

## Objection to Planning Application (21/AP/1819) Elephant Park Plot H1

18 Aug 2021

We object to the above application for the following reasons.

The loss of housing

- 1 The Applicant currently holds an Outline Planning Permission (OPP) for the Elephant Park site (12/AP/1092), including Plot H1. This permission will be superseded if the current application is approved (Reconciliation and Comparison Statement 2.2.9) with the loss of new housing, including affordable housing.
- 2 Under the OPP the '*principal land uses*' of Plot H1 would be residential (C3), with retail at lower levels, with only a '*potential*' for business (B1) (Development Specification, Table 4.3).
- 3 The Applicant gives no figure for the number of homes that Plot H1 could deliver under the OPP, but if it were to be built-out at the same ratio of unit-to-floorspace as the consented H7 site (424/45131), also under the OPP, it would have the capacity to provide about 340 homes.
- 4 The Applicant instead proposes to build no homes, largely replacing them in the new application with 49,565sqm of office floorspace (Planning Statement, Table 3.1). This is ten times the maximum amount of business floorspace allowed by the OPP for the whole site, increasing it from 5,000 sqm to 57,454sqm (Reconciliation and Comparison Statement Table 8.3.1). It is also double the 25,000-30,000 sqm of business floorspace envisaged for the Elephant and Castle Opportunity Area by the Core Strategy, and reiterated by the Elephant and Castle SPD, which remain the adopted policy (CS 2011, pg 44, 4.2.7; E&C SPD 2012, 3.1.4).

The loss of housing is a material consideration

- 5 The housing that would be lost from Plot H1, through approving this application, and superseding the OPP, should be considered in determining this application.

- 6 The application is premised on the Applicant's claim that they have already fulfilled their OPP housing and affordable housing obligations on the completed Elephant Park plots, allowing non-residential land use for H1 (PS 3.6.4; R&CS 8.2).
- 7 However, the OPP remains a material consideration, as the Applicant notes (PS 5.81; R&CS 1.2.3), and under the OPP the '*principal use*' of Plot H1 is residential, with only a '*potential for business*'. It would follow that the loss of the housing due from Plot H1 under the OPP, if this application is granted is also a material consideration.

#### The London Plan – brownfield sites

- 8 The whole OPP site, including H1, is a brownfield site, and is listed on Southwark's Brownfield register (Site Ref 12/AP/1092). Plot H1 should therefore be used to optimise housing delivery, according to the London Plan and its policy, (coincidentally) H1.
- 9 Policy H1B2 says that boroughs should 'optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions especially the following sources of capacity: a) sites with existing or planned public access levels (PTALS) 3-6.....' (our emphasis). Plot H1 has a PTAL 6b rating (PS 6.10.5).

#### The London Plan – public land

- 10 London Plan Policy H1B2d says that housing delivery should be optimised where there is redevelopment of '*public sector owned sites*'. While Plot H1 is no longer publicly-owned the whole OPP site, including Plot H1, was sold to the Applicant out of the public sector and the OPP was granted on the basis that the principal land use for eleven of the 13 plots was residential (OPP DS Table 4.3).
- 11 The Mayor also '*expects that residential proposals on public land should deliver at least 50 per cent affordable housing on each site*'. (London Plan 2021 4.4.7). The residential development of Plot H1 would allow, with the benefit of an updated

viability assessment, a greater proportion of the housing to be delivered as affordable, towards the 50% expected, while a non-residential development represents a greater lost opportunity for more affordable housing.

- 12 We would contradict any argument that the amount of housing has already been optimised under the OPP, excluding Plot H1. The application is a standalone application, seeking full planning permission, and separate from the OPP. The application is therefore separately subject to the London Plan and should be considered on its own merits.

#### Estate regeneration consultation

- 13 The Applicant has submitted a Statement of Community Involvement, detailing local consultation for Plot H1 (PS 4.1.1). However, other relevant consultations to be considered before determining the application are those which took place with the residents of the Heygate estate, prior to the demolition of the estate and its replacement by Elephant Park and the consultation for the OPP 12/AP/1092, which included Plot H1. These consultations did not contain any proposals for a large free-standing office block on the footprint of the estate.

#### Density and size

- 14 Under the OPP Plot H1 was to have between 22,491 and 36,100sqm GEA of total floorspace (OPP DS Table 4.2). The applicant now wishes to nearly double this to 64,624sqm (PS Table 3.1; R&CS Fig 5.4.2), creating an excessively large and overbearing structure. We note that the GLA Stage 1 report raised concerns about the impact of the building on the World Heritage Site with reference to the Queen Victoria Memorial and locally listed heritage assets, stating that '*...GLA Officers have not arrived at a conclusion in respect of the balance of harm versus public benefit.*' (GLA Stage 1 report, para 99).

#### Meeting affordable housing targets

- 15 The Applicant notes that the employment target for providing office space has been increased for the borough and that this application is being brought forward in response to this (PS 2.2.9). However, the housing target for the borough has also been increased and now stands at 2,355 new homes per annum (New Southwark Plan Main Modifications, EIP219, pg 10). Southwark has also had to produce a Housing Delivery Action Plan, due to 3 years of '*undelivery*', requiring a 20% buffer in the New Southwark Plan's land supply (New Southwark Plan EIP, SP106 Southwark Housing Delivery Test Action Plan, 1.4). Delivering Plot H1 as a residential development would go towards meeting Southwark's housing targets.
- 16 The Applicant has chosen to optimise the delivery of housing across the other plots within Elephant Park '*in response to market trends*' (PS 3.6.2), but this has been done this by squeezing the total consented homes into fewer plots, creating a 'spare' plot. It is the Applicant's choice to use this for non-residential use, but it does not follow that the Council is bound to grant them a permission for a different land use from that given under the OPP. The Council should instead consider Plot H1 as in the nature of a 'windfall site', one that delivers more housing and more affordable housing unexpectedly, for which there is a housing allowance under the New Southwark Plan (NSP, EIP27B Annex 2 Housing Trajectory Table 4).
- 17 We note that if this application is rejected, the Applicant will still retain the OPP for Plot H1, with only residual 1,986 sqm of residential floorspace allowable for development (R&CS 7.2.1). Nothing, however, prevents the applicant from making a new application for a full permission, similar to the present application, but for a residential development, in accordance with the priority land use under the OPP.

We trust that after taking account of the loss of housing, including affordable housing, entailed in this application; the fact that it is for a brownfield site that was public land; the borough's need for housing, particularly affordable housing; the increased density of the development and the opportunity the site otherwise provides to increase the supply of

affordable housing, Southwark Planning will recommend rejection of this planning application.

35% Campaign