

**LOCAL PLANNING AUTHORITY REFS: 18/AP/4039 & 18/AP/4040**

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**SECTION 78 OF THE TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)**

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**APPEAL AGAINST THE FAILURE OF THE LONDON BOROUGH OF  
SOUTHWARK TO DETERMINE APPLICATIONS FOR PLANNING PERMISSION  
AND LISTED BUILDING CONSENT FOR THE REDEVELOPMENT OF NEW  
CITY COURT, 4-26 ST THOMAS STREET, LONDON, SE1 9RS**

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**STATEMENT OF CASE ON BEHALF OF APPELLANT  
GPE (ST THOMAS STREET) LIMITED**

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**5 JANUARY 2022**

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## 1. INTRODUCTION

- 1.1 This Statement of Case ('Statement') is submitted on behalf of GPE (St Thomas Street) Limited ('the Appellant') in support of an appeal ('the Appeal') against the London Borough of Southwark's ('LBS') failure to determine an application for planning permission and listed building consent ('the Application') in accordance with the statutory determination timescales for the redevelopment of New City Court, 4-26 St Thomas Street, London, SE1 9RS ('the Site').
- 1.2 The statutory determination timescales were extended by agreement between the parties a number of times, the latest being to 9 July 2021.
- 1.3 This Statement sets out why the Appellant considers that the Application should be granted and outlines the evidence which the Appellant proposes to call in support of its case at the inquiry.
- 1.4 The Application was received by LBS on the 11 December 2018 (LBS Ref: 18/AP/4039 & 18/AP/4040). The listed building consent application was validated on 8 January 2019 and the planning application was validated on 22 January 2019.
- 1.5 The full descriptions of development for both the planning application and listed building consent application are set out below:

### Planning application ref: 18/AP/4039

*'Redevelopment to include demolition of the 1980s office buildings and erection of a 37 storey building (plus two basement levels) of a maximum height of 144m (AOD), restoration and refurbishment of the listed terrace (nos. 4-16 St Thomas Street) and change of use of lower floors to Class A1 retail, and redevelopment of Keats House (nos. 24-26 St Thomas Street) with removal, relocation and reinstatement of the historic façade on a proposed building, to provide a total of 46,374sqm of Class B1 office floorspace, 765sqm of Class A1 retail floorspace, 1,139sqm of Class A3 retail floorspace, 615sqm of leisure floorspace (Class D2), 719sqm hub space (Class B1/D2) and a 825sqm elevated public garden within the 37-storey building, associated public realm and highways improvements, provision for a new access to the Borough High*

*Street entrance to the Underground Station, cycling parking, car parking, service, refuse and plant areas, and all ancillary or associated works.'*

Listed building consent application ref: 18/AP/4040

*'Restoration, rebuilding and refurbishment of the listed terrace (nos. 4-16 St Thomas Street) including: Demolition of 1980s fabric across the rear elevation and demolition of the attached 1980s office building, and reinstatement of the rear elevation of the terrace and provision of shopfronts. Rebuild the second floor, roof and chimneys of no. 16, reskin the side façade and creation of ground floor entrances. Rebuild the roof and chimneys of no. 14. Removal and replacement of roof slates with natural slate to nos. 4-12. Opening up the ground floor passageway between nos. 8 and 10 by removing 1930s door, and reinstate two adjacent door openings on front elevation. Replacement of two second floor windows on front elevation. Replacement of secondary glazing to front elevation. Alterations to the front elevation of the lower ground level and vaults beneath the pavement. Internal alterations within the terrace to rearrange the ground and lower ground levels for retail units (with new stairs between) and upper levels for office units, reinstate the plan form, internal features and providing a staircase in no.12. Cleaning the brickwork, works to repair sash windows, restore the railings and first floor balconettes.'*

- 1.6 Together the above works are referred to as the 'Proposed Development'.
- 1.7 A draft Statement of Common Ground has been prepared with the intention of being agreed with LBS in advance of the Appeal being heard. This will be particularly important as the Application was not considered by LBS' Planning Committee and no Officer's Report (or clear statement of issues of disagreement between the parties) is therefore available.
- 1.8 A list of the documents submitted by the Appellant as part of the Application is provided at **Annex A of the Statement of Common Ground. Annex B of the Statement of Common Ground** provides a list of the complete set of plans and drawings with revision numbers showing where any drawings have been revised and re-submitted to

LBS since first submission. For the purposes of the Appeal, a consolidated set of the latest drawings (compiled into one pdf that can be printed A3) has been prepared.

- 1.9 Electronic copies of all of the Application materials and drawings as listed in the Annexures to the Statement of Common Ground are provided with the Appeal submission. These will become Core Documents for the purposes of the Appeal following coordination with LBS; and the Appellant will also liaise with LBS to arrange an appeal library/website in due course. If a paper copy of any documentation would be helpful for the Inspector, we would be happy to provide.
- 1.10 At the same time as submission of this Appeal, the Appellant has lodged another appeal for non-determination of an alternative proposal for redevelopment of the Site (LBS references 21/AP/1361 & 21/AP/1364). It is requested that the appeals be conjoined and heard at one public inquiry to avoid unnecessary duplication and maximise time and cost efficiencies for all parties. Further details are provided at section 7 (appeal procedure) of this Statement.

## **2. SITE AND SURROUNDING AREA**

- 2.1 The Site and surrounding area are described in further detail in the Statement of Common Ground. The Site Location Plan (drawing ref. 14032\_X\_(00)\_P001) is provided together with this Statement.

### **The Site**

- 2.2 Located in the London Borough of Southwark, the Site is situated to the south of St Thomas Street and east of Borough High Street, with Guy's and St Thomas's Hospital situated to the east and King's Head Yard to the south.
- 2.3 The majority of the Site is occupied by the early 1980s offices of New City Court (no. 20 St. Thomas Street), which comprises a part four-storey, part five-storey office building (Class E) with a curved glazed frontage onto St Thomas Street. The existing building is not considered to be of any architectural merit.
- 2.4 To the immediate east of the St Thomas Street entrance of New City Court (24-26 St Thomas Street) is a four-storey 1980s office building (Class E) with basement. An unlisted red brick and stone façade, constructed in the mid-late 19th Century, fronts the building (known as Keats House).
- 2.5 To the west of the main entrance to New City Court along St Thomas Street is a row of Grade II listed Georgian terrace buildings (4-16 St Thomas Street). The listing particulars are provided as a supporting document with this Appeal. The buildings were constructed in the early 19th Century and are currently in office use (Class E). Despite their Grade II listing, the buildings have been heavily altered both internally and externally, with the listing largely based on the heritage significance of the St Thomas Street facade.
- 2.6 The Site forms part of a prominent strategic location, which serves an important economic function in the future growth of Southwark and London as a whole. It is subject to the following designations, as identified on the LBS adopted Policies Map:
- Central Activities Zone (CAZ);

- London Bridge District Town Centre;
- Bankside, Borough and London Bridge Opportunity Area;
- Bankside, Borough, London Bridge Strategic Cultural Area;
- Borough, Bermondsey and Rivers Archaeological Priority Zone;
- Borough High Street Conservation Area;
- Air Quality Management Area; and
- Flood Zone 3.

2.7 The Site benefits from the highest Public Transport Accessibility Level (PTAL) rating of 6b, largely attributed to its close proximity to London Bridge Station.

### **Planning History**

2.8 The Site's planning history is set out in the Statement of Common Ground. With the exception of the Application, the recent planning history for the Site mainly relates to minor applications for internal and external alterations to the existing buildings.

### **Surrounding Area**

2.9 The Site is situated within the Borough High Street Conservation Area and the Borough, Bermondsey and Rivers Archaeological Priority Zone. In addition to the listed buildings within the Site extent, the Site is situated within close proximity to a number of neighbouring listed buildings, including no. 2 St Thomas Street (Grade II listed), Old King's Head Public House (Grade II), Guy's Hospital main building including wings and chapel (Grade II\* listed) and St Thomas' Church (Grade II\* listed). Southwark Cathedral and The George Inn, both of which are Grade I listed, are also situated within the locality.

2.10 A tall building cluster around London Bridge is now well established, including the Shard (306m in height), Guy's Tower (142m in height) and Shard Place (99m in height). Further tall buildings are consented, including Greystar's Capital House proposals on Weston Street (138m in height) and EDGE's Becket House, also on St Thomas Street (121m in height).

- 2.11 The Appellant will refer in evidence to other planning permissions, applications and emerging proposals in the wider area.

### **3. PROPOSED DEVELOPMENT**

- 3.1 A summary of the Proposed Development is set out below. Further detail is provided in the Statement of Common Ground and will also be provided in the Appellant's evidence:

- Demolition and removal of the existing 1980s buildings;
- Delivery of a 37-storey building (including ground, mezzanine and two storeys of plant) extending to 144m AOD, providing high-quality office (Class B1), retail (Class A1) and leisure (Class D2) floorspace;
- Introduction of retail floorspace (Class A1) at ground, lower ground and first floor level providing an enhanced retail offer for the local area and provision of active frontages along St Thomas Street and the proposed public square;
- Provision of hub space (Class B1 / D2) at 21<sup>st</sup> and 22<sup>nd</sup> floor level with a 250-seat auditorium and outdoor terrace for both office and wider commercial use;
- Restoration of listed Georgian terrace along St Thomas Street to provide retail (Class A1) and office (Class B1) accommodation, including affordable retail and affordable workspace provision;
- Relocation (2.7m to the west to allow for a new servicing access) and improvement of Keats House as a standalone building for office (Class B1) and food and drink use (Class A3) with retention of façade;
- Delivery of high-quality and fully accessible landscaped public realm, providing enhanced connectivity through new public routes and a new public square;
- Delivery of an elevated double height garden at fifth and sixth floor level (publicly accessible with no entrance fee) with a café/restaurant (Class A3) and outdoor terrace;
- Creation of a new entrance to London Bridge Underground Station from the Site's proposed public square;



- Improved servicing strategy - the relocation of Keats House approximately 2.7 metres to the west will facilitate service access from a holding area on St Thomas Street for HGVs and refuse vehicles;
- 1,322 cycle parking spaces, 447 cycle lockers and 70 showers; and
- The scheme will be predominately car-free, with the exception of two blue badge car parking spaces.

3.2 A breakdown of the total proposed floorspace is provided in Table 1 below.

*Table 1 – Total Proposed Areas*

Use	Use Class	GIA (sqm)
Office	Class B1	46,374
Retail	Class A1	765
Food and Drink	Class A3	1,139
Gym	Class D2	615
Public Garden Access	Class D2	825
Hub Space	Class B1 / D2	719
Servicing	-	1,918
Plant	-	2,146
<b>Total</b>	<b>-</b>	<b>54,501</b>

3.3 As part of its evidence, the Appellant's architects will provide a presentation of the proposals giving all parties an overview of the scale, layout, appearance, materials, mix of uses, public realm and landscaping, energy strategy, access and servicing.

3.4 The Appellant will also present design, townscape and heritage evidence to demonstrate that the proposals are of the highest architectural quality and have been carefully designed to optimise the potential of the Site, responding to its strategic location whilst respecting its wider context, including a number of significant heritage assets.

3.5 The substantial benefits associated with the proposals will also be set out in the Proofs of Evidence supporting the Appellant's case. The Appellant will demonstrate that the Proposed Development constitutes sustainable development.

#### **4. PLANNING POLICY FRAMEWORK**

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of the Appeal is made in accordance with the development plan unless material considerations indicate otherwise.
- 4.2 The development plan for the Appeal currently comprises the following:
- The London Plan (adopted March 2021);
  - The Southwark Council Core Strategy (April 2011); and
  - Saved policies of the Southwark Plan (July 2007).
- 4.3 The Examination in Public of a new LBS local plan concluded with the Inspectors' Report being issued in November 2021. Following consideration at Cabinet on 7 December 2021, the Southwark Plan 2022 is anticipated to be considered at Council Assembly for final adoption in February 2022. By the time the Appeal is heard it is therefore likely that the development plan will comprise the London Plan and the Southwark Plan 2022. The Appellant's evidence will be prepared on this basis.
- 4.4 The Appellant's evidence will show how the Proposed Development accords with the development plan when read as a whole, as well as relevant national and local planning policies, guidance and supplementary planning documents. Appendix 1 to this Statement includes a list of policy and guidance documents that the Appellant will refer to in evidence.

## **5. THE APPELLANT'S CASE**

- 5.1 As the Appeal has been submitted following the failure of LBS to determine the Application within the statutory timescales, no reasons for refusal have been issued. The Appellant's case (as summarised below) is therefore based on what it considers to be the main points of disagreement with LBS, taking into account representations made by key stakeholders and during consultation.
- 5.2 The Appellant reserves the right to supplement its case once LBS confirms the issues outstanding and the Inspector has confirmed the issues and topics that the Appeal should address.
- 5.3 The Appellant's evidence will demonstrate that the Proposed Development accords with the development plan when read as a whole and that material considerations rather than indicating otherwise, lend further support to allowing the appeal. The Appellant will show that the proposal would make a valuable contribution to regeneration and place-making objectives in London Bridge and the wider borough, transforming an underutilised brownfield site situated within a highly-accessible location, whilst delivering a substantial quantum of much-needed office accommodation, affordable workspace and retail floorspace, alongside extensive public realm improvements, which justify the grant of planning permission and listed building consent.

### **Height and Massing**

- 5.4 The Proposed Development was subject to a rigorous design process led by Allford Hall Monaghan Morris ('AHMM'). The design was influenced from the outset by Peter Stewart (now of the Townscape Consultancy), mindful of the Site's heritage context and visibility of a tall building in surrounding views; and evolved through extensive pre-application consultation with key stakeholders including LBS, the GLA and Historic England.
- 5.5 The Appellant's evidence will demonstrate that the proposals are of exemplary design quality, and that the proposed height and massing is appropriate to the surrounding context of London Bridge, the location of a tall buildings cluster, including The Shard,

News Building and Shard Place in addition to a number of potential and emerging tall buildings along St Thomas Street.

- 5.6 The Appellant's evidence will show how the principle of a tall building in this location is supported by the relevant adopted and emerging planning policy. London Plan Policy D9 requires boroughs to determine if there are locations where tall buildings may be an appropriate form of development, subject to meeting the other requirements of the Plan. In response, draft Southwark Plan 2022 Policy P16 identifies the London Bridge area as an appropriate location for tall buildings and acknowledges that tall buildings '*are typically within our Major Town Centres, Opportunity Area Cores, Action Area Cores and the Central Activities Zone.*'
- 5.7 Furthermore, Paragraph 4.22 of the LBS Core Strategy acknowledges that there will be excellently designed tall buildings in the area around London Bridge Station east of Borough High Street, which will add interest to the skyline, raise the profile of Southwark and London, and create new public spaces. Additionally, saved Policy 3.20 of the Southwark Plan supports the principle of tall buildings which are significantly taller than their surroundings or have a significant impact on the skyline, on sites which have excellent accessibility and are located in the CAZ, particularly in Opportunity Areas outside of landmark viewing corridors. Proposals should also ensure excellent links to public transport services. As such, it is considered that the delivery of a tall building on the Site is supported in principle by the relevant regional and local policy, owing to the Site's prominent, highly accessible location next to London Bridge Station within both the CAZ and the Borough, Bankside and London Bridge Opportunity Area.
- 5.8 The Appellant will call evidence to establish that the Proposed Development would accord with the requirements of both the London Plan and LBS planning policy in respect of tall buildings, whilst demonstrating that the proposals would be of the highest architectural quality, complementing the existing and emerging tall building cluster within London Bridge.

### **Assessment of harm to designated heritage assets**

- 5.9 When considering the impact of the proposals on the significance of designated heritage assets, great weight must be given to the asset's conservation. Where harm is caused to the significance of a heritage asset, the NPPF requires decision makers to determine whether the harm is 'substantial', or 'less than substantial'. If the harm is deemed to be less than substantial, Paragraph 202 of the NPPF requires that harm to be weighed against the public benefits of the proposals.
- 5.10 The Appellant's evidence will show that the Proposed Development would result in less than substantial harm (at the lower end of such a scale) to three designated heritage assets. That harm would result from minor losses of heritage significance to the Borough High Street Conservation Area; the Grade I listed Southwark Cathedral; and the Grade II\* listed Guys Hospital.

### **Weight to be attributed to the public benefits of the Proposed Development**

- 5.11 The Appellant's evidence will show the wide range of substantial public benefits that the proposals would deliver and conclude that any harm to designated heritage assets would be outweighed.
- 5.12 A summary of the benefits associated with the proposals is set out below:
- Replacement of dated 1980s office building of little architectural merit with a new office building of exceptional architectural quality.
  - High-quality office accommodation and a hub space at 21st and 22nd floor level, resulting in a significant uplift of office floorspace across the Site.
  - Flexible, affordable workspace, designed to meet the needs of a range of occupiers, including small local businesses and start-ups.
  - Retail floorspace and food and drink floorspace, cementing London Bridge as a key retail destination whilst activating the proposed public realm.
  - A substantial quantum of construction jobs on site annually throughout the demolition and construction period.

- A significant net increase in jobs across the Site during operation, supporting increased local expenditure each year.
- High-quality, fully accessible public realm, providing enhanced connectivity through new public routes and a series of public spaces.
- A garden at fifth floor level maintained by the building owner and accessible by the public free of charge, activated by thoughtfully designed landscaping and complemented by a café/restaurant offer to provide amenity for visitors.
- New access to the London Bridge Underground Station, linked directly into the new public realm, providing a significantly enhanced point of arrival and departure for users of the network alongside a new permeable route to the station for pedestrians using St Thomas Street.
- Sympathetic restoration and improvement of the Grade II-listed Georgian terrace buildings along St Thomas Street, enhancing the listed buildings.
- Reconstruction and improvement of Keats House, including retention of the original façade, enhancing the undesignated heritage asset.
- Improvement of the setting of adjacent listed buildings, including The Old King's Head, creating greater public appreciation of this listed building in views from newly created vantage points within the proposed public realm.
- Improved servicing arrangements;
- Significant Mayoral and Southwark Community Infrastructure Levy (CIL) and section 106 contributions to assist in the provision of infrastructure improvements for the Borough.

### **Transport and Servicing**

- 5.13 An objection was raised by LBS in relation to the proposed servicing strategy for the Proposed Development, although it is not clear at this stage whether this would have been a reason for refusal had the Application been taken to Committee. A consolidated servicing and delivery strategy has since been agreed, which reduces delivery vehicles by 70% compared to the number of vehicles in the original proposals. This is expected to be secured by way of condition and/or planning obligation. Suppliers of goods to the Site will also be encouraged to use low emission / electric vehicles to deliver to the Site. Notwithstanding this, if transport and servicing remains an issue where there is

disagreement between the parties, the Appellant's evidence will demonstrate that the proposals are well tested and appropriate, and that the impacts on the local highway network would be acceptable.

5.14 In particular, whilst the number of light goods vehicles on White Hart Yard would increase as a result of the Proposed Development, the overall number of vehicles will remain low. As a result of the proposed public realm improvements pedestrians would be diverted to Kings Head Yard, which will further mitigate the impact of the additional vehicle movements on White Hart Yard.

5.15 The Appellant's evidence will further show that the proposed servicing arrangement on St Thomas Street, which seeks to relocate and extend the existing loading bay, will increase utilisation from 36% to 50%, which still leaves substantial spare capacity.

### **Energy and Sustainability**

5.16 The energy and sustainability credentials of the Proposed Development is not a known issue of disagreement between the parties, but the Appellant recognises that, due to the passage of time since submission of the Application, further carbon efficiency and other measures could now be included. It is proposed that this can be effectively dealt with by way of planning condition(s) rather than amendments to the scheme. The Appellant will liaise with LBS in this respect and would hope to agree suitable conditions ahead of the inquiry.

### **Environmental Impact Assessment**

5.17 LBS' consideration of the Environmental Statement ('ES') submitted with the Application led to a chain of correspondence between the Appellant's consultant team and Land Use Consultants ('LUC') advising LBS, which will be available as Core Documents for the purposes of the Appeal. It is not considered that a reason for refusal would have related to the adequacy of the environmental information available for the decision maker, but to the extent necessary the Appellant's evidence will demonstrate that the ES for the Proposed Development is sufficient and meets all relevant requirements.

## **6. PLANNING CONDITIONS AND OBLIGATIONS**

- 6.1 High level heads of terms were provided by the Appellant within the Planning Statement that accompanied the Application, but a Section 106 Agreement has not been progressed during the determination period.
- 6.2 In advance of the appeal being heard, the Appellant will liaise with LBS to agree a Section 106 Agreement (or, if needs be, the Appellant will prepare a Unilateral Undertaking).
- 6.3 Appropriate conditions to be attached to the planning permission and listed building consent are also intended to be agreed between the main parties.



## **7. THE APPEAL PROCEDURE**

7.1 The Appellant considers a Public Inquiry to be the most appropriate procedure for this Appeal for the following reasons:

- The evidence submitted, particularly in relation to design, townscape and heritage, would be best tested by cross-examination;
- The complexities of the Site, its context, the proposals for a tall building and the application of the relevant planning policy warrant a Public Inquiry;
- As noted in section 1 of this Statement, the Appellant requests that the Appeal be conjoined with another appeal for development of the Site that has been submitted by the Appellant at the same time as this Appeal. It is considered that hearing both appeals would most efficiently and effectively be done by way of a conjoined Public Inquiry; and
- A Public Inquiry will allow all interested parties to actively participate.

7.2 It is considered that an in-person public inquiry would be most appropriate in this instance, given the heavy reliance on detailed visual content which is best analysed and assessed in person. It is acknowledged however that this will depend upon Government guidance concerning working from home.

7.3 The Appellant intends to call a minimum of three witnesses:

- Architecture and design;
- Townscape and Heritage; and
- Planning.

7.4 Depending on other issues that may be in dispute, the Appellant reserves the right to call further witnesses as may be required.

7.5 At this stage, the Appellant considers that the Inquiry is likely to last 8 sitting days (2 weeks based on the assumption that the Inquiry is held in person. Additional time may be required if some or all of the evidence is given virtually).

7.6 However, as noted above, if the Appeal is conjoined with the Appellant's other contemporaneous appeal in relation to redevelopment of the Site, the Appellant would

suggest a 14 sitting day timetable for the two appeals together (across 4 weeks, again assuming that the Inquiry is held in person).

- 7.7 The above estimates should provide time for the Appellant and LBS to give their evidence as well as sufficient time for any interested parties. They also are intended to allow time for a session considering planning conditions and obligations and a site visit.
- 7.8 Given the anticipated length of the inquiry, the Appellant assumes that a bespoke timetable will be prepared by PINS and a Case Management Conference will be scheduled once an Inspector has been allocated.
- 7.9 Discussions regarding the most suitable venue for an Inquiry have not yet been progressed with LBS, but will follow shortly after submission of the Appeal again subject to Government guidance concerning working from home.

## **8. CONCLUSIONS**

8.1 The Appellant's evidence will respond to the issues that the Appellant is aware are or may be in disagreement (as set out in this Statement) as well as any further issues that may be raised by LBS or other interested parties and any other issues that the Inspector may wish to consider. In so doing, the Appellant will demonstrate that:

8.1.1 The Proposed Development complies with appropriate national planning policy objectives and accords with the Government's overarching objectives for sustainable growth;

8.1.2 The Proposed Development accords with the relevant aspects of the regional and local planning policy framework;

8.1.3 The Proposed Development is of the highest standard of design and architectural quality, and is an appropriate design response for this key strategic location, very close to London Bridge Station and in the Central Activities Zone;

8.1.4 All impacts were fully assessed in the Application, and mitigation measures were identified and incorporated where necessary and practicable. The proposals are entirely appropriate for the Site and the surrounding area;

8.1.5 Any harm that the Proposed Development may cause to the significance of designated heritage assets would constitute 'less than substantial harm' and be outweighed by the important public benefits that the proposals deliver;

8.1.6 The Proposed Development would play an important role at both strategic and local level, transforming an underutilised brownfield site through the delivery of a significant quantum of high quality office accommodation, affordable workspace and retail floorspace, alongside the provision of a publicly accessible garden at fifth floor level and

extensive public realm improvements, including a new access into London Bridge Underground Station;

8.1.7 The Proposed Development includes a wide range of public benefits, which carry substantial weight in the planning balance;

8.1.8 The Proposed Development would also bring heritage benefits, including the sympathetic restoration and improvement of the Grade II-listed Georgian terrace buildings on St Thomas Street;

8.1.9 Appropriate planning conditions will be agreed with LBS in advance of the inquiry to ensure that if the Proposed Development were to be permitted it would be acceptable in planning terms; and

8.1.10 Further mitigation and benefits will be delivered through a Section 106 Agreement, which will be progressed in advance of the appeal being heard.

8.2 The Appellant will conclude that in all the circumstances, planning permission and listed building consent should be granted for the Proposed Development.

## **APPENDIX 1 – DOCUMENTS TO BE REFERRED TO IN THE APPELLANT’S EVIDENCE**

1. The National Planning Policy Framework, including but without limitation:
  - a. Chapter 2: Achieving sustainable development
  - b. Chapter 12: Achieving well-designed places
  - c. Chapter 16: Conserving and enhancing the historic environment
2. Planning Practice Guidance, including but without limitation the following sections:
  - a. Design
  - b. Historic Environment
3. The London Plan, March 2021
4. LBS Policy, adopted and draft:
  - a. The Southwark Council Core Strategy (April 2011);
  - b. Saved policies of the Southwark Plan (July 2007);
  - c. The Southwark Plan 2022 (anticipated to be adopted in February 2022)
5. GLA Supplementary Planning Documents and Guidance, including without limitation:
  - a. GLA Supplementary Guidance:
  - b. London View Management Framework (2012);
  - c. London World Heritage Sites (2012);
  - d. Accessible London (2014);
  - e. Draft Circular Economy Statements (2020);
  - f. Draft Whole-life Carbon Assessments (2020);
  - g. Draft Urban Greening Factor (2021); and
  - h. 'Be-Seen' Energy Monitoring Guidance (2021).
6. LBS Supplementary Planning Documents and Guidance, including without limitation:
  - a. Design and Access Statements (2007);
  - b. Sustainable Design and Construction (2009);
  - c. Sustainable Transport (2010);
  - d. Section 106 Planning Obligations and CIL (Updated 2020);
  - e. Draft Heritage SPD (2020); and
  - f. Draft Bankside, Borough and London Bridge Supplementary Planning Guidance (2011).
7. The Application, including application drawings, supporting documents and other materials – as originally submitted and supplemented thereafter
8. Consultation responses received during determination of the planning applications
9. GLA correspondence including the Stage I Report

10. Historic England correspondence and relevant advice notes and guidance, including:
  - a. Good Practice Advice 2 - Managing Significance in Decision-Taking in the Historic Environment, March 2015
  - b. Good Practice Advice 3 – The Setting of Heritage Assets (2<sup>nd</sup> Edition), December 2017
  - c. Advice Note 2 - Making Changes to Heritage Assets (February 2016)
  - d. Advice Note 4 – Tall Buildings (December 2015)
11. Listing particulars and Conservation Area Appraisals
  - a. Borough High Street Conservation Area Appraisal, June 2006
  - b. Listing particulars for the Georgian Terrace located within the Site
12. Viability information, to the extent required
13. Relevant legislation and planning case law, including:
  - a. *Bedford Borough Council v Secretary of State for Communities and Local Government* [2013] EWHC 2847 (Admin)
  - b. *East Northamptonshire District Council v Secretary of State for Communities and Local Government and Barnwell Manor* [2014] EWCA Civ 137 [2015] 1 WLR 45.
14. Relevant planning decisions and appeal decisions
15. Any other information and documents as may be required