

Meeting Name:	Cabinet
Date:	15 October 2024
Report title:	Addendum: Old Kent Road Area Action Plan: 2024 Draft - Trustees of the Tate Gallery representation
Cabinet Member:	Councillor Helen Dennis, New Homes and Sustainable Development
Ward(s) or groups affected:	All
Classification:	Open
Reason for lateness (if applicable):	Set out below

PURPOSE

1. To advise members of further information or amendment.

RECOMMENDATION

2. That members note and consider any further information and amendments.

KEY ISSUES FOR CONSIDERATION

3. Planning consultants on behalf of The Board of Trustees of the Tate Gallery (The Tate) wrote to the Council on 27 August 2024 in respect of the 2020 draft and the emerging Regulation 19 draft of the Old Kent Road Area Action Plan (OKRAAP) which is the subject of the main report. Paragraphs 100 to 107 of the main report summarise the consultation undertaken to date on the 2016, 2017 and 2020 drafts of the OKRAAP. Further detail of the consultation is in turn set out in the consultation report appended to the main report.

The Tate are a major cultural institution and landowner in the borough. One of their main store sites is located in Mandela Way within Southwark Plan site allocation NSP 58 "Mandela Way".

In their letter The Tate acknowledge that the council have engaged with them over the last 6 years, nonetheless The Tate have stated that they continue to have very serious concerns about the current version of the draft OKRAAP. In particular with the introduction of a public park called Mandela Way Park in the Regulation 19 submission draft occupying 25% of The Tate's land. The Tate go on to say that they don't consider the masterplan refresh is justified, effective

or consistent with national policy. The Tate then go onto to raise 7 key points in relation to the OKRAAP, which are contained in the attached letter and addressed individually in the paragraphs below.

In responding to those points officers note that the proposal to deliver the Mandela Way Park in the location shown in the Regulation 19 submission draft (and occupying approximately 25% of The Tate's land) was first proposed in the 2017 draft OKRAAP, and the same park proposal was contained in the 2020 draft OKRAAP. Subsequently the requirement to provide a park of 14,530 sqm in Mandela Way was established in site allocation NSP 58 of the Southwark Plan 2022 following the Examination in Public (EIP) to the Southwark Plan. The Southwark Plan site allocation contains an indicative location for Mandela Way Park. This does not entirely match the location shown in the 2017 and 2020 OKRAAP as it excludes The Tate store site. Officers note that the plan contained in the Southwark Plan site allocation is indicative rather than a detailed site plan. The detail of the parks location has always been intended to be contained within the OKRAAP. To confirm this in their report on the Southwark Plan EIP the plans inspectors noted that the detail of how site allocations were to be delivered would be established in the final version of the OKRAAP.

The Mandela Way Park proposals was introduced for a number of reasons, including addressing the shortfall in public open space identified in the plan area, delivering the Greener Belt Strategy of the OKRAAP and addressing feedback from public engagement and members that the greater homes and jobs density should be supported by additional public open space provision. With that in mind planned open space provision has increased in both quantity and quality in each iteration of the OKRAAP from 2016 onwards.

In identifying the location of the Mandela Way Park in the 2017 and 2020 versions of the OKRAAP consideration was given to land ownership and the distribution of the provision of open space between adjacent landowners to ensure that a single landowners was not made responsible for the provision of all the new public space. The Mandela Way Park would be provided by 4 adjacent landowners each contributing approximately 25% of their land to the parks provision. In turn the density of development and mix of uses on the remaining 75% of their sites would be significantly increased. Other landowners in the area not providing park space on their sites will be required to make in lieu payments towards open space provision.

In the 2016 OKRAAP a linear park space was proposed running east to west on the alignment of Mandela Way. This would not have occupied any of The Tate's land. It would have occupied other land ownerships to the north of Mandela Way and its southern boundary would have been Mandela Way itself which is a primary service route for the existing industrial estate, and for the future mixed use development of the area. Consequently it was not considered to provide a sufficiently large, practically usable or high enough quality open space.

The Tate's seven points raised in their letter are as follows;

1. The park in the OKRAAP doesn't align with the park in the Southwark Plan. (See above).

2. There is no evidence as to why the park changed its previous linear alignment. (see above).

3. The Tate (and others) may not develop the site. The OKRAAP is a long term plan dependant on the delivery of the Bakerloo Line Extension (BLE). The Mandela Way sites would only come forward in phase 2 of the OKRAAP post the completion of a contract to deliver the BLE in 2030. The council can't compel owners to develop sites, but the OKRAAP is considered to create additional value in the land that would incentivize the delivery of Mandela Way Park and the re-development of The Tate site.

4. The Tate would require a single story extended building to continue its current use on the site and other forms of development would not be viable for its specific use. The OKRAAP is underpinned by the principle of the co-location of homes and jobs in order to meet the councils challenging housing and employment targets. The council needs to plan for the eventuality that The Tate may not always be the occupier of the site. Officers have produced designs for the site that would deliver multi story storage space and British Land are currently constructing such a scheme at 25 Mandela Way. Officers consider that a multi-story solution could provide a solution to intensifying the use of this site in a viable way.

5. The Tate have specific security concerns in respect of their operation. This concern is noted. However Tate stores face onto a public highway and it should be possible to retain a secure facility on a redeveloped site should The Tate wish to remain in the area.

6. The Tate cannot take on responsibility for the ownership of the park and its long term management. How the park would be maintained and managed in the longer term will be dependant on who eventually develops the site. In other parts of the OKRAAP the Surrey Canal Park is being delivered over multiple land ownerships, including by Berkeley Homes at Malt Street. Those developers will retain ownership and management responsibility for their respective elements of the park, which will be fully accessible to the public and the council has constructed a management plan mechanism in the s106 planning agreements to ensure the co-ordinated maintenance and management of the new park space. As an alternative the council could become the owner of the park space and take on the liabilities for its maintenance and management, but to date all developers within the OKRAAP who are providing park space have wanted to retain freehold ownership and management of that space.

7. The Tate note that if there is to be a park on part of their site they would expect flexibility in terms of the height, scale and density of development on their site. Officers have commissioned work from architects looking at a number of options to optimise the development of The Tate's site cognisant of the need to incentivize development including the delivery of the park, but also of the need to have regard to neighbouring residents and protected views that cross

this site allocation. These options have been shared with The Tate and discussed with them. Officers can continue these discussions with The Tate.

For the reasons set out above officers consider that consider the masterplan refresh is justified, effective or consistent with national, regional and local plan policy.

REASON FOR URGENCY

To ensure that cabinet are aware of the concerns raised by The Tate in respect of the OKRAAP.

REASON FOR LATENESS

The Tate have requested that their specific concerns are drawn to the attention of cabinet after the cabinet agenda was printed. They all relate to an item on the agenda and members should be aware of them.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Letter from Planning Lab, planning consultants dated 27 August 2024 on behalf of The Trustees of the Tate Gallery.	Agenda for Cabinet on Tuesday 15 October 2024, 11.00 am - Southwark Council (item 9)	Colin.wilson@southwark.gov.uk

Trustees of the Tate Gallery

Represented by	The Planning Lab
Interest	Owner of the Tate Stores, 7-14 Mandela Way – OKR3
Written rep received previously	2021

- The location of the proposed park does not align with the location in the adopted Southwark Plan 2022.
- There is no evidence as to why the park has changed from a linear arrangement (potentially taking up less of Tate’s land) in earlier drafts, nor is there any consideration of alternative locations for open space in this part of the OKRAAP.
- Tate may not vacate or redevelop the current site. At least two of the other landowners earmarked for parkland also do not intend to develop in the medium, and potentially long term. The park may never be achievable.
- If Tate is to remain on the site, it would require the full extent of its plot to create a single-story facility. A stacked facility which makes way for the park would not be viable for Tate’s use.
- Tate has specific security requirements which are not conducive to co-location with public openspace.
- Tate cannot take on responsibility for the ongoing maintenance and management of the park and has strong reservations about how the proposed cross-party management. .
- If a park is to be allocated on the site, Tate would expect LBS to apply flexibility to other spatial and policy requirements for the site, in particular around height and density of development and additional public or private open space. Tate also expects reassurance that no additional buffer would be required between the park and any built form on the site, which would further impact the land value and viability of the site.

To address the issues identified above, Tate requests the following:

- The proposed park should be moved off Tate’s land to align with the adopted Southwark Plan.
- The park should be labelled as indicative to provide flexibility in terms of its broad location and configuration to maximise the chances of it being delivered.
- Clarity should be provided on how the park parcels are intended to be managed across various parties once they have gone through the planning system and the subsequent terms of public access.
- If the park is not relocated as requested, then the design options for the Tate site in the next iteration of the OKRAAP should compensate for this by demonstrating flexibility in terms of heights and density of development achievable and confirm a reduction in any additional open space policy requirements. A broad range of proposed uses for the site should also be confirmed.