

Dear Councillor,

We would like you to raise the following questions with planning officers relating to the Heygate outline masterplan application (12-AP-1092):

### **1. VIABILITY – Why is this development seeking approval if it is not viable?**

- The new National Planning Policy Framework emphasises the need for careful attention to viability to ensure that developments are deliverable.

The viability of the scheme is described as '**problematic**' (para 151 – Officer's report) and refers to a '**viability gap**' representing '**very big risk**' on the part of the applicant (para 153). The Phase one Heygate application states clearly: "**The level of affordable housing proposed represents a level that is currently above what is indicated as being viable.**" Non-viability of the scheme is also listed in the council's risk register as one of the major impediments to the scheme going ahead.

The Lend Lease consortium were granted planning permission for two other developments at the Elephant in 2007; these sites currently remain undeveloped six years on due to viability gaps, and have become a blight upon the local community<sup>1</sup>. What guarantees are there that the Heygate development will not follow suit?

We suggest a condition requiring the submission of the first detailed phase within 2 years of outline planning permission being granted, and the submission of subsequent phases staggered in intervals not exceeding 2 years from each other.

### **2. AFFORDABLE HOUSING – why is the Regeneration Agreement not being honoured?**

-In July 2010, the applicant signed a legally-binding contractual agreement with Southwark, which guaranteed that 25% of the new homes would be affordable – half of which would be social rented, providing a minimum of 288 new social rented homes out of the 2,300 total. This contractual agreement was reached following an EU procurement process ensuring the council obtained the best deal and value for money.

Instead of providing the 288 social rented homes agreed in Regeneration Agreement, the applicant is now proposing just 71 social rented homes (para 159 Table 2).

What redress does the council have in seeking compensation for the breach of its contractual agreement? and what advice has been taken as to whether this represents a breach of EU regulations on State Aid and the requirement to re-procure?

Why do the first 2 phases of the scheme only deliver 20% affordable housing, not 25%?  
(para 156)

### **3. NEW 'PUBLIC' PARK – Why is the new 'public' park not going to be truly public?**

Why if the new park is going to be a public park, is it not going to be designated as such?

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<sup>1</sup> See Page 5 of Appendix

Why is the new 'public' park going to be owned and managed by a private Estate Management Company (EMC) and not come under local authority control?

**The park should be designated public open space and if not Council managed, a trust be considered as an alternative, instead of a Parks Advisory Group (paras 326 & 380)**

#### **4. CAR PARKING - Why is the development not car-free as originally envisioned?**

-616 car-parking spaces are proposed for the scheme (para 225) despite Council policy requiring it to be car free.

The Elephant has the highest public transport accessibility rating (PTAL 6b) so why are so many car-parking spaces needed?

#### **5. SUSTAINABILITY -Why doesn't the development propose any renewable energy?**

This scheme was fortunate in being chosen by Bill Clinton amongst 16 other global schemes as a global example of zero carbon development. The scheme aimed to produce enough on-site renewable energy to supply the entire Elephant & Castle area.

Why has this vision been abandoned and why does the application fail to propose any on-site renewable energy whatsoever?

How does the scheme intend to comply with the 20% on-site renewable energy requirement set out in planning policy?

#### **6. CYCLING – Why do the cycling proposals fail to take sufficient account of the deaths and injuries cyclists have suffered around the Elephant and Castle?**

- The application proposes to widen the northern roundabout, which will increase traffic flow. The new cycle connection suggested between Brandon St and Meadow Row is not more 'direct' as the officer's report claims, and ignores the key connection with the crossing at Falmouth Rd.

Why are the CS6 cycle route through the Heygate site or the needs of commuter cyclists not being considered in this application?

#### **7. EMPLOYMENT – Why is there no local jobs target?**

Will those employed in construction jobs on the scheme receive at least the London Living wage?

There should be a local jobs target of 30% and all employees involved in the construction of the development should receive at least the London Living Wage.

#### **8. COMMUNITY FACILITIES - Why is there a net reduction in community facilities?**

- The Heyate comprised a total of 2,500 sq metres of community facilities; the scheme proposes a minimum of just 1,000 sq metres. The minimum should be increased to 2,500 sq metres so that there is not net loss in community facilities.

This will help benefit local residents in the adjacent streets who will all suffer significant degrees of disruption and inconvenience over many years. There are particular concerns about the excessive massing and proximity of the proposed buildings, and the impact of the new 'Town Square' on Wansey St. residents.

## **9. TREES – Why are the trees earmarked for retention not properly protected?**

– the application's pledge to retain 124 existing trees is compromised by a caveat deferring to detailed surveys (Root Protection Area – RPA surveys) due to be carried out during later design stages.

These RPA surveys should be carried out now and a firm commitment given to retention of trees. A greater number of trees should be considered for retention, especially those on the north side of Heygate St. for which there appears to be no clear grounds for their removal (T50 – T68).

## **10. CIVIC SQUARE/INTEGRATED TRANSPORT HUB – Why is the core element of the regeneration masterplan missing from this application?**

In 2004, global architects Foster & Partners designed a masterplan vision for the regeneration of the Elephant & Castle after extensive consultation with the local community. The core component of the scheme - and this is referenced in the Core Strategy(Policy 4.28), the Southwark Plan(SP 20) and the London Plan(Policy 2.13) - was the demolition of the shopping centre, roundabout and link road, in order to create a civic square with integrated public transport interchange. This was going to tackle the car-dominated layout of the area and link up the tube stations both with each other and the overland train station, by means of a pedestrianised civic square<sup>2</sup>.

Demolition of the shopping centre and development of the civic square was written into the Regeneration Agreement, in order to avoid piecemeal development and ensure that the masterplan vision was adhered to: *“The shopping centre is included in the Regeneration Agreement, and the agreed strategy for bringing forward the development of the shopping centre within the RA is that: the shopping centre will form part of the outline planning application along with the Heygate.”*[Paragraph 32]



**Why has the demolition of the shopping centre been abandoned and why does this application not refer to these core proposals of the regeneration masterplan vision?**

*“It will be pivotal to the success of the Elephant & Castle project that it be treated as a single unified programme.”*

Council briefing papers 15<sup>th</sup> Sep 1999

<sup>2</sup> See pages 1-3 of Appendix – Extract from 2004 Elephant & Castle SPG Development Framework

# Elephant and Castle Current Masterplan Area

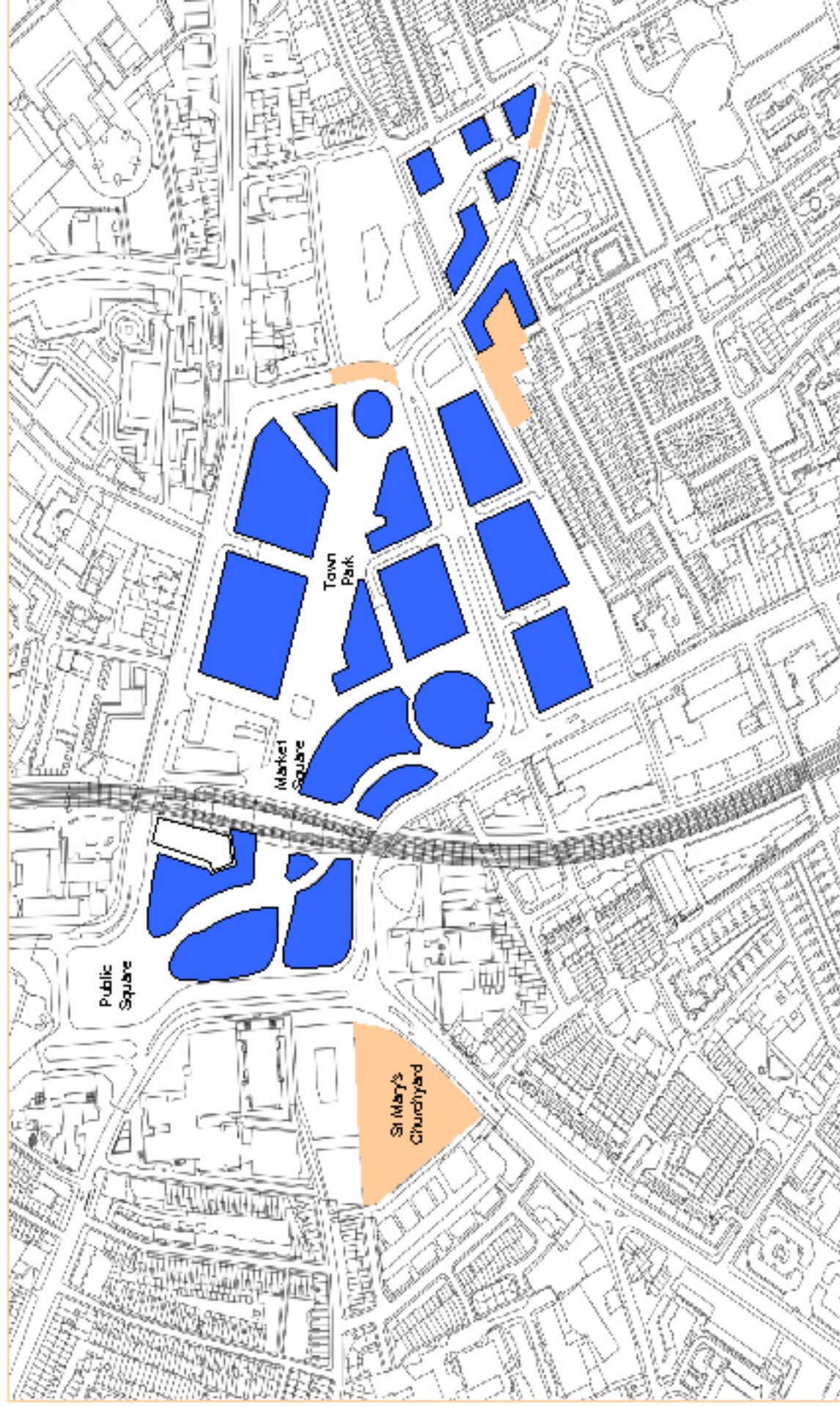




Figure 4.10 : Development Framework Plan 201 - Movement and Circulation (Public transport)

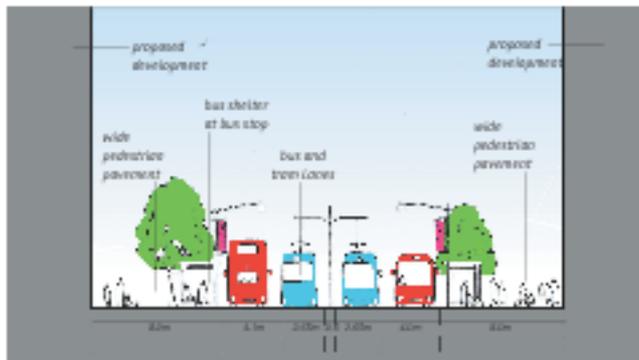


Figure 4.13 : PUBLIC TRANSPORT ONLY ROUTE - proposed section through Watworth High Street (north of Heygate)

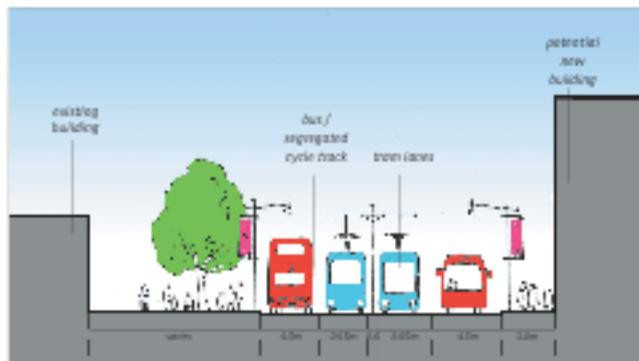


Figure 4.14 : PUBLIC TRANSPORT ONLY ROUTE - proposed section through London Road

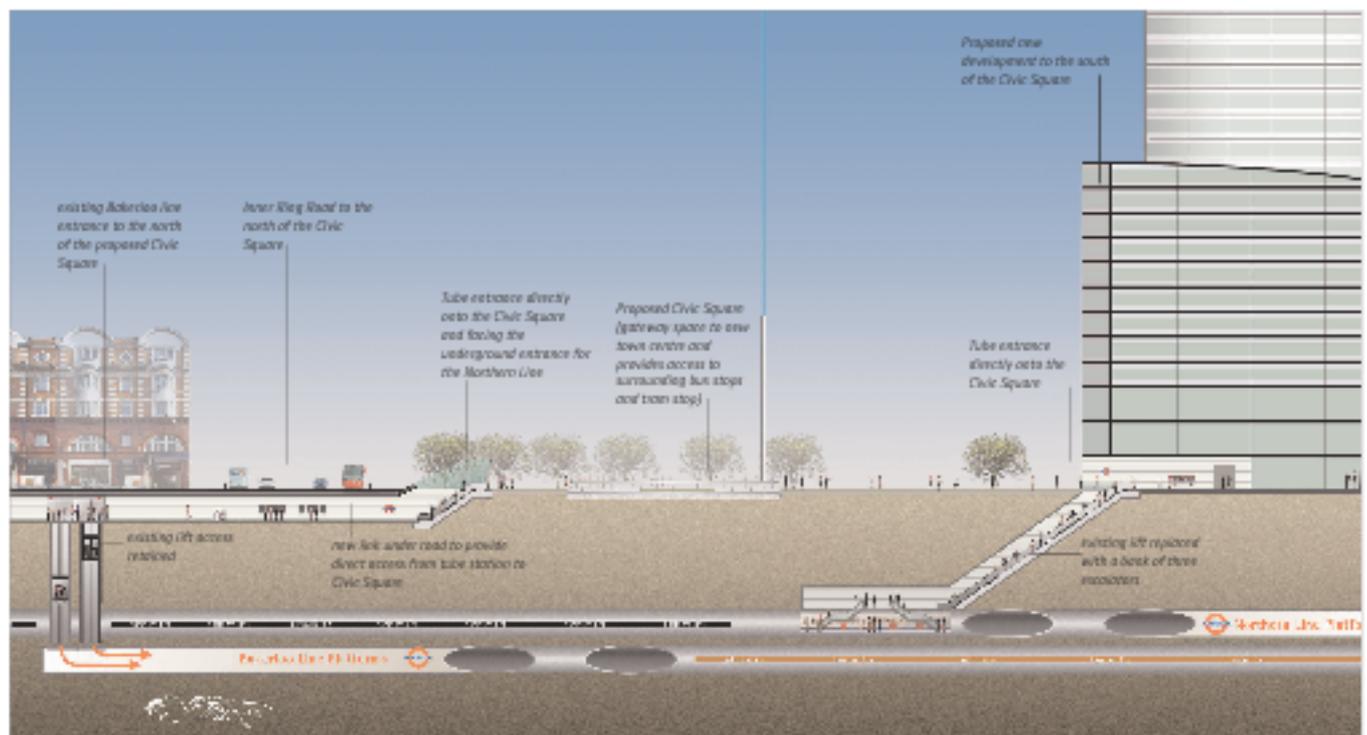


Figure 4.15 : Pedestrian access to tubes from the new Civic Square

**Lend Lease Consortium Developments – Elephant & Castle 2007-2013**

**Oakmayne Plaza/Tribeca Square**  
Planning permission granted Dec 2007



**'London 360 Tower'**  
Planning permission granted Sep 2007

