



Historic England

LONDON OFFICE

Ms Victoria Crosby  
SOUTHWARK COUNCIL  
LONDON  
SE1P 5LX

Direct Dial: 020 7973 3763

Our ref: P01427813

29 July 2021

Dear Ms Crosby

**Arrangements for Handling Heritage Applications Direction 2021  
& T&CP (Development Management Procedure) (England) Order 2015  
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**NEW CITY COURT 4-26 ST THOMAS STREET LONDON SOUTHWARK SE1 9RS  
Application No 21/AP/1361**

Thank you again for your consultation of 6 May regarding a new planning application for the redevelopment of New City Court. We understand that other applications for this site, submitted in 2018, remain live and undetermined.

Following the issuing of our initial advice on the current submission to you on 26 May, this second scheme has now been considered by Historic England's London Advisory Committee. Taking the views of the Committee into account, we are now in a position to offer the following detailed advice.

**Summary**

New City Court is located in a conservation area of exceptional significance, and set within a wider historic environment containing some of London's most prominent and important historic places. Historic England **strongly objects** to these latest plans for the New City Court site due to the severe harm that we consider would be caused to the Borough High Street Conservation Area, and the Grade II\* listed Guy's Hospital. We object also because of harm that would be caused to other listed buildings of exceptional interest, including St Paul's Cathedral and Southwark Cathedral.

In our view this latest proposal still falls substantially short of meeting national planning policies relating to the historic environment, and does not appear to reflect your Council's strategic policies for tall building development. The site is not, for example, allocated for a tall building in your local plan. We therefore urge your Council to refuse the planning application. It is clear from our assessment of both live planning applications for this site that it would not be possible to accommodate a



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tall building on this site without causing severe harm to the conservation area, and to other important heritage in the surrounding area.

### **Historic England Advice**

#### Significance of the Historic Environment

New City Court is located on a site bounded by St Thomas Street and King's Head Yard. Buildings fronting Borough High Street are located immediately to the west of the site and Guy's Hospital directly to the east.

The site was redeveloped in the 1980s, and incorporates a number of four storey buildings fronting St Thomas Street: nos. 4-8 and 12-16 (Grade II listed), no. 20 (built as part of the 1980s scheme), nos. 24-26 (Keats House, the frontage of which was retained as part of the 1980s scheme), as well as a six storey office block behind that, which forms the north frontage of King's Head Yard.

#### *The Borough High Street Conservation Area*

The site is located within the Borough High Street Conservation Area, which has a very high degree of heritage significance as the main Roman arterial route out of the City. The well-preserved fine urban grain of Borough High Street demonstrates its organic development with largely continuous historic frontage buildings of high architectural quality along both sides of the street, including former yards and alleys associated with the coaching inns that lined the high street from the medieval period until the nineteenth century. Although the high street has evolved since then, this distinctive urban grain remains legible. In our view, this is an exceptional conservation area due to the unique urban morphology of this central London high street, and the unusually high degree of survival of historic buildings on both sides.

New City Court partially occupies the site of a coaching inn at its southern end – Kings Head Yard. The yard was redeveloped in the 19th century with the current arrangement, comprising of a decorative arched entrance from Borough High Street, leading to an intimate alleyway framed to the north by a two-storey façade, and a public house to the south (the Grade II listed Old Kings Head). The current alleyway is a characterful example of the Victorian reimagining of Borough High Street's medieval grain and contributes strongly to the character of the conservation area.

The conservation area also incorporates the west end of St Thomas Street and Guy's Hospital, which has a distinctive character and more formal layout defined by fine Georgian architecture. Nos. 4-8 and 12-16 St Thomas Street is an early nineteenth-century terrace listed at Grade II. The terrace was extensively altered during the 1980s, and its significance is now principally derived from the architectural



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interest and townscape value of its frontage. The decorative frontage of Keats House makes a positive contribution to the character and appearance of the Borough High Street Conservation Area.

### *Guy's Hospital*

The Grade II\* listed Guy's Hospital is a fine example of a Georgian hospital complex, founded in 1725, and is a particularly rare and important survival of a purpose-built institution associated with the emergence of healthcare provision in 18<sup>th</sup> century London. The Hospital has long been a centre for education, since its conversion to a teaching institution with the neighbouring St Thomas' Hospital in 1768, and its use today by King's College London as a science and medical campus.

Architecturally it has a formal arrangement of classical ranges, including the large forecourt and inner quadrangles (1721-5), central entrance block by Thomas Dance (1728), east wing originally by James Steere (1738-41 – completely rebuilt in the 1960s following WWII damage) and the chapel and west wing by Richard Jupp (1774-7). The crowning pediment of the west wing is the centrepiece of its symmetrical design.

### *Wider Historic Environment*

Given the scale of the proposed development, there are a number of other designated heritage assets affected by the proposals located in the immediate and wider vicinity, including Southwark Cathedral, the Tower of London and St Paul's Cathedral.

The Grade I listed Cathedral Church of St. Saviour and St. Mary Overie (Southwark Cathedral) lies to the west of the site beyond Borough Market. It is one of London's most important medieval structures, and has been an Anglican cathedral since 1905. With 13<sup>th</sup> century origins as the Augustinian Priory of St. Mary Overie, the building has been subject to various alterations and additions over time. The lower stage of the tower dates from the 14<sup>th</sup> century and two upper stages to the 14<sup>th</sup>-15<sup>th</sup> centuries, with early 19<sup>th</sup> century pinnacles added by George Gwilt. The silhouette of the tower in particular makes the Cathedral a prominent landmark on London's skyline.

The Tower of London is located across the river from the site. Its international significance is encapsulated in its World Heritage Site (WHS) status. The Outstanding Universal Value is rooted in the rare survival of an 11<sup>th</sup> century fortress symbolising the military might of William the Conqueror and the seat of royal power through the middle ages.



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The Tower complex also includes a number of individual buildings of very high significance. Amongst these the Scheduled and Grade I listed Queen's House is a rare and unique collection of late medieval timber-framed buildings with distinctive gabled roofs, all of which form an important and distinctive historic corner to the Inner Ward.

The site is also located within a Protected Vista orientated towards the Grade I listed St Paul's Cathedral from Parliament Hill (LVMF 2A.1) and Kenwood Gazebo (LVMF 3A.1). The significance of the Cathedral is well known, but in summary, it is a masterpiece of English Baroque architecture, designed by Sir Christopher Wren between 1673 and 1710. Its enormous dome and elegant west towers are a world-renowned symbol of London that can be appreciated from considerable distance, hence their recognition in various LVMF views.

### Impact of the proposals on the historic environment

The current proposals for New City Court have been submitted in response to concerns raised over the 2018 scheme for the site (ref: 18/AP/4039), although we note that the 2018 applications (referred to here as the first scheme) remain live and undetermined on your Council's planning website.

That first scheme involves the demolition of the 1980s elements and relocating of Keats House, and the erection of a 37-storey office building with retail at ground floor level and a public roof garden. That scheme also involves the refurbishment of the Grade II listed terrace at 4-8 and 12-16 St Thomas Street for retail and business use. As you know, Historic England strongly objected to those proposals, and I attach with this letter a copy of our advice set out then to your Council for ease of reference.

This second scheme involves the reduction in height of the proposed development by approximately 10 storeys (from 144m AOD to 108m AOD) and a largely new approach to its architectural design. The building would consist of a podium and tower with chamfered massing and softened corners, but nonetheless a greater sense of solidity in its materiality than the previous iteration. The building footprint would be greater than the first scheme, with its north elevation extending to the southern boundary of the St Thomas Street plots. The overall floorspace would also be considerably greater than the first scheme, despite the second scheme's lower height. The first four storeys of the tall building would be set back to narrowly avoid physical impact with the St Thomas Street buildings and to facilitate public access, but overall the amount of public realm would be reduced.

It is still proposed to demolish the two-storey Victorian façade to Kings Head Yard, and to relocate the Keats House facade. However, it is no longer proposed to incorporate shopfronts as part of the refurbishment of the Grade II listed terrace.



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*Impact on the Borough High Street Conservation Area*

The revised proposal would cause severe harm to the Borough High Street Conservation Area. This harm would be the result of a direct impact to the conservation area in which the site is located. The scheme would be visible – and, in many situations, a dominating presence - from almost all parts of Borough High Street, Southwark Street and St Thomas Street, all of which are located within the conservation area. It would result in a dramatic contrast in scale due to the close proximity of the development set behind the frontage of the fine grain and predominantly four-storey buildings fronting Borough High Street. We consider that the changes to the building design would slightly increase the harm in these views compared with the first scheme because of the increased depth and solidity of the building, as illustrated in the submitted visualisations.

The proposed introduction of a tall building in the backland of the four-storey frontage buildings would continue to invert the hierarchy of the street and backland of one of London's most historic high streets. The proposed opening up of the Victorian alleyway would also erode the historic street pattern of King's Head Yard and existing backland character, which is illustrative of the historic pattern of yards and alleys associated with the character of Borough High Street. Further erosion of the conservation area's urban grain and architectural character would be caused by the demolition of Keats House and its relocation to provide a service route.

For these reasons, we consider that the proposed impacts on, and consequent harm to, the conservation area would be broadly similar to the first proposal, and possibly even slightly more severe in some respects as a result of the changes to design and massing. We therefore conclude that harm to the significance of the conservation area for the purposes of the NPPF is at the upper end of the scale of less than substantial harm.

*Impact on Guy's Hospital*

The revised proposals would continue to have a major impact on the west range in views from the forecourt. Whilst development around London Bridge Station has caused major visual damage in views of the (1960s rebuilt) east range of Guy's Hospital, the south and west ranges (which are original) can largely be appreciated against a clear skyline in views within the forecourt and along St Thomas Street. This setting contributes to the building's institutional and architectural significance as a neo-classical and elegantly proportioned eighteenth-century hospital complex.

In our previous advice letter, we indicated that the significance of Guy's Hospital would be seriously harmed by the visual dominance of the previous tall building



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proposal above its currently uninterrupted roofline, which was intended to be crowned by its noble pediment rather than a giant glass tower. The submitted visualisations for the latest scheme demonstrate that the reduction in height would not lessen this impact. Conversely, as with the impacts on the conservation area, we consider that the changes to the building design would in fact slightly increase the level of harm in these views due to of the building's increased depth and solidity.

We therefore conclude that severe harm would be caused to the significance of the Hospital, harm for the purposes of the NPPF located at the upper end of the scale of less than substantial harm.

### *Impact on Southwark Cathedral*

The proposed tall building would be less prominent than the first scheme in views of Southwark Cathedral from the forecourt to the south and from Montague Close. Historic England previously identified these views as being important to appreciating the architectural and landmark qualities of the Cathedral and its status in this historic part of Southwark. They consequently make an important contribution to the Cathedral's significance, despite the visibility of some modern tall building development.

We previously raised very serious concerns about the visibility of the first scheme above the nave roof and behind the tower, both of which are currently read against a clear sky, which is a crucial factor in allowing the Cathedral's architecture to be appreciated. The latest tall building proposal would continue to break the Cathedral roofline, again setting it in direct visual competition with the Cathedral's dominant crossing tower, albeit now to a lesser extent.

We therefore consider that the harm to Southwark Cathedral would still be grave; for the purposes of the NPPF it would be in the middle of the range of less than substantial harm.

### *Other impacts*

The submitted visualisations indicate that the new proposals, when compared to the first scheme, would no longer be visually prominent above the roofline of the Grade I listed Queen's House in views from the Inner Ward of the Tower of London.

However, the impact on St Paul's Cathedral in the London Panorama from Kenwood Gazebo (LVMF 3A.1) is largely the same as with the first scheme. Whilst the proposal would now sit below the skyline, it would still appear immediately behind the west towers of the Cathedral and to the right of the dome, harming an appreciation of their silhouette and landmark appearance. For the purposes of the



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NPPF, a low level of harm would result from this impact, but nonetheless to a listed building of the greatest possible importance.

### Policy considerations for this proposal

The harm that we have identified above should be considered by your Council within the context of the relevant policies, legislation and guidance relating to the historic environment. We would draw particular attention to the following:

Section 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which makes it a statutory duty for Local Planning Authorities to have special regard to the desirability of preserving a listed building or its setting. Section 72 imposes a statutory duty on planning authorities to ensure that proposals preserve or enhance the character or appearance of conservation areas.

Government guidance on how to carry out this duty is found in the newly updated National Planning Policy Framework (NPPF, 2021). At the heart of the framework is a presumption in favour of 'sustainable development' where protecting and enhancing the built and historic environment forms part of one of the three overarching interdependent objectives (economic, social and environmental) (paragraph 8).

Section 16 of the NPPF sets out how the historic environment should be conserved and enhanced, and makes it clear at Paragraph 195 that local planning authorities should assess the significance of any heritage asset that may be affected by a proposal (including the setting of a heritage asset), and should take this into account when considering the impact of the proposal in order to avoid or minimise any conflict between the asset's conservation and any aspect of the proposal.

Other relevant NPPF policies include:

- Paragraph 199 which states that, in considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be, irrespective of whether any potential harm amounts to substantial or less than substantial).
- Paragraph 200, which states that any harm to the significance of designated heritage assets should be clearly and convincingly justified.
- Paragraph 202, which states that less than substantial harm should be weighed against the public benefits of the proposal.

The New London Plan is also relevant to these proposals. Policy D9 requires boroughs to determine if there are locations where tall buildings may be an



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appropriate form of development, subject to meeting the other requirements of the Plan. It states that any such locations and appropriate tall building heights should be identified on maps in Development Plans, and that tall buildings should only be developed in locations that are identified as suitable in Development Plans.

Also relevant to these proposals is your Council's draft Local Plan which includes a tall buildings policy (P16) that emphasises the need to respond positively to local character and townscape and to avoid harm to the setting of designated heritage assets and strategic views. The policy explains that individual sites where taller buildings may be appropriate have been identified in the site allocations included in the Plan. As set out, these site allocations take account of conservation areas and other heritage assets. Site allocations included within the document for the London Bridge area do not include New City Court, which is entirely located within a conservation area.

These local policies are reinforced by Historic England's Tall Buildings guidance (Advice Note 4), which advises that the location and design of tall buildings should be part of a plan-led system that reflects the local vision for an area, which is supported by the NPPF.

The Borough High Street Conservation Area Appraisal (Southwark Council, June 2006), sets out the contribution that Borough High Street makes to the contribution of the Conservation Area (Section 2.2, Sub Areas 1 and 2 – Borough High Street and St. George's). It states that "the street form and layout of the High Street is the most powerful influence on the physical evolution of the Conservation Area and contributes *fundamentally* (my emphasis) to its character" (p15). It goes on to explain that "glimpses into the numerous alleys and yards that open off Borough High Street are part of its visual interest and a reminder of Borough's historic legacy" (p27).

### Historic England's position on the proposals

Although the height of the proposed development at New City Court is less than under the first scheme, these proposals remain extremely harmful. In some respects that harm is greater, and in others less, but overall the harm involved in both schemes is equally severe, illustrating a key point that it would not be possible to accommodate a tall building on this site without causing very serious harm to the conservation area, and to other important heritage in the surrounding area.

For the reasons set out in this letter, we consider that the greatest harm would be caused to the Borough High Street Conservation Area due to the major impact on its character and appearance. This relates partly to the dramatic contrast in scale due to the close proximity of the proposed development set behind the frontage of the



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fine grain and predominantly four-storey buildings fronting Borough High Street and St Thomas Street. This contrast in scale is exacerbated in the latest scheme due to the larger footprint and wider built form of the proposed development.

The impact on the conservation area also relates to the proposed demolition of the historic south façade of New City Court and the creation of open public realm. This would erode the historic street pattern of King's Head Yard and enclosed backland character which (as explained in the Conservation Area Appraisal) is illustrative of the historic pattern of yards that fundamentally underpins the overall significance of the Borough High Street Conservation Area. Further erosion of the urban morphology of the conservation area would be caused by the deconstructing and relocating of Keats House (identified as a positive contributor to the character of the conservation area) in a new location.

A similar level of harm would be caused to the Grade II\* listed Guy's Hospital due to the major visual intrusion of the proposed development on its architectural character. Again, we consider that the impact has been exacerbated by the change in form and massing of the proposed development.

Therefore, despite the reduction in height of the revised proposals, we maintain that severe harm would be caused to the significance of Guy's Hospital and the Borough High Street Conservation Area. We consider that the level of that harm to these designated assets represents a marginal increase on the previous version.

The lower height of the revised tall building proposal has somewhat lessened the visual impact and harm to some other designated heritage assets. The most noticeable reduction in impact relates to the assessed views from the Inner Ward of the Tower of London, where the proposed development would rise above the roofline of the Grade I Queens House, but only to a small extent. The impact would be limited, and we therefore no longer wish to raise concerns in relation to the Outstanding Universal Value of the World Heritage Site.

We consider that the harm to Southwark Cathedral is less in the second scheme for the reasons set out in this letter, but that the harm to St Paul's Cathedral remains the same. In accordance with the NPPF, great weight should be given to the conservation of designated heritage assets by decision-makers, and the more important the asset, the greater the weight should be (Para 199). Therefore, whilst the reduction in harm to Southwark Cathedral (Grade I listed and therefore of the greatest importance) is less, we believe that the residual harm remains of serious concern. The harm to St Paul's Cathedral is also of serious concern.

That harm to the various designated heritage assets identified, should be weighed against the public benefits of the scheme by your Authority (NPPF, Para 202).



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We can provide advice on the value of heritage-related public benefits arising from the proposals. The removal of the 1980s infill building, and restoration of the Grade II listed terrace is proposed by the applicant as heritage benefits in the submission. The shopfronts to the rear elevations as originally proposed have now been omitted from the proposals in response to heritage concerns.

However, within the context of the wider proposals, the proposed tall building would continue to dominate the listed terrace in views from St Thomas Street, diminishing its architectural value and townscape presence which are important aspects of its significance. The submitted information suggests that the changes to the tall building design would increase the level of visual intrusion on the listed terrace. Therefore, we consider that the heritage benefits to the listed terrace would not only be quite minor, but would be overwhelmingly outweighed by the harm to its significance, and to the significance of other important heritage, caused by the wider development proposals.

The NPPF also makes clear that any harm to significance also requires clear and convincing justification (Para 200). Of particular relevance in this case is the notable shift in emphasis in the new London Plan's overarching strategic policies, which seek to ensure that tall buildings are only developed in suitable locations (Policy D9). Your Council's draft Local Plan does not allocate a tall building at New City Court, and it in fact positively discourages tall buildings in conservation areas. The application site is not considered by policy to be a suitable location and its justification is therefore highly questionable.

The tall buildings policy set out in the draft Local Plan also emphasises the need for tall building development to respond positively to local character and townscape and to avoid harm to the setting of designated heritage assets and strategic views.

These local policies are reinforced by Historic England's Tall Buildings guidance (Advice Note 4), which advises that the location and design of tall buildings should be part of a plan-led system that reflects the local vision for an area, which is supported by the NPPF.

For these reasons, we consider that the harm that would arise from *any* tall building development at New City Court lacks clear and convincing justification.

## Recommendation

For the reasons set out in this letter, Historic England strongly objects to these revised proposals for New City Court due to the harm caused to a range of important designated heritage assets, and the clear failure for these proposals to comply with



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national and local policy. This includes the Mayor of London's recently adopted policies on tall building development which have been carefully worded to protect London's rich historic environment from further encroachment from unplanned tall building development.

Having taken account of the views expressed by our London Advisory Committee, we are of the opinion that the amount of development proposed cannot be achieved on this site without causing severe harm to the Borough High Street Conservation Area. We therefore strongly urge your Council to refuse this planning application, as we recommended in our advice letter on the previous iteration. Should your Council be minded to grant consent, we will seriously consider whether to refer this to the Secretary of State for him to consider whether the application should be called in for his determination.

Please note that we have responded separately to your consultation on the associated listed building consent application (your ref: 21/AP/1364, our ref: L01427800) and provided a letter of authorisation for your Council to determine that application without our further involvement. As set out in this letter, we see this proposed work as only a minor benefit in the context of the application as a whole, which would cause severe harm to both this terrace and other important heritage that overwhelmingly outweighs the benefit.

Please also note that these comments do not address undesignated archaeology. The development site is located in an area of great archaeological importance as reflected in Southwark Council's designation of the area as an Archaeological Priority Zone. Please contact your Council's Archaeology Officer for further advice on these matters.

Yours sincerely

**Alasdair Young**

Inspector of Historic Buildings and Areas

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Cc: Emily Gee, Historic England  
Tom Foxall, Historic England



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Our ref: P01028272  
27 March 2019

Dear Ms Crosby

**T&CP (Development Management Procedure) (England) Order 2015  
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**NEW CITY COURT, 4-26 ST THOMAS STREET LONDON SE1 9RS  
Application No. 18/AP/4039**

Thank you for your letter of 28 January 2019 regarding the application referred to above. These comments address the scheme as a whole which is subject to planning permission. You will note that we have already provided authorisation for the works subject to listed building consent (your ref: 18/AP/4040, our ref: L01028198).

As agreed with you, Historic England has held off from providing formal comments on the planning application because we understood that a more detailed daylight assessment was to be undertaken to take account of the historic environment in the immediate vicinity, as well as further details regarding the junction with the neighbouring Grade II\* listed Guy's Hospital.

However, following our recent conversation, we understand that this information has not yet been submitted. Due to the severity of these proposals and our eagerness to respond to your consultation without further delay, we would like to proceed with providing our formal position on these proposals in the absence of this outstanding information.

**Summary**

**Historic England strongly objects** to these proposals due the harm, which in some cases we consider to be bordering on 'substantial', to a range of designated heritage assets, including those of national and international significance. In our view these proposals fall substantially short of meeting national planning policies relating to the historic environment, and do not appear to reflect your Council's strategic policies for tall building development. We would therefore urge your Council to refuse this application.

**Background**



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Historic England was involved in extensive pre-application discussions last year regarding plans for the New City Court site. I attach our initial pre-application letter from July which sets out in detail the significance of the historic environment, the relevant policies and legislation, and our position on the scheme at that stage. Due to the sensitivities of these proposals, our advice was subject to the endorsement of our London Advisory Committee.

As you will note, Historic England strongly objected to these initial plans and recommended that alternative forms of development more sensitive to the historic environment were pursued.

Revised plans were shared with us towards the end of last year, which developed on the initial plans rather than exploring alternative more sensitive forms of redevelopment. We provided a brief letter in response to the Applicant, in which we expressed our disappointment over the revisions, and maintained strong objection to the proposals.

**Submitted Proposals**

Various changes have been made to the scheme since we provided our original pre-application advice including modifications to the design of the proposed shopfronts and office building. The submitted planning statement (DP9 Ltd, December 2018) indicates that the scheme has evolved “in close consultation with Historic England” (p8, section 3.5). However, the submitted application still proposes the demolition of the historic frontage along Kings Head Yard, the demolition and rebuilding of Keats House, and the erection of a 37 storey office tower set within a large open square -the key issues that led to our original objection. Therefore the concerns and recommendations we have set out to the Applicant on numerous occasions appear to have had no influence on the evolution of the scheme.

**Historic England’s Position**

Historic England continues to recognise the potential for this scheme to deliver a positive change to the Borough High Street Conservation Area, particularly in the removal of the 1980s office building and improvements to the listed buildings on site.

However, in our view these proposals totally fail to respond to the distinctive and remarkable urban grain of the area which makes Borough High Street one of London’s most important historic places, and would have major implications on London’s skyline, adversely affecting numerous heritage assets of national and international importance. Simply put, these proposals would be exceptionally and irrecoverably harmful to some of England’s most important historic sites.

Our assessment of the impact of these proposals on the historic environment is set out



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in detail in the attached pre-application advice letter. However, the key issues are summarised below which have been considered in the context of the submitted Townscape, Visual Impact and Built Heritage Assessment and Heritage Statement:

Borough High Street Conservation Area

The proposed 37 storey office building would be visible from almost all parts of Borough High Street, Southwark Street, and St Thomas Street located within the conservation area, and would result in a dramatic contrast in scale due to the close proximity of the development set behind the frontage of the fine grain and predominantly four storey buildings fronting Borough High Street.

The proposed demolition of the historic south façade of New City Court and the creation of large and open public realm would erode the historic street pattern of King's Head Yard and enclosed backland character which is illustrative of the historic pattern of yards that fundamentally underpins the overall significance of the Borough High Street Conservation Area. In our view, this impact would cause very serious, **bordering on substantial harm** to the significance of the conservation area. It would also set a worrying precedent for further backland tall building development in this core part of the conservation area.

Elsewhere, the demolition and relocating of Keats House (a strong positive contributor to the character of the conservation area) would cause additional harm to the conservation area in our view.

Southwark Cathedral

In views of the Grade I Southwark Cathedral from the forecourt to the south and Montague Close, the proposed tall building would be clearly visible above the nave roof and behind the tower, both currently read against a clear sky. While other development is visible in a number of views of Southwark Cathedral, the view affected is a key location from which the architectural and landmark qualities of the building and its importance to this historic part of Southwark can be clearly appreciated. Therefore this setting contributes greatly to the overall significance of Southwark Cathedral. The proposed tower would seriously affect the architectural and landmark qualities of the cathedral in these important views which we consider would cause serious and **bordering on substantial harm** to its significance.

Guy's Hospital

The proposed 37 storey building would rise significantly above the roofline of the west range of the Grade II\* Guy's Hospital. Whilst development around London Bridge Station presents a major visual impact in views of the (1960s rebuilt) east range of Guy's Hospital, the south and west ranges (which are original) can largely be appreciated against a clear skyline in views within the forecourt and along St Thomas Street. This setting contributes towards the

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building's institutional and architectural significance as a neo-classical and orthogonally proportioned 18th century hospital complex. The significance of Guy's hospital would be seriously impacted by the proposed tower, causing **bordering on substantial harm** to its significance in our opinion.

We consider that additional harm would likely be caused by the impact of the 37 storey tower on the interior of the Hospital chapel, which is located at the centre of the west range and benefits from a west facing elevation which provides natural light through its stained glass windows. An outstanding daylight assessment will help your Council determine the extent of the harm caused by the blocking of natural light into the chapel. We understand that Historic England might be reconsulted once this information has been provided.

Tower of London

The proposed tower would also be visible from within the Inner Ward of the Tower of London, above the roofline of the Grade I listed Queen's House, which is an attribute of the World Heritage Site's Outstanding Universal Value. Whilst various tall buildings including the recently approved Fielden House development are visible, the proposed development would create a significant cumulative effect that would further encroach on the Tower of London. In our view, this would cause harm to the setting of the Grade I Queen's House, and in so doing would harm the Outstanding Universal Value of the World Heritage Site.

It is disappointing that a Heritage Impact Assessment (HIA) prepared in line with Appendices 2 and 4 of the ICOMOS HIA guidelines does not appear to have been included in the submitted Environmental Statement despite our previous recommendations.

St Paul's Cathedral

Within the protected vista orientated towards the Grade I listed St Paul's Cathedral in the London Panorama from Kenwood Gazebo (LVMF 3A.1), the proposed tall building would sit immediately behind the western towers, impacting on their silhouette and reducing our ability to appreciate the landmark status of the cathedral. In our view, this would cause harm to the significance of St Paul's Cathedral.

Our view remains that the proposals also fail to comply with the guidance as set out in Para 121 of the London View Management Framework Supplementary Planning Guidance (LVMF SPG, Mayor of London, March 2011). It explains that the Protected Vista of St Paul's Cathedral from Kenwood Gazebo (View 3A) includes a Landmark Viewing Corridor to the peristyle, drum, dome and western towers of the cathedral. It states that development behind St Paul's Cathedral that breaches the Wider Setting Consultation Area should contribute

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to a composition that enhances the setting of the Strategically Important Landmark, and the ability to recognise and appreciate it when seen from the Assessment Point. Our view remains that the tall building by appearing behind the western towers, would not contribute positively to this composition nor enhance the setting of the Cathedral.

The harm that we have identified should be considered by your Council within the context of the relevant policies, legislation and guidance relating to the historic environment as we have previously set out. We would draw particular attention to the following:

- The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) which places a duty on local planning authorities to pay special regard to the desirability of preserving listed buildings including their setting (Section 66), and preserving or enhancing the character or appearance of conservation areas (Section 72).
- The following policies within the revised National Planning Policy Framework (NPPF, July 2018):
  - o Paragraph 193, which states that, in considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be, irrespective of whether any potential harm amounts to substantial or less than substantial.
  - o Paragraph 194, which states that any harm to the significance of designated heritage assets should be clearly and convincingly justified
  - o Paragraph 195, which states that substantial harm to designated heritage assets should be refused unless it is necessary to achieve substantial public benefits that outweigh the harm, or that all of the following apply:
    - The nature of the heritage asset prevents all reasonable uses of the site
    - No viable use can be found in the medium term through appropriate marketing that would enable its conservation
    - Conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible
    - The harm or loss is outweighed by the benefit of bringing the site back into use.
  - o Paragraph 196 which states that less than substantial harm should be weighed against the public benefits of the proposal
- The emerging New Southwark Local Plan (due for examination this year) which includes a tall building policy that emphasises the need to respond positively to the local character and townscape and avoid harm to the setting of designated heritage assets and strategic views (P14). Site allocations for the London

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Bridge Area do not include New City Court

- Historic England's Tall Buildings guidance (Advice Note 4) that recommends that the location and design of tall buildings should be part of a plan-led system that reflects the local vision for an area.

Our view remains that the proposed development at New City Court would neither preserve nor enhance the significance of the designated heritage assets set out above, and there should be a high level of scrutiny applied to the conservation of these assets by your Council given their high and, in some cases, international importance.

Historic England fully recognises that tall building development has a place in London, but these proposals should be part of a plan-led system and not a reaction to speculative development applications. In this instance, a tall buildings cluster is developing around London Bridge, and the emerging Local Plan tall buildings policy seeks to manage this development in order to reflect the vision for the area and minimise harm to the historic environment. The New City Court site has not been included in the draft site allocation for tall building development in part due its location within the conservation area. Any approved tall building development in this location could lead to a creep of further high-density development along Borough High Street and call into question the credibility of the conservation area.

Not only are these proposals contrary to strategic planning policies, it has not been demonstrated in the submission that a development of this scale and impact on the historic environment presents the only viable solution for the New City Court site. We therefore consider that the application falls substantially short of providing 'clear and convincing' justification for the harm we have identified as required in the NPPF.

The NPPF also stipulates that where developments affecting heritage assets would result in a level of harm to significance, this harm, whether substantial or less than substantial, should be considered within the context of the public benefits of the scheme.

Elements of the scheme which are proposed as public benefits include a publically accessible garden in the office building, and the creation of a large public square with a new route between St Thomas Street and Borough High Street incorporating an additional access point to the London Bridge Underground.

Whilst these benefits cover a wide range of considerations, the NPPF Planning Practice Guidance (22 October 2018) explains that public benefits can include heritage benefits. Accordingly, we have assessed the relevant elements of the scheme proposed as heritage benefits. We consider that a number of these proposals are unconvincing, and in some cases are actually harmful to the historic environment.

For example, we disagree with the conclusion in the Listed Building Heritage



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Statement (November 2018, KM Heritage) that the demolition of the historic south façade of New Court and the creation of a large public space would have a positive effect on the setting of the Grade II listed Old King's Head Public House (p13, Para 2.25). As we have previously set out, we strongly consider that the existing ensemble of Victorian architecture around King's Head Yard which includes a decorative archway giving way to a narrow alleyway with a pedimented north frontage provides a cohesive and characterful setting for the listed public house and contributes positively to the character of the conservation area. The removal of the north frontage and creation of a large open space would, in our view, erode legibility of this historic ensemble and our ability to appreciate the enclosed historic backland setting of the public house particularly on the approach from Borough High Street.

We similarly strongly disagree with the implication set out in Para 2.21 of the Heritage Statement and on p15 of the Planning Statement (DP9 Ltd, December 2018) that the demolition and reconstructing of Keats House as a standalone building would enhance its significance as an undesignated heritage asset and positive contributor to the conservation area.

Keats House's plot positioning along Tooley Street and abutment with Guy's Hospital represents the organic historic development and urban morphology of this part of the conservation area. Whilst most of its interior and rear elements have been lost, it remains a striking and authentic composition comprising of a highly decorative front and partial flank elevation, double portico and associated lightwell walkway, iron railings, and coal vaults. We therefore consider the building to be more than a façade as described in the Heritage Statement on p12.

In our view, demolishing and relocating just the street facade erodes its authenticity by removing it from its original context, and divorcing the façade from its lightwell components. Whilst some reassurances have been provided regarding the salvaging and reuse of materials, there is still a significant risk of loss of fabric and patina through its reconstruction. As the demolition and rebuilding is proposed to provide a service route into the site, and that an alternative route could theoretically be provided in place of the existing 1980s building, Historic England remains unconvinced that the harm caused by this particular aspect of the scheme has been justified.

The refurbishment of the Grade II listed terrace at 4-6 St Thomas Street is also proposed to provide heritage-related public benefits in support of this application. We have commented on those proposals separately under the associated listed building consent application and have been broadly supportive of the intention to reinstate elements of their historic plan and features of interest. We therefore consider that this particular element of the scheme has the potential to deliver meaningful heritage benefits. Nonetheless, we maintain the view that the addition of active shopfronts to the rear of the terrace would disrupt the hierarchy of spaces which are fundamental to the terrace house typology. We therefore consider that their inclusion prevents a truly





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scholarly and heritage-led restoration of the listed terrace from being delivered.

**Recommendation**

As these proposals have not fundamentally changed since we provided our initial pre-application advice, we maintain the position as endorsed by our London Advisory Committee and set out in detail in the attached letter that these proposals would cause bordering on substantial harm to the significance of the Borough High Street Conservation Area, the Grade I listed Southwark Cathedral and the Grade II\* listed Guy's Hospital. Additional harm would be caused to the Outstanding Universal Value of the Tower of London World Heritage Site, and to the setting of the Grade I listed St Paul's Cathedral in our opinion.

We strongly object to these proposals and recommend that the application is refused. We would welcome the opportunity to engage with the Applicant and your Council to find a solution that celebrates this exceptionally important historic part of Southwark and London.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If, however, you propose to determine the application in its current form, please treat this as a letter of objection, inform us of the date of the committee and send us a copy of your report at the earliest opportunity.

Please contact me if we can be of further assistance.

This response relates to designated heritage assets only. Comments on unscheduled archaeology should be sought from your Council's archaeologist.

Yours sincerely

**Alasdair Young**

Inspector of Historic Buildings and Areas

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