

<b>Item No.</b>  4	<b>Classification</b>  OPEN	<b>Decision Level</b>  PLANNING COMMITTEE	<b>Date</b>  21.3.06
<b>From</b>  Head of Planning and Transport		<b>Title of Report</b>  DEVELOPMENT CONTROL	
<b>Proposal</b> (05-AP-1694)  Provision of market square and basement service area.  (Also see linked application 05 - AP - 1693)		<b>Address</b>  land bounded by Elephant Road, Castle Industrial Estate, Deacon Way and open space fronting Walworth Road  <b>Ward</b> East Walworth	

## PURPOSE

- 1 To consider the above application, which is for Planning Committee, consideration because of the number of objections received and because it is linked to a major application (05 – AP – 1693) included for consideration elsewhere in this agenda.

## RECOMENDATION

- 2 Grant planning permission subject to a legal agreement and heads of terms as outlined in the report for the Castle Industrial Estate (ref 05 – AP – 1693).

## BACKGROUND

- 3 The application site forms part of a wider area identified for major regeneration by the GLA and the London Borough of Southwark. The Elephant and Castle have been identified as an Opportunity Area. Supplementary Planning Guidance was adopted in 2004 for this area and is known as the Elephant and Castle Development Framework. The Framework identifies the preferred structure, form and setting out of new development at Elephant Castle.
- 4 The application site currently accommodates an existing playground and green open space. The site measures 0.16 hectare, which forms an integral part of the proposed development on the Castle Industrial Estate the Elephant and Castle Master Plan. The application site is bounded by the main application site (Castle Industrial Site) to the north, the Heygate Housing estate to the east and an open space area fronting onto Walworth to the south with Elephant Road and the Elephant and Castle Railway Station to the west.
- 5 The application site is defined by the London Plan as one of a ring of Opportunity Areas on the periphery of central London area. The site falls within

the Central Activities Zone as defined by the Adopted Unitary Development Plan 1995 and the Emerging Southwark Plan (February 2004)

- 6 The application relating to the market square should be read in parallel to the main application for the redevelopment of the Castle Industrial Estate. (ref 05 – AP – 1693).
- 7 The design proposals for the application site and that of the adjoining should be regarded as one development although submitted as two separate applications.
- 8 The proposals incorporate two integral parts for the regeneration of the Elephant and Castle, namely the provision of a market square and a basement service yard with access provided through the redevelopment of the Castle Industrial Estate (ref 05 – AP – 1693)
- 9 The basement service yard provides access for deliveries and access by lift and stairs to and from the market square. This is a provision of around 300sqm storage area which will be developed in detail in consultation with market traders.
- 10 An access lift and staircase will be located within a freestanding single storey pavilion to the south of the proposed market square.
- 11 Service provision for market stalls will be provided within the landscaping scheme for the market square.
- 12 The canopy in the master plan linking the two sides of the market square is shown on the accompanying plans for purposes of completeness to indicate the future scenario; however implementation of this would be deferred until the reconstruction of the railway station is realized.
- 13 The proposals for the market square should be read in parallel to the proposals for the redevelopment of the Castle Industrial Estate (ref 05 – AP – 1693) as reported elsewhere in this agenda.

## **FACTORS FOR CONSIDERATION**

### **Main Issues**

- 14 The main issues in this case are:
  - The principle of the development
  - The general design and landscaping of the proposal
  - The provision of costly infrastructure
  - The acceptability of proposed uses
  - If the proposed scheme is future proof whilst complying with the current scenario
  - The implementation of significant “enabling” infrastructure for the regeneration of the Elephant and Castle.

### **Planning Policy**

London Plan Adopted February 2004

- 15 Southwark Unitary Development Plan 1995 [UDP]:  
Policy H.1 New and existing Housing:  
Policy B.1 Employment Protection:  
Policy S2 Retail Outlets and Street Markets.  
Policy T1 Location and Design of New Developments:  
Policy R.2.1 Regeneration Area:  
Policy R. 2.2 Planning Agreements:  
Policy E.1.1 Safety and Security of the Environment.  
Policy E.2.3 Aesthetic Control :  
Policy E.2.4 Access and Facilities For People With Disabilities:  
Policy E.2.5 External Space:  
Policy E.3.1 Protection of Amenity:  
Policy E.3.2 Environmental Assessment:  
Policy E.5.1 Sites of Archaeological importance:  
Policy S.2.1 New Retails Outlets Under 2000m²:  
Policy T.1.2 Location of Development in Relation to the transport Network  
Policy T.6.2 Off Street Parking:  
Policy T.6.3 Parking Space in New Development  
Policy C.5.1 Open Space Provision  
Policy C.5.2 Protection of Play Spaces and Facilities for Children  
Policy C.5.3 Community Open Space  
Policy C.5.4 Protection of Private and Public Urban Open Space.

- 16 The Southwark Plan [Revised Draft] February 2005  
Policy 1.2 Opportunity Area and Local Areas:  
Policy 1.8 Location of retail Provision and Other Town Centre Uses:  
Policy 2.5 Planning Obligations:  
Policy 3.1 Environmental Effects:  
Policy 3.2 Protection of Amenity:  
Policy 3.11 Quality in Design:  
Policy 3.13 Urban Design:  
Policy 3.14 Designing Out Crime:  
Policy 3.19 Archaeology  
Policy 3.27 Other Open Space  
Policy 5.1 Locating Development:  
Policy 5.2 Transport Improvements:  
Policy 5.3 Walking and Cycling:  
Policy 5.6 Car Parking:

Planning Policy Statement 1 (PPS1) 'Creating Sustainable Communities'  
Planning Policy Statement 6 (PPS6) 'Town Centres'

### **Consultations**

Site Notice: 26/01/06

Press Notice: 26/01/06

- 17 Consultees: 26/01/06  
Units 1 to 5, 110 Castle Industrial Estate Elephant Road London SE17 1LA  
Elephant and Castle Station Elephant Road London SE17 1LB  
Railway Arches 109 – 113, 113c, 119, 122 Elephant Road London SE17 1LB

1 – 7, 8 Farrell Court Elephant Road London SE17 1LB  
236, 237, 337, 338, 335 - 336 Shopping Centre Elephant and Castle London SE17 6SZ  
1 - 216 Claydon Deacon Way London SE17  
1 – 242 Ashenden Deacon Way London SE17  
1 – 40 Chearsley Deacon Way London SE17 1SP  
1 – 81 Cuddington Deacon Way London SE17  
1 – 3 Risborough Deacon Way London SE17  
41 - 72 Chearsley Deacon Way London SE17  
Flats 1 – 99 Albert Barnes House New Kent Road London SE1  
Flats 1 – 17 St Matthews Court Meadow Row London SE1  
Flats 1 – 54 Smeaton Court Arch Street London SE1  
Flats 1 – 414 Metro Central Heights 119 Newington Causeway London SE1  
Flats 1 – 14, 88 Walworth Road London SE1 6SW  
Flats 1 - 8 Hampton House Hampton Street London SE1 6SN  
St Matthews Vicarage Meadow Row London SE1 6PQ  
Store, Lower Ground floor Smeaton Court Rockingham Street London SE1 6PF  
Hand in Hand Meadow Row London SE1 6PQ  
37 Arch Street London SE1  
125 Newington Causeway London SE1 6BN  
10 – 20 (even Numbers) Walworth Road London SE1 6SP  
80 - 86 (even Numbers) Walworth Road London SE1  
143 Eagle Yard 88 Walworth Road London SE1 6SW  
Arch 145 Eagle Yard 145 Walworth Road London SE1 6SW  
90 Walworth Road London SE1  
92, 92a Walworth Road London SE1 6SW  
2 Hampton Street London SE1 6SN  
94-96 Walworth Road London SE1 6SW  
All Units within the Elephant and Castle Shopping Centre, London SE1 6TE  
26 – 32 (even numbers) New Kent Road London SE1 6TJ  
1, Elephant and Castle Newington Causeway London SE1 6BN

### **Internal Consultees**

Conservation and Design  
Arboriculturist  
Education Department  
Special Projects Team  
Housing  
Pollution control  
Traffic Group

### **External Consultees**

English Heritage  
Environment Agency  
Government Office for London  
Greater London Authority  
Network Rail  
Thames Water  
City of Westminster  
London Borough of Lambeth

**Replies from:**

- 18 Dechert LLP Raised an objection on behalf of Ocean Crest Partnership to the proposed development on the basis of the proposals being premature. The objector states that neither the SPG, the London Plan, the adopted UDP or the emerging plan contain or purport to contain a definitive approved master plan for the overall Elephant and Castle Area or more specific the development site as this plan is expected to be brought forward by the to be selected development partner for the London Borough of Southwark.
- 19 The objector states that although the SPG is the most recent public document issued by the Council against which the above – mentioned application can be judged, it is not considered to be the most up to date description of the Council's requirements, objectives and scope for the regeneration of the Elephant and Castle. The objector states that bidding parties are not able to discuss or release details of the additional information provided to them within the procurement process and therefore cannot include this information in the objection.
- 20 The objector states that if the council moves to determine the application in accordance with the development plan without considering the public procurement process or information disclosed to the parties under that process it will be failing to considered emerging policies and material considerations which are relevant to the application which would indicate a decision otherwise than in accordance with the development plan. Ocean Crest states that they consider that given the limited public information available by comparison to the detailed information available to those bidding to become Southwark's development partner in the regeneration of the Elephant and Castle the scheme should not be considered.
- 21 Key Property investments (number five) Limited raised issues for consideration namely compliance with the Council's SPG and secondly potential impacts on the Elephant and Castle Shopping Centre Site. They requested that close attention be paid to the proposals to ensure that the proposals would not in any way prejudice the regeneration for the wider area. Concern is raised that insufficient provision is made for linking their site under the railway line with the applications site.
- 22 The application sites proposed substantial new development whcih could with the development of the high rise buildings be to the detriment of the future development the Elephant and Castle Shopping Centre Site. The scale and height of the application proposals seem to materially exceed the building heights specified in SPG. The response requested that the development should provide its fair share of financial contributions especially towards the infrastructure for the future regeneration of the area. Assurance for access via the basement to adjacent sites should without future ransoms be obtained via a legal agreement. Bearing in mind the nature of the proposal, its inter relationship with the SPG for the redevelopment of the wider area and the ongoing selection process for the Council's Development Partner it is

requested that the Borough considers the proposals carefully both in terms of development form, scale, use, access and in terms of the need for full and fair financial contributions towards the costs of infrastructure.

Occupiers 40 and 53 Cuddington House, Deacon Way, 20 Albert Barnes House, New Kent Road; 16 Risborough, Deacon Way objects

23

The following comments were made by those objecting to the scheme:

- Area is already well served by restaurants and shops
- Proposals will cause severe traffic and parking problems in New Kent Road since the bus stop and pedestrian crossing outside site is heavily used.
- Proposal will increase pollution and noise levels
- The plans will deprive the Heygate estate of much needed green space and play facilities. Councillors themselves have indicated that the north of the borough is particularly deficient of green space.

Flat 56, 119, 190 and 394, Metro Central Heights; New Kent Rd and Unit 7, Farrel Court Elephant Road.

24

The following comments were made by those in support of the scheme:

- The market square is regarded as a welcome addition with the prospect of using the area for public and cultural events.
- Proposals will result in economic regeneration of the area.
- Its about time the place gets upgraded, the quicker the better
- The scheme is supported if the Council were to consider the needs of local businesses by providing loading bays to units in Farrell Court and parking facilities for customers.
- Improvement of market facilities within this area will encourage lively, divers traders, adding character and a sense of community to the area. The existing area around the Elephant and Castle Centre does not serve the traders well. The proposed square would be a more welcoming environment for shoppers.
- Residents indicated they look forward to seeing a market square used for the public and cultural events.

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London Borough of Lambeth: No objection raised

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English Heritage: No Objection Raised

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Greater London Authority: The application is considered acceptable in principle given the need for enabling development and in view of the reassurances received by Southwark Council. As such it will be in the interest of good strategic planning.

28

Network Rail: No objection raised subject to various informatives for the applicants consideration.

29

Environment Agency: No objection raised subject to conditions as provided by the agency to be attached to any planning permission.

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Thames Water: Various comments were made and are included as

informatives. Thames Water however stated that the development forms part of the much larger Elephant & Castle redevelopment area and the demands for this site need to be reviewed in the context of the long-term water supply infrastructure needs for the area as a whole. The need to carry out a detailed impact study in this regard is required by Thames Water. A relevant condition in this regard should be attached to any consent given. No further comments were received from Thames Water relating to the further environmental statement submitted by the applicant.

31 Government Office for London: No Comment

32 Highways Comments:

1. The proposal should not, give rise to any significant adverse impacts on existing traffic movements on New Kent Road.

## **PLANNING CONSIDERATIONS**

### **Strategic Policy Compliance**

- 33 The London Plan and Council strategy is for a high density, high quality, mixed use town centre at the Elephant and Castle that will address demonstrable local, sub-regional and London wide needs for new homes, an enhanced public transport interchange, employment and retail floorspace and other social benefits. The opportunities to achieve these objectives in a sustainable and responsible fashion arise from the location's high levels of public transport accessibility allied with its recognized status as a southern gateway to Central London.
- 34 The London Plan establishes the need for regional growth in new homes and employment. The overall spatial strategy for development in London identifies further development in the Central Activities Zone (Policy 5B.2), London South Central and associated Opportunity Areas (Policy 2A.2) as one means by which this new requirement for homes and employment can be accommodated. The Key Diagram and Proposals map in the emerging Southwark Plan identify the Elephant and Castle as an Opportunity Area within the Central Activities Zone and as an area of mixed use with a strong retail character.
- 35 The London Plan sets general policy directions to be followed in the Elephant and Castle Opportunity Area and states as follows:  
*'The planning framework for the area around the Elephant and Castle should draw on its good public transport accessibility, closeness to the Central Activities Zone and relatively affordable land. This could be a suitable location to meet some of London's longer-term needs for extra office space and is generally suitable for tall buildings. Large – scale car based retail development should not be encouraged. The framework should seek a significant increase in housing and integrated with a more efficient transport interchange'* London Plan page 235, paragraph 5.36.
- 36 The 1995 Southwark Unitary Development Plan policy 2.1 identified the Elephant and Castle as being within the 'Central Area of Community Need

within the Central London Boundary' and designated a regeneration area where investment would be welcomed and public/private partnerships encouraged. The plan stated that planning permission would normally be granted for proposals that generate employment, improve the environment, meet the needs of local residents, and bring back into beneficial use vacant land or buildings. The purpose of the plan strategy in objective R2 was to promote and steer private sector investment into areas which displayed both a concentration of need and possessed opportunities for renewal.

37 Section 8.2 of the emerging Southwark Plan provides a Borough context and objectives for the Elephant and Castle Opportunity Area which have been given detailed physical expression in the SPG adopted in February 2004. The vision for the Elephant and Castle is set out as:

38 'A vibrant, thriving and successful mixed use metropolitan town centre, accessible from a highly integrated public transport system establishing a place where people will want to live, to work and to visit for shopping and leisure.'

39 12 key objectives are contained within part 1 of the emerging plan, relevant objectives are:

- To remove the barriers to employment and improve access to jobs and training opportunities;
- To create the conditions for wealth creation to succeed and increase the number and range of employment opportunities available to the borough;
- To improve the range and quality of services available in the Borough and ensure that they are easily accessible;
- To reduce poverty, alleviate concentrations of deprivation and increase opportunities;
- To ensure that developments improve local areas and address London's needs through planning agreements; to improve amenity and environmental quality;
- To promote the efficient use of land, high quality development and mixed uses;
- To provide more high quality housing of all kinds, particularly affordable housing;
- To increase ease of movement by alternative modes of transport to the private car and to reduce congestion in and around Southwark by promoting the development of infrastructure for an efficient public transport, cycling and walking system
- To reduce congestion and pollution within Southwark by minimizing the need to travel through increased densities at transport nodes and by high quality public transport accessibility.

40

A comprehensive approach is needed to achieve the identified housing, employment, open space and retail floorspace objectives forth area. To accommodate the range of uses a large core site (43P on the emerging Southwark Plan proposals map) has been allocated as a redevelopment area with the capacity to accommodate not fewer than 4,200 new homes, up to 75,000 sq.m of retail, leisure and complimentary town centre uses, a minimum of 45,000 sq.m. of B1 space, and a range of D use class facilities. Transport is



the key to unlocking the Elephant and Castle's regeneration potential. The Elephant and Castle Opportunity Area has been designated as a Transport Development Area in the emerging Southwark Plan (policy 5.5). The policy requires development at the Elephant and Castle to:

- Maximise the efficient use of land around major transport sites; and
- Strengthen and enhance links to existing public transport nodes; and
- Strengthen and enhance walking and cycling infrastructure; and
- Improve the legibility of the public transport network; and
- Be of exemplary design quality.

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A development framework for the Elephant and Castle was adopted as Supplementary Planning Guidance in February 2004 after following extensive consultation. This contained a detailed set of plans and proposals for the area providing further guidance to the London Plan and adopted and emerging Southwark Unitary Development Plans. The physical proposal at the heart of the Elephant and Castle is further detailed in a masterplan setting out the creation of a major new town centre served by improved public transport and pedestrian movement and supported by the extension of the Walworth Road through to a major civic space where the northern roundabout sits today.

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The application site is located within the Central Activities Zone, London South Central, The Elephant and Castle Opportunity Area, a Transport Development Area and it is allocated within site 43P in the emerging Southwark Unitary Development Plan. The proposals are consistent with these requirements of the London Plan and adopted and emerging Southwark plans set out above. The proposed development will make a significant contribution to the regeneration of the Elephant and Castle Opportunity Area. It will provide a market square and basement infrastructure element which will enable the development of site 43P in a sustainable and responsible fashion. This scheme is very important for the enabling of the regeneration of the Elephant and Castle Opportunity area providing important transport infrastructure to meet the Transport Development Area objectives.

43

In this case based on the above the loss of the open space under these circumstances is considered acceptable and in the interest of the wider community.

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#### **Principle of the proposal and use.**

The Development Framework for the Elephant and Castle clearly states and lists the market square and the location as currently proposed to form a key part in the regeneration of the area as set out above.

45

A new market square is identified and clearly shown on the illustrative master plan and is identified as one of the many new public open spaces to be established as per the Development Framework proposals

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The proposals for the market square and the proposed parallel application for the Castle Industrial Estate (05 – AP – 1693) will finance the significant costs involved in providing the market square, safeguarding the Cross River Transit scheme and will play a key role in providing the underground servicing for the

regeneration/redevelopment of the Elephant and Castle Shopping Centre site.

47

The proposals for the application site and that proposed for the Castle Industrial Estate will set a benchmark standard in architectural quality for the future regeneration of the area and is regarded as one of the few “kickstart” schemes for the regeneration of the Elephant and Castle as strategic centre to Central London. The two schemes cannot be implemented separately and are integral to each other.

48

The proposed market square will provide an opportunity for existing market traders in the area to relocate to the new market square as and when facilities are in place.

49

The proposal does not include details regarding the layout, design or number and type of market stalls at this stage. These market stalls will be required to be demountable and will be dealt with by condition and within the Section 106 agreement.

50

The storage of the market stalls have not been provided and detail of such storage will be required by condition.

51

The hours of use of the market square will be restricted by condition to ensure the amenities of residents within close proximity to site are protected and noise levels kept to acceptable standards.

### **Loss of Existing open Space**

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The overall area of site 43P is 25.372 ha [62.7 acres]. Within this area there are 4 open spaces of which the Elephant Road Open Space (0.397 ha) is one.

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This space comprises play equipment and a grassed area and is located between Elephant Road/Railway Viaduct and Clayton block on Deacon Way within the Heygate Estate. The facility is identified in Southwark’s Open Space strategy as being poor in terms of security and a problem site requiring action. The site was identified in the 1995 plan as a Local Open Space on Map C1 to which policies C5.4 [Protection of private and Public Open Space] would apply. The space principally addresses the needs of Heygate residents and following the demolition of the estate there will no longer be a need for this type of estate-based facility. As a consequence the second deposit plan does not identify this as an open space requiring continued protection.

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It is considered that the redevelopment and reuse of site 43P represents a sustainable approach to the planning of an area located within the Central Activities Zone. The intensification and more efficient use of brownfield land to regenerate a failing urban area to meet demonstrable local and regional needs are consistent with the London Plan and Government Policy. The site will be used to meet London Plan targets for housing and employment and to create a mixed-use town centre site that will offer a range of services and facilities in a sustainable form of development for local residents reducing the need to travel. The enabling work as proposed through this scheme will form an integral part of providing the aforementioned.

56

The redevelopment of site 43P will result in the loss of a public open space [Elephant Road] and amenity space within the Heygate Estate. However the re-planning of the area requires the re-housing of the population that have been the principle users of these spaces and as a consequence the need for these facilities will no longer exist. The proposed mixed-use town centre will require a range and quality of open spaces that do not currently exist at the Elephant and Castle. The council intends to provide new public space which is considered to be consistent with Government Policy for the planning of town centres and will be appropriate given the high density mixed use environment which it is proposed to develop in the Opportunity Area.

57

The existing spaces lost through the development will eventually total .939Ha. The proposed "Town Park" described within the Development Framework Plan for the elephant and Caste and the now proposed "Market Square" which would be located within the frontprint of Heygate Estate/Elephant Road Open Space will total 1.48 Ha when completed.

57

The Council's initial brief for the Town Park envisages that this space, which will be surrounded by residential accommodation with some mixed-use on the ground floor, will include play facilities for young children, landscaped areas and possibly a multi-functional hard surface area. These proposals will result in an overall increase of 1.56 hectares in available public open space and will when implemented significantly reduce the extent of the local park deficiency.

58

It is therefore considered that the proposal scheme before committee will enable the regeneration of the area and result in new and improved open spaces which eventually will meet the needs of both existing residents and the new population that will be generated by the redevelopment of the area and therefore justifies the loss of this open space.

### **Public Realm**

59

The proposed public realm promises to provide an exciting vibrant place with the proposed Market Square. The proposal will tie in directly with not just the structures of the proposals for the Castle Industrial Estate but more specifically with the mix of uses proposed in the adjacent development site. The proposals will successfully establish a public realm that will work to both the existing and future urban environments.

60

The future scenario for opening up the existing arches under the railway viaduct and removal of them as a barrier will result in the proposed market square acting as a destination to the east drawing people onto a new and unique space.

61

The proposed market square is included in the development framework as one of six proposed key spaces to be implemented as part of the regeneration for this area. The master plan describes the role and function of these various spaces and states clearly that they should be located at key nodal points and describes the market square to be established and to be the following.

62

"A district space serving the more specialist shopping needs of the resident business population. Situated to the east of the railway viaduct it will support a new market and a range of smaller more specialist shops, cafés and

restaurants. “

- 63 The proposed scheme as submitted in conjunction with the development of the Castle Industrial Estate (ref. 05 – AP – 1693) will achieve the abovementioned requisites successfully.

### **Transport**

- 64 The proposals for the market square have been assessed in conjunction with the proposal as set out in the application for the redevelopment of the Castle Industrial Estate (ref. 05 – AP – 1693) as reported elsewhere in this agenda.
- 65 The site has excellent access to public transport, having a Public Transport Accessibility Level (PTAL) of 6, the best possible on the scale of 1 to 6. Eight bus routes operate along the New Kent Road, adjacent to the site, with further services available at Elephant and Castle station. London Underground Bakerloo and Northern lines are accessible and within two minutes walk from the application site. Mainline rail services, including Thameslink, are easily accessible from the site using the Elephant and Castle Station. It is also intended that the Cross River Tram will pass within the vicinity of the site opening up further transport options. TfL and the GLA has welcomed the scheme and supported the proposals in principle.
- 66 As this proposal comes at an early stage in the regeneration of the Elephant and Castle area, the scheme needs to be compatible with the existing scenario and simultaneously needs to be compatible with the future regeneration scenario.
- 67 Access to the market square from the day one scenario would be taken from Elephant Road. The exact location and this specific access point will be determined as per a condition. In the interim this access route via Elephant Road is considered acceptable since it will replace the existing access point in Elephant Road, which provides access to the existing industrial estate.
- 68 Access to the market square in the interim would be modified in line with the area's regeneration plans for Elephant Road/Walworth Road as and when these plans are finally agreed and implemented.
- 69 According to the regeneration plans for the area (future scenario), Elephant Road will be closed as a through route for vehicular traffic. No vehicular link will be possible to Walworth Road, although pedestrian access would be retained, and a new vehicular access road will be introduced to the east of the development site from where access can be provided. Detail of such access will be submitted at the relevant time to ensure an acceptable standard of access is provided in accordance with the future scenario at that point in time.
- 70 Movements to and from the market square will be regulated by an approved site, service and market management plan prior to development commencing on site. No delivery vehicle will be allowed within the market square during trading hours to ensure safety of pedestrian movement

### **Servicing and Refuse Collection**

- 71 The applicant indicated that a detailed service management plan would be provided to ensure that all servicing and refuse collection is monitored and carried out effectively. Such a plan will be assessed by this authority prior to development commencing on site and can be conditioned to that extent

The proposals indicate that servicing to the market square can be provided via the basement infrastructure proposed. Notwithstanding the plans submitted details regarding the servicing of the site will be dealt with by condition and per the legal agreement.

72

### **Landscaping strategy**

- 73 The design for the market square accords with the Elephant and Castle development Framework and Master plan as stated above. The master plan identifies a market square in this location which should be a large, public open space situated in the proposed position as part of a linear sequence of spaces.

- 74 The aim of the proposal is to provide a square that will be a high energy, high quality space at the heart of a market, and commercial and cultural centre. Shops, market stalls and performances within the square will encourage community activity and diversity and will help to establish a positive and vibrant local identity.

- 75 The applicant has provided an indicative scheme and information regarding the proposed landscaping of the market square. In the interest of the future regeneration of the area a phasing scheme for the landscaping of the market square from the day one scenario to the future scenario will be required by legal agreement in order to ensure the final landscaping will successfully be implemented in conjunction with future proposals of the wider area.

- 76 The detail of landscaping can however not be dealt with at this stage, for the final landscaping of the square would be required to be blend in with the future redevelopment and regeneration of the larger scope of the market square which will be the subject of future schemes.

- 77 The proposed market stalls will be demountable and will be stored away in order to clear the market square from all structures after hours of operation. Details of such market stalls, servicing of these stalls and the exact location for storage of these stalls will be conditioned to be submitted to and approved prior to development commencing on site.

### **Archaeology**

- 78 The archaeological assessment indicated that the site lies within an area of archaeological potential of all periods. In the Environmental Statement submitted with the application it was recommended that selective on site monitoring and trial work be undertaken at the site. Such an approach and requirement will be incorporated within a condition.

## **Conclusion**

- 79 The proposed development is linked to the major redevelopment of 50 New Kent Road/Elephant Road application on this agenda. The scheme is an enabling development and as indicated by the GLA acceptable in strategic terms. The delivery of a market square is a key objective for the Elephant and Castle masterplan. It is advised that planning permission be granted subject to a legal agreement and conditions.

## **Heads of Terms for the Section 106 Agreement**

- 80 Please refer to the heads of terms section within the relevant report of application 05 – AP – 1963 as reported elsewhere in this agenda. Specifically related to this application the agreement will include full documentation to control the market square operation and management including, stalls, storage, hours of operation, surfacing and uses.

## **COMMUNITY IMPACT STATEMENT**

- 81 In line with the Council's Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.

a] The impact on local people is set out above in the main report.

b] The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified as resulting in a new and improved market square, which will be beneficial to local groups and providing various employment opportunities and the creation of a mix of uses within close proximity to local residents.

c] The likely adverse or less good implications for any particular communities/groups have been also been discussed above. Specific actions to ameliorate these implications are have been addressed by conditions where needed.

## **SUSTAINABLE DEVELOPMENT IMPLICATIONS**

- 82 The proposed development will adhere to the sustainability requirements of the London Plan and that of the Draft Southwark Plan (February 2005).
- 83 The proposed market square and basement development to be implemented as one scheme with application 05 – AP 1693 will provide significant enabling infrastructure for the sustainable future regeneration of the Elephant and Castle. Details of such is contained within the report

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CASE FILE TP/1096-C

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