

7 February 2012



Tim Cutts  
Acting Head of Planning Policy  
Planning Policy  
Regeneration and Neighbourhoods  
FREEPOST SE1919/14  
London  
SE1P 5LX

100 Pall Mall  
London SW1Y 5NQ  
telephone 020 7004 1700  
facsimile 020 7004 1790  
www.dp9.co.uk

Dear Tim,

**ELEPHANT AND CASTLE SUPPLEMENTARY PLANNING DOCUMENT /  
OPPORTUNITY AREA PLANNING FRAMEWORK  
REPRESENTATIONS ON BEHALF OF LEND LEASE**

These representations are submitted to Southwark Council (the "Council") on behalf of our client Lend Lease in respect of the Elephant and Castle Supplementary Planning Document / Opportunity Area Planning Framework (the "draft SPD / OAPF").

These representations have been prepared by DP9 in consultation with the design teams for the following Lend Lease schemes in Elephant and Castle: Heygate Masterplan; Phase 1 (Rodney Road); and St. Mary's (the land adjacent to the Fusion Leisure Centre). The Heygate Masterplan and Phase 1 schemes are located within the Heygate Street Character Area, whilst the St. Mary's scheme is located within the Central Character Area. These representations are made in respect of all three sites.

The adopted SPD will be an important policy tool with which the Council and its partners can coordinate growth and shape development over the plan period and we support the role it will play in revitalising the Opportunity Area.

As you are aware Lend Lease and its design teams have been engaged in an extensive series of pre-application meetings with the Council. These representations reflect our discussions.

Whilst we support the strategic objectives for the Opportunity Area, there are a number of detailed comments we have on the draft SPD / OAPF, these are set out in the table below. The purpose of these comments is to achieve consistency and flexibility in the SPD/ OAPF.

In addition to this letter, we enclose a Tower Study, prepared by MAKE Architects, to support the detailed representations to Policy SPD 17 Building Heights, and specifically paragraph 4.5.16 which suggests an approximate height to width ratio for tall buildings which we do not support. Our reasons are set out in more detail below and within the enclosed Tower Study.

The table below sets out our detailed representations in relation to the text of the draft SPD / OAPF. Extracts from the draft SPD / OAPF are included where necessary, with changes to show



the alterations being proposed. Where relevant, the text to be deleted has been struck through and the new text underlined. This is explained by the key below:

### Representation Key

<i>Text in Italics only</i>	Direct quotes from draft SPD / OAPF
<del>Struck out text</del>	Text to be removed from the draft SPD / OAPF
<u>Text underlined</u>	Lend Lease suggested text for inclusion in the draft SPD / OAPF

REFERENCE	REPRESENTATION
<b>Challenges and opportunities</b>	
Paragraph 2.3.8	<p>Reference should be made to the agreement between the Council and Lend Lease in respect of the Leisure Centre site.</p> <p><i>"The regeneration of the area is already well-underway. Over 1,200 new homes have been built in the opportunity area over the last 5 years, the southern roundabout has been removed and St Mary's churchyard has been re-landscaped. The council's Regeneration Agreement with Lend Lease <u>in respect of the Heygate Estate and agreement in respect of the Leisure Centre site</u> as well as a recent cooperation agreement with St. Modwen, the owner of the shopping centre, will deliver a transformation of <del>two</del> <u>three</u> of the key sites over the next ten years."</i></p> <p><b>Reason</b></p> <p>To reflect the latest position in respect of the three sites and the Regeneration Agreement in paragraph 7.5.8.</p>
Paragraph 3.2.9	<p>We support the themes for development in the Opportunity Area, however we consider Theme 5 should acknowledge the role that tall buildings play in creating a townscape that is of an appropriate status for a major centre.</p>
<b>Town Centre: Shopping, business and hotels</b>	
Policy SPD1: Shopping	<p>We support the objective to strengthen and consolidate the position of Elephant and Castle and Walworth Road as a major town centre in the borough's retail hierarchy. This will be achieved by promoting retail development at the Shopping Centre site, and within the Heygate Masterplan.</p> <p><i>"SPD 1: Shopping</i></p> <p>...</p> <ul style="list-style-type: none"> <li><i>• Provide strong links between the shopping centre and Walworth Road, creating a continuous high street at the northern end of</i></li> </ul>



	<p><i>Walworth Road and provide active ground floor uses on the Heygate development site.</i></p> <p><i>• <u>Provide strong links between the Shopping Centre and new retail on the Heygate development site via one or more of the railway arches.</u></i></p> <p>...</p> <p><b>Reason</b></p> <p>To ensure the Heygate development site is well connected to the Shopping Centre to establish linked shopping trips and journeys.</p>
Paragraph 4.1.7	<p>Whilst we acknowledge the requirement to provide a percentage of retail units as affordable, we consider the leasing strategy should be determined by the Developer and that it is unreasonable to set tenant profile hierarchy, this element of the policy should be deleted.</p>
<b>High quality homes: Providing more and better homes</b>	
Policy SPD 5: New Homes	<p>Reference should be made to Core Strategy Strategic Policy 6 – Homes for people of different incomes.</p> <p><i>“SPD 5: New homes</i></p> <p><i>• Development in the opportunity area will provide a minimum of 4,000 net new homes between 2011 and 2026, including at least 1,400 affordable homes. Most of these homes will be delivered on proposals sites.</i></p> <p><i>• <u>In accordance with Core Strategy Strategic Policy 6, development should provide as much affordable housing as is reasonably possible whilst also meeting the needs for other types of development and encouraging mixed communities. This will be done by requiring as much affordable housing as is financially viable. The Council will seek <del>We will apply our Core Strategy policies</del> to ensure that at least 35% of homes are affordable within the Opportunity Area and at least 35% are private and that a range of sizes of homes are provided.”</u></i></p> <p><b>Reason</b></p> <p>To be consistent with the Development Plan and to acknowledge that individual site constraints and circumstances could result in a lower provision of affordable or private housing, subject to viability testing.</p>
Policy SPD 5: New Homes	<p>The noise levels required for new homes should be amended to reflect World Health Organisation (WHO) guidelines.</p> <p>The criteria for bedrooms and external spaces reflects WHO Guidelines and British Standards, however the criteria for living</p>



	<p>rooms does not reflect the Opportunity Area's central London location and requires noise levels aimed at preventing sleep disturbance. This is not considered appropriate for a living room and should be increased from 30dB LAeq to 35 dB LAeq.</p> <p><i>"• All new homes will be expected to be designed to attain the following internal noise levels:</i></p> <p><i>-- Bedrooms- 30dB LAeq, T* and 45dB LAfmax.</i></p> <p><i>-- Living rooms- 35 dB LAeq, T* (*T = Night-time 8 hours between 23:00-07:00 and daytime 16 hours between 07:00-23:00).</i></p> <p><i>• External amenity areas shall be designed as far as reasonably practicable to attain the following noise level:</i></p> <p><i>-- 55dB LAeq, 16hrf († = 16 Hours between 07:00-23:00)."</i></p> <p><b>Reason</b></p> <p>To accord with WHO Guidance and British Standards.</p>
<b>Transport and movement: Better connections and an integrated public transport hub</b>	
Paragraph 4.4.3	<p>Whilst we acknowledge a route for the Cross River Tram should be safeguarded, clarity is sought over its location to ensure that it does not impact on the strategic objectives and development aspirations of the Opportunity Area.</p>
Policy SPD 11: Walking and Cycling	<p>We support the objectives of Policy SPD11, specifically the use of new landmarks and views to help direct pedestrians to key locations and public spaces and facilities. The nature of the St. Mary's scheme will play an important role in drawing visitors to the new Leisure Centre.</p>
Policy SPD 12: Parking	<p>We support paragraph 4.4.10 which acknowledges that car-free development may impact on the viability of development and the saleability of new homes.</p> <p>Accordingly, we suggest the following amendments are made to the Policy SPD 12 text:</p> <p><i>"• All development in the central activities zone (CAZ) should be car-free, aside from an adequate provision of parking for disabled persons and for car club spaces- <u>unless it can be demonstrated that car-free development would impact on the viability of the scheme or the saleability of the residential units.</u></i></p> <p><i>• Outside the CAZ, car parking should be minimised and car free developments will be supported."</i></p>
<b>Built environment: Attractive neighbourhoods with their own character</b>	
Policy SPD15: Public Realm	<p><i>"SPD 15: Public realm</i></p> <p><i>• We will work with TfL, developers and the community to transform</i></p>