

Southwark Council
Development Management
PO Box 64529
London
SE1P 5LX

Direct Tel: 0117 937 8200
Direct Email: robyn.cummings@watermangroup.com

Our Ref: WIB14596-102-180209-RC-C
Your Ref: 16/AP/4458

Date: 09th February 2018

For the Attention Of: Victoria Lewis

RE: Application Reference Number 16/AP/4458: Elephant & Castle Town Centre, London Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended 2015) (EIA Regulations): EIA Implications of the Proposed revised S106 obligations.

1. Background

In October 2016, Elephant & Castle Properties Co. Limited (hereafter referred to as the 'Applicant') submitted a detailed planning application (ref: 16/AP/4458) for the proposed Elephant & Castle development (hereafter referred to as the 'Proposed Development'). An Environmental Statement (ES) prepared by Waterman Infrastructure & Environment Ltd (Waterman IE) accompanied the planning application. Minor amendments were made to the Proposed Development in June 2017, which was supported by a letter from Waterman IE (reference WIB14596-102.170619.NP) which clarified the EIA implications (if any) associated with the amendments.

Further discussions have since taken place at Planning Committee meetings on the 16th and 30th January 2018 which have resulted in revisions being submitted to the S106 obligations associated with the planning application, to address comments made by members and suggested reasons for refusal.

2. Reasons for this Letter

This letter has been prepared by Waterman IE to provide clarification in relation to the revised S106 obligations which have been made to the Proposed Development.

This letter seeks to establish what (if any) EIA implications arise out of the amendments to the S106 obligations for the Proposed Development (refer to Section 3 of this letter). Specifically, this letter addresses the following questions:

- Do the proposed amendments give rise to any new, additional or different likely significant environmental effects to those which have been identified and reported within the ES?
- Would the existing ES remain valid in light of the proposed amendments?
- Do the proposed amendments necessitate the need for any further EIA assessment?

3. Amendments to the s106 Obligations for the Proposed Development

The proposed amendments to the S106 obligations have been submitted by DP9 on behalf of Elephant & Castle Properties Co. Ltd following the Planning Committee meetings on the 16th and 30th January and discussions with key stakeholders. The revisions to the S106 obligations are set out below, with further details included in the DP9 letter dated 9th February 2018:

i) An updated Affordable Housing Offer

The key components of the updated Affordable Housing Offer are:

- The provision of 35% affordable housing calculated by habitable room, in accordance with the Council's existing and emerging policy requirement and the GLA's threshold requirement for Build to Rent schemes;
- The provision of 74 social rented units to be located on Plot W3, Buildings 1 and 2, i.e. the Mansion Blocks on the western part of the West Site. This replaces the 33 social rent equivalent units included in the Agreed Affordable Housing Offer. The 74 social rented units will be owned and operated by either the London Borough of Southwark (LBS) or a Registered Provider.
- The 42 units in Plot W3, Building 3, i.e. the most southerly Mansion Block on the West Site, will be offered for London Living Rent (Band C) at this stage. At practical completion, these units will be provided as social rented units if:
 - an independent viability review demonstrates there is sufficient profit from the whole scheme to enable the viable transfer of these homes into social rent, and/or;
 - sufficient grant funding subsidy is obtained.
- Rental bands D, E, F & G will be merged into a single band (G) such that all these homes would be available at a 20% discount to market for households earning up to £90,000 per annum.
- All 330 affordable homes will be retained as affordable perpetuity.
- A proposed 30 year covenant on the East Site.
- On the West site, prior to commencement of the development, the applicant will elect the site either for Build for Rent or Built for Sale and, in the event of the former will enter into a 30 year covenant.

ii) Local Business Support & Relocation Strategy Update

Additional local business support measures being proposed:

- To create a new Temporary Retail offer on Castle Square as an interim use whilst the shopping centre has been demolished.
- To develop a vision for the reinstated Pastor Street on the West Site to provide a cluster of affordable retail and commercial spaces as part of the formal affordable retail offer.
- A full-time community engagement representative to be employed.

iii) Bingo and Leisure

- Significant progress has been made on discussions with a local business (Palatial Leisure) to have them fully engaged and leading in the re-provision of a bingo operation in both short and long term.
- First refusal to a bingo operator will be given to lease some of the proposed leisure floor space within the Site.

4. Implications for all Environmental Topics Considered within the Environmental Statement

The proposed amendments are minimal in the context of the overall scheme and do not alter the design of the Proposed Development. There is a small change to the overall number of affordable housing residential units and to their overall mix and tenure, and also a potential shift within the type of D2 leisure uses to be implemented, which have potential implications for those environmental topics that take into consideration population yield and trip generation, or are affected by them. Other amendments relate to the provision and commitments made to support local businesses during the construction period.

A review of the changes in the context of the EIA undertaken for the Proposed Development has identified the following topics as having the greatest potential to be affected:

- Socio-economics; and
- Transport.

Brief commentary is also provided on the noise and air quality assessment, which both consider impacts relating to traffic movements and in the case of noise, amenity issues relating to the D2 use.

Having regard to the extent and nature of the proposed changes, they are only considered likely to affect the EIA topics indicated above, and there would be no effects upon the other environmental topics reported in the ES.

Socio Economics

The amendments to the Proposed Development could affect a number of socio-economic factors, including social and community infrastructure. Therefore, to ensure robustness, several of the potential effects identified in the Socio-Economic chapter of the ES have been revisited to reflect the changes to the Proposed Development. It should be noted that whilst the potential effects of the Proposed Development have been reviewed, the baseline conditions captured as part of the ES have not (although any changes are likely to be minimal).

The amendments to the Proposed Development would not give rise to any new, additional or different likely significant effects on socio-economics to those which have already been identified and reported within the ES. This is because:

Updated Affordable Housing Offer:

- The amendments have not resulted in any change to the estimated population yield for the Proposed Development.
- The changes proposed in the Updated Affordable Housing Offer are expected to change the child yield figures for the Development. As such, the revised scheme could increase demand for social and community infrastructure. However, this has been further assessed and the following concluded:
 - with regard to the impact of the amendments on Education Provisions, based on the knowledge of supply in the area and taking account of mitigation (in the form of potential financial contributions if required), it is considered that the effect as set out in the ES would remain the same;
 - the effects on Primary Health Care would remain as reported in the ES due to the total residential population remaining the same;
 - due to the total residential population remaining the same, the effects of the Proposed Development on open space would not change; and
 - based on the on-site provision of play space and acknowledging the mitigation (in the form of a potential financial contribution as required) set out in the ES, the effect would remain the same.

Local Business Support & Relocation Strategy Update:

- The updated proposal regarding the Temporary Retail offer on Castle Square alongside the proposals to provide a cluster of retail units at affordable rents provide further improvements to the business support and relocation offer which would reduce the effect of the Proposed Development on local traders and retail provision during construction and operation.
- The proposed provision of temporary retail space and enhanced business support will reduce the effect of the Proposed Development on the temporary loss of retail floorspace. This would result in a reduced impact at a local level (moderate significance reduced to a minor) and remaining insignificant at a Borough Level.

Leisure Space:

- Based on the continued provision of leisure space, the amendments do not result in a change in the effects reported in the ES.
- The change in operational employment supported by a bingo hall would be insignificant and would not alter the operational employment effects assessed in the ES.

As such, the conclusions of the ES in relation to socio economics effects remain valid.

Transportation

The amendments to the Proposed Development would not give rise to any new, additional or different likely significant effects on transportation to those which have already been identified and reported within the ES. This is because:

- Sensitivity tests have been undertaken to determine the effects of a potential change in D2 leisure use. This has determined that there would only be three vehicles arriving / departing during the weekday peak hour and 38 vehicles arriving and departing on a daily basis for the proposed bingo hall use. Overall, the above movements are not considered to have a material impact on the operation of the transport network, particularly when one considers that there is already a bingo hall in place within the Site which has an associated travel demand with it. On this basis, there would be no change to the conclusions of the assessment of traffic effects arising from the completed and operational Development.

It should be noted that WSP are providing a separate Technical Note regarding the Transport Assessment to reflect the updated amendments to the Proposed Development as outlined above.

Air Quality and Noise and Vibration

Given the above minimal changes to the traffic generation there would be no changes to the assessments of Air Quality and Noise effects arising from highway traffic movements.

The ES assessment of the leisure area (Cultural Building) in the west of the Site was based on the LBS noise requirements alongside advice presented within Defra's NANR 163 report entitled 'Noise from Pubs & Clubs - Phase II' to allow determination of acceptable noise levels from this noise source. In view of the revised proposals, it is considered that the worse case scenario was assessed previously should this area become the location of the bingo hall. The conclusions within the ES still stand: provided the noise criteria of London Borough of Southwark (LBS) are satisfied, secured


through acoustic design of the building envelope and planning noise condition, then potential adverse effects are assumed to be effectively controlled and therefore insignificant.

iv) Conclusion

Section 4 of this letter demonstrates that the proposed amendments would not give rise to any new, additional or different likely significant effects to those already considered within the ES. Accordingly, the assessment of cumulative effects (which was based upon all technical assessments scoped into the EIA) would also remain as stated within the ES.

In view of the above, it is considered that the ES remains applicable and valid and that there is no requirement for any further or supplementary ES in relation to the proposed amendments.

Yours sincerely



Robyn Cummings

Senior Consultant

For and On Behalf of Waterman Infrastructure & Environment Ltd