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Item No. 5.1	Classification: Open	Date: 4 October 2022	Meeting Name: Planning Committee
Report title:	<p>Development Management planning application: Application 21/AP/1819 for: Full Planning Application</p> <p>Address: PLOT H1 ELEPHANT PARK, LAND BOUNDED BY WALWORTH ROAD, ELEPHANT ROAD, DEACON STREET AND SAYER STREET NORTH, ELEPHANT AND CASTLE, LONDON, SE1.</p> <p>Proposal: Redevelopment of the site to provide an 18-storey building (including a mezzanine floor) plus basement and rooftop plant providing office floorspace (Class E(g)(i)) and areas of floorspace for the following flexible uses; office/retail/services/food and drink/medical or health floorspace (Class E(g)(i), E(a), E(c), E(b) or E(e)), including ancillary cycle parking, accessible car parking, servicing, plant, roof terraces, landscaping, public realm improvements and other associated works incidental to the development.</p> <p>The application is accompanied by an Environmental Statement submitted pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.</p>		
Ward(s) or groups affected:	North Walworth		
From:	Director of Planning and Growth		
Application Start Date	04/06/2021	PPA Expiry Date	n/a
Earliest Decision Date	20/1/2022		

RECOMMENDATIONS

1. That planning permission be granted subject to conditions, the applicant entering into an appropriate legal agreement, and referral to the Mayor of London; and
2. That environmental information be taken into account as required by Regulation 26(1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended); and
3. That the planning committee in making their decision has due regard to the potential equalities impacts that are outline in this report; and
4. That following the issue of planning permission, the director of planning and growth write to the Secretary of State notifying them of the decision, pursuant to Regulation 30(1)(a) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017; and

5. That following issue of the planning permission, the director of planning and growth shall place a statement on the statutory register pursuant to regulation 28 of the Town and Country Planning (Environmental Impact Assessments) Regulations and for the purposes of regulation 28(1)(h) the main reasons and considerations on which the local planning authority's decision is based shall be set out as in this report; and
6. In the event that the requirements of paragraph 1 above are not met by 4 April 2023 the director of planning and growth be authorised to refuse planning permission, if appropriate, for the reasons set out in paragraph 429 of this report.

EXECUTIVE SUMMARY

7. A full planning application has been submitted for this last plot, Plot H1, of the Elephant Park masterplan as it exceeds the approved parameters and floorspace restrictions of the outline planning permission (OPP) ref. 12/AP/1092 for the redevelopment of the Heygate Estate. Plot H1 is on the western side of the masterplan, bound by Walworth Road to the west, Elephant Road to the north-west, Castle Square to the north, park to the north-east, and the new Sayer Street and Deacon Street to the east and south respectively. It proposes an office-led development of an 18-storey building, with a health centre or affordable workspace, a lobby area (which would have public access) and flexible use units for retail, restaurants, professional services, health or offices. Landscaped public realm around the building, a central servicing yard and highway works to Deacon Street are also proposed.
8. Over 430 objections were received in response to the first consultation. Common topics of the objections were:
 - the principle of the office use as there is no demand or need for office space;
 - the plot should be used to provide more homes (especially affordable homes) instead;
 - the building is too large, tall and unattractive;
 - it will harm neighbour amenity;
 - it will overshadow the park and harm ecology;
 - the additional traffic and public transport crowding;
 - environmental impacts;
 - strain on community facilities; and
 - the lack of community engagement by the applicant.
9. Two neutral comments were received. Over 50 comments in support were made that:
 - the proposal would add to the mix of uses in the masterplan, provide jobs, commercial space, a health hub, public atrium, activity and help support the local area;
 - the height and design are appropriate for this location;
 - it provides public realm and landscaping; and
 - it is a sustainable location.

10. The applicant made amendments to the proposal in December 2021, primarily to amend the design of two façades of the building by adding “creases” and four terraces. Further information on the health hub was provided, and some of the supporting documents were updated. The re-consultation on the amendments resulted in 39 further objections (stating that the amendments do not address the earlier objections, repeating other issues, and raising objections in terms of the relationship with the OPP masterplan’s obligations) and two comments in support.
11. The OPP approved Plot H1 as a residential-led scheme with the option for the upper levels to be used for offices, community and leisure uses to the upper floors. The rest of the Elephant Park masterplan will exceed the minimum residential floorspace of the OPP (by 91,835sqm) and uses almost the maximum residential floorspace approved in the OPP. An office-led development is supported by policies for this location which is within the Central Activities Zone, Opportunity Area, town centre, close to the public transport options and with a PTAL of 6b. A health hub use is also supported by policies and may be provided, which would be as an alternative to affordable workspace. Retail uses are encouraged by policy for this town centre location and would continue the mix of uses along Walworth Road and Sayer Street.
12. The OPP for the Elephant Park masterplan approved a residential tower of similar height on this plot; the current proposal is approximately 3m taller and has increased massing however it would add a distinctive building which would contribute positively to the townscape of the masterplan and wider Elephant and Castle area. The building responds to the policy expectations for tall buildings in terms of its location, architecture and public realm, creating public realm around its base and public access to a lobby at the ground floor. It would not cause harm to heritage assets, and preserves the ability to appreciate the Outstanding Universal Value of the Westminster World Heritage Site.
13. The proposal would not cause a significant loss of privacy, and with conditions would not cause significant noise impacts. Any harm to neighbour amenity identified is due to the loss of daylight and overshadowing to certain properties, and must be considered in the wider planning balance. To address the transport and highways impacts a package of highway works, public realm works, financial contributions and servicing management measures are proposed as planning obligations.
14. The proposal incorporates cross-laminated timber to reduce the amount of concrete and metal needed in its construction. It would achieve an “outstanding” BREEAM rating, a 38% reduction in carbon emissions (including connecting to the existing Elephant Park heating network), and meets the whole life carbon and circular economy policy requirements.
15. The environmental information submitted with the application has been considered in the assessment of the proposal and its expected impacts. The application is recommended for approval, as subject to conditions and completion of a legal agreement the development would comply with the development plan, and the decision is subject to the Stage 2 referral to the Mayor of London.

Planning Summary – Tables

Commercial

Use Class	Existing sqm	Proposed sqm	Change +/-
Use Class E (g) (i) office	0	40,181 (NIA)	+40,181
Use Class E (g)(i) office or Use Class E(e) health	0	4,301 (NIA)	+4,301
Use Class E(g)(i), E(a), E(c) and E(e) as offices/retail/services/health	0	259 (NIA)	+259
Use Class E(g)(i), E(a), E(c), and E(b) as offices/retail/services/restaurant	0	1,659(NIA)	+1,659
Affordable workspace Use Class E	0	From 4,488sqm (NIA) up to 4,640sqm (NIA) on site (to maintain provision at 10% of total office area)	+4,488 (minimum) unless a health hub is provided
Jobs	0 permanent jobs	Approximately 3,405-3,866 estimated full time equivalent jobs	+ Approx. 3,405-3,866 estimated full time equivalent jobs

Public realm

	Existing sqm	Proposed sqm	Change +/-
Public realm	17,000	39,000	+22,000

Environmental

CO2 savings beyond part L Building Regs	38%
Trees lost	2 x Class C
Trees gained	18

	Existing	Proposed	Change +/-
Urban Greening Factor	(unknown)	0.351	N/A
Greenfield Run Off Rate	128.8 l/s	14 l/s	-114.8 l/s
Green/Brown Roofs	0sqm	567sqm	+567sqm
EVCPs (on site)	0	1 EVCP for two spaces	+1 (two spaces)
Cycle parking spaces	0	855 long-stay 96 short-stay	+951

CIL and S106

Southwark CIL (estimated)	£299,151.40
MCIL (estimated)	£3,801,279.27
S106	£3,469,401.48

BACKGROUND INFORMATION

Site location and description

16. Plot H1 is a five-sided site at the western edge of the Elephant Park masterplan, bounded by Walworth Road and Elephant Road (with the railway viaduct and station) to the west, Deacon Street to the south, and the park and Castle Square to the north and east. It has an area of 0.78 hectares. The location of the plot is shown in red below, and the boundary of the Elephant Park masterplan is shown by the blue line.



17. The site currently contains temporary construction offices and has a temporary “urban farm” with its shipping containers. The northern part is surrounded by hoarding. There is a line of retained, mature street trees on the Walworth Road side. The southern part of the site alongside Deacon Street has been set out with temporary landscaping, wildflower planting and play features.



Part of the site's Elephant Road frontage, showing the urban farm and two blocks of Plot H2 in the centre/right hand side.



Part of the site's southern frontage, looking along Deacon Street, with Plot H2 on the right hand side, Plot H4 and H5 in the distance.

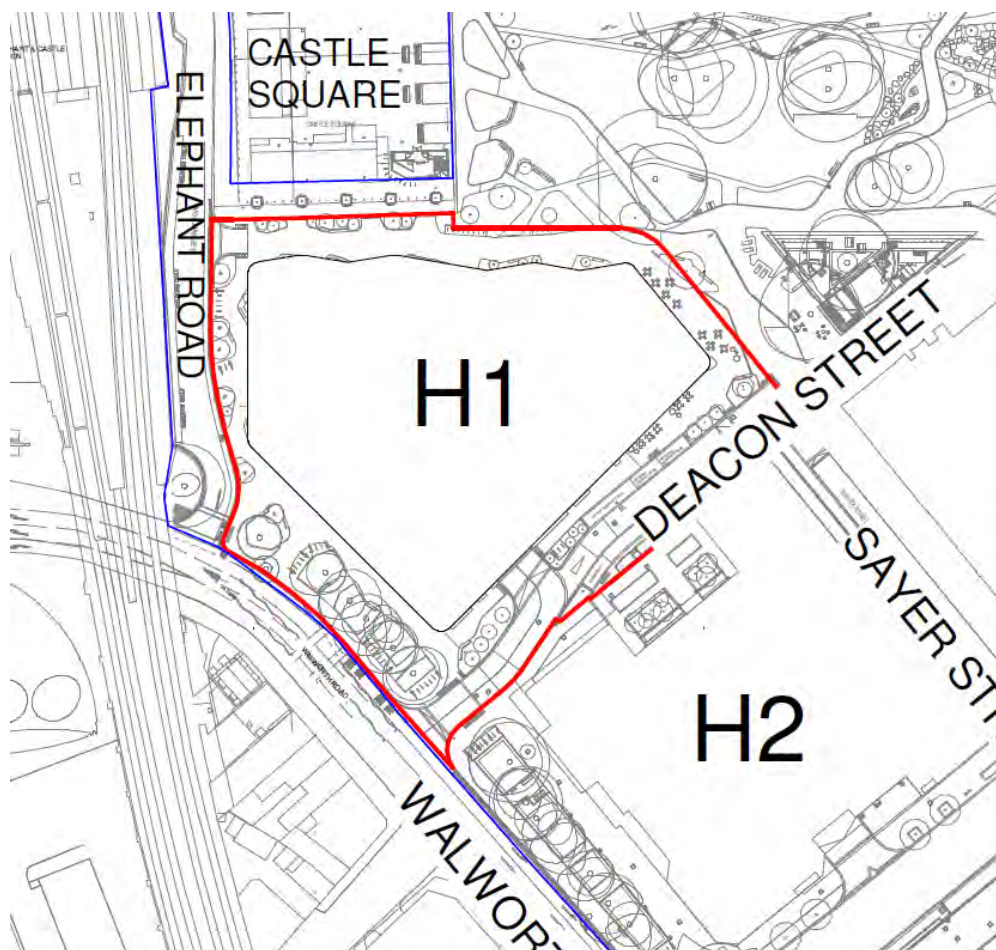
18. Nearby plots of Elephant Park have been constructed including Plot H2 to the immediate south, and Plots H4 and H5 to the north-east on the other side of the new central park. The park pavilion has been constructed to the east of Plot H1. Construction has started on Plot H7 to the south-east of the site. Castle Square contains temporary shops in a three storey building plus public realm and landscaping. Further north are the linked towers of Mawes House, Tantallon House and Portchester House.
19. On the western side of the site are the railway viaduct and the train station on Elephant Road, the Elephant and Castle Shopping Centre (recently demolished), Strata tower and lower Victorian properties on the western side of Walworth Road. These, along with the site are within the Central Activities Zone (CAZ), Elephant and Castle town centre and Opportunity Area. The site is within the Elephant and Castle Strategic Cultural Quarter.
20. The site is approximately 180m to the north of the Walworth Road Conservation Area and the grade II listed buildings of the Southwark municipal offices

(Walworth Town Hall), library and clinic buildings on Walworth Road and nos. 140, 142, 150 and 152 Walworth Road. The site is within the wider setting consultation area of the LVMF view 23A.1 from the centre of the bridge over of the Serpentine to the Palace of Westminster, which itself is a World Heritage Site.

21. With its proximity to the train station, Underground station and bus services, the site has a PTAL of 6b which is the highest level. It is within the air quality management area, flood zone 3 and small parts of the east and southern sides of the site are at risk of surface water flooding.

Details of proposal

22. This is a full planning application which proposes the redevelopment of Plot H1 with a commercial building and the surrounding landscaping, public realm and highway works. The application site red line comprises the Plot H1 of the 2013 OPP parameter plans, but also extends further south to overlap with part of Plot H2 due to the works proposed on Deacon Street.



Proposed site plan

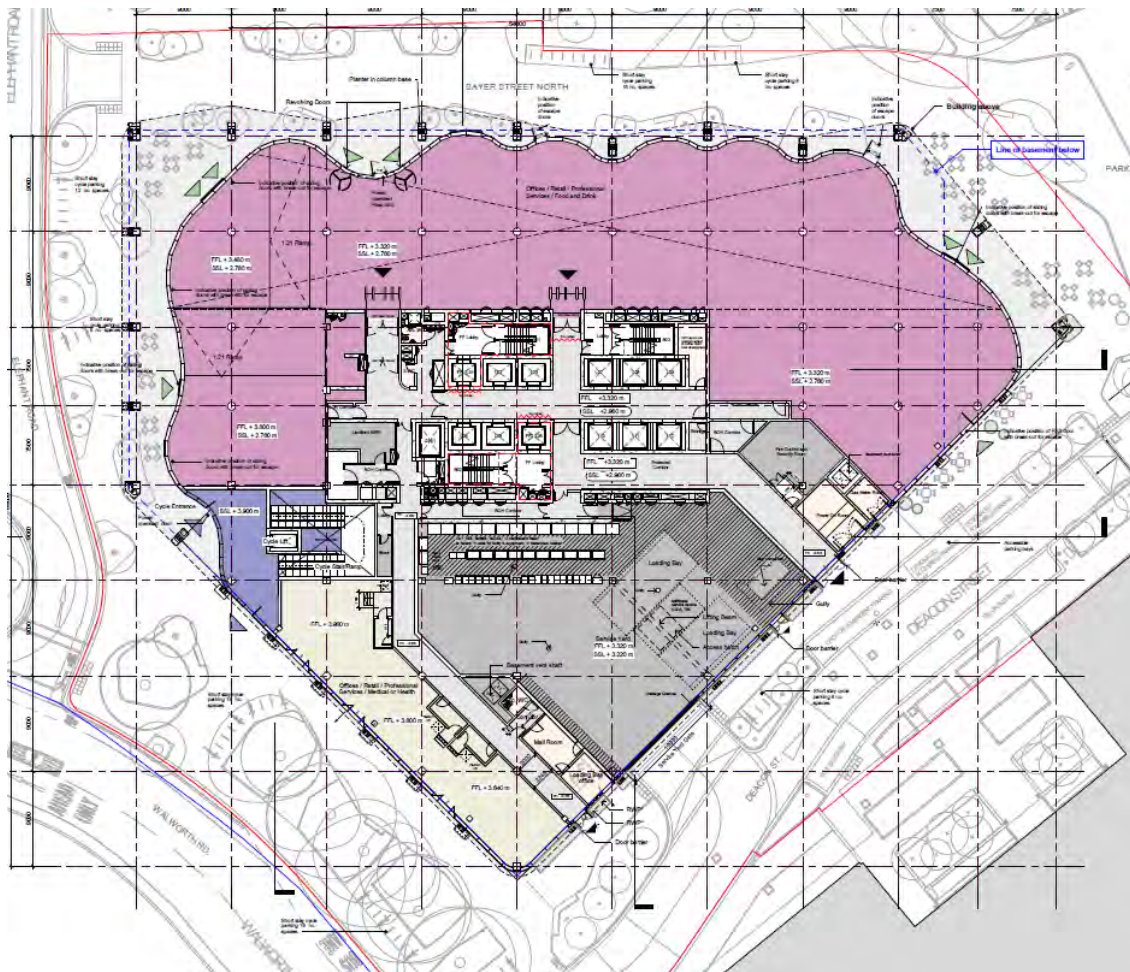
23. The application proposes an 18-storey building (including a mezzanine floor) plus two basement levels and rooftop plant at a maximum height of 85.73m AOD. The building would provide 48,960sqm (GEA) of office floorspace (Class E(g)(i)) to the upper floors. The mezzanine and first floor levels could be used for either additional office floorspace or a health centre (Class E(e)). A range of flexible uses is sought for the ground floor: offices, retail, professional services, health

and restaurants (Classes E(g)(i), E(a), E(c), E(b) and E(e)). Ancillary spaces include the double basement, ground floor servicing yard and roof level plant. The table below sets out the proposed areas for the different uses.

Table: Floorspace schedule

Land Use	Floor level of the building	NIA (sqm)	GIA (sqm)	GEA (sqm)
Offices	2-16	40,181	48,750	48,960
Offices or health	Mezzanine and 1	4,301	6,729	6,796
Offices/retail/services/health	Ground	259	264	277
Offices/retail/services/restaurant	Ground	1,659	1,664	1,704
Ancillary (servicing yard, cycle storage, plant)	Basement, ground and roof	n/a	5,566	6,258
Total	All	46,400	62,974	63,996

24. The diagram below shows the proposed ground floor layout, surrounding landscaping and Deacon Street layout. Within the building, the pink area would form the “active lobby” as a mix of office, retail, professional and restaurant uses accessed by a series of doors within the curved frontages. The blue area on the western side would be the basement cycle store entrance. The pale green area on the south-western edge is proposed as a flexible use of offices, retail, professional services or health use opening onto Walworth Road. The areas in grey are the internal servicing yard, and central lift and stair cores.

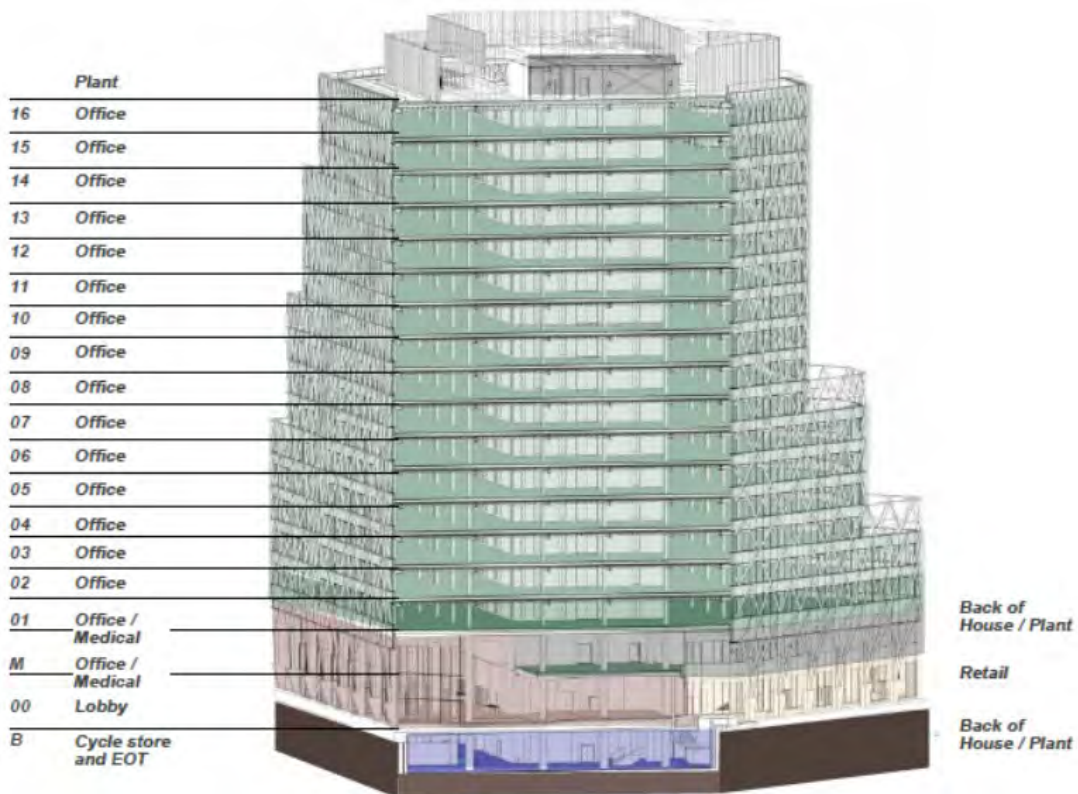


Proposed ground floor layout

25. The “active lobby” is intended to be a public amenity, with activities in an open and welcoming space, available seven days a week to the wider community and a flexible use of offices, retail, services and food and beverage is sought. It would link with the park and provide opportunities to meet, eat and drink or work, and could host events and exhibitions as additional reasons to draw people in. The division of these uses into areas/units around the edge and the extent of the publicly accessible lobby is only shown illustratively and would need to be provided at a later stage (pursuant to an obligation). The applicant’s vision for the lobby is for it to provide:

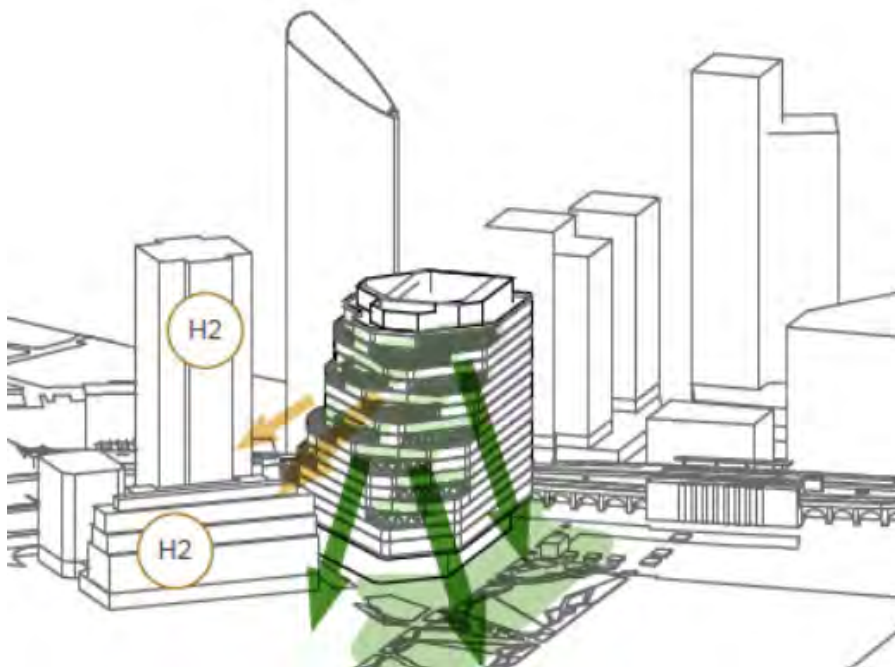
- A central zone as the open, hall-like civic space for people to meet and be the arrival for the offices above.
- A park zone on the eastern side to extend the food and drink offer along Sayer Street into Plot H1, looking towards the pavilion and park with spill out space in the colonnade.
- The Elephant Road zone on the western side as further retail, food and beverage or services facing the busier pedestrian routes to the stations, again with potential spill out space in the colonnade.

26. The upper levels of the proposed building would be accessed through the lobby. The mezzanine and first floor levels would provide either affordable workspace or a health hub. From second floor upwards, the building would be office space. The design allows a diverse range of businesses to be accommodated, by one organisation as a headquarters, to start-ups, scale-ups, grassroot charities and social enterprises.



Section drawing showing the arrangement of uses through the building floors

27. The applicant considers that this site in zone 1 with excellent transport connections, close to major educational institutions (UAL, LCC, LSBU) in Elephant and Castle and the Opportunity Area with other redevelopments within the town centre to form an emerging location for businesses. The applicant intends for the proposal to present “*an opportunity to create future focused workspace within an architecturally exciting and sustainable building that allows innovative and dynamic occupiers to reflect their brand identity and corporate culture*”.
28. In terms of the massing of the proposal, the building would step up from four-storeys in its south-western and south-eastern corners using a series of roof terraces and set backs to reach a height of 85.7m AOD (18 storeys) on its northern side. It would measure 89.5m east to west at its widest point, and 71m north to south at its widest. Its general massing is shown in the schematic diagram below, with visuals later in this report.



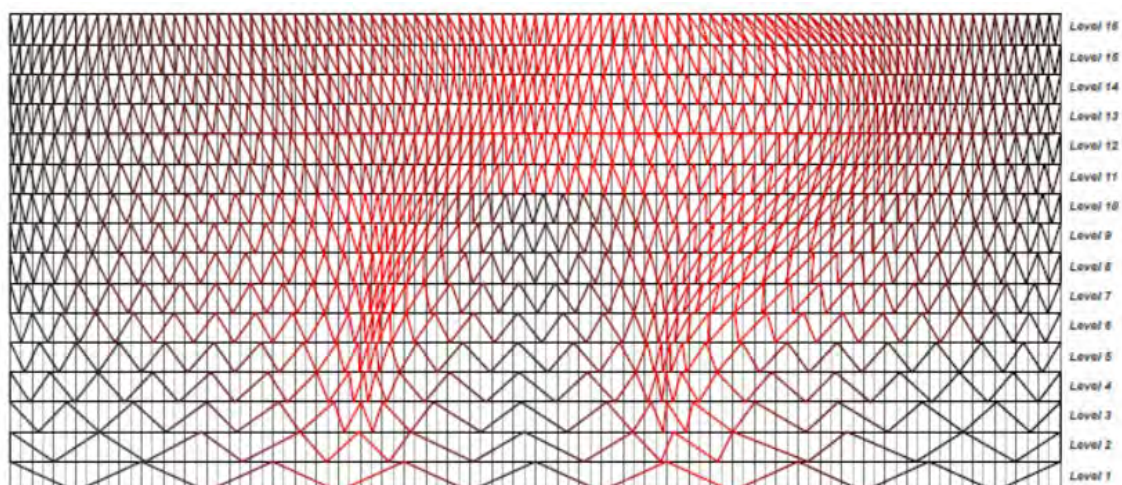
Visual to show how the stepped massing on the eastern side reduces and allows terraces to be provided



Visual showing the proposal viewed from Walworth Road to the west

29. The building would use cross-laminated timber (CLT) as its primary component with metal supports, to give a more sustainable construction and which allows flexibility in the layouts by removing floor panels to create voids or staircases between floors.

30. The architect's concept for the façades has taken inspiration from railway and tram lines, and Michael Faraday's studies on electromagnetism and magnetic fields. The façades would have a "veil" layer of inclined aluminium fins, set horizontally and diagonally across each elevation, in front of the glazing to give depth and provide solar shading. The orientation and density of the fins would vary across each façade and around the building as suggested by this concept diagram:



Concept diagram for the pattern of fins

31. Three different colours are suggested for the fins, with the colour palette chosen to reflect the burnt red and russet shades found in the nearby brick facades and the colour of core-ten and old steel. This would give the building a slightly different appearance when viewed from different angles and directions.



Example visuals of the concentration and colourings of the fins

32. The fins continue around all the curved corners of the building, the roof terraces and beneath the projecting terraces. The addition of the vertical “creases” and terraces to the northern and western façades of the building in the revised design provide further articulation to these sides, as shown in the visual below.



Proposed northern façade as viewed from Elephant Road

33. At ground level, a 9.4m high colonnade around the western, northern and north-eastern facades would be formed behind the metal columns of the building above, and in front of the recessed, curved, glazed frontages at ground level. The frontages would be fully glazed on the northern elevation and partly glazed at mezzanine level to the other two frontages. The architects have taken design ideas from Victorian shopfronts, with decorative paving and pendant lighting to the colonnade and active lobby, signage zones and awnings. On the Deacon Street frontage, the flexible use units would extend around each corner while the middle of the frontage would provide the servicing yard access, plant and metal louvres from ground level to the first floor.



Visual of the colonnade, frontage and planting on the northern side



Deacon Street frontage show the end units and central servicing yard and plant

34. The two proposed basement levels would provide various plant rooms and staff cycle parking, which is detailed later.
35. The roof top plant and building maintenance unit (BMU) would be screened by 6m and 7m high screening.

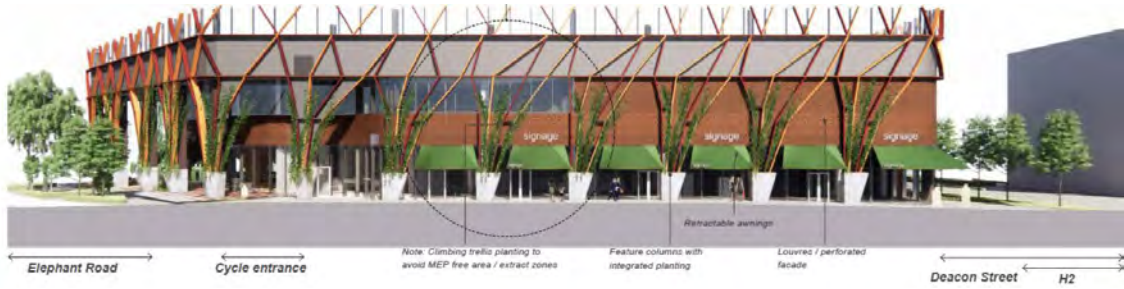
Landscaping and planting

36. The building would be surrounded by public realm on all sides, with trees (retained and new), shrubs and planting as shown in the diagram below. Cycle stands and timber benches are proposed at the edge of the planters. The Walworth Road and Elephant Road widened pavement areas would be in silver granite slabs, while the Sayer Street northern and eastern sides closer to the park would be in natural stone or clay brick paving.



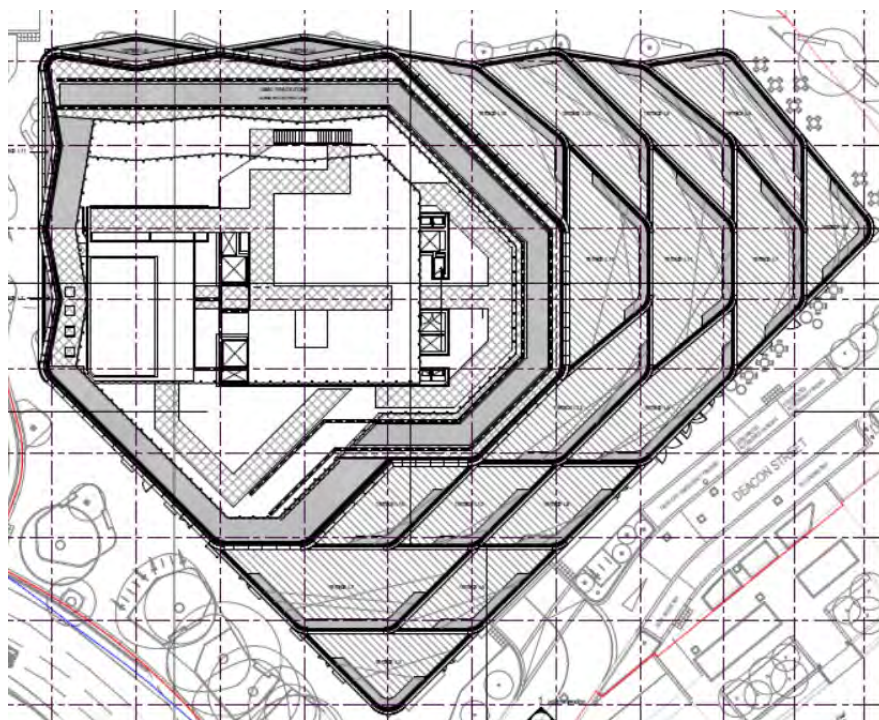
Proposed ground floor public realm and planting

37. Eight mature trees on the Walworth Road frontage have been retained during the Elephant Park redevelopment. Of these six are proposed to be retained, one is proposed to be removed and one more may be removed (both are category C trees). Five trees recently planted as part of the Plot H2 landscaping on the southern side of Deacon Street would be removed and replanted elsewhere on Deacon Street; 4 on the northern side of the road next to Plot H1, and one on the southern side next to Plot H2. 17 new trees are proposed on the northern side, along Elephant Road and at the eastern end of Deacon Street.
38. Around the base of the building, climbing plants would be encouraged to grow up the columns to give a “tree-like” appearance, such as on the Deacon Street frontage (where the planting would provide some screening to the louvres above and next to the servicing yard entrance) and Walworth Road frontage shown below.



Walworth Road frontage

39. Further up the building, a series of 16 roof terraces is proposed on the eastern and southern sides for use by staff. These would have planters at their outer edges with plants encouraged to grow up the frame and across the facades, as well as lower level planting, seating and permanent irrigation. They aim to provide a visual link of greenery from the top of the building down to the park.



Proposed roof plan showing the terraces

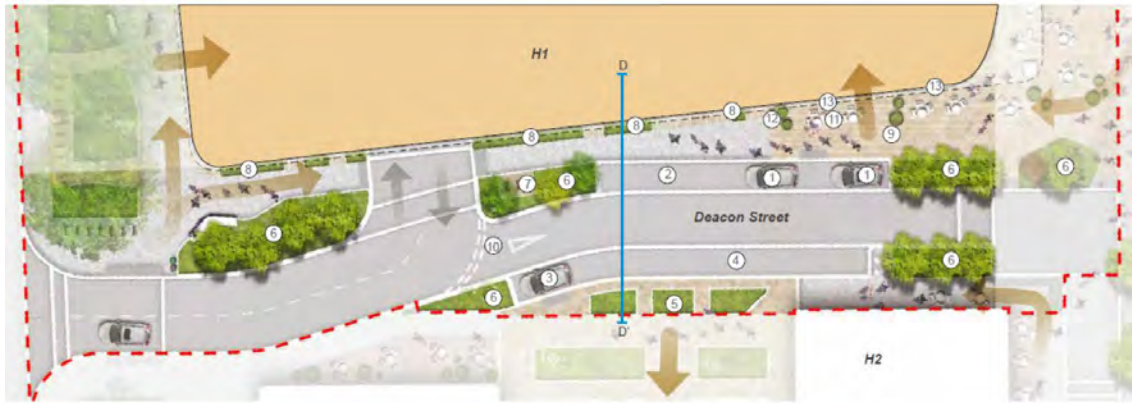


Visual of the building viewed from the north-east showing the upper floors and stepped roof terraces

40. The façade fins wrap around to partly enclose these terraces. Four smaller terraces are included, two on the northern façade and two on the western façade.
41. The roof of the building would include a strip of biodiverse roof planting around the edges of the central plant area. It would include log piles, bird and brick boxes as ecological enhancements.

Servicing and parking

42. An enclosed servicing yard in the centre of the ground floor would be accessed from Deacon Street. It would provide 3 loading bays, turning space, and an area for refuse bins. A small office and mail room are proposed next to the service yard entrance.
43. The proposed highway works would amend the existing layout of Deacon Street which is not an adopted highway and is currently one-way west-bound only. A loading bay and blue badge space currently on the northern side of the road would be re-provided on the southern side in front of Plot H2 for use by vehicles accessing Plot H2. A bay on the northern side would be set out as a drop off bay and two blue badge spaces for Plot H1. The western end of Deacon Street would change from the current one-way to become a two-way road. The tree planting and landscaping already installed on Deacon Street therefore would be revised, with recently planted trees being relocated.

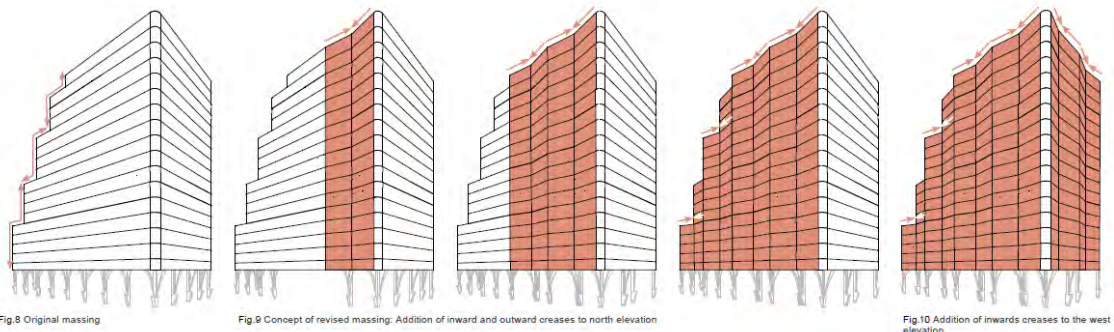


The proposed rearrangement of Deacon Street to create a new bay and revise the existing tree planting

44. The route leading from Elephant Road around the northern side of the building across to link to Sayer Street/Deacon Street on the eastern side of the plot would provide emergency vehicle access, and continue the cycle link into Sayer Street. Bollards would control vehicles wanting to use this route, but allow cyclists and pedestrians through.
45. The lower basement level would provide cycle parking, showers and lockers for staff accessed by a cycle ramp or by a lift on the Walworth Road side of the building. The upper basement level would provide further cycle parking, accessed from the same cycle ramp. A total of 855 staff cycle spaces are proposed as a mix of Sheffield stands, double stackers and folding bike lockers. Visitor cycle stands are proposed along the Walworth Road public realm, and on the northern side of the building.

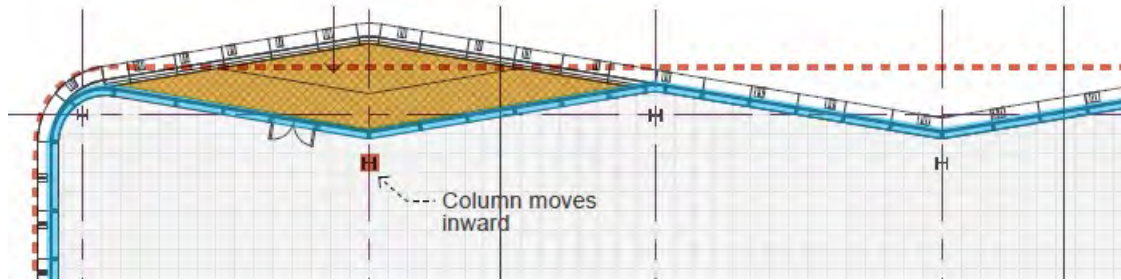
Amendments to the application

46. The design of the building was amended on its northern and western façades to include a series of ridges and “creases” the full height of the building to give articulation across these wide façades. Sections of the façade would step in, while others would step out to achieve this appearance. The original scheme is shown in the left-hand schematic below, and the amended creased version on the right-hand side.



Schematics of the articulation across the northern and western façades

47. Four terraces would be provided within some of these creases to sit on top of an outward crease and below the inward crease of the upper floors, as shown on the floorplan and schematics below.



Example floorplan showing how one of the larger terrace would be created by stepping out, and the creases stepping in.

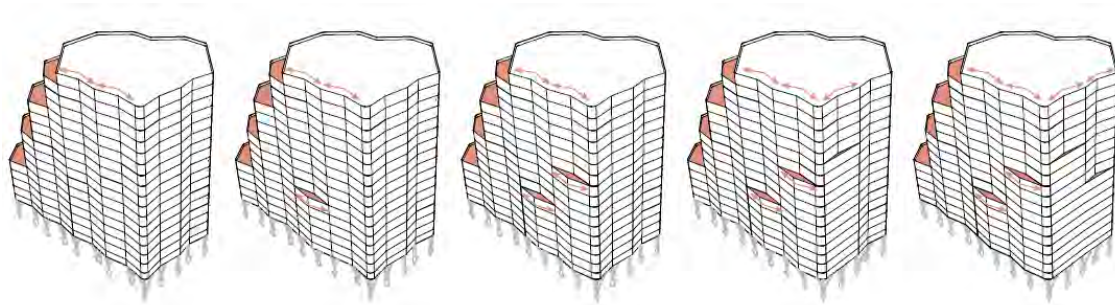


Fig.11 Introduction of inward creases

Fig.12 Inversion of inward to outward creases to create a terrace at level L05

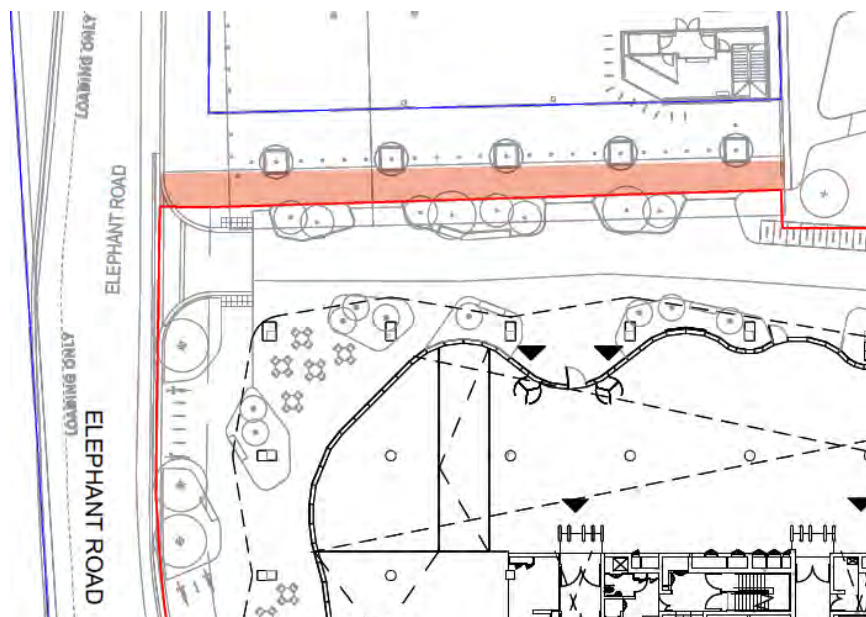
Fig.13 Inversion of inward to outward creases to create a terrace at level L09

Fig.14 Inversion of flat facade to create a terrace at level L11 on the west elevation

Fig.15 Inversion of flat facade to create a terrace at level L07 on the west elevation

Schematics of how the terraces have been added the northern and western façades

48. Along with the revised drawings, the applicant provided further information on the work carried out to develop the potential health hub in the scheme, and an indicative layout shown for a health hub access by patients from Walworth Road and a ground level pharmacy. A few small amendments were made to the landscaping around the building.
49. A change was made to the red line of the application site to remove a small area of public realm on the northern side of the site. No works were proposed in this area, and it overlaps with the ownership of Castle Square.



Orange area that has been removed from the red line application site

50. The applicant revised the affordable workspace offer to remove a third option that would have used the ground floor of Plot H11a on the eastern side of the masterplan as an off-site affordable workspace offer. The revised offer proposes affordable workspace be within Plot H1, and the submitted affordable workspace strategy document was updated accordingly.

Consultation responses from members of the public and local groups

51. The consultation and re-consultation undertaken and responses received to both stages are set out in Appendix 4, Appendix 5 and paragraph 441 onwards, with the responses summarised in more detail later in this report.
52. Over 430 objections were received to the first consultation on the proposal, including from the Walworth Society and 35% Campaign. Common topics of the objections were:
- to the principle of the office use as there is no demand or need for office space;
 - the plot should be used to provide more homes (especially affordable homes) instead;
 - the building is too large, tall and is unattractive;
 - it will harm neighbour amenity, loss of light, outlook and privacy, noise;
 - it will overshadow the park and harm ecology;
 - the additional traffic and public transport crowding from such a large building having so many staff and servicing movements;
 - environmental impacts such air pollution, creating wind tunnels;
 - strain on community facilities; and
 - the lack of community engagement by the applicant.
53. Two neutral comments were received to the first consultation.
54. Over 50 comments in support were made to the first consultation that;
- the proposal would add to the mix of uses in the masterplan, balance residential developments in the area, provide jobs, commercial space, a health hub, public atrium, activity and bring spending to shops and businesses in the area;
 - the height and design are appropriate for this location;
 - it provides public realm and landscaping; and
 - it is a sustainable location.
55. The GLA's Stage 1 response was broadly supportive of the proposal with matters of detail on technical matters raised. Comments from other consultees were considered in the amendments and revised documents submitted.
56. Re-consultation was undertaken on the amendments made in December 2021. This resulted in a further 39 objections that the revisions do not address the earlier points, repeating points made to the first consultation, and raising further

matters regarding the relationship with the masterplan (in terms of site-wide obligations for affordable housing, affordable retail, community space, how the site should be used for housing and affordable housing instead, the lack of information about a health hub and the impact on existing health facilities in the area, the lack of affordable workspace if a health hub comes forward, the design guidelines of the masterplan not being complied with). Two additional comments in support were received.

Planning history of the site, and adjoining or nearby sites

57. The decisions which are significant to the consideration of the current application are referred to within the relevant sections of the report. A fuller history of relevant decisions relating to this site, and other nearby sites, is provided in Appendix 3.
58. The planning history of the Elephant Park masterplan is of importance to the consideration of the current application, and will be referenced in the assessment below. Plot H1 was one of 12 development plots and the park pavilion within the approved outline planning permission to redevelop the Heygate Estate (ref. 12/AP/1092 – the OPP) with a residential-led scheme that also included retail, office, community, culture and leisure floorspace.
59. Since the 2013 permission was granted, the reserved matters for the other 11 plots, the park pavilion and the central park have been approved. The first three phases and park pavilion are occupied, and half of the fourth phase is complete. Two further plots are under construction. The applicant engaged in pre-application discussions on the Plot H1 proposal, and the council's pre-application advice letter has been published on the planning register.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

60. The main issues to be considered in respect of this application are:
 - Principle of the proposed development in terms of land uses (including affordable workspace and health)
 - Reconciliation and compliance with the outline planning permission
 - Environmental impact assessment
 - Design, including layout, building heights, fire safety
 - Heritage considerations
 - Landscaping, trees and urban greening
 - Ecology and biodiversity
 - Archaeology
 - Impact of proposed development on amenity of adjoining occupiers and surrounding area, including privacy, daylight and sunlight
 - Transport and highways, including servicing, car parking and cycle parking
 - Environmental matters, including construction management, flooding and air quality
 - Energy and sustainability, including carbon emission reduction
 - TV, radio and telecoms networks

- Aviation
- Planning obligations
- Mayoral and borough community infrastructure levy (CIL)
- Other matters
- Planning balance
- Consultation responses and community engagement
- Community impact, equalities assessment and human rights.

61. These matters are discussed in detail in the 'Assessment' section of this report.

Legal context

62. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. In this instance the development plan comprises the London Plan (2021), and the Southwark Plan (2022). The Elephant and Castle OAPF/SPD (2012) is a material consideration.

63. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision-makers determining planning applications for development within conservation areas to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. Section 66 of the Act also requires the local planning authority to pay special regard to the desirability of preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.

64. There are also specific statutory duties in respect of the Public Sector Equalities Duty which are highlighted in the relevant sections below and in the overall assessment at the end of the report.

Planning policy and material considerations

65. The statutory development plan for the borough comprises the London Plan (2021) and Southwark Plan (2022). The National Planning Policy Framework (2021), the Elephant and Castle OAPF/SPD (2012), LPGs, SPDs and SPGs constitute material considerations but are not part of the statutory development plan. The Core Strategy (2011) and the saved Southwark Plan (2007) are no longer part of the development plan following the adoption of the Southwark Plan (2022). These superseded policies are no longer relevant to the determination of this application. A list of policies and material considerations which are relevant to this application is provided at Appendix 2. The policies which are particularly important to the consideration of this application are highlighted in the report.

66. The site is located within the:

- Central Activities Zone (CAZ)
- Elephant and Castle Opportunity Area
- Elephant and Castle major town centre
- Elephant and Castle Strategic Cultural Quarter.

67. The site is located within flood zone 3 as identified by the Environment Agency flood map, which indicates a high probability of flooding, however it benefits from protection by the Thames Barrier. Small parts of the east and southern sides of the site are at risk of surface water flooding. It is also within the air quality management area. The site has a PTAL of 6b (excellent).
68. The site is within the wider setting consultation area of the LVMF view 23A.1 from the centre of the bridge over of the Serpentine to the Palace of Westminster (a World Heritage Site). It is not within a conservation area, does not contain any listed buildings, and it is approximately 180m north of the Walworth Road Conservation Area and the grade II listed Southwark municipal offices (Walworth Town Hall), library and clinic buildings on Walworth Road and nos. 140, 142, 150 and 152 Walworth Road.

ASSESSMENT

Principle of the proposed development in terms of land uses

Introduction and policy designations

69. The application proposes an office-led development, along with retail and the potential for a health use. All of these uses are within the Class E planning use class. Offices are Class E(g)(i), retail Class E(a) for shops, E(b) for restaurants and cafes, and E(c) for financial and professional services while health services are Class E(e).
70. At the heart of the NPPF is a presumption in favour of sustainable development. The framework sets out a number of key principles, including a focus on driving and supporting sustainable economic development, and ensuring the vitality of town centres. The NPPF also states that permission should be granted for proposals unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.
71. The London Plan's chapter "Good growth" includes GG2 "Making the best use of land" and GG5 "Growing a good economy" which are relevant to the proposal. To create successful sustainable mixed-use places that make the best use of land, objective GG2 states that those involved in planning and development must enable the development of brownfield land, particularly in Opportunity Areas and town centres, and prioritise sites which are well connected by public transport. It goes on to require proactively exploring the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling. Objective GG5 states that to conserve and enhance London's global economic competitiveness and ensure that economic success is shared amongst all Londoners, those involved in planning and development must, among other things, promote the strength and potential of the wider city region, seek to ensure that London's economy diversifies and plan for sufficient employment space in the right locations to support economic development and regeneration.
72. The site is within the Elephant and Castle Opportunity Area, one of 12 in central

London. The London Plan sets out an indicative capacity of 5,000 homes and 10,000 jobs for this Opportunity Area over the twenty years to 2041. London Plan policy SD1 “Opportunity Areas” in part B requires boroughs through their development plans and decisions to support development which creates employment opportunities and housing choice for Londoners, plan for and provide the necessary social and other infrastructure to sustain growth and create mixed and inclusive communities.

73. The site is within the Central Activities Zone (CAZ). The CAZ covers a number of central London boroughs and is London’s geographic, economic, and administrative core. The London Plan recognises the well-established long term demand for office space within the CAZ and strongly promotes office provision within this policy area, including policies SD4 “The Central Activities Zone” and SD5 “Offices, and other strategic function and residential development in the CAZ”. Policy SD4 at part B states “*The nationally and internationally significant office functions of the CAZ should be supported and enhanced by all stakeholders, including the intensification and provision of sufficient space to meet demand for a range of types and sizes of occupier and rental values*”. Policy SD5 at part C is relevant to sites such as Plot H1 within Elephant and Castle as it states:

“Offices and other CAZ functions are to be given greater weight relative to new residential development in all other areas of the CAZ except: 1) The Vauxhall, Nine Elms, Battersea and Elephant & Castle Opportunity Areas, where offices and other CAZ strategic functions are given equal weight relative to new residential; and 2) wholly residential streets or predominantly residential neighbourhoods...”

74. In the economy chapter of the London Plan, policy E1 supports new office provision, refurbishments and mixed-use development. Part C of policy E1 sets out that the unique agglomerations and dynamic clusters of world city businesses and other specialist functions of the central London office market, including the CAZ, should be developed and promoted. Over the 2016 – 2041 London Plan period, demand for office floorspace within the CAZ is expected to rise by 59%.
75. Plot H1 is also within a major town centre designation, where policies such as London Plan policy SD6 “Town centres and high streets” encourage town centre uses to promote the vitality and viability of town centres.
76. The Elephant and Castle SPD and OAPF (2012) shows the Plot H1 site to be within the Heygate Estate proposal site and character area, immediately next to the “central area” to the west. The strategies and guidance within the SPD support retail development to consolidate the major town centre, supports new business space designed flexibly to accommodate a range of unit sizes to help meet the needs of the local office market and SME businesses, and to enable businesses to remain the area as they grow. It states in SPD9 for community facilities that such services should be provided in accessible locations, and that the need for new community facilities will be kept under review, working with providers such as the NHS to identify appropriate sites if new facilities are needed.
77. The Southwark Plan (2022) in its strategic vision, ST1 “Southwark’s development

targets” and SP4 “A green and inclusive economy” aims to achieve targets for 58,000 new jobs in the borough between 2019 and 2036 (with a target distribution that includes 10,000 in the Elephant and Castle Opportunity Area), at least 460,000sqm of office floorspace between 2019 and 2036 (of which around 80% is expected to be delivered in the CAZ), and targets 10,000sqm net new retail floorspace in the Elephant and Castle major town centre. The Southwark Plan’s area vision AV.09 for Elephant and Castle states that development should “*support the area’s function as a major town centre for all Southwark residents and a central London location that attracts global business, research, teaching, shopping, flexible business spaces and cultural activities*”. The area vision notes that the area as part of the CAZ, Opportunity Area and major town centre has potential to provide significant amounts of new offices, shops, leisure and cultural uses and university facilities, and supports the provision of a new community health hub.

78. Southwark Plan policy P30 “Office and business development” requires such proposals within the CAZ, town centres and Opportunity Areas to retain or increase the amount of employment floorspace on the site, promotes the successful integration of homes and employment space and requires a marketing strategy for the proposed use to demonstrate how it will meet current market demand. It also states that conditions will be used to restrict changes of use within Class E. Policy P35 “Town and local centres” seeks to ensure main town centre uses are located in town centres, and that they are of a scale and nature appropriate to the role and catchment of the centre, and states that retail uses will be secured by conditions to restrict changes of use within Class E. The Southwark Plan continues to class Elephant and Castle as a major town centre.
79. The site is located within policy designations that support town centre uses such as offices and retail, and community use. The principle of each land use proposed in the application will be considered in turn in the sections below, followed by an assessment of the implications of this plot not providing further housing in the Elephant Park masterplan which was a point raised in many of the objections received.

Offices

80. As stated above, the site is located within the CAZ, where the London Plan promotes the provision of office space and identifies office use as an appropriate land use, suggesting an indicative capacity for 10,000 jobs in the Elephant and Castle Opportunity Area. Southwark Plan policy P30 requires developments in the CAZ to retain or increase the amount of employment floorspace on site. Therefore there is policy support for office use on the application site.
81. The site currently provides no permanent employment floorspace. The proposed development would provide at least 48,960sqm GEA of new office floorspace which meets the policy objectives of increasing employment floorspace within the CAZ, Elephant and Castle Opportunity Area and town centre. This is welcomed as a benefit of the scheme, and accords with London Plan objective GG5, policies SD4, SD5 and E1, and ST1, ST2 and P30 of the Southwark Plan. The GLA Stage 1 response states: “*the principle of a proposed office-led scheme in this locality is accepted in strategic planning terms. The provision of 49,565sqm of office floorspace would contribute to the demand for office*

floorspace recognised within the London Plan, as well as the success and development of the CAZ and the Elephant and Castle Opportunity Area and District Town Centre.” An office development on this site would contribute towards the borough-wide jobs targets of the Southwark Plan for 2019 to 2036 of 58,000 new jobs including 10,000 in the Elephant and Castle Opportunity Area. It would also contribute to the target of at least 460,000sqm of office floorspace across the borough over the same period, of which 80% is expected to be delivered in the CAZ.

82. In the revised scheme, the minimum provision of 48,960sqm GEA of office floorspace would have the potential to provide approximately 3,348 full time equivalent office jobs (based on a ratio of one job per 12sqm NIA in the minimum office scenario of 40,181sqm). This satisfies the aims of the London Plan in creating new jobs and high quality office space within the CAZ and the Opportunity Area. A maximum scenario of all the building being used for office floorspace (i.e. no health hub or retail uses) would have the potential to provide approximately 3,866 full time equivalent office jobs based on the same ratio. As the site has no current permanent employment use, all of these predicted office jobs are new to the application site.
83. A marketing strategy was provided with the application, as required by Southwark Plan policy P30 part 1) subsection 3). It considers typical working practices, what companies are looking for in their office space, and considers there to be a limited supply of premium office buildings in Elephant and Castle to attract major central London occupiers to the emerging area. The applicant considers Plot H1 to be an interesting place close to UAL and the health sector of Guys, St Thomas and Kings hospitals, next to the park with an architecturally exciting design and sustainable building with natural ventilation and materials. The proposal allows for a range of floor plates and for subdivisions of floors. As well as ready access to the adjacent park, staff would have access to the series of terraces on the eastern and south-western sides of the building, and the public ground floor lobby. While the applicant does not yet have any confirmed tenants, it anticipates the office would be occupied by an anchor tenant who will form the foundation of the broader “business ecosystem”, with smaller organisations expected to occupy the remaining floors, potentially in linked sectors.
84. The proposal intends to establish a new benchmark office building for Elephant and Castle, providing grade A space which is flexible, modern and adaptable. It can accommodate a diverse range of businesses, with the floorplans able to be subdivided readily to provide for smaller businesses or allow larger businesses to occupy multiple floors.
85. The policy requirements to provide skills and employment plans for the offices within the scheme at 10% of the estimated FTE employment on site would be secured through a planning obligation.
86. Many of the objections received referred to the pandemic removing or reducing the demand for office space in London, so that this proposed development is not needed. The GLA Stage 1 response noted:

“GLA Officers acknowledge that in the current context of the COVID-19 pandemic that the potential prospects of increased homeworking may generate

a shift in the future in the way people work in London and use office space. Notwithstanding this, it should also be recognised that at present there is not enough evidence to demonstrate that demand for office space has reduced so significantly and drastically, or permanently, as to be a material consideration to outweigh the normal application of the development plan and the associated planning policies.”

87. The development plan policies have not been amended or removed to respond to any long-term changes in working practices that may come out from the pandemic, and so remain as published and adopted for the consideration of this planning application. The local planning authority must determine the submitted application presented in this report, in accordance with the currently adopted local plan policies unless material considerations indicate otherwise.
88. The ES considers the likely effect of the office space upon business is expected to be direct, long-term, at the district level and to be of major beneficial significance. The office element of the proposal complies with policies in the London Plan and Southwark Plan, contributing to the nationally and internationally significant office functions of the CAZ, for a site that is also within an Opportunity Area and town centre.

Affordable workspace

89. London Plan policy E2 “Providing suitable business space” refers to incorporating a range of size of business units for micro, small and medium sized businesses, and policy E3 “Affordable workspace” sets out circumstances in which to secure affordable space for specific social, cultural or economic development purposes. Southwark Plan policy P31 “Affordable workspace” requires developments over 500sqm employment floorspace to deliver at least 10% of the employment floorspace as affordable workspace on site, at discount market rents, for at least 30 years, of a type and specification that meets current local demand, and to work with the council and businesses to identify such businesses to occupy the workspace. These affordable workspace policies were adopted after the OPP was granted, and there is no obligation in the OPP for the applicant to provide affordable workspace.
90. Policy P31 allows for public health use as an alternative to affordable workspace in exceptional circumstances, and this is the applicant’s preferred option in this application for reasons set out in later paragraphs. However, the planning obligation would need to allow for a scenario where the health hub cannot be delivered and so a conventional approach to 10% on site affordable workspace would be required, and to allow for a scenario where some affordable workspace is needed alongside a small health hub to get to a provision that is equivalent to 10% affordable workspace. Both scenarios involving affordable workspace would need to be defined in the planning obligation.
91. An affordable workspace strategy was provided as part of the submission and updated during the application. It reviews the council’s evidence base for the new Southwark Plan policy on affordable workspace. It considers the types of industries that would likely be interested in Elephant and Castle as those involved in: 1) creative activities, small production-based activities, and 2) financial and insurance services, legal and accounting, head office support

activities, computer programming and consultancy. As shown in the Southwark Plan, Walworth has demand from a mix of business types rather than one dominant affordable workspace demand. There are different types of businesses who could use affordable workspace at the site, either dedicated space or shared space within the proposal. These include grassroots organisations, start-up and scale-up businesses in the creative, services and technology sectors.

92. The application proposes two areas of affordable workspace in different parts of Plot H1 to suit these types of potential occupier:
- A co-working space (approximately 4,301sqm NIA) within the main office and mezzanine levels of the building. The co-working space is intended to create an industry cluster of businesses within the building across both the primary commercial occupiers and the affordable workspace occupiers. Suggested occupiers would be start-ups, scale-ups and freelancers. This space would have a 25% discount on market rents for 30 years, and be fitted out to shell and core with a contribution towards the category A fit out.
 - An incubator space (approximately 260sqm NIA) can be self-contained studios and maker spaces for creative industries on the ground floor located on Walworth Road with direct street access, and provide active frontages to the street with flexible accommodation targeting local creative businesses. This space would have a 25% discount on market rents for 30 years, and be fitted out to shell and core with a contribution towards the category A fit out. A range of uses is sought for these units, including office use. If affordable workspace were to occupy these units, then the other flexible uses of retail and health would not occur.
93. If both areas of suggested affordable workspace listed above are provided at the indicative areas shown, they total 4,561sqm NIA of affordable workspace. The proposal's active lobby and amenity spaces would allow access to shared facilities and interactions with other occupiers of the building, however these would not be counted towards the formal affordable workspace provision.
94. With the range of uses applied for to the lower levels of the building, there are different scenarios for how much of the building could be occupied as offices space (particularly at ground, mezzanine and first floor levels), therefore the 10% proportion of affordable workspace also has a range of floor area.
95. For example, one scenario is a total of 44,741sqm NIA of office space (consisting of the 40,181sqm in the upper floors, and the 4,560sqm of the mezzanine, first floor and the ground floor units on Walworth Road). This would require 4,471sqm NIA of affordable workspace to be provided within these parts of the building. The two areas set out above provide slightly more than this area at 4,561sqm, so the 10% minimum is achieved and exceeded by 90sqm.
96. The maximum office use scenario is that the active lobby is used as office space along with all other parts of the building to give a maximum NIA of 46,400sqm of office use, which would need to include an affordable workspace area of 4,640sqm. This would require the two areas to be used as affordable workspace plus 79sqm of the active lobby area to be set aside as affordable workspace.

97. Given this flexibility in the office area, the planning obligation would need to secure a minimum 10% provision on the applicant's final design and office use area, with details of the area and locations of the affordable workspace to be submitted for approval, and restrictions to ensure that the quantum of affordable workspace is always provided throughout the 30 years. It is considered appropriate to allow for a potential third arrangement where a payment in lieu is necessary if there is a small shortfall on achieving 10% on site, which may occur if both a health hub and some affordable workspace on site come forward that are a few square metres short. To ensure the affordable workspace remains as at least 10% of the actual office use on site (due to the range of uses sought), an obligation to prevent more office use being provided without a related increase in affordable workspace would be included.
98. The operational model for the affordable workspace has not been finalised by the applicant which would inform the rental model to be used. The applicant aims to establish a blended or tiered approach to the affordable workspace product to allow it to respond to specific needs and requirements of potential occupiers, supporting start-ups through to scale-ups. The criteria for eligibility would need to be considered and defined, the fit out specification, and the minimum 25% discount on market rent set for 30 years. These would need to be secured through the planning obligation along with the ongoing reporting.
99. The ES considers the impact of the affordable workspace provision upon businesses in a maximum scenario to be direct, long-term, at the district level and of major beneficial significance. Securing a minimum of 10% affordable workspace on-site complies with Southwark Plan policy P31 and London Plan policy E3, subject to the further details to be secured for approval in the planning agreement.

Health

100. This application proposes a health hub use be one of the permitted uses of parts of this building, leaving the applicant flexibility on whether to progress the health hub or office use. Health is one of the flexible uses applied for the Walworth Road ground floor units and the alternative to office use of the mezzanine and first floor. As will be set out in this section, the health hub use is to be the priority option ahead of any affordable workspace use, and this priority would be set out in the planning obligation. The option of either a health hub or affordable workspace use for part of the plot floorspace (or a combination of the two to equate to a 10% provision), means the weight that can be given to each use and the associated benefits needs to be measured accordingly, and not double counted.
101. Although the exact range of services that would be provided would be developed by the public health provider, the health hub is intended to bring together partners in primary care, secondary care, community services, mental health trusts, voluntary sector organisations, borough services and stakeholders, in a multi-disciplinary facility, similar to that provided by the Tessa Jowell Health Centre in Dulwich. If this planning application is approved, the South East London CCG has advised that there would be a formal public consultation process to develop the right mix of services. The applicant

proposes a health hub to be provided as an alternative to affordable workspace, and the first option for the space to be let to the NHS or equivalent operator. If the health hub does not come forward then the affordable workspace would progress instead.

102. In terms of a planning policy background, the Elephant and Castle SPD and OAPF (2012) states in SPD9 that the need for new community facilities will be kept under review, working with providers such as the NHS to identify appropriate sites if new facilities are needed, and that community facilities should be provided in accessible locations. Since the OAPF was written, while sites within Elephant and Castle have been considered over the years (with input from the council's regeneration team), such as LSBU and the Shopping Centre, none have progressed beyond a feasibility stage and no planning application for a health centre has been approved.
103. The London Plan policy S2 "Health and social care facilities" in part B supports the provision of high-quality new and enhanced social care facilities to meet identified need, and where they are easily accessible by public transport, cycling and walking. Southwark Plan policy P47 "Community uses" states that new community facilities will be permitted where they are accessible for all members of the community. The AV.09 Elephant and Castle Area Vision states that development should "*support the provision of a new community health hub*". The Southwark Plan has four site allocations in the area that state in each site requirement section that "*Redevelopment of the site may: Provide a new community health hub (E(e))*" and so allows for this use to be included, but it is not a policy necessity. These allocations are: NSP45 Bakerloo Line Sidings and 7 St George's Circus; NSP46 63-85 Newington Causeway; NSP47 Salvation Army Headquarters on Newington Causeway and; NSP48 Elephant and Castle Shopping Centre and LCC. Only the Shopping Centre has permission (which did not include a health hub) and the other three sites do not have current planning applications for their redevelopment. A current EIA scoping opinion request for the Salvation Army site does not include health use within the proposal.
104. A health impact assessment was provided with the application which considers the potential impact of the proposal on the health and wellbeing of the population. It found no negative health impacts, and concludes there are neutral and positive impacts. If the health hub is provided in the building, it would help relieve pressure on primary care and outpatient service and could provide a pharmacy. The public realm around the plot and improved routes, including seating and planting, the focus on active travel and public transport, and employment opportunities would be further aspects that help to bring health improvements. The ES concluded that if a health hub were provided its impact would be of major beneficial significance upon residents. Using a rate of 165sqm GIA of health floorspace per job, a health hub is estimated to employ approximately 42 FTE jobs.
105. This site is within an accessible location in the town centre, close to the stations and bus services, and easily accessible by cycling and walking. The building and its surrounding public realm would allow level access, and lift access to the upper floors. The plot fronts the main Walworth Road to give it a visible location on this main road, as well as facing the train station, small roads and the park.

The principle of a health hub use on this site is supported by adopted policy, and the Southwark Plan area vision AV.09 and policy P47.

106. A health hub is proposed in lieu of affordable workspace, or as a combination of both to get to a provision that is equivalent to 10% affordable workspace provision. If a health hub does not progress (for agreed reasons and with the engagement of stakeholders) the scheme would provide affordable workspace. Southwark Plan policy P31 "Affordable workspace" part 5 states that: "*In exceptional circumstances, affordable retail, affordable cultural uses or public health services which provide a range of affordable access options for local residents may be provided as an alternative to affordable workspace (employment uses). This will only be acceptable if there is a demonstrated need for the affordable use proposed and with a named occupier...*" The health hub would be an NHS facility, not a private health clinic, and would be secured as such in a planning obligation; therefore the proposal would provide public health services as mentioned in part 5 of policy P31.
107. The applicant and council's regeneration team have engaged with the NHS and Guy's and St Thomas Foundation Trust since October 2020 about incorporating a health hub into Plot H1. A letter in support was received from NHS South East London Clinical Commissioning Group (CCG) to the proposal. The CCG commented that Covid has highlighted health inequalities across south-east London; as the regeneration and associated population growth is predominantly in the north half of the borough and associated neighbourhoods, these are the CCG's areas of greatest need. The CCG stated that it looks forward to working collaboratively with primary, secondary and other health care providers to further develop primary care commissioning and out of hospital health hubs in Elephant and Castle, to provide access to appropriate services in the right mix of health, social care and voluntary services to address health inequalities.
108. The two letters received from Guy's and St Thomas' NHS Foundation Trust are in support and state the Trust has strong interest in occupying the proposed health hub. The Trust comments "*Elephant and Castle is a proven required location for further healthcare floorspace*", continuing that "*the need for and delivery of a Health Hub is absolute and this is supported by the wider CCG*" and that the "*provision of floorspace in this development is an important step in ensuring the future of healthcare service delivery in the area.*" The Trust asks for the health floorspace to be secured in a planning obligation to safeguard the space for the use of a healthcare provider, and for it to be offered to the Trust or another appropriate NHS provider in the first instance. It supports car-free development, cycle parking and ask that transport impacts take account of emergency vehicles. The Trust ask to be consulted during the decision of the NHS provider occupier, and that it be agreed by the council, applicant and the Trust; this can be secured as part of a planning obligation.
109. An initial scope has been outlined for the types of accommodation a health hub may require including a pharmacy, GP cluster, diagnostic facilities, outpatients, clinical support and staff facilities, totalling 3,965sqm, however this is likely to change as detailed discussions progress on the services a health hub would offer. A potential layout within Plot H1 has been provided showing a patient reception on Walworth Road next to a pharmacy, with dedicated lift access up to the first floor where different departments would have consultation rooms,

waiting areas for the outpatient department, GP cluster, diagnostics, mental health, children's services and long term conditions. In the indicative layout staff would have access to mezzanine areas for a staff room and facilities, clinical support offices and meeting rooms. Initial information was provided about the transport impacts of a health hub and its operational requirements, such as trip generation, cycle parking, the potential for 10 staff parking spaces to be provided in Plot H2's basement car parking, the use of drop off on Deacon Street to be used for patient transport vehicles (or a space within the servicing yard) and blue badge parking. Again such details are indicative and require further discussions with the NHS, before the proposed details can be submitted to the council on the size, layout and operations of the health hub.

110. The applicant suggests that a health hub use would have the same if not greater cost to the scheme than the provision of the equivalent affordable workspace area, because a health hub for a public health body would command a lower rent. As a proposed fully commercial scheme, the local planning authority is not able to require the detailed financial information be provided to test the viability of the proposal to confirm this in the planning application. The applicant proposes the health hub be in place of the 10% affordable workspace provision, therefore officers have considered whether the size of the health and affordable workspace areas are equivalent:

- In a minimum office scenario, the office area on levels 2 and higher of the building is 40,181sqm NIA. Taking this to represent the 90% office area for calculating affordable workspace, a 10% proportion as affordable workspace would be 4,465sqm NIA. The maximum size of the proposed health hub area if it uses all the ground, mezzanine and first floors spaces proposed for this use, totals 4,560sqm NIA and so exceeds the 10% proportion. However, it is noted that the NIA given is likely to be a slight over-estimate as separate lifts and stairs for the health hub have not been shown on the drawings, which means exceeding the 10% area is a sensible approach.
- With the flexible uses sought across the ground floor there are several scenarios with different areas of office, health or retail uses potentially implemented. To work through a maximum office scenario where all the upper floors and all of the ground floor are used as offices (totalling 42,099sqm NIA and representing 90% general office area for the affordable workspace calculation), a health hub at only mezzanine and first floor levels of 4,301sqm NIA would not achieve the equivalent area of 10% affordable workspace of 4,677sqm NIA. This scenario is unlikely to occur as the active lobby and ground floor units would have to be completely given over to office use, with no retail and no ground floor health use.

111. The exact size of the health hub is unknown at this stage as it requires further discussions with the CCG and other stakeholders, but the areas of health use applied for allow reasonable scenarios of a health hub to be accommodated in the building alongside office and retail uses. Along with the flexible uses applied for allowing the health, office and retail sizes to adapt to accommodate either the health hub or affordable workspace, it is not possible to fix precise floor areas for each use at this planning application stage, nor can the applicant confirm the rent level for a health hub. Because of this flexibility in the precise areas of uses, a

planning obligation to secure the submission and approval of further details at a later stage is necessary. The planning obligation would need to require further details such as the location, areas and detailed layout of a health hub and rent levels to ensure it represents the equivalent value of a 10% affordable workspace provision.

112. A copy of the February 2022 memorandum of understanding (MOU) between the applicant, the council and the CCG was provided by the applicant. While not a legal binding document, the MOU provides the framework for on-going co-operation and collaboration between the parties in developing and delivering the Plot H1 health hub, and agreeing heads of terms. It is the most advanced stage that can be reached between the parties before a planning permission is granted. It sets out how a lease for 30 years is proposed to be granted to a nominated NHS organisation. It states that the NHS is looking for a suitable space to develop a support hub (in effect a health centre for GP and community health nursing services) to serve the population at Elephant and Castle and the existing people currently served by the Princess Street and Manor Place GP Surgeries. The MOU includes the test fit study diagrams that would be further refined by the parties as the scope of services to be provided informs the design development.
113. While work on the detailing of a health hub would continue in line with the MOU after a positive decision is made on this application, it is considered sensible for the planning obligation to include wording to address a scenario where a health hub comes forward at a smaller scale, and therefore not equivalent to 10% affordable workspace offer. In that event, a combination of a health hub on the site and some affordable workspace would be necessary to achieve the 10% policy requirement between the two uses, and potentially a payment in lieu if there is a shortfall that cannot be accommodated on site.
114. Objections to the health hub were made in the public consultation responses that a health hub should not be at the expense of housing, or affordable workspace, that the OPP masterplan needs to provide its own health facilities, and that further information is needed on how much health contribution money has been paid by the applicant and what has been spent on. Objection was also made to lack of information on the health hub, with concern that the MOU suggests it is likely to replace Princess Street and Manor Place surgeries which is a huge change, and no detail on how this interacts with/reshapes local health provision and statutory community consultation needed before the planning decision is made.
115. The following observations by officers are made in response to these points. The OPP planning obligation required either the staged payment of financial contributions to the council (based upon £603.43 (indexed) per residential unit, and so far approximately £1.1m has been paid to the council) or for the applicant to provide an on-site health facility of up to 500sqm as part of the OPP. The applicant has paid the financial contributions and not provided a health facility as part of the OPP. The local planning authority will determine where to spend those monies on health facilities within the Opportunity Area, and indeed it may be used to fund part of this proposed health hub. The need for a public health facility in this area, which has yet to be met by another site, is considered to be an exceptional circumstance for allowing the delivery of health facilities in lieu of affordable workspace. The proposed health hub is much larger than the health

facility option allowed for in the OPP. The consultation on and determination of this planning application does not remove any requirements on health providers to carry out their own consultation on changes to health provision in the area, nor make any assumptions by the local planning authority of what might happen to existing GP surgeries in the area.

116. The long-established local need for a health hub, to be operated by the NHS or an identified health trust (approved by the council) is considered to be an exceptional circumstance to allow such an alternative to affordable workspace to be appropriate in this case. The section 106 agreement would secure a health hub as the first option for the space within the plot, and a process for agreeing with the council whether a health hub is to be progressed or if, for good and agreed reasons, it is not. The section 106 agreement would secure it as affordable workspace to come forward if the health hub does not, and allow for a combination of both uses in the event a smaller health hub is provided. It would require further details of the health hub floor area, its layout, level of fit out and rent (in order to demonstrate the provision is equivalent to a 10% affordable workspace provision), for the healthcare occupier to be agreed by the council as well as the CCG and Guy's and St Thomas's NHS Foundation Trust, and further information on transport and operational matters. It would also address the later requirement of policy P31 part 5 that if the alternative use is no longer required in the future, the space should be made available for affordable workspace.

Retail, services, restaurants and the active lobby

117. The site is within the Elephant and Castle town centre, where retail uses as shops, professional services and restaurants are directly towards and supported by policies, such as Southwark Plan policy P35 "Town and local centres". The retail floorspace of the proposal would contribute towards the Southwark Plan's target of 10,000sqm of net new retail floorspace in the Elephant and Castle major town centre. The retail elements in the two ranges of uses proposed in the lobby area and in the units fronting Walworth Road are appropriate locations for such uses, continuing the retail uses along Walworth Road, Elephant Road, Sayer Street, and turning into Deacon Street.
118. Other uses are proposed in addition to retail for the ground floor units. The Walworth Road units are proposed to have office or health uses too. Office use would also be appropriate to front onto Walworth Road, and health is acceptable in principle; it may relate to the health hub on the floors above, for example as a pharmacy or reception area. In order to maintain an active frontage to the ground floor frontages, and to maintain the appearance of the upper levels of the building a condition is recommended to prevent windows from being obscured without the council's approval.
119. The active lobby is proposed to have office, retail, professional services and food and drink uses, each of which are acceptable uses in principle for the reasons set out above. The office use is proposed as part of the space may be provide affordable workspace, or further office space for the floors above. The applicant intends this part of the ground floor (shown in pink in earlier diagrams) to be a combination of restaurants, bars, coffee shops with curated events and exhibitions for the community, and providing spaces to work, relax and meet. The detail of the division of these uses into areas/units around the edge and the

extent of the publicly accessible lobby would need to be provided at a later stage, and the public access each day, free to use Wi-Fi, toilets and seating to be secured in a planning obligation. The applicant proposes a minimum area of 500sqm be publicly available in the active lobby, approximately 30% of the proposed flexible area shown in pink, which would be secured in an obligation; therefore when assessing the public benefit from this element of the proposal it needs to be proportionate to this minimum provision.

120. If the Walworth Road units were used as for food and drink retail, approximately 15 FTE jobs are estimated, and retail uses in the lobby would also provide jobs. The policy requirement is to require the provision of skills and employment plans for the retail uses within the scheme (at 20% of the estimated FTE employment on site), which would be secured through a planning obligation.

Non-delivery of housing

121. Many of the objections received to the application referred to the loss of approved housing in the OPP for this plot, that this “spare” plot of the masterplan is suitable for a housing development to address the borough’s housing need, and that with an updated viability assessment to provide further affordable housing from the Heygate Estate redevelopment, as a public sector owned site. The objections refer to London Plan policy H1 “Increasing housing supply” which seeks to optimise the potential for housing delivery on all suitable and available brownfield sites (especially those with PTALs of 3 to 6), how far more social rented units on the Heygate Estate were demolished than are being provided in Elephant Park, and how a 25% affordable housing provision is below the minimum 35% required now. However, this is a standalone application, not a reserved matters application under the OPP. As such it must be assessed and determined on its own merits.
122. The OPP expected Plot H1 to be residential on its upper floors, with the options to include office, community and leisure uses as well. The site-wide minimum residential floor area approved in the OPP has been achieved by the other plots of the masterplan, as set out in the later assessment topic section. The site-wide maximum residential floor area limit of the OPP has almost been reached, so that Plot H1 could not be developed pursuant to the OPP with a meaningful number of residential units. The other plots within the masterplan have delivered the residential development approved by the OPP, including the 25% affordable housing obligation, without needing Plot H1 to include further residential floorspace. The applicant has a choice of the policy compliant uses to propose within the redevelopment of this plot in a standalone planning application. There is no viability review in the OPP to allow the local planning authority to assess the impact of the proposed commercial scheme on the masterplan’s finances and whether further affordable housing could be provided. This application is not an opportunity to revisit the terms of the OPP.
123. The London Plan’s “Good growth” objectives refer to both delivering the homes Londoner’s need (GG4) and growing a good economy (GG5), and with detailed policy chapters on both housing and economy. Similarly the Southwark Plan has strategic targets and strategic policies relating to the delivery of homes and jobs (including green jobs). As an almost-vacant brownfield site, in an area of high public transport accessibility and with the policy designations of the CAZ,

Opportunity Area and town centre, housing and employment development are both appropriate in principle.

124. London Plan policy SD5 “Offices, other strategic functions and residential development in the CZ” in part C makes it clear that within the Elephant and Castle Opportunity Area, offices and other CAZ strategic functions are given equal weight relative to new residential development. Southwark Plan policy P30 on office and business development in part 1) subsection 2) promotes the successful integration of homes and employment space in physical layout and servicing in areas that will accommodate mixed use development.
125. In this full planning application, the applicant chose to submit a completely commercial scheme with no residential use, and it is to be assessed on its own merits against the current development plan policies and material considerations. A viability assessment is not required by development plan policies for a purely commercial scheme such as this, so none has been provided with this application. This plot remains part of the wider Elephant Park masterplan area (with its 2,689 homes) and would be viewed as such when walking around the masterplan with its ground floor commercial units of retail, leisure and community uses, significant quantum of residential properties on the upper levels, central park and public realm. Being at one end of the masterplan site, the plot is located near to the commercial uses on Walworth Road and Elephant Road, the temporary shop units on Castle Square, the shops, leisure, residential and student housing to the north, and Shopping Centre redevelopment under construction on the other side of the railway lines which sit outside the masterplan. Officers are of the view that the intention to have mixed use neighbourhoods would be achieved without needing this plot to contain both employment and residential uses.
126. The applicant cannot be required to design and submit a full planning application for a residential scheme for this plot to continue the residential-led nature of the rest of the masterplan. London Plan policy SD5 gives equal weight to offices and housing in this part of the CAZ. The Southwark Plan housing delivery does not rely on this plot being developed for housing. The GLA Stage 1 response states *“The proposals involve no demolition of existing homes, and the housing and affordable housing obligations of the estate regeneration masterplan have already been achieved within other plots. GLA officers accept the principle of optimising this site through the intensification of land uses proposed via this “drop-in” planning application. The development, which would provide jobs, services and facilities in a highly accessible location, as well as the provision of public realm, aligns with Objective GG5 of the London Plan.”* The GLA therefore did not raise objection to this plot being developed for a non-residential scheme.
127. The lack of proposed homes and affordable housing, within this office-led proposal is not considered to be a reason for refusal of the scheme as the proposed uses comply with policies that support employment use, and in the case of London Plan policy SD5 give equal weighting to these land uses within the Elephant and Castle Opportunity Area. The proposal for this plot does not compromise the delivery of the housing nor other elements approved on the other plots of the Elephant Park masterplan.

Conclusion on land uses

128. Each of the proposed land uses are appropriate in policy terms for this site within the CAZ, Elephant and Castle Opportunity Area and town centre. Given the wide range of uses that are within Class E, it is appropriate to limit the permission to the specific uses applied for and assessed in the application and its ES, and to prevent changes of use away from those defined uses.
129. There is policy support for office-led development in Elephant and Castle given its location within the CAZ, Opportunity Area and town centre, with London Plan policy SD5 giving equal weight to office development as residential development, and the Southwark Plan seeking to delivery 10,000 jobs within the Opportunity Area. A health hub would address one part of the Southwark Plan's area vision for Elephant and Castle, and has support from the NHS South East London Clinical Commissioning Group and Guy's and St Thomas' NHS Foundation Trust. The GLA Stage 1 response considered the proposed land uses to strategically align with the town centre, Opportunity Area and CAZ designations of the site, and supported the proposal. In this instance a health hub run by a public health body is an appropriate alternative to affordable workspace provision. If a health hub does not come forward, the scheme would address the 10% affordable workspace policy requirement with on-site provision.
130. While the plot would also be appropriate for residential development in principle, it is not what the current application proposes; the lack of residential use in the proposal is not a reason for refusal of this application. The application for Plot H1 must be determined as submitted in accordance with current policy. As outlined above, the principle of a commercial development on this site complies with the local plan.
131. Planning obligations are necessary to secure the health hub or affordable workspace (or a combination of the two) and further details, construction phase jobs and training, local procurement, end use jobs and training to ensure policy compliance.

Reconciliation and compliance with the outline planning permission

132. Although this application is not a reserved matters application (RMA) pursuant to the outline planning permission (OPP) for Elephant Park, it includes a reconciliation statement which is required by a condition of the OPP. Condition 17 of the OPP requires evidence to be submitted with each RMA demonstrating how it complies with the site-wide development controls set at the outline stage (i.e. the approved parameter plans, Development Specification and Design Strategy Document), as well site-wide strategies and plot specific strategies that have since been approved pursuant to obligations contained within the 2013 section 106 agreement. Since the OPP was granted in 2013, a series of non-material amendments has been agreed, usually to make small changes for an individual plot however some site-wide changes to the OPP were agreed which revised some of the site-wide controls.
133. A standalone full planning application was made because the current proposal for Plot H1 does not fit within the scope of the OPP, in terms of the quantum of

floorspace for the proposed uses and the scale of the building being different to the approved OPP parameters. The current submission is therefore not subject to the same controls as for a RMA proposal, and is to be determined against current development plan and material considerations. If permission is granted for this application and the applicant implements it, an obligation in a planning agreement would mean the new permission would supersede the OPP for this part of the Elephant Park masterplan site.

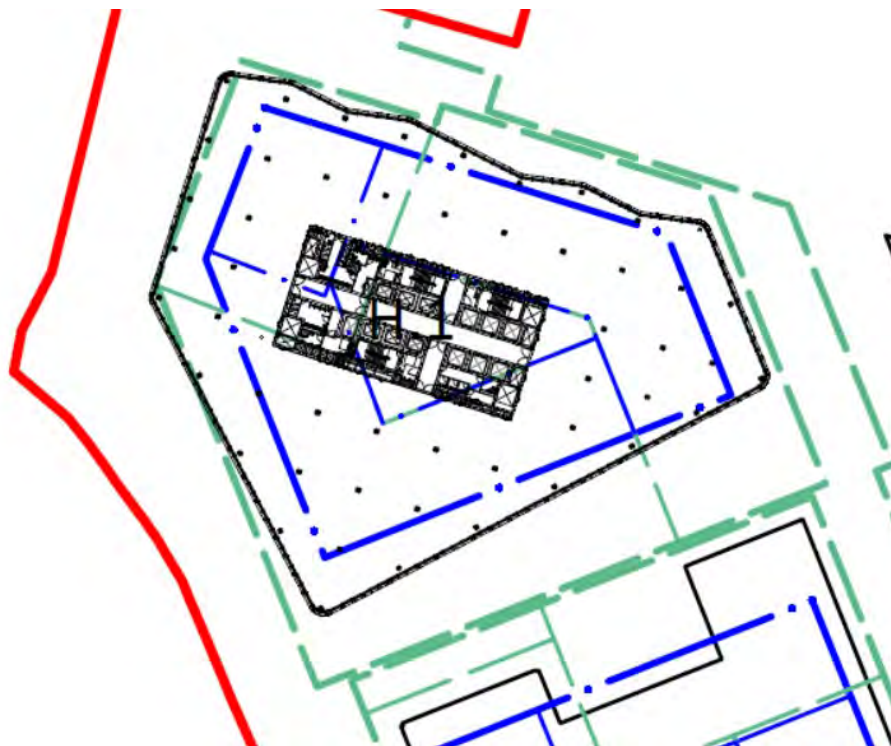
134. This topic section is included nonetheless to show how the proposal is compatible with the rest of the Elephant Park masterplan, and to show how the total area of public realm of the OPP, and the remaining minimum floorspaces of the masterplan would be achieved by this proposed final plot design. The reconciliation statement (as summarised below) also includes comparisons between the OPP controls for Plot H1, and explains how mitigation measures secured in the OPP would be delivered by the application for this plot. It is intended that Plot H1 would form construction phase MP5b of the masterplan. As Plot H1 is the final plot in the Elephant Park masterplan, the complete figures for the whole masterplan are available and compiled at the time this application was submitted, by totalling the approved construction phases and plots, plus the current Plot H1 proposal.
135. The OPP's approved parameter plans and Development Specification for Plot H1 set a minimum floor area of 22,491sqm GEA, and maximum of 36,100sqm GEA. The proposed building has a total floor area of 63,996sqm GEA, falling outside the scope and terms of the OPP Development Specification maximum area for this plot (by 27,896sqm GEA). It is approximately three times the minimum floor area set by the OPP Development Specification, and almost twice the maximum floor area. This is one reason the proposal cannot be a RMA pursuant to the OPP. The fact that the current application does not fit within the OPP envelope does not in itself make it an inappropriate development.
136. The OPP envisaged Plot H1 to be a mixed use development of two blocks and a tower arranged around a raised podium, with a principal land use of residential (Class C3) and retail use (Classes A1, A2, A3, A4, A5) at lower levels, and stated there is potential for business (Class B1) and community and leisure (Classes D1 and D2) uses at upper levels. The approved uses at ground, mezzanine and basement levels were Classes A1-A5, B1, C3, D1 and D2, and Classes C3, B1, D1 and D2 for the upper levels. The current proposal scheme is one building as an office-led (former Class B1, now Class Eg(i)) development, with no residential, and allows for health (former Class D1, now Ee) and retail uses (former Classes A1-A3, now Ea, Eb and Ec) in the uses applied for the lower parts of the building. These uses and their compliance with current development plan policies, and the absence of housing in the proposal were discussed in the earlier assessment topic.
137. In terms of the physical form of the plot's redevelopment, the OPP set minimum and maximum parameters for the plot extents at different levels. To look at the ground floor, the proposed footprint shown in black in the diagram below exceeds the OPP minimum parameter plot extent shown by the blue line. It sits mostly within the OPP maximum parameter plot extent (shown by the dashed green line) with three exceptions of the north-west columns on the Elephant Road frontage, the western corner and south-western side along Walworth Road, and

a small exceedance on the eastern side of the building.



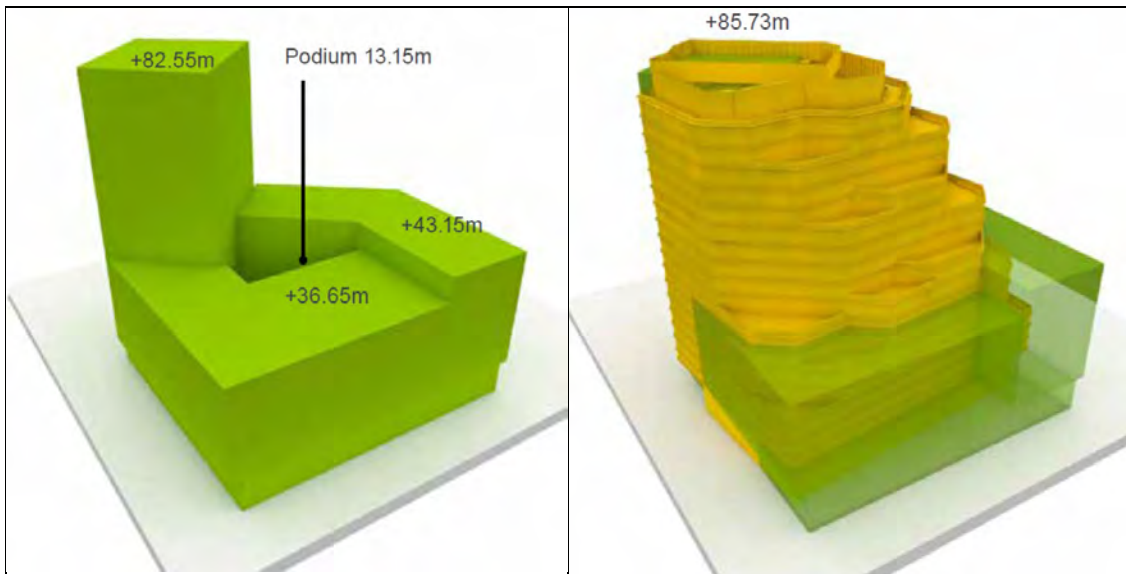
Ground level footprint comparison showing the proposal in black

138. A comparison of the proposal against the OPP maximum and minimum plot extents for the upper levels was provided. The extent of the submitted building is shown on the diagram below in black, the minimum OPP plot extent in blue, and the OPP maximum plot extent in green. The proposal exceeds the OPP minimum extent in all areas. It sits within the OPP maximum plot extent on three sides, but exceeds the OPP maximum extent on the north-western side and at the western corner.



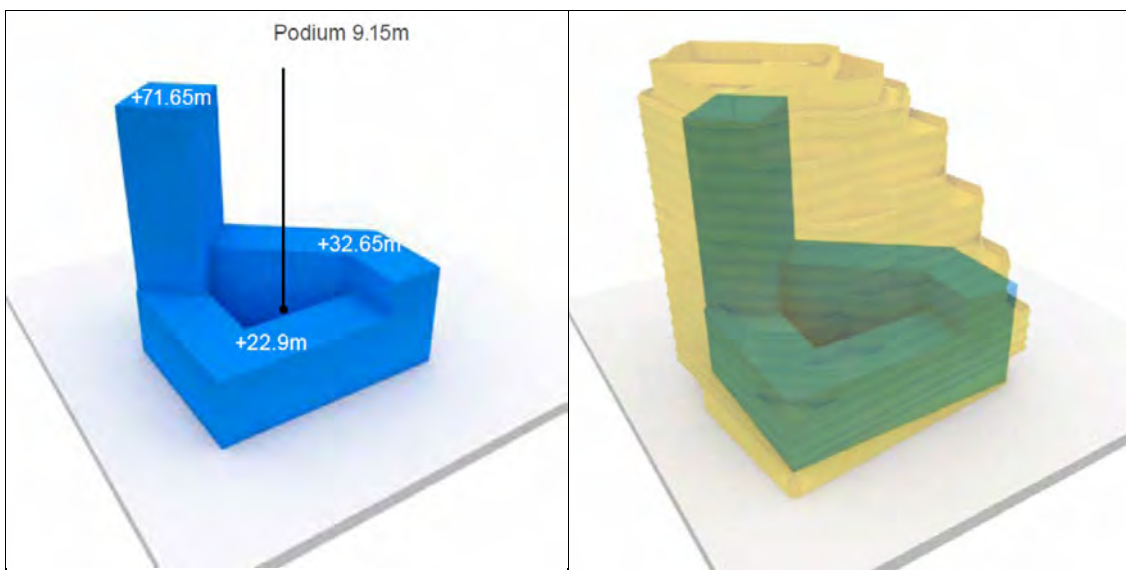
Upper levels footprint comparison

139. The proposal therefore exceeds the OPP's footprint parameters and it also exceeds the OPP's massing parameters. The plot heights of the OPP were set with minimum heights to three different parts of the plot (of 22.9m and 32.65m for the two blocks and 71.65m for a tower) and maximum heights (of 36.65m and 43.15m for the two blocks and 82.55m for a tower) and the central podium. The current scheme has a maximum height of 85.73m, to be 3.18m taller than the approved OPP maximum height of the tower, and up to 45.9m taller than the OPP maximum block height. The majority of the massing exceeds the OPP maximum parameters.
140. The two visuals below compare the envelope of the OPP maximum parameters (in green) with the submitted massing (in yellow).



Visuals to compare the OPP maximum parameters envelope (left, in green) with the submitted massing in yellow overlaid on the right.

141. All but one very small corner of the proposal exceeds the OPP minimum parameters scheme, as shown by the two visuals below. The minimum tower height is exceeded by 14.08m, and the minimum block height by 62.83m.



Visuals to compare the OPP minimum parameters envelope (left in blue) with the submitted massing in yellow overlaid on the right.

submitted massing in yellow overlaid on the right.

142. The OPP established the acceptability of certain uses for this plot and there is policy support for the current proposal. As has been shown by the images above, the current proposal for Plot H1 cannot be proposed as a reserved matter pursuant to the OPP, and so its design and impacts have been considered and explained in the various topic sections of this assessment.
143. The reconciliation statement takes account of the cumulative delivery of the Plot H1 proposal together with designs of the previously approved masterplan phases MP1, MP2, MP3, MP4, MP5a and park pavilion as they were known at the time Plot H1 was submitted. Condition 17 of the OPP identifies the principal areas of reconciliation where information is required at each reserved matters stage as set out below, each of which will be summarised:
- 1) number and mix of residential units;
 - 2) affordable housing quantum, location and mix;
 - 3) land use floor space and distribution;
 - 4) open space provision;
 - 5) car parking, motorcycle parking, and cycle parking;
 - 6) transport/highway works provision; and
 - 7) utilities.
144. While this application is not a RMA, the submitted reconciliation statement addresses these requirements and shows how Plot H1 would contribute to the site-wide requirements of the rest of the Elephant Park masterplan and where it cannot be reconciled.
- 1) Number and mix of residential units
145. No residential use is proposed in this application. The reserved matters approval for Plot H7 was the final residential plot of the masterplan to give a total of 2,689 homes across the Elephant Park OPP masterplan. An objection to Plot H1 was received questioning the total number of units in Elephant Park, which is arrived at by adding up the RMAs approved within the masterplan. The cumulative total across all plots remains at 252,414sqm GEA of residential floorspace, out of the OPP maximum residential area of 254,400sqm GEA (leaving 1,986sqm of remaining residential floorspace in the OPP).
- 2) Affordable housing
146. No residential use is proposed in this application, which means the affordable housing provision requirement across the Elephant Park masterplan does not change from the cumulative position achieved with Plot H7 as the final residential plot. The provision of the 25% affordable housing secured in the 2013 section 106 agreement was staged into cumulative delivery milestones of 400, 800, 1,200, 1,600, 2,000 units and on completion of the masterplan. The site wide total habitable rooms in affordable units achieves and exceeds the 25% affordable housing provision across the Elephant Park development (when applying the “discount” of 1 habitable room for each affordable wheelchair unit allowed for within the section 106 agreement). The tenure split of the affordable housing units across Elephant Park would not change with the Plot H1 proposal, remaining at 50.5% rented and 49.5% shared ownership, and the percentage of

3-bedroom units would not change. An objection was received about the rent and service charge levels of the social rent units across Elephant Park in respect of the built out units; this is being investigated by the enforcement team separately to this planning application, and is not a relevant material consideration for this application.

3) Land use floor space

147. The OPP set minimum and maximum floor areas for different uses. With all other plots having had their reserved matters approved, the cumulative totals of the approved floorspace areas for the different uses can be calculated, however many of the commercial areas in other plots were approved with a range of uses so assumptions were made of which of the approved uses will be implemented on plots that were not occupied at the time the reconciliation statement was written. The table below made assumptions at the time the Plot H1 application was submitted; it shows the cumulative totals of all other plots in the masterplan (i.e. excluding Plot H1) as of May 2021, whether the minimum quantum for each use has been achieved, and how much floorspace remains up to the maximum quantum caps. It is noted that since May 2021 the applicant has for example signed up further tenants in Plot H4 (with more retail and less D2 leisure), Plot H11a (no longer an office use, but a leisure use) and taking on a unit in the Energy Centre (to include a community use) so some of the assumptions that resulted in the figures reported below are likely to be out of date. However for the purpose of the determination of this Plot H1 application it shows how the minimum areas of the OPP masterplan will be achieved across the rest of the masterplan, with the exception of the office area.
148. The OPP minimum floor area for residential, retail, community, leisure and sui generis will be achieved once the plots are constructed – without Plot H1. The only use where the OPP minimum floor area has not yet been achieved is office use. The site-wide 10% affordable retail provision required by the section 106 agreement would remain and Lendlease is on track to deliver this once the last two plots are constructed.

Use Class	OPP minimum floor area (sqm GEA)	OPP maximum floor area (sqm GEA)	Cumulative (sqm GEA) without Plot H1	Has the OPP minimum area been achieved ?	Remaining floor area from the maximum (sqm GEA)
C3 residential	160,579	254,400	252,414	Yes	1,986
A1-A5 retail	8,000	16,750	8,099	Yes	8,651
B1 business	3,000	5,000	816	No	4,184
D1 community	1,500	5,000	1,728	Yes	3,272
D2 leisure	1,500	5,000	1,679	Yes	3,321
Sui generis	500	925	787	Yes	138

(energy centre)					
Sub total for uses	175,079	287,075	265,523	Yes	21,552
Parking, servicing, plant and storage	17,000	43,666	17,759	Yes	25,907
Total	192,079	330,741	283,282	Yes	47,459

The masterplan cumulative floor areas as of May 2021 without Plot H1

149. The remaining floor areas on the right hand column of the table below could have been used to bring forward a development on Plot H1 if Lendlease had progressed a RMA. Lendlease has chosen not to progress Plot H1 as a RMA that fits within the OPP floorspace caps in order to optimise the redevelopment of this plot. The quantum of office floorspace proposed means that the one outstanding OPP minimum use area not yet achieved by the masterplan for Class B1 office space would be achieved with the office-led Plot H1 in place.

Use Class	OPP minimum floor area (sqm GEA)	OPP maximum floor area (sqm GEA)	Cumulative (sqm GEA) with Plot H1	Has the OPP minimum area been achieved ?	Remaining floor area from the maximum (sqm GEA)
C3 residential	160,579	254,400	252,414	Yes	1,986
A1-A5 retail	8,000	16,750	9,803	Yes	6,947
B1 business	3,000	5,000	56,849	Yes	0 Exceeded maximum by 51,849
D1 community	1,500	5,000	1,728	Yes	3,272
D2 leisure	1,500	5,000	1,679	Yes	3,321
Sui generis (energy centre)	500	925	787	Yes	138
Sub total for uses	175,079	287,075	323,260	Yes	0 Exceeded maximum by 36,185
Parking, servicing, plant and storage	17,000	43,666	24,017	Yes	19,649

Total	192,079	330,741	347,277	Yes	0 Exceeded maximum by 16,716
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The masterplan cumulative floor areas as of May 2021 with the submitted Plot H1 proposal

150. With the proposed Plot H1 development included (assumed to be office and retail uses), the table above shows how the OPP's minimum area for office floorspace would be achieved and the maximum area for office exceeded by over 51,000sqm. If the health centre is provided instead of 6,796sqm of proposed office space, the D1 community use area maximum area would be exceeded as well. The scale of the Plot H1 proposal means the cumulative floor area exceeds the maximum caps of the OPP. These exceedances are why a standalone, full planning application has been submitted, in order to optimise the redevelopment of the Plot H1 site.

4) Open space provision

151. The OPP requires a minimum of 4.3 hectares of accessible public realm to be provided across the Elephant Park masterplan. At the point that Park Pavilion RMA was approved (as the most recent RMA approval), the cumulative total of public realm was 4.796 hectares across the masterplan site, of which 0.22ha would retail spill out space in front of restaurants, cafes etc. Therefore the site-wide figure already exceeds the minimum of 4.3 hectares, and would be further increased by the public realm provided in Plot H1.

152. The application site for Plot H1 includes 0.39ha of public realm, but part of the application site overlaps with Plot H2's public realm, Deacon Street, Walworth Road and Elephant Road highways; excluding these areas to prevent double counting leaves 0.22ha of additional public realm being proposed by this application. It should also be noted that the colonnade around part of the building would enclose 0.05ha of this public realm, and spill out areas for tables and seating for the ground floor units are suggested, reducing the open public realm to 0.17ha. Even without the colonnade, the proposal adds further public realm to exceed the minimum area required by the OPP across the masterplan.

153. Most of the trees on Walworth Road are to be retained, and new tree planting is proposed (detailed in the landscaping topic section below) so that the site-wide no net loss of trees requirement is achieved. As no residential use is proposed in this application, no further play space is proposed.

5) Car parking, motorcycle parking, and cycle parking

154. The OPP sets a site-wide maximum of 616 on-plot car parking spaces and 62 on-street car parking spaces. Plot H1 includes only two on-street parking spaces which would bring the site-wide total to 186 spaces on plot, and 9 on-street car parking spaces, far below the maximum. No motorcycle spaces are proposed so the site-wide total remains at 23 spaces. Cycle parking provision would be made in line with the current planning policy (detailed in the Transport section below). The area of the servicing yard within the proposed building would sit within the site-wide areas allowed for in the OPP.

6) Transport and highways

155. The OPP section 106 agreement secured a list of highway works to be undertaken within the site and on adjacent highways. Some of these works have been completed alongside the earlier phases of the masterplan, and those that remain to be done are linked to the phases currently under construction or Plot H1. The highway works to install a pedestrian crossing on Walworth Road (near the railway viaduct), the raised entrance on Elephant Road, and resurfacing of Elephant Road are closest to Plot H1. These outstanding works would be required to be completed ahead of occupation of Plot H1 (if not already undertaken by the rest of the masterplan) in a new section 106 agreement for Plot H1. See the transport section of the assessment below for further information.

7) Utilities

156. Plot H1 does not need to provide significant utilities as the surrounding plots in the masterplan have already provided the corridors it would connect into. It would need to connect into power, water, telecoms and the district heating network, and provide surface water attenuation for itself and as part of the site-wide provision.

Conclusion on the relationship with the OPP

157. The scale of the Plot H1 proposal does not fit within the approved parameters and development controls of the 2013 Elephant Park masterplan OPP. It would provide office floorspace to enable the minimum site-wide floorspace for office use to be achieved – indeed the scale of the office proposal would also exceed the maximum office floorspace limit of the OPP, and the site-wide floorspace limits of the OPP. The height and massing of the proposal sit outside the approved massing envelopes of the OPP. Lendlease has therefore submitted a full planning application, as the reserved matters route would not be appropriate.
158. The fact that the proposal exceeds the limits of the OPP and departs from the approved masterplan are not by itself a reason to refuse this application; this full planning application must be assessed against the current development plan and material considerations, and its impacts (including its environmental impacts) are considered in later topics in this assessment. The public realm, retained trees and new trees, and transport requirements of the OPP have been considered and the proposal contributes to these site-wide requirements, as set out in later assessment topics, and a new s106 agreement would continue the relevant obligations for a separate Plot H1 permission.
159. Objections were received suggesting the current proposal would prejudice the OPP's obligations and that there is insufficient information in the reconciliation statement, however for the reasons set out above, this is considered not to be the case. Earlier RMAs have shown how the site-wide OPP obligations are to be met and construction of the full masterplan is underway. A Plot H1 permission, with its own s106 agreement containing obligations including conformity with particular OPP obligations, can be implemented alongside the near-complete Elephant Park OPP masterplan development. The development of this plot would not impact upon the RMAs previously approved which have been

constructed or are under construction, and their contribution to the OPP's minimum requirements or site-wide planning obligations. The council will require a deed of variation application to be submitted by the applicant to formally remove the Plot H1 site from the OPP if a new Plot H1 permission is implemented, as a formality to prevent overlapping permissions.

Environmental impact assessment

160. The proposed development falls within Schedule 2, Category 10(b) "Urban Development Project" of the Environmental Impact Assessment (EIA) Regulations 2017 and constitutes EIA development, having regard to its potential for likely significant environmental effects. Due to the nature and scale of the proposal, and as a phase of development with the wider Elephant Park masterplan (which was itself EIA development), an Environmental Statement (ES) was submitted alongside this Plot H1 application.
161. Regulation 3 of the EIA regulations precludes the granting of planning permission unless the council has undertaken an Environmental Impact Assessment, taking account of the environmental information, which includes the ES, any further information, any representations made by consultation bodies, and any other person, about the environmental effects of the development. The submitted ES has been advertised and consulted upon in accordance with the regulations. The environmental information has been considered in the assessment of this application.
162. The likely significant effects resulting from the proposed Plot H1 development are identified and considered during the construction stage as well as the completed, occupied and operational stage. The likely effects assume the implementation of mitigation proposed within the planning application. Should the mitigation measures within the scheme still give rise to significant adverse environmental effects then additional mitigation is proposed. The ES has considered cumulative effects arising from the proposal in combination with 13 consented and proposed developments in the area, notably the Shopping Centre redevelopment. The rest of the Elephant Park masterplan has been incorporated into the future baseline scenario.
163. The ES volume 1 contains 12 topic chapters; 1) introduction; 2) EIA methodology; 3) existing and future land use and activities; 4) alternatives and design evolution; 5) the development; 6) the works; 7) socio-economics; 8) air quality; 9) wind microclimate; 10) daylight sunlight overshadowing light pollution and solar glare; 11) greenhouse gases and; 12) effect interactions. The ES volume 2 contains the townscape, visual and above ground heritage (TVAGH) effects assessment as two further topics. These topics are in line with the discussions held with the council prior to submission. No formal scoping opinion request was submitted. Many of these topics, such as air quality, wind, daylight and townscape are considered as separate topic chapters in the assessment section of this report to set out the likely environmental effects and residual impacts of the scheme. The greenhouse gases chapter is summarised within the energy and sustainability section later in this report. Townscape and visual impacts are considered as part of the design topic, and above ground heritage in the heritage topic.

164. The ES volume 3 contains the technical appendices, and the ES volume 4 is the non-technical summary. Relevant elements of the ES were updated in response to the scheme revisions made in December 2021 within an ES Statement of Conformity, which had appendices relating to: wind; daylight, sunlight, overshadowing, solar glare and light pollution; and townscape, visual and above ground heritage.
165. The ES describes the proposed works, and assumes a construction phase of 3 years when assessing the construction stage environmental impacts. The EIA regulations require the ES to provide information on the alternative options considered by the applicant. The ES considered alternative development schemes as a “do nothing” no development scenario, the OPP scenario (of the remaining floorspace within the approved areas of uses), and alternative approaches to design taking account of the constraints, and different massing studies. Alternatives uses were not considered by the applicant beyond the OPP scenario as a commercial led scheme was appropriate given the existing uses surrounding the site and the approved development. This is considered to be appropriate.
166. The ES was reviewed by LUC on behalf of the council. LUC raised a series of points of clarifications and potential regulation 25 requests, and the applicant has provided further information in response. The ES Statement of Conformity received with the December 2021 amendments was also reviewed by LUC. LUC considers the ES to be acceptable for the topics it addressed, and that the May 2021 ES remains valid for the development when taking into consideration the amendments proposed, without giving rise to any new or significantly different environmental residual effects compared to those identified in the May 2021 ES. The ES information has been taken into account when assessing the application. Officers are satisfied that the ES is up to date and adequately describes the effects in the ES to properly identify the likely significant effects of the proposed development on the environment. It allows a fully informed assessment of the environmental effects of the proposal.
167. The ES socio-economic topic is one that does not readily fit into the later assessment topic headings. This ES chapter considers the impacts of the employment opportunities, office floorspace (including affordable workspace) and the other proposed land uses, and the public realm. The assessment concluded that there would be a minor beneficial effect of local jobs for Southwark residents. The applicant stated that they will commit to provide 10% of office jobs and 20% of retail jobs being taken by Southwark residents. The mechanism for calculating employment and skills targets at the proposal is expected to be largely the same as for the OPP. If part of the proposal is used for affordable workspace, the effect is considered to be of major beneficial significance. If part of the proposal is used for health then that is considered also to be of major beneficial significance. The benefits of end use employment for local residents, the health hub or affordable workspace would be secured on any permission. No adverse significant effects were identified for the completion or operation of the proposal and therefore no additional mitigation is deemed to be necessary.
168. The chapter on effect interactions considers that the significant effects on upon surrounding properties would interact in terms of the change to the daylight and

sunlight reaching residential properties (e.g. Mawes House, Tantallon House, Plot H2, H4 and H7) and the changes to their visual setting from this proposal and the Shopping Centre redevelopment. The impacts on neighbour amenity is considered in a later topic of this report.

169. The ES sets out the mitigation measures to reduce negative environmental impacts. These include mitigation incorporated within the proposal scheme itself and additional mitigation measures. The mitigation would be secured by recommended conditions and planning obligations to reduce the adverse environmental effects of the proposal, and to secure the benefits.

170. The mitigation measures to be secured by either conditions or s106 planning obligation for the ES topics are summarised in this list:

- The works – securing a construction environmental management plan (CEMP, to include a construction waste management plan, traffic management plan, logistics plan, and to secure the hours of work in line with the council's hours) by planning obligation, and compliance with the submitted arboricultural method statement would be required by a suggested condition.
- Socio-economic – securing the benefits of construction phase jobs and training, and end use jobs and training proposed within the scheme, the health hub or affordable workspace as planning obligations.
- Air quality – the ES found that no mitigation is needed for the operational phase. Construction phase mitigation for dust levels to be secured by condition and as part of the CEMP.
- Wind – the landscaping within the scheme (retained mature trees, new tree planting and moveable pots) would mitigate the localised wind conditions, and would be in place before opening and occupation of the proposal. Landscaping conditions are proposed to secure the planting and for it to be in place prior to first occupation.
- Daylight and sunlight – no mitigation is proposed by the ES. Conditions relating to external lighting and the materials are recommended to allow the impacts on neighbour amenity and solar glare to traffic to be considered at the detailed design stage.
- Greenhouse gases – mitigation measures in the construction phase such as a waste management plan to minimise waste and having no construction car parking on site would be captured in the CEMP. In the operation development, transport measures to encourage sustainable modes, use of a travel plan and energy reduction measures would be secured on any permission, and a carbon offset financial contribution.
- Effect interactions – no mitigation is proposed.
- Townscape and visual – hoarding would screen the lower part of the construction for part of the construction phase (to be detailed in the CEMP). No additional mitigation is proposed for the operational phase. The design quality aspects of materials, mock up, detailed drawings and landscaping would be secured by conditions.
- Above ground heritage – no mitigation is proposed beyond the design changes already made to the form and design of the proposal to reduce the potentially adverse effects of the ability to appreciate the significance of heritage assets.

171. Later topics of this assessment consider the likely environmental effects from the proposal. Consultees have not raised issues with the scope or detail of the ES. In summary, the submitted May 2021 ES and the December 2021 ES Statement of Conformity are sufficient to allow an informed assessment of the proposal's likely environmental effects.

Design, including layout, building heights and fire safety

172. The NPPF stresses the importance of good design, considering it to be a key aspect of sustainable development. Chapter 3 of the London Plan deals with design related matters. In particular, policy D4 focuses on delivering and maintaining good design and policy D9 sets out the requirements for the development of tall buildings; the proposal at 18-storeys is a tall building. The relevant Southwark design policies in the Southwark Plan are policies P13 "Design of places", P14 "Design quality" and P17 "Tall buildings".

Site context

173. The proposal is not located in a conservation area however, due to its height and location it is would be visible from surrounding conservation areas. Its impact on the setting of listed buildings in the area, and the Westminster World Heritage Site are considered in a later assessment section.
174. The OPP took into account the historic environment setting as well as the character of the wider area and included as part of the approved documents, detailed plot-by-plot design guidance in the approved Design Strategy Document (DSD). The OPP established the urban principles of the proposed redevelopment of the Heygate Estate and is characterised by a new gridded pattern of streets and routes with perimeter blocks and tall buildings in key locations, as well as a set of character areas for the proposed masterplan. This urban framework, detailed design guidance, and character appraisal set down the key design principles for the subsequent RMAs. The DSD took into account the local setting of the masterplan and considered the appearance of the proposed development in detail. As a full planning permission, the current application is not bound by the approved OPP parameters and DSD, and its design is to be judged on its own merits against current policies and material considerations.
175. Plot H1 is at the closest location of the masterplan to the heart of the Elephant and Castle town centre, directly opposite the mainline railway station. The plot sits within the DSD's Walworth Road Character Area at the boundary with the Park Character Area. Its frontage onto the Park Character Area and Walworth Road means that it will need to play an important role to reinforce the "high street" nature of the Walworth Road and help to reinforce the park edge.

The proposal

176. The approved outline proposal for this plot in the OPP related to a residential-led development and included two blocks, a tower and an allowance for communal gardens. The current proposal broadly adopts the established maximum height parameter for the tower on this plot (although it is approximately 3m taller and noticeably larger in massing) and re-imagines the scheme as a fully commercial

proposal. The result is a commercial block, lower at its Walworth Road and Deacon Street corners and rising to the height of the consented tower at the northern end of the plot, but would be far wider than the consented tower, and as one larger building rather than one tower and lower blocks.

Site layout

177. Plot H1 has public frontages on all sides, as was the case in the OPP, and so needs to integrate well with its surroundings on each side. The earlier assessment topic showed where the footprint of the proposal at ground and upper levels fits within, and in a few locations exceeds the maximum OPP floor extent parameters.
178. The plot's position has been designed to retain and continue the northern building line established by the mansion block of Plot H7 to the east and helps to define the southern park edge. The line of the northern elevation sits within the maximum OPP floor extent parameters for all floors. The northern elevation would contain the main office entrance, so that it would be visible from Elephant Road, the train station, Castle Square and future routes through the Shopping Centre site.
179. The eastern façade at ground level onto the park plaza aligns with the Sayer Street frontage, continuing this shopping street further north, although the upper levels above the colonnade would sit forward of this building line, so that the plot would be visible along Sayer Street. The line of eastern elevation sits within the OPP floor extent parameter for the upper floors. It slightly exceeds the maximum OPP extent parameter at the ground level due to the colonnade columns sitting just beyond the parameter line, although the recessed frontage of the base of the building sits within the OPP parameter.
180. On Deacon Street, the proposed building line allows for a new pavement (at least 2m wide) and planters to be created on the northern side of the route, and the building is set 17m to 31m from the facing facades of Plot H2. The frontage sits within the OPP floor extent parameters at ground and upper levels.
181. As happened with the Plot H2 and H3 developments to the south, the Walworth Road frontage is set behind the retained mature trees and provides a second pavement as another pedestrian route set away from the road. The south-western frontage continues the commercial uses (either office, retail or health) on this main road, reinforcing the "high street" nature of Walworth Road, as promoted by the OPP. This south-western frontage of the current proposal sits in part (at its northern extent) beyond the OPP floor extent parameters at ground and upper levels, as shown in the reconciliation topic section earlier in the report. At Plot H1 and the junction of Elephant Road, Walworth Road starts to curve westwards, and the proposed south-western frontage is aligned to better address the alignment.
182. The Elephant Road side includes a wide, landscaped pedestrian route, wider than the existing pavement. The colonnade on the western side of the building would provide further width for pedestrians, although some of this area may be used for spill out seating from the active lobby uses. The north-western frontage

sits slightly beyond the maximum OPP floor extent parameters at ground and upper levels.

183. Pedestrian entrances into the building are proposed at frequent intervals along the Walworth Road, Elephant Road, northern side and park plaza side into the flexible use active lobby and ground floor units, to put activity and shopfronts onto these sides of the building. These would be flush accessible entrances. The central core of 12 lifts and three stair core would provide level access to all floors, with six lifts and two stair cores up to the top floors. Accessible toilets are shown on each floor.
184. One entrance into the active lobby is shown indicatively into the lobby on the Deacon Street side. The applicant has sought to maximise the amount of active frontage on Deacon Street by continuing the units around the two corners of the building. The central part of this frontage (approximately 35m long) contains the servicing yard access as the only vehicle entrance into the building, as well as the security office, plant and fire escapes. This length of inactive frontage was queried by the GLA who asked for further design options to be explored. All other frontages of the plot are active frontages. These ancillary parts of the development are necessary within one or more frontages of the site; Deacon Street is the most appropriate frontage for vehicle access, and in line with what the OPP anticipated. The servicing yard has been offset from the main residential entrance to Plot H2. The applicant has sought to reduce the prominence of the servicing entrance by using consistent materials and façade pattern to this frontage, having climbing plants up the columns either side of the entrance, and the proposed planting in the pavement planters would provide some screening in views along Deacon Street. The material for the lower parts of this façade would tie into the other frontages of the building.
185. Aside from the comment on the Deacon Street frontage, the GLA considered the proposed layout to form a coherent pattern of blocks that responds well to its setting and wider masterplan for the area, and at street level achieves a high level of activity, which is supported. The site layout of the building is considered acceptable, and the detail of the landscaping around the building is assessed in a later part of this report.

Height, scale and massing

186. The reconciliation topic earlier in this report showed how the current proposal has greater height and massing than the OPP parameters, which is why a full planning application has been submitted. As a tall building, the 18-storey proposal needs to be considered against all the requirements of Southwark Plan policy P17 “Tall buildings” which in part 1) identifies areas where the council expects tall buildings, typically within the CAZ, Opportunity Areas and major town centres. The site is within an area identified by the Southwark Plan where tall buildings are expected to be located. The proposal addresses part B of London Plan policy D9 in this regard.
187. Each of the seven subsection requirements of part 2) of policy P17 will be considered below, that a tall building must:
 1. Be located at a point of landmark significance; and

2. Have a height that is proportionate to the significance of the proposed location and the size of the site; and
3. Make a positive contribution to the London skyline and landscape, taking into account the cumulative effect of existing tall buildings and emerging proposals for tall buildings; and
4. Not cause a harmful impact on strategic views, as set out in the London View Management Framework, or to our Borough views; and
5. Respond positively to local character and townscape; and
6. Provide a functional public space that is appropriate to the height and size of the proposed building; and
7. Provide a new publicly accessible space at or near to the top of the building and communal facilities for users and residents where appropriate.

Be located at a point of landmark significance (subsection 1)

188. The plot stands at the confluence of a number of routes particularly the main Walworth Road and Elephant Road, desire-lines in the final approaches to the railway station, and fronts onto Castle Square and new park. As such it is considered to be a point of landmark significance and complies with this aspect of policy P17 part 2) subsection 1. The OPP approved a tall building at the northern side of the plot, fronting onto Elephant Road and Castle Square, so this plot has previously been considered appropriate for a tall building, albeit one of a different height and form and assessed against the previous development plan policies.

Have a height that is proportionate to the significance of the proposed location and the size of the site (subsection 2)

189. The OPP allows for a tower in part of Plot H1 up to a maximum height of 82.55m. This earlier OPP recognised that the north-western part of the plot was appropriate for a tall building because of its location and the size of this plot.
190. The plot size remains as the OPP plus the overlapping area of Deacon Street. The current 18-storey proposal exceeds this maximum height by approximately 3m, and increases upon the OPP height for the rest of the plot, as set out in the reconciliation topic section earlier in this report. However the principle of this plot being suitable for a tall building of a slightly larger but similar scale to the OPP, at the junction of Walworth Road and Elephant Road, close to the train station, and next to the public spaces of Castle Square and the park remains appropriate. A tall building on this site would help to reinforce the spatial hierarchy of this area, and help to mark the train station. The maximum height of this tall building is considered proportionate to the significance and size of this site. As set out in the paragraphs below, the sculpted massing and design of the proposal are appropriate too. The proposal complies with subsection 2 of policy P17, and part C.1) b) of London Plan policy D9.

Make a positive contribution to the London skyline and landscape (subsection 3)

191. The visuals of the proposal in the townscape assessment show that in most views of the local area, the proposed tall building would be seen alongside other tall buildings, often taller towers, in the area which are more visible in the skyline. Once constructed, the tower at Plot H7 to the east of the site, and the towers

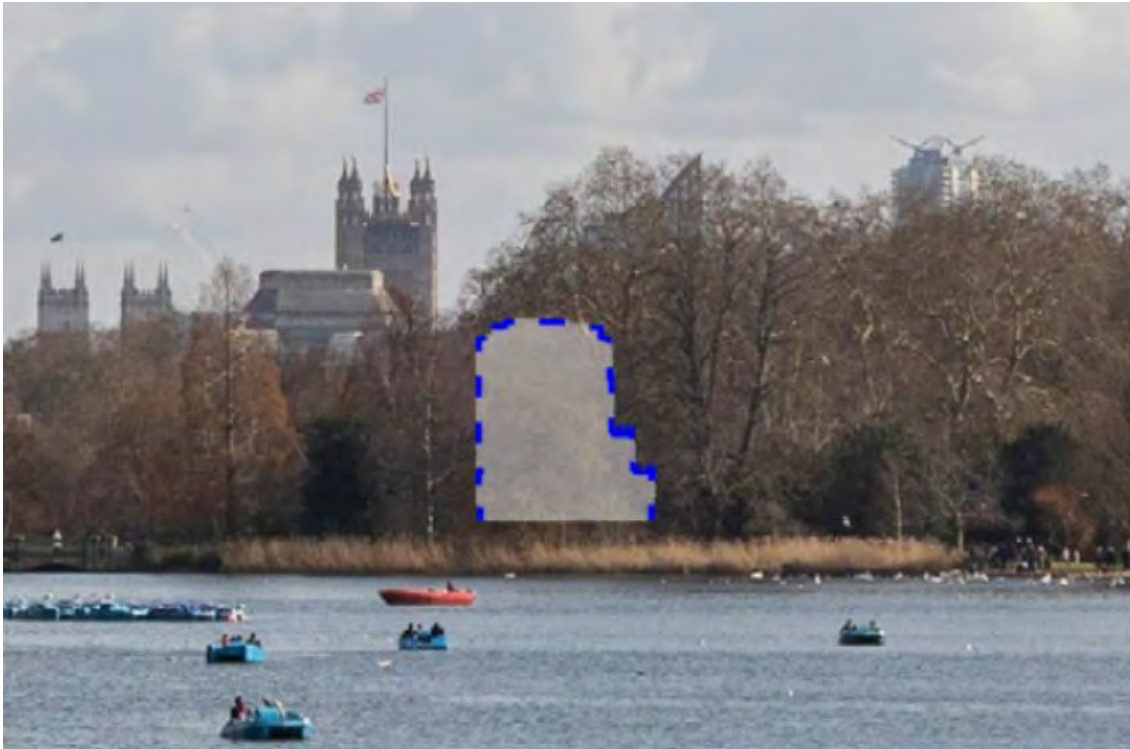
within the approved Shopping Centre to the west would also provide additional context in the local skyline. Some of the visuals are included in later sections of this report for reference, and the next policy subsection considers the impact on designed London and borough views.

192. Compared with the taller heights of other towers in this area, the proposal would not be sufficiently prominent to contribute to the wider London skyline, but it would be a feature at a more local level where its curved, sculpted massing and fin pattern across the façades would add to the local skyline.
- From the south looking along Walworth Road, the proposal generally would be viewed alongside the taller tower of Plot H2 to the immediate south (31-storeys and 104.8m AOD), and Plot H3 further south (19-storeys and 67.5m AOD). From the south-west, the proposal would be viewed between (and sit lower than) the Plot H2 tower and Strata tower.
 - In views from the west, the proposal would be seen next to Strata tower, the future Shopping Centre redevelopment towers, and in longer views alongside One the Elephant. The revised north-western elevation of the building has added interest to this façade in views from the central Elephant and Castle area.
 - From the north-west and north views of the proposal in the skyline would be limited by Tantallon House and Portchester House, and future Shopping Centre development. Closer to the site, looking down Elephant Road is where the massing of the proposal would be a substantial change as the building is much wider than the Plot H2 tower. The stepped form of the western terraces, curved corners, creases, terraces and the fin pattern would provide a distinctive design in these proximate views which adds to the local skyline.
 - In views from the north-east and from the east along New Kent Road, the proposal would be mainly screened by the tall buildings in Plots H4, H5, H11a and H11b. Similarly from the south-east Plot H1 would be mainly screened by or appear alongside the other tall buildings within the masterplan that have been constructed or are currently under construction.
193. The tall building policies in the development plan for Southwark place great weight on the need for a substantial contribution to the landscape. The principle behind this is that the substantial gain achieved by optimising a site in this way, is matched by a proportionate public benefit in the landscape, as well as the need to ensure that a tall building has a suitable public setting.
194. This plot is within the wider Elephant Park estate which includes the substantial new park at the centre of the approved masterplan adjacent to Plot H1, and new public realm. While the park was always considered to form part of the substantial contribution to the landscape across the masterplan, this Plot H1 proposal would, as a result of its separation from the consented OPP masterplan and its significant increase in scale from the approved parameters, still have to address this aspect of the policy directly.

195. Plot H1 includes a park frontage and is within the Park Character Area of the masterplan; the park is very much a part of its setting. The proposed public realm on the northern side of the building would include planting and planters to provide a green connection between the park, the base of the building and its series of planted roof terraces up the full height of the building. The public realm on the eastern side of the plot alongside the pavilion plaza, the colonnaded space beneath the proposed building, the generous planters on the Walworth Road and Elephant Road frontages form the contribution to the landscape of this proposal. A total of 0.39ha of landscaping is proposed within the application site, some of which is existing highway and pavements meaning the proposal provides 0.2ha of additional public realm as well as improving the pavements. Further consideration of the landscaping in the proposal is include in a later assessment topic. In summary, the proposal has made sufficient contribution to landscaping within the plot and adjacent highways. Lendlease's wider masterplan's provision of the new central park and pavilion plaza alongside the plot are also noted and provide a suitable existing setting for the proposal.
196. The proposal has successfully addressed the skyline and landscaping part of Southwark Plan P17 part 2) subsection 3 and part C.4) of London Plan policy D9 in terms of its cumulative impact.

Impact on strategic and borough views (subsection 4)

197. In terms of strategic views, the plot sits in the background of the strategic view from the Serpentine Bridge (LVMF view 23A) which includes a strategic vista – a geometrically defined protected visual plane – towards the Westminster World Heritage Site. Visuals were provided in the TVAGH to show the appearance of the proposal from different points of the Serpentine Bridge in Hyde Park, and further information provided in response to the GLA comments on the impact on the LVMF view and setting of the World Heritage Site.
198. From the centre of the bridge (the viewing location of the LVMF view 23A) the proposal would be fully screened by trees and buildings, and would not be seen alongside Westminster World Heritage Site. For this reason the proposal would have no effect on the LVMF view. The visual below taken from the TVAGH shows the Plot H1 form with a dashed blue outline.



Telephoto from the LVMF viewing location on Serpentine Bridge

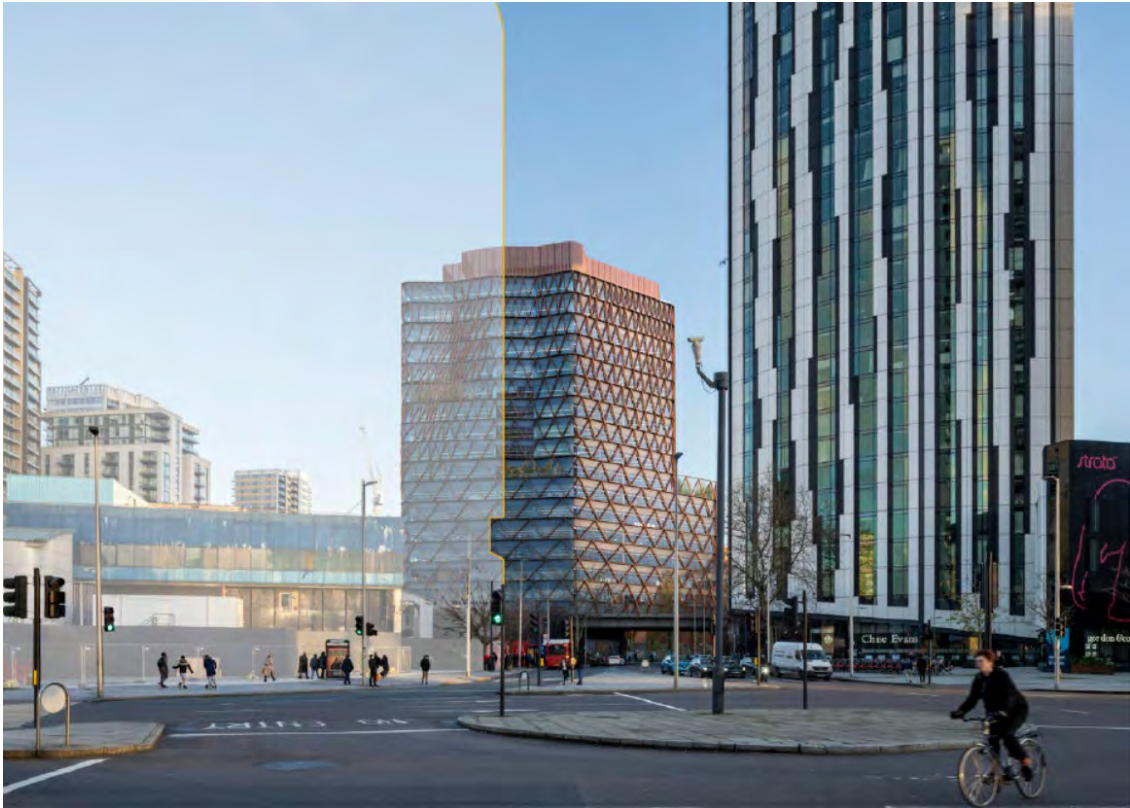
199. In terms of other strategic views, the proposal is located away from the wider setting consultation areas of (and would be barely discernible in) the LVMF London panorama views from Alexandra Palace, Kenwood, Parliament Hill and Primrose Hill, and cause no harm to these strategic views.
200. Turning to the borough views, the site lies approximately 60m to the west of the new linear view of St Paul's Cathedral along Camberwell Road. The proposal would not be visible from the viewing place, and would have no impact on the view of St Paul's Cathedral.
201. Therefore the proposal is considered not to have a harmful impact on strategic London views, nor the borough views, and would comply with subsection 4 of part 2) of Southwark Plan policy P17. It would also comply with London Plan policy D9, part C.1) a) in terms of impacts on views.

Respond positively to local character and townscape (subsection 5)

202. The plot is located at the edge of the Elephant Park masterplan, and has significantly increased massing compared with the approved OPP parameters. A TVAGH was provided as part of the ES, including images to indicate the effects of the proposal on the local townscape and on heritage assets.
203. The ES considered the impacts upon the character areas within 250m of the site, and provides 17 visuals of the existing, proposed and cumulative scenarios. London Plan policy D9 part C4 requires consideration of the cumulative impacts of a tall building on an area. The ES topic of townscape and visual impacts considered that by changing the character of the site, the construction phase of the development would have significant direct, temporary, short term, local effects that would be minor to moderate in scale and adverse in nature. The effects of the completed 18-storey proposal on townscape (and the different

character areas around the site's context) would be long term. The ES considers the effects on nine different townscape character areas from which the proposal may be visible; and concludes the effects range in scale from insignificant to moderate, and are either insignificant (where fully or partly screened by other buildings) or beneficial in nature.

204. The ES has placed the site within the Walworth townscape character area, at its western edge with the rest of the masterplan and most of the character area to the south-east. The ES has given this area a low value of ordinary quality that includes some individual buildings of heritage interest, and the impact on heritage assets including the recently designated Yates Estate and Victory Conservation Area are considered later in this report. As the townscape character area includes the completed tall buildings within the masterplan, the ES categorises the susceptibility to change by the additional tall building as very low to low. The ES considers the proposal to have an insignificant effect in the more distant parts of the area, to a moderate effect nearer to the site where the impact would be greatest. The magnitude of the change would similarly range from negligible to high, depending on proximity to the site. The ES concludes the effect would be beneficial in nature by developing the site with well-defined, active frontages that interface with Walworth Road, Castle Square and the park, the enhanced permeability and connectivity, and distinctive architecture.
205. The area to the west of the application site is within the ES's Elephant and Castle town centre townscape character area. The ES gives this area a townscape value of low to very low due to the lack of legible townscape structure and coherence, and a very low susceptibility to change due to the tall buildings in this area and its setting. The proposal would be visible from within this townscape character area; closest to the site the magnitude of the townscape character change would be high, and reduce to low further away. The townscape effect would range from insignificant to moderate; as the proposal would fit within and add to the variety within the existing modern, tall character of this townscape character area, the ES considered the effect to be beneficial in nature. One example of how the proposal would appear from within this townscape character area is included below. The proposal would be seen alongside Strata tower and the approved Shopping Centre redevelopment (shown in orange wireline on the left).



Visual of the proposal viewed from St Mary's Churchyard, with the outline of the approved Shopping Centre redevelopment indicated on the left hand side

206. The Walworth Road corridor townscape character area extends to the south of the application site along this main road and westwards to the railway viaduct. The ES consider it to have a low value that has local heritage interest and heritage buildings, and to have a low susceptibility to change from an additional tall building as its setting already includes tall buildings of equivalent height. The Plot H1 proposal would make a high magnitude change to the northern setting of the townscape character area, which would reduce to a low magnitude further south when the proposal is seen next to the 31-storey tower of Plot H2 and 19-storey Plot H3 tower, and a negligible change further away. The ES concludes the scale and nature of the proposal's townscape effect to be insignificant to moderate and beneficial in nature, as the setting of the character area would be enhanced by the new street frontage, in a distinctive, contrasting architecture to mark the entrance to the town centre.
207. The townscape effect of the proposal is found by the ES to be insignificant to three more character areas, and insignificant to moderate to a further three character areas.
208. The proposed building as one unified design is significantly larger than other buildings in Elephant Park which typically consist of a slender tower and lower mansion blocks set around a podium, which breaks up the appearance of the plots into different elements. The proposed building is much larger than the rhythm of regular divisions in the terraced shops found along Walworth Road, and the railway arch units along Elephant Road. The townscape around this site is one of tall buildings of varying heights, forms and architectural styles however.

209. What could have been designed as a monolithic block taking up the full extents of the plot, has instead been sculpted to create south and east-facing terraces and a stepped form that rises to the north. The resulting form is highly articulated that starts low at the Walworth Road and Deacon Street corners, and rises to its full 18-storeys in height at the northern end of the site closest to Castle Square and the station. The series of terraces and set backs have sculpted the form at its southern corners and eastern side to link to the park to appropriately respond to its context. The layout of the proposal provides active frontages to appropriately address Walworth Road, Elephant Road, Castle Square, the park, and Sayer Street, while allowing for improved connectivity in the public realm routes around the building.
210. The proposal sits at the intersection of two roads and the park which each have a different character: the Park character of Elephant Park (as identified by the Park Character Area of the masterplan); the High Street character of Walworth Road (as identified by the Walworth Road Character Area of the masterplan); and the Station character of Elephant Road. The design responds to these three character areas in a deliberate way. Each area has its own defining characteristics and requires a tailored approach. Walworth Road is high street with active edges and, on this side of the road, a well-established mature landscape. The park has a strong edge defined by mansion blocks with taller elements at Plots H7 and H11B. The station character is defined by the active edges of the viaduct and the busy transport interchange, facing onto Castle Square and Plot H1.
211. On Walworth Road the building is set behind the mature landscaping and designed to start at 5/6 storeys at its south-western corner and step up to its maximum height. In this way it responds to the modest character of the surrounding buildings and introduces the height and massing which is concentrated nearest the railway station. On the park frontage the building follows the established building line of the neighbouring Plot H7 and completes the southern edge of the open space. The double-height colonnade extending along this frontage helps to soften this edge further and allows the landscape to extend to the building's front door. The building is stepped up in terraces and articulated with undulating bays to soften its appearance onto this important public space. The undulating façade and colonnade extend round onto the Elephant Road frontage where the building is at its tallest and where access to the transport hub will be enhanced by the substantially widened footpath.
212. While the building uses contrasting modern materials and rises sharply to its maximum height, the design is articulated and sculpted in response to each of these distinct characters. In addition the trellis-like "veil" of the façade fin pattern, coupled with greening introduced at the terraces, would also help to soften the appearance of the building. It is considered that the building has responded positively to its local character.



Visual of the colonnade and planting at part of the northern façade

213. This proposed tall building would relate to the existing and future tall building cluster in this part of the Elephant and Castle town centre, as visuals later in this section will show. It would have a distinctive architecture that would complement the different styles within the masterplan and town centre. Visuals included in the heritage topic section below show how the proposal would be seen alongside the existing and approved tall buildings. The proposal was amended during the pre-application discussions and during the application to better respond to its context and setting.
214. The later paragraphs below expanded upon the architectural design and materials of the proposal. The proposal is considered to comply with subsection 5 of policy P17 part 2 by responding positively to the local character and townscape, and successfully addressed the visual impacts section of London Plan policy D9 part C.1)a), as well as taking account of the cumulative impacts with other approved developments in the area as required by part C.4.

Provide a functional public space (subsection 6)

215. The proposal includes landscaping around the building, the colonnade and the public lobby at the base of the building. The plot is part of the Elephant Park masterplan which has provided public realm and the first two phases of the central park (with one phase where the construction offices are yet to be laid out) immediately adjacent to Plot H1. The proposal's provision, and acknowledging the wider masterplan's public spaces, are considered to be sufficient functional public spaces for this scale of building. Further consideration of the landscaping is included in a later topic, and the public lobby in an earlier section of this report. The proposal is considered to accord with part 2) subsection 6 of Southwark Plan policy P17.

Provide a new publicly accessible space at or near the top of the buildings and communal facilities for users and residents where appropriate (subsection 7)

216. Southwark Plan policy P17 introduces a new element that a tall building must provide new publicly accessible space at or near the top “where appropriate”. London Plan policy D9 at part D states “*free to enter publicly-accessible areas should be incorporated into tall buildings where appropriate, particularly more prominent tall buildings where they should normally be located at the top of the building to afford wider views across London*”. The proposal does not include such provision at or near the top, instead providing the public lobby at the base. Due to the proximity of neighbouring residential properties to the south, the area of roof level plant required for the building, and the potential impact of a dedicated rooftop access on the proposed design, it is not considered appropriate to provide such a space within the upper levels of this scheme. Instead, the ground floor lobby is intended to provide a range of facilities and activities, and the office terraces would provide communal facilities for office workers. It is also noted that the OPP did not include such a requirement, so there is no loss of public access to the top of a tall building on this site.

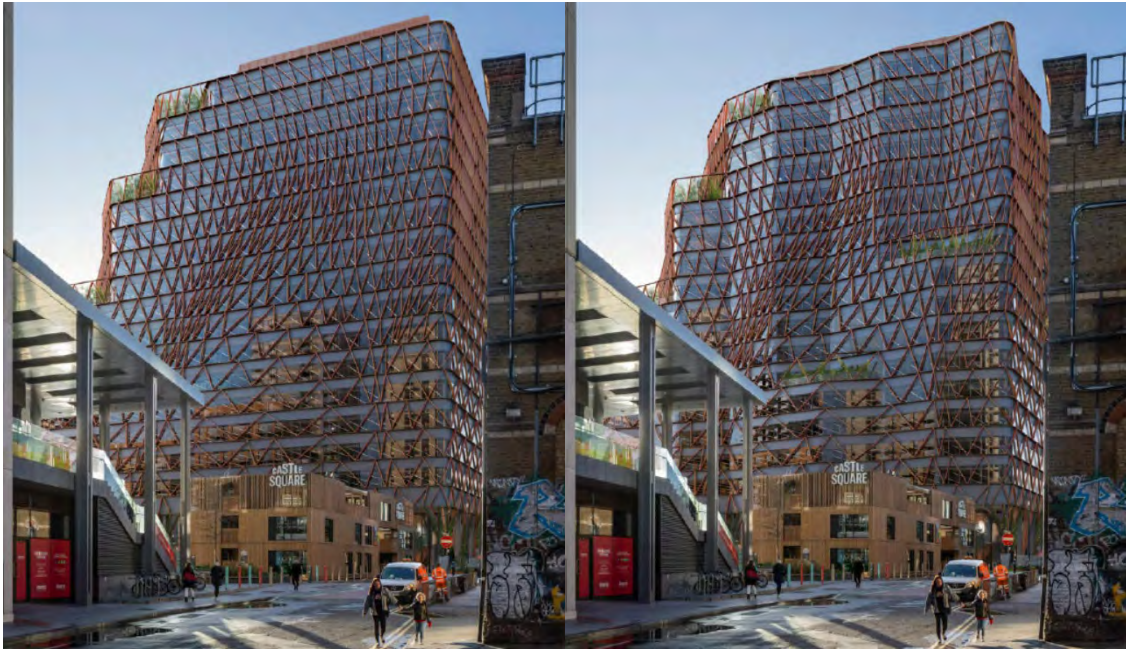
Architectural design and materials

217. Part 3 of Southwark Plan policy P17 sets out five aspects of tall building design that proposals are required to achieve. The first subsection requires tall buildings to “*be of exemplary architectural design and residential quality*”.
218. As a tall building, the architectural design must be exemplary. While there is no adopted definition of “exemplary” design in relation to a commercial building, the expectation is that this will be a highly sustainable and ambitious design, and contribute positively to its context. Plot H1 is a prominent location visible from a number of approaches and its architectural design would become a defining feature of the area.
219. The architectural design starts from the articulated block and then develops an architectural approach to the outer wrap around all elevations of the building. This approach was inspired by the work of Michael Faraday, a local scientist and pioneer of electricity and magnetic fields. The proposal comprises of fins installed across the glass façade and displaying a veil of “energy lines” projecting from the building. The pattern springs from the colonnaded base of the building and extends across the entire façade. At the set-back terraced areas the “Faraday Cage” forms a trellis-like enclosure to the terraces and introduces the potential for greening of the façade.



Visual showing the terraces and the fin pattern to the eastern part of the proposal

220. The fins are not only decorative but serve as a shading device by providing denser shading where necessary on the upper part of the southern elevation and opening up to have wider gaps elsewhere. The fins across the façade help to achieve the BREEAM “outstanding” rating. This undulating wave-like pattern of magnetic fields adds interest and delight, colour, and would provide solar shading the offices to contribute to the environmental performance of the design. The proposal would have a strong identity as a building on this pivotal location of the masterplan.
221. At the pre-application stage, the north façade facing was considered to be too broad and unrelenting, and suggestions of how to break up the façade with a vertical feature, projections or balconies, or by introducing greater depth in the façade were made. The originally submitted application scheme had not included such measures; the revised design is now more interesting and dynamic, giving the building a striking appearance to each façade. The addition of creases and further terraces to the northern and north-western sides added articulation to these wide façades, and better relate to the other sides of the building.



Visuals of the northern elevation from Elephant Road, as originally submitted (left) and as revised in the amendments (right)

222. The application drawings include detailed bay studies to show the base of the building with the tall colonnade and recessed frontage, and typical fin details. Further details of these would be required by conditions to ensure the design quality continues through to construction, and to allow for discussions on the colours and materials. Conditions requiring the materials and mock ups of the façade are also proposed to ensure an exceptional quality of materiality is secured as the visual success of the architectural façade is partly reliant on the use of high-quality materials. The proposal would accord with London Plan policy D9, part C.1)c) on architectural quality and materials and policy P17 of the Southwark Plan.

Design Review Panel

223. The Southwark Design Review Panel (DRP) reviewed a pre-application version of the proposal in February 2020. The Panel welcomed the development of this site and supported the proposal of a new commercial building in this town centre location. The Panel raised concerns about the overly bulky character and deep plan of the design, as well as the lack of detailed articulation of the façade, and encouraged a more developed path to net zero including science-based analysis. It also raised concerns about the landscaping and asked for it to be better integrated into the design.
224. The Panel invited the applicants to return to the DRP, however this has not been done following the positive revisions to the design made since the reviewed pre-application scheme. For example, the massing was adjusted with increased stepping to reduce the scale especially at the corner of Walworth Road and Deacon Street, and the December 2021 changes to articulate two façades. The deep plan character of the office floor plan has not been amended; this is in order to maximise the area and potential jobs provided by the building. There is no design policy that precludes such deep plan offices (providing its external design is acceptable) so in this respect the proposal is acceptable. The ventilation

requirements and any artificial cooling have been explained, as well as further information on the BREEAM “outstanding” rating, whole life carbon and circular economy elements of sustainability, which are set out later in this report.

Conclusion on the design of this tall building

225. The proposed design is distinctive, characterful and highly articulated. It is considered to be an exemplary architectural design and a fitting final piece of the Elephant Park masterplan contributing positively to the commercial vitality of the area. The quality of design will rely to a large degree on the quality of materials, architectural detailing and the construction of the façade. Subject to the recommended conditions about design detailing, the proposal is considered to comply with the design quality and tall building policies of the London Plan and Southwark Plan. The GLA response notes that the *“the scheme generally appears to have followed a design-led approach to the development of the scheme, in accordance with policy D4 of the London Plan”*, and considers the application has generally addressed the design and impact criteria of tall buildings as set out in policy D9. Later topic sections address the subsections of Southwark Plan policy P17 and London Plan policy D9 part C, regarding the impacts on heritage assets, environmental impacts (including wind, overshadowing and solar glare), energy efficiency and sustainability, functional impacts, and having a positive relationship with the public realm.

Designing out crime

226. The applicant team discussed the broad principles of Secured by Design with the Met Police to improve the safety and security of the proposal. The design of the development has considered opportunity for natural surveillance, incorporates excellent lines of sight, with few alcoves or secluded areas and the development should bring activity to this area. The Met Police commented that these are all excellent crime prevention measures. A two-part condition is included in the recommendation regarding Secured by Design accreditation and further details. Security measures, such as those to prevent hostile vehicles using the route across the north side of the building would need to be incorporated. Another condition relating to lighting, surveillance equipment and vehicle mitigation is proposed. Subject to these conditions, the proposal would comply with Southwark Plan policy P16 “Designing out crime”.

Fire safety

227. A fire statement was submitted with the application, as required by policy D12 “Fire safety” of the London Plan. It outlines the evacuation strategy, the active and passive fire protection systems (including consideration of the CLT parts of the building), external fire spread mitigation in the façade materials, access for fire service personnel and equipment, management and maintenance, and the later statutory approvals needed. The statement was compiled and reviewed by suitably qualified assessors on behalf of the applicant. The London Fire Brigade has no comments on the proposal, and the applicant has been in discussion with them since 2020. A condition to require compliance with the submitted statement (or any later revised version to be approved) is proposed to ensure compliance with London Plan policy D12. The proposal also complies with London Plan policy D9, section C.2)a) and D5 on inclusive design by providing

a fire evacuation lift.

Heritage considerations

228. Chapter 16 of the NPPF sets out the national guidance on conserving and enhancing the historic environment. The heritage polices set out in chapter 7 of the London Plan assert that development affecting heritage assets and their settings should conserve their significance by being sympathetic in their form, scale, materials and architectural details. London Plan policy D9 in part Cd) requires tall building proposals to take account of the significance of London's heritage assets and their settings, and part Ce) requires proposals to preserve and not harm the Outstanding Universal Value of a World Heritage Site. London Plan policy SD4 about the CAZ states in part C that the distinct environment and heritage of the CAZ should be sustained and enhanced. In the Southwark Plan, policies P19, P20, P22 and P24 seek to protect listed buildings, conservation areas, borough views and World Heritage Sites.
229. The council also has statutory duties with regard to heritage. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, when considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses. Section 72(1) of the Act requires that, with respect to any buildings or other land in a conservation area, when considering whether planning permission should be granted, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. In this context "preserving" means doing no harm. This means that preserving the character and appearance can be achieved not only by a positive contribution to preservation, but also by development that leaves the character and appearance with no harm.
230. Plot H1 is located about 180m to the north of the Walworth Road Conservation Area and the grade II listed Southwark municipal offices (Walworth Town Hall), library and clinic buildings on Walworth Road and nos. 140, 142, 150 and 152 Walworth Road. The site is within the wider setting consultation area of the LVMF view 23A.1 from the centre of the bridge over of the Serpentine to the Palace of Westminster, and the proposal would be visible within the setting of the World Heritage Site. The development of Plot H1 may impact on the heritage significance or appreciation of the heritage significance of these assets. Below ground heritage, i.e. archaeology, is considered in a separate topic section in the report. The ES assessed the likely effect of the proposal on selected heritage assets.
231. As set out in paragraph 198 above, the proposal would have no effect on the LVMF view from the Serpentine View towards the Westminster World Heritage Site as it would be completely screened by trees. When viewed from the northern end of the Serpentine Bridge and looking towards the World Heritage Site, the very top of Plot H1 would be visible behind the base of the Winged Victory statue (which is outside the World Heritage Site) and to the right of Victoria Tower which is within the Westminster World Heritage Site. The proposal would be far lower than the Strata Tower and One the Elephant towers seen further to the right, and

55 Broadway to the right, but would remove a small area of the current sky from behind the statue.

232. In the cumulative scenario from the northern end of the Serpentine Bridge, the approved Shopping Centre redevelopment (shown in yellow wireline in the image below) would appear slightly higher and so screen the parts of Plot H1 closest to the statue. This results in the proposal removing a much smaller area of sky behind the Winged Victory statue in this view.



Telephoto from 40m north of the LVMF viewing location on Serpentine Bridge, showing the cumulative scenario with Plot H1 in blue dashed outline and other approved developments in orange outline

233. The limited and incidental visibility of the proposal close to the World Heritage Site from this part of the bridge, located almost 40m from the designated LVMF viewing location is considered to cause no harm to the ability to appreciate the Outstanding Universal Value of the World Heritage Site, particularly as in the cumulative scenario as the now-implemented shopping centre redevelopment would screen most of the proposal. Historic England made no comment on this impact.
234. The ES has considered the environmental effects of the proposal on conservation areas and listed buildings as heritage assets within 250m of the site. The conservation areas considered were as follows and the ES assessed the proposal's effect on each to be of a negligible magnitude and to be insignificant:
- Walworth Road Conservation Area
 - Larcom Street Conservation Area
 - Elliot's Row Conservation Area
 - Pullens Estate Conservation Area.

235. The proposal at a maximum height of 85.73m AOD would be visible along Walworth Road from within the conservation area, and towards it where it would be viewed alongside the Plot H2 and H3 towers (at 104.8m AOD and 67.5m AOD respectively) as shown by the two visuals below looking north along Walworth Road. It would consolidate the cluster of tall buildings at the northern end of Walworth Road. The proposal is considered to preserve the setting of the Walworth Road Conservation Area.



View from Walworth Road at the junction with Manor Place



View from Walworth Road at the junction with Steedman Street

236. The proposal would not have a harmful impact on the setting of the Larcom Street Conservation Area and the limited points where it would be visible at a distance behind the historic terraces, it would be seen alongside other tall buildings in the town centre. It would preserve the setting of this heritage asset.
237. From within Elliot's Row Conservation Area which is west of the site, parts of the proposal would be visible between the taller towers of One the Elephant and Strata in the town centre. It would appear at a similar scale as Draper House. The proposal would do no harm and preserve the setting of this conservation area.
238. The Pullens Estate Conservation Area is to the south-west of the site, and due to the orientation of the roads the proposal would not be prominent in views from the conservation area. Where it is visible, the proposal would be seen alongside and lower than the Strata and Plot H2 towers. The proposal is considered to preserve to the setting of this conservation area.
239. Yates Estate and Victory Conservation Area is a new conservation area, designated in November 2021. It is located to the east of Rodney Place, approximately 230m to the east of the application site. The approved buildings on Plots H11a and H7 would be located between the conservation area and the proposal, limiting the visibility of Plot H1 from the conservation area. Given this and the separation distance, the proposal is considered to preserve the setting of this new conservation area.
240. Further away, the proposal would not be visible from Trinity Church Square Conservation Area, nor Walcot Square Conservation Area (in Lambeth) and so would cause no harm these heritage assets.
241. The ES considered the effects of the proposal on the following grade II listed buildings:
- Metro Central Heights
 - Michael Faraday Memorial
 - Metropolitan Tabernacle
 - Railings, gates and piers to Old St Mary's Churchyard
 - Elephant House, 4 Victory Place
 - Star and Cross Church, Falmouth Road
 - Nos. 140-152 Walworth Road (John Smith House)
 - Southwark Municipal Offices (Town Hall) and attached railings, Walworth Road
 - Southwark Central Library (Newington Library) and Cuming Museum, Walworth Road
 - The Walworth Clinic, Walworth Road
 - Church of St John the Evangelist, Larcom Street.
242. In all cases, the ES concludes the environmental effects of the completed proposal on the setting of these listed buildings would be insignificant. The proposal is considered to preserve the setting of these listed buildings for the following reasons:

- The grade II listed Metropolitan Tabernacle is 170m to the west, separated by the Shopping Centre redevelopment scheme. The proposal would not be seen alongside the frontage of the listed building which is the most important part of its special historic interest. Given the separation distance and with the approved Shopping Centre scheme screening most of the Plot H1 proposal, it would preserve the setting.
- The grade II listed Michael Faraday memorial is 210m to the north-west, also separated by the approved Shopping Centre redevelopment, which would screen the proposals in views of the memorial from the north. The proposal would preserve the setting of this heritage asset.
- The grade II listed Metro Central Heights residential towers are 200m to the north of the site. Its setting already contains tall buildings, such as Tantallon House and Two Fifty One. While the approved Shopping Centre development would screen the proposal in most views, it is considered to preserve the setting of these tall listed buildings.
- A grade II listed K2 telephone box recently reinstalled in Elephant Park near to the junction of Ash Avenue and New Kent Road, following its removal off site and restoration. It is some 130m to the north of the Plot H1 site, and its setting is dominated by the tall buildings on either side on New Kent Road and behind (including Plot H2), and mature trees. The addition of a further tall building behind this K2 telephone box would not harm any features of special historic interest and would preserve its setting.
- The grade II listed Elephant House is 360m to the east of the site, and separated by other large and tall buildings within the Elephant Plan masterplan. The proposal would preserve the setting of this heritage asset.
- The grade II listed buildings to the south on Walworth Road (Southwark Municipal Offices (Town Hall), Southwark Central Library and Cuming Museum, The Walworth Clinic and nos. 140-152 Walworth Road) would experience no harm to their setting, due to the distance to the site, the screening of the proposal by the heights and scale of the Plots H2 and H3 in between, and the angled orientation needed to see the proposal behind or alongside these listed buildings. This is also the case for grade II listed Church of St John the Evangelist.

243. The effect on the grade II* listed obelisk at St George's Circus is shown in a visual provided as part of the ES townscape assessment, copied below. The upper parts of the proposal would be visible, of similar scale to the terraced buildings either side of the road, taller than the approved Shopping Centre redevelopment (shown in yellow wireline) that appears to the immediate right of the obelisk base, and lower than the Plot H2 tower further to the right. The proposal is considered to preserve the setting of this grade II* listed obelisk.



View of the grade II listed obelisk with the proposal's top visible above the approved Shopping Centre development (in orange wireline)*

244. The impact upon non-designated heritage assets has been considered, in terms of the terrace of Victorian buildings at the northern end of Walworth Road that face onto the application site. The proposal is of a much larger scale and height than these 3- to 5-storey properties. The proposal would introduce a facing building into the streetscape, set behind the retained trees, to complete the Walworth Road frontage alongside Plots H2 and H3. The colours of its façade fins have taken cues from the bricks. The proposal is considered to preserve the setting of these historic buildings on the opposite side of the road. The Elephant and Castle train station and viaduct is a recognised landmark in the area. In recent years this viaduct has been integrated into the Low Line, and includes commercial uses that contribute to the vitality of the area. The proposal would enhance this undesignated heritage asset, by developing the facing prominent site, widen the eastern footway of Elephant Road and provide complementary commercial uses.
245. Historic England had no comment on the application. The GLA Stage 1 response requested further information on the impact on the LVMF view and World Heritage Site, which was provided in the revised TVBHA. In conclusion, the proposal is considered to cause no harm to designated and non-designated heritage assets, nor to the Outstanding Universal Value of the World Heritage Site. The proposal complies with Southwark Plan policies P19, P20, P22, and tall building policy P17 part 3, subsection 2 as well as London Plan policy D9 part C.1)d) and C.1)e) regarding heritage impacts and World Heritage Sites.

Landscaping, trees and urban greening

246. The mature trees on the Walworth Road frontage are required to be retained by the OPP. The submitted arboricultural method statement sets out how most of these mature trees are to be retained with the exception of a pear tree (category

C) to be removed, and one Norway maple (category C) that may be removed and replaced if its condition deteriorates.

247. The council's urban forester considers that the loss of the two lower-quality trees is more than compensated by proposed permanent soft landscaping, which includes 18 new trees on the Walworth Road, Elephant Road, northern side and eastern end of Deacon Street. This is of design merit complementing the retained avenue on Walworth Road, the new adjacent streetscene planting and connections to Elephant Park. The retained trees would be added to with perennial planting beneath, as has been done on the Walworth Road frontage alongside Plots H2 and H3 further south, and so would continue this landscaping character.



Proposed landscape layout

248. The existing temporary landscaping along the northern side of Deacon Street would be removed. The proposed public realm around the building has an area of 0.17ha, plus further areas within the covered colonnade and spill out spaces, and the reprovided Deacon Street and improved public highway pavements that are within the red line, a total of 0.39 hectares of public realm is within the proposed layout.
249. The eastern side of the plot referred to as a "Park Plaza" would be primarily hard surfacing beneath the colonnade and beyond the application site across to the new park pavilion. The applicant states this area of hard surfacing is needed to allow maintenance cranes to reach the façade, a separate route for a fire vehicle

(to prevent the chance of a parked maintenance crane blocking the route of a fire vehicle), and providing the cycling and pedestrian routes that converge in this area, which prevent further soft landscaping. While tables, chairs and moveable plant pots are indicated on the drawings, these would not be permanent nor fixed. It would leave this part of the site (especially as it sits alongside the broad area of surfacing around the pavilion) with less greenery than used in other areas of public realm of Elephant Park. In the design revisions, the applicant has enlarged the one planter on this side of the application site boundary by 10sqm (to a total size of 33sqm, of which 9sqm is within the Plot H1 site), and suggests that the plaza be treated in different materials to delineate the cycle route through, the emergency vehicle route, and spill out space alongside H1. While this would provide less soft landscaping than other parts of the proposal, the overall landscaping is good, particularly when seen as one part of the wider Plot H1 proposal, alongside the central public park and within the overall Elephant Park masterplan. A condition to require further details of the seven moveable planters the applicant has proposed around the south-eastern corner of the building would secure their retention and is included in the recommendation.

250. The pavement on Elephant Road would be at least 2.4m wide, beyond the colonnade and alongside new planters, and the scheme would provide an additional pavement set between the retained trees and façade of the building on the Walworth Road frontage (in addition to the existing pavement alongside the roadway). The route around the northern side would be wider, with at least 4.2m clear route between the planted areas to allow for emergency vehicles. The Deacon Street pavement would be at least 2m wide. These routes around the site and widened pavements would assist in accommodating the additional people coming and going from the site.
251. The planted roof terraces across the building, and the planting climbing up the columns around the base of the proposed building would provide further greenery, and conditions of the planting and maintenance of these features are proposed. The landscaping and planting measures on the building and surrounding public realm give the proposal an Urban Greening Factor of 0.35, which exceeds the London Plan policy G5 target score of 0.3 for a predominantly commercial development.
252. A condition to require the works to be carried out in accordance with the submitted arboricultural method statement is proposed. Further details of the proposed planting (including how it relates to the wider Heygate Estate tree strategy, and achieving the urban greening factor), the landscaping and roof terrace planting, where climbing plants are intended as a defining feature of the proposed elevations, would be required by suggested conditions. Public access to the new areas of public realm (including the colonnade) would be secured through a planning obligation, and an estate management plan to continue the OPP obligation. Subject to these conditions, the proposal would comply with the landscaping element of Southwark Plan policy P17 "Tall buildings", P59 "Green infrastructure" and P61 "Trees".

Ecology and biodiversity

253. The council's ecologist has reviewed the ecological survey and bat survey provided and considers them to be acceptable, without further surveys being

necessary. The mature trees on Walworth Road are mainly to be retained (one would be removed and potentially a second), and the wildflower planting along Deacon Street was always intended to be a temporary landscaping measure. The rest of the cleared site is of limited ecological interest, taken up by the urban farm containers and construction offices.

254. A green roof is proposed around the edge of the plant enclosures, as well as planting to the series of terraces up the building and climbing plants to the columns at the base of the building. Further tree planting is proposed within the public realm, resiting those on Deacon Street and adding more trees. These would provide good green infrastructure within the proposal.
255. Conditions are proposed to require an ecological management plan, further details of the biodiverse roof, and at least 18 swift bricks to be installed to provide suitable biodiversity enhancements, in line with policies G1 “Green infrastructure”, G5 “Urban greening” and G6 “Biodiversity and access to nature” of the London Plan, P60 “Biodiversity” of the Southwark Plan, and to take account of conditions on the OPP.

Archaeology

256. The site is not within an archaeological priority area, however it is of a size where assessment is advised. A desk-based assessment was submitted which considered the work previously carried out on the site and in the Elephant Park masterplan.
257. Earlier development and redevelopment of the site will have removed or damaged any archaeological remains. It considers there to be a low potential for prehistoric, Roman, early medieval and medieval finds or features, and that no further archaeological works or assessment are recommended. The two level basement proposed under Plot H1 would remove the late post-medieval demolition layers of negligible heritage value.
258. The archaeological officer has no objection to the proposal and no new conditions or obligations are proposed in this regard. A condition from the outline planning permission for reporting across the whole Elephant Park redevelopment site would be copied onto a new permission, to cover the scenario where Plot H1 is the final plot to be completed. The proposal complies with Southwark Plan policy P23 “Archaeology”.

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

259. Policy P56 “Protection of amenity” of the Southwark Plan states that development will not be permitted where it causes an unacceptable loss of amenity to present or future occupiers or users, taking into account the impacts on privacy, outlook, sense of enclosure, odour, lighting, daylight, sunlight and microclimate.
260. Many of the objections received referred to the height, massing and location of the proposal causing a loss of privacy, outlook, daylight and sunlight, as well as light pollution and noise.

Outlook and privacy

261. The Residential Design Standards SPD suggests that to prevent unnecessary problems of overlooking, loss of privacy and disturbance, development should achieve a minimum 12m separation at the front of the building and any elevation that fronts onto a highway, and a minimum distance of 21m at the rear of the building.
262. The siting of the proposed building within the site enables these distances to be achieved across the surrounding roads and park:
- Across Deacon Street, the proposed windows would be between 18m to 21m from the facing windows of Plot H2.
 - Across Walworth Road, the windows would be at least 27m from the facing windows on the western side of Walworth Road and 50m from Strata further west.
 - There are no existing residential properties on the western side of Elephant Road, and the upper façade would be 15m from the commercial units in the arches. In the future scenario the proposal would be approximately 40m from the nearest approved residential tower in the Shopping Centre redevelopment.
 - On the northern side of the plot, the proposed windows would be more than 60m from the facing windows of Mawes House, Tantallon House and Plot H4 on the opposite side of Castle Square and the park.
 - To the south-east across Sayer Street, the proposed windows would be 26m from the flats in the future tower of Plot H7.
263. By exceeding the minimum separation distances sought by the Residential Design Standards SPD, the proposal would not cause a significant loss of privacy to surrounding residential properties from the proposed office windows. The proposed terraces are at the same or similar distances as the windows and would not cause a significant loss of privacy.
264. The plot has single storey buildings on it at present, so that surrounding properties are not overlooked from the plot, and they have unrestricted outlook. The proposed building would significantly change the view from properties that face onto the site with its existing low, single storey buildings, especially Plot H2 as the closest neighbour. The planning system does not protect views from private properties, but seeks to protect the overall outlook of a property to prevent it feeling enclosed.
265. With the separation distances of 27m to more than 60m across Walworth Road, Castle Square and the park, the proposal is considered not to cause a significant reduction in outlook nor cause a significant sense of enclosure to residential properties in these directions.
266. The massing of the 18-storey building steps down on the south-eastern and south-western sides to be lower at the corners close to some of the Plot H2 flats, and its tallest massing is stepped set away from the Deacon Street frontage. The separation distance across Deacon Street to the flats within the H2 tower is considered sufficient to prevent an intrusive form of development, and exceeds

the minimum 15m separation required by the OPP's approved parameters. The Plot H2 flats within the lower mansion block at the corner of Deacon Street and Sayer Street would be 17.4m to 19m from the facing façade of the proposal. The proposed building would be 19 to 21m from the facing façade of the Plot H2 tower. These distances, along with the terraces stepping back the massing of the proposal at the corner would prevent the proposal from having an overbearing impact to these flats.

267. The proposed building would sit away from the corner of the future Plot H7 tower, so that the northern and western windows of the tower would retain good outlook.

Daylight

268. The assessment of daylight effects was included within the ES topic of "Daylight, Sunlight, Overshadowing, Solar Glare and Light Pollution". The daylight tests used are based on the Building Research Establishment's (BRE) guidance on daylight and sunlight, and compare the future baseline scenario with the proposed scheme. This assessment was not updated with the proposal's amended design as the maximum height of the massing did not increase and the overall façade line is no closer to neighbouring properties.

269. Two comparison tests for information were included elsewhere in the application documents to show the proposal's impact compared with the maximum parameters scheme. The applicant's daylight assessments include three scenarios:

- 1) The future baseline compared with the future baseline plus the Plot H1 proposal (as tested within the ES).
- 2) A comparison of the Plot H1 proposal with the impact of the maximum OPP parameters on neighbouring properties (in the Planning Statement).
- 3) For plots within the Elephant Park masterplan a comparison of the Plot H1 proposal with the impact of the illustrative masterplan of the OPP (in the Planning Statement).

270. The assessed properties include:

- 82, 84, 88, 92, 94-96 Walworth Road
- Julian Markham House
- Mawes House
- Portchester House
- Tantallon House
- Strata
- Plot H2 within the masterplan and occupied
- Plot H4 within the masterplan and occupied
- Plot H7 within the masterplan (under construction)
- The future residential properties in the closest tower of the Shopping Centre redevelopment.

271. The BRE guidance sets out the rationale for testing the daylight impacts of new development through various tests. While the BRE guidance has been recently updated in June 2022, the assessments for the impacts on neighbouring properties remain the same as the earlier BRE guidance. The first is the Vertical

Sky Component test (VSC); this considers the potential for daylight by calculating the angle of vertical sky at the centre of each of window serving the residential buildings which look towards the site. The target figure for VSC recommended by the BRE is 27% which is considered to be a good level of daylight and the level recommended for habitable rooms with windows on principal elevations. The BRE has determined that the existing VSC daylight figure can be reduced by 20% of the original value before the loss is noticeable.

272. The second method that can be used is the No Sky Line (NSL) test which assesses the proportion of the room where the sky is visible, and plots the change in the “no sky line” between the existing and proposed situation. It advises that if there is a reduction of more than 20% in the existing area of sky visibility, daylight distribution within a room may be affected.
273. The test results of the future baseline compared with the Plot H1 plus the future baseline will be summarised for the surrounding properties affected by the proposal. Commentary will be given in some cases on a comparison of the proposal with the hypothetical maximum parameters of the OPP, and the illustrative masterplan from the OPP for the affected Elephant Park properties.

82, 84, 88, 92, 94-96 Walworth Road

274. These properties on the western side of Walworth Road face across the highway to Plot H1. They include residential flats above ground floor commercial units (not included in the daylight testing). The windows in these residential properties have existing good VSC levels of between 18 and 27%, and the rooms currently have high levels of daylight distribution to their rooms. The daylight testing does not model the impacts of the mature trees on Walworth Road.

Future baseline v proposed – VSC

Address	Number of windows tested	Windows that pass	Windows that fail 20-29.9%	Windows that fail 30-39.9%	Windows that fail 40%+
82 Walworth Road	10	0	0	0	10
84 Walworth Road	10	0	0	0	10
88 Walworth Road	12	0	0	0	12
92 Walworth Road	7	0	0	0	7
94-96 Walworth Road	19	4	1	4	10

Future baseline v proposed – NSL

Address	Number of rooms tested	Rooms that pass	Rooms that fail 20-29.9%	Rooms that fail 30-39.9%	Rooms that fail 40%+
82 Walworth Road	4	2	0	0	2
84 Walworth Road	6	0	0	0	6
88 Walworth Road	7	5	2	0	0
92 Walworth Road	3	2	0	0	1
94-96 Walworth	15	10	1	4	0

Road					
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275. All windows in this terrace that face towards the site would experience noticeable reductions in VSC, up to 68% loss of current levels: the four windows that pass the VSC test at nos. 94-96 are side windows facing away from the site. The retained VSC absolute values would be between 7.6 to 13.7, which are low. The resulting retained VSC levels are lower than, but broadly similar to those that a hypothetical scheme of the OPP maximum parameter massing, for example retained VSCs of 7.9, 9.1 and 11.3%, compared with levels of 9.8, 10.0 and 12.7% of the OPP maximum massing.
276. Most rooms would experience a noticeable reduction in NSL, also in a similar scale to the hypothetical scheme of the OPP maximum parameter massing. Of the 35 rooms tested, 33 would retain daylight distribution to at least half of the room.
277. These impacts are considered in the ES to be direct, long-term, local and of major adverse significance. The daylight to the windows at the rear of this terrace (except for no. 82) would not be affected by the proposal. In a cumulative scenario with the approved Shopping Centre redevelopment, VSC levels to some windows would be slightly lower but there would be no change in the number of rooms and windows that fail the tests. The impact on the amenity of these properties by the reduction in the amount of daylight and distribution of daylight needs to be considered in the overall planning balance of the proposal.

Julian Markham House

278. This property on the western side of Walworth Road and to the south of the application site provides student accommodation. The tables below summarise the impacts on daylight levels at the centre of the tested windows and the daylight distribution to the rooms.

Future baseline v proposed – VSC

Address	Number of windows tested	Windows that pass	Windows that fail 20-29.9%	Windows that fail 30-39.9%	Windows that fail 40%+
Julian Markham House	146	129	17	0	0

Future baseline v proposed – NSL

Address	Number of rooms tested	Rooms that pass	Rooms that fail 20-29.9%	Rooms that fail 30-39.9%	Rooms that fail 40%+
Julian Markham House	127	127	0	0	0

279. Seventeen windows at the closest corner of property to Ploy H1 would experience a noticeable reduction in VSC levels by 20.1 to 27.7% of the existing levels (above the 20% reduction where such a change is likely to be noticeable), however all rooms would retain good levels of daylight distribution. The effect on

this property is considered in the ES to be direct, long term, local and of minor significance. In a cumulative scenario with the approved Shopping Centre redevelopment in place, 17 more windows would fail the VSC test and two rooms would fail the NSL test.

280. The reduction in VSC value to some windows of this student housing building is considered not to cause a significant reduction in the overall quality of the accommodation.

Mawes House

281. The tested windows and rooms within the southern flank of this residential building face across Castle Square onto Plot H1. The south-facing windows currently benefit from good levels of VSC (over 30% to the upper floors) and NSL, and the units benefit from side windows on the eastern and western elevations. The tables below summarise the test results:

Future baseline v proposed – VSC

Address	Number of windows tested	Windows that pass	Windows that fail 20-29.9%	Windows that fail 30-39.9%	Windows that fail 40%+
Mawes House	256	210	26	8	12

Future baseline v proposed – NSL

Address	Number of rooms tested	Rooms that pass	Rooms that fail 20-29.9%	Rooms that fail 30-39.9%	Rooms that fail 40%+
Mawes House	208	192	8	5	3

282. The windows that would see the largest reduction in VSC values sit within a central recess on each floor of the tower and appear to serve bathrooms, which are not habitable rooms. The bedroom windows on each floor would retain good VSC values of over 20%; while they would experience a noticeable reduction in NSL the daylight distribution would remain to at least half of the room areas.
283. The remaining windows that would experience a noticeable reduction in VSC serve kitchens and are set below the projecting balcony of the flat above. The retained VSC of these kitchens is at least 15% which when considered with the retained daylight to the other rooms in each flat is considered not to lead to a significant reduction in the quality of these residential units. The ES considered the effects to be direct, long term, local and of minor to moderate adverse significance.
284. The impact of the submitted Plot H1 scheme is similar to the impact of the OPP maximum parameters scheme; the submitted scheme leads to further reductions in absolute VSC values of 1-1.8% for the southern flank windows. In the cumulative scenario with the Shopping Centre redevelopment, nine more windows would fail the VSC test and the number of rooms passing the NSL test

remains the same. The proposal is considered not to cause significant harm to the quality of these residential units.

Portchester House

285. Portchester House provides student accommodation in a tower fronting New Kent Road and shares a podium with adjoining Mawes House and Tantallon House. Due to the arrangement of these three buildings, daylight levels to the lower levels of the rear of Portchester House are low in the existing situation. The test results are summarised below:

Future baseline v proposed – VSC

Address	Number of windows tested	Windows that pass	Windows that fail 20-29.9%	Windows that fail 30-39.9%	Windows that fail 40%+
Portchester House	161	157	3	1	0

Future baseline v proposed – NSL

Address	Number of rooms tested	Rooms that pass	Rooms that fail 20-29.9%	Rooms that fail 30-39.9%	Rooms that fail 40%+
Portchester House	140	111	14	8	7

286. The four windows that would experience a noticeable reduction in VSC have low baseline VSCs values of 3.8 to 4.4% so that the absolute reduction in value of 1 to 1.2% is a high proportional change. The absolute change in VSC would not materially change the amenity of these student bedrooms. The reduction in daylight distribution to the 23 student bedrooms and 6 communal rooms is considered not to cause a material reduction in the quality of the accommodation. The ES considers the effect to be direct, long term, local and of minor adverse significance.
287. It is noted that the proposed massing of Plot H1 causes almost the same VSC impacts as a maximum OPP parameter scheme, to be within 0.2% absolute change in VSC values, but has more NSL impact than a maximum parameter scheme causing up to a further 11% absolute change in room area. The number of windows and rooms passing the VSC and NSL tests remains the same in the cumulative scenario with the Shopping Centre redevelopment. The proposal is considered not to cause significant harm to the quality of this student housing.

Tantallon House

288. Tantallon House is a residential building, with its southern flank facing over Castle Square to Plot H1.

Future baseline v proposed – VSC

Address	Number of windows tested	Windows that pass	Windows that fail 20-29.9%	Windows that fail 30-39.9%	Windows that fail 40%+
Tantallon House	115	74	23	17	1

Future baseline v proposed – NSL

Address	Number of rooms tested	Rooms that pass	Rooms that fail 20-29.9%	Rooms that fail 30-39.9%	Rooms that fail 40%+
Tantallon House	115	110	5	0	0

289. The windows that would experience a noticeable reduction in VSC are on levels 1 to 9, and each is recessed within the wide balcony for that flat (with five floor to ceiling glass panes forming one “window” for the VSC test) or between the two projecting balcony columns. The absolute reduction in VSC values is between 3.0% and 5.0%, which reduces the retained VSC values to between the low- and mid-teens. The rooms retain good daylight distribution however in the NSL tests which take account of the size of the windows serving each room.
290. Five rooms (each a bedroom) would see a noticeable NSL reduction in daylight distribution, but retain daylight to at least 71% of their areas which would be a good distribution.
291. The ES considers the impact on Tantallon House as a whole to be direct, long term, local and of minor adverse significance. The impacts are comparable to the OPP maximum parameters scheme, causing a further 0.3-0.8% absolute change in VSC which is unlikely to be a noticeable additional impact. In the cumulative scenario with the approved Shopping Centre development, 7 more windows would fail the VSC test and the number of NSL passes remain unchanged. The reduction in daylight to the Tantallon House properties is considered not to cause a significant reduction in their residential amenity.

Strata

292. The residential floors of Strata from levels 2 to 18 that face towards the site were tested. At the upper levels, the proposal was found to cause small reductions in VSC and NSL, so that higher levels further up the tower would pass these tests. The windows currently have high VSC values of 26.5 to 35.8% and high NSL values due to the large windows and relatively low rise context of this building.

Future baseline v proposed – VSC

Address	Number of windows tested	Windows that pass	Windows that fail 20-29.9%	Windows that fail 30-39.9%	Windows that fail 40%+
Strata	136	40	56	40	0

Future baseline v proposed – NSL

Address	Number of rooms tested	Rooms that pass	Rooms that fail 20-29.9%	Rooms that fail 30-39.9%	Rooms that fail 40%+
Strata	136	124	12	0	0

293. 96 windows would experience a noticeable reduction in VSC values, however the retained VSC values remain good: 69 windows retain an absolute value over 20.0% (including all windows on level 7 upwards), 11 retain an absolute value of 19 to 20%, and 11 have values between 18 and 19%. The remaining five windows on levels 2 and 3 would have VSC values between 16.8 to 17.5% which is considered a reasonable level of daylight at lower levels within an urban environment. The majority of rooms pass the NSL test, with generally one room per floor failing, yet still retaining daylight to at least half the room area. The ES considers the effect to be direct, long term, local and of minor adverse significance.
294. The massing of the submitted Plot H1 scheme causes more VSC reduction than the OPP maximum parameters scheme for this plot, with the absolute VSC change 1.8 to 3.6% higher than the hypothetical OPP comparison. The NSL comparisons are more mixed, with some rooms affected more than the maximum parameters (up to 14% room area lost), while some rooms at the lower levels are impacted less (4-30% room area remaining lit).
295. In a cumulative scenario with the Shopping Centre redevelopment in place, five more windows would fail the VSC test, and the same number of NSL test passes occur. These five windows are on levels 13 to 15, and have retained VSC values of 24.8 to 26.3% which are good daylight levels. Windows on each floor would see slightly lower VSC levels: all tested windows on level 7 and higher retain VSC values over 20%, and all tested windows retain VSC values of 16.6% and higher.
296. The reduction in daylight to the Strata tower windows and rooms from Plot H1 and in the cumulative scenario is considered not to cause harm to the overall amenity of these residential properties.

Plot H2

297. Plot H2 is the closest neighbouring property to the proposal, facing across Deacon Street and contains occupied residential units from the first floor upwards. The windows face over to Plot H1 as an undeveloped site currently, meaning the proposed massing would be a substantial change to the context, although one that was anticipated in the OPP which approved Plot H1 to come forward for development. The ES considers the daylight impacts to Plot H2 properties to be direct, long-term, and of major adverse significance to this plot.

Future baseline v proposed – VSC

Address	Number of windows tested	Windows that pass	Windows that fail 20-29.9%	Windows that fail 30-39.9%	Windows that fail 40%+
Plot H2	657	380	40	65	172

Future baseline v proposed – NSL

Address	Number of rooms tested	Rooms that pass	Rooms that fail 20-29.9%	Rooms that fail 30-39.9%	Rooms that fail 40%+
Plot H2	327	268	8	8	43

298. 380 of the tested windows pass the VSC test and so the impact on these windows is considered to be insignificant in ES terms. It is noted that 131 of the 277 VSC-affected windows are located within a recessed balcony, which limits the daylight reaching the centre of these windows. 59 rooms would have a noticeable reduction in daylight distribution. The affected VSC windows often serve rooms that also fail the NSL tests within the Sayer Street mansion block and tower particularly, which will be looked at in more detail below.
299. As a recently constructed plot within the Elephant Park masterplan, the applicant was able to assess the impacts on the average daylight factor (ADF) of these occupied units, in the future baseline and with the Plot H1 proposal in place as a further test. Although the ADF test no longer appears in the recently updated BRE guidance for assessing the daylight provision to new residential accommodation, it is useful comparison as this metric was used when considering the quality of proposed accommodation in the respective RMAs for the surrounding plots. The ADF test showed 245 of the 327 tested rooms either meet the BRE guidance for their room uses or see no change in their ADF levels. Officers have considered the daylight impacts on the existing Plot H2 flats, and split Plot H2 into its two mansion blocks and tower for the assessment below.

Plot H2 Sayer Street mansion block

300. The Sayer Street mansion block (block AD, known as Weymouth Building) at its northern end contains 84 windows that would experience a noticeable reduction in VSC, 12 rooms served by these windows would also experience a noticeable reduction in NSL. This block was designed with a future development on Plot H1 in mind, so the design incorporates dual aspect flats, corner locations for the combined living/kitchen/diners (LKDs), and tall windows to try to maximise daylight provision to these flats.
301. Compared with the impact of the illustrative OPP masterplan massing, the current proposal causes greater daylight loss to the windows of between 0.1 and 3.7% VSC absolute value for the first floor flats, a further loss of 4.2% absolute value for the second floor flats, continuing up the façade of this mansion block and up to a further 9% absolute value change to the top floor.
302. Compared with the effect of the maximum OPP scenario, the current proposal has a mixture of less impact to some windows and greater impact to others. Six

windows per floor from first to sixth floors would have better daylight levels in the submitted scheme; the windows would see higher VSC values between 0.1 to 3.7% better than the maximum OPP scenario. Another seven windows on the first floor lose an extra 0.2 to 0.6% absolute value to have lower daylight than the maximum OPP scenario, 12 on the second floor lose an extra 0.1 to 0.8% absolute value, 12 windows on the third floor etc up the façade.

303. The affected flats are dual aspect so that while windows and rooms on the northern façade are most affected by the proposal, the daylight levels on the western and eastern façades are less affected. To take each affected flat in turn:

- The two first floor flats would experience noticeable reductions to both their north and side facing windows:
 - One flat would see the ADF of its corner LKD reduce from 2.2 to 1.6% with the proposal, and its two bedrooms would see a noticeable reduction in VSC and NSL but the ADFs of 0.9% and 0.8% remain just below the recommended ADF of 1%. These ADFs to the three rooms are better than the maximum OPP scenario (of 1.5%, 0.6% and 0.5% respectively).
 - The other first floor flat would have a noticeable reduction in VSC and NSL to its bedroom which would retain an ADF of 0.9%, and the corner LKD would see a noticeable reduction in VSC and NSL, but retain daylight distribution to 79% of the room area and an ADF of 1.4%. These ADFs are slightly better than in the maximum OPP scenario where they would be 0.6% and 1.3% respectively.
- At second floor level, one flat would have its corner LKD reduce in ADF from 2.2% to 1.6%, and its two bedrooms would have noticeable reductions in VSC and NSL but retained ADFs of 0.8% and 0.9%, close to the 1% recommended. The second flat would have reduced VSC and NSL to its bedroom but an ADF of 0.9%, and while the LKD's windows would have reduced VSC values the room retains an ADF of 1.4%.
- At third and fourth floors the second floor pattern of daylight impacts repeats, with the ADFs increasing up the building so the bedrooms achieve ADFs of between 0.9 and 1.3%, and the LKDs have ADFs of 1.5 to 1.8%.
- At the fifth floor and above there would be windows that experience a noticeable reduction in VSC but the rooms retain good daylight distribution and ADF values.

304. The flats in this mansion block would experience some harm to their residential quality by the reduction in daylight. It is noted that the daylight levels are better than in the maximum OPP scenario for the flats closest to Plot H1 as the proposal's corner has been sculpted in front of this block, however other flats further away have greater losses than a maximum OPP scenario but still retain acceptable ADFs. When compared with the potential impacts of the approved OPP parameters, the loss of daylight is not considered to be a reason for the refusal of the scheme, however the harm to these neighbours would need to be weighed in the planning balance.

Plot H2 tower

305. The 31-storey tower of Plot H2 (block C, known as Hurlock Heights) contains 185 windows on the northern side and north-eastern corners on levels 1 to 21 that would have a noticeable reduction in VSC. The tower contains 40 rooms from levels 1 to 19 that would experience a noticeable reduction in NSL; 38 of these rooms are served by windows that would also experience a noticeable VSC reduction. The tower was designed with a future development of Plot H1 to the north in mind, so the design incorporates dual aspect flats, corner locations for the combined LKDs (albeit recessed to provide a balcony), and tall windows to try to optimise daylight provision to these flats.
306. Compared with the impact of the illustrative OPP masterplan massing, the current proposal causes greater daylight loss to the windows of between 0.3 and 6.1% VSC absolute value for the first floor flats, a further reduction of 7.4% absolute value for the second floor flats, continuing up the façade of tower and causing a further loss of up to 13% absolute value change.
307. Compared with the effect of the maximum OPP scenario, the current proposal has a mixture of less impact to some windows (particularly the lower floors) and greater impact to others (mostly to the upper floors). For example, 11 first floor windows would see VSC absolute values between 0.2 and 1.7% higher than the maximum OPP scenario, while two windows would have VSC values 0.6 and 0.8% lower.
308. The most affected flats in the tower are dual aspect with windows in the northern façade and either the north-eastern or north-western sides of the tower. The windows and rooms in the northern façade are most affected by the proposal as they face straight onto Plot H1; the daylight levels on the side façades are generally less affected. Other affected flats are set back and primarily face either east or west, with some north-facing windows. The regular design of the tower means the impacts to two flats per floor in the northern side would experience noticeable VSC reductions and some with NSL reductions too up to and ADF reductions, up to the 21st floor. The impacts per floor are summarised as follows.
- Two first floor flats in the northern façade of the tower would experience noticeable reductions to their north facing windows and side windows:
 - One flat would have a noticeable reduction in VSC to all of its windows, and a noticeable reduction in NSL to its LKD and one of its two bedrooms. The ADFs would reduce from 0.5%, 3.1% and 2.5% to 0.4%, 0.9% and 0.6% respectively; these ADFs are the same as in the maximum OPP scenario.
 - One flat would have a noticeable reduction in VSC to four of its five windows, and a noticeable reduction in NSL to the bedroom. The ADF of its corner LKD would reduce from 3.3% to 1.6% with the proposal, and the bedroom ADF was reduce from 2.5% to 0.7%. The ADF to the LKD is better than the maximum OPP scenario (of 1.3%) and the same for the bedroom.
 - At second floor level, the same pattern occurs as on the first floor. One flat would have a noticeable reduction in VSC to all its windows, and to

the NSL to its LKD and one of its two bedrooms. The ADFs would reduce from 0.5%, 3.2% and 2.6% to become 0.4%, 1.0% and 0.7% respectively, which are the same as for the maximum OPP scenario. The other flat would have a noticeable reduction in VSC to three of its five windows, and a noticeable reduction in NSL to the bedroom. The ADF of its corner LKD would reduce from 3.4% to 1.6% with the proposal, and the bedroom ADF was reduce from 2.6 to 0.7%. The ADFs to the LKD is better than the maximum OPP scenario (of 1.4%) and the same for the bedroom.

- At third floor level the pattern of fails slightly improves as one flat would see its LKD pass the NSL test although all windows fail the VSC test. The other flat retains ADFs of 1.8% for the LKD and 0.8% for the bedroom.
- From the fourth floor the pattern continues up to the 21st floor where, for one flat per floor, the three windows serving the LKD would see a noticeable reduction in VSC but pass the NSL test, and one of the two bedrooms would have a noticeable reduction in VSC and NSL. The other flat on each floor would have a noticeable reduction in VSC to three of its five windows, and a noticeable reduction in NSL to the bedroom. The ADFs would improve up the building.

309. Away from the northern façade of the tower, the east-facing flat affected on each floor would see a noticeable reduction in VSC to the recessed north-facing window of the LKD and the second window serving the LKD would see a small reduction in VSC (but passes the VSC test). The VSC impact of the proposal to these flats is less than in the maximum OPP scenario. The LKD rooms pass the NSL test on each floor. The ADFs of these LKDs would reduce from 1.6% on the second floor to 1.2%, at third floor from 1.7% to 1.3%, up to the 8th floor where the recommended ADF of 2% would be achieved, and are similar in scale to the maximum OPP scenario. These same flats would have a noticeable reduction in the daylight to the recessed bedroom windows; these windows have very low VSC values of 1.5 to 6.2%, making any VSC reduction a high proportion. The reduction in VSC values of 1.3 to 1.5% to the bedrooms, and the daylight reduction to the LKDs is considered to not cause harm to the amenity of these flats.

310. On the other side of the tower, the west-facing flat to each floor would see a noticeable reduction in VSC to the north-facing window of the LKD, but as the VSC to the other window serving this room would not be impacted and the NSL to the room is unaffected, the daylight to these flats would not change significantly. The proposal would cause a noticeable reduction in daylight to flats in the Plot H2 tower. When compared with the potential impacts of the approved OPP parameters on the Plot H2 tower, the loss of daylight is not considered to be a reason for the refusal of the scheme, however the harm to these neighbouring units must be weighed in the planning balance.

Plot H2 south-western mansion block

311. Approximately 60m from Plot H1, the south-western block of Plot H2 (block B, known as Sandow House) has 8 windows with a noticeable reduction in VSC, each window is one of four serving a LKD in a flat on each floor. 7 rooms would experience a noticeable reduction in NSL, but 6 of the 7 rooms would retain daylight distribution to at least half the room. The impact on the daylight of these flats would not harm their overall quality.

312. In conclusion for the impacts on Plot H2, the reduction in daylight levels to the flats in Plot H2 are broadly in line with those that would occur with a hypothetical development of the maximum OPP scenario, in some locations are less than the maximum scenario and in other cases are greater. The design of Plot H2 planned for a development on Plot H1 and sought to maximise the dual aspect nature of the flats, with large windows and multiple windows serving LKDs. The harms to the occupied flats in the Sayer Street mansion block and the Plot H2 tower need to be considered in the planning balance of this application.

Plot H4

313. Plot H4 is to the north-east of the application site, facing over the public park towards the clear application site and Plot H7 under construction.

Future baseline v proposed – VSC

Address	Number of windows tested	Windows that pass	Windows that fail 20-29.9%	Windows that fail 30-39.9%	Windows that fail 40%+
Plot H4	300	184	64	37	15

Future baseline v proposed – NSL

Address	Number of rooms tested	Rooms that pass	Rooms that fail 20-29.9%	Rooms that fail 30-39.9%	Rooms that fail 40%+
Plot H4	258	232	22	4	0

314. Of the 116 windows that fail the VSC test, 89 are beneath the projecting balcony of the floor above meaning Plot H4's design results in Plot H1 having a disproportionate impact. The affected windows that are not beneath a balcony have higher retained VSCs of 13.3 to 20.1%. The Plot H4 flats at first floor level would have retained VSC values of between 5.7 and 19.4%, reduced from future baseline values of 9.0 to 23.0% respectively. The 26 rooms that would experience a noticeable reduction in NSL retain daylight distribution to at least half the room area. The ES considers the daylight effects to be direct, long-term and of minor adverse significance to this plot.
315. When compared with the impacts from the illustrative OPP masterplan massing, the current Plot H1 proposal has broadly similar impacts and causes a further reduction in VSC value of up to 3.9%. A comparison with the OPP maximum parameter massing shows a mix of result of windows that would see a very slight improvement in VSC with the current proposal (up to 0.2% improvement in value) and more windows that would see a greater reduction in VSC (as much as a further 2.3% reduction in value) due to the increased height and massing of the current proposal.
316. In the ADF test to these recently completed flats, 223 of the 258 rooms either meet the BRE guidance for that room type or see no change to their ADF levels. The ADF impacts to the Plot H4 rooms from the current proposal are generally the same or a greater reduction (up to 0.3% ADF) than the impact from the

maximum OPP parameter, and cause up to a further 0.5% ADF reduction compared with the illustrative OPP masterplan.

317. The daylight impacts on VSC and ADF to these properties are generally greater than in the OPP, leaving low retained VSC and ADF values especially to the lower level flats. The retained NSL values are good. The reduction in daylight would be noticeable to these properties, and slightly reduce the quality of these new units. Their internal size, outlook and private amenity space provision would remain good however, so while the proposal would cause harm to daylight levels it would not cause such harm to warrant refusal of this application.

Plot H7

318. Plot H7 is under construction and the windows and layouts of the approved flats are known, allowing the daylight tests to be undertaken, including the ADF tests.

Future baseline v proposed – VSC

Address	Number of windows tested	Windows that pass	Windows that fail 20-29.9%	Windows that fail 30-39.9%	Windows that fail 40%+
Plot H7	707	594	30	28	55

Future baseline v proposed – NSL

Address	Number of rooms tested	Rooms that pass	Rooms that fail 20-29.9%	Rooms that fail 30-39.9%	Rooms that fail 40%+
Plot H7	458	412	10	9	27

319. The affected windows are in the tower of Plot H7 and the adjacent mansion block on Sayer Street, which were anticipated to have low daylight levels in the recent RMA for this plot. Of the 113 windows that fail the VSC test, 83 are set below a balcony on the floor above which limits the visibility of the sky. 46 rooms (33 bedrooms and 13 LKRs) would see a noticeable reduction in daylight distribution, including three bedrooms at first and second floor levels would see their very low NSL results reduce to zero. The ADF test found that 414 of the 458 rooms either meet the BRE guidance for that room use or see no change in ADF value. The ES consider the daylight effects to be direct, long-term and of moderate adverse significance.
320. The Plot H7 flats would experience daylight losses from any substantial redevelopment of Plot H1, and the Plot H7 sought to optimise daylight provision by having dual aspect rooms and flats, and included floor-to-ceiling windows. The impacts of the current Plot H1 proposal on the Plot H7 flats are the same or greater than the VSL and NSL impacts from the illustrative masterplan and maximum OPP parameters schemes.
321. The reduction in daylight to these future homes would slightly reduce the quality of these new units. Their internal size, outlook, private amenity space provision and communal spaces would remain good however, so while the proposal would cause harm to daylight levels it would not cause such harm to warrant refusal of

this application.

Shopping Centre redevelopment

322. The closed approved new tower in the Shopping Centre redevelopment would be on the western side of the railway viaduct, approximately 40m from the Plot H1 site.

Cumulative scenario of Shopping Centre flats and Plot H1 – VSC

Address	Number of windows tested	Windows that pass	Windows that fail 20-29.9%	Windows that fail 30-39.9%	Windows that fail 40%+
Shopping Centre residential tower	192	97	32	20	43

Cumulative scenario of Shopping Centre flats and Plot H1 - NSL

Address	Number of rooms tested	Rooms that pass	Rooms that fail 20-29.9%	Rooms that fail 30-39.9%	Rooms that fail 40%+
Shopping Centre residential tower	155	106	13	25	11

323. Of the 95 windows that would experience a noticeable reduction in VSC, 64 are set within a recessed balcony. The other windows affected are large floor-to-ceiling windows. The rooms that fail the NSL test retain daylight provision to at least 46% of their areas. The ADF tests to these future homes found that 105 of the 155 rooms assessed would retain daylight levels recommended by the BRE guidance or are unaffected by the Plot H1 proposal. The 50 rooms that would see a reduced ADF are all combined living/kitchen/dining rooms, within recessed balconies.
324. The ES considers the daylight impact on this future building to be of moderate adverse significance. The impacts upon this residential tower that is under construction are not considered to cause such harm to the amenity of these future homes to warrant refusal of this application.

Sunlight

325. The same neighbouring residential properties were tested for the sunlight hours to the windows, where those windows face within 90 degrees of south. A window would fail the sunlight test where all three test criteria are met:
- The window would receive less than 25% of annual probable sunlight hours or 5% of winter hours; and
 - It would experience more than a 20% reduction in current sunlight hours and;
 - The absolute reduction in annual sunlight hours would be more than 4%.
326. The table below sets out the sunlight test results for the annual hours and winter hours. Where a property had no affected windows that face within 90 degrees of

south, e.g. 82-96 Walworth Road, no rooms were tested.

Future baseline v proposed – APSH

Address	Number of windows tested	Windows that pass	Windows that fail winter hours	Windows that fail annual hours
82 Walworth Road	-			
84 Walworth Road	-			
88 Walworth Road	-			
92 Walworth Road	-			
94-96 Walworth Road	2	2	-	-
Julian Markham House	6	6	-	-
Mawes House	208	197	11	11
Portchester House	140	140	-	-
Tantallon House	115	94	2	21
Strata	51	51	-	-
Plot H2	146	146	-	-
Plot H4	225	195	0	30
Plot H7	274	257	0	17

327. Looking at the properties that would experience a noticeable reduction in sunlight hours:

- In Mawes House the 11 rooms that fail annual and winter sunlight hours tests are bathrooms. The loss of sunlight to these non-habitable rooms is considered to be an insignificant effect in ES terms.
- In Tantallon House the 21 rooms that would see a noticeable reduction in annual sunlight hours each have a balcony above the window which obstructs part of the available the sunlight. The retained sunlight levels are considered acceptable for this central urban environment, and 19 of these 21 rooms pass the winter hours test. The loss of sunlight is considered to be of minor adverse significance in the ES.
- In Plot H4, 30 rooms would see a noticeable reduction in annual sunlight hours. These affected rooms are served by windows set below a balcony on the floor above. All rooms would retain good winter sunlight hours. The loss of sunlight to flats in this plot is considered to be of minor adverse significance in the ES.
- In Plot H7, 17 rooms would see a noticeable reduction in annual sunlight hours. 1 is a combined living/kitchen/dining room and 16 are north-facing bedrooms which have low sunlight levels of 5% to 9% APSH provided by one west-facing window, which makes any reduction a high proportionate change. The loss of sunlight is considered to be of minor adverse significance in the ES. The impacts are similar to those the illustrative OPP masterplan would have had on this adjacent plot.

328. In the cumulative scenario with the approved Shopping Centre scheme in place, the proposal's impact on the sunlight to the future flats within the nearest future tower were tested for APSH annual and winter hours. Of the 122 rooms assessed, 81 meet the BRE guidance, and 41 would experience a noticeable

reduction in annual hours, 37 a noticeable reduction in winter hours. The ES considers the impacts to be of moderate adverse significance. These rooms are all LKDs that are set behind their recessed balconies, and face eastwards meaning they are affected by any tall redevelopment on Plot H1 as it would shade morning sun hours. The retained sunlight levels are considered acceptable for these future flats however as the bedrooms retain good sunlight hours across the year and in winter.

329. The reduction in sunlight hours to these neighbouring properties would not be so significant to warrant the redesign or refusal of the current application. It is a harm that cannot be mitigated and so must be considered as part of the planning balance.

Overshadowing of amenity spaces

330. The impact of the proposal’s massing on the sunlight reaching three larger outdoor amenity spaces was assessed in the sun hours on ground test, and transient overshadowing diagrams show the shadows cast each hour. The BRE guidance suggests at least half of an amenity space should receive at least two hours of sunlight on 21 March (the spring equinox) to appear adequately sunlight throughout the year. Shading by trees is not modelled in these tests.
331. The massing of the proposal would allow more than half of the new central public park to receive at least two hours of sunlight on 21 March (55%), and at least half of Castle Square (63%). The submitted design would have a similar scale of impact as the maximum massing scenario. In the cumulative scenario, with the Shopping Centre permission in place, these two spaces would retain at least two hours of sunlight to over half of their area. The reduction would not lead to a significant loss of sunlight hours to these areas of public realm.

Amenity space	Future baseline sun levels (% area that receives >2hrs sunlight)	Sun hours on ground test of Plot H1 proposal	Sun hours on ground test of maximum massing scenario	Cumulative Sun hours on ground of Plot H1 proposal
Elephant Park	70%	55%	53%	55%
Castle Square	100%	63%	62%	55%
Mawes/Portchester/Tantallon podium	49%	47%	46%	36%

332. The podium garden of Mawes/Portchester/Tantallon Houses would see a small reduction in sun hours on ground from 49% of its area receiving at least 2hrs of sunlight to 47% of its area; this is slightly less impact than the hypothetical OPP maximum massing’s impact (at least 2hrs of sunlight to 46% of its area). The shadow of Plot H1 would extend over the podium garden from around noon until between 2pm and 3pm. The podium garden currently falls slightly short of meeting the half area recommended in the BRE guidance, and a reduction by another 2% is considered not to cause significant harm to the residential amenity. The ES concludes the effect of the proposal in terms of overshadowing is considered to be insignificant.

333. When considered with the impact of the Shopping Centre redevelopment (which overshadows these properties in the afternoon), the podium area receiving at least two hours of sunlight would reduce to 36%. This suggests the approved Shopping Centre redevelopment has a greater impact than Plot H1 by itself. This cumulative effect is considered in the ES to be a direct, long-term, local effect of minor adverse significance, and is a harm that needs to be considered in the planning balance.

Conclusion on daylight and sunlight

334. The impacts on daylight levels to windows and rooms allow some of the neighbouring properties to retain good levels of daylight for an urban area, and are broadly comparable to the impacts of the maximum parameters consented by the OPP. A detailed RMA design could have had similar massing and similar impacts. The reduction in daylight and sunlight to neighbouring properties is considered by officers to be not so severe as to be considered contrary to policy P56 of the Southwark Plan and London Plan policy D9 part C.3)a), nor to warrant refusal of the proposal in neighbour amenity terms; their privacy and outlook would not be significantly reduced due to the separation distances, and the neighbouring properties retain their internal spaces and amenity spaces as other unaffected aspects of residential quality. However, the loss of daylight and sunlight to surrounding properties and plots within the masterplan does need to be factored into the wider planning balance of the proposal, and is addressed in a later topic of this report.

Light pollution

335. The light trespass diagrams within the ES show the light spill from Plot H1 to surrounding properties, assuming all office lights are on throughout the night and with no blinds to the windows, in order to model a worst case scenario. The diagrams show that the increased lux levels to surrounding properties pre-curfew and post-curfew sit below the threshold levels to all properties within Elephant Park, Strata, Walworth Road, the approved Shopping Centre tower and those to the north (Tantallon, Portchester and Mawes Houses). The proposal does not raise light pollution concerns in this central part of the borough, within the CAZ and town centre. It has addressed London Plan policy D9 part C.1)h) on minimising light pollution from tall buildings. A condition to require further details of any external lighting is proposed to protect neighbour amenity.

Solar glare

336. The ES included consideration of the solar glare effects of the proposal. The mainly glazed façades have been considered in terms of how they may cause glare to road users at 13 locations in the local area, and to train drivers at 8 locations on the viaduct to the west of the site. The assessment was updated for the revised elevation design (although not precisely the submitted scheme).
337. Eleven of the 13 road locations would have no effect or an insignificant solar glare effect, as glare would occur for a short period of time, or away from the traffic light focus, or be behind the driver's visor line. One location looking south

down Meadow Road along Ash Avenue would experience solar glare from the east-facing parts of the upper façade (behind the visor line) from 7am to 8am in spring and autumn, as an effect of minor adverse significance. One location on Kennington Lane would also experience solar glare for one hour in the afternoon on the parts of the façade visible behind the Strata tower, leading to an effect the ES categorises as of minor, adverse significance.

338. In terms of the rail locations along the viaduct either side of the train station, four of the 8 assessed locations would have an insignificant effect. The other four locations would have limited incidences of solar glare:

- Two locations for north-bound trains coming into the station where for two hours in the summer afternoons solar glare may occur, leading to an effect of minor adverse significance.
- Two locations for south-bound trains coming into the station where a small portion of the middle and corner of the façade would pick up reflections before 5am in summer. This is an effect of minor adverse significance.

339. The solar glare analysis assumes the proposal façades are fully reflective as a worst-case scenario, so the actual detailed design with the fins to screen part of the glazing would assist in this regard. These predicted incidences of solar glare are not considered significant to warrant the refusal of the application, and the proposal has sufficiently addressed London Plan policy D9 part C.1)g).

Noise and vibration

340. A condition to control the hours of use of the terraces is proposed, in the interest of protecting neighbour amenity late at night and early in the morning. Another condition would be included relating to plant noise given the amount of roof plant and low level plant within the proposal, also in the interest of neighbour amenity.

Conclusion on neighbour amenity

341. The proposal would not cause a material loss of privacy, nor be intrusive to the outlook of surrounding properties. It would cause a loss of daylight to windows and rooms of neighbouring properties, and in some cases would cause harm to the overall quality of these residential neighbours. The proposal would not cause light pollution nor regular incidences of solar glare, and subject to the proposed conditions would not raise noise or vibration issues. The proposal broadly complies with policy P56 Protection of amenity of the Southwark Plan, however there will be noticeable daylight and sunlight losses to some properties highlighted above, although officers do not consider the degree of harm overall sufficient to warrant refusal. In addition these harms have to be considered in the overall planning balance, which is set out later in this report.

Transport and highways including servicing, car parking and cycle parking

Site layout

342. The site has a PTAL of 6b, the highest level. This development faces Elephant and Castle train station, is close to the tube station, and to the bus routes on the adjacent Walworth Road. The footways adjoining this site on Elephant Road and Walworth Road connect northerly and easterly to the pedestrian routes running through the neighbouring Elephant Park. There are a few highway safety measures on the segment of Walworth Road in the form of raised entry treatment at its junctions with Elephant Road and Hampton Street plus signalised pedestrian crossings on the three arms of its intersection with Heygate Street/Steedman Street. This site adjoins dedicated cycle routes including Cycle Superhighways (nos. 6/7) and there are bus lanes on both sides of the section of Walworth Road flanking this site which cyclists can use, plus an extended loading bay that can accommodate large vehicles on the western side of the adjacent Elephant Road.
343. The application proposes a generous pedestrian environment to complement the footways on Elephant Road and Walworth Road, an east-west pedestrian route at its northern periphery that would join Sayer Street/Deacon Street to Elephant Road. A new pedestrian route is proposed along Walworth Road (in addition to the pavement alongside the road), and a widened pavement along the eastern side of Elephant Road. These publicly accessible routes across the site are welcomed, were expected by the OPP masterplan, and would be secured by a planning obligation.
344. The proposal provides a gated vehicle entrance to a service yard incorporating refuse store and three loading bays, accessed off the adjacent Deacon Street. The applicant's consultants have carried out vehicle swept path analyses which confirm that the servicing areas would have ample vehicle manoeuvring space that would ensure that rigid lorries and light vans entering and exiting would do so in a forward gear.
345. The scheme also provides disabled car parking areas and servicing/drop-off bays on Deacon Street, complemented with short-stay cycle parking areas spread across the adjoining road frontage, and a cycle ramp and lift to the basement cycle store and shower/changing facilities. Cycle access is possible along Walworth Road and Elephant Road. The new signed cycle route as part of the Elephant Park masterplan runs up Sayer Street, across the northern side of the plot and onto Elephant Road. The proposal makes provision for this new cycle route, to continue this requirement of the OPP in improving cycle access in the area.
346. There are transport impacts raised by the additional numbers of pedestrians, cyclists, public transport users and vehicles to/from the proposed development that would need to be addressed by a package of mitigation measures. The existing transport context includes: a significant level of traffic accidents in the vicinity, with the fatal or serious categories involving pedestrians, cyclists and motorcyclists; the train station has poor pedestrian access by involving steps with no accessible provision; the footways on Elephant Road and Walworth Road are substandard; the Elephant Road highway segment abutting the site would need to be resurfaced after construction of the proposal. Pedestrian safety can be improved by a raised entry treatment at the junction of Deacon Street and Walworth Road, and for pedestrians and cyclists by junction revisions at Elephant Road/Walworth Road.

347. In consideration of the proposal's impacts, officers have requested a package of measures (to be secured in planning obligations) to contribute towards highway safety, pedestrian improvements, and public transport improvements around this development including:
- Resurfacing the Elephant Road highway alongside the site.
 - Reconstructing the footways adjoining the site on Elephant Road and Walworth Road, and reduce clutter around the intersection of these two roads.
 - Amending the Elephant Road/Walworth Road junction and providing a pedestrian and cyclist crossing for Walworth Road near the railway bridge.
 - Amendments to the junction of Deacon Street with Walworth Road to allow for two-way traffic, including revised signage.
 - A financial contribution towards the design and works for improved, inclusive access to the Elephant and Castle train station and its platforms.
348. TfL notes that the Elephant Park masterplan has delivered significant improvements to the public realm, and the proposal would complement the improvements secured as part of the OPP. TfL requested a financial contribution for Legible London provision (£12,000 indexed) to improve wayfinding for pedestrians and cyclists to and from the proposal which would also be secured in a planning obligation. Elephant Road would see increased pedestrian footfall and cycle flows as a result of the proposed development. TfL suggest that the council should consider improvements to Elephant Road as the "front door" of the development, for example extending raised crossings and improving the footways on the western side. The measures listed above to improve Elephant Road and its junction are considered proportionate mitigation for the scheme.

Trip generation

349. As an office-led proposal, the majority of the predicted trips to the site are expected to occur during the weekday peak periods of 7am to 10am with staff arriving, and from 4pm to 7pm when staff leave.
350. Concerning the vehicle movements ensuing from this development proposal, officers' interrogation of comparable sites' travel surveys within TRICS travel database has revealed that the office aspect of this development would generate 59 and 54 two-way vehicle movements in the morning and evening peak hours respectively while its shop/restaurant/medical facility parts would create 11 and 24 two-way vehicle movements in the morning and evening peak hours. Overall, this development would produce 70 and 78 two-way vehicle movements in the morning and evening peak hours separately. Although officers' forecasted two-way vehicle movements for the morning and evening peak hours are higher than the peak traffic hours predicted by the applicant's consultants, officers consider that these levels of vehicular traffic would not result in any noticeable adverse impact on the existing vehicle movements on the surrounding roads.
351. Visitors to the site would likely use sustainable modes, given the lack of on-site parking, the various public transport options in the area, cycle links and cycle parking. The applicant has proposed travel plan initiatives encompassing the appointment of a site-wide travel plan co-ordinator, cycling facilities including

shower, lockers, providing travel information, and monitoring. A travel plan would be secured by a planning obligation to ensure the measures outlined to encourage the use of sustainable modes are put in place and promoted.

352. The submitted Transport Assessment acknowledges that working patterns may change after the pandemic with people starting work earlier or later and possibly lower numbers using offices, but the assessment has continued to assess the scheme on the established working patterns as a worst case scenario. The applicant's consultants have estimated that this proposed office-led development would create some 1,602 and 1,574 two-way public transport trips in the morning and evening peaks hours correspondingly. For a health hub scenario, although the applicant found the total daily trip rate associated with health use was higher than for office use, the peak hour person-trip generation was similar or lower. Therefore, for conservative peak hour trip generation, it was assumed that the potential medical/health uses would be assessed on the basis of office floorspace.
353. Officers note that the nearest southbound bus stop at the Shopping Centre currently has neither a shelter nor countdown information system and the closest northbound bus stop on Walworth Road has no bus countdown, and that this locality would benefit from improved bus services via the adjacent Heygate Street to help accommodate the numbers of people predicted to use buses travelling to/from the proposed development.
354. TfL notes that although the site has a wide range of public transport options, pre-pandemic services were crowded at peak times. TfL's key concern is the impact on Underground station, which was identified as a priority for capacity improvements in the 2012 Elephant and Castle OAPF SPD. A strategic transport tariff funding contribution of £13m (indexed) was secured as part of the 2013 OPP section 106 agreement for the Elephant Park masterplan to be used on strategic transport improvements as listed in the Elephant and Castle SPD and OAPF. The two listed strategic transport infrastructures are the step free access to the Northern line with the replacement of lifts with escalators at the Northern line ticket hall (NLTH), and the northern roundabout works (now completed). The £13m (plus indexation) is to be paid in two parts on completion of the NLTH and one year after completion of the NLTH. The NLTH is designed to accommodate a future Bakerloo line extension, as well provide capacity required for the growth in this Opportunity Area. The current Plot H1 proposal is a significant uplift in commercial floorspace beyond that approved by the OPP. TfL notes that other s106 contributions towards the NLTH have been secured on other recent permissions. TfL requests a financial contribution of £1,721,384 (indexed) using a similar rate per square meter of office floorspace, towards the NLTH works in order to contribute to the transport improvements for this development.
355. Elephant and Castle train station is 30m to the north-west of the site. It has steps up to its entrance on Elephant Road and steps to all platforms. Separate to this planning application, TfL asked the council to support its application for the station's inclusion on Network Rail's programme of stations seeking Access for All funding, and the council gave its support. Network Rail and Govia Thameslink Railway are working with the council to seek to deliver step-free access (referred to by Network Rail as "Access for All") at the train station. This would allow for a step-free public transport interchange with the Underground and bus services.

The Access for All programme aims to address issues faced by disabled passengers and passengers facing mobility restraints (such as those with heavy luggage, children, pushchairs and shopping) when using railway stations by creating an obstacle free, accessible route from the station entrance to the platforms. This generally includes providing lifts or ramps, and associated works and refurbishment along the route. This first feasibility study assessed two design options and was funded by the council, Lendlease and Delancey (applicant for the Shopping Centre). Third party contributions will be required and bids for funding from the Department for Transport to fund the project.

356. The early estimates for the project cost are between £10m and £20m and it would be of benefit to the existing community and future residents, workers and shoppers. Further detailed design and technical work would be required to firm up prices and understand risk. As Plot H1 is right next to the train station and would likely be used by staff and visitors of the proposal, Network Rail has requested a financial contribution of £1.7m to the total cost of the station works to improve access. It states that without this contribution, it is highly likely that the station will continue to not be fully accessible compared with the rest of the new step-free town centre and underground interchange services. Network Rail also suggest that while its requested contribution may take funding away from TfL, TfL has more opportunities to receive funding from developments across London.
357. In terms of the policy support for station improvements, the Southwark Plan area vision AV.09 states development in Elephant and Castle should “*Improve the train and underground stations, provide step-free access, provide a new ticket hall for the Northern Line an Bakerloo Line extension and enable new transport infrastructure links with the surrounding areas by providing safe and accessible walking, cycling and public transport routes*”. Transport mitigation contributions used for the NLTH or for the train station access improvements would comply with this part of the area vision.
358. The two transport bodies have requested significant sums from the Plot H1 proposal that would be additional to the transport mitigation secured on the OPP. Officers are of the view that a financial contribution of £1.7m should be secured on a planning permission to mitigate part of the public transport impacts of the proposal, and that it should go towards the train station improvements as the priority, as the plot is next door to this station and no other funding has yet been secured through the planning process for improvements. The NLTH has funding from the council’s Southwark CIL receipts, the OPP, the shopping centre, Skipton House and will likely receive further contributions from other sites coming forward in the area. If the design studies for the train station find that improvement works are not possible, or the works fail to progress, the council would use the remaining contribution amount to fund the NLTH works or other Underground improvement instead.

Servicing and deliveries

359. A draft delivery and servicing management plan was provided, which states a booking system would be in place for deliveries to the internal servicing yard, and includes swept path drawings to show how vehicles can enter and exit the

yard in forward gear. The servicing for the development would be mainly carried out from the internal loading dock, with vehicles both entering and exiting Deacon Street from Walworth Road to minimise disruption to the wider street network within the masterplan. Vehicles will exit on to the two way section of the revised layout of Deacon Street. The detailed design of the planters either side of the servicing yard entrance to ensure the visibility displays were amended following comments from the highways development management team.

360. The one way section of Deacon Street provides two accessible parking bays and one drop off/emergency parking bay for Plot H1, a double loading bay and a blue badge bay reprovided for the use of Plot H2. Deacon Street is not intended to be for general vehicular use and is not on a signed cycle route. There is, however, nothing to deter cyclists from using Deacon Street as a cut through to Walworth Road leading to potential conflict with service vehicles and mitigation measures need to be put in place, such as signage and road markings. Such details of the Deacon Street layout and signage would be required to be submitted and approved by a planning obligation.
361. The development of office space, affordable workspace and retail uses is expected to generate up to eight servicing vehicles per hour. Based on a typical servicing vehicle time slot of up to 20 minutes, the three loading bays could accommodate up to nine vehicles an hour and therefore the proposed layout is expected to be adequate for the forecast demand of 108 to 118 vehicles per day. As a health hub, the applicant suggests that an additional one or two delivery vehicles per day are likely to occur, which can be accommodated in the internal servicing yard. A drop off bay is proposed on the northern side of Deacon Street for this proposal, in addition to the relocated loading bay on the southern side of Deacon Street for Plot H2. These would provide further options for ad-hoc deliveries by smaller vehicles.
362. The submitted draft delivery and servicing management plan would need to be updated and refined to require all deliveries to be pre-booked, include actions to consolidate deliveries, and using transport operators who have at least “silver” membership of FORS. A planning obligation is proposed to secure the submission and approval of this document, regular reporting from the applicant on how the plan is complied with (or not), a delivery and servicing deposit to be paid to the council and a monitoring fee. These would allow the council to monitor whether the development is operating in accordance with the approved plan, and for additional measures to be put in place if the servicing operations are found to not be in accordance with the plan and causing transport issues.

Refuse arrangements

363. Each upper floor of the building includes a waste store to hold collected (and segregated) waste before it is brought down to ground level by the facilities team in the service lift. The ground floor units would use the back of house corridors to access the service yard store. Refuse storage for all uses is shown within the servicing yard to allow ready collection of waste and recycling by refuse vehicles within the yard two to three times a week. There is space in the yard for a compactor, a cardboard baler and a hazardous waste cabinet (for health hub medical waste). The servicing yard can accommodate the expected number of collection vehicles. The delivery and servicing plan required by a planning

obligation would include refuse collection arrangements to be submitted and approved.

Car parking

364. Walworth CPZ provides parking control on public roads in this vicinity on weekdays from 08:30 to 18:30. There are a few car clubs in the area, and the OPP masterplan will provide further car club spaces.
365. The Plot H1 proposal is car-free with the exception of two accessible car parking spaces in a bay on the northern side of Deacon Street, with electric vehicle charging provision to these two spaces (a condition to require further details is proposed). The car parking spaces are to be located on the northern side of Deacon Street, accessed via Sayer Street to the east and Heygate Street. Vehicles would then exit westwards onto Walworth Road. Deacon Street is part of the Elephant Park estate and would be managed by the estate management team, rather than the council as it is not adopted highway. The applicant's management team would manage the parking bays to prevent improper use or obstruction by non-disabled users that would otherwise prevent their availability as accessible parking bays.
366. On the southern side of Deacon Street a third accessible car parking space would be provided, re-providing the existing single space for Plot H2's use that is currently on this southern side of the road. This would be sited in front of Plot H2's main lobby entrance, and closer than the existing parking space.
367. Given the excellent PTAL rating of the site, within the town centre, the very low car parking provision is acceptable for an office scheme with affordable workspace and retail provision. TfL considered the car free approach with only disabled parking spaces that have electric vehicle charging to be in line with the London Plan.
368. In a health hub scenario, health staff are more likely to need vehicles for their jobs working out in the community than general office workers. Informed by the early discussions with the NHS, the applicant has indicated where 10 car parking spaces and two blue badge spaces could be provided for health hub staff in the existing basement car park of Plot H2. These constructed spaces are currently not used by Plot H2 residents. These suggested spaces would be accessed through the main lobby of Plot H2 (lift and stair options), to exit onto Deacon Street. This would be a distance of approximately 150m from an entrance in a Walworth Road unit, with seating provided in the H2 lobby and in the proposed public realm to allow for resting. The highways teams raised concern with this as it is further than the 50m distance suggested by the national guidance, even with the provision of rest points along the route. They are the closest off-street parking spaces that could be repurposed to be for a health hub use however; any further provision at grade would remove public realm or space within delivery bays, or public highway if off-site which would not be dedicated to Plot H1.
369. Patients who are blue badge holders would be able to use the accessible parking spaces on Deacon Street. Patients can also be dropped off in the bay on the northern side of Deacon Street in private vehicles, taxis or health authority

transport, and there may be space within the servicing yard to accommodate health authority transport.

370. The suggested off-site parking in Plot H2 is indicative only, and the design of the in-plot servicing yard may develop with further input from the health hub operator. A planning obligation would secure the submission and approval of further details of how the transport operations would function if a health hub is provided, for the staff, health hub functions and patients. Such details would include the number, location and turning areas for staff parking spaces, parking for health hub vehicles, wheelchair staff parking spaces, the route for staff to Plot H1 (and resting points along the way), the provision of ready access for staff through entry doors in Plot H2 at all times, as well as blue badge parking for patients, drop off facilities for the health provider and patients.

Cycle parking and cycling facilities

371. The proposal includes long-stay cycle parking for staff in the basement levels, accessed via a cycle lift and ramp from the ground floor in the Walworth Road frontage. A total of 855 long-stay cycle parking spaces are proposed for the employees, 20% (85 spaces) would be provided as Sheffield stands, including 9 spaces that are accessible/oversized for non-standard bikes. The remaining long-stay cycle parking would be provided as two-tier cycle racks (75%), and folding bike lockers (5%). This provision meets and exceeds the minimum long-stay parking requirements of the London Plan across the uses in a maximum office scenario (by 84 parking spaces), and would further exceed the minimum requirement if there is a health hub use. However it falls short of the Southwark Plan's requirement of at 1,276 spaces for a maximum office scheme. In a scenario with the minimum office provision, plus health and retail the scheme would require at least 1,102 staff spaces for all uses. The cycle provision also falls short of the average number between the London Plan and Southwark Plan policy requirements (average of 886 spaces in the minimum scenario). The applicant has not proposed a cycle hire facility.
372. The extent of the basement is constrained by the adjacent London Underground lines, and provision at ground floor level would remove active frontage. Further stacked cycle parking could be provided in the basement instead of Sheffield stands but this would reduce the quality of the facilities. The proposal is considered to make sufficient cycle parking provision (by balancing number with quality), providing that free membership of the cycle hire scheme is made available to occupiers and a financial contribution secured to improve cycle hire capacity. These would be secured as planning obligations. A condition would require further details of the cycle parking to include disabled and cargo bike parking, and shower facilities for staff.
373. Turning to the short-stay visitor cycle parking provision, this would be located in the public realm areas at ground floor with 48 Sheffield stands providing 96 cycle parking spaces, distributed around the perimeter of the site, including spaces near to the servicing yard office to be convenient for cycle couriers. This provision would provide for most of the possible use combinations that give a range of between 38 and approximately 112 visitor cycle spaces using the London Plan ratios and is mainly driven by the amount of retail floorspace. The Southwark Plan visitor cycle parking requirements are larger and give a range of between

219 and 323 spaces to achieve the minimum requirement. While further cycle parking could be provided in the areas of public realm within the proposal, the application is considered broadly to balance cycle provision with the quality of the public realm and landscaping within the site and the surrounding completed masterplan, and the applicant has given consideration to provision of further cycle stands. A condition about visitor cycle parking is proposed as it may be possible for further stands to be incorporate as the future tenants are confirmed and the landscaping design is finalised. TfL requested a financial contribution towards improving cycle hire facilities in the area, which would be a planning obligation.

374. TfL considers the proposed cycle parking numbers to accord with the London Plan standards, the layout of the long and short stay cycle parking is generally well designed and is acceptable, in line with the London Cycle Design Standards.
375. The site-wide requirements from the OPP's section 106 agreement for the remaining cycle docking station spaces and car club provision for the OPP masterplan have been recently resolved, without requiring any docking spaces with Plot H1. This means the current application does not need to make provision for a docking station to address an OPP obligation. The last two docking stations for the OPP masterplan are proposed to be located close to Plot H1, within Castle Square and so would be available to Plot H1 staff and visitors. Addressing the OPP's cycle hire needs does not include the additional development this Plot H1 application proposes, which is larger than the outline parameters approved for this larger plot. TfL requested a proportionate contribution towards cycle hire capacity of £120,000 (indexed) to address the additional needs of the proposed development, and this would be secured in a planning obligation.

Highway works

376. Pedestrian and cycle improvements are proposed at the junction of Elephant Road and Walworth Road, to increase the safety for vulnerable road users crossing Walworth Road; the crossing and raised table would be delivered as part of the required highway works of the wider OPP Elephant Park masterplan. Design options are currently being discussed with the council's highways and transport policy teams. These measures are also important to provide safe, improved, pedestrian access from the west of the site to the Plot H1 proposal. The section 106 agreement for the Plot H1 proposal would contain an obligation to require these highway works to be undertaken prior to first occupation of Plot H1, in case they are not delivered by the OPP masterplan by that time.
377. The council is proposing improvements to Elephant Road, which is expected to include increased pedestrian provision in association with reduction of loading bay provision for the retail units in the arches. These works would link into the additional pedestrian and cycle crossing on New Kent Road, to the west of its junction with Elephant Road, which would further improve options to access Plot H1 from the north. The delivery of improvements for Elephant Road by resurfacing and upgrading the pavement alongside this application site would be secured in a planning obligation. The works to Walworth Road, to renew and upgrade the kerbs, footways, street lighting and tree pits in line with the SSDM, and to offer parts of the site for adoption to allow for 2.4m wide footways would also be secured highways works.

Other transport matters

378. As the plot is close to London Underground tunnels, a condition has been requested by LUL/TfL to require further information on infrastructure protection. This has been included in the recommendation. A planning obligation would require parts of the site on Elephant Road and Walworth Road to be offered for adoption as public highway to achieve 2.4m wide footways.
379. The ground floor plan was revised to remove most of the outward opening doors shown on the initial submission, in the interest of pedestrian safety; those that remain serve fire escapes which would be infrequently used in an emergency only.
380. A revised CEMP would be required to be submitted and approved, as the submitted draft document needs to be amended and expanded upon. The comments from the Highways development management team relating to the SSDM, drainage, building overhangs, and a joint condition survey can be added as informatives on any permission.

Environmental matters

Construction management

381. A draft CEMP was provided with the application but would need to include further details and amendments in order to be acceptable. There is a site-wide obligation for each plot of Elephant Park to submit a detailed construction environment management plan, and a similar obligation would be included in the legal agreement for Plot H1. The ES expects a CEMP to be provided to detail mitigation measures and controls for the construction phase to reduce air quality and greenhouse gas impacts. The plan would include management measures to control such topics as dust, noise, working hours, air quality monitoring, and construction traffic logistics management, particularly as Plot H2 is occupied, the site is on a main road and the public park would remain open.

Water resources

382. Thames Water raised concern that there is insufficient capacity in the fresh water network and foul water network to accommodate the development's demands and flows without upgrade works. It recommends three conditions (which have been combined into one in the recommendation) to require confirmation the necessary network upgrades have been carried out prior to occupation of the development.

Flood risk

383. The site is in flood zone 3, and benefits from the Thames flood defences. The development is for non-residential uses. A flood risk assessment was provided with the application, which sets out how the finished floor levels and basement entrances are located above the design flood level as these have been raised

above the existing ground levels. Flood resilient techniques for the ground floor uses would provide additional flood protection. The basement levels would have protective measures in their construction.

384. The Environment Agency consider the flood risk assessment to provide an accurate assessment of the tidal and fluvial flood risks. To address the residual flooding risk, a flood warning and evacuation plan would be secured by condition. Subject to these conditions the proposal would comply with London Plan policy SI 12 “Flood risk management” and P68 “Reducing flood risk” of the Southwark Plan.

Sustainable urban drainage

385. The submitted basement impact assessment considers the geology of the site, previous site investigations, groundwater levels and summarises the proposed substructure design. It also considers the proximity of the site’s basement and foundations to the London Underground tunnels. The plot is not within the safeguarding area for the Bakerloo Line Extension.
386. The green roofs would store some rainwater. Below-ground water storage is proposed beneath the eastern end of the building, and beneath parts of Deacon Street and Walworth Road paving and planters to slow run off rates. Also, part of the surface water run-off from the public realm would be directed to the rainwater gardens in the park. The drainage strategy was revised in response to the lead local flood authority’s and GLA’s comments, and is now acceptable. A compliance condition is recommended in this regard.
387. The Environment Agency recommend a condition to prevent infiltration of surface water drainage without details having been approved. Subject to conditions the proposal is considered to comply with London Plan policy SI13 “Sustainable drainage” and P68 “Reducing flood risk” of the Southwark Plan.

Land contamination

388. Historic maps show the site was developed around the 1850s and was used for housing, pub, school, timber yard, laundry, carriage works, stables, and in the 1950s by an engineering works and bedding factory. Industrial uses are shown in the immediate surrounding area on the historic maps. The Heygate Estate redeveloped this site with housing and car parking; following its demolition the site has been used for temporary buildings.
389. Based on the review of desk study information, the submitted phase 1 geo-environmental assessment considers there are low to moderate risks for future site users, off-site users, future buildings and to groundwater. The basement construction would remove the made ground (with its contaminant sources), down to the London clay layer below. A remediation strategy is proposed to address any unforeseen contamination encountered during earthworks, along with protection to buildings and landscaping beds. A detailed, plot-specific phase 2 site investigation is proposed which aims to assess the geological profile, chemical composition of the soils, and the groundwater flow direction.
390. The report was reviewed by the Environment Agency and the council’s

environment protection team, who recommend conditions relating to site investigation, unexpected contamination, verification of the remediation works, and no piling without consent, to reduce the risk of water pollution. Subject to these conditions the proposal is considered to comply with Southwark Plan policy P64 “Contaminated land and hazardous substances”.

Air quality

391. Air quality was considered in the ES to assess the impacts from traffic and plant (including the use of the Elephant Park energy centre) on sensitive receptors. The proposal’s effects on air quality at operational stage would not be significant, and would be better than air quality neutral for building emissions, air quality neutral for transport emissions. It complies with London Plan policy SI1 “Improving air quality” and Southwark Plan policy P65 “Improving air quality”. No mitigation is required for the operational development. During the construction phase, dust mitigation measures (identified in the 2020 ES for the Elephant Park masterplan), compliance with non-road mobile machinery low emission zone standards, and an air quality and dust management plan would be secured through a CEMP and monitoring by a planning condition.

Wind

392. The ES considers the likely wind impacts and mitigation measures for the proposed massing of Plot H1, and takes account of the constructed and approved buildings in this area. Computer modelling and wind tunnel testing were undertaken with the consented Elephant Park plots in place and in a cumulative scenario with other approved schemes. It assumed no ground level landscaping to give a “worst case” wind environment.
393. With no mitigation measures in place, the majority of the proposal would be suitable and safe for the intended use, including the proposed roof terraces spaces. The public realm within the site and the roof terraces generally would have wind speeds appropriate for sitting and standing pedestrian comfort levels. There would be winds speeds comfortable only for “strolling” (rather than sitting or standing) along Deacon Street, on Walworth Road around the junction with Elephant Road, and on Elephant Road in the windiest season. The testing highlighted one thoroughfare location in the public realm towards the west of the plot (where a minor adverse effect would occur), and three seating locations along the western elevation and south-eastern corner of the plot which would be windier than desired for seating and therefore require mitigation.
394. The revisions made in December 2021 to add creases and further terraces to the northern and western façades of the proposal were not expected to influence the wind conditions at ground or elevated levels from those set out in the ES. The additional terraces are expected to have suitable “sitting” conditions for users during the summer months with the planting providing further screening, so that no mitigation is proposed.
395. Landscaping features such as retaining the mature trees on Walworth Road, additional tree planting on the western side of the site, and large moveable planted pots on the south-eastern and western sides close to ground level

seating would address the highlighted wind issues and no further mitigation would be required. With mitigation in place, the residual wind effects within the site and surrounding areas would be insignificant, or of minor to moderate beneficial significance in ES terms. Landscaping conditions, including a requirement for the planting to be in place prior to occupation are included in the recommendation. Subject to these conditions, the proposal is considered to have addressed the wind effect elements of the tall buildings policies D9 part C.3)a) of the London Plan and P17 of the Southwark Plan.

396. In the cumulative scenario, the ES considers the proposal would generally have insignificant effects, minor and moderate beneficial effects on wind conditions in the area. Windier conditions would occur along Elephant Road, to “strolling” comfort level, and to a bus stop on the western side of the viaduct that the bus shelter should mitigate.

Light pollution

397. The ES includes consideration of the likely light levels from the office building out to the façades of facing buildings and has been summarised in the neighbour amenity impacts section above. The public realm lighting around the base of the building would continue the lighting installed across Elephant Park to light the new public routes as well as Walworth Road and Deacon Street, and would not raise significant light pollution issues. Further lighting details would be secured by condition.

Energy and sustainability

398. The ES includes the topic of greenhouse gases in its assessment. It concludes that the completed, occupied development would represent 0.6% of the annual borough-wide greenhouse gas emissions at 2017 levels, and 0.01% of London’s emissions. The measures such as minimising materials during construction, having no parking for construction workers, having a travel plan in place for the completed development (with its cycle parking and limited vehicle parking) and the carbon reduction measures would help reduce greenhouse gas emissions. The ES concludes the residual effects of the greenhouse gas emissions from the proposed development are anticipated to be indirect, long term, global, significant and adverse. Guidance from the Institute of Environmental Management and Assessment states that any net emissions increase associated with a project, no matter how small, is considered a significant effect in ES terms, hence the conclusion in the ES. The conclusion therefore recognises the seriousness of the climate emergency rather than the Plot H1 proposal being a particularly large source of greenhouse gas emissions. As set out below, measures have been taken in the design and would be taken in the completed scheme to reduce emissions associated with the proposal and to minimise the greenhouse gas effect as far as possible.

Whole life cycle and carbon capture

399. The embodied carbon estimates the carbon involved in sourcing, producing and transporting the construction materials to the site, and forms a large portion of the overall carbon emissions involved for a development. The submitted whole life carbon assessment for Plot H1 and its later addendum consider the

operational carbon and embodied carbon of the proposal throughout its life from construction, use and deconstruction.

400. The proposal would be constructed from a hybrid steel and cross-laminated timber frame, using renewable timber as a more sustainable material. In comparison to a concrete framed building of the same scale it would have a 54% lower carbon impact from its frame. The reduced volumes of metal and concrete that are to be used within the proposal would have the largest impact, and measures such as using façade materials with 60-75% recycled aluminium have been included and reducing the slab thicknesses to keep the concrete requirement down.
401. The on-going energy requirements of the proposal are by far the highest proportion of carbon emissions (at 75.6%) across the life of the proposed development with current grid electricity. The materials, their transport, repair replacement and end of life stages represent the other 24.4% of the proposal's whole life cycle carbon for a 60 year building service life with current grid electricity. The overall embodied carbon for the proposal has been given a D rating (on a scale of A as the best and G as the worst).
402. For this planning stage of the proposed development, the applicant has demonstrated its consideration of the materials to be used in the building, how to reduce use of more carbon-heavy materials, how to use recycled and recyclable materials, and considered the reuse of the materials at the end of the building's life. These measures have reduced the life-cycle carbon emissions of the proposal, so that the overall D rating is in line with policy SI2 part F of the London Plan. Two conditions to require two further stages of whole life-cycle carbon in the detailed design and completion stages are proposed.

Carbon emission reduction

403. Having worked to achieve a high level of sustainability in the embodied carbon of the proposal, the operational energy aspect is not as successful at exceeding minimum policy requirements. The applicant is keen that both elements are considered together to give the whole life carbon of the proposed development. The paragraphs below go through the stages of the energy hierarchy, in line with London Plan policy SI2.

Be Lean (use less energy)

404. The submitted energy statement shows the "be lean" measures with the fabric of the building, solar shading, efficient lighting, and ventilation to reduce the need for cooling. Together these would give an estimated 24% reduction in the operational carbon emissions for the regulated aspects (which includes heating, lighting, ventilation, cooling and pumps).

Be Clean (supply energy efficiently)

405. The "be clean" measure is the next in the hierarchy to supply energy efficiently and cleanly. Plot H1 would connect to the existing Elephant Park heat network, which is powered by the energy centre within the masterplan. The energy centre uses gas to generate heat and hot water for the buildings within the masterplan

as a lower carbon source of heating and hot water. Each building therefore does not require its own main energy sources such as electric heating or gas boiler, which are smaller, less efficient and with smaller carbon savings.

406. Plot H1 would be connected into the Elephant Park heat network to provide most of its heating need. The connection would meet the GLA guidance of prioritising connection to an existing district heating network. The connection would reduce carbon emissions by another 14% to give a total regulated carbon reduction of 38% from the “be lean” and “be clean” stages.
407. As an existing, established network with an energy centre burning natural gas, the Plot H1 proposal would have to use this heat supply and its associated carbon emissions, rather than being able to choose any newer or less carbon intensive network. The applicant did consider, and dismiss, a design option of using heat pumps to serve Plot H1 instead of using the masterplan’s energy centre. This would have resulted in improved carbon savings for the plot but not used the existing plant in the energy centre, and would have required much more roof plant on the proposed building, which in turn would have affected its appearance and needed further neighbour amenity considerations of noise.
408. The energy services company who operate the Elephant Park energy centre, Eon, is considering its own decarbonisation strategy to reduce future carbon emissions, such as reducing the temperature of the network, the potential to capture waste heat from within the energy centre or from the TfL Underground network.

Be Green (Use low or carbon zero energy)

409. No significant “be green” measures are proposed. Air source heat pumps are proposed to the Walworth Road ground floor units however they have a very minimal impact on the overall carbon emissions. The applicant suggests that the smaller roof area at the top of the building and the amount of roof level plant already included in the proposal prevents PV panels or other renewable energy sources being included. With the Elephant Park heat network providing hot water and heating to the plot, there is limited demand left for air source heat pumps to provide.
410. This means the total carbon savings are 38%, which exceeds the minimum 35% on-site reduction of London Plan policy SI2 part C but does not achieve the 40% on-site reduction of Southwark Plan policy P70. The limitations of using the existing network are acknowledged and a planning obligation would allow for approved carbon reductions to be proposed in a revised energy strategy. The remaining carbon emissions of 441.4 tonnes per year would require a payment to the offset fund of £1,257,990 (indexed) in order to achieve the zero carbon requirements of the London Plan policy SI2 part C.1). This would be secured by a planning obligation, and could be recalculated if they carbon savings are improved.
411. Lendlease has highlighted the Elephant Park energy services company’s existing commitment to procure the addition of “green gas” (from renewable sources, such as biomethane from animal waste) elsewhere in the national gas grid to offset all the natural gas used in the Elephant Park energy centre. This

offsetting is not accounted for within the carbon modelling and calculations reported above, nor is it a requirement of the OPP. The applicant suggests that were the biomethane to be included in the modelling, the overall carbon savings for Plot H1 would be approximately 60%.

412. Policy SI2 part E of the London Plan now requires major development proposals additionally to calculate and minimise carbon emissions from other part of the development which are not covered by the Building Regulations (unregulated emissions) such as plant and equipment. The applicant says it is committed to purchasing 100% renewable electricity tariffs for the unregulated operational energy uses (e.g. for IT equipment and appliances), which would meet the UKGBC's Renewable Energy Procurement and Carbon Offsetting Guidance definition of the building as being "net zero". Lendlease proposed a planning obligation requiring tenants and any future owner of the building to purchase the same zero carbon electricity. There is no planning policy basis on which to require this commitment to the electricity provider for the unregulated electricity demand, and this is not considered to be a necessary, nor reasonable, planning obligation that is required for planning permission to be granted. Lendlease may of course choose to make this commitment separate to the planning system and to achieve the associated "net zero" accreditation if it wishes outside of the planning permission's requirements.

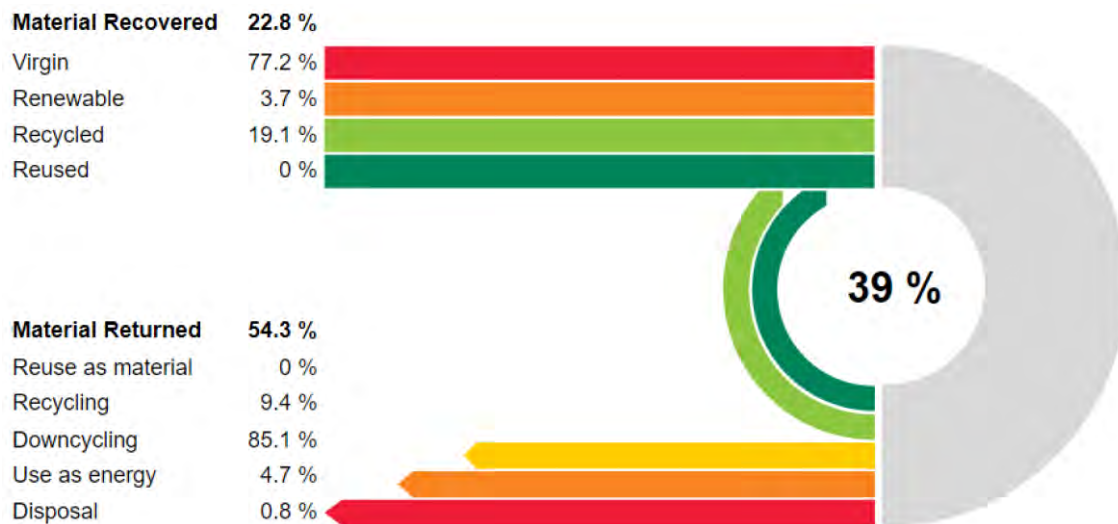
Be Seen (Monitor and review)

413. The London Plan and Southwark Plan policy P70 "Energy" requirements to monitor, verify and report on energy performance in the completed development, including a review to verify the carbon savings, would be secured in a planning obligation. In correspondence with the GLA, the district heat network operator provided information on potential decarbonisation opportunities and the GLA has requested that the decarbonisation strategy be reviewed, and this would be included as part of the planning obligation.

Circular economy

414. The submitted circular economy statement assesses the proposal against the circular economy hierarchy of refurbishment, repurposing, deconstruction and reuse, and finally demolition and recycling in order to maximise the materials and resources circulating in the economy and reduce reliance on virgin materials. The applicant has aimed to select building elements designed to be long lasting, adaptable and flexible, be easy to disassemble, and has considered how to minimise the quantities of materials used, and sourcing resources sustainably.
415. The use of the cross-laminated timber for part of the main frame reduces the embodied carbon of the proposal, and was chosen for its longevity, adaptability, reusability and recoverability of the materials. Construction waste would be minimised and a minimum of 80% waste diverted from landfill with a waste management plan implemented.
416. Further information was provided in response to the GLA's comments. The proposal has a building circular economy score of 39%. The construction of Plot H1 would use 22.8% of its materials as recovered (i.e. renewable or from recycled sources), and when deconstructed at the end of its life 54.3% of its

materials could be recycled, downcycled or used for energy.



417. The application has addressed the requirements of London Plan policy SI7 “Reducing waste and supporting the circular economy”, Southwark Plan policy P62 “Reducing waste” part 4, and had reference to the GLA’s guidance in producing the circular economy statement. Conditions are proposed to require a final version of the circular economy statement, and post-completion reporting. Subject to these conditions, the proposal is considered to comply with the sustainable materials element of policy P17 “Tall buildings”.

Overheating

418. A short overheating assessment was included in the energy assessment. It summarises the measures in the building’s design (solar shading from the fins to limit solar gain, high ceiling heights, and mechanical cooling involving passive chilled beams and floor ventilation) to prevent overheating for future occupiers. The southern façade of the building would be partly overshadowed by Plot H2. The office and retail units would not experience overheating, and the proposal is considered to comply with London Plan policy SI4 “Managing heat risk”.

BREEAM

419. The original BREEAM pre-assessments for the proposal show a BREEAM rating of 70.84% being targeted for the office, with a potential mark of 84.71%, which is above the 70% mark for an “excellent” rating. The retail element targeted a score of 70.67% with potential to increase this to 83.95%. A more recent document (October 2021) shows how an “outstanding” rating will be targeted which requires a score of 85% or higher, and with the targeted score of 92.6% set out at this early stage. The applicant is committing to meeting the “outstanding” BREEAM rating, and a condition to this effect is proposed.
420. Achieving an “outstanding” BREEAM rating in the completed development would exceed the requirement of an “excellent” rating required by Southwark Plan policy P69 “Sustainability standards”, and is one indication that the proposal is achieving a high level of sustainable construction.

TV, radio and telecoms networks

421. A TV and radio reception impact assessment was provided which considers the impact of the proposed tall building on digital TV reception from the Crystal Palace transmitter, as well as satellite TV reception and radio reception from a survey of the area. The proposal is considered not to require mitigation for digital TV given the proximity of the transmitter and lack of antennas in the signal shadow zone. The cranes and construction of the proposed building could cause signal disruption to satellite TV reception within approximately 173m of the site to the north-west (i.e. the Shopping Centre site and Elephant Road railway arches). Any satellite dish would need to be relocated to address any issue in this area. A mitigation scheme for these relocation works should they be attributed to the Plot H1 construction would need to be secured on any permission, and a condition to that effect is proposed.
422. Arqiva has considered the effects on TV and radio operation, and has no objections to the proposal.
423. A condition is proposed regarding fibre connectivity into the development, to ensure compliance with policy SI6 “Digital connectivity infrastructure” of the London Plan.

Aviation

424. London Plan policy D9 in part C.2)f) refers to tall buildings not interfering with aviation. No consultation responses were received from the Civil Aviation Authority nor the National Air Traffic Safeguarding. Given the height of this building relative to nearby tall buildings in the Elephant Park masterplan, it being of similar height to the OPP maximum height for this plot, the approved Shopping Centre redevelopment and other tall buildings in the area, this proposal is considered not to raise aviation safety issues.

Planning obligations (Section 106 agreement)

425. Policy 8.2 of the London Plan advise that planning obligations can be secured to overcome the negative impacts of a generally acceptable proposal. The Section 106 Planning Obligations SPD sets out in detail the type of development that qualifies for planning obligations. The NPPF which echoes the Community Infrastructure Levy Regulation 122 which requires obligations be:
- 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.
426. Following the adoption of Southwark’s Community Infrastructure Levy (SCIL) on 1 April 2015, much of the historical toolkit obligations such as Education and Strategic Transport were replaced by SCIL. Only defined site specific mitigation that meets the tests in Regulation 122 can be given weight.
427. Officers also have had regard to the planning obligations in the section 106 agreement associated with the 2013 outline planning permission, to ensure the

remaining mitigation measures continue to be provided by the OPP or the Plot H1 planning obligation or by both where relevant. A deed of variation to the 2013 section 106 agreement would be required to confirm that if the Plot H1 permission is implemented, the Plot H1 application site would be formally “slot out” from the 2013 s106 agreement’s site and remit.

428. The following heads of terms need to be secured as planning obligations to ensure the proposal complies with planning policies, to secure the mitigation needed to minimise the adverse effects of the development, and suitably relate to the 2013 s106 agreement.

Planning Obligation	Mitigation	Applicant Position
Health hub provision as the priority option	<p>To use reasonable endeavours to deliver a health hub within the development.</p> <p>To set out the steps of engagement by the applicant with the health bodies and council after the grant of planning permission to progress the health hub.</p> <p>If a health hub is to be delivered:</p> <ul style="list-style-type: none"> • To deliver a health hub on-site that is let to the NHS or an equivalent public health operator agreed by the council. • Details of the area, location in the building, its layout, fit out level/specification and rent to be submitted for approval. If the size of the health hub is less than 10% of the scheme, then information to demonstrate the “equivalence” in value to a 10% affordable workspace scenario over 30 years shall be provided for review and approval. • If the value review shows that on-site affordable workspace can be provided in addition to a smaller health hub to achieve equivalence, to require an area of affordable workspace provision on-site. Along with the associated affordable 	Agreed

	<p>workspace details, rents and service charges (as for the second scenario below), and provided for 30 years.</p> <ul style="list-style-type: none"> • Allowance for a payment in lieu for any small shortfall in on-site provision, in line with the council's affordable workspace calculator at that time. • Health hub to be handed over to the agreed operator prior to 50% occupation of the offices, and retained as such for 30 years. • In the event that the health hub use ends within 30 years of first occupation, if required to achieve policy compliance, the area is to be made available as affordable workspace, with details to be submitted for approval (as for the second scenario below). <p>If a health hub is not progressed by set milestone(s), then evidence of the engagement undertaken and reasons for not progressing are to be submitted to the council for agreement, before the affordable workspace scenario is progressed instead.</p>	
<p>Second scenario for affordable workspace provision on site instead of a health hub</p>	<p>In the event that a health hub does not come forward, to submit an affordable workspace strategy for approval.</p> <p>To provide 10% of the total office floorspace quantum, including detailing the area, location(s) within the building and details of the affordable workspace operator(s), marketing requirements, fit out specification, facilities, at 25% discount on market rent levels, with capped service charge at £4.50/sqft, and</p>	<p>Agreed</p>

	<p>access to the cycle parking, servicing yard etc.</p> <p>Affordable workspace to be provided for 30 years. Annual monitoring reports to be provided.</p> <p>Allowance for a payment in lieu for any small shortfall in on-site provision, in line with the council's affordable workspace calculator at that time.</p>	
Control of the flexible uses applied for	<p>To ensure the affordable workspace remains as at least 10% of the actual office use on site (due to the range of uses sought for the lower floors), an obligation to prevent more office use being occupied after first occupation without a related increase in affordable workspace would be included.</p> <p>Similarly, to prevent further health use being occupied unless part of the health hub operated by the named public health operator.</p>	Agreed
Ground floor lobby	<p>Layout and uses to be submitted for approval prior to implementation, to include provision of an accessible, free public toilet, free public WiFi, phone charging points and seating.</p> <p>To construct in accordance with the approved details, and a minimum of 500sqm made available for free, public use, 7 days a week (exact opening hours to be agreed).</p> <p>Management details to be agreed.</p>	Agreed
Energy statement and carbon offset financial payment	<p>Compliance with submitted energy statement.</p> <p>Connection to the Elephant Park heating network prior to first occupation.</p> <p>Payment of a financial contribution based on 441.4 tonnes at £95/year</p>	Agreed

	<p>for 30 years = £1,257,990 (indexed) to achieve the zero carbon policy requirement.</p> <p>Allow for an amended energy strategy with improved carbon savings to be submitted for approval, and for the financial contribution to be recalculated accordingly.</p> <p>Require further details of the decarbonisation strategy for the Elephant Park district heat network to be submitted and approved.</p>	
Be Seen – on-going monitoring and post-installation review	Post-construction monitoring and reporting. Review to verify the carbon savings delivered with an upwards only adjustment to the carbon off-set green fund contribution if required.	Agreed
Construction environment management plan	Submission of a CEMP for approval, to include a construction waste management plan, construction logistics management plan, air quality and dust management plan, dust mitigation measures (from the 2020 ES), compliance with non-road mobile machinery low emission zone standards for the CAZ, and the requirements of 2013 s106 agreement for CEMPs relevant to Plot H1.	Agreed
Construction employment and skills	<p>To submit an employment and skills plan for approval before commencement to provide 128 jobs lasting a minimum of 26 weeks for unemployed Southwark residents, 128 short training courses for Southwark residents, and 32 apprenticeships or NVQs.</p> <p>The employment and skills plan shall have regard to the agreed site wide employment and training scheme of the 2013 s106 agreement, and the 2013 paragraphs 9 and 10 obligations.</p> <p>The financial contributions for any shortfalls on these targets would</p>	Agreed

	be set out in the planning obligation, at a rate of £4,300 per job, £150 per course and £1,500 per apprenticeships.	
End use employment and skills	A skills and employment plan to be submitted for approval to provide for 10% FTE business jobs, and 20% FTE retail jobs, and financial contributions for any shortfalls of £4,300 per job.	Agreed
Local procurement	Interventions to ensure small and medium sized local enterprises have access to tender opportunities for the procurement of goods and services during construction and in the completed development, and relate to the requirements of paragraph 11 of the 2013 s106 agreement.	Agreed
Highway works	<p>Section 278 highway works to be submitted for approval, and to be constructed prior to occupation including:</p> <ul style="list-style-type: none"> - Resurfacing of Elephant Road alongside the site. - Installation of a pedestrian and cycle crossing for Walworth Road next to the railway viaduct and associated works to the Elephant Road junction (including provision of a raised table, and reducing clutter), signage and road marking changes (if not already complete pursuant to the OPP s106 highway works). - Renew and upgrade the kerb and footway on Elephant Road and Walworth Road adjacent to the site to the appropriate SSDM materials (granite paving and kerbs). - Construction of a raised entry treatment at the Walworth Road/Deacon Street junction. - Construct the vehicle crossover on Elephant Road to SSDM standards, 	Agreed

	<ul style="list-style-type: none"> - Construct dropped kerbs on Elephant Road and Walworth Road for access to the cycle entrance. - Reconstruct any existing tree pits to SSDM standards. - Upgrade street lighting to current standards. - Repair any construction damage. - To offer area(s) on Elephant Road and Walworth Road to the highway authority for adoption to ensure minimum 2.4m wide footways. <p>Submit for approval the detailed design of Deacon Street between its Walworth Road and Sayer Street junctions, including its road markings and signage to be agreed, with regard for the safety of cyclists. Install the agreed layout of Deacon Street prior to first occupation of H1.</p> <p>The obligation drafting would include a requirement for the highway works required by paragraph 16 of the OPP s106 agreement for phase MP5b to be completed (if they haven't already been completed by the masterplan) prior to first occupation of Plot H1.</p>	
Public realm and routes	<p>Provision of the 0.39ha public realm prior to occupation, and to make a minimum of 0.17ha within the plot (not public highway or Deacon Street highway) available to the public at all time. To comply with the public realm strategy of paragraph 22 of the 2013 s106 agreement.</p> <p>Submission and approval of an estate management plan, which shall have regard to the plan agreed pursuant to the 2013 s106 agreement.</p>	Agreed

	<p>To make the pedestrian routes and cycle route available, to fit in with the paragraph 17 requirement of the 2013 s106 agreement.</p> <p>To lay out 0.02ha of the central park area prior to first occupation, to fit in with the approved park area strategy and paragraph 20 of the 2013 s106 agreement.</p>	
Transport mitigation funding	<p>A financial contribution of £1,721,384 (indexed) to use to fund the train station access improvements project in the first instance. If the project does not progress, the funding would go to the NLTH or other Underground improvements</p> <p>Improvements to the north-bound bus stop on Walworth Road to provide countdown facility = £20,000 (indexed).</p> <p>Bus services contribution of £270,000 (indexed) to be paid in three instalments.</p> <p>Contribution of £120,000 (indexed) towards additional Santander Cycles capacity.</p> <p>Contribution of £12,000 (indexed) for Legible London facilities.</p>	Agreed
Travel plan	<p>To require a travel plan to be submitted for approval, and be compatible with the requirements in the 2013 s106 agreement in paragraph 15. Appointment of a travel plan co-ordinator for at least 6 years from first occupation. To provide the travel plan to occupiers, use reasonable endeavours to comply with the travel plan, monitor and review the travel plan.</p> <p>Three years free Santander cycle hire membership for all eligible occupiers.</p>	Agreed

	No CPZ permits for occupiers.	
Health hub transport operations plan	Submission of further details of the transport operations of a health hub for staff, its functions and patients for approval (if a health hub is to be provided). Such details would include the numbers, locations and swept path drawings for staff parking spaces, health hub vehicle parking, wheelchair staff parking spaces, the route for staff to Plot H1 (and resting points along the way), the provision of ready access for staff through entry doors in Plot H2 at all times, as well as blue badge parking for patients, drop off facilities for the health provider and patients and safe route into the health hub.	Agreed
Delivery and servicing plan	A delivery and servicing plan for approval, including having regard to the approved site-wide servicing management strategy pursuant to paragraph 30 of the 2013 s106 agreement, and requirements to monitor and report. Payment of a DSP bond of £30,245 (indexed) and monitoring fee of £1,600 (indexed).	Agreed
Monitoring fee	2% of financial contributions = £68,027.48	Agreed

429. In the event that an agreement has not been completed by 4 April 2023, the committee is asked to authorise the director of planning and growth to refuse permission, if appropriate, for the following reason:

In the absence of a signed legal agreement there is no mechanism in place to mitigate against the adverse impacts of the development (e.g. transport impacts) nor to secure development plan compliance (such as carbon offset contribution, jobs and training, health hub and/or affordable workspace, public access). It is therefore contrary to policies E3 Affordable workspace, E11 Skills and opportunities for all, SI2 Minimising greenhouse gas emissions, T4 Assessing and mitigating transport impacts, D9 Tall buildings and DF1 Delivery of the Plan and Planning Obligations of the London Plan (2021); P17 Tall buildings, P28 Access to employment and training, P31 Affordable workspace, P47 Community uses, P49 Public transport, P50 Highway impacts, P70 Energy, IP2 Transport infrastructure, IP3 CIL and section 106 planning obligations and AV.09 Elephant and Castle Area Vision of the Southwark Plan (2022); and the Southwark Section 106 Planning Obligations and Community Infrastructure Levy SPD (2015 as amended).

Mayoral and borough community infrastructure levy (CIL)

430. Section 143 of the Localism Act states that any financial contribution received as community infrastructure levy (CIL) is a material “local financial consideration” in planning decisions. The requirement for payment of the Mayoral or Southwark CIL is therefore a material consideration however, the weight attached is determined by the decision maker. The Mayoral CIL is required to contribute towards strategic transport invests in London as a whole, primarily Crossrail 2. Southwark’s CIL will provide for infrastructure that supports growth in Southwark.
431. The site is located within Southwark CIL Zone 2 and MCIL2 £60/sqm zone. Based on the floor areas provided in the agent’s revised and GIA Table 3.1 in Planning Statement Addendum December 2021, the gross amount of CIL is approximately £4,100,430.67 consisting £3,801,279.27 of Mayoral CIL and £299,151.40 of Borough CIL. It should be noted that this is an estimate, and the floor areas on approved drawings will be checked when related CIL Assumption of Liability Form is submitted, after planning approval has been obtained. These estimates are on the assumptions that flexible use areas are charged by the use with the highest CIL rate, and that the ancillary areas on the GIA table are treated as ancillary office space.

Other matters

432. Officers have had regarding to the conditions on the 2013 OPP that apply across the masterplan site, to construction phases and to individual plots. Where conditions remain relevant to the development of this plot within the wider masterplan, and a commercial use scheme, these have informed the recommended conditions.
433. The GLA Stage 1 report refers to policies that require the provision of free drinking water in the public realm, and freely accessible public toilets. The park pavilion to the immediate east of the plot will provide a free drinking water fountain for the public realm, and an accessible public toilet will be secured as part of the active lobby, with details to be submitted pursuant to a planning obligation.
434. For the OPP and subsequent RMA applications, the construction phase jobs, skills and employment opportunities for Elephant Park have been calculated by a bespoke method according to the Site Wide Employment and Training Scheme submitted to satisfy the obligations contained in the section 106 agreement of the OPP. This method uses the same formulas as in the Section 106 Planning Obligations and CIL SPD.
435. The applicant proposes to continue this method with the Plot H1 proposal, resulting in a requirement to provide 128 jobs lasting a minimum of 26 weeks for unemployed Southwark residents, 128 short training courses for Southwark residents, and 32 apprenticeships or NVQs. The financial contributions for any shortfalls on these targets would be set out in the planning obligation, at a rate of £4,300 per job, £150 per course and £1,500 per apprenticeships.
436. The council’s local economy team is content with to retain this methodology and request an employment and training scheme is submitted for approval to reflect

the requirements on earlier reserved matters applications for employment and training in respect of the OPP. The local economy team would monitor the new plot as part of the ongoing audit process with BeOnSite, acting for the applicant. This would be secured through a planning obligation on a new s106 agreement for Plot H1.

437. A further obligation relating to opportunities for small and medium sized local enterprises to tender for the procurement of goods and services (in both the construction phase and completed development) would be secured as well, in line with the Section 106 Planning Obligations and CIL SPD. With this planning obligation, the proposal would comply with policy P28 “Access to employment and training” of the Southwark Plan.

Planning balance

438. The topic sections above have identified incidences of harm caused by the proposal, harm which cannot be mitigated through the imposition of planning conditions or obligations. These harms include the losses of daylight and sunlight to nearby residential properties. Some impacts on daylight and sunlight to neighbouring properties would occur with a reasonable redevelopment of this plot, however the reduction in daylight and sunlight levels identified in the assessment are in some instances greater than the OPP illustrative masterplan and the OPP maximum parameters. These impacts, considered in paragraphs 268 to 334 cannot be mitigated, and in order to be reduced would require a substantial redesign of the submitted scheme.
439. The proposal would bring a significant package of planning benefits, including the delivery of key Southwark Plan policies in relation to the Opportunity Area, which should be weighed with the identified harms when reaching a decision on the planning application. The public benefits include:
1. Provision of a substantial quantum of new high-quality office space and the associated jobs to a prominent, brownfield site within the CAZ, Opportunity Area and town centre, and with excellent public transport accessibility. These would contribute towards the borough’s targets in the Southwark Plan for employment space, jobs and retail space in Elephant and Castle. The additional staff with their spending would help support the shops, services and businesses in the area.
 2. Provision of a health hub for the NHS or similar public health operator which would address a long-term need for improved health facilities in this area, and be of benefit to the local community.
 3. If a health hub is not progressed, the proposal would provide affordable workspaces targeted for the types of businesses interested in such space in Elephant and Castle, at reduced rents. This would support small businesses.
 4. The construction phase of the development would provide jobs and training opportunities, including for unemployed borough residents.
 5. The completed phase would provide jobs, including jobs and training for unemployed borough residents.
 6. The construction and end use phases would provide local procurement opportunities for local businesses.
 7. The proposed development would provide 0.39 hectares of landscaped

public realm at ground level with urban greening measures, improving existing public highways, improving connectivity around the plot, and through the off-site highway works would improve the pedestrian environment.

8. Provision of a public lobby area of at least 500sqm with seating, free wifi access and toilet provision, for the local community to use to work and meet.
9. The payment of Mayoral CIL (to be used by the Mayor of London for Crossrail 2 as a strategic transport project for the city) and borough CIL.
10. The financial contributions for transport improvements are related to the impacts of this development but the full projects that these contributions would part-fund would also be of benefit to the area, e.g. the Northern Line Ticket Hall, train station improvements and increased cycle docking station capacity which would improve sustainable transport modes and station accessibility.

440. Officers are of the opinion that this scheme would help to deliver key aspects of the Southwark Plan and that the proposal's compliance with development plan policies in most topics, and the public benefits arising, are sufficient to outweigh the incidences of harm to neighbour amenity that cannot be mitigated. The application is therefore recommended for approval.

Community involvement and engagement

441. A Statement of Community Involvement (SCI) and a completed Development Consultation Charter template were provided with the application, and a short addendum was provided with the December 2021 revisions.
442. At pre-application stage the applicant held two rounds of community consultation, firstly on the initial designs (August to December 2020) and secondly on the proposed designs (January to February 2021). Due to the pandemic and changing restrictions at this time, the applicant used a dedicated online consultation platform, which was advertised by 12,000 flyers, posters on the site hoarding, e-flyers set to community and business stakeholders, and a pop-up consultation in the reception foyer of Plot H2. One-to-one online meetings were offered too.
443. In terms of engagement, the applicant's online consultation platform was visited 2,810 times between August 2020 and February 2021, 194 feedback forms were received, and seven online one-to-one meetings held. Stakeholders included: Elephant Park residents, The Walworth Society, Southwark Cyclists, Southwark Business Forum, London South Bank University, London College of Communication, The Elephant and Castle Partnership, Southwark Living Streets and Southwark Chamber of Commerce. The applicant team also met with ward councillors and cabinet members about Elephant Park where Plot H1 was included on the agenda.
444. The responses the applicant received to the pre-application engagement included the following topics:
- The change of use from a residential-led development in the OPP to a commercial-led scheme.

- How the design proposals respond to the Elephant Park masterplan.
- How to encourage community use of the publicly accessible ground floor lobby.
- Exploring further public benefits the project could provide.
- The height and massing.
- References to local history and heritage.
- The relationship to the park, Castle Square and Walworth Road.
- Construction logistics and minimising disturbance to residents.
- The public realm and inclusion of greenery.
- The servicing yard entrance.
- Impacts on residential amenity, particularly to Plot H2 neighbours.
- The type and size of businesses expected to occupy the commercial space.

445. The applicant responded to the feedback in the following ways:

- Incorporating a potential health hub within Plot H1.
- The publicly accessible ground floor lobby will be open every day, with free public wifi, phone charging points and seating in the active lobby.
- Changing the colour palette of the fins to add visual interest.
- Including further vertical greening on the columns and further planting.
- Introducing a curved ground floor façade reflective of the Victorian bay shopfronts, and including historical references inspired by local Victorian shopfronts.

446. The applicant has aimed to respond also to the feedback made in earlier consultation events over the past 10 years of Elephant Park reserved matters by such measures as proposing no parking spaces (other than accessible parking), servicing within the plot, references to local heritage, and active ground floor frontages.

447. The applicant held a further round of consultation once the application had been submitted to the council. This involved a pop-up event on Sayer Street which was advertised to those who had been involved prior to the submission, with visuals and booklets explaining the key features, and directing people to the planning register. The project website was also updated.

448. Formal pre-application discussions were held with the planning division (ref. 19/EQ/0199). The applicant held separate pre-application discussions with the GLA, TfL and Historic England. The pre-application scheme was presented to the Design Review Panel. The council's response letter has been uploaded to the planning register with this planning application.

449. On receipt of the planning application, the council consulted by sending letters, putting up site notices and a newspaper advert. The responses received from members of the public, local groups, external consultees and internal consultees are summarised in the section below. Over 430 objections were received and more than 50 comments in support in the first consultation.

450. In the Stage 1 report, the GLA noted that the applicant's Statement of Community Involvement and Development Consultation Charter summary demonstrates "a

full and transparent consultation has occurred with identified direct engagement and consultation events, in accordance with the principles set out in the Mayor's Good Practice Guide to Estate Regeneration". In response to another comment in the Stage 1 report, a statement of equality impacts was provided by the applicant, which considers the equality effects arising from the proposal, the prevalence of groups with protected characteristics in the area (comparing the local wards, the borough, London and England), how the groups may experience disproportionate and/or differential equality impacts from the proposal, what the predicted impacts are, and then a summary of whether these impacts are positive, neutral or negative for different protected groups. This is summarised in the later community impact and equalities assessment topic section.

451. Further consultation was undertaken between December 2021 to January 2022 on receipt of the amendments, with letters, site notice and newspaper advert. The applicant provided a short SCI update in December 2021 on how it has amended the massing and façade design in response to the feedback on the massing. 39 objections and two comments in support were received to the re-consultation. The further responses received are also set out below in the re-consultation sections.

Consultation responses from members of the public and local groups

452. **Walworth Society** – objects, raising seven topic areas:
- 1) This application represents a change to the consented masterplan and significantly undermines it. The masterplan was developed following systematic engagement with local people and this application negates that work in favour of a greedy last-gasp desire to provide office space which is far less needed in Southwark than the council homes which could be delivered instead. Plot H1 was the smallest plot, with its massing designed with input from the community; the current proposal is far larger, lumpy, overbearing and contrary to the fine grained buildings on the opposite side of Walworth Road.
453. 2) The community engagement has ignored the views of the Society and local residents to the change of use and the design.
454. 3) The case for office space is not proven, especially with office space approved at Skipton House and the old town hall, and increased working from home. All too clear is the need for council homes in the borough. The council should buy the site to build housing and increase the size of the park given the shortage of green spaces in the area.
455. 4) The design of H1 is greedy and over-bearing, of poor quality and unsuited to this key location at the north end of the Walworth Road. Double the consented volume, without separate blocks to integrate with the scale and rhythm of Walworth Road. Support the comments of the DRP that it is overly bulky, deep plan and lacks detailed articulation. It will have a detrimental effect on the generally positive design of Elephant Park so far.
It fails to make any positive contribution to the landscape, and is not an appropriate landmark as the design is overbearing, greedy, uncontextual and introverted. The concept is limp and does no justice to Michael Faraday. The

quality of the office space is mediocre and dark at its centre because the plan is too deep. The caged private balconies have greenery which, if it grows, will impede light and views to the park. The over-scaled 10-metre high lobby bears no relationship to any other building on the Walworth Road. It relies on large areas of blank façade on Walworth Road and Deacon Street, and the north-facing facade upon which greenery will magically grow. The building and its users are completely orientated to the south-east, to the tube and to Elephant Park, demoting Walworth's high street to a back street.

The building design is particularly detrimental to the setting of the Walworth Road and in particular the historic terrace nos. 82-96 Walworth Road identified as worthy of local listing. The proposal will dominate these buildings and bears no relationship to them as a piece of high-quality streetscape. Fails to accord with Southwark Plan tall building policy.

The original masterplan was drawn up following an in-depth consultation with many local groups and residents, with working groups, sets of architects to establish a number of guidelines for the new north end of the Walworth Road (e.g. continuation of the "historic high street", single storey ground floor heights and vertical elements which set out to mimic the rhythm of the historic high street). These guidelines have been ignored in this proposal, so that it fails at street level. The Walworth Road elevation is 10m high, almost three storeys with a blank and underused frontage for a whole block of the Walworth Road adjacent to the dark undercroft of the railway bridge. The elevation of Deacon Street is worse still, dominated by entrances to back of house facilities, a completely blank 10m high façade to a building that is over 40m long, with three small windows at one end. This building and its users completely will, by design, completely turn their backs on this section of the Walworth Road, making it a dreary, dark, and potentially dangerous canyon. This is contrary to the NSP Vision for Walworth in terms of encouraging a flow of people south from the Elephant and Castle to Walworth improving the connections of neighbourhoods and communities across Walworth Road and improving the retail and service offer of Walworth Road. Many of the design proposals are shown from Elephant Park rather than Walworth Road, indicating the cues are taken from the park than the highway street.

456. 5) Owing to its height, massing and the poor quality of the design, the development is detrimental to and causes harm to the Pullens Conservation Area, the Walworth Road Conservation Area and to the nearby grade II listed buildings (Southwark municipal offices (Walworth Town Hall), library and clinic buildings on Walworth Road and nos. 140, 142, 150 and 152 Walworth Road).
457. 6) It does nothing to contribute to creating a safe Walworth Road and create links between the Elephant and Castle and Walworth. It and the wider Elephant Park development more generally fails to create a safe environment for people in West Walworth to cross to Elephant Park, despite a requirement to create high quality walking and cycling conditions. Lack of integration of a pedestrian crossing and other Lendlease developments along the Walworth Road to fit with AV.16 The Walworth area vision and to "Improve cycling and walking routes" and to support walking and cycling. The traffic impacts that will come with operating a large office space will be material. Walworth Road in its northern extent is overwide which encourages fast driving. An opportunity to create a safe northern part of Walworth Road with a crossing

to the new developments. A condition should be a contribution to the redesign of the northern part of the Walworth Road as a safe boulevard.

458. 7) It will have a detrimental impact on Elephant Park, neighbouring residents and biodiversity across the area. There is no separation of the tall structure on H1 and the neighbouring buildings (as there was in the outline permission), and will have severe negative impacts on almost all neighbouring buildings. It will dominate views and reduce sunlight in Elephant Park, a park which is important in the overall development. The wider community who use the park will feel the impact of the massing. Removal of approved trees will have a negative impact on biodiversity.

459. **35% Campaign** – objects, the key topics of objection are summarised as follows:

460. 1) The loss of housing

The OPP would be superseded, which approved the principal land use of Plot H1 as residential with only potential for business. The applicant gives no figure for how many homes could be delivered in Plot H1 under the OPP (could be about 340 homes). The proposed office floorspace is 10 times the maximum business floorspace allowed for the whole masterplan, and double the business floorspace envisaged for the Elephant and Castle Opportunity Area by the Core Strategy, and reiterated by the Elephant and Castle SPD, which remain the adopted policy. While the applicant claims it has fulfilled the OPP housing and affordable housing obligations, allowing non-residential land use for H1, the OPP remains a material consideration (under the OPP the '*principal use*' of Plot H1 is residential, with only a '*potential for business*'). The loss of the housing due from Plot H1 under the OPP is a material consideration.

461. 2) The London Plan – brownfield sites

As a brownfield site, Plot H1 should be used to optimise housing delivery, according to the London Plan and its policy H1. Policy H1B2 says that boroughs should "*optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions especially the following sources of capacity: a) sites with existing or planned public access levels (PTALS) 3-6*". Plot H1 has a PTAL 6b rating.

462. 3) The London Plan – public land

London Plan policy H1B2d says that housing delivery should be optimised where there is redevelopment of 'public sector owned sites'. While Plot H1 is no longer publicly-owned the whole OPP site was sold to the applicant out of the public sector, and the OPP was granted on the basis that the principal land use for 11 of the 13 plots was residential. The Mayor also '*expects that residential proposals on public land should deliver at least 50 per cent affordable housing on each site*'. The residential development of Plot H1 would allow, with the benefit of an updated viability assessment, a greater proportion of the housing to be delivered as affordable, towards the 50% expected, while a non-residential development represents a greater lost opportunity for more affordable housing. The 35% Campaign would contradict any argument that the amount of housing has already been optimised under the OPP, excluding Plot H1. The application is a standalone application, seeking full planning permission, and separate from the OPP. The application is therefore separately subject to the London Plan and should be considered on its own merits.

463. 4) Estate regeneration consultation
The submitted Statement of Community Involvement details the local consultation for Plot H1. Other relevant consultations to be considered before determining the application are those which took place with the residents of the Heygate Estate, prior to its demolition and the consultation for the OPP. These consultations did not contain any proposals for a large free-standing office block.
464. 5) Density and size
Under the OPP Plot H1 was to have 22,491-36,100sqm GEA of total floorspace. The applicant wishes to nearly double this to 64,624sqm, creating an excessively large and overbearing structure. The GLA Stage 1 report raised concerns about the impact of the building on the World Heritage Site and locally listed heritage assets.
465. 6) Meeting affordable housing targets
The applicant notes that the employment target for providing office space has been increased for the borough and that this application is being brought forward in response. However, the housing target for the borough has also been increased and now stands at 2,355 new homes per annum (in the NSP Main Modifications). The council has produced a Housing Delivery Action Plan, due to 3 years of 'undelivery', requiring a 20% buffer in the NSP's land supply. Delivering Plot H1 as a residential development would go towards meeting Southwark's housing targets. The applicant has chosen to optimise the delivery of housing across the other plots within Elephant Park 'in response to market trends', but this has been done this by squeezing the total consented homes into fewer plots, creating a 'spare' plot. It is the applicant's choice to use this for non-residential use, but it does not follow that the council is bound to grant them a permission for a different land use. The council should consider Plot H1 as a 'windfall site', delivering more housing and more affordable housing unexpectedly, for which there is a housing allowance under the NSP. If this application is rejected, the applicant will retain the OPP for Plot H1, with only residual 1,986 sqm of residential floorspace. Nothing prevents the applicant from making a new application for a residential development in accordance with the priority land use under the OPP.
466. **Public comments in objection** – 431 objections were received, raising the following summarised topics.
467. Principle of development
- Development needs to stop, it is unnecessary. There are enough buildings. Stop building to hit targets.
 - Overdevelopment. The density is too high.
 - This plot should not be developed. The project should be abandoned.
 - This is a change from the approved masterplan and undermines the masterplan which was developed with community engagement.
 - No justification to change from the original masterplan – there is no increased demand for office space since 2012, nor has the need for housing decreased.
 - Ignores the needs and priorities of the existing residents.
 - Gentrification of the area. Destruction of the community over the last 10 years.

- Conflict with local plan.
- Given the profit already made on the Elephant Park this site should be given to the council to develop council housing.

468. Office use

- No need for office space after the pandemic with the change in working patterns and most office workers continuing to work from home. Offices will soon be obsolete with so many working from home. There is too much office space in the current economic situation. No need for a statement, corporate office building. Giant offices are a thing of the past. Likely the plot will remain empty as the demand for office space is unclear.
- Plenty of empty office space in central London and Southwark already, and empty office space in E&C that is hard to let and being converted to residential. Already new offices at Skipton House and the Old Town Hall to provide enough office space in E&C. It will sit empty if companies are not looking for more office space.
- Offices do not benefit the population. It will not support growth nor the local community. Office jobs will not be for local people. Offices don't bring any local jobs as they generally companies moving from elsewhere.
- The area works well without offices.
- Offices don't create communities.
- The costs of having thousands of office workers outweigh any benefits for the Opportunity Area.
- All office space should be removed from the regeneration of a wonderful residential area.
- Office use will change/harm the neighbourhood character of the mainly residential area. It will bring city-looking chains and office workers and ruin what little local life remains in Elephant Road. Contradicts the developer's marketing material for the new park and residential area.
- Proposing ten times the maximum amount of business floorspace allowed by the OPP for the whole site. It is double the 25,000-30,000 sqm of business floorspace envisaged for the Opportunity Area by the Core Strategy, and reiterated by the Elephant and Castle SPD, which remain the adopted policy.
- Many other sites better suited for office redevelopment in the area. Regenerate existing empty office sites instead of this site.
- Need to encourage local business rather than another office block.
- The range of uses requested is very vague and need to be clarified.
- It will be empty in the evenings and weekends.
- It will change the culture and spirit of the local area, having a disproportionate effect on local amenities in the area and squeezing residents out. High end offices will raise property prices and push out families.
- One comment that supports office but the size of the building and loss of light would outweigh the benefit.

469. Should be housing or another use instead

- The plot should be kept as residential use (as approved in the OPP), not removing residential use from the city. This is a residential area and the site should be used for housing. If Lendlease has provided all the approved residential space of the OPP, then this plot should be used for additional

affordable housing.

- The greatest need is for housing (especially affordable) and will always be a need for housing especially when many office workers will continue to work from home, and there is a homelessness crisis. Southwark is desperate for affordable housing and desperate for land to build on. This prime site should not be used for an office block.
- This brownfield site is on the council's brownfield register and should be used to optimise housing delivery, as required by London Plan policy H1, part B2.
- Loss of the approved housing in the OPP. The plot could provide around 340 homes based on the density of Plot H7. Or a compromise with mix of homes and a few storeys of office could be provided instead.
- The London Plan 'expects that residential proposals on public land should deliver at least 50 per cent affordable housing on each site'. The residential development of Plot H1 would allow with an updated viability assessment, a greater proportion of the housing to be delivered as affordable, towards the 50% expected, while a non-residential development represents a greater lost opportunity for more affordable housing.
- Lendlease has only delivered 25% affordable housing on Elephant Park, when it should have been at least 35% and the Mayor now requires 50% on publicly owned land. Lendlease has not provided the original amount of affordable housing promised. 1,200 Heygate residents were moved out, only 100 social rent homes will be built to replace the number demolished; residents were not told they were moving out for an office to be built. All residents decanted from the Heygate Estate should be offered a home in the same tenure as before; until then, no uses other than residential should be allowed. Former Heygate tenants have already lost out much on what was promised to local residents but reneged on. Southwark households do not have incomes to affect even the cheapest homes in Elephant Park. Continuing to remove residents from the area, and residents are being priced out by Lendlease's development.
- The need for social housing has never been more acute. Lendlease has not met its social housing commitments. The site was social homes and should be used for affordable housing. The council sold off this council housing land to a private developer; affordable homes should be built. The proposal will do nothing to help the council's housing list.
- A perfect location for the council New Homes (instead of green spaces across the borough). That would turn a tragedy of social cleansing and demolitions, and memorialise the lessons learnt into a bold tower of council homes – a symbolic repair and modestly corrective beacon of justice, instead of deepening the original crime. The council needs to change its “no alternative” approach and “build on failure” to take this opportunity to do the right thing.
- This application will heighten the housing crisis, on the “graves” of council homes needlessly demolished and forcing infill on housing estates across the borough.
- The site should be use for 3-4 storey housing instead.
- Should be used to build something useful that has a point instead of corporate rent and shareholders. People won't visit an office, it needs to be something more interesting, like the Artworks that was there before.
- It should be a school, community centre, GP, or other infrastructure that

the community needs. The promised community and leisure space has not been built. It could be community space, and perhaps a small theatre, a cinema and a space that focuses on children and their needs.

- The plot must be used to meet the local community's real needs, including affordable housing, with all the amenities and open spaces (to give a breath of air to an over-densely developed section of the borough) needed to make life liveable in London.

470. Height, size, design and heritage

- The change in scale from the masterplan will be overbearing, and an overdevelopment compared with the approved, smaller blocks for this plot. The masterplan was designed with extensive community input, to ensure the buildings connected with the scale of Walworth Road and other buildings nearby. The current proposal rejects that in a greedy, overbearing and poor quality building with 10m high ground floor (unlike any other building in the area) and that does not carefully blend with the street level context, material and scale.
- The size and proportions are much too large, and far larger than approved. Far more voluminous and higher than the approved plan. So much larger than the consented building for this plot. An office building larger than any other in the masterplan. This will be the largest plot by floorspace, and second tallest in Elephant Park. One building filling the whole block would be unique in the masterplan and the area.
- It is too high. Already too many tall buildings adjacent to Castle Square, the park and in the area. It will create an oppressive and suffocating environment. The height and size should be kept within the approved parameters, not consolidated into one taller mass.
- Size, bulk and massing are excessive, out of keeping and proportion with the character of the Elephant Park development and current nearby residential properties.
- Out of keeping with character of area in size, use and function. Neither fitting with the old or new buildings. Harming the character of the area, Walworth Road and the cityscape. Taking the heart and character out of the area. Out of character with the cluster of narrow tall buildings around Elephant Park. Other Elephant Park buildings have a harmony and synergy that this proposal would significantly disrupt.
- Harm to the visual amenity of the area, overbearing, with dwarf the area. The building takes up too much of the plot area and needs to be set back. Squashed into a small space. Too close to the roads.
- Poor quality design. Hideous. Ugly. Monolithic. Unflattering. An eyesore. The design makes no sense. A single enormous shapeless blob. Looks dated already. The orange will age. A blot on the landscape. A destructive design. The experimental architecture is not suited for a key location on Walworth Road. Removed the ugly Heygate Estate buildings only to replace it with another ugly building. Repeating the same mistakes. No link with local history in the building's design – if the older generation, market traders and young people brought up in the area had been consulted it would have been different.
- Domineering impact and harm to Walworth Road Conservation Area, Pullens Conservation Area and listed buildings. The townscape assessment does not include a study from within the Newington Estate/Hampton Street nor from the south-west from Kennington Park

Road.

- The wall facing Castle Square is unappealing. It will dwarf Castle Square from the Walworth Road.
- The office entrance and retail units should face onto the park to activate this edge of the park that will otherwise be killed with the current extra-large office lobby.
- Not complying with tall building policy as no public space is provided at/near the top of the proposal. Ground floor reception is not an acceptable substitute.
- Contrary to the design requirements of the NPPF, National Design Guide, Southwark Plan, draft NSP, Elephant and Castle OAPF.

471. Neighbour amenity

- Harm to quality of life of nearby residents. Harm to neighbour amenity from the increased height and massing of the plot.
- Too close to adjoining properties. Overbearing, out of scale and dominant massing.
- Loss of privacy, overlooking from the many windows and balconies to existing and future residents. Residents are working from home more often, meaning they will be overlooked more. Local residents will experience a significant reduction in their right to private enjoyment of their privacy.
- Loss of light. The submitted daylight and sunlight report uses the BRE tests and shows a number of windows and rooms would fall below the BRE recommendations. Neighbours currently have good daylight and sunlight looking over the empty site so the suggested "existing" levels are likely to be higher than reported. The impacts go beyond those of the approved outline permission's massing. The loss of light presented in the application is compared to the "maximum allowed envelope" which the new building is exceeding, so the daylight loss is much higher and more significant.
- Loss of light to Plot H2 being a massive wall blocking the little light the neighbours receive. These plans do not do enough to minimise the daylight loss. The height should be pushed away from the Plot H2 side and towards the station instead.
- Loss of light to Strata. The affected units face only to the Plot H1 site – they have no alternative windows. Harm to Strata residents' quality of life, especially the lower floors which are the affordable units where vulnerable people live.
- It cannot be reasonable for the rights of a large office block to take precedent over the wellbeing of residents - many of whom will realistically be using kitchens and bedroom as living spaces and home offices. It's offensive to suggest the 'transient' nature of students somehow makes their residence and well being less important.
- Security staff and technology are needed for after-work revellers and to prevent anti-social behaviour that residents will witness, and affect their safety.
- Noise and dust from construction. Noise and disturbance from office use in a residential area.
- Glare from the sun on the glazed facades during the day.
- Light pollution from the office lights being on at night, disrupting neighbours' sleep.

- Promoting inequality as the higher flats would be affected less than the more affordable lower flats in H2 and Strata.
- Developer needs to be more considerate of existing neighbours (their needs and wishes) and revert to the original plan.
- Contradicting the information on which neighbours bought their flats that look onto the site.
- Loss of views.

472. Park, open space and ecology

- The plot should be used to extend the public park. More open space is needed, not less. Building over the promised park before it is even finished. Shouldn't lose rare, green spaces for development that are vital to health and wellbeing, provide access to nature, and help tackle climate change.
- E&C was already deficient in public open space in 2013 when Southwark's Open Space Survey was completed. Since then thousands of homes have been built, and while Elephant Park incorporates an element of public open space, it is in no way sufficient to compensate for all the extra development.
- Harming the open space. Looming effect over the park. Harmful impact to the character of the park, which would be enclosed by high buildings. It will undermine the positive addition of Elephant Park to the local area by overshadowing and enclosing this wonderful new green space. It will ruin the new park that brings the community together, and bring health, wellbeing and environmental benefits.
- The park will be overpowered by thousands of workers, ruining its utility, value and the experience. The park is already packed on sunny days (even with the masterplan not fully completed) and is the minimal space needed for new residents.
- Loss of sunlight to Castle Square and the park especially in the afternoons when the park is most used. It will overshadow the new park in the afternoon and evening; this plot on the south-western side of the park is a vital breathing space. Harm to the flora and fauna.
- Further improvements to the quality of the public realm are needed.
- Harm to the mature trees on Walworth Road as the building is so close.
- Loss of the wildflower meadow. It should be kept. It is used by pollinating insects and appreciated by the community.
- Affect local ecology.
- No mention of maintaining the outdoor green spaces in good condition.

473. Transport and highways

- It does not contribute to creating a safe Walworth Road and create links between the E&C and Walworth. It and the wider Elephant Park development more generally fails to create a safe environment for people in West Walworth to cross to Elephant Park.
- Increase in traffic from a transient office population. It will make traffic in a congested area and on Walworth Road (one of the busiest roads in the borough) materially worse. Thousands of extra people will lead to congestion in the area and in the park which is too small for current needs.
- Inadequate parking provision
- Question why car parking is being included in a central location with

excellent transport links.

- Inadequate public transport; bus, tube and train services are already overcrowded.
- Increase in pollution.

474. Community impacts

- Strain on existing community facilities. Office works don't connect with local life, but take resources without giving back.
- Safety impact of an empty office building at night, next to the station. No benefits for Elephant Park residents, no access to the terraces despite paying service charges.
- Elephant Park is not achieving the required environmental standard, does not allow for electric vehicle charging points, does not include solar panels, a children's nursery or school, or facilities for the elderly.

475. Environmental impacts

- Potentially contaminated land.
- Increased risk of flooding.
- The proposal does not meet the zero carbon commitment of the council and its climate emergency announcement.
- The materials are not sustainable.
- A more ecological design is needed.
- It will overheat in the summer and require a huge amount of energy to cool.
- The streets are windy and never receive sunlight. Already wind issues in the area which this proposal will worsen, making it dangerous to walk on the surrounding streets, and will prevent disabled and elderly people from leaving their homes due to the strong ground level winds.
- Overshadowing Walworth Road. The railway bridge is already dark, and will become darker at a dangerous junction.
- Lack of planning commitments: The site needs a lot more greening and real spaces that benefit the public.

476. Consultation and lack of community involvement

- The Statement of Community Involvement details local consultation for Plot H1. However, other relevant consultations which took place with the residents of the Heygate Estate, prior to the demolition of the estate and the consultation for the OPP. These consultations did not contain any proposals for a large free-standing office block.
- There has been no engagement with the local community.
- Disrespectful of the applicant to dismiss the comments made by the community during pre-application consultation.
- Poor consultation by Lendlease and the council at this late stage.
- Lendlease keeps changing its mind, back-tracking and renegeing on original commitments after people have purchased properties based on marketing material that is now superseded.
- Back tracking on the original planning promises. People bought their flats (in Strata and Elephant Park) relying on the massing of the approved block. They will experience financial loss with the reduced value of their properties.

477. Other comments raised by objectors

- It is not providing anything for the youth in the area.
- Loss of retail space for local traders.
- It will contribute to the gentrification of the area.
- The increase size and the office use are greed; the residents should take priority. Public and resident rights to clear sunshine in the park must be upheld.
- Approving this will show the council doesn't care about objections and the harm it will cause. Another sign of council corruption.
- Not enough information on the application, missing information.
- Questioning who will benefit from the rents, that the money won't go into the local economy.
- This is part of the ongoing process whereby the E&C is given over to international property developers who wish to maximise the profit they can get from the wealthy. It addresses none of the needs of the existing population nor that of London in general.
- Expense of upkeep and cleaning the façades, and will be made harder for the surrounding buildings.

478. A letter in support was received from **NHS South East London Clinical Commissioning Group (CCG)** commenting that:

- The CCG supports the redevelopment of the site and the provision of healthcare floor space and would like to ensure development is brought forward sensitively with regards to the CCG's assets and operations. It raises no objection to the application in principle and seeks to work collaboratively with Lendlease.
- Covid has highlighted health inequalities across south-east London, council regeneration and associated population growth is predominantly in the north half of the borough and associated neighbourhoods – these are the CCG's areas of greatest need.
- The CCG looks forward to working collaboratively with primary care, secondary care, and other health care providers to further develop primary care commissioning and out of hospital health hubs in Elephant & Castle as outlined in the SEL Estates Strategy. It is working with partners across the system to facilitate the right mix of health and social care and voluntary services to address health inequalities and provide access to appropriate services.

479. **Guy's and St Thomas' NHS Foundation Trust** - supports the redevelopment of the site and the provision of healthcare floorspace however, the Trust would like to ensure that the development is brought forward sensitively with regard to its assets and operations.

- The Trust supports the reference of a healthcare facility within the New Southwark Plan and welcomes the provision of healthcare floorspace within the proposal. The provision of healthcare in the Elephant and Castle Area Vision will be a positive addition to the area. However, the Trust requests that the provision of healthcare floorspace is secured and is not part of the flexible floorspace proposed. The redevelopment of the area will significantly increase the number of residents and users in the area, which in turn will increase demand and strain on existing healthcare services. Therefore, it is vital that the healthcare floorspace is secured.
- The Trust supports the provision of healthcare facility on the ground and

mezzanine floors as it will ensure that the healthcare facility is able to be accessed by all members of the public.

- Requests to be consulted during the decision of any potential healthcare occupier.
- Supports car-free development and the provision of cycle spaces to encourage healthy lifestyles for future users.
- Requests that any assessment of transport impacts during construction and operation takes account of emergency vehicles and the need to ensure that there is a consistent and easy access to NHS locations. The Trust also requests that the Applicant to notify emergency services regarding planned closures and diversions of either roads or footpaths.

480. **Public responses in support** – 53 responses were received from the public in support of the proposal (including 10 from overseas). These made the following summarised points.

481. Principle of development and the uses

- This plot is part of the masterplan not the park, and so can be developed.
- The proposed office accommodation will positively contribute to the E&C Opportunity Area. It would meet London Plan objectives by providing employment space in a high accessible location next to the stations, provide a huge number of customers to Elephant Park and Walworth Road to support local businesses.
- An office will contribute to the local economy, provide jobs, and bring people in to spend money in the area. Office use would support local businesses, bring increased footfall and spending in shops. Offices are a typical part of London where business is conducted, and needed for the residents of new buildings. Offices are seeing a return to relatively normal working patterns.
- There little decent commercial space in the area. The current office stock is dated, and high performing, modern offices are a key requirement for modern users in a (post)pandemic world. It will encourage investment into transport and driving E&C as a destination, rather than a predominantly residential area.
- It would add to a mix of uses in the masterplan, bringing a mix of people through the day (and midweek) and spaces that can co-exist and support each other. It will make a successful residential district even more lively, and balance the residential developments. More sustainable for people to live and work in the same area.
- A health centre would support the increased population in the area. Permission should require the fitting out with new accessible facilities.
- The affordable workspace will help meet the needs of a range of small businesses and start-ups in the local area.
- Retail space has been lost with the closure of the Shopping Centre, and Lendlease's engagement with a variety of retailers should be encouraged.
- The atrium would be well-used by the public. The lobby delivers an immediate, tangible benefit to residents of the local area and creates an interesting entrance point into the estate. This part of the design supports the changing working patterns and provides a welcome respite for those who work from home as well as a place to meet and relax. The ground floor level contributes to the community of the area providing potentially some very useful facilities.

- The ground floor space needs to be prioritised for community uses where people can access workshop facilities for starting new businesses and learning new skills; local business incubator and affordable office space is needed for local people.
- Opportunity to provide jobs for local people, and those made unemployed during the pandemic.
- Urge the council to see through its vision of regenerating the E&C area, with inspired design and job creating opportunities.
- The final phase of Elephant Park right next to the station should deliver the pinnacle, and not some bland social housing.
- The council did not approve the demolition of unattractive housing blocks just to bow to pressure and revert to same old housing blocks.
- The plot is not ideal for residential building and would potentially provide useful office space for local residents.

482. Design and height

- The height is appropriate for its location, context of other buildings in the area and those approved at the Shopping Centre, and being close to transport links, not dramatically different to the original plans.
- The design looks good, interesting, better than others approved in the area, references the railway lines in the area. It will be a new architectural landmark rather than a basic/standard design.
- Striking design is exactly what is needed to set an inspiration for the regeneration of the area.
- The building also appears innovative and importantly looks good in the context of existing buildings and landscape
- Appreciate the ambitious nature of the design - a landmark, architecturally distinct building will elevate the character of the area whilst the building's materiality and greening responds well to its immediate surroundings.
- The height would not harm the landscape or cause much overshadowing.
- Looks like a well thought-out and well designed building. The planted terraces step back and the lattice structure are attractive.
- The building is innovative and looks good in the context of existing buildings and landscape.
- There is demand for offices that have well-being amenities (outside space, cycle facilities).
- One comment that it is bulky, with cut sunlight and should be reduced in size.

483. Public realm, landscaping, urban greening

- The idea of a decent attractive workspace with new employment, placed next to a new park, new retail, new residential and great transport links - all fits into the concept of the 15 minute city and a sustainable way of living.
- Public realm improvements which will help to provide enhanced pedestrian connectivity between the Shopping Centre site and the Elephant Park masterplan.
- Strong focus on urban greening, low embodied carbon and quality public spaces at ground level which is needed in a locale that was dominated by a Shopping Centre and multi-lane roundabout.
- Only temporary landscaping being lost, not permanent park.

- Elephant Park benefits the public with London needing more open spaces that benefit the city. E&C was once a concrete jungle, and the development plans are an opportunity to build back better for everyone's benefit.
- It would continue the good quality of the park by continuing the lush planting, with a mix of plants for year-round interest.
- Benefit to the public realm and Lendlease has shown they can create spaces which benefit a community.

484. Transport

- A sustainable location close to transport hubs.
- It would connect Walworth and E&C.
- Stations need to be made accessible and Lendlease should be required to pay for these improvements.

485. Other comments in support

- Elephant Park is a hugely impressive development. The regeneration of the local area has been respectful to the local community but greatly enhanced the neighbourhood. Lendlease have done a fantastic job in delivering the first phases.
- Objectors have not understood where the site is, and most of the site is not temporary park.
- The council needs to secure more benefits from Lendlease.

486. 2 neutral comments were received that:

- It is a good design however it risks blocking the light into Elephant Park.
- More office space is not the priority for London, instead any space should be committed to building homes for those on waiting lists.

Re-consultation responses from members of the public and local groups

487. **Walworth Society** – notes the revisions and continues to object to it. These revisions in no way address the fundamental concerns that the development runs contrary to planning policy (set out in the original objection) and trusts that the objections that the Society and many parties submitted are in no way negated by what are in fact very minor adjustments to this application.

488. **Southwark Law Centre (SLC)** – provided three letters of objection. In the first, SLC comments that the applicant has suggested the proposal can be provided without prejudicing the OPP, however the SLC does not understand how all of the OPP obligations have been met on the information provided. SLC asked a series of questions regarding the affordable housing, affordable retail provision, community space, and health facility. SLC states that a matter of real concern is that it is now clear that a number of main modifications to the now adopted Southwark Plan were aimed at supporting this development, and SLC believe this formulation of policy and the evidence supporting it must be explained in consideration of this application so that the balance of material considerations can be judged given the demand for social housing and affordable workspace in Southwark and the existing requirement of the OPP s106 for a health hub. Also a material consideration is the “exceptional circumstances” in which the

development can disapply the affordable workspace policy P31.

489. **The second objection letter from SLC** set out its concerns that the Plot H1 application may come before Committee without a further period of consultation on matters which are material considerations. SLC requested a further period of consultation with detailed information about the reconciliation of the masterplan, and details of a consultation from the CCG on the provision of health services in area. SLC's concerns are summarised as:

- This is a planning application of particular community interest as it is for the last plot and it is expected to be accompanied with accurate and complete information show how everything to be provided under the OPP and its section 106 agreement has been provided.
- The reconciliation statement contains incomplete information on affordable retail space. It does not contain clear information about the amount of homes provided, including affordable homes and social housing which is only detailed in habitable rooms. There is no information about levels of occupation.
- A lack of clear, correct and up to date information about the community space provision and whether this requirement has been discharged.
- Insufficient information about the money provided for health facilities under the OPP and how it has been used. It should be used for a health facility and it is unclear as to why it is being provided in a separate application for an office block outside the masterplan.
- Insufficient information provided about the health hub facility. The memorandum between Lendlease, the council and CCG provides more detail about the plans for a health hub which is likely to eventually replace Princess Street and Manor Place surgeries in Walworth. This has only been presented as an option in previous documents, but it is now presented as a final proposal. This is a huge potential change and inadequate details have been given about how this is proposed to work and interact with the current local health provision. Any proposed change to health provision in the wider area should be consulted on in as much detail as possible.

490. **The third objection letter from SLC** set out in more detail the areas where SLC does not consider compliance with the OPP planning obligations has been demonstrated. This application marks a significant change of direction from the OPP. Lendlease asserts that it has met all its OPP obligations, including affordable housing, community use and affordable retail. SLC has concerns about this assertion and about the design and mass of the proposed new building and its impact on Elephant Park residents. There has been a lack of consultation over the new proposed health hub. Objections in terms of the OPP:

- Housing – Lendlease asserts that it has delivered the required amount of housing including affordable housing. Contrary to the local plan requirement in 2012 when permission was granted and policy now in the SSWark Plan 2022, only 25% affordable housing has been built. This is 10% less overall than the local plan required then and requires now. All the social rented housing in Elephant Park is 3 bed properties. SLC has been informed of the rents for 64 properties via a FoI request and vary from the highest being £163.11/week. SLC has been advising a tenant in a social housing unit who is being charged £249.52/week for the flat, including service charges. SLC does not consider that Lendlease has

discharged the obligation to provide social housing given the rent discrepancy, and this is under enforcement investigation. There should be a wider formal audit of all of the social and affordable rent levels. SLC request the council to ask Lendlease and L&Q to provide a schedule of all social rented units, with the rents and service charges to establish if they are being properly let at social rents and the OPP s106 social rent terms. The same should be done for the affordable rented homes (market-related rent).

- Affordable retail – SLC does not believe the applicant has discharged its requirement to provide 10% affordable retail space. 902sqm of affordable retail space has been provided and the remaining 58sqm should be provided to comply with the policy requirement. SLC has been advising Pricebusters (a local business displaced from the shopping centre after 30 years of trading) who were offered an affordable retail unit in Elephant Park but were unable to accept the offer because of the high cost of the fit out. This is example of a business failing to secure an affordable retail unit in a development that is not meeting its requirement. The high fit out cost is a barrier to independent businesses accepting. The requirements for actual affordability have not been met.
- Community Space – The report for the 2012 OPP application stated there was at least 2,530sqm of community and cultural space in the Heygate estate. At least 1,000 sqm of community space has been lost due to the redevelopment. SLC does not believe the minimum requirements for community space (D1/D2 former use class) have been adequately met. The largest space, the children’s nursery is not a community space given its charges as a profit-making business. It is not available for “community or cultural purposes.” Question whether the library and heritage centre constitute community space. Projected expenditure was £6 million in the council’s 2018 budget. Not clear if this building is now leased or owned by the council, and how much Lendlease contributed to this community space. The pavilion does not provide affordable space for community groups. The charges are unaffordable. Part of the energy centre known as the Trunk purported for community use, is awaiting an application for change of use to D1 community space is waited. No details about the cost of this community space or its opening times are given to understand the viability of this community space.

491. Then for the current Plot H1 application itself, SLC raised the following summarised points in objection in its third letter:

- Housing – This application would result in a huge over-provision of business floorspace in Elephant Park as against the OPP, by proposing 56,849sqm compared with the OPP maximum of 5,000sqm. Plot H1 is a brownfield site, with an optimisation and presumption of housing development in London Plan policy H1, part B2. The need for affordable housing, particularly social rented housing, is even more acute than it was when the OPP was granted. 1,212 social homes were demolished on the Heygate Estate, and have been replaced by only 64 social rent homes, and the rent of these is queried. Plot H1 should be used to meet housing need. Lendlease should be required to use the plot to bring the whole development up to policy compliant levels of 35% affordable housing, half of which should be social rented.
- Health hub – New local health facilities are likely to be welcome in the

area however, SLC does not believe that they need to be supplied at the expense of housing. The OPP requires a health facility or financial contribution, and housing; both should be maintained and not be replaced by offices. While Lendlease may be allowed to pay a health contribution in the OPP s106 agreement SLC has no further details about the amount and spending of this health contribution in the area, and ask for these further detail be put out for consultation. There is insufficient information provided about the proposed health hub facility. The memorandum between Lendlease, the council and CCG provided more detail about the plans for the health hub which is likely to eventually replace Princess Street and Manor Place surgeries in Walworth - which was an option in previous documents, but now presented as a final proposal. This is a huge potential change and inadequate details have been given about how this is proposed to work and interact with the current local health provision. SLC is concerned about the knock-on impact on the provision of primary health care in Walworth and Elephant and Castle. Lendlease, the council and the local health trust already have well-advanced ideas of how this delivery can be reshaped, including the closure of the Princess St and Manor Place surgeries. The local community must be consulted before any decision about the planning application is made. SLC believes the proposal is so far-reaching that any meaningful consultation should be separate and in addition to the planning consultation.

- SLC objects to the hub being provided instead of affordable workspace as it will lose much needed employment opportunities. Policy P30 only allows this in exceptional circumstances. The developer has not discharged to obligation to provide 10% affordable retail space. A health hub was an extremely likely requirement of the development, with the 2012 report acknowledging a proportion of the D1 floorspace could be used for healthcare provision if there is an identified demand, with further consultation recommended to determine the future healthcare requirements. This facility should not be provided in lieu of affordable workspace and there should be a consultation to determine the requirements of future healthcare provision.
- Design, massing and impact on local residents – the proposal doubles the useable floor space from that consented. The significant change in massing will directly affect residents and users of the Walworth Road and of Elephant Park, and generated 471 objections. The OPP design of three low blocks and one 23-storey tower was drawn up after much consultation. The proposal is more than double the consented volume and fills the space for gardens and between buildings. It will have severe negative impacts on neighbouring buildings, particularly those directly opposite. The 3-4 storey premises on Walworth Road will face an 85 m high building. The proposed massing on the north side would have adverse light impacts on Mawes House and Tantallon House. The proximity to Hurlock Heights has impacts on all residents facing H1. For Strata Tower where most apartments face only one direction, there will be a substantial reduction in daylight and sunlight which will be absolute for residents with no other windows.

A number of masterplan guidelines were established with residents for designing the new north end of the Walworth Road. Careful design of the new high street buildings ensured they are set back behind trees, shop frontages and are kept to a single storey, integrating with the scale and

rhythm of Walworth Road as a high street. The currently proposed retail frontages are 10m high, ignore all the successful design attributes that have been integrated into the completed plots. The design approach for the street level ignores all previous lessons learnt.

The Design Review Panel's comments have not been addressed and the development has not been returned to the DRP for comment. SLC await this particularly in light of the more advanced discussions about the inclusion of a health hub in this building. Plot H1 will dominate views and reduce sunlight in Elephant Park and the pavilion, an important part of the overall development which is very well-used and cherished. The design will have a detrimental impact on the park's feeling of openness in the area and brightness overall.

The proposal fails to comply with policy P17 of the Southwark Plan by failing to make a positive contribution to the skyline and landscape, harming strategic and borough views, and not being of exemplary architecture. It will provide an overshadowing impact on the public realm, is overly bulky and does not have a good relationship with the public realm on north Walworth Road. The proposal fails to meet policy P56 of the Southwark Plan.

- Sustainability – Loss of the wildflower meadow as a vital area of biodiversity and green infrastructure. This green space is designated in the Southwark Plan policy map. The landscape architects who designed this meadow describe it as an important pedestrian link, a playful, meanwhile landscape providing a green oasis and shared sanctuary for people and pollinators by providing crucial habitat and foraging opportunities through ribbons of wildflower meadow, pollen-rich perennial planting and habitat stations. The proposal is contrary to Southwark Plan P58 by destroying Other Open Space and a significant biodiversity gain will be lost. The proposal does not comply with policy P70 as it does include PV panels, it has a high carbon factor from the District Heating Network at Elephant Park, does not maximise the opportunity and use of heat pumps and so the opportunities for carbon savings and on-site renewable energy maximisation are not met.
- Equality considerations – By departing from housing, and with no affordable workspace if a health hub is provided, a detailed Equalities Impact Assessment should be provided. SLC considers this could have significant negative impacts for those with the protected characteristic of race, age and disability, as well as those from lower-socio-economic groups who will lose out on potential affordable workspace and social housing, wheelchair and adapted housing if this plot were to have housing to a policy compliant level required by the Southwark Plan. It should also consider the impacts of a large non-residential building on the existing and prospective residential and business habitants of Elephant Park.

Officer response to the SLC objections: The assessment section of the report considers the uses proposed, relationship with the OPP, health hub in lieu of affordable workspace, design, sustainability and neighbour amenity impacts but to respond to some of the points raised by the SLC. The inclusion of 60,000sqm of employment floorspace from Elephant Park within the Southwark Plan's Table A of "Delivery in Vision Areas" and the strategic targets was considered during the examination of the Southwark Plan, and found to be sound. The affordable housing, affordable retail and community space obligations of the OPP continue

to apply to the masterplan as the final plots are constructed, irrespective of the outcome of the current application and are not impacted by the proposal. The OPP obligation allowed for either financial payments to be made or a health facility of up to 500sqm to be provided within the masterplan. Financial contributions totalling £1.1m have been collected from the OPP masterplan so far, a payment of a further £342k is due in the coming weeks and with more due on completion of the remaining plots, none of which has been spent yet. The proposed health hub is much larger than the OPP envisaged for an on-site facility. This planning application does not remove any requirement on the CCG to carry out its own consultation on health services, nor does it restrict the operation of local GP surgeries. Part of the plot is shown on the Ordnance Survey map as greenspace, but is not formally designated open space in the Southwark Plan, and as temporary landscaping would not be considered as other open space in policy P57 terms. Lendlease is likely to reuse the wicker sculptures in the park and some of the planting and wildflower turf, and is in dialogue with local groups about relocating the remainder to local parks. A statement of equality impacts has been provided recently by the applicant.

492. **35% Campaign** – wishes to make the following further objection. The number of homes in Elephant Park stated in the Reconciliation and Comparison Statement is inconsistent with the information being supplied to the Australian Securities Exchange, which had 284 more homes on Elephant Park and Lendlease's neighbouring Trafalgar Place development. The Reconciliation statement's purpose is to show that the applicant has met the requirements of the OPP and thus enable approval of the applicant's new standalone application. The number of homes delivered under the OPP must therefore be a material consideration for this application. Amongst other things the number of homes affects density and various s106 requirements. The number of homes must be definitely established before the application can be considered and any difference in the number from the Reconciliation statement explained.
493. The 35% Campaign also raised a potential enforcement issue with the amount of rent and service charge being charged by L&Q for social rent flats, suggesting it is higher than social rents and the average rents by housing associations published by the council. That if this is the case, then the applicant, Lendlease, has not met the s106 obligation of the OPP to deliver the 3-bed rented affordable housing on Elephant Park as social rent. The Campaign asks that the Plot H1 planning application not be determined until information is provided for the rent and service charges for all social rent units in Elephant Park to establish that they are being properly let in accordance with the OPP s106 terms.

Officer response: The applicant has confirmed that the number of homes reported to the ASX is inclusive of One The Elephant (284 homes). The number of units within the masterplan is known by adding those approved in the RMAs. The social rent levels of units within the OPP are being investigated by the enforcement team and as part of the council's affordable housing monitoring. This is not a reason to delay deciding this application nor to refuse it.

494. **Public comments in objection** – 36 further comments in objection, summarised below into topics.

495. Insufficient amendments

- None of the objections have been addressed. The revisions to the original application aren't substantially different, fails to address the points in the hundreds of objections with no meaningful modifications. The reduction in floorspace is miniscule. Therefore the previous reasons in the objections are still relevant.

496. Departure from the masterplan

- Over development of the site and the area which has already many high rise buildings.
- This application represents a change to the consented masterplan and significantly undermines it.
- The loss of housing needs to be considered. The London Plan policies require housing delivery to be optimised, including public sector owned sites (with 50% affordable housing).
- This proposal is ten times the maximum office floorspace of the OPP, and is double the office area for the whole of the E&C area in the Core Strategy and SPD. Three times the size of the approved floorspace for this plot.
- The proposed design is taller, wider, has significantly larger mass at higher elevations than originally proposed and approved in the masterplan, and almost double the size/floor area of the maximum parameters. It combines what is meant to be three buildings into one.
- It should not be taller than the approved parameters, the applicant should be required to fit within them.
- Lendlease would not have received permission in 2013 if the masterplan had included this proposal. What should be one of the smallest plots is now proposed to be one of the largest.
- Lendlease has not fulfilled its affordable housing, retail and community space obligations. This plot should be used to meet housing need, to provide genuinely low cost space to relocate traders who have lost affordable retail space, and to provide more space in Elephant Park that is free or relatively cheap to hire.
- The public consultation and community engagement undertaken for the masterplan is relevant to this application.

497. Office use

- The case for office space is not proven.
- This proposal is out of touch with what is needed by the local community.
- Another commercial development so close to the new E&C centre is not needed and is inappropriate.
- Office use doesn't add to the community. It will be empty in the evenings and weekends.
- Instead of building a cohesive and inviting residential community, the applicant has chosen to commercialise for profit and disregarding the impact on their own residential neighbourhood.
- It will become another empty new build.
- The negative impacts of such a large building are not balanced by the benefits of more office space.
- A couple of objections were supportive of office use in principle, but only for a much smaller building.

498. Housing

- The plot should be used to provide more homes instead.
- The area is meant to be residential. The proposal undermines the character of the area as being a residential neighbourhood.
- The housing estate that was demolished should be replaced with new residential, and at a moderate/earnest height.
- Affordable homes are in desperate need, not this huge office block.

499. Design

- Out of keeping with character of area. The proposed scale/massing of the design is out of keeping with the immediate surrounding area, particularly the Victoria terracing immediately opposite and will impinge on the skyline further afield.
- Development too high.
- Taller and significantly larger than the approved building.
- Such a large building does not belong in a residential area.
- Totally out of keeping with anything already built or being built. It is too large, overbearing and will not fit in with the overall design of the new Elephant Park area. A monstrous building that will harm the openness of the area.
- The design is over-bearing, of poor quality, ugly and unsuited to this key location at the north end of the Walworth Road. It detracts from the Walworth Road and the new links between the E&C and Walworth. Fails to create a safe environment for people in West Walworth to cross to Elephant Park.
- No study has been undertaken from within the Newington Estate/Hampton Street or from the South West (in the direction of Kennington Park Road)
- The exterior red cladding looks like a rusting hulk; a better finish is needed. Out of character with brick buildings surrounding the park.
- This behemoth would further darken the area. Hurlock Heights and Strata in the vicinity block a lot of the sunlight to the park and surrounding buildings.
- The building should be halved in size to address the objections.

500. Park and ecology

- The new park would be swamped on all sides and not pleasant. The park is already too small for the amount of people living here. An extra 4,000 office workers will destroy the park with footfall and noise pollution in no time.
- More open space is needed, instead of an office.
- The endless construction produces even more densely packed spaces, more pollution, and negatively impacts physical and mental health of residents. More open/green space and general space to breathe are needed.
- It will overshadow the park, significantly negatively impact the public space in Elephant Park. Block sunrises.
- It will reduce the area of the park. The site should be used to extend the park instead.
- Affect local ecology. The removal of the wildflower meadow will also significantly harm the biodiversity of the area.

- More open space and amenities are needed for local residents.
- Children's play space will be overlooked by the offices.
- Lendlease suggests the new development would overshadow the park less than the original proposal. Whilst this might be the case with the chosen metric, a larger building with significantly increased massing will be more detrimental to the park in terms of views, feeling of openness in the area and brightness.

501. Transport

- Increase in traffic.
- Increase in pedestrians in the area cannot be supported.
- Inadequate public transport.
- Not enough transport in the area to support a large office.

502. Neighbour amenity impacts

- Loss of light, much greater than the original masterplan's impacts. The increased massing is much closer to Plot H2 and Strata.
- Loss of privacy.
- Reduced daylight and privacy for properties both immediately adjacent and also for those on the other side of the Walworth Road and railway line.
- Too close to neighbouring properties.
- Noise nuisance.

503. Other objection topics

- A health hub does not justify the size and disproportionate nature of the proposal.
- Environmental pollution, air pollution and noise.
- Flooding risk.
- Strain on existing community facilities. Harm to nearby facilities and services from the additional people.
- Conflict with local plan.
- General dislike of proposal. An undesirable proposal.
- The applicant and council are not doing good for the area.

504. **Public comments in support** – two further comments in support were received summarised as:

- A modern office building will bring jobs to the area. The pandemic-related work from home objections are unconvincing; this building will stand long after the pandemic is a distant memory. Even if a portion of workers continue working from home the economy will continue growing and need a supply of office space.
- Well thought through.
- Health facility is welcome.
- It fits in with the emerging cluster of tall buildings nearby.

505. **Guy's and St Thomas' NHS Foundation Trust** - reiterates the Trust's support in principle and requests that obligations to secure the health hub are included in any future grant of planning permission. E&C is a proven required location for further healthcare floorspace, in the form of a health hub. The proposed development and the wider Elephant Park, significantly increase the number of

visitors, workers and residents to the area which has an inherent impact on healthcare services in this location and the wider borough. The provision of floorspace in this development is an important step in ensuring the future of healthcare service delivery in the area.

506. The Trust continues to have strong interest in occupying the proposed Health Hub. As discussed with both Lendlease and the council, the need for and delivery of a Health Hub is absolute and this is supported by the CCG. The exact scope and delivery of services continues to be developed and discussions will continue as the scheme progresses. It is important that the status of the health hub is secured and the Trust requests that a section 106 obligation is attached to the permission to reasonably and properly safeguard the health hub floorspace for the use of a healthcare provider, in consultation with the Trust and CCG. It should be offered to the Trust, or another appropriate NHS provider, in the first instance. The Trust has no comments to make at present on the layout or additions to the submitted health hub summary. A priority for the health hub is ensuring appropriate access and signage, and so request that any landscaping condition attached to the permission includes the location of appropriate signage.

Consultation responses from external and statutory consultees

507. **Arqiva** – has considered whether this development is likely to have an adverse effect on its TV and radio operations and have concluded that it has no objections to this development.
508. **Environment Agency** – request conditions regarding contamination risk, verification of remediation works, unexpected contamination, surface water drainage and no piling without consent.
509. **GLA** – provided the Stage 1 report. The Deputy Mayor considers that the application does not yet comply with the London Plan but that the possible remedies could address these deficiencies. The topics of the GLA response are summarised as follows.
- 1) Principle of estate regeneration: While the scheme does not result in the demolition of any existing housing, the proposed development will have a direct and permanent impact on residents living within the redeveloped estate, with a significant quantum of office floorspace, changes to public realm, access, amenity, privacy, amenity, and non-residential facilities. Full and transparent consultation has occurred with identified direct engagement and consultation events. The redevelopment would provide jobs, services and facilities in a highly accessible location and provision of public realm, would comply in principle with objective GG5 of the London Plan.
 - 2) Land use: Noting that the housing and affordable housing obligations of the Heygate Estate regeneration masterplan have been achieved, the principle of optimising this site within the Opportunity Area and CAZ to deliver a significant amount of office floorspace, active uses and public realm is accepted in strategic planning terms. An equalities statement should be provided to assess the impact of the development on persons who share a relevant protected characteristic.
 - 3) Urban design and heritage: The site is within an area that is identified as

broadly suitable for tall buildings in the local and emerging local plan. Further information requested of the cumulative impact on the setting on the Westminster World Heritage Site before this may be weighed against public benefits. Further options should be explored to reduce the inactive frontage along Deacon Street in this town centre and CAZ locality. Management of the public realm, lighting and safety measures, provision of free drinking water, and freely accessible public toilets should be secured.

- 4) Fire safety: Compliance with policy D12 of the London Plan should be secured by condition.
- 5) Energy: Further information is required in relation to a number of elements of the proposed energy strategy.
- 6) Air quality: Construction phase conditions should be imposed.
- 7) Flood risk: A flood warning and evacuation plan should be secured by condition.
- 8) Sustainable drainage: The surface water drainage strategy does not give appropriate regard to the greenfield runoff rate and SuDS. The drainage strategy should be revised.
- 9) Water efficiency: Rainwater harvesting and reuse should be considered to reduce consumption of water, which can be integrated with the surface water drainage system to provide a dual benefit.
- 10) Biodiversity: Evidence should be provided to demonstrate that the proposed development secures a net biodiversity gain.
- 11) Circular economy: Detailed technical comments in respect of the circulated economy were provided.
- 12) Transport: A financial contribution of £2 million should be secured to mitigate impacts on the Elephant and Castle Underground Station caused by the number of trips generated by the scheme. As the site lies close to London Underground tunnels, a condition should secure the submission of excavation, piling and construction method statements, with an asset protection agreement if appropriate. A delivery and service plan, construction logistics plan and travel plan should be secured.

510. **Historic England** – has no comment.
511. **Lambeth Council** – raises no objection.
512. **London Fire Brigade** – has reviewed the Design and Access Statement and has no observations to make.
513. **London Underground Limited** – has no objection in principle although there are a number of potential constraints on the redevelopment of a site situated close to underground tunnels and infrastructure. It will need to be demonstrated to the satisfaction of LUL engineers that: the development will not have any detrimental effect on its tunnels and structures either in the short or long term; the design must be such that the loading imposed on its tunnels or structures is not increased or removed; and it offers no right of support to the development or land. LUL requests a condition be included, and a suggested informative.
514. **Met Police** – consider the proposal suitable to achieve Secured by Design accreditation and ask for a two-part condition to be included on any permission.

515. **Natural England** – has no objection.
516. **Network Rail** – asks that the applicant engages with the assets protection team prior to works commencing to ensure the works can be completed without any risk to the operational railway. Recommends informatives for any permission. Network Rail is currently working with the council on funding a pre GRIP (Governance for Railway Investment Projects) \ PACE (Project Acceleration in a Controlled Environment) report on Access for All and station decongestion at Elephant & Castle. Beyond this report, Network Rail will require third party contributions to fund the project through the process and ultimately construction in order to secure funding from the DfT. Network Rail will continue to work with the council on this project.
517. **Thames Water** – has identified there is insufficient infrastructure capacity for foul water, surface water drainage and water network needs of the proposal. Request three conditions be included on any permission, and further comments (about groundwater discharge, trade effluent, petrol and grease separators, proximity to infrastructure, sewer connection and surface water drainage) can be included as informatives.
518. **Westminster City Council** – does not wish to comment.

Re-consultation responses from external and statutory consultees

519. **Environment Agency** – the comments made in response to the first consultation still apply.
520. **GLA** – made further comments and queries on: energy (requesting further information on the connection to the heat network, decarbonisation plans, and potential for PV); whole life carbon; and drainage that the reduction to the discharge rate is supported, disappointing that rain water harvesting has been discounted, and that the proposed strategy needs to be workable and carried through to the detailed design stage. In response the applicant provided further information to address the GLA queries on energy and the district heating network so that these have been resolved to the GLA's satisfaction until the Stage 2 process.
521. **London Fire Brigade** – has no further observations to make. Its comments on any deviations from its guidance can be used as informatives.
522. **London Underground Limited** – repeats its earlier comment that it has no objection in principle but asks for a condition and informatives been included on any permission.
523. **Met Police** – previous comment is still valid, and ask that a Secured by Design condition is included on any permission.
524. **Network Rail** – provided an update on the work currently being undertaken with the council and request a contribution to provide lifts at Elephant and Castle train station. Network Rail and Govia Thameslink Railway are currently working with the council on delivering a pre-GRIP/PACE feasibility study on Step-Free access

(Access for All) at the train station. The Access for All program aims to address issues faced by disabled passengers and passengers facing mobility restraints (such as heavy luggage or pushchairs) when using railway stations by creating an obstacle free, accessible route from the station entrance to the platform. This generally includes providing lifts or ramps, as well as associated works and refurbishment along the route. This feasibility study was funded by the council, Lendlease and Delancey. Beyond this study, third party contributions to bid for funding from the Department for Transport are required. This will essentially fund the project through NR's GRIP/PACE processes and ultimately construction of the lifts.

525. The current development around Elephant and Castle Station provides a 'once in a lifetime' opportunity to provide step-free access at the station. Network Rail request the £2m contribution (later revised to £1.72m) towards transport benefits fund the construction of lifts, creating an obstacle free, accessible route from the station entrance to the platform. The benefit of having accessible stations are far reaching, making it easier for both future residents and the existing community to visit friends, get to the shops or to work. Accessibility benefits everyone – people with health conditions or impairments, people with children, heavy luggage or shopping and some older people. It is also good for the economy and means fewer car journeys, less congestion and carbon emissions.
526. Without this contribution, it is highly likely that the station will continue to not be fully accessible compared with the rest of the new step-free town centre and underground interchange services. This would have an adverse impact on the local community and could also cause negative publicity for all parties involved. Whilst NR appreciates this may take funding away from the TfL and the Bakerloo Line Extension, TfL will have more opportunities to receive funding from developments in London, unlike Elephant and Castle station. Network Rail consider the £1.7m contribution required by TfL should instead be used to priority step free access to the overground station.
527. **TfL** – the proposed are unlikely to result in any additional strategic transport concerns over those raised in the GLA Stage 1 report. Since the stage 1 report, TfL agreed with the applicant a slightly lower level of contribution towards the Northern line ticket hall project of £1,721,384. The contribution amounts requested for cycle hire expansion and Legible London remain the same.

Consultation responses from internal consultees

528. **Ecology officer** – the ecological survey and bat survey are fine and no further surveys are required. The proposed green roof and planting is good. Recommend conditions for an ecological management plan, biodiverse roof planting and swift nesting features.
529. **Environmental protection team** – considers the submitted acoustic report to be acceptable to set the specification needed for the façades to address the noise levels of this site. Recommends a series of conditions relating to plant noise; odour from kitchens; construction management; and land contamination. These have been included in the recommendation.
530. **Flooding and drainage team** – raised objections with more information needed

on the drainage hierarchy and the calculations for the runoff rates in the drainage strategy and basement impact assessment.

531. **Highways** – raised four areas that need to be resolved prior to a decision (regarding the height of the planted areas and visibility splays for the servicing yard, measures for cyclists on Deacon Street, the location of the cycle parking on Deacon Street, and having no outward opening doors onto the footway). Any permission would be subject to highway works and a construction management plan being secured in a planning obligation. Other comments regarding building overhangs, drainage onto the highway, foundation and basement details due to the proximity to the highway, pre-construction surveys, and the SSDM can be used as informatives on any permission.
532. **Local economy team** – support the proposal. The H1 Development proposes to provide 10% of the proposed office floorspace as affordable workspace in line with policy, though they wish to explore the alternative use of a medical hub alongside office use. LET is happy to explore this with planners and the developer. The bespoke method for calculating construction phase jobs, skills and employment requirements on Elephant Park (as used in the 2013 OPP section 106 agreement) would continue to be used for this plot. LET is content with this methodology and request an employment and training scheme as per previous reserved matters applications, to reflect the mirroring of those applications for employment and training.

Re-consultation responses from internal consultees

533. **Ecology officer** – the updated urban greening factor is an improvement with a score of 0.35.
534. **Flooding and drainage team** – The applicant has provided additional information, an updated drainage hierarchy and updated the runoff rates for the site. Queries were raised in response regarding the discharge point connection, the calculations to support the runoff rate and clarification of the catchment being urbanised or greenfield, that the attenuation volume proposed is not equal to or greater than the volume required and querying how exceedance events would be managed, and needing further information on maintenance. These have been addressed recently through further information so that the drainage scheme is acceptable.
535. **Highways** – question the convenience of the blue badge car parking spaces indicated in Plot H2's basement for the proposed health hub to use as these are far more than the 50m distance suggested in national guidance. Comments incorporated in the transport and highways section above.
536. **Local economy team** – content with the small reduction in affordable workspace commensurate with the reduction in overall floor area, and with the make-up of the space.
537. **Urban forester** – welcomes the improvement to the urban greening factor.

Community impact and equalities assessment

538. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights
539. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.
540. The Public Sector Equality Duty (PSED) contained in Section 149 (1) of the Equality Act 2010 imposes a duty on public authorities to have, in the exercise of their functions, due regard to three "needs" which are central to the aims of the Act:
1. The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act.
 2. The need to advance equality of opportunity between persons sharing a relevant protected characteristic and persons who do not share it. This involves having due regard to the need to:
 - Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
 - Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
 - Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low
 3. The need to foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to tackle prejudice and promote understanding.
541. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.
542. The application site is a partly vacant brownfield site that forms part of the Elephant Park masterplan redevelopment which demolished the Heygate Estate. The existing "urban farm" business on part the site was permitted as a temporary use, with a time-limited permission until 31 March 2023. Temporary landscaping including play features were provided by the applicant as an interim use of part of the plot (until its long-term redevelopment is constructed). Their permanent provision on this plot is not needed to meet the planning obligations of the OPP and the adjoining central public park provides formal play areas and further open space for the community's use.
543. The 2013 OPP to redevelop the Heygate Estate has been implemented, three phases of the redevelopment are now complete and construction work has commenced on the remaining plots. Residents of the former Heygate Estate were moved from the site several years ago. The current Elephant Park residents have moved into new buildings within the masterplan, and the impacts upon their

residential amenity, as well as other surrounding residential properties and the public park have been considered in the assessment above. As part of the OPP masterplan, the plot was approved for a residential-led building which would not proceed if the current application is approved and constructed. However, there would be no loss of approved affordable housing from the masterplan as the rest of the Elephant Park masterplan will build more than the minimum residential floorspace required by the OPP. The masterplan will provide 25% affordable housing and 10% wheelchair housing as approved by reserved matters applications for the other plots in the OPP.

544. Data from 2019 shows a larger proportion of Southwark residents are from black, Asian and mixed ethnic backgrounds when compared to England, and with a greater proportion of black and Asian minority groups in Elephant and Castle. In 2019, the Elephant and Castle area (including the site) ranked within 20% most deprived in England by the national overview indices of deprivation, including for health deprivation and disability, for crime, and living environment. It had a high rate of child poverty and child obesity.
545. The applicant provided a statement of equality impacts which considers the potential equality effects of the proposal as 1) the impact on access to healthcare facilities at operation of the proposal, 2) impact on accessibility, inclusivity and active travel during construction and operation, 3) the impact on the neighbourhood amenity in construction and operation, and 4) the impact on employment and skills in construction and operation. It considers the prevalence of protected groups in the area at the local area of 7 Census wards, the borough, London and England. It considers whether the impacts may be disproportionate, on a community containing a disproportionate number of individuals with a protected characteristic or the way an asset is used disproportionately by an equalities group. To give some examples, the local area has a higher proportion of children and young people (32%), and of working age people (76%) than the London proportions (31% and 67%) and England proportions (30% and 62%), and has a higher prevalence of ethnic minorities (48%) than the proportions in London (40%) and England (15%). Differential effects are also considered; those with protected characteristics may experience differential effects by being affected in different ways to those without protected characteristics, even if the number of those people is small. One example of how groups are at risk of experiencing differential equality impacts from the proposal, are groups who typically experience discrimination in accessing the labour market (young people, older people, disabled people, gender reassignment and transgender people, sexual orientation (non-heterosexual), ethnic minorities and females), who may experience differential positive impacts on accessing the labour market from the proposal's employment and skills initiatives.
546. The submitted statement of equality impacts considers the following likely equality effects of the proposal.
1. Access to healthcare facilities – the site is in an area with high ratios of patients to GPs, high need for pharmacies, and growing outpatient attendances. The proposed health hub would have a positive disproportionate equality effect on those with protected characteristics of age, race, and religion or belief, and a positive differential impact on age (older people), disability, and pregnancy and maternity. It would assist in eliminating discrimination by providing an inclusive health hub

for the community, and promote equality of opportunity by improving access of all groups to healthcare services.

2. Accessibility, inclusivity and active travel – there would need to be temporary and partial closures of routes next to the site for construction access, which would result in a neutral effect. At completion, the development would provide inclusive access for all community members, as well as seating, passive surveillance, improvements to pedestrian and cycle facilities such as a new crossing, and blue badge parking spaces. In the operational phase the proposal is expected to have a positive disproportionate effect on those with the protected characteristics of age, race, religion or belief, and have a positive differential equality effect on those with disabilities, pregnancy and maternity.
3. Impacts on neighbourhood amenity – air quality, noise and vibration controls and conditions for the construction and operational phases would limit the proposal's impacts to have neutral effects overall. For the daylight and sunlight impacts, the characteristics of those living in the affected neighbouring properties are not known, and the effects may be differential, for example children or older residents who tend to spend more time at home. The quantum of affected residential buildings (and the number of rooms and units affected) when considered in the context of the local area, it is likely that the equality impacts would not be considered to be large. The proposed landscaped public realm would provide a legible and safe environment, with rest points and inclusive furniture that is publicly accessible at all times. In the operational phase, the proposal is expected to have positive disproportionate effects on age, race, religion or belief and a positive differential equality impact on age and disability from its public realm benefits.
4. Employment and skills – the construction phase would provide training and employment opportunities, including for borough residents. The completed development would also provide employment opportunities for borough residents, including those from protected groups. At the borough level, the proposal is expected to have a positive disproportionate effect on age, race, religion or belief and a positive differential impact on age (young and older), disability, gender reassignment, race, and sex (females) from the improvement in access to employment and training.

547. No equality effects for marriage and civil partnership, nor for those with Christian or no religion characteristics were found in the statement of equality impacts. Its summary finds the proposal would have positive and neutral effects on groups with other protected characteristics for the four topics considered.

548. The scheme has incorporated inclusive design features for the future staff and visitors to the building. It is located in a town centre location close to residents and with ready connections for walking, cycling and public transport. The jobs and training would improve opportunities for people with protected characteristics (such as those of different ages, disabilities, genders, sexual orientation and races) to be equipped with the skills and knowledge to access the employment opportunities, to return to work, to be and stay financially independent, and to start or grow a business. The proposal would provide accessible public realm and facilities open to the public in the accessible active

lobby. A health hub may be provided within the proposal which would assist in improving health services in the area, including for those with protected characteristics of age, disability, race, gender and gender reassignment, pregnancy and maternity, and would help to address health inequalities by improving access to health services for the community. If a health hub is not provided, affordable workspace would be provided which would provide employment opportunities, including for those with protected characteristics such as age, race, disability, gender and sex.

Human rights implications

549. This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
550. This application has the legitimate aim of redeveloping a brownfield site for a mixed use scheme. 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.

Positive and proactive statement

551. The council has published its development plan 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.
552. The council provides a pre-application advice service that is available to all applicants in order to assist applicants in formulating proposals that are in accordance with the development plan and core strategy and submissions that are in accordance with the application requirements.

Positive and proactive engagement: summary table

Was the pre-application service used for this application?	Yes
If the pre-application service was used for this application, was the advice given followed?	Mostly, further amendments were needed
Was the application validated promptly?	Yes
If necessary/appropriate, did the case officer seek amendments to the scheme to improve its prospects of achieving approval?	Yes, amendments provided in December 2021
To help secure a timely decision, did the case officer submit their recommendation in advance of the agreed Planning Performance Agreement date?	No

CONCLUSION

553. The submitted standalone planning application for Plot H1 departs from the approved OPP for Elephant Park, by proposing a scale of development and with uses that do not fit within the approved parameters of the 2013 outline planning permission. This full planning application is to be determined in accordance with the development plan unless material considerations indicate otherwise.
554. There is policy support for office development within the CAZ, Opportunity Area and town centre and a policy requirement to provide affordable workspace. There is policy support for health facilities and retail. While there are policies in the development plan that support the provision of housing on sites such as this, it is not a reason to refuse a scheme which proposes other uses that have equal policy support. The other plots within the masterplan are providing the approved residential floorspace of the OPP, almost to the very maximum area, and its proportion of affordable housing.
555. The proximity to the various public transport modes and the site being at a point of landmark significance near to existing and consented tall buildings are considered to allow the scale of the proposed development which, while of greater width than the approved OPP parameters is of similar maximum height. The proposal would add a distinctive building to contribute positively to the townscape of the masterplan and wider Elephant and Castle area, and provide high quality public realm and a publicly accessible lobby.
556. The proposal would achieve an “outstanding” BREEAM rating, has complied with the whole life carbon and circular economy policy requirements and incorporates cross-laminated timber to reduce the amount of embodied carbon. It would connect to the Elephant Park heating network. The flooding risk has been suitably addressed. Staff and visitor cycle parking is proposed, and highway works, servicing management, and financial contributions would be secured to mitigate the transport and highway impacts. The proposed planting around the base of the building and on its terraces and roof would comply with urban greening policies.
557. Due to the size of the proposed building, it would cause harm to the amenity of some neighbouring properties through loss of daylight, sunlight and overshadowing. It would not cause a significant loss of privacy nor raise noise issues subject to recommended conditions. The harm to neighbour amenity must be considered in the wider planning balance, and officers are of the view that the public benefits of the scheme outweigh the incidences of harm. The proposal would not cause significant overshadowing of the new park at the centre of Elephant Park.
558. The environmental information submitted with the application has been considered in the assessment of its expected impacts, and has informed proposed conditions and planning obligations to secure necessary mitigation.
559. It is recommended that planning permission be granted, subject to conditions set out in the recommendation, the timely completion of a section 106 legal agreement to secure the heads of terms detailed above, and referral to the Mayor of London; and

560. That environmental information be taken into account as required by Regulation 26(1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended); and
561. That the planning committee in making their decision has due regard to the potential equalities impacts that are outline in this report; and
562. That following the issue of planning permission, the director of planning and growth write to the Secretary of State notifying them of the Decision, pursuant to Regulation 30(1)(a) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017; and
563. That following issue of the decision, the director of planning and growth shall place a statement on the statutory register pursuant to regulation 28 of the Town and Country Planning (Environmental Impact Assessments) Regulations and for the purposes of regulation 28(1)(h) the main reasons and considerations on which the local planning authority's decision is based shall be set out as in this report; and
564. In the event that the requirements of paragraphs 1 and 559 above are not met by 4 April 2023 the director of planning and growth be authorised to refuse planning permission, if appropriate, for the reasons set out in paragraph 429.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
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 1214 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Recommendation (draft decision notice)
Appendix 2	Planning policies and material considerations
Appendix 3	Relevant planning history of the site and nearby sites
Appendix 4	Consultation undertaken
Appendix 5	Consultation responses received

AUDIT TRAIL

Lead Officer	Stephen Platts, Director of Planning and Growth	
Report Author	Victoria Crosby, Team Leader	
Version	Final	
Dated	20 September 2022	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
Date final report sent to Constitutional Team		21 September 2022