



PLANNING STATEMENT

Knight Frank

89-93 Newington Causeway, London
Prepared on behalf of Neobrand Ltd

August 2009

Prepared by

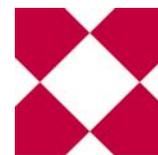
Knight Frank LLP
55 Baker Street
London W1U 8AN



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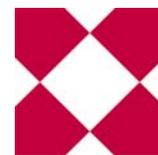
1.0 Introduction

- 1.1 This Planning Statement has been prepared on behalf of Neobrand Ltd in support of a full planning application for a 20 storey mixed use scheme comprising 38 residential units, office space (417 sq m) on the first and second floors and & A3 unit (65sqm) at 89-93 Newington Causeway, London, SE1 6BN (“the site”).
- 1.2 This Planning Statement should be read along with the following supporting documentation:
- The submitted plans and drawings
 - The Design & Access Statement
 - Townscape Assessment
 - Daylight & Sunlight Report
 - Transport Assessment
 - Archaeology Study
 - Noise Assessment
 - Air Quality Assessment
 - Flood Risk Assessment
 - Energy Options Report
 - Sustainability Assessment
 - S106 Heads of Terms Statement
- 1.3 The proposals have been developed with close liaison with the Local Planning Authority. Pre-application meetings were held with planning and design officers of Southwark Council in May 2008, October 2008 and May 2009. In addition a pre-application meeting was held with the GLA in October 2008.



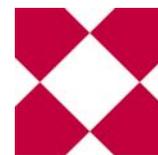
2.0 Site Description

- 2.1 The site is located at 89-93 Newington Causeway, on the edge of the Elephant and Castle Regeneration area. It consists of a small triangular plot, covering approximately 0.026 hectares and currently the site of a 4-storey building, formerly used for banking purposes and more recently for residential purposes. Immediately to the north of the site is a railway viaduct with a taxi supply store located beneath. The southern edge of the site adjoins property currently occupied by the Salvation Army.
- 2.2 The existing building dates from the early twentieth century and is not considered to be of any architectural merit. The site is currently underdeveloped given its location in an area identified for intensification of residential and commercial uses as part of the regeneration of the Elephant and Castle.
- 2.3 The site is in a very accessible location with a bus stop located immediately in front of the property which serves six different routes connecting the site to London Bridge and other Central London and suburban destinations. It also located 220m from Elephant and Castle underground station and 380m from the main line station.
- 2.4 There is an emerging context for tall buildings within Southwark, not least established through the consent of London Bridge Tower (The Shard) in the Borough, Bankside and London Bridge Area where the intention is to create a cluster of tall buildings. Newington Causeway connects London Bridge and Borough to the Elephant and Castle where a subsequent cluster of tall buildings is to be created, with the 43-storey Strata tower under construction and existing consent for the 23-storey Oakmayne Plaza and 44-storey London Park Tower.
- 2.5 The site sits between these two emerging clusters and does not fall within any of the Strategic Viewing Corridors identified within the London View Management Framework. Opposite the site is Eileen House which has a planning application currently pending for a 41 storey mixed use development. Further to the south of the site is the recently constructed 15-storey Metro Central Vantage (formerly known as Alexander Fleming House), to complement the existing and recently refurbished Metro Central Heights and to the north plans are underway to prepare the Triangle site for tall-building and mixed-use construction.



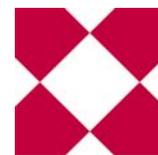
3.0 Planning History

- 3.1 Knight Frank's Planning Department have investigated the planning history of the site in order to establish the lawful land-use, as defined under the Town and Country Planning Act (Use Classes) Order 1987 (as amended). The investigation involved consideration of the planning archive held by Southwark Council, and for the content of which Knight Frank LLP have no liability. Following the review of the Council's documentation relating to the area it has emerged that the Council do not hold any documents, available for viewing, relating to the planning history of the site at 89-93 Newington Causeway.
- 3.2 Research undertaken by Knight Frank has shown that the property was originally constructed as a bank, and that it operated in this form until the 1990s. However, it is understood that this use ceased to exist in excess of a decade ago, since when the building has been informally occupied for residential purposes.
- 3.3 No Certificate of Lawful Existing Use or Development appears to have been submitted to secure a residential use despite the significant period during which the buildings use for A2 Financial & Professional Services purposes ceased to exist.
- 3.4 Within this context pre-application discussions with Southwark Council have attempted to understand and establish the lawful use of the site and its position within a policy context as part of the process through which the future use of the site has evolved. As a result of these discussions Southwark Council have deemed the property to no longer hold an A2 Financial & Professional Services character. Consequently the consideration of future uses at the site would not be bound to re-providing a financial services use.



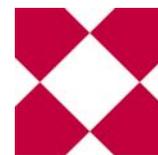
4.0 Proposed Redevelopment Scheme

- 4.1 The planning application proposes to demolish the existing building and redevelop the site to erect a 20-storey residential-led mixed-use building including office and retail space. The lower two floors of the property will provide office accommodation, accessed separately to the residential units and utilising space which would otherwise be unsuitable for residential development. Residential accommodation will be located from the third floor upwards, ranging between two to three units per floor. Family and affordable units will be located on the lower floors, with one and two bed units occupying the middle floors and larger duplexes and a penthouse on the uppermost floors.
- 4.2 The unit mix would provide 122 habitable rooms across the 38 units (gross residential area 3,916sqm), equivalent to a developed density of 5385 habitable rooms per hectare when inclusive of non-residential uses. These residential units will comprise 12 affordable units and 26 private units, equating to 34.4% of affordable habitable rooms (32% of total housing units); with 4 units being wheelchair accessible (10.5% of units) and 4 units being easily adaptable to wheelchair users (10.5% of units). Four 3 bedroom units are provided for family accommodation, three of which will be intermediate rented.
- 4.3 The office units, provided on the first and second floors, will provide 417sqm of B1 floorspace (GIA) and be able to operate with either one or two tenants as required on a floor by floor basis. Whilst no tenants have yet been identified the design will include the flexibility to adapt the accommodation to their needs. Private entry will be provided from Newington Causeway by lift and stairway which will also provide vertical circulation between the floors.
- 4.4 The A3/retail kiosk creates an active street frontage and would be well suited to uses such as that of a coffee or juice bar. Covering 65sqm it would front directly onto Newington Causeway, having the potential for expansion into other areas of the public realm.
- 4.5 The design of the building has been broken into three elements according to a cabinet theory of architectural design. This separates the form of the building into three vertical columns, with distinct designs, intended to reduce the overall bulk and massing impact of



the structure. By emphasising key floor slabs, with increasing degrees of separation in accordance with the increased height of the structure, it is possible to give the building a lower perspective and again reduce the overall appearance of the structures volume. At street level the development proposal includes significant improvement to the street-scene and public realm through the active use of the ground-floor level of the property and the possibility to incorporate art exhibition space below the adjacent bridge – with the possibility of incorporating the two through the night-time lighting scheme.

- 4.6 Both the office and retail units will be accessible by wheelchair users. The entire development is car free as the site benefits from an excellent PTAL rating of 6A. Provision will be made for 51 cycle parking spaces to be included within the development; 42 for the residential units, 3 for the office units and 6 on street spaces for visitors.
- 4.7 The development will also boast good environmental credentials. Locally and regionally sourced construction materials will ensure that the embodied energy within the development is reduced, whilst the operational emphasis will be upon low and renewable energy sources; achieving BREEAM Very Good on commercial elements and Code for Sustainable Homes Level 3 on residential units. Community-wide heating generation will reduce energy consumption levels, whilst two Quiet Revolution QR5 Wind Turbines will provide a roof-top power generation source. The development is also intending to connect to the Elephant and Castle Multi-Service Utility Company (MUSCO) which will provide district heating and power generation, together with non-potable water and data services.



5.0 Planning Policy Review

Introduction

- 5.1 Relevant planning policy in relation to the redevelopment of the site is contained within National, Strategic and Local policies.
- 5.2 At the national level, planning policy is contained within Planning Policy Guidance Notes (PPGs) and the emerging Planning Policy Statements (PPSs), Planning Circulars and Government legislation including the Planning and Compulsory Purchase Act 2004 and the Planning Act 2008.
- 5.3 Strategic policy is contained within the London Plan, which was adopted in February 2004. The consolidated version of the London Plan incorporating the changes made since 2004 was published in February 2008.
- 5.4 The Southwark Unitary Development Plan was formally adopted on 28 July 2007. It sets out the overall strategic direction for development in Southwark up to 2016 and includes the policies that the Council will use for development control purposes up to 2016. Existing and emerging supplementary planning guidance (SPG / SPD) are also material considerations.
- 5.5 Southwark Council are currently preparing a Local Development Framework, comprising a series of planning documents, which will eventually supersede the Unitary Development Plan (UDP). The Core Strategy which sets out the broad spatial planning approach for the Borough was published for consultation in May 2009. The final draft is expected to be published in October 2010. The document identifies Southwark as an area of rising population growth and with significant disparities in the distribution of wealth. It emphasises the need to focus on the regeneration of the Central Activities Zone, particularly in areas such as the Elephant and Castle Opportunity Area, where the Mayor targets 6,000 new homes and 4,200 new jobs. It is intended that the area 'become a desirable place for high density living, shopping, leisure and study that is very accessible from other places in Southwark and London'. High levels of public transport and increasingly sustainable building



design are set to become key features of development in the area and are understood to offer significant potential. The guiding themes of development should be to achieve positive changes that deliver quality services, improving life chances and living standards in the borough.

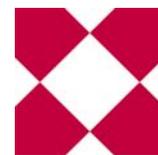
- 5.6 The Enterprise Quarter Supplementary Planning Document (adopted September 2008) sets out the planning framework for regeneration of the northern sector of the Elephant and Castle. It identifies development sites, appropriate land uses and building heights as well as promoting improvements to the public realm. All developments are encouraged to be zero carbon and connect to the Multi-Service Utility Company (MUSCO) that is being established by Southwark Council.

Site Designations

- 5.7 On the proposals map of the Southwark Plan, the site is located within the following designated areas:
- Central Activities Zone
 - Elephant & Castle Opportunity Area
 - Elephant & Castle Major Town Centre
 - Elephant & Castle Transport Development Area
 - Air Quality Management Area
 - Borough of Bermondsey & Rivers Archaeological Priority Zone
- 5.8 The site is not located within the area covered by the Elephant & Castle SPG. It is however identified as an 'other opportunity site' in the Enterprise Quarter SPD as site 7c "Newington Causeway".

Principle of Mixed-Use Redevelopment

- 5.9 In policy terms, PPS1: Delivering Sustainable Development (2004) and PPS3: Housing (2006) encourages a more efficient use of land through higher densities, mixed use



development and the use of suitably located previously developed land to deliver sustainable development.

- 5.10 The London Plan also encourages mixed-use development as it reduces the need to travel and creates a diverse, dynamic and innovative environment. The London Plan also defines the Central Activities Zone (CAZ) which the subject site falls within. In the CAZ the London Plan seeks to encourage a range of uses including mixed use schemes in order to protect and expand London's role as a world city.
- 5.11 PPS1 and London Plan policy on mixed-use development is also reflected in the Southwark Plan policy SP14, which states that all developments should promote the efficient use of land, and be of high quality and where appropriate include a mix of units.
- 5.12 Further, Policy 5.5 of the Southwark Plan states that in designated Transport Development Areas, such as the Elephant and Castle, development should maximise the efficient use of land around major transport sites, strengthen and enhance links to existing public transport nodes and walking and cycling infrastructure, improve the legibility of the public transport network and be of exemplary design quality.
- 5.13 The proposed redevelopment scheme at the site provides a predominantly residential mixed-use building comprising 38 residential units with 417 sq m employment space. It is considered that by making the most efficient use of the site, the proposed mixed-use redevelopment scheme reflects the policy contained within PPS1, the London Plan and the Southwark Plan and is therefore consistent with policy relating to sustainable development.
- 5.14 The Enterprise Quarter SPD encourages mixed use residential development and recognises that this approach is particularly appropriate towards the edges of the area.

Principle of Residential Use

- 5.15 The site has most recently been used for residential purposes although it was previously used as a bank which falls within use class A2 with ancillary office use above. Any perceived loss of employment through the change of use at the site from A2 is



counterbalanced by the provision of 417 sq m employment space and 65 sq m of retail space in the redevelopment proposals. However, the Council have acknowledged in pre-application discussions that they do not consider the site to have an existing employment use given its recent use for residential purposes. Therefore the proposed new employment floor space will be an additional benefit for the community and contribute towards the achievement of the Elephant and Castle Opportunity Area target of 4200 new jobs.

- 5.16 Planning Policy Statement 3 Housing (Nov 2006) contains the national objectives for planning housing and includes policies on how these objectives can be achieved. A mix of high quality housing including both market and affordable housing is sought through making an efficient and effective use of land.
- 5.17 The London Plan sets the housing targets for each of the London Boroughs within the plan period. The housing target for Southwark set in the further alterations to the London Plan is 16,300 new dwellings up to 2016. The Elephant & Castle Opportunity Area is expected to contribute 6,000 new homes between 2001 and 2026 and therefore will contribute significantly to the Borough's target.
- 5.18 Policy SP17 of the Southwark Plan reflects national policy and states that all developments should, where appropriate, provide more high quality housing of all kinds, particularly affordable housing.

Residential Density

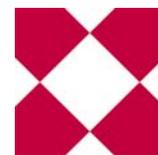
- 5.19 PPS1 and PPS3 encourage, where appropriate, higher densities to achieve housing targets through using the most efficient use of land. Higher densities on previously developed land in urban areas will also reduce pressure on land in green field locations
- 5.20 Policy 3A.3 of the London Plan encourages the intensification of uses in areas of high public transport accessibility and where schemes are carefully designed to be in keeping with the local context.



- 5.21 The London Plan's policy on residential density is reflected in policy 4.1 of the Southwark Plan, which states that in the Central Activities Zone, a density of 650 – 1100 habitable rooms / hectare would be appropriate.
- 5.22 The proposed residential density of the site is 1462 units per hectare or 5385 rooms per hectare which therefore exceeds the density guidance. The high density level is due to the site area being only 0.026ha. However, the quality of the building's accommodation is exceptional; each unit has generous room sizes with access to a balcony and communal gardens which ensures a good quality living environment.
- 5.23 In pre-application discussions, Officers have accepted that the density of the site is significantly higher than policy standards but recognise that a higher density scheme can be argued on the basis of exemplar design. The proposed building is a high quality, contemporary structure, with a striking design influenced by the triangular shape of the site. The building is constructed from high quality materials with a civic quality and provides active frontage at street level including improvements to the public realm. As well as its contemporary appearance, the building incorporates mixed uses and sustainable measures, including a green roof and wind turbines which add to the merits of the proposal.
- 5.24 Furthermore, the site is well located in relation to public transport accessibility and has the highest PTAL rating of 6a which helps to justify the density of the development. Moreover, the site is situated in the CAZ and the Elephant and Castle, where high density buildings are becoming a common characteristic of the urban form and are actively encouraged through the Enterprise Quarter SPD.

Residential Mix

- 5.25 Policy 3A.5 of the London Plan states that UDP policies should seek to ensure that new developments offer a range of housing choices, in terms of the mix of housing sizes and types and 10% of new residential units should be suitable for wheelchair users.
- 5.26 Policy 4.3 of the Southwark Plan states that all major residential development should provide a mix of dwelling sizes and types. The majority of units should have two or more bedrooms and 10% of units in developments of 15 or more dwellings will be three or four

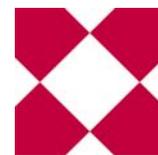


bedroom units. At least 10% of new residential units should also be suitable for wheelchair users.

- 5.27 The proposed redevelopment scheme includes 38 units in total; of which 4 have three bedrooms and therefore complies with policy 3.4. Four units of the two bedroom units are wheelchair accessible which represents 10.5% provision and further four units will also be easily adaptable for full wheelchair use. Therefore the proposed scheme meets the 10% target figure of policy 3.4.

Affordable Housing and Tenure Mix

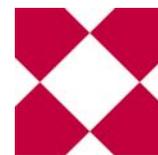
- 5.28 PPS3 sets out the Government commitment to providing high quality affordable housing. Local Planning Authorities should set an overall target for the amount of affordable housing to be provided, separate targets for social-rented and intermediate affordable housing, specify the size and type of affordable housing and set the range of circumstances in which affordable housing will be required.
- 5.29 Policy 3A.9 of the London Plan sets out the Mayor's strategic target of 50% affordable housing provision across London with the objective of achieving mixed and balanced communities. The tenure split of affordable housing should be 70% social rented and 30% intermediate provision.
- 5.30 Policy 3A.10 of the London Plan relates specifically to negotiating affordable housing in individual private residential and mixed use schemes. The policy advocates the need to encourage rather than restrain residential development and the flexible application of affordable housing targets taking into account the individual site costs, the availability of public subsidy and other scheme requirements. To this end, the Three Dragons toolkit helps establish the viability of schemes considering the affordable housing provision amongst the raft of development costs and section 106 contributions.
- 5.31 Policy 4.4 of the Southwark Plan states that the Council will endeavour to secure at least 35% of all new dwellings within the Elephant & Castle Opportunity Area as affordable housing on a 50:50 social rented: intermediate split.



- 5.32 Policy 4.5 of the Southwark Plan states that for every affordable housing unit that complies with the wheelchair design standards, one less affordable habitable room will be required than otherwise stated in Policy 4.4. Two units in the proposed development comply with the wheelchair design standards and as such two less affordable habitable rooms are required in the development. As per the schedule included with the drawings there are 12 affordable units in the development. This means that 34.4% of the development is affordable which is above the Policy requirement, given that 2 of the units are designed to wheelchair design standards.
- 5.33 Due to the limited site area, there is a maximum of three units per floor and it is not possible to provide a second core. For management reasons, RSLs and other social housing providers prefer two cores in schemes where social rent housing is to be provided together with private dwellings. Therefore it is proposed that the twelve affordable units will all be intermediate rented. It should be noted that the applicant is will to commit to an undertaking to ensure that the intermediate rented units are available in perpetuity. There is no intention to sell the intermediate units as shared equity at a future date.
- 5.34 BNP Paribas Real Estate Ltd has produced a full financial appraisal in line with the Three Dragons Toolkit to demonstrate that no surplus residual value is created through the site's inability to provide social rented housing. This financial appraisal has been agreed with housing officers at the Council.

Building Height

- 5.35 The proposed building is 69.82m tall and is up to 20 storeys high to its tallest part. The two lower elements of the structure are 81.15m (14 storeys) and 52.48m high (17 storeys). Policies 4B.9 and 4B.10 of the London Plan provide guidance on tall buildings. Policy 4B.9 states that the Mayor will promote the development of tall buildings where they are acceptable in terms of design and impact on the local area and where they create attractive landmarks enhancing London's character.
- 5.36 Policy 4B.10 of the London Plan comprises a list of design and impact factors that must be addressed in development schemes that involve tall buildings:

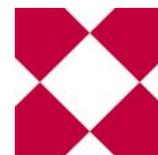


All large-scale buildings including tall buildings should be of the highest quality in design and in particular:

- meet the requirements of the View Protection Framework set out in Policy 4B.16 of the London Plan
- be suited to their wider context in terms of proportion and composition and in terms of their relationship to other buildings, streets, public and private open spaces, the waterways or other townscape elements
- be attractive city elements as viewed from all angles and where appropriate contribute to an interesting skyline, consolidating clusters within that skyline or providing key foci within views
- illustrate exemplary standards of sustainable construction and resource management and potential for renewable energy generation and recycling
- be sensitive to their impact on micro-climates in terms of wind, sun, reflection and overshadowing
- pay particular attention, in residential environments, to privacy, amenity and overshadowing
- be safe in terms of their own integrity and the safety of occupiers and have an acceptable relationship to aircraft, navigation and telecommunication networks
- be appropriate to the transport capacity of the area ensuring adequate, attractive, inclusive and safe pedestrian and public transport access
- provide high quality spaces, capitalise on opportunities to integrate green spaces and planting and support vibrant communities both around and within the building
- where appropriate, contain a mix of uses with public access, such as ground floor retail or cafes
- relate positively to water spaces taking into account the particular needs and characteristics of such spaces.

5.37 Policy 3.20 of the Southwark Plan reflects the London Plan policy on Tall Buildings and states that planning permission may be granted for tall buildings that have excellent accessibility to public transport facilities and are located within the Central Activities Zone.

5.38 The Enterprise Quarter SPD provides planning and design advice regarding the heights of development in the Elephant and Castle and identifies a core cluster, area suitable for the tallest 'city' scale buildings, together with a secondary cluster, an area suitable for tall/landmark buildings. Specific sites have been identified as locations suitable for



landmark tall buildings. The proposal site is just outside the secondary cluster zone but it is identified as a location suitable for a development of 31m or more high which considered to be the equivalent of 8-10 storeys commercial or 10-13 storeys residential. Evidently the proposed development exceeds this height guideline. However, Officers have advised that the proposed scheme is appropriate to the site on basis of the quality of the design.

- 5.39 The height of the building needs to be considered in the context of the townscape of the wider area. The subject site relates well to the potential development site known as the 'Newington Triangle' which is currently being promoted for development. Together with the Newington Triangle, the development will establish a gateway into the Elephant Castle on the approach from the North of the Borough. Whilst the development is not of sufficient height to be considered as a landmark building, it is viewed as being of gateway significance.
- 5.40 A planning application for a landmark scheme is currently pending with Southwark Council for the Eileen House site, which is opposite the subject site. The development proposes the erection of a 41 storey mixed use scheme comprising 255 private flats, 80 intermediate flats, education./health and retails uses. The proposal for 89-93 Newington Causeway responds to the context of the proposed landmark building by providing a subordinate, complementary role.
- 5.41 As part of the pre-application process, an 18 storey proposal was presented to the design review panel for their scrutiny. The panel were receptive to the design approach provided positive feedback (see appendix 1). The response to the Design Panel's comments is fully discussed in the Design and Access Statement.

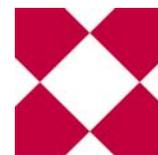
Views

- 5.42 Policies 4B.16 and 4B.17 of the London Plan designate and provide for the management of 26 strategically important views which seeks to protect London panoramas, long established views of London's historic landmarks such as St Paul, Palace of Westminster and the Tower of London; townscape views as well as shorter views categorised as River Prospects and Linear Views.
- 5.43 The London View Management Framework was adopted as Supplementary Planning Guidance to the London Plan in January 2007, and is currently being consulted upon with



regard to proposed revisions (published May 2009). The document intends to safeguard strategically important views from the adverse impacts of development and ensure that adequate consideration is given to development in visually sensitive areas.

- 5.44 It is inevitably plans for the creation of tall buildings which are going to be most affected by these policies and developments which do have an adverse impact will not be permitted.
- 5.45 The site has been identified as falling within the background view of designated view 23 Serpentine Bridge towards the Palace of Westminster. View 4 of the Townscape Assessment (page 16-17) shows the existing view and the cumulative view which demonstrates that the proposed development is of insufficient height to be viewed from the Serpentine Bridge. The proposed development will be screened by the Eileen House proposed development, existing built development and screen by trees.
- 5.46 The accompanying Townscape Assessment illustrates the proposal from 19 verified view points, which have all been agreed by the London Borough of Southwark. The Townscape Assessment shows the existing and proposed views from each location which are as follows:
1. Newington Causeway looking north, close to the site;
 2. Newington Causeway looking south from Avonmouth Street;
 3. Newington Causeway: detailed view;
 4. Serpentine Bridge to Westminster;
 5. Trinity Church Square;
 6. Merrick Square;
 7. Aerial View not verified;
 8. St George's Square;
 9. Borough Road/Newington causeway junction;
 10. From the Metropolitan Tabernacle, Elephant & Castle;
 11. Newington Causeway looking north, close to site – Twilight shot;
 12. Newington Causeway detailed nightshot;
 13. West Square;
 14. Star and Cross Church;
 15. Borough High Street, north of Borough tube;
 16. London Bridge South, East side



17. London Bridge North, West side
18. Newington Gardens, North East corner;
19. Stephenson House, off Bath Terrace.

- 5.47 In terms of local important view, Southwark Council and English Heritage have been most concerned about the impact of development on the views from the St George's Circus Conservation Area. The proposed view from St George's Circus as illustrated on page 29 of the Townscape Assessment shows that the proposed development is barely visible above the rooftops and therefore there is no impact on the conservation area.
- 5.48 The closest Conservation Area to the site is Trinity Church Square. Verified views have been taken from both Trinity Church Square and Merrick Square which fall within the Conservation Area boundary. The view from the northern side of the square illustrated on page 19 of the Townscape Assessment shows that the top few storeys of the development will be visible from this view, although the view will be obscured by trees during the summer months. From the Merrick Square it will not be possible to view the proposed development as it is completely screened by the existing terrace housing.
- 5.49 To the west of the Elephant and Castle and south of St George's Circus Conservation Area lies the West Square Conservation. Verified views have been assessed from the West Square that indicate the proposed development will be largely obscured by trees, especially during the summer months.
- 5.50 It is important that the proposed development is considered in the context of the other proposed and consented developments. The verified views from Trinity Square, Merrick Square and West Square illustrate the proposed views including the Eileen House and the Triangle site development. As the height of the proposed development is considerably lower than the Eileen House and Triangle site proposals the development is less prominent from all these viewpoints. Moreover, it should be noted that the Eileen House proposals are based on the permissible envelope guidelines in the Enterprise Quarter SPD. In relation to Merrick Square due to the size of the square and the height of buildings surrounding it, the proposal will not be visible.
- 5.51 Consequently the overall impact of the proposed development is understood as non-detrimental. The current policy stance of the Council is to encourage a cluster of tall



buildings around the Eileen House area to act as a gateway to the Elephant and Castle regeneration area, and this will require a certain height to be achieved. Moreover, in terms of location, the Newington Causeway site is well situated to achieve this as there will be minimal impact upon views of either London-wide or local importance.

5.52 Detailed verified views are contained in the accompanying Townscape Assessment and Design and Access Statement.

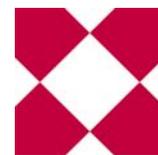
Design

5.53 Planning Policy Statement 1 recognises the importance of good design and high quality environments as means of delivering sustainable communities and future proofing developments that last generations. Well planned buildings and spaces can contribute positively to people's lives and helps to deliver homes, jobs, and better opportunities for all.

5.54 In accordance with PPS1, London Plan emphasises the importance of good design as a key tool in achieving a compact and sustainable London. Policy 4B.1 requires that developments should:

- Maximise the potential of sites;
- Create or enhance the public realm;
- Provide or enhance a mix of uses;
- Be accessible, usable and permeable for all users;
- Be sustainable, durable and adaptable;
- Be safe for occupants and passers-by;
- Respect local context, character and communities;
- Be practical and legible;
- Be attractive to look at and, where appropriate, inspire, excite and delight;
- Respect the natural environment; and
- Respect London's built heritage.

5.55 These design principles are reiterated in the Southwark UDP. Policy 3.11 seeks to ensure that all new development maximises the use of land while protecting against overdevelopment. The proposed design is considered to be an appropriate response to the site and the aspirations of the Elephant and Castle area, taking into account public transport accessibility and the site's location within Central London. The proposal is a high



density scheme which maximises the use of the previously developed site but its does not constitute over-development as the design responds to its environment and will create a gateway into the Elephant and Castle forming precursor to the secondary cluster of tall buildings.

- 5.56 The accompanying design and access statement prepared by Panter Hudspith explains the design rationale of the building and how it responds to context in terms of height, scale and materials.

Sustainable Design & Renewable Energy

- 5.57 One of the key priorities of the London Plan is to minimise carbon dioxide emission through improved energy efficiency and promoting the use of renewable energy sources to achieve sustainable developments. The Mayor's Energy Strategy encourages developers to consider the following hierarchy when designing developments:

1. Use less energy (Be Lean)
2. Use renewable energy (Be Green)
3. Supply energy efficiently (Be Clean)

- 5.58 London Plan policy 4A.7 seeks development to achieve a 20% reduction in carbon dioxide emissions from on-site renewable energy generation. The Southwark UDP policy 3.5 on renewable energy supports the Mayor's previous 2004 energy target of 10% renewables. However, pre-application advice from the Council has indicated that they seek developments to attain the Mayor's 20% CO₂ emissions target.

- 5.59 The Elephant and Castle has been identified as an area for zero carbon development, where new development should not have an increased impact on the environment. To facilitate this objective, the Council has set out a Multi-Service Utility Company (MUSCO), which will provide district heating and power generation, together with non-potable water and data services. Officers have advised that the subject site should be able to connect to the MUSCO in 2010. The proposed development is intended to connect to the MUSCO and should there be a delay in the availability of the connection then a conventional gas fired community heating system will be installed as an interim measure.

- 5.60 Connection to the MUSCO will assist the development to reduce its carbon emissions. In order to achieve a 20% carbon emissions reduction two quiet revolution QR5 wind turbines



are proposed to be installed on the roof of the twenty storey element. The accompanying Energy Statement details the proposed energy strategy.

- 5.61 London plan policy 4A.3 and UDP policy 3.4 promote energy efficiency through the use of sustainable design and construction techniques. The development has been designed with regard to the Sustainable Design and Construction SPG/SPD and a Sustainability Assessment accompanies the planning application submission. The scheme is achieving BREEAM Very Good on commercial elements and Code for Sustainable Homes Level 3 on residential units. A green roof is proposed on the roof of the 20 storey development which will help reduce run-off and the heat island effect as well as promoting biodiversity.

Noise

- 5.62 PPG24: Planning and Noise (Sep 1994) provides guidance for local authorities to use planning powers to minimise the adverse effect of noise. The guidance introduces the concept of Noise Exposure Categories (NECs), which range from A-D where A represents developments where noise is unlikely to be a determining factor and D where development should normally be refused. Categories B and C describe situations where noise mitigation measures may make development more acceptable.
- 5.63 Policy 3.2 of the Southwark Plan states that planning permission will not be permitted for development that would cause a loss of amenity, including disturbance from noise in the surrounding area and on the development site.
- 5.64 The site is located adjacent to the railway line and a busy main road. The scheme has been designed so that the commercial and retail unit on lower levels floors will buffer the noise. The lowest level of residential accommodation is on the third floor. A noise assessment was carried out and has been submitted in support of the planning application. The outcome of the assessment is that the site is within a Noise Exposure Category C and will be suitable for residential development provided that the design of the development incorporates appropriate measures to mitigate noise intrusion to residential.

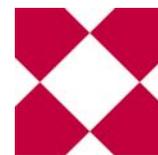


Air Quality

- 5.65 In policy 3.6 of the Southwark Plan, it is stated that planning permission will not be granted where there is a reduction in air quality. The site lies within an air quality management area where levels of air quality are below national standards. The Air Quality Management Area (AQMA) encompasses the majority of Southwark. In the AQMA, the LPA will promote uses that reduce air emissions and will also encourage a shift of modal uses in the favour of public transport and other non-car modes.
- 5.66 An air quality assessment has been submitted as part of this application which indicates that predicted NO₂ and PM₁₀ are likely to be close or above the National Air Quality Objectives. The arrangement of the residential accommodation on the higher levels of the development will assist with reducing the air quality impact on the prospective residents. It is concluded that there is no change in NO₂ and PM₁₀ are predicted with the development and the proposed development will not give rise to any significant air quality impacts on the surrounding. The overall conclusion from the attached Air Quality Assessment is that air quality should not be considered as a material planning consideration.

Daylight & Sunlight

- 5.67 Policy 4.2 of the Southwark Plan states that planning permission will be granted for residential development provided that they achieve good quality living conditions and include high standards of accessibility, privacy and outlook, natural daylight and sunlight, ventilation, space including outdoor space, safety and security and protection from pollution.
- 5.68 A Daylight and Sunlight assessment has been undertaken and is submitted in support of this planning application. The findings of the assessment were that there is no effect on sunlight on surrounding properties. The daylight levels were also found to be acceptable in relation to the vertical sky component, no skyline and BRE guidelines. Neither issues relating to daylight and sunlight would therefore place constraint on the development of the site.



Flood Risk

- 5.69 Planning Policy Statement 25 (PPS25) Development and Flood Risk set out national guidance for planning in areas prone to flooding. The site falls within Flood Zone 3a, with a 0.5% annual probability of flooding and by this grading is deemed a high probability risk. However, Thames Barrier and related defences protects the site to the 1:1000 year standard.
- 5.70 The Flood Risk Assessment submitted as part of this planning application indicates that assuming that flood defences are maintained at the existing standard/condition the development can be considered to have an annual probability of flooding of less than 0.1% from the River Thames (i.e. 'Low Probability').
- 5.71 Given that the site lies within an existing developed area and sleeping accommodation will be situated on the third floor and above the proposed development type is considered to be suitable assuming appropriate mitigation can be maintained for the lifetime of the development, and there is no indication that this would not be the case.

Transport

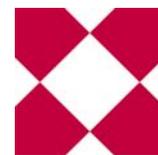
- 5.72 Policy 3C.1 of the London Plan states that car parking provision should reflect levels of public transport accessibility, while national policy promotes the minimisation of car parking provision. The Elephant and Castle is a designated by the London Plan as a Transport Development Area (TDA), which are defined as well-designed, higher density, mixed use area, situated around good public transport access points. New developments within the TDA are encouraged to car free. UDP policy 5.5 advocates that TDAs should:
- i. Maximise the efficient use of land around major transport sites; and
 - ii. Strengthen and enhance links to existing public transport nodes; and
 - iii. Strengthen and enhance walking and cycling infrastructure; and
 - iv. Improve the legibility of the public transport network; and
 - v. Be of exemplary design quality.



- 5.73 UDP Policy 5.6 sets out the policy standards for car parking provision and residential developments within the CAZ are encouraged to be car free if within a Controlled Parking Zone (CPZ). The proposed development is car free and therefore completely embraces this policy.
- 5.74 Policy 5.7 of the Southwark Plan sets out a requirement for a minimum of one accessible parking space per development where associated car parking is not provided. However, as the physical constraints of the site do not allow for an on-site disabled parking space and an off-site space could only be sited in a location beyond a reasonable distance of the site. No parking spaces are therefore provided on the site. This approach has been agreed by the Matt Kent, Group Manager of Development and Strategic Projects at Southwark Council and is fully explained in the Transport Statement prepared by Odyssey Consulting Engineers.
- 5.75 Policy 5.3 of the Southwark Plan states that planning permission will be granted if safe and secure cycle parking can be provided on site. Development sites within the Central Activity Zone should provide one cycle parking space per residential unit plus one visitor space for every 10 units and one cycle parking space per 250 sq m of B1 use or a minimum of 2 spaces to be used for B1 use.
- 5.76 There are 42 secure cycle parking spaces proposed for the residential element and 3 cycle parking spaces proposed for the B1 use. In addition six cycle spaces are available for visitors located outside the building. The residential cycle parking will be located on the ground floor for the private dwellings (16 two tier racks) and on the mezzanine level for the affordable units (5 two tier racks). A cycle lift will provide access to the mezzanine level.
- 5.77 The applicant is willing to commit to a travel plan as part of a section 106 agreement and the scope of the travel plan is outlined in Section 4 of the Transport Statement.

Public Realm & Amenity Space

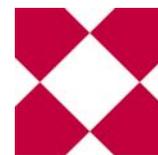
- 5.78 The Enterprise Quarter SPD recognises that existing public realm in the northern sector of the Elephant and Castle is poor quality and detracts from the appearance of the area. Moreover, there is no public open space within the town centre and poor connections to the open spaces on the periphery. The SPD identifies Newington Causeway as an opportunity for street improvements.



- 5.79 Plans submitted with this application indicate proposed improvements to the public realm in front of the building which include yorkstone paving, undisbursed with natural stone and new granite kerbstones, three new street trees and lighting (see dwg no. 340/P180/D2)
- 5.80 The applicant is also willing to contribute to public realm improvements to the adjacent railway arches which could include the installation on public art. Sample concepts of how the area could be enhanced are illustrated in the accompanying Design & Assessment Statement (page 33). Improvements to the public realm and railway arches have been offered as part of the section 106 package.
- 5.81 Whilst the site area of the development is limited, all units have been designed with private balconies and two roof terraces provide shared amenity space comprising child play space (31sq.m) and general shared space (44 sq.m) on the 15th and 18th floors respectively.

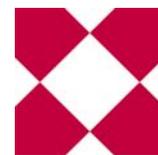
Servicing

- 5.82 Southwark Plan 3.7 requires all developments to ensure adequate provision of recycling, composting and residual waste disposal collection and storage facilities which are easily accessible. Refuse areas for the residential and commercial uses have been provided on the mezzanine levels which include recycling facilities. The storage areas are accessible by the residential and commercial lifts and the management company will ensure that the waste is delivered for roadside collection on the appropriate day. The retail unit has its own refuse area on the ground floor.



6.0 Developer Contributions

- 6.1 Policy 2.5 of the Southwark Plan advises that planning obligations can be secured to overcome the negative impacts of a generally acceptable proposal. This policy is reinforced by the Supplementary Planning Document on S106 Planning Obligations, which sets out in detail the type of development that qualifies for planning obligations, and Circular 05/05, which advises that every planning application will be judged on its own merits against relevant policy, guidance and other material considerations.
- 6.2 A S106 Heads of Terms statement has been submitted alongside the application.



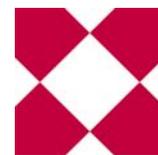
7.0 Conclusions

7.1 In conclusion, the proposed development is in accordance with development plan policies contained in the London Plan and Southwark Plan and relevant supplementary planning documents in particular the Enterprise Quarter SPD. The planning merits of the proposal can be summarised as follows:

- The proposal optimises the regeneration opportunities of a previously developed, under-utilised site that is identified as having development potential in the Enterprise Quarter SPD;
- The proposal delivers a mixed use development that accords with the policy objectives for the Elephant and Castle regeneration area;
- The proposed development is designed to a high architectural quality and will assist the regeneration of the Elephant and Castle;
- The proposed scheme is a low carbon development that is car free and on site renewable energy will generated from two roof top turbines as well as connecting to the Elephant and Castle MUSCO;
- The proposal will introduce a retail use at ground floor level that will create an active street frontage and improve the vitality of the area;
- The proposal will provide increased employment opportunities by providing adaptable B1 office and retail unit;
- The proposed development will deliver significant public realm improvements to the area surrounding the site.



Appendix I Comments from Design Review Panel



SOUTHWARK DESIGN REVIEW PANEL: OCTOBER 6TH 2008
ST PETER'S CRYPT, LIVERPOOL GROVE, WALWORTH

Chair: Graham Morrison

Panel Members: Alison Brooks, Esther Kurland, Christian Male, Walter Menteth, Deborah Saunt, Rachel Shaw, Malcolm Woods.

89-93 Newington Causeway

Case Number: Pre-Application

Case Officer: Kristina Butler

Design Officer: Norman Brockie

Architect: Panter Hudspith

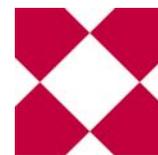
Project Description: This proposal is for a triangular tower on Newington Causeway, directly adjacent to the railway and just outside the Elephant & Castle regeneration core area, but still within its 'enterprise quarter' extension. At present the site is partly empty and partly occupied by a 4-storey tower. The tower has a commercial uses on the lower 4 levels, above which there are 16 floors of residential; there are generally 3 flats/floor, but with pent-house duplexes on the upper levels. The triangular nature of the site leads the building to be expressed vertically as 3 extruded vertical volumes, which are expressed by cut-backs on the upper 4 levels. The overall height of the proposal is 65m.

DESIGN REVIEW PANEL COMMENTS:

The Panel welcomed this project on this prominent site and recognised that this project presented a number of challenges. The Panel acknowledged that this proposal exceeds the height stipulated for this site as set out in the local plan and confirmed that they would not comment on the policy framework for this site.

Further, the Panel had no comment on the internal flat layouts, and instead focused on the contribution that this proposal will make to the urban fabric. This included the Panels view about the quality of the built form and the quality of the spaces that it offers to the City.

- The Panel confirmed that they had discussed other proposals of height in the area and in particular the proposals for Eileen House across the way but felt that this proposal was premature, particularly as the other proposals had not yet been submitted for planning approval.
- The Panel noted that the primary concern of English Heritage was whether this proposal was visible from St George's Circus. An application on this site would need to include an Accurate Visual Representation of the view from this location.



- The Panel reacted positively to the image of three contrasting forms; however they were not convinced that this had been explored far enough. The Panel encouraged the architect to consider making the contrast stronger through greater changes in form, colour and materials. The Panel suggested that the three forms would have a stronger rationale if they were to display a closer link to the internal workings of the accommodation and the urban context. As the development forms a visual 'bookend' to this stretch of the Newington Causeway, the Panel felt that it would be appropriate to establish a stronger visual link between it and the recently converted Alexander Fleming House at the Elephant and Castle end of the street. Perhaps the height of one third could be dropped to be of similar height to the AFH it may set up a dialogue between this building and its context.
- The Panel commented on the thoughtful composition of the elevation and the use of visual gradation but felt that this may not be legible from all approaches due to the narrowness of the views that can be gained from Newington Causeway and the proximity of the railway viaduct. In the view of the Panel the current proposals lacked the visual clarity and confidence of the original 25-storey design. As a consequence, given the impact that a building of this height will have in this location, the Panel felt that the current proposal was not as powerful as it ought to be.
- The Panel acknowledged that this proposal is at a 'cross-road' in its development. The key considerations are its policy context and its architectural ambition. The design has to therefore manage the contradictory requirements of a height established by its varied context in urban terms and one set by its composition.
- The Panel expressed its serious concerns with the quality of the ground floor. This is a severely constrained site and as a result the ground floor has a number of complex issues to cope with. In particular, the Panel were concerned with the congested footprint of the building and the quality of the pedestrian walkway created along the railway line. The use of this pedestrian walkway as the primary servicing access for the development and the extent of unadorned flank wall presented to this side were of particular concern.
- In conclusion, the panel felt this was a bold idea that deserved encouragement and that it was an idea that was very capable of positive development.