

26th June 2018



Victoria Lewis
Development Management
London Borough of Southwark
160 Tooley Street
London SE1 2QH

DP9 Ltd
100 Pall Mall
London SW1Y 5NQ

Registered No. 05092507

telephone 020 7004 1700
facsimile 020 7004 1790

www.dp9.co.uk

Dear Victoria,

CASTLE SQUARE, ELEPHANT ROAD SE17 1LA

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) APPLICATION FOR TEMPORARY PLANNING PERMISSION

We act on behalf of our Client, Elephant and Castle Properties Co Ltd (the 'Applicant') in relation to the above site. Further to our recent discussion with yourself please find enclosed our application for the erection of a temporary structure for retail (Class A1-A5), estate management office (B1), welfare services/storage (Sui Generis) and associated cycle stands and hard landscaping works for a period of 5 years.

Our submission comprises the following documents:

- Application form, duly signed and dated;
- Application fee;
- Design & Access Statement, prepared by Carl Turner Architects;
- Existing and proposed drawings, prepared by Carl Turner Architects;
- Waste Strategy, prepared by WSP; and
- Transport Statement, prepared by WSP.

This application has been submitted to London Borough Southwark via the Planning Portal (ref: PP-07086268). The planning application fee will be paid directly to London Borough Southwark upon confirmation of receipt of the planning application.

The Site

The site is located within the Elephant and Castle Opportunity Area, East of the Elephant and Castle railway station, South of the recently development Elephant One development and West of Elephant Park, within the London Borough of Southwark. The site currently comprises an open market square which has a site area of approximately 2100 sqm.

Planning History

There are a number of planning applications relating to the wider site, as included on the London Borough of Southwark's online planning register. The most relevant applications being:



- Planning Permission ref. 08/AP/2403 – for the erection of 3 buildings comprising both student and private residential units linked by a two storey podium incorporating retail and restaurant uses across the ground floor and upper floors, including a gym and basement car parking with associated facilities with new landscaping to link to a market square.
- Planning Permission ref. 07/AP/1448 – Provision of a market square and basement servicing area.

Pre-Application Discussions

There has been extensive pre-application discussion with officers at London Borough of Southwark that have informed the approach to this application. A summary of the feedback received from officers is provided below:

- Improve activation along the Elephant Road frontage through the introduction of large windows and corner units.
- To retain existing paths of permeability through the site, specifically those approaching from Elephant & Castle station, New Kent Road and Walworth Road.
- To retain visual permeability between Elephant Park and Elephant & Castle Station entrance.
- Maintain the openness of the square.

Proposed Development & Retail Strategy

Background

A planning application is currently being determined by the London Borough of Southwark for the wholesale redevelopment of the Elephant & Castle Shopping Centre (ref 16/AP/4458). If the Council is minded to approve the planning application, the existing Elephant & Castle Shopping Centre will close for approximately 5 year while the development is being constructed.

This application seeks to provide temporary retail accommodation for existing traders within the shopping centre, for a period of 5 years, up until the Elephant & Castle Shopping Centre development has been completed. At which point, tenants will have the first right of refusal to relocate back into the shopping centre.

It should be noted however that Castle Square is not the only relocation option available for existing tenants. Tenants will have the ability to relocate to a number of alternative sites within the Elephant & Castle Opportunity Area. The alternative sites are noted below:

- Elephant 1 – Retail units (Eastern boundary) – circa 412 sqm
- Elephant 1 – Retail units (Elephant Road) – circa 59 sqm
- Perronet House – circa 484 sqm
- East Street Market – circa 70 sqm (plus 30 market pitches)

Tree Shepherd have been appointed by the Developers of the Elephant & Castle Shopping Centre to advise and assist existing tenants during the relocation process.

Existing Tenants

The Applicant has identified 33 tenants that amount to 604 sqm of retail floorspace within the Elephant and Castle Shopping Centre that can be relocated prior to the redevelopment works taking place. These 33 tenants have been identified as they occupy space of a similar size to that which can be provided in



Castle Square. However, there may be retailers within the shopping centre who currently occupy larger units but wish to downsize when they relocate.

The Proposals

This planning application is for the erection of a temporary 2/3 storey structure for circa 534 sqm of retail (Class A1-A5), estate management office (Class B1) and welfare services/storage (Sui Generis) uses at Castle Square for a period of 5 years.

Land Use	Area sqm GIA	Area sqm GEA
Retail (A1-A5)	492.1	517
Estate Management Office (B1)	13.1	14.8
Welfare Services / Storage (Sui – Generis)	28.8	33.1
Total	534	564.9

The proposal is for modular construction which allows a range of units to be created. This provides flexibility so that specific sized units can be created to meet tenant needs and operations. There are four types of units that can be created, these are noted below for ease:

- Single modular unit – 141 sq ft
- Double modular unit – 282 sq ft
- Triple modular unit – 448 sq ft
- 40ft modular unit – 289 sq ft

This planning application seeks approval for the total quantum of retail floorspace with the subdivision of units to be determined once prospective tenants confirm their desired relocation space.

The Applicant has reviewed the current rents and service charges paid by the existing tenants at the Shopping Centre against the rents at Castle Square. In every case, the rents in Castle Square will be equivalent to, or less than the combined rent and service charges paid currently at the Shopping Centre. Therefore, the proposed retail accommodation at Castle Square is considered to be affordable to existing retailers of the Shopping Centre.

The temporary retail accommodation will be offered on the following basis:

1. Tenants located within the redline of the Elephant & Castle Shopping Centre development site will have first right of refusal on all of the Castle Square temporary retail accommodation;
2. If any accommodation is not taken, it will then be offered to any other operators.

Key Objectives

The key objectives are:

- Contribute towards a broader vision for the square to be a destination where people spend time rather than just passing through.
- Provide circa 5,000 sqft of suitable retail space for local independent business.
- Provide an active street frontage to Elephant Road and a feature gateway to Castle Square and Elephant Park
- Provide and maintain a retail offer in the vicinity for local residents whilst the current shopping centre is being redeveloped.



Planning Policy Assessment

This section provides an evaluation of the proposed temporary development against planning policy relevant to the proposal. The planning policy context comprises three levels of adopted and emerging policy – national, regional and local. Within each level there is both planning policy and guidance which combine to provide the framework for consideration of the development.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) states that the determination of planning applications should be in accordance with the Development Plan unless material considerations indicate otherwise.

In this instance the Development Plan for the area consists of the London Plan (2016), the London Borough Southwark Core Strategy (2011) and the Saved Southwark Plan policies (2007).

In addition, further guidance is provided in the form of the Council's and Mayor's Supplementary Planning Guidance ('SPG') or Supplementary Planning Documents ('SPD').

Land Use – Retail

This planning application is for the erection of a temporary 2/3 storey structure for circa 534 sqm of retail (Class A1-A5), estate management office (Class B1) and welfare services/storage (Sui Generis) uses at Castle Square for a period of 5 years.

The National Planning Policy Framework identifies retail development as a main town centre use. Paragraph 23 promotes competitive town centres that provide customer choice and a diverse retail offer and which reflect the individuality of town centres.

London Plan Policy 4.7 (Retail and Town Centre Development) supports the provision of retail and commercial development in town centres.

Core Strategy Strategic Policy 3 (Shopping, Leisure and Entertainment) promotes the provision of retail and notes that the council will enable the provision of around 45,000 sqm of additional shopping and leisure space at Elephant and Castle/Walworth Road, focusing on provision of new non-food shopping and strengthening its role as a major town centre.

Saved Policy 1.7 (Development within Town and Local Centres) notes that most new developments for retail and other town centre uses should be accommodated within the existing town centres and local centres, such as Elephant & Castle.

The Elephant & Castle SPD Opportunity Area Planning Framework sets out the detailed policies for this area. Policy SPD 1 (Shopping) states that the Council will support new retail development in the town centre to help consolidate Elephant and Castle and Walworth Road as a major town centre in the borough's hierarchy.

Paragraph 4.1.7 notes that to help mitigate impact on businesses which are displaced as a result of development and to help ensure that the centre continues to reflect the character and diversity of the local population, large retail developments should provide affordable units which can be made available to independent small and medium sized operators.

Paragraph 4.1.8 goes on to note that the council's preference would be for affordable units to be made available in the first instance to existing business in the opportunity area who have been displaced as a result of development in town centres, then new business start-ups, and finally other independent retailers.



The provision of temporary retail accommodation that provides flexible space for existing tenants of the Elephant & Castle Shopping Centre, and retailers in the Opportunity Area is supported by Core Strategy Policy 3, Saved Policy 1.7 and the policies within the Elephant & Castle SPD Opportunity Area Planning Framework.

Design

The NPPF at paragraph 63 states that in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.

Paragraph 118 states that development should have regard to the form, function and structure of an area and the scale, mass and orientation of the surrounding buildings. Development should also improve an area visual or physical connection.

London Plan policy states that development should be of the highest standards of accessible and inclusive design (Policy 7.2) and consistent with the principles of 'secured by design' (Policy 7.3). Development should have regard to the form, function or structure of an area (Policy 7.4) and maximise site potential, promoting high quality inclusive design and enhancement of the public realm.

Core Strategy Strategic Policy 12 (Design and Conservation) notes that development will achieve the highest possible standards of design for buildings and public spaces to help create attractive and distinctive places which are safe, easy to get around and a pleasure to be in.

Saved Policy 3.12 (Quality in Design) states that developments should achieve a high quality of both architectural and urban design, enhancing the quality of the built environment in order to create attractive spaces.

Saved Policy 3.13 (Urban Design) states that principles of good urban design must be taken into account in all development, urban design is the relationship between different building and streets, squares and other spaces.

The proposed design of the temporary building reflects a thorough understanding of the site and its surroundings. The purpose of the building is to be temporary but to maintain its architectural quality during its lifecycle.

The proposal introduces a 2/3 storey structure to the West and South boundaries of the site, separated at ground level to form a gateway to the square. Units have large windows facing onto Elephant Road to create an active and inviting street frontage to the street, entrances to the units will be located on the inward-looking face of the proposal to help activate the square.

The proposal has been positioned so that it shelters the square from existing prevailing winds, to create an active public space that is comfortable for spending longer periods of time and with the ability to host events/activities.

The proposal will be constructed using prefabricated modular units that can offer a variety of sizes and configurations to suit different tenants and uses. This method of building will also allow for the project to be erected efficiently. The proposal will be clad in a timber veil, creating a cohesive material language with the existing servicing pavilion, which forms part of the existing condition.

The design aims to employ a considerate, light-touch strategy to the site, working around and creating a positive relation with the existing objects in the square, to ensure that the square can easily return to its



original state after the 5-year period has ended. Therefore, it is considered that the proposed scheme complied with London Plan Policy 7.2, 7.3 and 7.4, Core Strategy Policy 12 and Saved Policies 3.12-13.

Transport and Servicing

Para 23 of the National Planning Policy Framework states that planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimize journey lengths for employment, shopping and leisure.

London Plan Policy 6.1 encourages closer integration of planning and development and promotes development that reduces the need to travel and encouraging walking by improving the urban realm. Development proposals should ensure that impacts on transport capacity are assessed (London Plan Policy 6.3).

The proposal will be serviced by the existing basement below Castle Square which is accessed via New Kent Road. The basement is accessed via a lift within the servicing pavilion.

A total of 23 Sheffield stands (46 cycle spaces) will be provided on the southern boundary of the site. Although the division of units and land use is yet to be finalised, the number of cycle spaces provided far exceeds the highest level of requirements.

Please refer to the enclosed Transport Statement and Waste Strategy prepared by WSP for further information.

Conclusions

This application seeks planning permission for the erection of a 2/3 storey structure comprising temporary retail (Class A1-A5), estate management office (Class B1) and welfare services/storage (sui-generis) at Castle Square, Elephant Road.

The temporary retail offer is proposed to accommodate existing tenants from the Elephant & Castle Shopping Centre that will be relocated if planning permission is granted by the London Borough of Southwark for the redevelopment of the Elephant & Castle Shopping Centre site.

The proposals have been designed to respond to the surrounding context and create a sense of activation at Castle Square and Elephant Park.

Planning permission is sought for a temporary period of 5 years until such time as the Elephant & Castle Shopping Centre redevelopment works are completed and the tenants can be relocated back into the shopping centre. The proposal comprises flexible retail units that can be enlarged to accommodate different occupier requirements.

Overall, it is considered that the proposals are suitable and are in accordance with the provision of the Development Plan, and as such planning permission should be granted.

We trust this meets the council's requirements and that the application can be registered and determined within the quickest possible timeframe. Should you require any further information, please contact either Richard Ward or Dean Jordan of this office.



Yours sincerely,

DP9 Ltd

Enc.