

Jules Pipe CBE  
Deputy Mayor for Planning  
Greater London Authority  
By email only to: [jules.pipe@london.gov.uk](mailto:jules.pipe@london.gov.uk)

19 October 2022

Dear Mr Pipe

**Plot H1 Elephant Park Land Bounded By Walworth Road, Elephant Road, Deacon Street And Sayer Street North Elephant And Castle London SE1**

**GLA reference: 2021/0678/S1**

**LBS reference: 21/AP/1819**

We write in reference to the above application and in the hope that you will accept the local authority planning committee decision on this application. It is hoped that the local, democratic process will be respected, especially so given the history of regeneration and community input in Elephant and Castle.

We represented a number of objectors to this planning application, which at the time of decision had 471 objections. A briefing, enclosed, was submitted for the objections ahead of the planning committee hearing. We write now to provide a summary of support for the decision to reject the application at the planning committee meeting on 4 October 2022 and for more detail as to why the application received a large number of objections. These will be detailed by each topic in turn.

This letter will refer to the Stage 1 report for the application dated 19 July 2021 and the Officer's Report by Southwark Council dated 4 October 2022, in addition to the application documents and policies.

**Design, scale, massing and departure from the OPP in these areas**

The minutes of the decision of the planning committee address concerns with the excessive height, massing and bulk of the design and the unacceptable harm caused to neighbouring properties due to loss of daylight. These concerns have also been consistently raised by the objectors, many of whom are residents of Elephant Park. The minutes of the resolution<sup>1</sup> are as below:

- 1. The excessive height, massing and bulk of the application would cause harm to the character and appearance of Elephant Road, Elephant Park and Walworth Road contrary to Southwark policies P13 part 1 and 2, and P17 part 2.5, and contrary to London Plan policies D9 part C.1.a.iii and D3 part D.*

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<sup>1</sup> Agreed minutes of planning committee on 4 October 2022

*2. That the proposal would cause unacceptable harm to the neighbouring amenity due to loss of daylight, contrary to Southwark Plan policies P14 part 3 and P56, and London Plan policy D6 part D.*

Relevant background in relation to the above was raised by objectors in the planning committee meeting. This included information that, as this was a large estate regeneration in which there was extensive community consultation, the design of the Outline Planning Permission area was developed with a significant amount of input from the local community. This included consultation for plot H1 where there was envisioned to be a vastly lower block with one taller tower, as detailed visually on page 41 of the Officers Report.

Objectors also raised that the Outline Planning Permission was a material consideration, therefore the community input arriving at the point of design for plot H1 should be considered. Paragraph 135 of the Officers Report states *“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).”* The increase in massing by almost double the floorspace is a significant change from the OPP and the expectation of the community.

The GLA stage 1 report raises aspects of the design, noting at paragraph 53 that the development had followed a design-led approach and been referred to the Design Review Panel (DRP). However the DRP noted that there was an *“overly bulky character and deep plan of the design, as well as the lack of detailed articulation of the façade, and they encouraged a more developed path to net zero including science-based analysis. They also raised concerns about the landscape and asked for it to be better integrated into the design.”*<sup>2</sup>

Following these comments, very minor amendments were made to the design to increase the stepping down but these amendments did not adequately address the concerns raised. These design amendments are detailed on page 19 – 20 of the Officer’s Report. The DRP invited the applicant to return to them after any amendments to the scheme but the applicant declined to do so.

### **Health Hub**

Objectors to this application recognised that the potential provision of a health hub was an important aspect of the proposal. However, concerns were raised that this would have impacts for health care delivery for the whole of Walworth, which were not properly addressed by the application. An addendum received as part of the documents for the planning committee hearing on 4 October 2022 revealed more details about proposals being drawn up by architects *“to undertake a piece of work looking at the local population*

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<sup>2</sup> Southwark Council, Pre-application response to the applicant dated 4 March 2021

*health needs and demand to inform the service mix for the new hub, this should be complete in October.”*

It is our view that these proposals should be consulted on before planning permission is granted for a potential health hub. More certainty should be given as to if this will be provided, and if so, how it will be provided so that our elected representatives can make properly informed decisions about the community benefits of the development informed adequate consultation.

### **Housing**

One area many of the objectors and the planning committee members discussed at the committee meeting is the concern over levels of affordable housing in the Elephant Park development and securing any uplift to housing and affordable housing on this site, which has Outline Planning Permission for a housing development. Policy H1 B 2 and H1 B 2 a) of the London Plan 2021 states borough councils should *“optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions.”*

In order to fulfil this objective, a fresh viability assessment for Elephant Park has been requested by objectors to see if there can be an uplift in housing, including social and affordable housing. The Heygate estate on which the new development stands had at least 1,000 council homes which have been replaced by 100 social rent homes. To make matters more concerning, the level of rent and service charge charged in the social rent homes in Elephant Park is amongst the highest in Southwark, and is currently under investigation by Southwark Council.<sup>3</sup>

Objectors question why this brownfield site would be acceptable for an office block with office space which far exceeds the Outline Planning Permission parameters for office space, in fact it exceeds the floorspace maximum parameter by 53,849sqm.<sup>4</sup> Whilst it is understood that this is a Central Activity Zone, this is a plot within a residential development on former council housing land. Consideration of office space can happen elsewhere in Elephant and Castle as planned for in the Southwark Plan 2022 site designations.

### **Environmental considerations**

Objectors raised concerns with the proposals environmental considerations which echoed those raised in the GLA Stage 1 report.

Firstly, the concerns with a lack of rainwater harvesting and a green roof have not been addressed by the current application. The concerns raised at paragraph 117 of the stage 1 report have not been addressed which include issues with sustainable drainage strategies.

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<sup>3</sup> Planning enforcement reference 22/EN/0213, Southwark Council Planning Portal. These homes are let by L&Q.

<sup>4</sup> Elephant Park H1 Reconciliation and Comparison Statement December 2021



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The applicant has not provided evidence of a net biodiversity gain, however there will surely be a biodiversity loss from the current wildflower meadow. The plan does not comply with London Plan policy G6.

The proposal does not meet the 'be green' requirements of the energy hierarchy set in policy SI 2 of the London Plan as it includes no renewable energy and decarbonised heat sources in the design. Solar PV panels have been considered and then discounted, as have the inclusion of heat pumps for the building. The building proposes to connect to the current heating system in Elephant Park which is carbon emitting. A key concern here is that this is the last plot of Elephant Park and it comes with no proposals to decarbonise the estate in line with London Plan 2021 policies. These should be incorporated to make the development meet the requirement set out in paragraph 9.2.3 of policy SI 2 London Plan.

We hope the above information provides more context for our request that the local democratically made decision of Southwark Council's planning committee is not overturned or called-in. Thank you for taking the time to consider this letter.

Yours sincerely

Planning Voice  
**Southwark Law Centre**