

Item No	Classification: Open	Date: July 2012	Decision Taker: Leader of the Council
Report title:		Approval to submit detailed planning application for the Elephant and Castle Leisure Centre.	
Ward(s) or groups affected:		Newington, East Walworth, Chaucer and Cathedrals	
From:		Chief Executive	

RECOMMENDATION

That the leader of the council

1. confirms the approval of the council to allow 4 Futures to formally submit for planning a detailed planning application for the new Elephant and Castle Leisure Centre, subject to the director of regeneration approving all documentation outlined in paragraph 16
2. delegates authority to the head of property to enter in to any necessary legal agreements on behalf of the council as land owner in order to facilitate the securing of planning consent by Lend Lease for the “enabling” residential scheme on the St Mary’s plot.

BACKGROUND INFORMATION

3. The council has been pursuing a programme for the regeneration of the Elephant and Castle since the late 1990s. In 2004 the council adopted a development framework for the area in the form of supplementary planning guidance. This document set out development objectives for the area and includes proposals for how they might be given physical effect. The document also set out the need to provide new health and leisure facilities within the core regeneration area. The ambition was to change the perception of the Elephant and Castle and to establish it as a central London destination for both Southwark residents and Londoners.
4. The existing Elephant and Castle leisure centre is in a very poor state of repair. The swimming pool facility has been closed since the mid 1990’s due to health and safety concerns. These long standing problems, coupled with the centre’s sub standard disabled access provision resulted in the new council administration in 2010 agreeing to make the provision of a new facility a priority.
5. To progress this priority the council’s cabinet in June 2010 made a series of strategic decisions to take forward the delivery of a new leisure centre at the Elephant and Castle. These were:
 - The council’s cabinet agreed to adopt the current Leisure centre site as the preferred location for new leisure facilities at Elephant and Castle.
 - The cabinet agreed the principle that the receipt generated from the sale of

the residential component at the front of the site is intended to be reinvested to deliver the leisure facility at the rear.

6. In November 2010 the council's cabinet considered a further report on the project. The report included information on the outcomes from public consultation during the summer. The consultation exercise was very successful and generated 1,316 replies. The most supported options were a new swimming pool followed by gym, exercise/ studios, sports hall, cafe and finally crèche. These findings informed the cabinet's decision on the Leisure Centre Project Mandate for the redevelopment of the leisure centre site. Cabinet agreed that the new leisure facility should include a 6 lane 25m swimming pool, a learner pool, a 4 court sports hall, a gym, an exercise studio, a crèche and a cafe.
7. In order to take forward the delivery of the project and generate a capital receipt towards project costs cabinet also instructed officers to report back the terms for the disposal of the adjoining residential plot. The report noted that the planning strategy for the development of this plot would be to demonstrate that the residential element is an "enabling development" in that it is generating capital to allow a leisure centre to be constructed and that therefore the requirement to provide social housing would not be viable in this instance due to the planning benefit gained from this approach.
8. The decisions taken by cabinet during 2010 established the strategic framework for the project and have informed subsequent decisions related to the project. These include the following;
 - a. Subsequently in July 2011 cabinet agreed the Heads of Terms for the disposal of the land adjacent to the leisure centre [the plot is now referred to as St Mary's] to Lend Lease Europe. Lend Lease appointed Squires and Partners to design a mixed use development comprising residential tower with a supporting pavilion comprising further residential accommodation, retail and flexible office space.
 - b. An IDM report agreed by the cabinet member for finance, resources and community safety in June 2011 confirmed the appointment of 4 Futures (Southwark's Local Education Partner) to undertake design services for the submission of planning for the new leisure centre. In order to progress designs 4 Futures subsequently appointed the architectural practices 'John McAslan & Partners' and 'S&P Architects' to develop a leisure centre design that is both appropriate given its urban context and functional and practical in order to address future maintenance liabilities associated with such leisure centres.
 - c. The November 2010 report agreed that the cabinet member for regeneration and corporate strategy should approve the planning application for the new Leisure centre prior to submission. The purpose of this report is therefore to secure approval to submit the planning application for the new leisure centre and to provide an update on the project.

KEY ISSUES FOR CONSIDERATION

9. Since the appointment of 4 Futures, and the disposal of the St Mary's site to Lend Lease, the leisure centre project team has been working to bring forward a viable planning application for the site which can deliver the council's vision for this key part of the Elephant and Castle regeneration area. Given the close proximity of the

St Mary's residential plot and the new leisure centre it has been necessary for both the Lend Lease and Southwark project teams to work closely together to ensure both schemes are planned and designed appropriately to deliver the a cohesive and successful development. In order to achieve this 4 Futures have;

- a. Assembled a professional team to carry out the technical and design work and provide the necessary advice on a range of planning, environmental, sustainability and transport related issues.
- b. Entered in to Co-operation Agreement with Lend Lease and Southwark Council to agree a series of working arrangements including the sharing of information and appointment of professional services.
- c. Undertaken a series of pre-planning meetings with the Local Planning Authority. A large number of meetings have taken place with the council's planning team and representatives from the highways and parks department and these discussions have informed the content of the final application. 4 Futures and their architects have also presented proposals at one meeting of the Design Review Panel in June and their comments have also shaped the content of the scheme.

Pre Application Public Consultation

10. 4 Futures have undertaken an extensive programme of public consultation in partnership with Lend Lease and the St. Mary's project team with residents and other stakeholders during the pre-application phase. This programme has been designed to inform the local community about the emerging proposals for both developments, demonstrate how the two schemes are related through design and also funding mechanisms and provide local stakeholders with an opportunity to influence the layout of the leisure centre through feeding back on how they would use the new leisure centre.
11. In summary the consultation has comprised the following;
 - a. Three public exhibitions have been held at the existing Leisure Centre during January, March and May providing an opportunity to view and comment on the proposals.
 - b. Invitations to the three events were mailed to 10,000 addresses throughout the Elephant and Castle opportunity area and neighbouring Lambeth wards. Newspaper adverts were placed in the Southwark News as well as leaflets being hand delivered to each local business within the shopping centre and close to the leisure centre including the Latin American businesses occupying railway arches adjacent to the shopping centre and Strata tower.
 - c. Between 200 to 300 people attended each exhibition across the three weekends they were held with and approximately 100 feedback forms returned at each event.
 - d. Thematic workshops were held in March and June to specifically focus upon public realm and demolition / construction logistics.
12. The three exhibitions provided an opportunity for the leisure centre project team to consider the feedback and respond as best as possible. The key areas of feedback and subsequent design responses were as follows:

- a. There was a desire to improve the cyclist routes and links throughout the site. The public realm design, led by Lend Lease, has provided for clear (non-designated) east / west routes for cyclists and cycle parking provisions.
- b. There was concern about the connectivity between the leisure centre entrance and the St. Mary's Churchyard due to the current position of the secured children's playground blocking a direct route. This has been addressed by the proposed redesign of the park space as part of the Lend Lease S106 funded open space improvement works planned for the area.
- c. There was some criticism about the apparent lack of interaction between the new community cafe and adjoining St. Mary's open space. Officers consider that redesigning the ground floor layout would significantly compromise the functionality of the swimming pools and ability to accommodate the required associated plant. In addition a key requirement for this space was to provide a viewing area over the swimming pools and further design work demonstrated that both an outlook over the pool and park would not be possible within the available space. The proposals for the reconfigured St. Mary's park and also outdoor seating area for the cafe within the shared space, between the leisure centre and residential tower, will provide non-leisure paying cafe users with an opportunity to purchase refreshments and then sit outside.
- d. Concern was raised about the apparent loss of sports provision due to the non replacement of squash courts and the reduction in sports hall size. This was addressed during the consultation by raising awareness that the number of users of the new centre is anticipated to be three times as much as existing therefore numbers of people participating in exercise will be much higher regardless of the loss of specific provision. In addition the existing six court sports hall is rarely fully occupied and is also subject to block bookings by non-leisure activities which will also be not allowed in the new centre. The council's leisure team are continuing to investigate alternative options for the provision of squash courts.
- e. At the final exhibition at which the formal proposals for layouts and materials were presented there was strong support for the internal layout and orientation around the community cafe, also for the external appearance and quality of materials proposed and extent of glazing on all four elevations.

Scheme Design

13. The council's development objectives for the new leisure centre were set out in the Project Mandate, as agreed by cabinet in November 2010. The leisure centre design included in the planning application fully complies with these requirements and by including a cycle spinning room and soft play area the design has been able to exceed these objectives. The design to be submitted for planning includes the following facilities :

- a. 25m, six lane swimming pool
- b. Learner swimming pool
- c. Four badminton court sports hall
- d. 140 station gym
- e. Two dance studios
- f. Cycle Spinning room
- g. Crèche and soft play area
- h. Community Café.

14. The key design principles for the scheme will ensure that the mandate is delivered;
 - a. The layout of the building is designed so that the main entrance is orientated towards and easily visible from the southern roundabout at the Elephant & Castle.
 - b. The new leisure facility will be car free except for three disabled car parking spaces, provided to meet Southwark Plan requirements, and a mini-bus drop off area accommodated within the space between the leisure centre and St. Mary's tower. The facility is also designed to be fully DDA compliant.
 - c. The two to four storey stepped massing of the proposed building is respectful to its relationship to the existing residential properties in particular on Brook Drive and minimises the sunlight / daylight impacts that this leisure centre could have had.
 - d. The external appearance of the building is compatible to the traditional brick built buildings within the local conservation area and the proposed St. Mary's residential tower.
 - e. The new facility is being designed to comply to the London and Southwark Plan sustainability requirements to achieve BREEAM rating 'Excellent'.
 - f. The new leisure facility is designed to have its own energy solution which has the capacity to meet the council's policy objective of BREEAM Excellent. The design will ensure the facility can open on day one i.e the heat supply to the building is not dependent on services being provided from an off site energy centre or a temporary plant. The facility will however have the capacity to connect to a district wide system should such a facility become available on acceptable commercial and financial terms.

Application Structure

15. The full detailed planning application will be supported by the following suite of documents which will provide the justification for the scope of the development and the principles upon which it is to be established. The documents that are to be submitted are currently in draft form ahead of their formal submission to the Local Planning Authority (LPA). The director of regeneration will sign-off the final documents prior to their formal submission to the LPA. Once submitted the LPA will undertake a formal validation process after which the application will be classified as valid;

- Design and Access Statement
- Landscape Strategy
- Ecology and Biodiversity Assessment (including Bat Survey)
- Tree Survey, Arboricultural Impact Assessment and Tree Retention Plan
- Planning Statement - to include Community Use Statement; Economic Statement and 'Obligations and Conditions' Section
- Transport Assessment, including Travel Plan and Servicing Strategy
- Construction Management Plan
- Waste Strategy
- Sustainability Assessment (including LBS Sustainability Checklist)
- Energy Strategy
- Noise Impact Assessment

- Air Quality Assessment
- Ground Conditions / Contamination Statement
- Foul Sewerage and Utilities Statement
- Archaeological Impact Assessment
- Flood Risk Assessment
- Ventilation and Extraction Statement
- Lighting Assessment
- Statement of Community Involvement

Programme

16. The existing leisure centre was closed to the public on 5 June 2012 and the site has been hoarded off. The programme for the redevelopment of the site is currently anticipated to be as follows:
- Demolition of existing buildings August-November 2012
 - Determination of Planning Applications for new leisure centre and St Mary's Plot –Early November 2012.
 - Leisure Centre Construction starts – November 2012
 - St Mary's Development commences –June 2013
 - Leisure Centre completes for fitting out and handover –March 2014
 - Leisure Centre opens to the public –Summer 2014
 - Completion of St Mary's development –December 2015
17. The delivery of the programme is dependent upon securing planning in early November. In order to minimise the risk of delay it is therefore important that the planning case in support of the scheme is as robust as is possible. As noted in paragraph 7 of the report the planning strategy for the St Mary's plot has been to demonstrate that the residential element is an "enabling development" in that it is generating capital to allow a leisure centre to be constructed and that therefore the requirement to provide social housing would not be viable in this instance due to the planning benefit gained from this approach.
18. In this case the Local Planning Authority is being asked to set aside its normal planning policy requirements for affordable homes and to agree instead that an "in lieu payment" generated from the scheme is directed towards meeting the cost of the construction of a new Leisure Centre. Planning officers have accepted that planning policy at the Elephant and Castle as set out in both the Core Strategy and recently adopted SPD justifies such an approach. In order to ensure that the necessary mechanisms are put in place to deliver this outcome it is recommended that the head of property is authorised to enter into any s106 or related agreements on behalf of the council in its landowning role.

Conclusion

19. In conclusion the proposed detailed planning application is considered to be consistent with the council's original project mandate for the leisure centre. The scheme has the capacity to deliver substantial regeneration benefits, transform the quality of public realm and provide a modern community facility at the heart of the Elephant & Castle helping to transform the perception of the area. The

transformation of the current Elephant & Castle leisure centre site will be a visible sign of momentum and progress towards the regeneration of the area with demolition of the building commencing in August 2012. The Leader of the council is therefore recommended to confirm the approval of the council to allow 4 Futures to formally submit for planning a detailed application for the leisure centre.

POLICY IMPLICATIONS

Southwark Council Corporate Plan 2009 – 2011

20. The proposal for the leisure centre meets the Corporate Plan's aims to promote healthy and independent living throughout Southwark. The plan identifies regeneration projects as a way to 'build strong communities that promote connected, healthy and active lives'. The plan also states that at the Elephant & Castle there will be refurbished or new leisure facilities.

Sport and Leisure Perspective

21. The plan provide a new leisure facility, particularly at the Elephant & Castle site accords well with the seven themes from Southwark's Sport and Physical Activity Strategy, which was agreed in 2009. The themes are quite self-explanatory and are listed below:
- Using physical activity for both the prevention and management of ill health.
 - Maximising the use of planning policy in providing for sport and physical activity.
 - Providing a network of appropriate places and spaces for sport and physical activity.
 - Improving access and choice for the whole population.
 - Building and maintaining an effective multi-agency delivery system for sport and physical activity.
 - Maximising the use of London 2012 to promote physical activity.
 - Maximising the impact of all resources.

Core Strategy/Southwark Plan

22. The core strategy identifies the Elephant and Castle has having the potential to accommodate increased retail and leisure floorspace and that the council will be using its land to stimulate the delivery of this. The Core Strategy also states that increased residential development is acceptable in order to meet both the council's and the Mayor's housing targets for Southwark. A mixed development comprising a new leisure centre and residential would therefore be acceptable in principle on the leisure centre site.
23. In March 2012 the council adopted the Elephant & Castle Supplementary Planning Document (SPD), which replaces the 2004 Supplementary Planning Guidance. The SPD identifies the existing leisure centre site as the location for a new leisure centre and also as a residential development site suitable for a tall building.

Community impact statement

24. The current leisure offer at the Elephant and Castle is restricted to a sports hall and gym. The swimming pool has been closed for over twelve years and this reduces the existing community's access to leisure facilities which is one of the council's themes in its Sport and Physical Activity Strategy referred to in the policy section of the report. Potentially, this impact on the health and well being of individuals within the community and the need to improve leisure facilities has, therefore, been recognised in various council strategies which are referred to in this report.
25. The development of a new facility including a swimming pool has the potential for significant community benefits including; increasing leisure choice and activity leading to improved health outcomes including addressing the key challenges presented by obesity.
26. Ahead of the closure of the existing leisure centre on 5 June 2012, all existing members of the centre were communicated with by Fusion and Southwark's Leisure and Well-Being team to inform them that their membership is valid at other centres throughout Southwark and signposting them to alternative local leisure provision.
27. A previous prominent user of the leisure centre was a Latin American Church who used the sports hall facility as a place of worship. Ahead of the closure council officers had sort to identify alternative premises within the council's commercial portfolio that met the churches requirements. Unfortunately this was not possible and officers provided advice as to other organisations that may be able to assist in find alternative premises suitable for D1 use.
28. Futures and Lend Lease continue to work closely with each other to identify an appropriate construction traffic servicing route that meets the requirements of both construction projects whilst minimising the impact upon local residential roads. The first workshop with local residents was held on 22 May 2012 and a series of regular sessions are to be held to communicate effectively with residents over what interventions are being undertaken to reduce impacts during the construction period.

Resource implications

29. There are no resource implications arising directly from this report. The award of the construction contract to 4 Futures is subject to further delegated reports and is anticipated for November 2012.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Comments from the Director of Legal Services

30. Cabinet in June 2011 agreed to transfer part of the existing leisure centre site to Lend Lease, and delegated authority to the head of property to agree the detailed terms of that agreement. That agreement was entered into on 20 October 2011.
31. This report recommends that authority is delegated to the director of regeneration to enter into any necessary legal agreements on behalf of the council as land owner in order to facilitate the securing of planning consent by Lend Lease for the "enabling"

residential scheme on the plot.

32. In order to secure consent, an agreement will be entered into whereby the council as landowner will direct Lend Lease to pay the money it is obliged to pay for the site to the Local Planning Authority in order to satisfy the Local Planning Authority's requirements for delivery of the leisure centre on the council's land instead of the provision of affordable housing. Paragraph 18 of this report confirms that this in lieu payment is justified for this site.
33. The agreement referred to above will be in addition to the agreement entered into between the council as landowner and Lend lease on 20 October 2011. The head of property will have authority to enter into this agreement on behalf of the council as landowner pursuant to the June 2011 cabinet decision.

Strategic Director of Finance and Corporate Services (NR/F&R/5/7/12)

34. This report recommends that the Leader of the council confirms the approval of the council to allow 4 Futures to formally submit for planning a detailed planning application for the new Elephant and Castle Leisure Centre and delegates authority to the director of regeneration to enter in to any necessary legal agreements on behalf of the council.
35. The strategic director of finance and corporate services notes the resource implications contained within the report. Officer time to effect the recommendations will be contained within existing budgeted revenue resources.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Cabinet Report (Open) July 2010 – 'Elephant & Castle – Provision of a new Leisure Centre'	5 th Floor, 160 Tooley Street, London SE1 2QH	Jon Abbott Project Director 0207 5254901
Cabinet Report (Open) November 2010 – 'Elephant & Castle – Provision of a new Leisure Centre'	5 th Floor, 160 Tooley Street, London SE1 2QH	Jon Abbott Project Director 0207 5254901
Individual Decision Maker Report (Open) June 2011 - Procurement Strategy for the appointment of the Local Education Partnership to construct the new Elephant and Castle Leisure Centre.	5 th Floor, 160 Tooley Street, London SE1 2QH	Jon Abbott Project Director 0207 5254901
Southwark Core Strategy 2011	5 th Floor, 160 Tooley Street, London SE1 2QH	Jon Abbott Project Director 0207 5254901
Elephant and Castle Supplementary Planning Document 2012	5 th Floor, 160 Tooley Street, London SE1 2QH	Jon Abbott Project Director 0207 5254901

APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Officer	Chief Executive, Eleanor Kelly	
Report Author	Jon Abbott, Elephant and Castle Project Director	
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Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES /CABINET MEMBERS		
Officer Title	Comments sought	Comments included
Director of Legal Services	Yes	Yes
Strategic Director of Finance and Corporate Services	Yes	Yes
Cabinet Member	Yes	No
Date final report sent to Constitutional Team	19 July 2012	