

Representation	Officer Response
<p>Elephant and Castle Area Vision</p>	
<p>Organisation: Elephant Amenity Network NSPPSV57.16</p> <p>The proposed vision for the Elephant and Castle is unsound because it has not taken into account the evidence provided by local community organisations and does not ensure sustainable development.</p> <p>Our vision was developed very carefully through a conference (attended by many local residents and groups).. The vision has been adopted by the Elephant and Walworth Neighbourhood Forum, who discussed it with planning officers at a meeting on 23rd September 2016.</p> <p>Some of the important issues that are not included in the area vision are:</p> <ul style="list-style-type: none"> • The needs of existing residents, ensuring they benefit from regeneration and that they are involved in decision making (the aspirations in SP2 are not reflected in the area vision) • The priority need for more social rented housing to be met by a 50% requirement and by protecting existing council housing estates • Increase green space, play space, wildlife habitat and food growing space • Support community spaces that meet the needs of the diverse communities in this area <p>Whilst we are pleased that the area vision supports retail diversity and the importance of minority ethnic traders being able to relocate and continue trading, the Plan is unsound because this policy is not followed through in the site allocations.</p>	<p>SP2 is a borough wide policy, meaning that it will apply to all developments across Southwark. For this reason, it is not specifically mentioned within the Elephant and Castle Area Vision.</p> <p>Within the Area Vision, AV.08.2 dictates that development in the area should provide as many homes as possible at a range of different tenures. The wording of the policy SP1 has been amended to clarify that the aspirational target for the borough is 50% affordable housing. This will be achieved through a higher provision of affordable housing on council owned land. This commitment is set out on page 12 (A Fairer Future - a place to belong) of the Council Plan. We will continue our long-term homebuilding programme, delivering on our commitment to build 11,000 new council homes by 2043. Under development management policy P1, all developed sites across the borough must provide a minimum of 35% affordable homes. Where possible, this figure will be exceeded, and all developers will be required to release their viability calculation for public scrutiny.</p> <p>Policy P44: Community Uses states that development should retain community facilities (this will only not stand in exceptional cases where evidence has been provided that the community space is no longer required).</p> <p>Policy P31 (small shops) requires developments to retain small shops and where they are at risk of displacement from a development, full consideration of the feasibility of providing affordable and suitable space for existing occupiers in the completed development is required.</p>

Organisation: Lawford and Sons Ltd/Capital Homes
NSPPSV105.1

We write on behalf of our Client, Lawford & Sons Ltd / Capital Homes (herein referred to as our Client), who have a key interest in the London Borough of Southwark. More specifically, regarding the Elephant and Castle Area Vision and the promotion of 136-142 New Kent Road (known as Surdaw House). For information purposes, we enclose a red line plan of the Site, which is included within a 'key development opportunity site' document, which matches that provided within the Council's Area Visions and Site Allocations document (i.e. other development sites).

We write to raise concern that the site mentioned above does not form part of Elephant and Castle's key areas for improvement and regeneration within the Submission Version of the New Southwark Plan (NSP). We previously responded to the Preferred Options Draft Local Plan in representations submitted on the 25th April 2017, specifically promoting the continued inclusion of our Client's development site on New Kent Road, however, it appears that our Client's site has been overlooked once again and still fails to appear as a Site Allocation. As such, it is considered that the NSP is not justified, as realistic alternatives for development have been ignored. We remain of the view that this highly sustainable site, which is identified as an opportunity area within the Elephant and Castle Opportunity Areas, has been unreasonably overlooked.

Since the submission of previous representations, our Client has also submitted a planning application to the Council, and the Mayor, for review (Ref: 17/AP/3910). The application is currently pending consideration by the Council, and the Mayor has provided the Stage 1 Report, relevant to this application (Ref: planning report D&P/4271/01, dated 18th December 2017). It is our Client's intention to realise the development potential of the Site, and it is strongly considered that this could be achieved within the first five years of the plan period. On this basis, we would request that this site is considered for retained inclusion in the NSP as a 'opportunity site'.

Application 17/AP/3910 has been granted planning permission on 23/01/2018. As set out in the Site Allocation Methodology Report the site at 136 – 142 New Kent Road was considered for allocation, but was deemed to be a 'small site without the clear opportunity for major intensification where acceptable redevelopment could be achieved under other NSP policies'.

Background and Policy Position

Our Client has interest in the future of Elephant and Castle, and the associated development and regeneration opportunities.

On this basis, we have considered the historic promotion of 136 – 142 New Kent Road, through the Borough's Development Plan, which is under the ownership of our Client.

Southwark Councils online archive shows that the site has been considered for redevelopment since at least 2011 when the site was included within the 'Elephant and Castle: SPD/OAPF Section 106 Tariff Development Viability Report: December 2011', which proposed the site for residential-led mixed use redevelopment with retail and office. The site area is identified as 0.22ha. The report assessed the site with potential for a 5-storey development, albeit the reasoning for this is unknown. The Council subsequently adopted the Elephant and Castle Supplementary Planning Document (SPD) and Opportunity Area Planning Framework (OAPF) in March 2012, which sought to guide development, within the 'Opportunity Area', over the 15 years that followed. It sought to direct development to appropriate and desirable areas, protecting sensitive areas and ensuring that growth continues to be supported by appropriate physical as well as social and community infrastructure (paragraph 1.12, Elephant and Castle SPD).

Figure 5 of the document (SPD), which provides detail on the indicative land uses within the opportunity area, identifies that 136 – 142 New Kent Road falls within an area expected to provide for 'predominantly residential with supporting community uses (shops, schools, churches, public houses)' (page 17, Elephant and Castle SPD & OAPF). Figure 6 then, importantly, identifies the 'potential development sites' in the opportunity area, including 136 – 142 New Kent Road as 'Site 17'. Figure 8, which details the 'Elephant and Castle Key Diagram' identifies New Kent Road to be a Major Road, importantly leading to Old Kent Road (an Opportunity Area, which itself is subject to its own planning guidance). Whilst the site is not noted as falling within the 'Core Area' on the Key Diagram, the site is identified as an opportunity site, along a major prominent route in the Opportunity Area.

The Site was specifically identified in the SPD and OAPF as falling within the 'Heygate Street Character Area'. Regarding opportunities to promote the site for redevelopment,

the document states that “in the eastern part of the character area there are opportunities to provide mixed use developments on commercial sites such as 136 – 142 New Kent Road which fronts on to New Kent Road.” (paragraph 5.2.4, Elephant and Castle SPD). The site is therefore explicitly referred to, regarding its potential for providing an opportunity for mixed-use development. With regard to land uses, Policy SPD 25 notes that ‘elsewhere in the character area’ (which relates to 136 – 142 New Kent Road), ‘developments should retain business space as part of a mixed-use development unless replaced by a suitable town centre use’ and that ‘additional residential use will be supported’. The SPD provides a large amount of detail on the acceptability of tall buildings within the opportunity area, and within SPD 27 ‘Built Environment’, it states that ‘tall buildings may be appropriate on locations inside the strategic viewing corridor but they must conserve the outstanding universal value (OUV) of World Heritage Sites. It is considered that due to the identification of 136 – 142 New Kent Road as an opportunity site within the area, and its prominent location on New Kent Road, a main route within the Elephant and Castle Opportunity Area, that a tall building in this location would be entirely acceptable. The Housing Background Paper, which provided evidence for and supported the Elephant and Castle SPD and OAPF, identified 136 – 142 New Kent Road as capable of delivering only 40 residential units, which has not been substantiated with any reasoning or evidence. The document did not identify the opportunity of a residential-led mixed use scheme on this site.

It is considered that due to the prominent nature of this Site, there is an opportunity to provide for a significantly greater number of units, along with supporting uses on the ground floor, providing an active frontage to New Kent Road.

In addition to this, a further supporting paper to the SPD, the ‘Elephant and Castle Opportunity Area Characterisation Study’ (November 2011), identifies the site as ‘Opportunity Site 4’ within the Character Area (Heygate Street) (page 39), which provides the opportunity for ‘demolition and redevelopment’ (as stated specifically on page 97). Importantly, the document, at page 36: Figure 28 ‘Townscape Analysis’ identifies the area directly to the north east of the site (on New Kent Road), as a ‘Key Gateway’.

The document requires that new developments within the character area should:

- Re-instate a logical street pattern with clear fronts and backs that create human scale streetscapes and active uses at ground level as far as possible
- Enhance permeability through and into the character area reinforcing existing desire lines and establishing new pedestrian links
- Have regard to the setting of heritage assets and buildings of townscape merit within the character area and also at its fringes (page 97)

The redevelopment of this opportunity site for mixed use development would ensure that the above requirements can be met, and a much more efficient and effective use of the land could be realised, in line with the Council's aspirations for the character area.

The Site also benefits from the highest possible level of connectivity, regarding public transport (PTAL 6b). This therefore provides the opportunity for development at a high density, providing much needed new homes, and creates a very real prospect of creating a sustainable development that would significantly reduce the need to travel by car, perhaps the ability to provide a car-free development (albeit with the ability to provide for a compliant level of wheelchair accessible car parking spaces). In areas of PTAL 6b, the London Plan 2016 advises a suitable density of 650–1100 habitable rooms per hectare (in a 'central setting/Major Town Centre), for the site. This same density capacity is provided within the Core Strategy: Strategic Policy 5, with specific reference to sites located within the Southwark Central Activities Zone (CAZ).

Moreover, it should be noted the adjacent site (Cutler Apartments at 134 New Kent Road) which gained Planning Permission in November 2009, slightly exceeds the density outlined within the Core Strategy, which was acceptable to the Council, therefore identifying that sites in this area are being built out efficiently. More recently, applications such as 87 Newington Causeway (Application Ref: 16/AP/3144), have achieved 2,666 habitable rooms per hectare (Approved 29/01/2018). On this basis, we would suggest that the Site, at 0.22ha can achieve in the range of 1,100 to 1,750 habitable rooms per hectare.

In 2014, in preparation for the NSP, 136 – 142 New Kent Road was included as Site 'NSP56' within the sites schedule which accompanied the October 'Issues and Options Version' New Southwark Plan. This document identified it as a potential development site within the borough. The document notes that the Council would be contacting land owners to discuss the potential for each site during the preparation of the NSP. We are aware from our Client that no contact was made in relation to the redevelopment potential of this site.

The Council also consulted on the strategic and development management policies in the NSP, between October 2015 and February 2016. This did not provide specific detail on designated sites for development.

In January 2017, a Cabinet Report discussing the Site Allocations and Area Visions within the 'Preferred Option' Local Plan was published which included a brief assessment of 136 – 142 New Kent Road. The Report confirmed that a representation was made to include 136 – 142 New Kent Road as a site allocation in the Preferred Options document as a potential gateway site between the Elephant and Castle and Old Kent Road opportunity areas. The report states that the site was not taken forward as a site allocation in the Preferred Options document "due to the limited site area and limited development potential as a strategic development site". The sites location on the edge of two opportunity areas was not considered to automatically constitute a gateway development site, nor that it would "achieve the aspirations of either the Elephant and Castle or Old Kent Road strategic visions". Furthermore, the report notes that, "New Kent Road and the area surrounding the site is characterised by low-midrise buildings along a linear route". The report confirms that the "council remain supportive of redevelopment of the site for mixed use, and consider [that] this could be achieved in the context of applying adopted planning policies i.e. to provide high quality development that is consistent with the character of the area".

As noted above, the Council's own supporting documentation for the Elephant and Castle SPD, identified the area directly to the northeast of 136 – 142 New Kent Road, has as a 'key gateway'. Our client believes that this remains the case, and as

such proposes that the site retains its allocation, within the NSP as an opportunity site. The site is a deliverable site, in line with the National Planning Policy Framework (NPPF), in that it is available for redevelopment, offers a suitable location for development now, and is achievable with a realistic prospect that housing will be delivered on the site within five years. The site is also viable, and creates an opportunity for a much more efficient and effective use of the land than currently exists, specifically with the provision of an active 'town centre use' at ground level, provision of affordable housing and of much needed high-quality homes. Whilst we understand that Southwark is currently able to demonstrate a five-year housing land supply, we are guided by national, regional (the London Plan) and local policy that local plans should seek to boost the supply of housing and targets should be exceeded.

In light of the above, representations were made in April 2017 to the Preferred Options NSP specifying the development potential of our Client's site, however this request appears to have been overlooked as the Submission Version of the NSP fails to refer to our Client's site and the valuable contribution to development targets that it could make.

Since the previous submission, the Draft London Plan was published for consultation (December 2017). The Draft London Plan places even greater emphasis on the valuable contribution small sites can make to London's housing need. Policy H2 'Small Sites' states that small sites should play a much greater role in housing delivery and boroughs should pro-actively support well-designed new homes on small sites through both planning decisions and plan-making.

As such the need for our Client's site to be included within the Site Allocations section of the NSP has increased further. In conjunction with the enhanced support for development of small sites, progression has been made in terms of preparing the planning application which was always planned to run in conjunction to the NSP coming forward and read cohesively. Our Client submitted a planning application for the redevelopment of the Site, which was validated by Southwark Council on the 11th October 2017. The application proposal is for the following development: "Demolition of the existing building and construction of a part 15 storey, part 9 storey,

part 6 storey and part 2 storey mixed use building, with basement, providing 85 residential units, 1241sqm of flexible business floor space/non-residential institution (Use Class B1/D1) and 597sqm of retail floor space (Use Class A1) with associated cycle parking, servicing, refuse and recycling, landscaping and private and communal residential amenity space. The proposal includes a new pedestrian route through the site linking New Kent Road with Muntun Road.” (Ref:17/AP/3910) At present there is a disconnect between the advice received from Officers, the Mayoral vision for the site, the previous policy documents produced by Southwark and the contents of the NSP. Most recent comments received from the Greater London Authority on 18th December 2017 state that: “mixed-use redevelopment of this site in the Elephant & Castle Opportunity Area and Central Activities Zone is supported” (para.44), accordingly this position needs to reflect the contents of the NSP. We are of the view that a consistent approach to promoting the redevelopment of highly sustainable, brownfield sites, for mixed-use development, is paramount to the credibility and soundness of the NSP.

To this effect, these representations seek once again to ask the Council to include our Client’s site in the NSP Area Visions and Site Allocations section.

Area Visions / Elephant and Castle Area Vision

The Area Visions included with the NSP identify key infrastructure enhancements, opportunities for public realm and transport improvements and growth opportunities of new homes and jobs. Further to our previous representations, we continue to support the emphasis that is being placed on key areas across the borough and their ability to provide development opportunities.

With specific regard to the Elephant and Castle Area Vision, we note that despite 136 – 142 New Kent Road being identified previously as an ‘opportunity site’ (Elephant and Castle SPD and OAPF) and despite our previous representations identifying the sites prospects, this designation has not been taken forward in this iteration of the NSP. We continue to object to this omission, and request that due to the key opportunity to redevelop this site for residential-led mixed use, that the site should be reinstated. We provide a detailed assessment of the site below and provide a

completed 'key development opportunity site' document, in support of this representation (enclosed).

Proposed Site Allocation: 136-142 New Kent Road

We have reviewed the methodology for the NSP Site Allocations, and note that the inclusion of sites within the document reflected matters such as opportunity for redevelopment, the site's promotion through 'call for sites', size and context. It is strongly considered that 136 – 142 New Kent Road remains an 'opportunity site', suitable for comprehensive redevelopment. Despite it being 0.22 hectares, it is previously developed land, with the ability to provide a key opportunity for intensification, to provide much needed affordable and market homes and commercial floorspace (at ground floor and basement). This would provide a high quality active frontage, which would increase footfall along New Kent Road, working in harmony with the retail units on the opposite side of the street. The Site is very near 'Elephant Park' (which is less than 100m to the West) making it a prime opportunity to continue the redevelopment of Elephant and Castle further along New Kent Road. We consider that this provides for a development site, of strategic importance, and provides a real opportunity to intensify the land in an efficient way.

The methodology for the NSP Site Allocations states that the 'opportunity to contribute to area regeneration' will be 'given greater weight than site size'. Therefore, based on the potential of the site for redevelopment, and given that it is only 0.03 hectares below the 'general size' of sites which are to be included in the NSP Site Allocations going forward, we consider that 136 – 142 New Kent Road should remain as an 'opportunity site' of strategic importance, within the NSP. We also note that there are 7 number sites which have been allocated which fall below the 'general size', these are; NSP49, NSP59, NSP61, NSP62, NSP63, NSP73 and NSP74.

We refer to the list of omitted sites within the NSP Methodology Paper, and note that the reasoning behind 136-142 New Kent Road not being included in the NSP relates to it being a 'small site without the clear opportunity for major intensification where acceptable redevelopment could be achieved under other NSP policies'. We strongly consider, that based on the above, the site does provide a prime opportunity for

intensification, and whilst the current planning application has secured positive comments under other NSP policies, we consider that Council should continue to include this as a 'key development opportunity site in Elephant and Castle' within the NSP.

The Site is also located within the Central Activities Zone (CAZ), Elephant and Castle's Town Centre (Major Centre), and importantly within the Elephant and Castle Opportunity Area (London Plan), which all add weight to including the Site within the NSP going forward.

Summary and Conclusions

It is considered that the NSP is not justified, as realistic alternatives for development have been ignored. We remain of the view that this highly sustainable site, which is identified as an opportunity area within the Elephant and Castle Opportunity Area, has been unreasonably overlooked.

This site holds a strong position on New Kent Road, and our view remains consistent that this site provides the opportunity to create a key gateway into the Opportunity Area of Elephant and Castle. It provides for a prime opportunity to create an attractive and active frontage onto New Kent Road, which is a key route through the area. This will enhance the vitality and viability of the local area. The retention of the allocation of this Site, will also bring benefits, upon its redevelopment, such as the provision of affordable housing, the opportunity for enhanced landscaping and amenity space and the ability to improve pedestrian connections in the local area, particularly to Victory Community Park, directly to the south.

Our Client, as detailed in our previous representations (dated April 2017) and above, has a key interest in Southwark, and in particular with regard to 136 – 142 New Kent Road, and its redevelopment potential. As such, our Client has submitted a planning application to the Council, and the Mayor, for review (Ref: 17/AP/3910). It is our Client's intention to realise the development potential of the Site, and it is strongly considered that this could be achieved within the first five years of the plan period. On this basis, we would request that this site, considering the above

assessment, is considered for retained inclusion in the NSP as an ‘opportunity site’. As detailed within this letter, we have included a ‘Key development opportunity site’ document, which matches those already included within the Council’s NSP. We trust that this assists, and provides the information required to support the retention of the allocation for 136 – 142 New Kent Road.

We would be grateful if the Council provide receipt of these representations, and reserve the right to submit further responses and be provided with the opportunity to participate in the Hearings, with regard to the Examination going forward. We would welcome any comments on the representations provided, and please do not hesitate to contact me should you require any further detail or clarification on 136 – 142 New Kent Road.

Organisation: TfL City Planning
NSPPSV181.19

Bullet point 5 ‘Development in Elephant and Castle should...Improve the train station’ This should be clarified as ‘train station’ could be taken to be the National Rail station; to date there are no known plans to improve the inside/platforms of the NR station, only to provide level access to the western entrance through the Elephant and Castle Town Centre proposal. There are plans to improve the Elephant and Castle London Underground station (Northern line ticket hall).
Bullet point 5 or a new bullet point should specifically mention the Bakerloo line extension, which may require land to be safeguarding in the OA, as per the Old Kent Road Area Vision (AV12.2).

Bullet point 5 has been amended to include reference to the underground station. The commitment and delivery of the Bakerloo Line Extension has been acknowledged and set out under the Old Kent Road Area Vision.

Organisation: Theatres Trust
NSPPSV189.4

The Trust welcomes the recognition of the important role these areas have in terms of arts and cultural provision. We recommend an additional bullet point to AV01.2 and AV10.2 which ensures that new development does not negatively impact on those and other existing uses.

Any proposal coming forward will be assessed against the policies set out in the Development Plan to ensure that the development does not result in a negative impact.

Individual
NSPPSV330.2

Due to the high volume of existing development around the Elephant & Castle area over the last 5 years, we have already seen how the Council has failed to engender many of the positive attributes that the NSP would appear to seek.

A recent protest following a planning application for the Elephant & Castle Shopping Centre has shown that the Council has failed to fully understand the communities in the neighbourhood. Consequently I would argue that any assessments that the Council have done of the neighbourhood cannot be deemed sound (to the best of my knowledge, no Integrated Impact Assessments have been made available for the area). And that without a firm understanding of the area, the Council's plan cannot be seen to truly benefit the area (such that they cannot have been positively prepared).

I would draw attention to the list of community facilities it mentions in AV.08.02, both poor examples (St Matthew's is not widely used by the public, being a primarily religious centre - so outside of its own definition in P44; Walworth Town Centre is entirely outside the area designated on the map). In fact, the largest informal community space (class D2) in this area is the Elephant & Castle Shopping Centre, which the Council actively wish to see demolished. And the Council's proposals for site NSP47 do not say that a new development 'must' include any community facilities (it only 'may' provide a 'community health hub', which is not the same at all). Other existing community facilities include the Rockingham Community Centre, Newington Hall and Drapers Hall.

Demolition of the existing Elephant & Castle Shopping Centre would therefore go against the NSP's own policy in P44, whereby its demolition would not be made after any ability to demonstrate that it is not used. Public meetings have been held in the centre, wide congregation by various communities in its halls, and even tea dances.

Without an understanding of the existing communities in the neighbourhood, the NSP cannot be considered sound. I have drawn attention to the specific area of Elephant & Castle, but believe this to be a consistent criticism across the proposed development

The site allocations are intended to be flexible and not restrict development.

The provision/loss of community facilities are considered in Policy 44. This policy seeks to protect community facilities. Only in exceptional circumstances can these facilities be replaced by another use where they are surplus to requirements. This needs to be demonstrated by a marketing exercise for two years immediately prior to any planning application, for both its existing condition and as an opportunity for an improved community facility at market rates.

An Integrated Impact Assessment (IIA) has been prepared for the whole plan at every stage of the plan making process. The IIA process investigated the impacts of policies and site allocations within the NSP against environmental, health, equality and community safety objectives.

areas.

Before any proposals can be made, Integrated Impact Assessments need to be made, in collaboration with the community, and then be made available.

From these, and supported by advocacy from the associated communities, new designs need to be drawn, which represent the needs of the people that the NSP is supposed to serve.