

Ministry of Sound Lease Renewal Dispute, Elephant & Castle

Private Client (Landlord)

● Planning



Planning Potential provided expert planning evidence in a high-profile lease renewal dispute involving the Ministry of Sound nightclub in Elephant and Castle.

Demonstrating our ability to deliver credible and independent expert witness advice, combining planning policy expertise, practical development experience and clear reasoning to support the court in determining complex redevelopment issues.

The Challenge

The dispute centred on whether a redevelopment break clause should be included in a new lease for the Ministry of Sound nightclub. This required the court to determine whether redevelopment of the site was a real possibility during the next 15 years.

The assessment involved scrutiny of planning policy considerations, licensing issues, acoustic constraints and the position of key stakeholders including Southwark Council and the GLA, with competing expert evidence presented to the court.

Without credible, impartial and robust expert planning evidence, the landlord risked the court concluding that redevelopment of the site was not a genuine future possibility.

Our Approach

- Acted as the landlord's expert planning witness through Helen Cuthbert, Founder of Planning Potential
- Assessed the planning feasibility of future redevelopment against relevant policy context
- Considered licensing issues and acoustic constraints affecting redevelopment prospects
- Evaluated the positions of key stakeholders including Southwark Council and the GLA
- Provided clear, practical and independent evidence under court scrutiny

The Outcome

- Judge relied upon Planning Potential's expert planning evidence
- Evidence described as measured, balanced and independent, and realistic about challenges
- Court concluded that none of the identified issues presented a planning-policy barrier
- Redevelopment of the site determined to remain a genuine future possibility