Car parking" states that all developments requiring car parking should minimise the number of spaces

provided.

Policy 5.7 "Parking standards for disabled people and the mobility impaired seeks to ensure that developments provide adequate parking for disabled people and the mobility impaired.

Policies of the London Plan 2011

Policy 2.13 "Opportunity Areas and Intensification Areas" seeks to optimise residential and non-residential output and densities, provide necessary social and other infrastructure to sustain growth, and, where appropriate, contain a mix of uses.

Policy 2.15 "Town Centres" advises that development proposals should sustain and enhance the vitality and viability of the centre.

Policy 3.1 "Ensuring Equal Life Chances For All" states that development proposals should protect and enhance facilities and services that meet the needs of particular groups and communities.

Policy 3.2 "Improving Health And Addressing Health Inequalities" advises that new developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles to help reduce health inequalities.

Policy 3.3 "Increasing Housing Supply sets out the housing targets for London and individual boroughs.

Policy 3.4 "Optimising Housing Potential" advises that development should optimise housing output for different types of location within specified density ranges.

Policy 3.5 "Quality And Design Of Housing Developments" states that the design of all new housing developments should enhance the quality of local places, taking into account physical context; local character; density; tenure and land use mix; and provision of public, communal and open spaces.

Policy 3.6 "Children And Young People's Play And Informal Recreation Facilities" requires housing development to include provision for play and informal recreation based on the expected child population generated by the scheme and an assessment of future needs.

Policy 3.7 "Large Residential Developments" states that proposals for large residential developments, including complementary non-residential uses are encouraged in areas of high public transport accessibility.

Policy 3.8 "Housing Choice" states that Londoners should have a genuine choice of homes that they can afford and which meet their requirements for different sizes and types of dwellings in the highest quality environments.

Policy 3.9 "Mixed And Balanced Communities" requires a more balanced mix of tenures in London, particularly in some neighbourhoods where social renting predominates and there are concentrations of deprivation.

Policy 3.11 "Affordable Housing Targets" seeks to maximise affordable housing provision.

Policy 3.12 "Negotiating Affordable Housing On Individual Private Residential And Mixed Use Schemes states that the maximum reasonable amount of affordable housing should be sought and that negotiations on site should take account of their individual circumstances, including development viability, availability of public subsidy, and the implications of phased development.

Policy 3.14 "Existing Housing" advises that loss of housing, including affordable housing, should be resisted unless the housing is replaced at existing or higher densities with at least equivalent floorspace.

Policy 4.1 "Developing London's Economy" seeks to promote and enable the continued development of a strong, sustainable and increasingly diverse economy across London, ensuring the availability of sufficient and suitable workspaces in terms of type, size, and cost, supporting infrastructure and suitable environments for larger employers and small and medium sized enterprises.

Policy 4.7 "Retail And Town Centre Development" seeks to ensure that certain principles are applied in assessing planning decisions on proposed retail and town centre development, including that the scale of retail, commercial, culture, and leisure development is related to the size, role and function of a town centre and its catchment.

Policy 5.1 "Climate Change Mitigation" sets out the Mayor's requirements for an overall reduction in London's carbon dioxide emissions of 60% by 2025.

Policy 5.2 "Minimising Carbon Emissions" requires development proposals to make the fullest contribution to minimising carbon dioxide emissions in accordance with the Mayor's energy hierarchy.

Policy 5.3 "Sustainable Design And Construction" states that development should demonstrate that sustainable design

standards are integral to the proposal, including its construction and operation, and ensure that they are considered at the beginning of the design process.

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.

Policy 5.7 "Renewable Energy" sets out that major development proposals should provide a reduction in expected carbon dioxide emissions through the use of on-site renewable energy generation.

Policy 5.11 "Green roofs And Development Site Environs" states that major development proposals should be designed to include roof, wall and site planting, especially green roofs and walls where feasible.

Policy 5.12 "Flood Risk Management" states that major development proposals must comply with flood risk assessment and management requirements.

Policy 5.13 "Sustainable Drainage" states that development should utilise sustainable urban drainage systems (SUDS) and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.

Policy 6.3 "Assessing Effects Of Development On Transport Capacity" states that development proposals should ensure that impacts on transport capacity and the transport network are fully assessed.

Policy 6.9 "Cycling" supports the increase in cycling in London.

Policy 6.10 "Walking" supports the increase in walking in London.

Policy 6.13 "Parking" states that maximum standards to parking levels should be applied to planning applications.

Policy 7.2 "An Inclusive Environment" requires all new development to achieve the highest standards of accessible and inclusive design.

Policy 7.3 "Designing Out Crime" seeks to create safe, secure and appropriately accessible environments.

Policy 7.6 "Architecture" that architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. It should incorporate the highest quality materials and design appropriate to its context.

Policy 7.7 "Location And Design Of Tall And Large Buildings" advises that tall and large buildings should be part of a plan-led approach to changing or developing an area by the identification of appropriate, sensitive and inappropriate locations. Tall and large buildings should not have an unacceptably harmful impact on their surroundings.

Policy 7.8 "Heritage Assets And Archaeology" states that development affecting heritage assets and their settings should conserve their significance by being sympathetic to their form, scale, materials and architectural detail.

Policy 7.10 "World Heritage Sites" states that development should not cause adverse impacts on World Heritage Sites or their settings. In particular, it should not compromise a viewer's ability to appreciate its Outstanding Universal Value, integrity, authenticity, or significance.

Policy 7.12 "Implementing The London View Management Framework" advises that new development should not harm and where possible should make a positive contribution to the characteristics and composition of the strategic views and their landmark elements. It should also preserve or enhance the viewer's ability to recognise and appreciate strategically important landmarks in these views.

Policy 7.14 "Improving Air Quality" advises that development proposals should minimise increased exposure to existing poor air quality and make provision to address local problems of air quality.

Policy 7.15 "Reducing Noise And Enhancing Soundscapes" advises that development proposals should seek to reduce noise.

Policy 7.18 "Protecting Local Open Space And Addressing Local Deficiency" states that the Mayor supports the creation of new open space to ensure satisfactory levels of local provision and address areas of deficiency.

Policy 7.19 "Biodiversity And Access To Nature" states that development proposals should make a positive contribution to the protection, enhancement, creation, and management of biodiversity.

Policy 7.21 "Trees And Woodlands" states that existing trees of value should be retained and any loss as the result of development should be replaced following the principle of 'right place right tree'. Wherever appropriate, the planting of

additional trees should be included in new developments, particularly large-canopied trees.

Policy 8.2 "Planning Obligations" states that development proposals should address strategic as well as local priorities in planning obligations.

National Planning Policy Framework

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

Regard was had to the principle of the proposed redevelopment of the Heygate Estate taking account of its location within the Elephant and Castle Opportunity Area and that it forms part of designated Proposal Site 39P which is identified for comprehensive redevelopment. The Heygate Estate has been identified as being in need of redevelopment and as such it forms a key component of the regeneration of the Elephant and Castle. The proposal would provide a high density mixed use development on a brownfield site in a central and highly accessible location and in this respect redevelopment of the application site fully accords with the policy objective of accommodating large scale development in Opportunity Areas.

In terms of land uses the proposal would deliver a varied mix of land uses consistent with this central London and town centre location. The proposal will help to consolidate the Elephant and Castle as a Major Town Centre through an enhanced retail offer, additional business accommodation, and the provision of new community and leisure facilities. A key component of the scheme is the provision of a new public Park which is particularly supported given that the area is deficient in open space.

The proposal will make a significant contribution towards providing new homes, including family dwellings, which will help towards meeting London-wide and local housing targets. The application is committed to providing a range of dwelling types and sizes to maximise housing choice and would be built to a high standard and provide improved standards of living accommodation, including outdoor amenity space.

The proposal would provide much needed affordable housing. It is acknowledged that the level of affordable housing proposed (at 25%) is below the 35% provision normally required by policy and this has been considered very carefully. A detailed financial appraisal to demonstrate that a scheme providing 35% affordable housing would not be viable accompanies the application and officer's consider that the proposed level of affordable housing is as much as can reasonably be delivered. The S106 Agreement will require a review of the viability situation in the event that circumstances change, for example an upturn in economic climate or the availability of public funding. The proposed tenure split of 50% rented (inclusive of social and affordable rents) and 50% shared ownership (intermediate) housing complies with policy and will contribute towards the objective of securing mixed and balanced communities.

To facilitate the redevelopment of the Heygate Estate, the Council in 2007 implemented an off-site "Heygate Replacement Programme" which was designed to accelerate the re-housing of tenants and leaseholders from the estate. This programme will, when complete, deliver 512 affordable housing units from 10 nearby development schemes. This, together with the proposed affordable on-site provision, would ensure that the requirement to replace the existing affordable housing units on the Heygate Estate will be met.

Regard was also had to the impacts of the proposal on heritage assets, including strategic and local views and World Heritage Sites. It has been adequately demonstrated at this outline stage that the proposal would not have a significantly harmful affect on the setting of local and strategic heritage assets, including the Protected Vista of the Palace of Westminster in designated Townscape View 23A.1 from the Serpentine Bridge. Matters such as the design and appearance of the new buildings will be dealt with at Reserved Matters stage where the detailed design of the development and how it affects the setting and viewer's appreciation of designated heritage assets will be important considerations. The Grade II listed K2 Telephone Kiosk that is located on New Kent Road, and within the application site boundary, can be adequately protected during construction and a condition is attached to ensure this.

The site enjoys a high level of public transport accessibility. Whilst the council normally seeks car free developments in this location (other than disabled parking) this proposal includes a small proportion of additional car parking on account of viability reasons. Whilst short term impacts will result from construction traffic, once operational the scheme is not considered to result in significant impacts on highway safety or local highway conditions. The development will assist in the delivery of public transport improvements on both buses and the underground.

The application seeks to retain as many trees as possible and replace all those required to be lost so to ensure there would be no net loss of trees on the application site. The completed scheme will result in an enhancement of biodiversity

with the inclusion of measures such as green and brown roofs, living walls, and the provision of nesting and foraging opportunities for birds and bats. The scheme incorporates a Combined Heat and Power (CHP) system and District Heat Network which will also provide the opportunity for the extension of the network to other sites in the immediate vicinity. The proposed energy strategy for the development will require further review, particularly in respect of biomethane and renewable energy technologies, but this is acceptable given the long term programme of implementation and ongoing development of policy in this respect. This can be secured as part of the S106 legal agreement. On this basis the proposed development is concluded to accord with sustainability and energy related policies.

It is recognised that the application (due to its size and scale) has the potential for significant environmental effects and these potential impacts have been identified in the Environmental Statement that was submitted in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. In coming to a decision on the application, the council had full regard to the Environmental Statement and all submissions relating to considerations in the Environmental Statement. It is acknowledged that following mitigation measures, there are likely to be adverse impacts affecting the amenity for local residents and surrounding occupiers, particularly in relation to increased noise, dust, vibration, construction traffic as well as visual impacts on townscape character. However, these impacts will be of short to medium term duration and would not amount to such significant harm that would justify the refusal of planning permission. Moreover they would not outweigh the wider long term regenerative benefits of the scheme.

Other policies have been considered but no impacts and/or conflicts with planning policy have been identified that couldn't be adequately dealt with by planning obligation or condition. It was therefore considered appropriate to grant planning permission having regard to all the policies considered and any other material planning considerations.

Subject to the following condition:

Definitions

a) "Advance Infrastructure and Enabling works" means initial enabling and site set-up works required for the development in accordance with details to be submitted to and approved by the Local Planning Authority (in consultation with TfL) which may include:

- site establishment and temporary welfare facilities and temporary site accommodation;
- installation of construction plant;
- utilities diversions and reinforcements insofar as necessary to enable the construction of the development to commence;
- temporary drainage, power, and water supply for construction; and
- construction access and egress and/or site roads.

b) "Development Plot or Plot" means the Development Plots identified on Drawing Reference: P03 P-1. For the avoidance of doubt, these Plots comprise separate parts of the development (and therefore separate chargeable developments) for the Community Infrastructure Levy (CIL) Regulations 2010 (Regulations 2, 3, and 9) in defining the individual development phases by which the outline permission can be implemented. The Development Plots identified on P03 P-1 are:

Development Plot H1; Development Plot H2; Development Plot H3; Development Plot H4; Development Plot H5; Development Plot H6; Development Plot H7; Development Plot H10; Development Plot H11a; Development Plot H11b; Development Plot H12; Development Plot H13; PAV.1

c) "Indicative Construction Programme" (March 2012) means the five phases of comprehensive regeneration as assessed within the Environmental Statement (March 2012) and Addendum (September 2012).

d) "Construction Phase" means an individual phase of construction as identified by the Phasing Plan required by Condition X which for the avoidance of doubt may include development within and outside of a Development Plot.

e) "Design Strategy Document (Consolidated Version January 2013)" means a consolidated version of the Design Strategy Document (March 2012) and its Addendum (September 2012) which has been prepared for ease of reference but does not contain any additional material that was not already contained in the two separate documents.

SITE WIDE CONDITIONS

1 Planning Permission Outline - Approval of details

a) Details of the access, appearance, landscaping, layout and scale (hereinafter called "the Reserved Matters") in relation to the first Development Plot shall be submitted to the Local Planning Authority (for approval by the Local Planning Authority in consultation with the GLA and Transport for London) within three years of the date of this permission and the development hereby permitted shall be begun either before the end of five years from the date of this permission or before the end of two years from the date of the final

approval of the last Reserved Matters for the first Development Plot, or in the case of approval on different dates, the final approval of the last such matter to be approved. The development shall not be carried out otherwise than in accordance with this permission and any such approvals given.

b) Submission of all Reserved Matters in respect of all other Development Plots, publically accessible realm, infrastructure works, and highway works shall submitted to and approved in writing by the Local Planning Authority (in consultation with the GLA and Transport for London) within 13 years from the date of this permission and thereafter the development shall not be carried out otherwise than in accordance with this permission and any such approvals given.

c) Each Development Plot shall be begun before the end of two years from the date of the approval of the last Reserved Matters in respect of that Development Plot and thereafter the development shall not be carried out otherwise than in accordance with this permission and any such approvals given.

Reason:

As required by Section 92 of the Town and Country Planning Act 1990 as amended and to ensure that the development is carried out in accordance with the programme assumptions underpinning the Environmental Impact Assessment process.

2 **Development Plots**

The Development Plots hereby permitted and identified on Drawing Reference: P03 P-1 are:

a) Development Plot H1; Development Plot H2; Development Plot H3; Development Plot H4; Development Plot H5; Development Plot H6; Development Plot H7; Development Plot H10; Development Plot H11a; Development Plot H11b; Development Plot H12; Development Plot H13; PAV.1

b) The Reserved Matters for these respective Development Plots shall be in accordance with all plot related parameters and principles hereby approved, including those set out in the Parameter Plans, Design Strategy Document and Development Specification and such further relevant plot-specific parameters and principles as are referred to elsewhere in these Conditions.

Reason

For the avoidance of doubt and to identify the Development Plots to which Reserved Matters Applications need to be submitted and approved and to ensure that the Reserved Matters Applications are in accordance with the relevant approved parameters and principles.

3 **Detailed Phasing Plan - details to be submitted**

Before the submission of the first Reserved Matters Application, a Detailed Phasing Plan shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the GLA and Transport for London) The Detailed Phasing Plan shall include justification for the proposed Construction Phases, the order and timing of the proposed Construction Phases, all Development Plots prescribed in Condition 2, and details of all publically accessible realm, infrastructure works, including the Heygate Heat Network (and connections thereto) and Energy Centre, pedestrian and cycle routes, and highway works. The phasing details shall be in accordance with the Indicative Construction Programme (March 2012) or any subsequent Detailed Phasing Plan that supersedes it that is approved by the Local Planning Authority pursuant to this condition or Condition 5. The construction phasing shall not be carried out otherwise than in accordance with the approved Detailed Phasing Plan.

Reason

To allow for the progressive phasing of the development hereby permitted and in the interests of proper planning.

4 **Detailed Phasing Plan - Environmental Statement**

In the event that the Local Planning Authority considers that any proposed revisions to the Detailed Phasing Plan submitted pursuant to Condition 3 and/or Condition 5 may cause significant unassessed environmental effects compared to the Detailed Phasing Plan and the Indicative Construction Programme (March 2012), then the Detailed Phasing Plan shall be submitted to the Local Planning Authority together with an appropriate Environmental Statement and the application for such proposed revisions to the Detailed Phasing Plan shall be considered and determined in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

Reason

To ensure that any proposed new and/or different environmental effects relating to any proposed changes to the phasing of the Development have been properly assessed in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

5 Detailed Phasing Plan Amendments

The Detailed Phasing Plan approved pursuant to Condition 3 may be amended on occasions to reflect changes to the phasing of the development that were not foreseen at the time when the Detailed Phasing Plan was approved, subject to obtaining the prior written approval of the Local Planning Authority, and providing that the submission of any updated Detailed Phasing Plan shall comply with the requirements of Condition 4 in respect of the Environmental Statement.

Reason

To allow for revisions to the approved Detailed Phasing Plan to enable development to be delivered in the interests of proper planning.

6 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans and documents:

P01 P-0 Outline Planning Application Boundary
 P03 P-1 Proposed Maximum and Minimum Plot Extents at Ground & Mezzanine Levels
 P04 P-1 Proposed Maximum and Minimum Plot Extents at Upper Levels
 P05 P-1 Proposed Minimum Publicly Accessible Realm
 P06 P-1 Proposed Uses at Ground, Mezzanine & Basement Levels
 P07 P-1 Proposed Uses at Upper Levels
 P08 P-1 Proposed Maximum Plot Extent and Heights
 P09 P-1 Proposed Minimum Plot Extent and Heights
 P10 P-1 Proposed Vehicular Access Plan

Development Specification (September 2012)

Design Strategy Document (Consolidated Version January 2012)

Reason:

For the avoidance of doubt and in the interests of proper planning.

7 Advance Infrastructure and Enabling Works - details to be submitted

No Advance Infrastructure and Enabling Works shall take place until details of the proposed Advance Infrastructure and Enabling Works have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include plans (at an appropriate scale) which show the proposed works in context, both existing and proposed, and shall, where relevant, be in accordance with the approved Parameter Plans and the Design Strategy Document and shall not prejudice or undermine the subsequent approval of Reserved Matters and/or other matters to be subsequently approved in accordance with these Conditions for the purposes of carrying out the Development or any of its Phases. The Advance Infrastructure and Enabling Works may (subject as aforementioned to their not prejudicing or undermining subsequent approvals) be carried out prior to the submission and/or approval of the Reserved Matters Applications and the works shall not be carried out otherwise than in accordance with the approved details.

Reason

In order to ensure that all the necessary infrastructure and enabling works are carried out to the satisfaction of the Local Planning Authority and to allow the early undertaking of these works to facilitate the construction of the Development.

8 Flood Risk – Approved Plans

The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment prepared by Arup with project reference number 215367/FRA Rev C dated 14 March 2012.

Reason

To ensure the development is designed safely in reference to flood risk in accordance with saved Policy 3.9 Water of the Southwark Plan 2007 and Strategic Policy 13 High Environmental Standards of the Core Strategy 2011.

9 Tree Planting - details to be submitted

The development hereby permitted shall not commence (save for any Advance Infrastructure and Enabling works) until details of a Site Wide Tree Strategy have been submitted to and approved in writing by the Local Planning Authority (in consultation with Transport for London). The Strategy shall accord with the principles set out in the Tree Strategy (March 2012) and Tree Strategy Addendum (September 2012) and will include details of how the development will be designed and constructed to ensure that there is no net loss of trees on or in the vicinity of the the application site and the trees to be retained as identified in the Tree Strategy and its Addendum are retained. The development shall not be carried out otherwise than in accordance with the

approved Site Wide Tree Strategy.

Reason

To ensure the proposed development will preserve and enhance the visual amenities of the locality and will be designed for maximum benefit of screening, local biodiversity and adaptation to climate change in accordance with Policy 2.18 Green Infrastructure, Policy 5.1 Climate Change Mitigation, Policy 5.10 Urban Greening, Policy 7.4 Local Character, and Policy 7.21 Trees and Woodlands of the London Plan 2011; Strategic Policy 11 Open spaces and wildlife, Strategic Policy 12 Design and conservation, and Strategic Policy 13 High environmental standards; and Saved Policy 3.28 Biodiversity and Policy 3.2 Protection of amenity of the Southwark Plan 2007.

10 Tree Protection - site supervision

The development hereby permitted shall not commence (save for any Advance Infrastructure and Enabling Works) until an Arboricultural Method Statement describing a programme of site monitoring to be implemented has been submitted and approved in writing by the Local Planning Authority (in consultation with Transport for London). The Arboricultural Method Statement shall provide details of a scheme for arboricultural supervision whenever construction and development activity is to take place within or within or adjacent to any root protection area in accordance with BS: 5837 (2012) Trees in relation to design, demolition and construction sections 6.1, 6.3 and 8.8.4.1

Reason

To ensure the proposed development will preserve and enhance the visual amenities of the locality and will be designed for maximum benefit of screening, local biodiversity and adaptation to climate change in accordance with Policy 2.18 Green Infrastructure, Policy 5.1 Climate Change Mitigation, Policy 5.10 Urban Greening, Policy 7.4 Local Character, and Policy 7.21 Trees and Woodlands of the London Plan 2011; Strategic Policy 11 Open spaces and wildlife, Strategic Policy 12 Design and conservation, and Strategic Policy 13 High environmental standards; and Saved Policy 3.28 Biodiversity and Policy 3.2 Protection of amenity of the Southwark Plan 2007.

11 Development on adopted highway - New Kent Road and Wansey Street

Notwithstanding the details shown on Parameter Plan P03 P-1, no part of any building or associated commercial spill out space on Development Plots H4, H5 and H11a on New Kent Road and Development Plots H6 and H10 on Wansey Street shall be permitted on the existing southern adopted highway along New Kent Road and the northern adopted highway along Wansey Street.

Reason

In order to ensure that the development does not spill out onto the public highway and in accordance with Strategic Policy 13 - High environmental standards of the Core Strategy 2011 and saved Policy 3.2 'Protection of amenity' of the Southwark Plan 2007.

12 Separation distance - Wansey Street

a) A minimum distance of 15m between new and existing building faces (excluding any balcony projection) shall be maintained on Wansey Street in accordance with the approved Design Strategy Document.

b) A minimum distance of 10m shall be maintained between the maximum parameter extent of Development Plot H10 and the application boundary to the south of Wansey Street in accordance with Parameter Plan P04 P-1.

Reason

In order to protect the privacy and amenity of occupiers and users of the adjoining premises on Wansey Street from undue overlooking in accordance with Strategic Policy 13 - High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 'Protection of amenity' of the Southwark Plan 2007.

13 Electric vehicle charging points

a) A minimum of 20% of the overall number of residential car parking spaces shall be equipped with electric vehicle charging facilities with a further 20% with passive provision.

Reason

To encourage more sustainable travel in accordance with Strategic Policy 2 - Sustainable transport of the Core Strategy 2011 and Saved Policies 3.1 Environmental effects and 5.2 Transport impacts of the Southwark Plan 2007.

RESERVED MATTERS AND OTHER MATTERS APPROVALS REQUIRED FOR PLOT DEVELOPMENT

Conditions 14-16 are applicable to each individual Construction Phase or Development Plot as set out in the Phasing Plan pursuant to Condition 3 of this permission. Within the following conditions "Construction Phase"

or "Development Plot" shall relate to a single Construction Phase or Development Plot only and shall be interpreted accordingly.

- 14 No development within a Development Plot shall commence (save for any Advance Infrastructure and Enabling Works) until written approval of Reserved Matters comprising access, scale, appearance, layout, and landscaping for that Development Plot has been obtained from the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason

As required by Section 92 of the Town and Country Planning Act 1990 and in the interests of proper planning.

- 15 No development in a Construction Phase shall commence (save for any Advance Infrastructure and Enabling Works) until written approval of any Reserved Matters comprising access, layout, and landscaping outside of the Development Plots contained in that Construction Phase has been obtained from the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

As required by Section 92 of the Town and Country Planning Act 1990 and in the interests of proper planning.

- 16 Each Reserved Matters Application shall be accompanied, as appropriate, by the following documents and/or information:

(i) A Reconciliation Plan or statement showing how the proposed Plot development complies with the approved site wide development controls (i.e. Parameter Plans / Development Specification / Design Strategy Document) and Site Wide Strategies and Plot specific strategies in relation to:

- number and mix of residential units
- quantum and location of affordable housing and the affordable housing mix
- land use floorspace figures and distribution
- open space provision
- car parking provision
- cycle parking provision
- transport / highway works provision
- utilities

and in relation to the matter of **access** a Reserved Matters application shall include:

(ii) details (including specifications) of the access to and within the Development Plot or Construction Phase for vehicles, cycles and pedestrians (including Access for All standards).

and in relation to the matter of **layout** a Reserved Matters application shall include:

(iii) details of the siting of the proposed building or buildings and any relevant above ground roads, highways parking, vehicle standing and servicing areas or landscaping associated with the Development Plot or Construction Phase to which the reserved matter relates

(iv) details of any necessary temporary layout associated with boundary treatment and condition between the Development Plots

(v) details of the basement layout, including parking areas, servicing areas, and plant areas

(vi) details of the internal layout of buildings

and in relation to the matter of **scale** a Reserved Matters application shall include:

(vii) a statement (including accompanying design material and detailed plans and an appropriate scale) to demonstrate that the scale of the development accords with the relevant thresholds and parameters set out in the approved Parameter Plans and Design Strategy Document.

and in relation to the matter of **appearance** a Reserved Matters application shall include:

(viii) a statement together with detailed plans, drawings, sections, and elevations to explain full details of the proposed detailed design and materials to be used on all external elevations of the building(s).

and in relation to the matter of **landscaping** a Reserved Matters application shall include:

(ix) plans, drawings, sections, and specifications (including soil volumes, weight loading and maintenance in respect of raised courtyards) to explain full details of the hard and soft landscaping works, including finished floor levels, proposed drainage arrangements, children's play equipment, private and communal amenity areas, and planting (including green / brown roofs / living walls / vertical gardens and planters)

(x) a statement (including accompanying design material) to demonstrate that the landscaping works accord with the Design Strategy Document

(xi) tree planting details and specification of all other planting

(xii) details of the programme for implementing and completing the planting.

Reason

In order that the Reserved Matters Applications can be properly considered and assessed against the approved Parameter Plans, Design Strategy Document and Development Specification and in the interests of proper planning.

CONSTRUCTION PHASE CONDITIONS

17 **Construction Environmental Management Plan - details to be submitted**

No works within a Construction Phase shall commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with Transport for London) for that part of the development. The Construction Environmental Management Plan shall accord with the principles of the Construction Management Plan (September 2012) and shall oblige the applicant or developer and its contractor to use all best practicable measures and quality standards to minimise construction impacts and disturbances including but not limited to health hazards, environmental damage, noise, vibration, dust smoke, and plant emissions emanating from the site during construction of the Development and will include the following information for approval:

- a detailed specification of construction works for that Phase of development (or as the case may be) Plot including the relevant environmental impacts and the required mitigation measures
- the specification shall include details of the methods of piling so as to minimise groundwater noise and vibration impacts as well as damage and disruption to underground transport utilities infrastructure and services
- engineering measures, acoustic screening, and the provision of sound insulation required to mitigate or eliminate specific environmental impacts
- arrangements for publicity and promotion of the scheme during construction including information on temporary closures and diversion of any part of the public highway and private roads footways and cycle ways
- deliveries and waste removal and management therefore
- details including management of site access/egress by vehicles cyclists and pedestrians
- details of measures to prevent or control mud, dust and waste being deposited on or affecting the safety or operation of the public highway and public transport
- construction traffic routes and management details
- adoption and implementation of the Considerate Contractor Scheme (or equivalent at the time of submission)

All construction work shall be undertaken in accordance with the approved Construction Environmental Management Plan.

Reason

To effectively mitigate all construction impacts and ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of pollution and nuisance in accordance with Strategic Policy 13 'High environmental standards' of the Core Strategy 2011 and saved Policy 3.2 'Protection of amenity' of the Southwark Plan 2007.

18 **Construction Waste Management Plan - details to be submitted**

No works within a Construction Phase shall commence (save for any Advance Infrastructure and Enabling Works) until a Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority for that Construction Phase. The Waste Management Plan shall include details of how the waste will be recycled and/or disposed of and managed during construction. The development shall be carried out in accordance with the approved Construction Waste Management Plan.

Reason

In the interest of protecting the amenity of the site in accordance with Strategic Policy 13 'High environmental standards' of the Core Strategy 2011 and Saved Policy 3.2 'Protection of amenity' of the Southwark Plan 2007.

19 **Dust monitoring - details to be submitted**

Before works on the first Construction Phase commences (save for any Advance Infrastructure and Enabling Works) a particulate monitoring survey shall be undertaken by the developer and shall be submitted to and approved in writing by the Local Planning Authority. The particulate monitoring survey shall include a background particulate survey covering a minimum of 3 months data for the perimeter of that part of the development site and shall be in accordance with the Institute of Air Quality Monitoring Guidance on Air Quality Monitoring in the vicinity of Demolition and Construction Sites.

The particulate monitoring survey details (monitoring locations, methodologies, frequency and method of results reporting) shall be submitted to and approved by the Local Planning Authority in writing prior to the

submission of the particulate monitoring survey for approval. The survey shall be carried out in accordance with the approval given and the results of the survey shall be used to inform targets and monitoring requirements for the Construction Environmental Management Plans for that Construction Phase. The survey and monitoring shall be undertaken by appropriately qualified and experienced personnel using the correct equipment.

Reason

To ensure that the impacts of construction on occupiers of neighbouring properties and the wider environment by reason of pollution and nuisance are minimised in accordance with Strategic Policy 13 'High environmental standards' of the Core Strategy 2011 and saved Policy 3.2 'Protection of amenity' from the Southwark Plan 2007.

20 **Noise survey - details to be submitted**

Before any construction works commences for each construction phase (save for any Advance Infrastructure and Enabling Works) a noise monitoring survey shall be undertaken by the developer and shall be submitted to and approved in writing by the Local Planning Authority. The noise monitoring survey shall include a background noise survey covering a minimum of one month's data and include measurements taken at all times of the day for the perimeter of that part of the development.

The noise monitoring survey details (monitoring locations, methodologies, frequency of results reporting) shall be submitted to the Local Planning Authority for approval in writing prior to the submission of the noise monitoring survey. The survey shall be carried out in accordance with the approval given. The noise trigger levels to inform the Construction Environmental Management Plan shall be 70dB(A) Leq(10hour) 10hr = 0800-1800hrs and 75dB(A) Leq(15min). The trigger levels shall not be exceeded without the prior written consent by the Local Planning Authority. The survey and monitoring shall be undertaken by appropriately qualified and experienced personnel using the correct equipment.

Reason

To ensure that the impacts of construction on occupiers of neighbouring properties and the wider environment by reason of pollution and nuisance are minimised in accordance with Strategic Policy 13 'High environmental standards' of the Core Strategy 2011 and saved Policy 3.2 'Protection of amenity' from the Southwark Plan 2007.

Vibration survey - details to be submitted

- 21 Before any construction works commences for each Construction Phase (save for any Advance Infrastructure and Enabling Works) a vibration monitoring survey shall be undertaken by the developer and shall be submitted to and approved in writing by the Local Planning Authority. The vibration monitoring survey shall include a building condition survey for all premises adjacent to that part of the development and a background vibration survey covering a minimum of one weeks data including measurements taken at all times of the day for the perimeter of that part of the development.

The vibration monitoring survey details (monitoring locations, methodologies, frequency of results reporting) shall be submitted to the Local Planning Authority for approval in writing prior to the submission of the noise monitoring survey. The survey shall be carried out in accordance with the approval given and shall accord with standards set out in BS 6472-1:2008 and BS 5228-2:2008. The survey and monitoring shall be undertaken by appropriately qualified and experienced personnel using the correct equipment.

Reason

To ensure that the impacts of construction on occupiers of neighbouring properties and the wider environment by reason of pollution and nuisance are minimised in accordance with Strategic Policy 13 'High environmental standards' of the Core Strategy 2011 and saved Policy 3.2 'Protection of amenity' from the Southwark Plan 2007.

22 **Foundation works method statement - details to be submitted**

No works within a Construction Phase shall commence (save for any Advance Infrastructure and enabling Works) until detailed design and method statements for all works involving the foundations, basement, and ground floor structures or any other below ground level works including piling (temporary and permanent) for that Construction Phase have been submitted to and approved in writing by the Local Planning Authority (in consultation with Transport for London including London Underground) which shall:

- provide details of all proposed and existing structures
- accommodate and protect the location and fabric of the existing London Underground structures apparatus and tunnels
- appropriately prevent or mitigate against any potential ground movement arising from the construction of the development hereby permitted
- mitigate the effects of noise and vibration arising from the adjoining operations within the structures and

tunnels

The development shall be carried out in accordance with the approved details.

Reason

To ensure that the development does not impact on existing London Underground transport infrastructure in accordance with in accordance with Policy 6.3 Effects on Transport Capacity of the London Plan 2011 and Strategic Policy 2 Sustainable Transport of the Southwark Core Strategy 2011.

23 Piling

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater or underground transport or utilities infrastructure and apparatus. The development shall be carried out in accordance with the approved details.

Reason:

Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. The condition therefore is required to accord with Strategic Policy 13 (High Environmental Standards) of the Southwark Core Strategy 2011 and saved Policy 3.1 of the Southwark Plan 2007.

24 Tree protection – foundation works

No works within a Construction Phase shall commence (save for any Advance Infrastructure and Enabling works) until details of the foundation works to be used in the construction of that Construction Phase showing how roots of all retained trees will be protected shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Transport for London). Details shall include the use of trial holes or trenches to check for the position of roots. The development shall not be carried out otherwise than in accordance with any such approval given. All works shall adhere to National Joint Utility Group, Guidance 10 - Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2).

Reason:

To avoid damage to the existing trees which represent an important visual amenity in the area in accordance with Strategic Policy 11 – Open spaces and wildlife and Saved Policies 3.13 Urban design and 3.28 Biodiversity of the Southwark Plan 2007.

25 Tree protection

The existing trees which are to be retained within each Construction Phase shall be protected and both the site and trees shall be managed in accordance with the recommendations contained in the Arboricultural Method Statement and Site wide Tree Strategy to be submitted for approval by the Local Planning Authority pursuant to Condition 9. All works must adhere to BS 5837: Trees in relation to design, demolition and construction (2012) and BS 3998: Recommendations for tree work (2010).

Reason

To ensure the proposed development will preserve and enhance the visual amenities of the locality and will be designed for maximum benefit of screening, local biodiversity and adaptation to climate change in accordance with Policy 2.18 Green Infrastructure, Policy 5.1 Climate Change Mitigation, Policy 5.10 Urban Greening, Policy 7.4 Local Character, and Policy 7.21 Trees and Woodlands of the London Plan 2011; Strategic Policy 11 Open spaces and wildlife, Strategic Policy 12 Design and conservation, and Strategic Policy 13 High environmental standards; and Saved Policy 3.28 Biodiversity and Policy 3.2 Protection of amenity of the Southwark Plan 2007.

26 Impact studies of water supply infrastructure

No buildings within a Construction Phase shall commence (save for any Advance Infrastructure and Enabling Works) until impact studies of the existing water supply infrastructure for that Construction Phase have been submitted to and approved in writing by the Local Planning Authority (in consultation with Thames Water). The studies shall determine the magnitude of any new additional capacity required in the system and a suitable connection point. The development shall be carried out in accordance with the approved details.

Reason

To ensure that sufficient capacity is made available to cope with new development and in order to avoid adverse environmental impacts on the community, and to ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand in accordance with Policy 5.14 Water quality and wastewater infrastructure and Policy 5.13 Sustainable drainage of the London Plan 2011 and Saved Policies 3.1 Environmental Effects, and 3.9 Water of the Southwark Plan 2007 and Strategic Policy 13 High Environmental Standards of the Core Strategy 2011.

27 Surface water - details to be submitted

No development within a Construction Phase shall commence (save for any Advance Infrastructure and Enabling Works) until a surface water drainage scheme for that Construction Phase based on sustainable drainage principles has been submitted to and approved by the Local Planning Authority. In accordance with the outline proposals described in the Flood Risk Assessment by Arup (March 2012), the surface water drainage strategy shall seek to implement a Sustainable Drainage System (SuDS) hierarchy which strives to achieve reductions in surface water run-off rates, and provides a minimum of 50% reduction in existing flows. The scheme shall be subsequently implemented in accordance with the approved details before the development is completed.

Reason

To prevent the increased risk of flooding and to improve and protect water quality, improve habitat and amenity and ensure future maintenance of the surface water drainage system in accordance with saved Policy 3.9 Water of the Southwark Plan 2007 and Strategic Policy 13 High Environmental Standards of the Core Strategy 2011.

28 Surface water drainage / infiltration

No infiltration of surface water drainage into the ground is permitted, other than with the written consent of the Local Planning Authority which may be given for those parts of the Construction Phase where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approved details.

Reason

Infiltration has the potential to cause remobilisation of contaminants present in shallow soil or made ground which could cause pollution of groundwater, in accordance with Saved Policy 3.9 Water of the Southwark Plan 2007 and Strategic Policy 13 High Environmental Standards of the Core Strategy 2011.

29 Site contamination

No works within a Construction Phase shall commence until the following components of a scheme to deal with the risks associated with the contamination of that Construction Phase shall each be submitted to and approved in writing by the Local Planning Authority (in consultation with the Environment Agency):

- a) A site investigation and risk assessment (which shall be in accordance with and be in addition to any assessment provided with the planning application) to provide information for a detailed assessment of the risk to all receptors which may be affected, including those off-site.
- b) The results of the site investigation and detailed risk assessment referred to in (a) and, based on these, an options appraisal and remediation strategy providing full details of the remediation measures to bring the site to a condition suitable for the intended use and how they are to be undertaken. The approved remediation scheme (if one is required) shall be carried out in accordance with its terms and the Local Planning Authority shall be given two weeks written notification of commencement of the remediation works.
- c) A verification plan providing details of the data which will be collected in order to demonstrate that the works set out in the remediation strategy in (b) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The development shall be carried out in accordance with the approved details.

Reason

The site is located over a Secondary Aquifer and it is understood that the site may be affected by historic contamination and therefore to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved Policy 3.2 'Protection of amenity' of the Southwark Plan 2007 and Strategic Policy 13' High environmental standards' of the Core Strategy 2011.

30 Contamination - remediation

In the event that contamination not previously identified is found to be present within part of a Construction Phase, then no further development within that part of the Construction Phase shall be carried out until the developer has submitted to and obtained approval from the Local Planning Authority (in consultation with the Environment Agency) for a remediation strategy detailing how such contamination shall be dealt with. The remediation strategy shall be implemented in accordance with the approved strategy.

Reason

There is always the potential for unexpected contamination to be identified during groundworks and to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in

accordance with saved Policy 3.2 'Protection of amenity' of the Southwark Plan 2007, and Strategic Policy 13' High environmental standards' of the Core Strategy 2011.

31 Verification report

Prior to occupation of any Development Plot, a verification report demonstrating completion of the works set out in the approved Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Environment Agency). The report shall include results of sampling and monitoring carried out in accordance with the approved Remediation Strategy (pursuant to Condition 30) to demonstrate that the site remediation criteria have been met. It shall also include a plan (a 'long-term monitoring and maintenance plan') for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action as identified in the verification plan, if appropriate, and for the reporting of this to the Local Planning Authority. Any long-term monitoring and maintenance plan shall be implemented in accordance with the approved details.

Reason

Should remediation be necessary, it needs to be demonstrated that any remedial measures have been undertaken as approved and the environmental risks have been satisfactorily managed so that the site is deemed suitable for its intended use, in accordance with in accordance with saved Policy 3.2 'Protection of amenity' of the Southwark Plan 2007, and Strategic Policy 13' High environmental standards' of the Core Strategy 2011.

32 Archaeological Mitigation

Prior to works commencing in any Construction Phase, the applicant shall submit a written scheme of investigation for a programme of archaeological recording for that Construction Phase which shall be approved in writing by the Local Planning Authority and implemented and shall not be carried out other than in accordance with the approval given.

Reason

In order that the details of the programme of archaeological recording works are suitable with regard to the impacts of the proposed development and the nature and extent of archaeological remains on site in accordance with Paragraph 141 of the National Planning Policy Framework, Strategic Policy 12 - Design and conservation of the Core Strategy 2011 and saved Policy 3.19 Archaeology of the Southwark Plan 2007

33 Archaeological Reporting

a) Within six months of the completion of archaeological site works on a Construction Phase, an assessment report detailing the proposals for post-excavation works, publication of the site report and preparation of the archive shall be submitted to and approved in writing by the Local Planning Authority. The works detailed in this assessment report shall not be carried out otherwise than in accordance with the approval given.

b) At completion of all works in the final Construction Phase a detailed final assessment report covering the entire development site shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In order that the archaeological interests of the site are secured with regard to the details of the post-excavation works, publication and archiving to ensure the preservation of archaeological remains by record in accordance with Paragraph 141 of the National Planning Policy Framework, Strategic Policy 12 - Design and conservation of the Core Strategy 2011 and saved Policy 3.19 Archaeology of the Southwark Plan 2007.

34 Site enclosure - details to be submitted

No development within a Construction Phase shall commence until a scheme for temporary fencing and/or enclosure relating to that Construction Phase, where necessary, has been submitted to and approved in writing by the Local Planning Authority. Any enclosure shall be erected in accordance with the approved details and thereafter shall be retained for the duration of the building works.

Reason

To ensure that the impacts during construction on occupiers of neighbouring properties in terms of pollution and nuisance are minimised and in the interests of visual and residential amenity in accordance with Strategic Policy 12 – Design and conservation of The Core Strategy 2011 and Saved Policies 3.2 Protection of amenity, 3.12 Quality in Design, and 3.13 Urban design of the Southwark Plan 2007.

35 K2 Telephone Cubicle

No development shall commence within a Construction Phase adjoining New Kent Road until details of the measures to secure the protection of Grade II listed K2 telephone cubicle located on New Kent Road have been submitted to and approved in writing by the Local Planning Authority (in consultation with Transport for London). The development shall be undertaken in accordance with the approval given.

Reason

In order that the Local Planning Authority may be satisfied as to the details in the interests of the special architectural or historic qualities of the listed building in accordance with Strategic Policy 12 - Design and conservation of the Core Strategy 2011 and saved Policy 3.17 Listed buildings of the Southwark Plan 2007.

36 Vehicular Access - details to be submitted

Details of the vehicle access to the site and vehicle, pedestrian and cycle access to parking areas including full details of the visibility of splays for a Construction Phase shall be submitted to and approved by the Local Planning Authority (in consultation with Transport for London) before the development hereby permitted is commenced above grade for that Construction Phase and the development shall not be carried out otherwise than in accordance with the approval given.

Reason

In order to that the Council may be satisfied that the proposal will not compromise highway safety in accordance with Policy 5.2 Transport impacts of the Southwark Plan 2007 and Strategic Policy 2 - Sustainable transport of the Core Strategy 2011.

37 Car parking

Car parking for the development hereby permitted shall and unless otherwise agreed in writing by the Local Planning Authority (in consultation with Transport for London) shall not exceed 616 spaces, excluding spaces allocated to car club uses.

Reason

To ensure adequate car parking provision for the larger residential units in accordance with policy 5.2 Transport impacts of the Southwark Plan 2007 and Strategic Policy 2 - Sustainable transport of the Core Strategy 2011.

DEVELOPMENT PLOT CONDITIONS**38 Code for Sustainable Homes**

a) All residential dwellings approved hereunder shall be designed and constructed to achieve a minimum Code for Sustainable Homes Level 4 or an equivalent standard as may be agreed in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with any such approval given.

b) Prior to the first occupation of any dwelling within each of the Development Plots, a Code for Sustainable Homes final certification (or other verification process agreed with the Local Planning Authority) shall be submitted to and approved in writing by the Local Planning Authority for that Development Plot, confirming that the agreed standards at (a) have been met.

Reason

To ensure the proposal complies with Strategic Policy 13 – High environmental standards of The Core Strategy 2011 and Saved Policies 3.3 Sustainability and 3.4 Energy Efficiency of the Southwark Plan 2007.

39 BREEAM

a) All commercial units over 1,000 sqm (GEA) shall be designed and constructed to achieve a minimum BREEAM rating of 'Excellent' or in the case of Class D1 community uses a minimum rating of 'Very good' for all units over 1,000 Sqm (GEA) or an equivalent standard as may be approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with any such approval given.

b) Before the first occupation of the commercial units in a Development Plot where (a) is applicable, a certified Post Construction Review (or other verification process agreed with the local planning authority) shall be submitted to and approved in writing by the Local Planning Authority for that Development Plot, confirming that the agreed standards at (a) have been met.

Reason

To ensure the proposal complies with Strategic Policy 13 - High Environmental Standards of The Core Strategy 2011 and Saved Policies 3.3 Sustainability and 3.4 Energy Efficiency of the Southwark Plan 2007.

40 Residential standard- internal noise levels

a) All residential premises shall be designed as far as reasonably practicable to attain the following internal noise levels:

Bedrooms- 30dB LAeq, T * and 45dB LAFmax

Living rooms- 30dB LAeq, T †

*- Night-time 8 hours between 23:00-07:00

†Daytime 16 hours between 07:00-23:00.

b) No dwelling within a Development Plot shall be occupied until a test has been carried out and the results submitted to the Local Planning Authority and approved in writing demonstrating that the above criteria have been met in respect of that Development Plot. The approved scheme shall be permanently maintained thereafter.

Reason

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with saved policies 3.2 'Protection of amenity' and 4.2 'Quality of residential accommodation' of the Southwark Plan (2007), strategic policy 13 'High environmental standards' of the Core Strategy (2011) and PPG 24 Planning and Noise.

41 **External Noise Levels**

a) All private residential external amenity areas shall be designed as far as reasonably practicable to attain the following noise level:55dB LAeq,T*

* - Daytime 16 hours between 07:00-23:00.

b) No dwelling within a Development Plot shall be occupied until a test has been carried out to show the above criterion has been met as far as reasonably practicable and the results shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with Strategic Policy 13 - High environmental standards of the Core Strategy 2011 and saved Policies 3.1 Environmental effects and 3.2 Protection of amenity of The Southwark Plan 2007.

42 **Protection from residential premises against sound from adjoining commercial premises**

a) Dwellings and rooms for residential purposes sharing a party element with a commercial premises shall be designed and constructed to ensure that NR25 is not exceeded in residential premises due to noise from commercial premises.

b) No dwelling within a Development Plot shall be occupied until a test has been carried out and the results submitted to the Local Planning Authority for approval in respect of that Development Plot to demonstrate that the above standard has been met. The approved scheme shall be permanently retained thereafter.

Reason

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the commercial premises accordance with saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007) and strategic policy 13 'High environmental standards' of the Core Strategy (2011).

43 **Noise from plant**

a) The rated noise from any plant within a Development Plot, together with any associated ducting, shall be 10dB(A) or more below the measured LA90 level at the nearest noise sensitive premises. The method of assessment shall be carried out in accordance with BS 4142:'Rating industrial noise affecting mixed residential and industrial areas'.

b) No dwelling within a Development Plot shall be occupied until a test has been carried out and the results submitted to the Local Planning Authority for approval in respect of that Development Plot to demonstrate that the above standard has been met. The approved scheme shall be permanently retained thereafter.

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance from plant and machinery in accordance with Strategic Policy 13 - High environmental standards of the Core Strategy 2011 and saved Policy 3.2 Protection of amenity of the Southwark Plan 2007.

44 **Protection of residential premises against sound from adjoining residential premises**

a) Details of soundproofing to be inserted between the bedrooms and rooms designed for another purpose (living rooms / kitchens etc) of the dwellings shall be designed to ensure there will be a minimum of 5dB improvement compared with the Building Regulations standard set out in Approved Document E.

b) No dwelling within a Development Plot shall be occupied until a test has been carried out and the results submitted to the Local Planning Authority for approval in respect of that Development Plot to demonstrate that the above standard has been met. The approved scheme shall be permanently retained thereafter.

Reason

To ensure that occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise nuisance in accordance with Strategic Policy 13 - High environmental standards of the Core Strategy 2011 and saved Policy 3.2 Protection of amenity of the Southwark Plan 2007.

45 Ventilation - details to be submitted

Prior to any above grade works being carried out on a Development Plot, full particulars and details of a scheme for the ventilation for each of the residential dwellings and underground areas within that Plot to an appropriate outlet level, including details of sound attenuation for any necessary plant, the standard of dilution expected and an appropriate inlet location shall have been submitted and approved in writing by the Local Planning Authority. The scheme shall meet the principles of EN 13779 on Ventilation and Air-Conditioning Systems and the development shall not be carried out otherwise than in accordance with any approval given.

Reason

In order to ensure that that the ventilation ducting and ancillary equipment will not result in an odour, fume or noise nuisance and will not detract from the appearance of the building in the interests of amenity in accordance with Strategic Policy 13 - High Environmental Standards of The Core Strategy 2011, Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007 and Planning Policy Guidance 24 Planning and Noise.

46 CHP / Boiler Plant

Before the first occupation of the buildings within a Development Plot (where temporary or permanent CHP or Boiler equipment forms part of that Plot) full information regarding the proposed CHP / Boiler Plant, including a detailed specification, a Management Plan, details of its location, operation, maintenance, long term fuel supply, height of flue, 3d dispersion of emissions of noise and fume and proposed emission and noise mitigation equipment (which employs the best practicable options to mitigate and minimise emissions of NOx/kWh, particulate matter and noise) shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given. The CHP / Boiler Plant shall be operated and maintained in accordance with the approved Management Plan for the time the development remains in existence.

Reason

To ensure the development minimises its impact on air quality and that occupiers of neighbouring premises and the wider environment do not suffer a loss of amenity by reason of nuisance in accordance with Strategic Policy 13 - High environmental standards and saved Policies 3.4 Energy efficiency, 3.6 Air quality and 3.2 Protection of amenity of the Southwark Plan 2007.

47 External lighting and security - details to be submitted

Details of any external lighting [including design, power, and position of luminaires], light intensity contours (including off-site to adjoining sensitive premises) and security surveillance equipment of external areas surrounding the buildings within a Development Plot shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Transport for London) before any such lighting or security equipment is installed for that Plot. The development shall not be carried out otherwise than in accordance with any such approval given.

Reason

In order that the council may be satisfied as to the details of the development in the interest of the visual amenity of the area, the safety and security of persons using the area and the amenity and privacy of adjoining existing occupiers as well as future occupiers of the development in accordance with Strategic Policy 12 - Design and conservation and Strategic Policy 13 - High environmental standards of the Core Strategy 2011 and saved Policies 3.2 Protection of amenity and 3.14 Designing out crime of the Southwark Plan 2007.

48 Designing out Crime – details to be submitted

The development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site in the development. Before any work in connection with this permission is carried out above grade for each Development Plot, details of security measures shall be submitted and approved in writing by the Local Planning Authority and any such security measures shall be implemented prior to occupation in accordance with the approved details which shall seek to achieve the 'Secured by Design' accreditation award from the Metropolitan Police.

Reason

In pursuance of the Local Planning Authority's duty under section 17 of the Crime and Disorder Act 1998 to

consider crime and disorder implications in exercising its planning functions and to improve community safety and crime prevention in accordance with Strategic Policy 12 - Design and conservation of The Core Strategy 2011 and Saved Policy 3.14 Designing out crime of the Southwark Plan 2007.

49 Biodiversity and ecological mitigation measures

An Environmental Action Plan detailing proposed ecological mitigation measures for a Development Plot shall be submitted to and approved in writing by the Local Planning Authority within 6 months of the implementation of that Development Plot. The measures shall accord with those described in the Environmental Statement (March 2012) and Addendum (September 2012) and include:

- provision of bat boxes
- provision of bird boxes
- native tree and shrub planting

The measures so approved shall be carried out prior to the occupation of buildings within that Development Plot and thereafter maintained.

Reason

To ensure the proposal protects and enhances biodiversity in accordance with Strategic Policy 11 – Open spaces and wildlife of The Core Strategy 2011 and Saved Policy 3.28 Biodiversity of The Southwark Plan 2007.

50 Green / brown roofs - details to be submitted

Details of green and brown roofs (including a specification and maintenance plan) to be provided in a Development Plot shall be submitted to and approved in writing before any work in connection with the green and brown roofs for that Development Plot is carried out and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of local biodiversity, in addition to the attenuation of surface water runoff, in accordance with policy 3.28 Biodiversity of the Southwark Plan 2007 and Strategic Policy 13 - High environmental standards of the Core Strategy 2011.

51 Design - details to be submitted

Samples of all external facing materials to be used in the carrying out of the development hereby permitted shall be presented on site or at another location to be agreed with the Local Planning Authority for each Development Plot before any work in connection with that Plot is carried out above grade. The development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order that the Local Planning Authority may be satisfied as to the design and details in accordance with Policies: 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan 2007 and Strategic Policy 12 - Design and conservation of the Core Strategy 2011.

52 1:5 section detail-drawings through:

- the facades;
- parapets;
- roof edges; and
- heads, cills and jambs of all openings and balconies,

to be used in the carrying out of each Development Plot shall be submitted to and approved by the Local Planning Authority before any above grade works are carried out for that plot. The development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order that the Local Planning Authority may be satisfied as to the design and details in the interest of the special architectural or historic qualities of the listed building in accordance with Policies: 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan 2007 and Strategic Policy 12 - Design and conservation of the Core Strategy 2011.

53 Window opening for commercial units

The window openings to the commercial units shall be glass and shall not be painted or otherwise obscured or obstructed without prior written consent of the Local Planning Authority.

Reason:

In order that the Local Planning Authority may be satisfied as to the design and details of the shopfronts in the interest of the appearance of the building in accordance with Policies 3.12 Quality in design and 3.13 Urban

design of the Southwark Plan 2007 and Strategic Policy 12 - Design and conservation of the Core Strategy 2011.

54 Cycle storage -details to be submitted

Details of the facilities to be provided for the secure storage of cycles for residents and non-residential uses for a Development Plot shall be submitted to and approved by the Local Planning Authority before the development hereby approved is commenced above grade in that Development Plot and shall not be occupied until any such facilities as may have been approved have been provided. Thereafter the cycle parking facilities provided shall be retained and the space used for no other purpose without the prior written consent of the local planning authority.

Reason

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007 and Strategic Policy 2 - Sustainable transport of the Core Strategy 2011.

55 Cycle storage - visitors

Details of the facilities to be provided for the on-street, secure storage of cycles for visitors for a Development Plot shall be submitted to and approved by the Local Planning Authority before the development hereby approved is commenced above grade for that Development Plot and no buildings within the Plot shall be occupied before any such facilities as may have been approved have been provided. Thereafter the cycle parking facilities provided shall be retained and the space used for no other purpose without the prior written approval of the Local Planning Authority (in consultation with Transport for London), to whom an application in writing must be first made.

Reason

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with policy 5.3 Walking and Cycling of the Southwark Plan 2007 and Strategic Policy 2 - Sustainable transport of the Core Strategy 2011.

56 Car parking - details to be submitted

Details of the car parking layout, including details of any associated manoeuvring area(s) for a Development Plot shall be submitted to and approved by the Local Planning Authority (in consultation with Transport for London) before the development is begun for that Development Plot and the development shall not be carried out otherwise than in accordance with any approval given. In particular details of parking numbers and ratios, and the location of disabled parking bays, car club spaces and electric vehicle charging points are required.

Reason:

To ensure that adequate facilities are provided in accordance with the standards set out in Saved Policies 5.6 Car Parking and 5.7 Parking Standards for Disabled People and the Mobility Impaired of the Southwark Plan 2007 and Strategic Policy 2 Sustainable Transport of the Core Strategy 2011.

57 Retention of parking

Prior to occupation of each Development Plot, the parking facilities approved pursuant to Condition 56 shall be constructed for the sole use of occupiers of the proposed development and thereafter permanently retained and used for no other purpose without the written approval of the Local Planning Authority (in consultation with Transport for London).

Reason

To ensure that adequate facilities are provided in accordance with the standards set out in Saved Policies 5.6 Car Parking and 5.7 Parking Standards for Disabled People and the Mobility Impaired of the Southwark Plan 2007 and Strategic Policy 2 Sustainable Transport of the Core Strategy 2011.

58 Refuse Storage and Collection - domestic

The dwellings in a Development Plot shall not be occupied before details of the arrangements for the storing of domestic refuse, including recyclable material, have been submitted to and approved by the Local Planning Authority for that Development Plot and the facilities approved have been provided and made available for use by occupiers of the dwellings. The facilities shall thereafter be retained for refuse storage and the space used for no other purpose without the prior written consent of the Local Planning Authority

Reason

In order that the Council may be satisfied that suitable facilities for the storage of refuse will be provided and retained in the interest of protecting the amenity of the site and the area in general from litter, odour and

potential vermin/pest nuisance in accordance with Policy 3.7 Waste reduction of the Southwark Plan and Strategic Policy 13 - High environmental standards of the Core Strategy 2011.

59 Refuse Storage and Collection - commercial

The commercial uses in a Development Plot shall not be commenced before details of the arrangements for the storing of refuse, including recyclable material, have been submitted to and approved by the Local Planning Authority for that Development Plot and the facilities approved have been provided and made available for use by occupiers and users of the premises. The facilities shall thereafter be retained for refuse storage and the space used for no other purpose without the prior written consent of the Local Planning Authority

Reason

In order that the Council may be satisfied that suitable facilities for the storage of refuse will be provided and retained in the interest of protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Policy 3.7 Waste reduction of the Southwark Plan and Strategic Policy 13 - High environmental standards of the Core Strategy 2011.

60 Roof Plant

No roof plant, equipment or other structures, other than as approved pursuant to a condition of this permission, shall be placed on the roof or be permitted to project above the roofline of any part of the building[s] or shall be permitted to extend outside of the roof plant enclosure[s] or any building[s] hereby permitted without the prior written consent of the Local Planning Authority.

Reason:

In order to ensure that no additional plant etc. is placed on the roof of the building in the interest of the appearance and design of the building and the visual amenity of the area in accordance with Policies 3.2 'Protection of Amenity' and 3.13 'Urban Design' of the Southwark Plan 2007 and Strategic Policy 12 - Design and conservation of the Core Strategy 2011.

61 Telecommunications

Notwithstanding the provisions of Parts 24 and 25 The Town & Country Planning [General Permitted Development] Order 1995 [as amended or re-enacted] no external telecommunications equipment or structures shall be placed on the roof or any other part of a building(s) on a Development Plot without the prior written consent of the Local Planning Authority.

Reason

In order to ensure that no telecommunications plant or equipment which might be detrimental to the design and appearance of the building and visual amenity of the area is installed on the roof of the building in accordance with Policies 3.13 Urban Design of the Southwark Plan 2007 and Strategic Policy 12 - Design and conservation of the Core Strategy 2011.

62 Telecommunication networks

a) Prior to any above grade works being carried out on a Development Plot a methodology for the assessment of how the Development Plot will impact on television, radio, and other telecommunication services shall be submitted and approved in writing by the Local Planning Authority.

b) The developer shall undertake the assessment(s) in accordance with the approved methodology in (a) and will identify any mitigation measures that need to be taken to rectify any problems identified during the assessment which shall be submitted to and approved in writing by the Local Planning Authority.

c) The buildings within the Development Plot shall not be occupied until such mitigation measures identified in (b) have been approved and implemented.

Reason

In order to ensure that any adverse impacts of the development on reception of residential properties is identified and resolved satisfactorily in accordance with saved Policy 3.2 Protection of amenity of the Southwark Plan and Strategic Policy 13- High environmental standards of the Core Strategy 2011.

63 Communal amenity space

All residents within a Development Plot shall have equal access to the proposed communal amenity areas associated with their Development Plot.

Reason

To ensure all tenures have equal access to the communal amenity areas in accordance with Policies 3.2 Protection of amenity and 4.2 Quality of residential accommodation of the Southwark Plan and Strategic

Policy 13 - High environmental standards of the Core Strategy 2011.

64 Ventilation - Class A3 premises

Full particulars and details showing a scheme for the ventilation (internal to the building) to an appropriate outlet level, for the units capable of being used for Class A3 purposes in a Development Plot, including details of sound attenuation for any necessary plant and the standard of dilution expected, shall be submitted to and approved in writing by the Local Planning Authority prior to their occupation in A3 use. The development shall not be carried out otherwise than in accordance with any such approval given.

Reason

In order that the Council may be satisfied that the ventilation ducting and ancillary equipment will not result in any odour, fumes or noise nuisance and will not detract from the appearance of the building and to ensure the necessary ventilation system is incorporated as an integral part of the development in the interests of amenity in accordance with Policy 3.2 Protection of amenity of the Southwark Plan 2007 and Strategic Policy 13 - High environmental standards of the Core Strategy 2011.

65 Trees

Any tree or shrub required to be retained or to be planted as part of a landscaping scheme approved, either as part of this decision, or arising from a condition imposed as part of this decision, that is found dead, dying, severely damaged or seriously diseased within five years of the completion of buildings works for a Development Plot OR five years of the carrying out of the landscaping scheme (whichever is the latter), shall be replaced in accordance with the principles of the Site Wide Tree Strategy approved pursuant to Condition 9.

Reason

To ensure the approved landscaping scheme is maintained for an adequate period of time following construction in accordance with saved Policy 3.12 Quality in design of the Southwark Plan 2007 and Strategic Policies 11 - Open spaces and wildlife and 12 - Design and conservation of the Core Strategy 2011.

Statement of positive and proactive action in dealing with the application

The Council has published its development plan and core strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

The Council provides a pre-application advice service that is available to all applicants in order to assist applicants in formulating development proposals that are in accordance with the development plan and core strategy. The pre-application service was used for this application and the advice given was followed. During the course of the application, negotiations were held with the applicant to secure changes to the scheme to make it acceptable. Accordingly, these amendments (including Further Information submitted in respect of the Environmental Statement) was submitted enabling the application to be granted planning permission.

The application was subject to a Planning Performance Agreement and was determined with the agreed timescale.

Informatives

You are reminded that the use hereby permitted falls within Class B1 of the Town and Country Planning (Use Classes) Order 1987 which is restricted to office, research and development, or light industrial activities (other than professional or financial services) that can be carried out without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

Cranes

Heathrow Safeguarding Officer advises that given the nature of the proposed development, it is possible that a crane may be required during its construction. The applicant's attention should be drawn to the requirement within the BS Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/policy-safeguarding.htm>).

London City Airport Safeguarding Operations

London City Airport advise that in the interests of safety, the following comments will apply:

- all landscaping plans and all plantations should be considered in view of making them unattractive to birds so as not to have an adverse effect on the safety of operations at the Airport by encouraging bird feeding/roosting and thereby presenting a bird strike threat to aircraft operating at the Airport. Expert advice should be sought on trees and shrubs that discourage bird activity as described above.

- Also in the interests of reducing the potential for bird strike hazards at LCA, in accordance with the LCA Safeguarding SPG and CAP 772 Bird Strike Risk Management for Aerodromes, the following waste management measures should be considered:
 - i) details regarding refuse / recycling facilities to ensure that these do not provide a source of food for wildlife
 - ii) provision for the proper disposal of food wrappers and other rubbish at the site to be provided to prevent the attraction of birds.

Any proposed scheme for extract ventilation to a commercial unit will need separate approval from the Local Planning Authority and should be installed in accordance with any approval given.

Infrastructure protection

The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements in particular with regard to: demolition, excavation, construction methods, security, boundary treatment, safety barriers, landscaping and lighting.

Thames Water advise that where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water's Risk Management Team: 020 8507 4890. Applications should be completed online via www.thameswater.co.uk/wastewaterquality.

Movement of waste off site - duty of care

The Environment Agency state that the Environmental Protection (Duty of Care) Regulations 1991 for dealing with waste materials are applicable for any movements of wastes off site. The developer, as waste producer, therefore has a duty of care to ensure all materials removed go to an appropriate permitted facility and all relevant documentation is completed and kept in line with regulations.

Movement of waste off site - registered waste carrier

The Environment Agency require that if any controlled waste is to be removed off site, then the site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably permitted facility.

Use of waste on site - exemption or permit required

If any waste is to be used on site, the applicant will be required to obtain the appropriate waste exemption or permit from the Environment Agency. They are unable to specify what exactly would be required, if anything, owing to the limited amount of information at this outline stage.

Construction - waste hierarchy

The Environment Agency advises that the developer must apply the waste hierarchy in a priority order of prevention, re-use, recycling before considering other recovery or disposal option.

Construction - site waste management plans

The Environment Agency advise that in England it is a legal requirement to have a site waste management plan (SWMP) for all new construction projects worth more than £300,000. The level of detail that the SWMP should contain depends on the estimated build cost, excluding value added tax (VAT). You must still comply with the duty of care for waste. Because you will need to record all waste movements in one document, a SWMP will help ensure compliance with the duty of care.

Impact on Wireless Network Operators

Arquiva note that at this outline stage only the fixed line electronic communications have been considered. The potential impact of the development on wireless network operators will need to be assessed at detailed Reserved Matters stage in accordance with Paragraph 44 of the National Planning Policy Framework.

At least 6 months before the occupation of the new buildings or units of accommodation hereby permitted you are advised that you must obtain the Council's approval for the numbering and naming of buildings and the naming of any new streets created by the development.

The planning permission granted includes alterations and amendments to areas of public highway which will need to be funded by the developer. Although these works are approved in principle by the Highway Authority, no permission is hereby granted to carry out these works until all necessary and appropriate design details have been submitted and agreed. You are advised to contact the Principal Engineer, Infrastructure Group (020 7525 5509) and Environment and Housing, Public Realm (020 7525 2063) at least 4 months prior to any works commencing on the public highway.

The developer should contact the Environment & Leisure Department to obtain consent in respect of the construction works in accordance with Control of Pollution Act 1974 - Section 61.

The details and/or samples required by the Condition(s) above must be accompanied by a letter stating:

1. the LBS Reference Number which appears at the top of this decision notice;
2. the full address of the application site;
3. which condition(s) you seek to discharge; and
4. a list of all drawing numbers/ sample name and manufacturer, together with the condition(s) they relate to.

Please note that the approval of details are subject to the same eight week timeframe as a full planning permission.

RECOMMENDATION

This document shows the case officer's recommended decision for the application referred to below.
This document is not a decision notice for this application.

| | | | |
|-------------------------|--|--------------------|------------|
| Applicant | Lend Lease (Elephant And Castle Ltd) | Reg. Number | 12/AP/3203 |
| Application Type | Full Planning Permission | | |
| Recommendation | Grant subject to Legal Agreement and GLA | Case Number | TP/H1064A |

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Demolition of all existing structures and bridges and associated works.

The application is accompanied by an Environmental Statement submitted under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011.

At: THE HEYGATE ESTATE AND SURROUNDING LAND BOUND BY NEW KENT (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

In accordance with application received on 28/09/2012

and Applicant's Drawing Nos. Plans

P01 Rev P-0; P02 Rev P-0

Environmental Statement & Appendices (March 2012) and Addendum (September 2012)

Tree Strategy (March 2012) and Addendum (September 2012)

Reasons for granting permission.

The planning application accords with the provisions of the development plan, and in particular with the relevant policies of the Core Strategy (2011), Southwark Plan (2007) and the London Plan (2011) as listed below. The planning application is also considered acceptable in the light of the provisions of the National Planning Policy Framework. This planning application was considered with regard to various policies including, but not exclusively:

Strategic policies of the Core Strategy 2011

Strategic Policy 1 – Sustainable development requires development to improve the places we live and work in and enable a better quality of life for Southwark's diverse population.

Strategic Policy 2 – Sustainable transport states that we will encourage walking, cycling and the use of public transport rather than travel by car.

Strategic Policy 10 – Jobs and businesses encourages the increase in the number of jobs in Southwark and create an environment in which businesses can thrive.

Strategic Policy 11 - Open spaces and wildlife states a commitment to improve, protect and maintain a network of open spaces and green corridors that will make places attractive and provide sport, leisure, and food growing opportunities for a growing population. We will protect and improve habitats for a variety of wildlife.

Strategic Policy 12 – Design and conservation 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.

Strategic Policy 13 – High environmental standards requires development to respect the limit's of the planet's natural resources, reduce pollution and damage to the environment, and help us adapt to climate change.

Saved policies of the Southwark Plan 2007

Policy 1.1 "Access to employment opportunities" seeks to ensure that for all developments over 1,000 sqm of new or improved floorspace that provide or generate employment, the LPA will enter into planning obligations to improve employment participation within Southwark.

Policy 2.5 "Planning obligations" seeks to ensure that any adverse effect arising from a development is taken into account and mitigated, and contributions towards infrastructure and the environment to support the development are secured, where relevant.

Policy 3.1 "Environmental effects" seeks to ensure there will be no material adverse effect on the environment and quality of life resulting from new development.

Policy 3.2 "Protection of amenity" protects against the loss of amenity, including disturbance from noise, to present and future occupiers in the surrounding area or on the application site.

Policy 3.3 "Sustainability assessment" requires major applications to be supported by a sustainability assessment.

Policy 3.6 "Air quality" states that permission will not be granted for development that would lead to a reduction in air quality.

Policy 3.7 "Waste reduction" states that all developments are required to ensure adequate provision of recycling, composting, and residual waste disposal, collection and storage facilities as well as demonstrate how the waste management hierarchy will be applied during demolition and construction and after the development is completed.

Policy 3.14 "Designing out crime" states that developments, in both the private and public realm, should be designed to improve community safety and crime prevention.

Policy 3.15 "Conservation of the historic environment" states that developments should preserve or enhance the special or historic character or appearance of buildings or areas of historic or architectural significance. Planning proposals that have an adverse effect on the historic environment will not be permitted.

Policy 3.17 "Listed buildings" states that development proposals involving a listed building should preserve the building and its features or special architectural or historic interest.

Policy 3.18 "Setting of listed buildings, conservation areas, and world heritage sites" requires developments to preserve or enhance the setting or important views of a listed building, the setting or views into and out of a conservation area, and the setting or important views of or from a world heritage site.

Policy 3.19 "Archaeology" advises there is a presumption in favour preservation in situ, to protect and safeguard archaeological remains of national and local importance.

Policy 3.21 "Strategic views" states that the LPA will seek to protect and enhance the strategic views of St. Paul's Cathedral.

Policy 3.22 "Important local views" advises that the LPA will seek to protect and enhance identified views, panoramas, prospects and their settings that contribute to the image and built environment of the borough and wider London.

Policy 3.28 "Biodiversity" states that the LPA will take biodiversity into account in its determination of all planning applications and will encourage the inclusion in developments of features which enhance biodiversity.

Policy 4.6 "Loss of residential accommodation" advises that development will not be permitted where it results in the net loss of residential floorspace except in certain circumstances.

Policy 5.2 "Transport impacts" states that planning permission will be granted for development unless there is an adverse impact on transport networks, and/or adequate provision has not been made for servicing, circulation and access to and from the site, and/or consideration has not been given to impacts on the Transport for London road network.

Policies of the London Plan 2011

Policy 2.13 "Opportunity Areas and Intensification Areas" seeks to optimise residential and non-residential output and densities, provide necessary social and other infrastructure to sustain growth, and, where appropriate, contain a mix of uses.

Policy 3.1 "Ensuring Equal Life Chances For All" states that development proposals should protect and enhance facilities and services that meet the needs of particular groups and communities.

Policy 3.3 "Increasing Housing Supply sets out the housing targets for London and individual boroughs.

Policy 3.8 "Housing Choice" states that Londoners should have a genuine choice of homes that they can afford and which meet their requirements for different sizes and types of dwellings in the highest quality environments.

Policy 3.9 "Mixed And Balanced Communities" requires a more balanced mix of tenures in London, particularly in some neighbourhoods where social renting predominates and there are concentrations of deprivation.

Policy 3.11 "Affordable Housing Targets" seeks to maximise affordable housing provision.

Policy 3.14 "Existing Housing" advises that loss of housing, including affordable housing, should be resisted unless the

housing is replaced at existing or higher densities with at least equivalent floorspace.

Policy 4.1 "Developing London's Economy" seeks to promote and enable the continued development of a strong, sustainable and increasingly diverse economy across London, ensuring the availability of sufficient and suitable workspaces in terms of type, size, and cost, supporting infrastructure and suitable environments for larger employers and small and medium sized enterprises.

Policy 5.1 "Climate Change Mitigation" sets out the Mayor's requirements for an overall reduction in London's carbon dioxide emissions of 60% by 2025.

Policy 5.2 "Minimising Carbon Emissions" requires development proposals to make the fullest contribution to minimising carbon dioxide emissions in accordance with the Mayor's energy hierarchy.

Policy 5.3 "Sustainable Design And Construction" states that development should demonstrate that sustainable design standards are integral to the proposal, including its construction and operation, and ensure that they are considered at the beginning of the design process.

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.

Policy 5.7 "Renewable Energy" sets out that major development proposals should provide a reduction in expected carbon dioxide emissions through the use of on-site renewable energy generation.

Policy 5.12 "Flood Risk Management" states that major development proposals must comply with flood risk assessment and management requirements.

Policy 5.13 "Sustainable Drainage" states that development should utilise sustainable urban drainage systems (SUDS) and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.

Policy 6.3 "Assessing Effects Of Development On Transport Capacity" states that development proposals should ensure that impacts on transport capacity and the transport network are fully assessed.

Policy 6.9 "Cycling" supports the increase in cycling in London.

Policy 6.10 "Walking" supports the increase in walking in London.

Policy 6.13 "Parking" states that maximum standards to parking levels should be applied to planning applications.

Policy 7.2 "An Inclusive Environment" requires all new development to achieve the highest standards of accessible and inclusive design.

Policy 7.3 "Designing Out Crime" seeks to create safe, secure and appropriately accessible environments.

Policy 7.6 "Architecture" that architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. It should incorporate the highest quality materials and design appropriate to its context.

Policy 7.8 "Heritage Assets And Archaeology" states that development affecting heritage assets and their settings should conserve their significance by being sympathetic to their form, scale, materials and architectural detail.

Policy 7.10 "World Heritage Sites" states that development should not cause adverse impacts on World Heritage Sites or their settings. In particular, it should not compromise a viewer's ability to appreciate its Outstanding Universal Value, integrity, authenticity, or significance.

Policy 7.12 "Implementing The London View Management Framework" advises that new development should not harm and where possible should make a positive contribution to the characteristics and composition of the strategic views and their landmark elements. It should also preserve or enhance the viewer's ability to recognise and appreciate strategically important landmarks in these views.

Policy 7.14 "Improving Air Quality" advises that development proposals should minimise increased exposure to existing poor air quality and make provision to address local problems of air quality.

Policy 7.15 "Reducing Noise And Enhancing Soundscapes" advises that development proposals should seek to reduce noise.

Policy 7.18 "Protecting Local Open Space And Addressing Local Deficiency" states that the Mayor supports the creation

of new open space to ensure satisfactory levels of local provision and address areas of deficiency.

Policy 7.19 "Biodiversity And Access To Nature" states that development proposals should make a positive contribution to the protection, enhancement, creation, and management of biodiversity.

Policy 7.21 "Trees And Woodlands" states that existing trees of value should be retained and any loss as the result of development should be replaced following the principle of 'right place right tree'. Wherever appropriate, the planting of additional trees should be included in new developments, particularly large-canopied trees.

Policy 8.2 "Planning Obligations" states that development proposals should address strategic as well as local priorities in planning obligations.

National Planning Policy Framework

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

Particular regard was had to the principle of demolition and removal of buildings and structures associated with Heygate Estate that are located within application site boundary. The demolition works are necessary as the Heygate Estate has long been identified by the Council for comprehensive redevelopment as refurbishment would not address the problems identified with the estate (such as poor, un-inviting physical environment and deteriorating 1970s buildings with poor environmental performance) or deliver the council's wider vision for the Elephant and Castle as an attractive central London destination. The Heygate Estate therefore forms a key component of the regeneration of the Elephant and Castle Opportunity Area

This demolition application is linked to the outline application (reference 12-AP-1092) which proposes a replacement high density, mixed use development on the application site. While the demolition will result in the physical removal of 1,107 residential units, these will be replaced with between 2,300 and 2,469 new homes across the site, including affordable housing. This represents a net increase in residential units and therefore fully accords with saved policy 4.6 of the Southwark Plan and Policy 3.14 of the London Plan which resists the loss of housing unless the housing is replaced at existing or higher densities with at least equivalent floorspace. Notably, the Heygate Estate is already now largely vacant with the relocation of tenants having occurred over a considerable period of time. The redevelopment would also provide for new business, retail and community uses on the site as well a new public Park.

Regard was also had to the impacts of the demolition works on heritage assets, including strategic and local views and World Heritage Sites. It has been adequately demonstrated that the proposal would not have a significantly harmful affect on the setting of local and strategic heritage assets, including the Protected Vista of the Palace of Westminster in designated Townscape View 23A.1 from the Serpentine Bridge. The Grade II listed K2 Telephone Kiosk that is located on New Kent Road, and within the application site boundary, can be adequately protected during demolition works and a condition is attached to ensure this.

It is recognised that the application has the potential for significant environmental effects and these potential impacts have been identified in the Environmental Statement that was submitted in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. In coming to a decision on the application, the council had full regard to the Environmental Statement and all submissions relating to considerations in the Environmental Statement. It is acknowledged that following mitigation measures, there are likely to be adverse impacts affecting the amenity for local residents and surrounding occupiers, particularly in relation to increased noise, dust, vibration, construction traffic as well as visual impacts on townscape character. However, these impacts will be of short to medium term duration and are not amount to such significant harm that would justify the refusal of planning permission. Moreover they would not outweigh the wider regenerative benefits of the scheme.

Other policies have been considered but no impacts and/or conflicts with planning policy have been identified that couldn't be adequately dealt with by planning obligation or condition. It was therefore considered appropriate to grant planning permission having regard to all the policies considered and any other material planning considerations.

Subject to the following condition:

- 1 The development hereby permitted shall be begun before the end of three years from the date of this

permission.

Reason

As required by Section 91 of the Town and Country Planning Act 1990 as amended

- 2 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:

P01 Rev P-0

P02 Rev P-0

Reason:

For the avoidance of doubt and in the interests of proper planning.

3 **Detailed Demolition Phasing Plan**

Prior to demolition works commencing on site, a detailed Demolition Phasing Plan shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Transport for London). The Demolition Phasing Plan shall identify the individual 'Demolition Areas' and shall be accompanied by supportive reasoning. The phasing shall be in accordance with the Indicative Demolition Phasing and Programme 'Time Slices' contained within the Environmental Statement Addendum (September 2012) or any Demolition Phasing Plan that supersedes it which has been approved by the Local Planning Authority pursuant to this condition. The demolition shall be carried out in accordance with the approved Phasing Plan.

Reason

To ensure that the impacts of demolition on occupiers of neighbouring premises and the wider environment by reason of pollution and nuisance are minimised in accordance with Strategic Policy 13 High environmental standards of the Core Strategy 2011 and saved Policy 3.2 Protection of amenity of the Southwark Plan 2007.

4 **Demolition Phasing Plan - Environmental Statement**

In the event that the Local Planning Authority considers that any proposed revisions to the Demolition Phasing Plan submitted pursuant to Condition 3 and/or Condition 5 may cause significant unassessed environmental effects compared to the Demolition Phasing Plan and the Indicative Construction Programme (March 2012), then the Demolition Phasing Plan shall be submitted to the Local Planning Authority together with an appropriate Environmental Statement and the application for such proposed revisions to the Demolition Phasing Plan shall be considered and determined in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

Reason

To ensure that any proposed new and/or different environmental effects relating to any proposed changes to the phasing of the Development have been properly assessed in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

5 **Detailed Phasing Plan Amendments**

The Demolition Phasing Plan approved pursuant to Condition 3 may be amended on occasions to reflect changes to the phasing of the development that were not foreseen at the time when the Demolition Phasing Plan was approved, subject to obtaining the prior written approval of the Local Planning Authority, and providing that the submission of any updated Demolition Phasing Plan shall comply with the requirements of Condition 4 in respect of the Environmental Statement.

Reason

To allow for revisions to the approved Detailed Phasing Plan to enable development to be delivered in the interests of proper planning.

6 **Demolition Environmental Management Plan**

No demolition shall take place within any Demolition Area identified in the approved Demolition Phasing Plan required by Condition 3 until a Demolition Environmental Management Plan for that area of demolition (or a combination of areas) has been submitted to and approved in writing by the Local Planning Authority. The following target levels for noise, dust and vibration during demolition shall be included within the DEMP(s), unless otherwise agreed in writing by the Local Planning Authority:

Noise - 70dB(A) Leq (10hour) 10hr = 0800-1800 and 75dB(A) Leq(15 min)

Dust - Institute of Air Quality Monitoring Guidance levels

Vibration - targets contained within BS 6472-1:2008 and BS 5228-2:2009

The works shall be undertaken in accordance with the approved Demolition Environmental Management Plan(s) for the duration of the demolition period.

Reason

To ensure that the impacts of demolition on occupiers of neighbouring premises and the wider environment by reason of pollution and nuisance are minimised in accordance with Strategic Policy 13 High environmental standards of the Core Strategy 2011 and saved Policy 3.2 Protection of amenity of the Southwark Plan 2007.

7 Site Perimeter Hoarding - details to be submitted

Prior to the commencement of demolition works, details of the perimeter site hoarding shall be submitted to and approved in writing by the Local Planning Authority. The site hoarding shall be constructed in accordance with any such approval and shall remain in place for the duration of the demolition works and subsequently until replaced by permanent or other temporary boundary treatment as approved by the Local Planning Authority (in consultation with Transport for London).

Reason

To ensure that the impacts of demolition on occupiers of neighbouring premises and the wider environment by reason of pollution and nuisance are minimised and to safeguard infrastructure on or in the vicinity of the site in accordance with Strategic Policy 13 High environmental standards of the Core Strategy 2011 and saved Policy 3.2 Protection of amenity of the Southwark Plan 2007.

8 Dust Monitoring - details to be submitted

Before any demolition commences a particulate monitoring survey shall be undertaken by the developer and shall be submitted to and approved in writing by the Local Planning Authority. The particulate monitoring survey shall include a background particulate survey covering a minimum of three months data for the perimeter of the development site and shall be in accordance with the Institute of Air Quality Monitoring Guidance on Air Quality Monitoring in the vicinity of Demolition and Construction Sites.

The particulate monitoring survey details (i.e. monitoring locations, methodologies, frequency and method of results reporting) shall be submitted to and approved in writing prior to the submission of the particulate monitoring survey.

Reason

To ensure that the impacts of demolition on occupiers of neighbouring premises and the wider environment by reason of pollution and nuisance are minimised in accordance with Strategic Policy 13 High environmental standards of the Core Strategy 2011 and saved Policy 3.2 Protection of amenity of the Southwark Plan 2007.

9 Noise Survey - details to be submitted

Before any demolition commences a noise monitoring survey shall be undertaken by the developer and shall be submitted to and approved by the Local Planning Authority. The noise monitoring survey shall include a background noise survey covering a minimum of one month's data and include measurements undertaken at all times of the day for the perimeter of the development site. The noise trigger levels shall accord with those set out for the DEMP pursuant to Condition 6.

The noise monitoring survey details (i.e. monitoring locations, methodologies, frequency and method of results reporting) shall be submitted to the Local Planning Authority for approval in writing prior to the submission of the noise monitoring survey. The noise survey shall be carried out in accordance with any such approval given.

Reason

To ensure that the impacts of demolition on occupiers of neighbouring premises and the wider environment by reason of pollution and nuisance are minimised in accordance with Strategic Policy 13 High environmental standards of the Core Strategy 2011 and saved Policy 3.2 Protection of amenity of the Southwark Plan 2007.

10 Vibration Survey - details to be submitted

Before any demolition commences a vibration monitoring survey shall be undertaken and submitted to and approved in writing by the Local Planning Authority. The vibration monitoring survey shall include a building condition survey for the premises adjacent to the site boundary and a background vibration survey covering a minimum of one weeks data including measurements undertaken at all times of the day for the perimeter of the development site. The vibration standards to be used shall accord with those set for the DEMP pursuant to Condition 6.

The vibration monitoring survey details (i.e. monitoring locations, methodologies, frequency and method of results reporting) shall be submitted to and approved by the Local Planning Authority in writing prior to the submission of the vibration monitoring survey. The vibration survey shall be carried out in accordance with any such approval given.

Reason

To ensure that the impacts of demolition on occupiers of neighbouring premises and the wider environment by reason of pollution and nuisance are minimised in accordance with Strategic Policy 13 High environmental

standards of the Core Strategy 2011 and saved Policy 3.2 Protection of amenity of the Southwark Plan 2007.

11 Open Site Consolidation / Sealing

In the event that construction works have not commenced within three months of the completion of demolition works in any Demolition Area, its surface shall be covered, sealed, or seeded to ensure that it is effectively consolidated. This treatment shall be maintained or repeated to ensure it remains effective until construction works commence and applies particularly to aggregate and soil storage bunds.

Reason

To ensure that the impacts of demolition on occupiers of neighbouring premises and the wider environment by reason of pollution and nuisance are minimised in accordance with Strategic Policy 13 High environmental standards of the Core Strategy 2011 and saved Policy 3.2 Protection of amenity of the Southwark Plan 2007.

12 Site Lighting

The design of any site lighting relating to the demolition works hereby permitted shall meet the standards set out in the ILE Guidance notes for the reduction of obtrusive light. Details shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Transport for London) prior to the commencement of demolition works to demonstrate compliance with these standards. The site lighting shall not be installed or used otherwise than in accordance with the approved details.

Reason

To ensure that the impacts of demolition on occupiers of neighbouring premises and on the safety and efficiency of highway and public transport operations and the wider environment by reason of pollution and nuisance are minimised in accordance with Strategic Policy 13 High environmental standards of the Core Strategy 2011 and saved Policy 3.2 Protection of amenity of the Southwark Plan 2007.

13 Archaeological Building Recording

Prior to any demolition works hereby permitted commencing on site, the developer shall submit a written scheme of investigation for a programme of archaeological building recording which shall be approved in writing by the Local Planning Authority. The works shall not be carried out otherwise than in accordance with any such approval given.

Reason

In order that the archaeological operations are undertaken to a suitable standard as to the details of the programme of works for the archaeological building recording in accordance with Paragraph 141 of the National Planning Policy Framework, Strategic Policy 12 - Design and conservation of the Core Strategy 2011 and Saved Policy 3.19 Archaeology of the Southwark Plan 2007.

14 Archaeological Reporting

Within six months of the completion of the archaeological building recording, an assessment report detailing the proposals for publication of a report for the site and preparation of the archive shall be submitted to and approved in writing by the Local Planning Authority. The works detailed in the assessment report shall be undertaken in accordance with any such approval given.

Reason

In order that the archaeological operations are undertaken to a suitable standard as to the details of the programme of works for the archaeological building recording in accordance with Paragraph 141 of the National Planning Policy Framework, Strategic Policy 12 - Design and conservation of the Core Strategy 2011 and Saved Policy 3.19 Archaeology of the Southwark Plan 2007.

15 K2 Telephone Cubicle

Details of the measures to secure the protection of the Grade II listed K2 telephone cubicle located on New Kent Road shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works in that Demolition Area. The protection works shall be implemented in accordance with the approved details and shall be maintained for the duration of the demolition works or such different period as may be approved in writing by the Local Planning Authority.

Reason

In order that the Local Planning Authority may be satisfied as to the details in the interests of the special architectural and/or historic qualities of the listed building in accordance with Strategic Policy 12 - Design and conservation of the Core Strategy 2011 and saved Policy 3.17 Listed buildings of the Southwark Plan 2007.

16 Precautionary Bat survey

If more than one year passes between the most recent bat survey undertaken as part of the Environmental Statement and the commencement of the demolition and/or tree works, an updated confirmatory bat survey shall be undertaken immediately prior to the demolition or tree works by a licensed bat worker. The survey shall be submitted to and approved in writing by the Local Planning Authority before any demolition or tree

works begin. These works shall be carried out in accordance with the recommendations contained in the approved survey.

Reason

To ensure compliance with the Habitats Regulations and the Wildlife & Countryside Act 1981 (as amended) and in accordance with Strategic Policy 11 - Open spaces and wildlife of the Core Strategy 2011 and saved Policy 3.28 Biodiversity of the Southwark Plan 2007.

17 **Tree Protection**

Prior to the demolition works hereby permitted commencing on site, an Arboricultural Report shall be submitted to and approved in writing by the Local Planning Authority. The Arboricultural Report shall accord with the principles of the Tree Strategy (March 2012) and the Tree Strategy Addendum (September 2012) and will include details of the means by which any retained trees on or directly adjacent to the site are to be protected from damage by demolition works, vehicles, stored or stacked building supplies, waste or other materials and building plant equipment.

Excavation must adhere to the guidelines set out in the National Joint Utilities Group (NJUG) publication Volume 4 'Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees (Issue 2)'. Cross sections shall be provided to show surface or other changes to levels and any proposed activity within root protection areas required in order to facilitate demolition.

The existing trees on or adjoining the site which are to be retained shall be protected and both the site and trees managed in accordance with the recommendations (including facilitative pruning specifications and supervision schedule) contained in the Arboricultural Report. All tree protection measures shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority. In any case all works must adhere to BS 5837 Trees in relation to demolition, design and construction (2012) and BS 3998 (2010) Tree work.

Reason

To ensure the proposed development will preserve and enhance the visual amenities of the locality and will be designed for maximum benefit of screening, local biodiversity and adaptation to climate change in accordance with Policy 2.18 Green Infrastructure, Policy 5.1 Climate Change Mitigation, Policy 5.10 Urban Greening, Policy 7.4 Local Character, and Policy 7.21 Trees and Woodlands of the London Plan 2011; Strategic Policy 11 Open spaces and wildlife, Strategic Policy 12 Design and conservation, and Strategic Policy 13 High environmental standards; and Saved Policy 3.28 Biodiversity and Policy 3.2 Protection of amenity of the Southwark Plan 2007.

18 **Tree planting**

If within the expiration of five years from the date of the completion of the demolition works any retained tree as identified within the Tree Strategy (March 2012) and its Addendum (September 2012) is removed, uprooted or is destroyed or dies, another tree of the same species and size shall be planted in accordance with the principles of the Tree Strategy (March 2012) and Tree Strategy Addendum (September 2012).

Reason

To ensure the proposed development will preserve and enhance the visual amenities of the locality and will be designed for maximum benefit of screening, local biodiversity and adaptation to climate change in accordance with Policy 2.18 Green Infrastructure, Policy 5.1 Climate Change Mitigation, Policy 5.10 Urban Greening, Policy 7.4 Local Character, and Policy 7.21 Trees and Woodlands of the London Plan 2011; Strategic Policy 11 Open spaces and wildlife, Strategic Policy 12 Design and conservation, and Strategic Policy 13 High environmental standards; and Saved Policy 3.28 Biodiversity and Policy 3.2 Protection of amenity of the Southwark Plan 2007.

19 **Site contamination**

Prior to the commencement of demolition works hereby approved (or such other date or stage in development as may be agreed in writing by the Local Planning Authority), a scheme to deal with the risks associated with contamination shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Environment Agency):

a) A site investigation and risk assessment (in addition to any assessment provided with the planning application) to provide information for a detailed assessment of the risk to all receptors which may be affected, including those off-site.

b) The results of the site investigation and detailed risk assessment referred to in (a) and, based on these, an options appraisal and remediation strategy providing full details of the remediation measures required and how they are to be undertaken. The approved remediation scheme (if one is required) shall be carried out in accordance with its terms and the Local Planning Authority shall be given two weeks written notification of commencement of the remediation works.

c) A verification plan providing details of the data which will be collected in order to demonstrate that the works set out in the remediation strategy in (b) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Reason

The site is located over a Secondary Aquifer and it is understood that the site may be affected by historic contamination and therefore to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved Policy 3.2 'Protection of amenity' of the Southwark Plan 2007 and Strategic Policy 13' High environmental standards' of the Core Strategy 2011.

20 Contamination - Remediation Strategy

In the event that contamination not previously identified is found to be present, then no further groundworks on that relevant part of the site shall be carried out until the developer has submitted to and obtained approval from the Local Planning Authority (in consultation with the Environment Agency) for a Remediation Strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented in accordance with the approved strategy.

Reason

There is always the potential for unexpected contamination to be identified during groundworks and to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved Policy 3.2 'Protection of amenity' of the Southwark Plan 2007, and Strategic Policy 13' High environmental standards' of the Core Strategy 2011.

21 Verification Report

Prior to the completion of the demolition works, a Verification Report demonstrating completion of the works set out in the approved Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Environment Agency). The report shall include results of sampling and monitoring carried out in accordance with the approved Remediation Strategy to demonstrate that the site remediation criteria have been met. It shall also include a plan (a 'long-term monitoring and maintenance plan') for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action as identified in the verification plan, if appropriate, and for the reporting of this to the Local Planning Authority. Any long-term monitoring and maintenance plan shall be implemented in accordance with the approved details.

Reason

Should remediation be necessary, it needs to be demonstrated that any remedial measures have been undertaken as approved and the environmental risks have been satisfactorily managed so that the site is deemed suitable for its intended use, in accordance with in accordance with saved Policy 3.2 'Protection of amenity' of the Southwark Plan 2007, and Strategic Policy 13' High environmental standards' of the Core Strategy 2011.

Statement of positive and proactive action in dealing with the application

The Council has published its development plan and core strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

The Council provides a pre-application advice service that is available to all applicants in order to assist applicants in formulating development proposals that are in accordance with the development plan and core strategy. The pre-application service was used for this application and the advice given was followed.

The application was subject to a Planning Performance Agreement and was determined with the agreed timescale.

Informatives

- 1 It is advised that the demolition contractor/s apply for permission under S61 of the Control of Pollution Act 1974 for each phase of the demolition. Some works may require road closures, weekend of school holiday working or out-of-hours activity to ensure works are undertaken safely and to minimise overall levels of disruption and disturbance.
- 2 Dampening down activities will create a substantial amount of potentially contaminated run-off from the site. Permission will be required from either the Environment Agency and / or Thames Water to discharge to public

sewers or culverts.

3 **Infrastructure protection**

The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements in particular with regard to: demolition, excavation, construction methods, security, boundary treatment, safety barriers, landscaping and lighting.

4 **Movement of waste off site - duty of care**

The Environment Agency state that the Environmental Protection (Duty of Care) Regulations 1991 for dealing with waste materials are applicable for any movements of wastes off site. The developer, as waste producer, therefore has a duty of care to ensure all materials removed go to an appropriate permitted facility and all relevant documentation is completed and kept in line with regulations.

5 **Movement of waste off site - registered waste carrier**

The Environment Agency require that if any controlled waste is to be removed off site, then the site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably permitted facility.

6 **Use of waste on site - exemption or permit required**

If any waste is to be used on site, the applicant will be required to obtain the appropriate waste exemption or permit from the Environment Agency. They are unable to specify what exactly would be required, if anything, owing to the limited amount of information at this outline stage.

7 **Construction - waste hierarchy**

The Environment Agency advises that the developer must apply the waste hierarchy in a priority order of prevention, re-use, recycling before considering other recovery or disposal option.

8 **Construction - site waste management plans**

The Environment Agency advise that in England it is a legal requirement to have a site waste management plan (SWMP) for all new construction projects worth more than £300,000. The level of detail that the SWMP should contain depends on the estimated build cost, excluding value added tax (VAT). You must still comply with the duty of care for waste. Because you will need to record all waste movements in one document, a SWMP will help ensure compliance with the duty of care.

9 **Demolition Environmental Management Plan**

Natural England advise that the DEMP should include a dust management plan which includes details of the tree protection zones and how any dust build up on trees will be addressed. The DEMP should also set out procedures should any bats be discovered on site and for nesting birds. Vegetation clearance should only occur outside the bird breeding season March to August inclusive. If outside this period hand inspection by suitably qualified personnel should precede any clearance, and if nesting birds are found, work should cease in that area until the young birds have fledged.

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OPEN**COMMITTEE:****PLANNING COMMITTEE****MUNICIPAL YEAR 2012/13****NOTE:**

Original held in Constitutional Team; all amendments/queries to Kenny Uzodike, Constitutional Team,
Tel: 020 7525 7236.

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| RESERVES | | COMMUNICATIONS | |
| Councillor Dan Garfield | 1 | Robin Campbell | 1 |
| Councillor James Barber | 1 | Total | <u>7</u> |
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| Councillor Nick Stanton | 1 | | |
| Councillor Neil Coyle | 1 | | |
| Total | <u>5</u> | | |
| LIBRARIES | | | |
| Local History Library | 1 | | |
| Total | <u>1</u> | | |
| LEGAL SERVICES | | | |
| Suzan Yildiz | 1 | | |
| Total | <u>1</u> | | |
| CONSTITUTIONAL TEAM | | | |
| Kenny Uzodike | 19 | | |
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| | | Total Print Run: 40 | |
| | | List Updated: 7 January 2013 | |