

London Borough of Southwark

PROOF OF EVIDENCE

Appellant: GPE (St Thomas Street) Limited

Local Planning Authority: London Borough of Southwark

Council reference: 18/AP/4039 and 18/AP/4040, 21/AP/1361 and 21/AP/1364

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New City Court, 4-26 St Thomas Street, London, SE1 9RS

PROOF OF EVIDENCE

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1 Introduction

1.1 Qualifications & Experience

- 1.1.1 My name is Elizabeth Adams. I hold a Diploma in Architecture from the Architectural Association and am a registered architect with the Architects Registration Board (ARB). I am a chartered member of the RIBA and have over 30 years' experience of working in architectural practice in London.
- 1.1.2 I am a founding director of Adams & Sutherland Ltd. Our practice has specialized in working on urban and regeneration projects across London boroughs and on projects for many public sector bodies. Our work has ranged from urban design frameworks, public realm strategies, and area-wide plans, to the delivery of buildings, public spaces, landscapes, and infrastructure. The practice is widely published and has won a number of awards including the London Mayors Planning Award 2004, RIBA Awards (most recently in 2021), BD Architect of the Year Public Realm (2012), Civic Trust Award (2021) and New London Architecture award (best new workplace 2021). As the director of our small practice, I have been closely involved in the full breadth of our work.
- 1.1.3 I was an appointed Design Advisor to the GLA between 2003 and 2012. During this period, I undertook a series of strategic studies in areas undergoing extensive redevelopment (including Stratford High Street, Royal Docks, Beckton), considering aspects of heritage, infrastructure, connectivity, public realm and development impact, in addition to supporting reviews of significant ongoing projects, including the proposed Thames Gateway Bridge.
- 1.1.4 I have taught in many schools of architecture since the beginning of my career, including a period of eight years at the Architectural Association. During this time, I led students in a series of research projects concerning the redevelopment of and new uses for ex-industrial landscape in places undergoing transformative change. Over the past ten years I have been an external examiner at several architectural schools: Architectural Association, Westminster University, University of East London, as well as Brighton and Cardiff Universities.
- 1.1.5 Adams & Sutherland have repeatedly won appointment to the GLA + TfL Architecture, Design and Urbanism Panel (ADUP) of approved consultants across several different work categories, who can reliably provide professional services delivering projects from feasibility to completion. This has brought experience and understanding of major regeneration and development initiatives across London, at both a strategic and detailed delivery level. We currently hold a place on 'Lot 9' delivering work in the category of 'Engagement, Local Regeneration and Design Advice'.
- 1.1.6 Adams & Sutherland have experience in the design and delivery of public realm, and local infrastructural interventions. Key projects include: the 2012 Olympic Greenway Linear Park, Bow

Riverside footbridge and towpath, Tottenham Green (Phases 1 & 2) and the Plumstead High St Regeneration, a flagship Mayors Good Growth initiative.

- 1.1.7 Much of our work has involved close consultation and liaison with broad stakeholder and mixed client groups to deliver projects which acknowledge the needs of both client and end user. I am experienced in complex negotiations during the design process to deliver a solution which meets those needs, is appropriate to context, whilst meeting budgetary and timetable constraints.
- 1.1.8 In March 2019 I was appointed to provide pre-submission design advice over a period of two years, on behalf of the Royal Borough of Greenwich, to the developers and design team, on emerging large-scale development in the Charlton Riverside Opportunity area, providing design review and commentary in relation to building heights, scale, site strategy and architectural quality.
- 1.1.9 In September 2019 I was appointed by the Royal Borough of Greenwich to give evidence as an Expert Witness on urban design and architecture at the public inquiry into an appeal against the refusal of planning permission for the VIP Trading Estate proposals, on the grounds of height, scale, urban design and architectural quality. The proposals comprised a series of ten-storey buildings within an existing context that was low rise, contrary to local guidance on the heights of residential development across this area, as set out in the Charlton Riverside Masterplan SPD.
- 1.1.10 In 2020 I acted as Expert Witness on architecture and urban design for the GLA at the public inquiry into an appeal against the refusal of planning permission for the proposed 304m high Tulip tower in the Eastern Cluster within the City of London.

1.2 My Role

- 1.2.1 I was approached to consider acting as expert witness in relation to the appeal inquiry in March 2022 by the London Borough of Southwark.
- 1.2.2 I first visited the site in early March 2022 and undertook a preliminary review of the available documents, to consider the task and my role. I have since revisited the site and neighbourhood a number of times in order to understand its character and the proposal context.
- 1.2.3 Having reviewed the Statements of Case and the draft SOCG, I considered that the Council's likely reasons for refusal dealing with architectural and townscape issues were justified. I am aware of the policies referred to and regard the likely reasons for refusal to be appropriate in response to the submitted proposals. I accepted the brief on that basis.
- 1.2.4 The impact of development, on London and the complexities of regeneration are of considerable interest to me. In addition to my professional history outlined above, I have lived in London for 40 years, and watched the arrival of significant development with both professional and personal interest, aware that major changes in the skyline can have a real impact on the image of the city, at large scale, and more locally, and in how its residents relate to it.

- 1.2.5 The evidence which I have prepared for this appeal is given in accordance with my duties under the RIBA Code of Professional Conduct. I confirm that the opinions expressed are my true and professional opinion, and that I will act with impartiality and objectivity. See Appendix 1.

1.3 Scope of Evidence

- 1.3.1 My role is to provide expert evidence which addresses issues of townscape, skyline, and design. My evidence is in support of the Council's case in respect of likely reason for refusal (2), set out in the Council's Statements of Case¹ (CDI.03 and CDI.04).

- 1.3.2 The likely reason for refusal (2) is summarised in the Statements of Case as follows:

The Council would have refused planning permission because the scale and design of the proposed development is not appropriate for this site and its surrounding context, resulting in harm to the townscape and local character. As a result of this harm (and the harm caused to heritage assets), the proposed development does not constitute good design in context and would be contrary to development plan policies and to national planning policy on achieving well-designed places in the NPPF.²

- 1.3.3 In my evidence I will examine the two proposals that form this appeal. I will consider the 2018 proposal in terms of the issues outlined above and follow this with an equivalent assessment of the 2021 proposal. These two reviews will be accompanied by comparative comment where I consider that this is useful to illustrate or better explain the issues that arise. My evidence includes commentary on architectural and urban design matters relating to their impact on townscape, their height, design, site layout and public realm.

2 Planning Context

2.1 Introduction & Overview

- 2.1.1 Matters of planning policy are outside my area of expertise and as such, although my evidence is put into the context of relevant policy, I defer to planning witness Michael Glasgow, whose evidence will refer to planning policies in detail.
- 2.1.2 I have reviewed the policies stated as being relevant to the Appeals in the draft Statements of Common Ground and the Council's Statements of Case (CDI.03 and CDI.04), and I consider that the following policies are of particular relevance to my evidence:

¹ Paragraphs 8.20-8.28 of the 2018 Statement of Case and paragraphs 8.20-8.27 of the 2021 Statement of Case (CDI.03 and CDI.04)

² 2018 SOC and 2021 SOC para 8.20 (CDI.03 and CDI.04)

The London Plan

SD4 The Central Activities Zone

D1 London's form, character and capacity for growth

D3 Optimising site capacity through the design-led approach

D4 Delivering good design

D5 Inclusive design

D8 Public realm

D9 Tall buildings

The Southwark Plan

AV.11 London Bridge Area Vision

P13 Design of places

P14 Design quality

P17 Tall buildings

2.1.3 My evidence will demonstrate how the proposals fail to meet the objectives of the policies listed. Having regard to the likely reasons for refusal in the Statements of Case as endorsed by the Planning Committee on 19 April 2022, I have identified the following key policy issues of relevance to my area of expertise. These will be expanded upon in section five of this evidence.

- Character and Context
- Design Quality
- Public Realm
- Tall Buildings

2.1.4 As part of that exercise, I have also considered the proposed development against the locational criteria identified in Southwark Plan Policy P17 (CDE.01), namely whether it is located at a point of landmark significance and has a height that is proportionate to the significance of the proposed location and the size of the site. This also allows for a consideration of whether the proposed tall building would reinforce the spatial hierarchy of the local and wider context and aid legibility and wayfinding, as required by London Plan Policy D9 C 1) b).

2.1.5 I have also had regard to the National Planning Policy Framework ('NPPF') (CDD.01). The latest version of the NPPF, published in July 2021, strengthened the importance of good design for all proposed development in Chapter 12 ('Achieving well-designed places'). Paragraph 126

emphasises the fundamental role of creating high quality, “beautiful and sustainable” buildings and places through the planning and development process. Paragraph 129 provides guidance as to the preparation of design guides and codes by local planning authorities and states that in the absence of local guides or codes, the National Design Guide and National Model Design Code should be used to “guide decisions on applications”. Paragraph 134 makes clear that “development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes”. The paragraph goes on to specify that significant weight should be given to development that reflects local and national design guidance and/or designs that are “outstanding” or “innovative”, which “promote high levels of sustainability” or help raise the standard of design in the area, subject to the requirement that they “fit in” with the overall form and layout of their surroundings.

- 2.1.6 The National Design Guide (CDD.020) sets out the Government’s priorities for well-designed places in the form of ten key characteristics, which fall under the headings of context, identity, built form, movement, nature, public spaces, uses, homes and buildings, resources, and life span. The Guide describes the importance of a clear design narrative: *‘Well-designed places and buildings come about when there is a clearly expressed ‘story’ for the design concept and how it has evolved into a design proposal. This explains how the concept influences the layout, form, appearance, and details of the proposed development. It may draw its inspiration from the site, its surroundings, or a wider context. It may also introduce new approaches to contrast with, or complement, its context. This ‘story’ will inform and address all ten characteristics. It is set out in a Design and Access Statement that accompanies a planning application’*³. My role is to consider the quality of the architecture and urban design of the proposed schemes. In doing so the ‘story’ behind the design gains special status, its origin, its evolution, the considerations which were taken into account, and the success or not of these considerations in terms of the proposed schemes. My evidence will therefore consider the narrative of the design process as set out in the Appellant’s Design and Access statements (CDA.06, CDB.08 and CDB.43), as well as the resultant proposals. I note that Policy D4 of London Plan requires that design and access statements *‘should demonstrate that the proposal meets the design requirements of the London Plan.’*⁴

³ NDG Para 1 (CDD.020)

⁴ LP Policy D4 C (CDD.021)

2.2 Key Issues from Policy

2.2.1 In this section of my evidence, I identify the principal issues from relevant policies for each of the key issues that I identify in paragraph 2.1.3 above.

2.2.2 CHARACTER AND CONTEXT

2.2.2.1 Policies in the 2021 London Plan (CDD.021) and the 2022 Southwark Plan (CDE.01) emphasise the importance of local character and context in the design of all new buildings and associated public realm. This includes providing a design response that is informed by the nature of a place, and the surrounding environment. The London Plan provides that development proposals should 'enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.'⁵ It also states in Policy D3 that development proposals should 'respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character'.⁶ The Southwark Plan in Policy P13 states that development must 'ensure height, scale, massing and arrangement respond positively to the existing townscape, character and context' and 'better reveal local distinctiveness and architectural character; and conserve and enhance the significance of the local historic environment'.⁷ Policy P14 of the Southwark Plan requires development to provide 'innovative design solutions that are specific to the site's historic context, topography and constraints', 'a positive response to the context' and 'buildings and spaces that utilise active design principles that are fitting to the location, context, scale and type of development'.⁸

⁵ LP Policy D3 D 1) (CDD.021)

⁶ LP Policy D3 D 11) (CDD.021)

⁷ Southwark Plan P13 para. 1 (CDE.01)

⁸ Southwark Plan P14 paras. 2, 4 and 6 (CDE.01)

- 2.2.2.2 Policy SD4 of the London Plan states that the distinct environment of the Central Activities Zone, where the Appeal Site is located, should be sustained, and enhanced. With regard to tall buildings specifically, the Southwark Plan at Policy P17 requires that tall buildings respond positively to local character and townscape and that their design makes a positive contribution to wider townscape character.⁹ The London Plan Policy D9 requires consideration of context in terms of the immediate and wider context. It states that tall buildings should make a positive contribution to the local townscape in terms of legibility, proportions, and materiality, that there should be an appropriate transition in scale between the tall building and its surrounding context to protect amenity or privacy and that tall buildings should reinforce the spatial hierarchy of the local and wider context and legibility and wayfinding.¹⁰
- 2.2.2.3 Appropriateness is emphasised as intrinsic to successful place-making, with the supporting text to London Plan Policy D3 emphasising that optimising site capacity should be ‘design-led’ and ‘based on an evaluation of the site’s attributes, its surrounding context and its capacity for growth to determine the appropriate form of development for that site.’¹¹
- 2.2.2.4 These policies, and the importance of responding to context, are supported by the National Design Guide (“NDG”) (CDD.020), which identifies ‘Context’ as one of the ten characteristics of a well-designed place, providing a checklist against which to describe, understand and consider the context of a development.¹² They are further supported by the characteristic of ‘Identity’. The National Design Guide states that well-designed buildings and places ‘have a character that suits the context, its history, how we live today and how we are likely to live in the future’.¹³

2.2.3 DESIGN QUALITY

- 2.2.3.1 The overarching requirements of design policies at the London and local plan level are that all development proposals should reflect high quality design and the highest architectural quality.¹⁴

⁹ Southwark Plan P17 paras. 2.5 and 3.2.(CDE.01)

¹⁰ LP Policy D9 C 1a) and b) (CDD.021)

¹¹ LP policy D3 para. 3.3.2 (CDD.021)

¹² NDG, section C1 (p11) (CDD.020)

¹³ NDG characteristic two ‘Identity’ (p14) (CDD.020)

¹⁴ LP Policy D3 12) and Southwark Plan Policy P14 para. 1. (CDD.021 and CDE.01)

- 2.2.3.2 The NDG explains at paragraph 4 that the ‘long-standing, fundamental principles for good design are that it is: fit for purpose, durable and brings delight’. It is recognised at paragraphs 4-5 that assessing good design is ‘relatively straightforward’ in the case of a building, but it is ‘more complex and multi-faceted’ in the case of assessing a place. The scale, complexity, and context of each of these proposals mean that their success as a place; their role in London, and in the London Bridge and the wider area is as significant as the aesthetic or architectural attributes of the built elements. My assessment of the proposals in this proof is informed by the relevant policies and the rich range of experiential, contextual and temporal qualities laid out in the NDG¹⁵ provide an additional useful checklist for consideration.¹⁶
- 2.2.3.3 The London Plan and Southwark Plan policies describe a number of characteristics that contribute to good design and high architectural standards. The Southwark Plan Policy P14 requires all development to provide ‘high standards of design including building fabric, function and composition.’¹⁷ The London Plan Policy D3 states that development proposals should ‘be of high quality, with architecture that pays attention to detail.’¹⁸ London Plan and Southwark Plan policies require that development proposals meet the principles of accessible and inclusive design.¹⁹
- 2.2.3.4 The design quality of tall buildings is emphasised in both the London Plan and the Southwark Plan. London Plan Policy D9 states that the architectural quality and materials should be ‘of an exemplary standard’.²⁰ The Southwark Plan Policy P17 requires the design of tall buildings to be of exemplary architectural design.²¹

¹⁵ NDG 10 characteristics for a successful place (CDD.020)

¹⁶ NDG p3 para. 5 (CDD.020)

¹⁷ Policy P14 para. 1 (CDE.01)

¹⁸ LP Policy D3 12) (CDD.021)

¹⁹ Policy P14 para. 9 and LP Policy D5 (CDE.01 and CDD.021)

²⁰ LP Policy D9 C 1c)

²¹ Policy P17 para. 3.1 (CDE.01)

- 2.2.3.5 In order to ensure design quality, a process of ‘design scrutiny’ is described in London Plan Policy D4, with particular application to proposals which are appropriate to refer to the Mayor, including the category of tall buildings. The expectation of Policy D4 is that the design of development proposals is thoroughly scrutinised by borough planning, urban design and conservation officers and that use should be made of the design review process to assess and inform design options early in the planning process.²² Where a tall building is proposed, the expectation is that the proposal will have undergone at least one design review early on in the process before a planning application is made or be able to demonstrate that a local process of design scrutiny in accordance with the criteria in Part E has been undertaken.
- 2.2.3.6 Part E of policy D4 sets out the criteria for the format of the review process to include transparency, the exercise being undertaken by independent experts in relevant disciplines, focus on and an awareness of policy context, and focussed policy interpretation. A review panel consisting of a panel of experts from differing disciplines can offer diverse expertise and critique at key stages in the design development period. The policy requires that ‘schemes (must) show how they have considered and addressed the design review recommendations’.²³
- 2.2.3.7 It is notable that the London Plan 2021 places much more emphasis on design quality than the equivalent policies in the 2016 version. There is enhanced emphasis on design scrutiny in Policy D4, particularly in relation to tall buildings, for example through the requirement of scrutiny not just by local planning authority officers but also through use of the design review process before a planning application is made or through a local borough process that complies with Part E.
- 2.2.3.8 Finally, in respect of design quality, Policy P17 of the Southwark Plan requires tall buildings to maximise energy efficiency and prioritise the use of sustainable materials.²⁴ Southwark Plan Policy P70 and London Plan Policy SI2 set minimum carbon reduction measures and Policy P69 of the Southwark Plan sets a BREEAM rating of ‘excellent’ for non-residential development.

2.2.4 PUBLIC REALM

²² LP Policy D4 D (CDD.021)

²³ LP Policy D4 E 5) (CDD.021)

²⁴ Policy P17 para. 3.4 (CDE.01)

2.2.4.1 The London Plan provides a number of policies in respect of the public realm that apply to all development proposals²⁵. Policy D8 focusses exclusively on public realm. It states that development proposals should ensure that public realm is 'well-designed, safe, accessible, inclusive, attractive, well-connected, related to the local and historic context and easy to service, understand and maintain'.²⁶ In respect of the Central Activities Zone in particular, the London Plan Policy SD4 states that the attractiveness and inclusiveness of the CAZ to residents, businesses and visitors should be enhanced, including through public realm improvements. The London Plan places emphasis on the experience of spaces, including public realm and Policy D3 states that development proposals should 'achieve indoor and outdoor environments that are comfortable and inviting for people to use'.²⁷ Policy D5 states that, in achieving the highest standards of accessible and inclusive design, development proposals should provide high quality people focused spaces that are designed to facilitate social interaction and inclusion.²⁸

²⁵ Policy D3, D5 and D8 (CDD.021)

²⁶ LP Policy D8 B (CDD.021)

²⁷ LP Policy D3 10) (CDD.021)

²⁸ LP Policy D5 B 2) (CDD.021)

- 2.2.4.2 These policies are supported by the Southwark Plan, specifically policy P13. This policy emphasises the need for high quality urban design, where the ‘principles (of which) extend to the internal design and the spaces between buildings, as well as appearance of the buildings.’²⁹ The policy also requires development to ensure a high-quality public realm that ‘encourages walking and cycling and is safe, legible and attractive’.
- 2.2.4.3 Policy D8 of the London Plan is much more detailed than its equivalent in the 2016 version of the London Plan³⁰, reflecting an increased emphasis on the importance of well-designed public realm. Development proposals must, amongst other things:
- i. Be based on an understanding of how the public realm in an area functions and creates a sense of place during different times of the day and night, days of the week and times of the year (D);
 - ii. Ensure that both the movement function of the public realm and its function as a place are provided for and that the balance of space and time given to each reflects the individual characteristics of the area (E);
 - iii. Ensure that development proposals ensure a mutually supportive relationship between the space, surrounding buildings and their uses, so that the public realm enhances the amenity and function of buildings and the design of buildings contributes to a vibrant public realm (F).

²⁹ Southwark Plan P13 supporting text ‘Reasons, para. 1’ (CDE.01)

³⁰ Policy 7.5

2.2.4.4 With regard to tall buildings specifically, the London Plan specifies that the environmental impacts of the proposal should be addressed and that the ‘wind, daylight, sunlight penetration and temperature conditions around the building(s) and neighbourhood must be carefully considered and not compromise comfort and enjoyment of open spaces.’³¹ Policy D9 of the London Plan also states that ‘free to enter publicly accessible areas should be incorporated into tall buildings where appropriate, particularly more prominent tall buildings where they should normally be located at the top of the building to afford wider views across London’.³² The Southwark Plan also includes specific requirements in respect of the public realm around tall buildings. It states that tall buildings ‘must provide a functional public space that is appropriate to the height and size of the proposed building’ and that they ‘must provide a new publicly accessible space at or near to the top of the building’.³³ It also requires that the design of the tall buildings have ‘a positive relationship with the public realm, provide opportunities for new street trees, and design lower floors to successfully relate to and create a positive pedestrian experience; and provide widened footways and routes to accommodate increased footfall.’³⁴

2.2.4.5 The interaction between the public realm and servicing of the proposed development is considered by the London Plan in respect of tall buildings. Policy D9 states that tall buildings should be ‘serviced, maintained and managed in a manner that will preserve their safety and quality, and not cause disturbance or inconvenience to surrounding public realm’ and that ‘servicing, maintenance and building management arrangements should be considered at the start of the design process.’³⁵

2.2.5 TALL BUILDINGS

2.2.5.1 Both the London Plan and the Southwark Plan highlight the scrutiny and high standards applicable to buildings in this category. I have already explained a number of the policy requirements specifically for tall buildings under the topics covered above, specifically character and context, design quality and public realm. In this section, I will set out the remaining key policy requirements for tall buildings that are relevant to these Appeals and to my evidence.

³¹ LP Policy D9 3)a) (CDD.021)

³² LP Policy D9 D (CDD.021)

³³ Policy P17 paras. 2.6 and 2.7.(CDE.01)

³⁴ Policy P17 para. 3.5 (CDE.01)

³⁵ LP Policy D9 C 2)b) (CDD.021)

- 2.2.5.2 The strategic approach of the London Plan is that the location of tall buildings should be local development plan led.³⁶ The Southwark Plan Policy P17 identifies broad areas on the adopted Policies map (and shown at Figure 4), where tall buildings are expected. It also identifies specific sites within those areas where taller buildings may be appropriate. In the London Bridge area there are four such site allocations: NSP52: London Bridge Health Cluster, NSP53: Land Between Melior Street, St Thomas Street, Weston Street and Fenning Street, NSP54: Land Between St Thomas Street, Fenning Street, Melior Place and Snowfields, and NSP55: Colechurch House, London Bridge Walk.³⁷ The allocation of these sites was informed by a number of studies that fed into the 'New Southwark Plan Background Paper: Tall Buildings' (June 2020). (CDE.020) For each allocation there is specific guidance on the approach to tall buildings including how its scale should relate to its surroundings. This covers matters such as the location of any tall building within the site, its relationship to context including how the height should step down relative to its position within the cluster and the importance of not detracting from the primacy of the Shard. In respect of the allocations to the east of the Shard, the approach is that taller buildings should be located towards the west with building heights stepping down in height from west to east (i.e. away from the Shard), and the general approach is that taller buildings 'should not detract from the primacy of the Shard'.³⁸
- 2.2.5.3 The Appeal site falls within the broad area identified by Policy P17 for tall buildings (see Figure 4 of the Southwark Plan), but it was not one of the sites around London Bridge that was allocated following the detailed assessment of that area. The site lies within the area covered by the London Bridge Area Vision. The Area Vision at AV.11 states that the Shard should remain 'significantly taller and more visible than surrounding buildings as the station's landmark'³⁹. In the supporting text to the tall buildings policy at Policy 17, it is stated that the Shard is a 'new pinnacle within the existing cluster of tall buildings around London Bridge station and Guy's Hospital'.⁴⁰ The guidance for the allocated sites reflects that vision.

³⁶ LP Policy D9 B (CDD.021)

³⁷ Pp.380-392 (CDE.01)

³⁸ Pp. 385 and 388 (CDE.01)

³⁹ AV.11, second set of bullet points, bp 5.(CDE.01)

⁴⁰ P. 134, para. 7 (CDE.01)

- 2.2.5.4 The London Plan's tall buildings policy, Policy D9, provides a significant development of the development plan policy framework governing decisions about the acceptability of proposed tall buildings when compared to the approach of the 2016 version of the London Plan⁴¹. For example, Part C contains a far more detailed set of criteria to guide the assessment of impacts when making decisions on individual proposals. Impacts are grouped under the headings of visual, functional and environmental impacts. With regard to visual impacts, emphasis is placed on the greater potential for harmful impact that tall buildings can have on their surroundings at immediate, local and citywide scales. It requires long-range views, mid-range views and immediate views to be addressed, where attention should be paid to the design of the top and base of the building and the form and proportions of it so that it makes a positive contribution to the existing and emerging skyline, and relates well to the surrounding local area and surrounding streets.⁴² With regard to the relationship between the building and its immediate surrounding area, Policy D9 states that the building should have a 'direct relationship with the street, maintain the pedestrian scale, character and vitality of the street'.⁴³
- 2.2.5.5 Beyond the key aspects of the local plan policy that I have already considered, Southwark Plan Policy P17 requires tall buildings to be 'located at a point of landmark significance', 'have a height that is proportionate to the significance of the proposed location and the site', 'make a positive contribution to the London skyline and landscape' and 'not cause a harmful impact on strategic views'.⁴⁴ A point of landmark significance is defined in the Southwark Plan as being 'where a number of important routes converge, where there is a concentration of activity and which is or will be the focus of views from several directions'.⁴⁵ The supporting text to Policy P17 of the Southwark Plan states that applications for tall buildings should include detailed modelling and analysis in order that their impact can be appropriately assessed.

⁴¹ Policy 7.7.

⁴² LP Policy D9 C 1) (CDD.021)

⁴³ LP Policy D9 C 1)iii) (CDD.021)

⁴⁴ Policy P17 paras. 1-4 (CDE.01)

⁴⁵ Southwark Plan, p. 135.(CDE.01)

3 The Appeal Site

3.1 Site Location & Context

- 3.1.1 My evidence will consider the proposals in the context of local conditions, including reference to how this is addressed in the appellant's documents. I will seek to understand how effective the appellant's site analysis is in relation to requirements of London Plan Policy D3 and Southwark Plan Policy P13 above, and how existing conditions and observations inform the strategic development principles as well as the architectural language of the proposed development in each case.
- 3.1.2 I have sought to be succinct in my own description and to confine it to additional observations which are most pertinent to my evidence, and which expand on or differ to those already covered elsewhere.
- 3.1.3 The development site is located within the Southwark Plan area AV.11 London Bridge area, described as 'A globally significant central London business district', 'home to international business headquarters, centres of academic and health excellence at King's College London and Guy's Hospital as well as a local destination and town centre'.⁴⁶

⁴⁶ Southwark Plan 2022 p90 (CDE.01)



Figure 1 Aerial view locating the site in context and in relation to the river and significant local destinations ⁴⁷

3.1.4 Each of the 2018 and 2021 Design and Access Statements ('DAS') (CDA.06 and CDB.08) includes a section on 'Site Matters'.⁴⁸ This identifies the site location within the Borough, Bankside, London Bridge Opportunity Area, and positions the development as a series of opportunities in relation to existing nearby transport infrastructure, retail network, cultural destinations, and local green

⁴⁷ DAS 2018 ch 2 p. 16 (CDA.06)

⁴⁸ DAS 2018 DAS 2021 ch 2 Site matters (CDA.06 and CDB.08)

spaces. It describes pedestrian movement and congestion, and touches on Roman history⁴⁹, before locating the area in terms of tall buildings in relation to the City's Eastern Cluster, and to existing and forthcoming tall building development along St Thomas Street.⁵⁰

- 3.1.5 The 'Site Matters' section emphasises the site's proximity to the City seeking to identify a close alignment between London Bridge and the City and suggesting a link between the Shard Cluster and the City's Eastern Cluster due to each being situated at a historic gateway: '.... In townscape terms, the growth of the tall buildings cluster around The Shard reinforces the importance of this historic relationship between Borough and the City'⁵¹ and 'The emerging clusters at London Bridge and Bishopsgate have special significance that is intertwined with that of the City'.⁵² The accompanying illustration (figure 2) appears to include the proposal within the Shard cluster.

⁴⁹ DAS 2018 ch 2, p. 24, DAS 2021 ch 2, p. 22. (CDA.06 and CDB.08)

⁵⁰ DAS 2018 ch 2, pp. 25-27, DAS 2021 ch 2, pp. 23-24. (CDA.06 and CDB.08)

⁵¹ DAS 2018 para. 2.10, DAS 2021 para. 2.7 (CDA.06 and CDB.08)

⁵² DAS 2018 ch 2 para 2.10 (CDA.06)

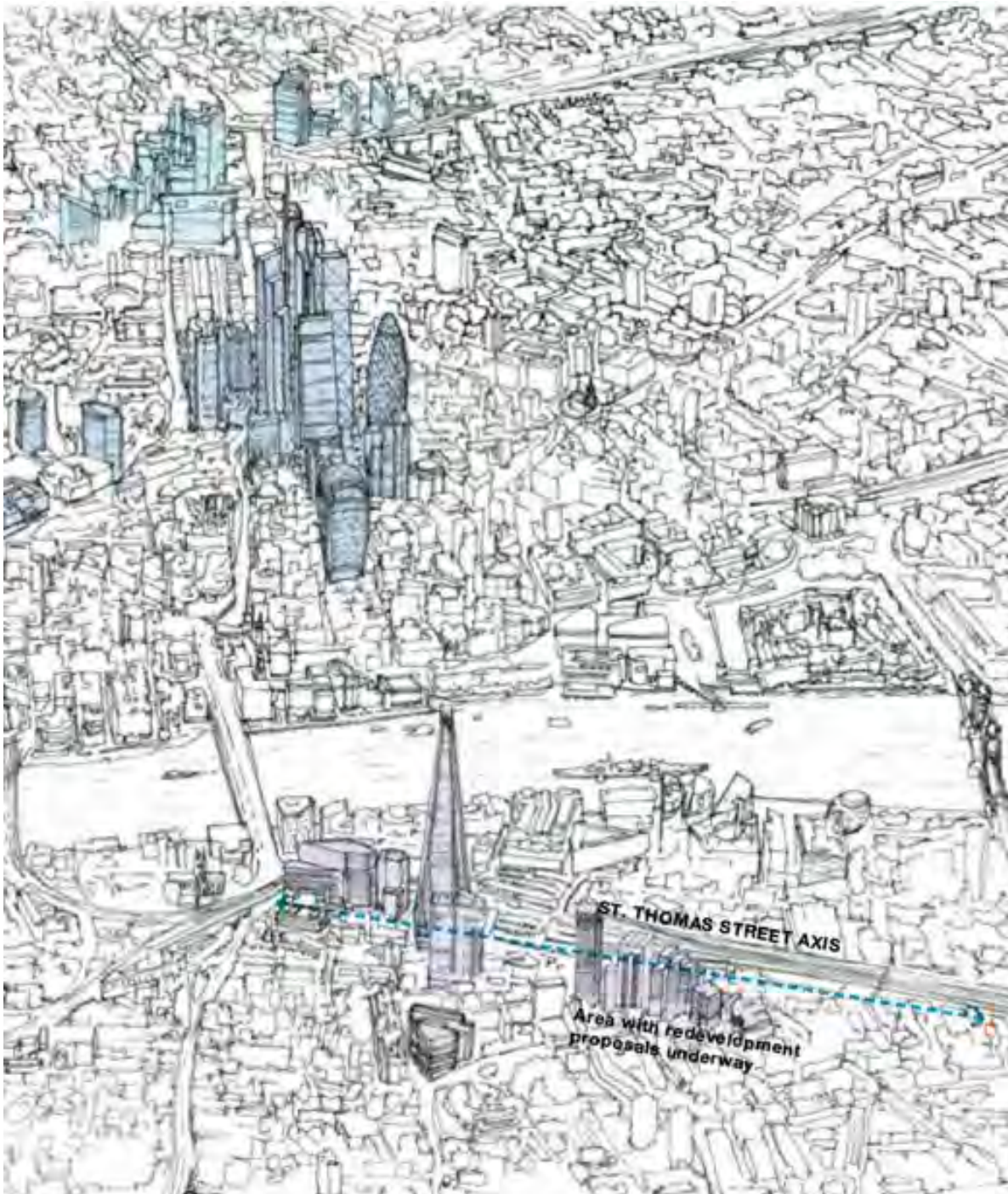


Figure 2. DAS illustration of tall building clusters⁵³ in which the Eastern Cluster in the City is broadly aligned with the London Bridge Cluster north of the appeal site. It would appear from this drawing that the appeal site is within the London Bridge Cluster. I will go on to demonstrate that this is not the case.

3.1.6 Whilst it is true that there is geographic proximity to the City and a cluster of tall buildings around the Shard, the appeal site and its neighbourhood are not part of the City of London, and the area character is significantly different. Unlike the City, commercial activity is only one part of what

⁵³ DAS 2018 ch 2 para 2.10, DAS 2021 ch 2 para. 2.7 (CDA.06 and CDB.08)

defines the area character. Nearby Bermondsey, and Borough Market are popular destinations, and food production and supply industries are thriving along the Low Line; a walking route which follows the line of the railway viaduct and provides connectivity, public space and stimulates the re-use of railway arches. The area also has at its heart, a university campus, student residential accommodation, and a major teaching hospital. The major infrastructure of the railways and London Bridge station, bring large scale buildings and structures, whilst several local arts organisations and venues have national status, and the area encompasses a wide variety of residential conditions. People live here in well-established communities, from historic houses and streets, to student dwellings and new housing developments. The mix of activities and culture in the area is a central characteristic and has a bearing on the area's spatial as well as programmatic qualities. This mix of character, blending historic and modern built space, comprises of four distinct sub areas each different one from the other in terms of their spatial qualities, density and prevailing building height. These sub areas are identified in figure 4 below and describe differences in character and scale of townscape and built space, that are legible and easily perceived in travelling through the wider area. I have further developed these from the character areas set out in the 2013 characterisation study ⁵⁴ (CDE.013) in which the Appeal site is located within the Borough High St character area (see figure 3 below).⁵⁵ As in the sub areas below this is an area again clearly identified as being distinct from the London Bridge character area⁵⁶ to the north.



Figure 3 Extent of the Borough High St character area with the Appeal site outlined in red ⁵⁷

⁵⁴ Bankside, Borough and London Bridge Characterisation Study (BBLB) (CDE.013)

⁵⁵ BBLB p79 Fig 75 (CDE.013)

⁵⁶ BBLB p93 Fig 90 (CDE.013)

⁵⁷ BBLB p79 Fig 75 (CDE.013)

3.2 Existing Area Character & Qualities

Sub Areas

Area 1 London Bridge and the Shard cluster

Area 2 Borough Market and Southwark Cathedral

Area 3 King's College, Guy's London campus

Area 4 New City Court and the western end of St Thomas St

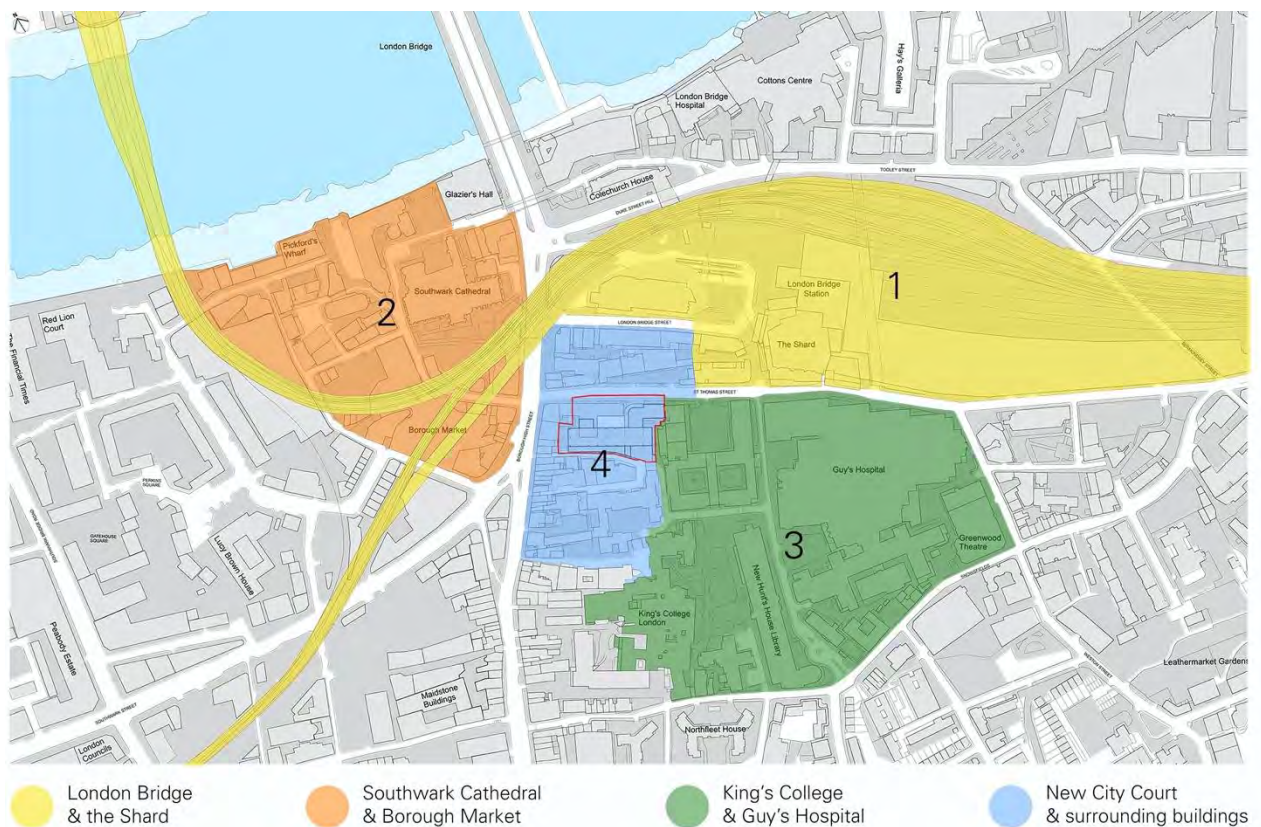


Figure 4 The four sub areas described below

Area 1) London Bridge and the Shard: This area is characterized by large scale infrastructural and architectural structures; the engineered elements of historic railways cutting through the area, and the recently upgraded station itself. The group of large buildings dominated by the Shard (the 'London Bridge Cluster') is consistent in its materiality and language. It reduces in height towards the west, providing the clear break in built form that defines the view from London Bridge.⁵⁸

⁵⁸ ES TVBHIA part 9 view 24 existing (CDA.12 and CDB.14)



Figure 5 Aerial view (from Google maps) of the Shard, the London Bridge cluster, and the large swathes of rail tracks which define the area

The Shard is located within an existing built context which, although low rise in comparison, is infrastructural in scale, and set against the wide river. Railway construction takes up large swathes of land and the lines appear to gather around the building itself. Although very tall, the tapering form of the Shard reduces its impact on local townscape, its sloping elevations creating neither the cliff face effect of a large or wide vertical elevation or the huge loss of sky, typical of large, tall buildings.



Figure 6 Left: The tapering view of the Shard limits the amount of sky that is blocked to the area and to street level. Right: View from Kings Head Yard

Area 2) Southwark Cathedral and Borough Market: The cathedral and market area is of a completely different scale, *‘with a strong sense of physical containment and enclosure’*.⁵⁹ The cathedral sits within this complex and historic low rise streetscape, its tight sense of enclosure compounded by brick railway viaducts which form distinct edges to the area to the west and south. Both the built spaces and the activities within this area provide a rich continuity with its history.



Figure 7 Borough Market, enclosed by railway, narrow street and market

Area 3) King’s College, Guy’s London campus: The well-known and highly visible brutalist hospital tower marks the eastern boundary to the campus and is the only element of the hospital

⁵⁹ BBLB 2013 section 3.5 (CDE.013)

complex with wider visibility, and a presence and impact beyond the otherwise low-rise historic campus. Improved by recent refurbishment by Penoyre and Prasad in 2013 and situated directly to the south of the Shard it emphasises the balance of built form in this neighbourhood as being tallest in the east and reducing in height going west towards London Bridge. A future tall building, Capital House is currently under construction on the corner of Weston St with St Thomas St, and this will consolidate this eastwards direction of the existing cluster of tall buildings.



Figure 8 Guy's Hospital tower, the Shard and forthcoming Capital House seen from Leathermarket Gardens⁶⁰

Area 4) New City Court and the western end of St Thomas Street: The group of buildings which form New City Court and marks the corner of St Thomas Street and Borough High Street, belong in a sub area with the north side of St Thomas St. Facing the Georgian Terrace and Keats House, the north side of the street is a continuation of these qualities and includes a small tower accessing the Old Operating Theatre within the attic of no 9a, which adds architectonic interest to the group. These two sides of the street provide a strong sense of place, one that sits in front of, but at such a distance from the News Building to the north, that it can be understood as an intact urban place, rich in detail, form and materiality. Both sides of the street work together in terms of their spatial quality, scale and sense of place. Even within this relatively small area is a complex mix of architectural styles, narrow streets and service spaces, which although secondary to the main street network provide valuable connectivity. To the immediate south of the Appeal site, Kings Head Yard provides a historic and important pedestrian connection between Borough High St and the university campus.

⁶⁰ Image: screenshot from London SE1 Community website



Figure 9 The specific spatial character of the western end of St Thomas St comes from both sides of the street. New City Court and the Appeal site can be seen beyond the south side of St Thomas St. (from Google Earth)

3.3 The Proposal Site

3.3.1 The second part of DAS chapter 2 for both proposals describes the development site itself. It describes the mix of historic boundary buildings, and the 1980's office development that occupies the site interior, before going on to set out observational detail about the existing buildings and the conditions of Kings Head Yard.⁶¹

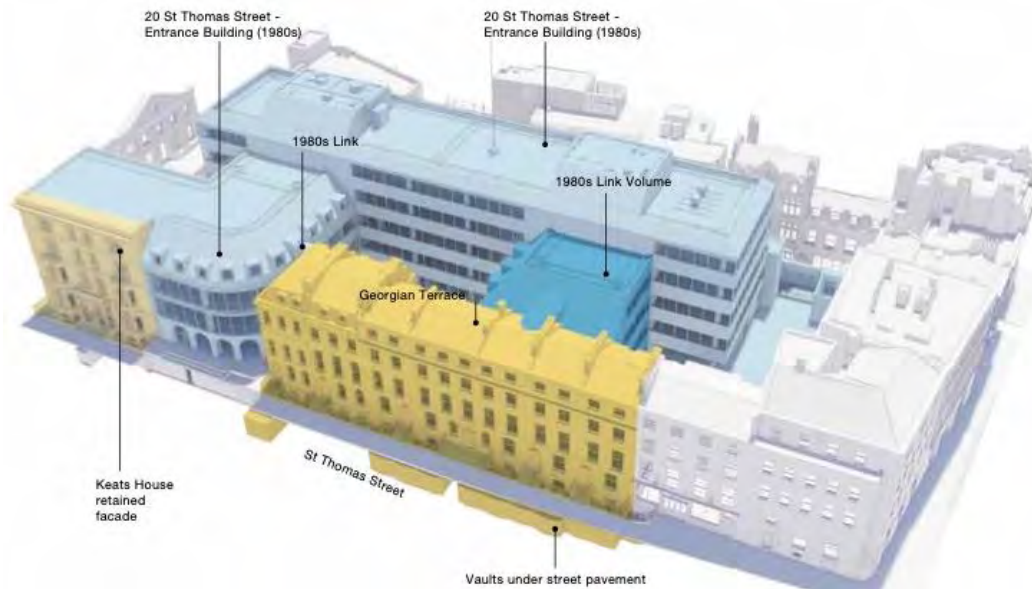


Figure 10 3d description of the development site⁶²

3.3.2 There is limited description of the existing 1980's office building in terms of its scale, architectural character, or of its current use and facilities. In section 4.22 of the DAS for each proposal, the entrance to this building is described as 'unsympathetic and jarring' in relation to the existing Keats House.⁶³ Whilst it is very different to the latter, it is sensitive to the existing context; it has a recessive, restrained character in relation to the existing Georgian terrace, which is supported by a careful height limit, equivalent storey heights, and the dormer windows to its roof, all of which allow the emphasis of the street to remain on the historic buildings either side.

⁶¹ DAS 2018 para 2.14 onwards, DAS 2021, para. 2.10 onwards (CDA.06 and CDB.08)

⁶² DAS 2018, p. 31, DAS 2021, p. 29 (CDA.06 and CDB.08)

⁶³ DAS 2018, p. 103, DAS 2021, p. 95 (CDA.06 and CDB.08)

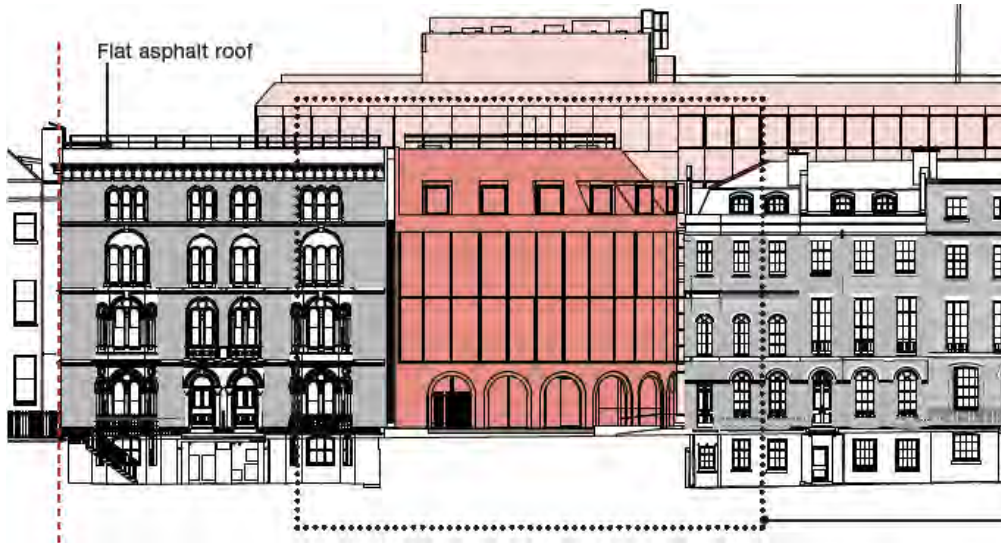


Figure 11 Elevation of St Thomas St showing the existing 1980's New City Court infill element in context ⁶⁴

3.3.3 The development plot itself includes the existing 1980's building, New City Court, which is only partially visible to surrounding streets, by way of the entrance building to St Thomas Street, and glimpses of the 6-storey elevation beyond. New City Court is at a height that does not disrupt the consistency of built scale that is found in local views along St Thomas Street and Borough High Street. It is stepped back in part to form a generous courtyard garden and lightwells to the rear of the historic terrace, and as a result is less visible from pavement level in important views looking west along St Thomas St and from within the Guy's Hospital North Quad. Its impact on local townscape is deferential and limited.



Figure 3 Views west from Guys North quad and along St Thomas St show that the existing New City Court cannot be seen above the historic roofline, and any adverse impact on the historic context is minimal ⁶⁵

3.3.4 Workspace within the existing building is advertised online by 'Firstofficehub'⁶⁶ as providing

⁶⁴ DAS 2018 DAS 2021 (CDA.06 and CDB.08)

⁶⁵ ES TVIBHA View 49 and View 50 (CDA.12 and CDB.14)

⁶⁶ See Appendix One

lettable office space for start-up businesses. From a site visit in June 2022, the building appears to be mainly, if not fully tenanted. Alongside workspace, shared facilities include a café, roof space courtyard garden and reception.



Figure 4 The existing courtyard garden of New City Court. It measures approximately 10m wide by over 22m long

3.3.5 The existing roof terrace to the building appears to be well used and an opportunity to view the setting and local context. Looking south and west the views are complex and rich with history, and the height of the roof terrace is low enough for the viewer to be immersed in the view, rather than looking down at it. Looking east and north the view of the Shard cluster is at a distance, set apart by the space of the historic terrace and buildings of west St Thomas St, and appears strikingly complete and coherent in its reflectivity and formal and material qualities. There is access to wide views of the sky on all sides from this relatively low height of four storeys.



Figure 14 View northeast of the Shard cluster and southwest of historic townscape from New City Court roof terrace

3.3.6 The appeal site itself is a total area of approximately 3,510 sq m, including the footprint of the existing 1980's building, the Georgian Terrace and Keats House and the associated external spaces within the site boundary. The site is orientated on an almost north-south, east-west axis. The buildings on St Thomas Street south side, and Borough High Street form a continuous four storey perimeter to the north and west. A two-storey elevation which is part of the existing office building forms the north side of Kings Head Yard.

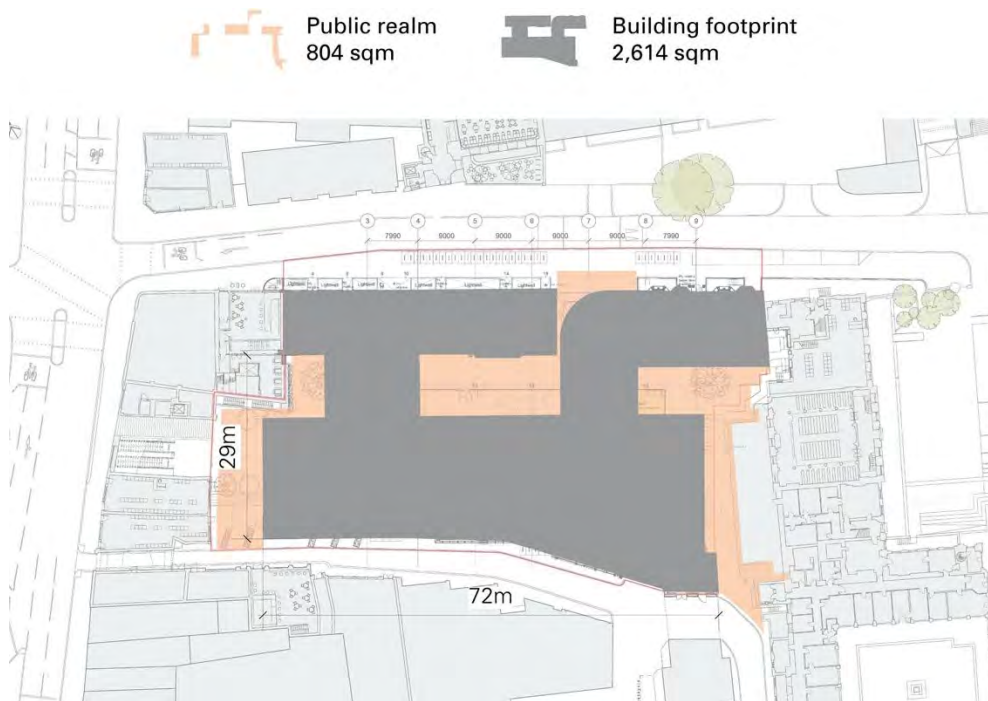


Figure 15 Diagrammatic plan of existing site with areas, of empty site, and existing built space (grey)

3.3.7 Figure 16 below illustrates the consistency in height and density across the site. The wider campus of spaces, formed by low rise buildings (generally not exceeding 6 storeys) of King's College and Guy's Hospital, a number of which are without street frontage, but instead face inwards to green space or quadrangle, and their connection to the north side of St Thomas St bring a strong character of porosity to this local area.



Figure 16 View of the site (from Google Earth) clearly illustrating the consistency and scale of the urban block

3.3.8 The intact elevations to St Thomas Street, are consistent in scale, creating a broadly coherent urban piece, between Borough Market and the academic campus to the east. The consistent height in this area of both the university buildings and those that comprise the site itself not only provides coherence, but conversely, emphasises the contrary condition of the tall buildings to the north of St Thomas St; the Shard cluster. This brings clarity to each condition and sense of coherence which extends to the east with Guy's tower and the forthcoming Capital House.

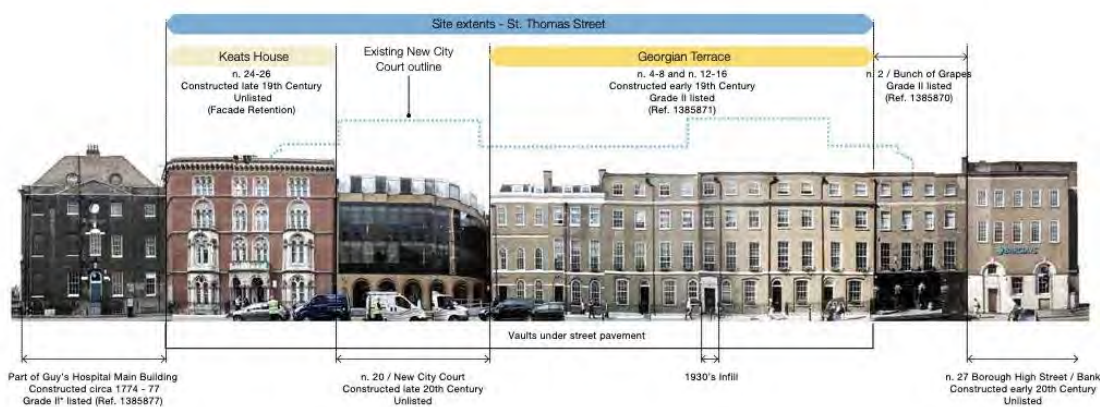


Figure 17 Existing elevation of St Thomas St ⁶⁷

⁶⁷ DAS 2018 para 2.16 (CDA.06)

3.4 Local Context

St Thomas Street

- 3.4.1 St Thomas Street is a complex urban condition. At its east end the street is defined by the now restored and active railway arches which hold the railway high above street level. Forthcoming tall buildings notably Capital House, will recalibrate the townscape at this end of the street and provide greater density and activity and fill much of the existing open grain.
- 3.4.2 Travelling westwards, the street becomes an almost binary condition between the tall buildings of the Shard with Shard Place, and the lower historic buildings of Guy's and King's College. This lower-rise scale brings a sense of openness, breadth and space to the street. Continuing west to the appeal site, the historic terraces and buildings on the north side of the street, can be understood along with Keats House, and the Georgian Terrace to the south as a complete area in which a really strong and singular sense of place is apparent.
- 3.4.3 It is almost a surprise on exiting London Bridge station, or the Shard cluster, where the scale is large and engineered, to find oneself in a streetscape which has so much history, elegance, detail and is of such human scale. This is a place whose distinct character and appearance is reflected in its designation as part of the conservation area and provides a satisfying continuity with the historic streets and spaces of the Borough Market and Southwark Cathedral sub area.
- 3.4.4 To the south of St Thomas Street, the neighbourhood between Guy's Hospital and Borough High St is one of low rise, historic and predominantly masonry buildings including some local open spaces, and green areas belonging to King's College and Guy's Hospital. The quality here is a combination of both civic and in places domestic scale. Together these buildings and courtyards form a campus of interlinked spaces and buildings, including quiet pedestrian routes across the area.
- 3.4.5 St Thomas Street therefore is not only a thoroughfare but a series of distinct places along its length. It has encompassed dramatic shifts in scale and built character, from the extreme height and reflective materiality of the Shard and its 'cluster' to the historic engineered railway structures, down to the more human scale, solidity and historic character of the campus of buildings to the south. This multiplicity benefits enormously from clear spatial and built distinctions between these places.



Figure 18 View West along St Thomas Street (google street view)



Figure 19 View looking west along St Thomas Street

The Shard, the 'Cluster' and London Bridge station

- 3.4.6 The Shard has substantially redefined much of the neighbourhood. Completed in 2013, it is a prominent landmark with a huge impact on the wider skyline of London, and one which repositions this area's relationship with both the City and its immediate neighbourhood. As both landmark and public destination, it is an important building and an important new London place.
- 3.4.7 It was greeted with mixed critical comment on its completion: from praise *'the most beautiful addition to the London skyline'*⁶⁸ and as providing a 'navigation point' for lost Londoners, popping helpfully into view at many points, yet disappearing into clouds when they are low⁶⁹ to scathing criticism: 'For all the rhetoric about public-spiritedness, Piano's recourse to that most despotic of forms, the Pyramid, is no accident'⁷⁰. This wide range of opinion about the Shard, which continues to attract both praise and criticism, indicates that a tall building can have an impact that ranges from beloved landmark to overbearing imposition, and which in turn can adjust the character of an area and how it is understood.
- 3.4.8 The group of buildings of which the Shard is the pinnacle includes the newly completed Shard Place, and the News Building to the west, and is referred to as the 'London Bridge cluster' in the DAS⁷¹, and can be understood as a coherent group as illustrated in both figure 5 above and figure 20.



Figure 20 View of London Bridge Cluster with Shard as pinnacle, looking east along St Thomas St. The News Building can just be seen on the left.

3.4.9 This group of buildings meets St Thomas Street at the foot of the Shard and Shard Place, but the News Building directly to the north of the appeal site is set well back behind existing historic buildings at the west end of St Thomas St. beyond a rear yard, another terrace and another road. This detached relationship between the glassy tall building and the nearest historic street frontage on the north of St Thomas St is very different to that of the proposed tower and its associated Georgian Terrace. Where the News Building steps back from a 13-storey south elevation, before rising to 20 storeys in its north part, both of the proposed schemes will rise directly above the existing terrace roof. Figure 21 below describes these relationships. The London Bridge cluster can be understood as an area, distinct from the historic terrace and group of buildings along St Thomas St.

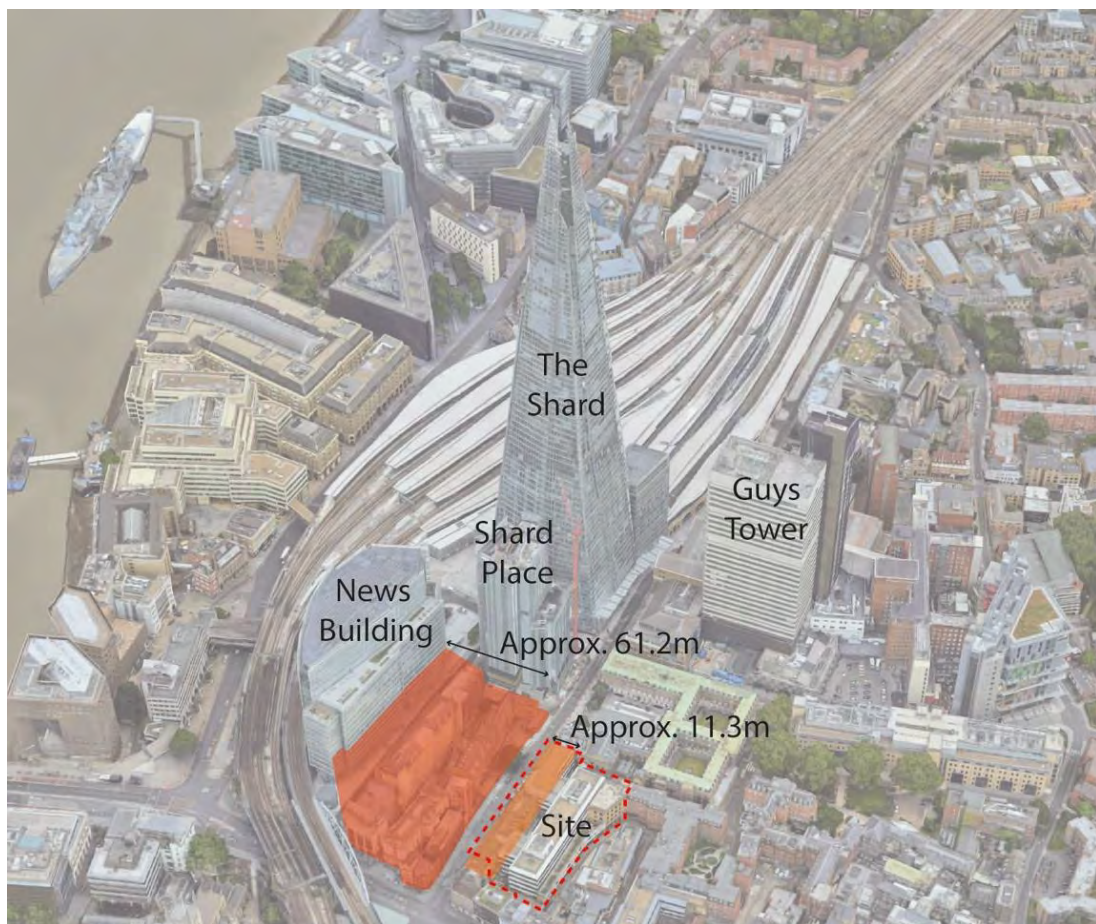


Figure 5 Annotated aerial view showing distance between the News Building to the north and St Thomas St north frontage, relative to the same relationship between the proposed Tower (2018 proposal) and the south side of St Thomas St.

⁶⁸ Richard Rogers AR <https://www.architectural-review.com/today/skylines-opinions-on-renzo-pianos-shard-london>

⁶⁹ Charles Jencks Ibid

⁷⁰ Owen Hatherley Ibid

⁷¹ DAS 2018 p. 25, DAS 2021, p. 23 (CDA.06, CDB.08)

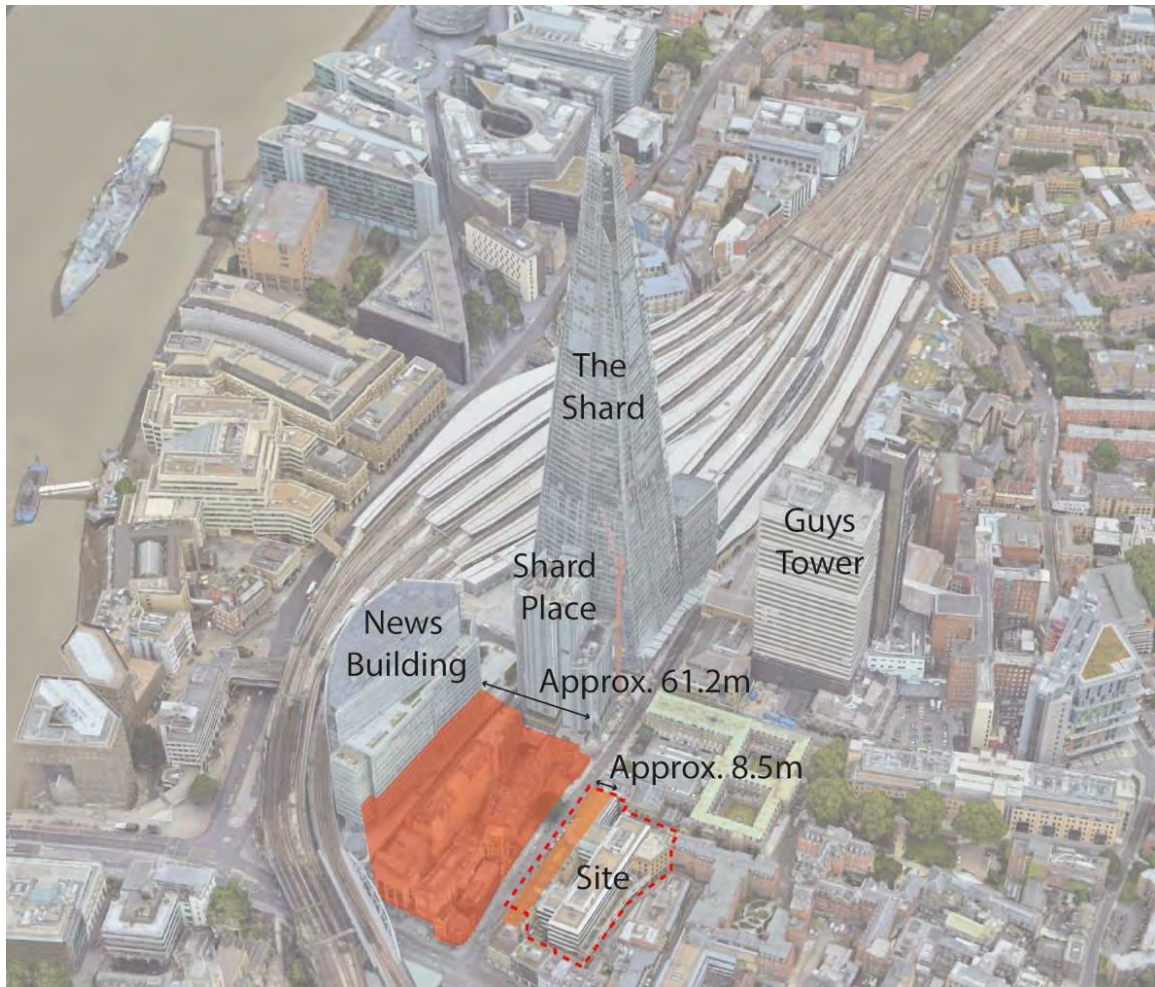


Figure 6 Relative distances for the 2021 proposal

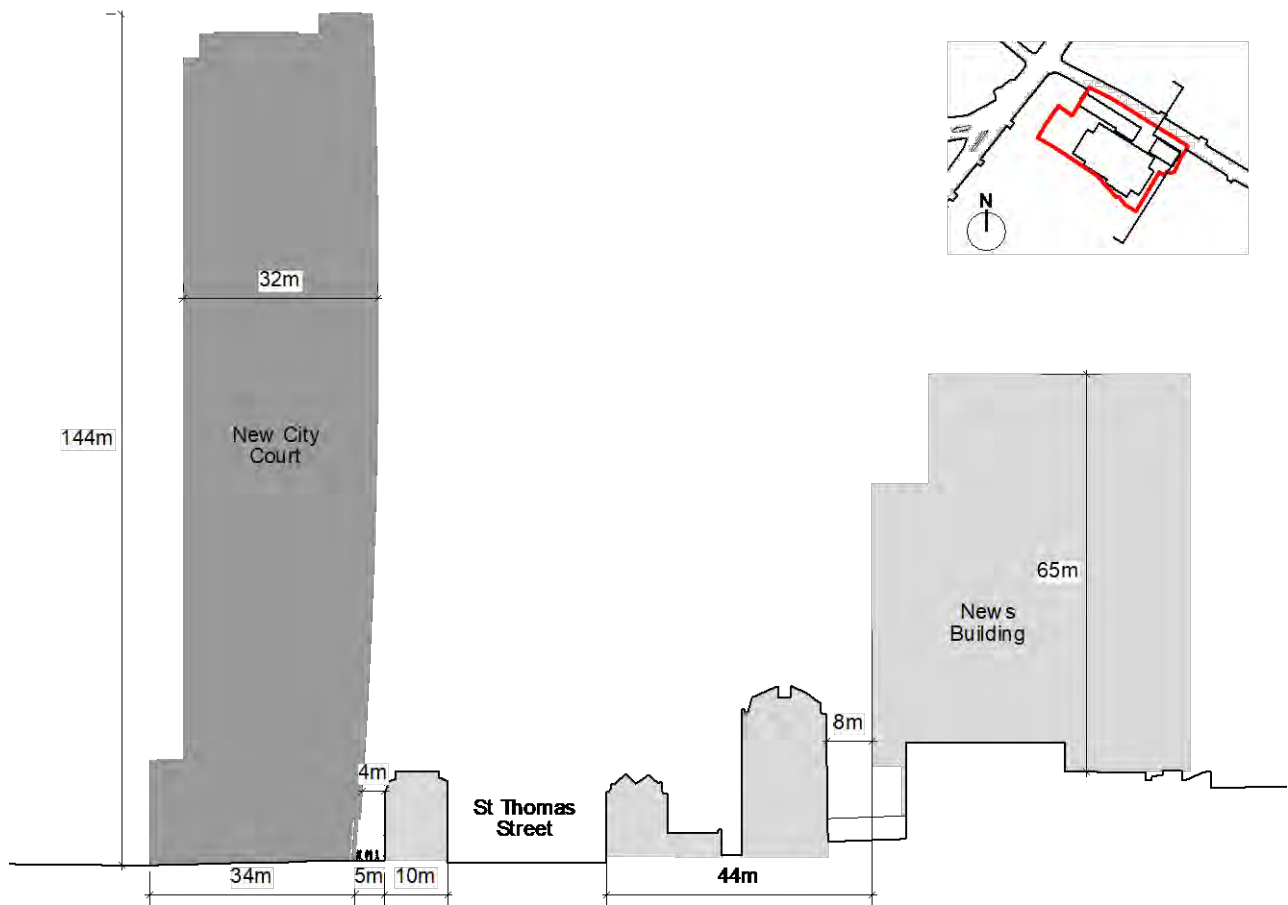


Figure 7 2018 Sectional diagram of relationships across St Thomas St

3.4.10 The impact of the Shard's scale on the surrounding streetscape is mitigated by its location within the complex of the horizontal, but also large-scale, London Bridge station and its adjacent extensive railway structures. The Shard has public realm at the station platform level and at the lower level is embedded within the pedestrian infrastructure of London Bridge station providing a new frontage to St Thomas Street. With these associated territories around its base, it has a positive, rather than physically overbearing relationship to the existing historic context. At a distance, views of it are seen from across the city but always against a backdrop of clear sky, its impact mitigated by a strong singular form and its tapering width. A consequence of the taper is that the form does not block views of the sky to the same extent that a more vertical building, such as that proposed, would do. The tapering form also increases a sense of reflectivity and movement, as the sloping sides catch the light and passing clouds (see figure 20). In addition to a coherent form figure 20 also illustrates the relatively limited footprint of the Shard; it is clearly the base of a tower. This significantly helps to mitigate the impact of the direct frontage that the Shard, and the later Shard Place, has on St Thomas Street and the conservation area.

London Bridge and the River

3.4.11 Figure 24 shows the relationship of the site to London Bridge. Borough High Street heads south from the London Bridge crossing, and at the junction with Duke Street Hill changes direction to head in a south westerly direction. The result is that the junction with St Thomas Street and this group of buildings, of which the Appeal site is a key part, are aligned directly with the view across London Bridge from the north, and the shift in direction of Borough High Street serves to increase the emphasis on this corner. It is critical therefore that any significant built intervention in this location is sensitive to the impact it will have on views south from the river.

Figure 24 Aerial view of the site and context showing alignment of the site with London Bridge and the direction of Borough High Street (google map with annotation)



3.4.12 The existing view across London Bridge (figure 25 below), aligns with a break in the skyline which creates a clear distinction between the historic, low rise setting of the cathedral, whose tower retains prominence on the skyline, and the Shard cluster to the east. In this view sufficient space exists between the setting of the cathedral and the cluster of tall buildings around the Shard for each group and its associated urban area to maintain a distinct presence on the skyline. London Bridge itself is a powerful large-scale element which marks the historic gateway to south London, emphasised by the expanse of open sky at its end. This makes clear the sense that one is heading south into a different part of London, where the urban grain is less dense, and more open than that north of the river.



Figure 25 Existing view south across London Bridge⁷²

Borough High St and Southwark St

⁷² ES TVBHIA part 9 view 24 existing (CDA.12)



Figure 26 Existing view east along Southwark Street⁷³

⁷³ ES TVBHIA part 3 view 42 existing (CDA.12)

3.4.13 Approaching the site from the west, the Shard is a dramatic presence at the end of Southwark Street. Its character and that of the nearby associated buildings in the 'cluster' describe a character area clearly distinct from the historic foreground of the Hop Exchange and the site boundary buildings along Borough High Street. The Hop Exchange forms a boundary to the cathedral and Borough Market area.

Borough High Street

3.4.14 Bedale Street leads directly from the neighbouring Borough Market to Borough High Street and St Thomas Street. The orientation of Bedale Street results in the Shard not dominating the market streets. Views of open sky beyond Borough High Street from Bedale Street, contrast with the busy and enclosed market structures.



Figure 27 Existing view looking east toward St Thomas St from the west side of Borough High Street outside Borough Market (left) and from Bedale Street ⁷⁴

3.4.15 Borough High Street widens at the St Saviours Southwark War Memorial to create a pedestrian place of resonance and historic significance at one side of the busy highway. Although dominant, the Shard along with the more recent Shard Place and News Building, are all set back far enough to allow the existing elevations, and consistent parapet height, of buildings fronting the High Street to both set the scale of and define this important space.

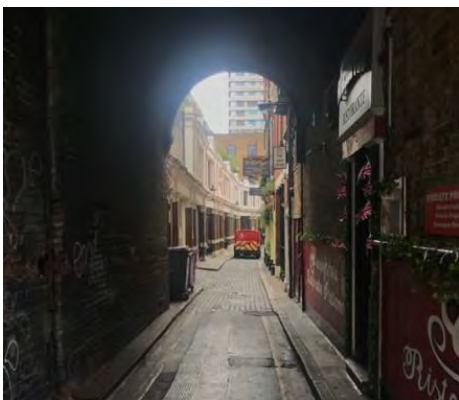
⁷⁴ ES TVBHIA part 3 views 54 and 53 existing (CDA.12)



Figure 28 Existing view from the War Memorial looking north east towards the Shard ⁷⁵

Kings Head Yard

3.4.16 The existing King's Head Yard is described in the Borough High St Conservation Area Appraisal ⁷⁶ as one of an important local typology of alleys and yards leading off the main road. These recall the historic role of the inns as staging posts in this location and are all completely contained by buildings. The existing colonnaded wall along the north side is described as of limited architectural interest, but nevertheless displays strong townscape value in containing the narrow space of Kings Head Yard.⁷⁷ The historic setting of the pub itself has always been one of containment and enclosure, with the elevation visible only from this narrow space.



⁷⁵ ES TVBHIA part 3 view 43 existing (CDA.12)

⁷⁶ Conservation Area Appraisal, p. 7, para. 1.2.9, p. 27, para 3.2.11 (CDE.06)

⁷⁷ Conservation Area Appraisal, p. 45, para. 4.3.12 (CDE.06)

3.5 The Public Realm

- 3.5.1 The public realm across both local neighbourhood and immediate context provides a varied and rich spatial mix. Streets, yards, back routes, and the open spaces between them accommodate different kinds of user, pace of movement, activity, and destination. Areas of quiet, openness and green space are particularly important to a neighbourhood which has otherwise relatively little soft landscape.
- 3.5.2 The historic courts and quadrangles of Kings' College and Guy's Hospital Campus are formal spaces balanced in scale and proportion by the buildings which bound them. They provide generous views of the sky, and in their connectedness provide a quiet, low traffic, pedestrian network of ground level spaces of varying scales.
- 3.5.3 The DAS for each scheme identifies existing shortcomings in the relatively narrow spaces outside London Bridge underground station on Borough High St.⁷⁸ The station offers several options for exiting into the public realm in this area. Commuters and visitors passing through London Bridge station may make use of St Thomas Street but are also able to filter from the mainline station through to the underground system without engaging with the neighbourhood at street level.

4 The Proposals

4.1 Introduction

- 4.1.1 Each of the two proposals comprises a tall building, the restoration and refurbishment of the existing listed terrace on St Thomas Street, redevelopment of Keats House, new public realm, associated service and ancillary spaces and amenity, new station entrance, and elevated garden space accessible to the public.
- 4.1.2 My evidence will consider each proposal in turn. I will consider the scale and architectural quality of the new building, its associated public realm, the relationship between building and public realm, and the impact of the development on surrounding townscape.
- 4.1.3 Beginning with a description of the 2018 proposal I will include a review of the iterative design process up to the submission of that application. A consideration of how the proposals were developed and changed between 2018 and 2021, will be followed by an equivalent description of the 2021 proposal.

- 4.1.4 Site analysis: in Section 3 above I have described how the DAS sets out the existing site conditions in Section 2 ‘Site Matters’, with paragraphs 2.1 to 2.22 being of particular relevance to my evidence
- 4.1.5 The DAS for each proposal describes the project aspirations in terms of the following strategic aims⁷⁹.
- Retained and enhanced heritage buildings
 - Enhanced transport links
 - New connection and desire lines
 - Public realm
 - Enhanced building setting – public realm giving access to historic elevations
 - Provision of ‘affordable’ workspace, offices, and retail
 - Tall buildings and public space
- 4.1.6 The DAS for the 2018 proposal also includes the additional aim of the provision of retail. Described as ‘design strategy and aspirations’ this list represents a very broad framework of ambition for the development. It does not include an accommodation schedule or a description of architectural or design intent. The design response in each scheme may well meet the requirements of this list of project ambitions in functional terms, however this does not necessarily equate to successful placemaking, or high-quality urban design or high-quality architecture. I have sought to understand the strategy for each proposal in terms of both client expectations, and architectural aspirations, and to understand where these are informed by specific observations or characterisation of site conditions and context.

4.2 DESIGN AND VISUALISATION

- 4.2.1 In assessing the proposals, I have made use of photographic visualisations in the ES TVIBHA 2018 and 2022. In the ES TVIBHA the photographic images of the proposed scheme in context is described as ‘an approximation’⁸⁰ and the photographic visualisation as unable to replicate peripheral vision, progression of views that the viewer moves through, depth of field experienced in reality, temporal, seasonal and weather variations and mind’s interpretation: experience, knowledge and memory.

⁷⁹ 2018 DAS Section 3.1 p. 8 and 2021 DAS p. 47 (CDA.06 and CDB.08)

⁸⁰ 2018 ES, para 3.49, p. 16, 2021 ES para 3.52, p. 22

4.2.2 This list suggests that the constructed photographic view is limited in its usefulness, due to a disparity between the 2d image and the experience of being there and seeing the same view. However, whilst a 2d image will always fall short of the full experience of the space, it is worth noting that the currently widely available photographic visualisation tools can produce a more sophisticated or ‘realistic’ drawn images than have ever been previously available to us, with which to understand a proposal. Each of these proposals is for a very large building and any nuance in the relationship between drawings/visualisations and spatial experience will be slight. Accordingly, I have treated the visualisations presented in the ES TVIBHA, along with assessments made in site visits, as a fair representation of the impact each proposal would have on the local area, and on the experience of being there at pavement level.



Figure 30 Views from Guy's towards the 2018 proposal ⁸¹



Figure 31 Views from Guy's towards the 2021 proposal ⁸²

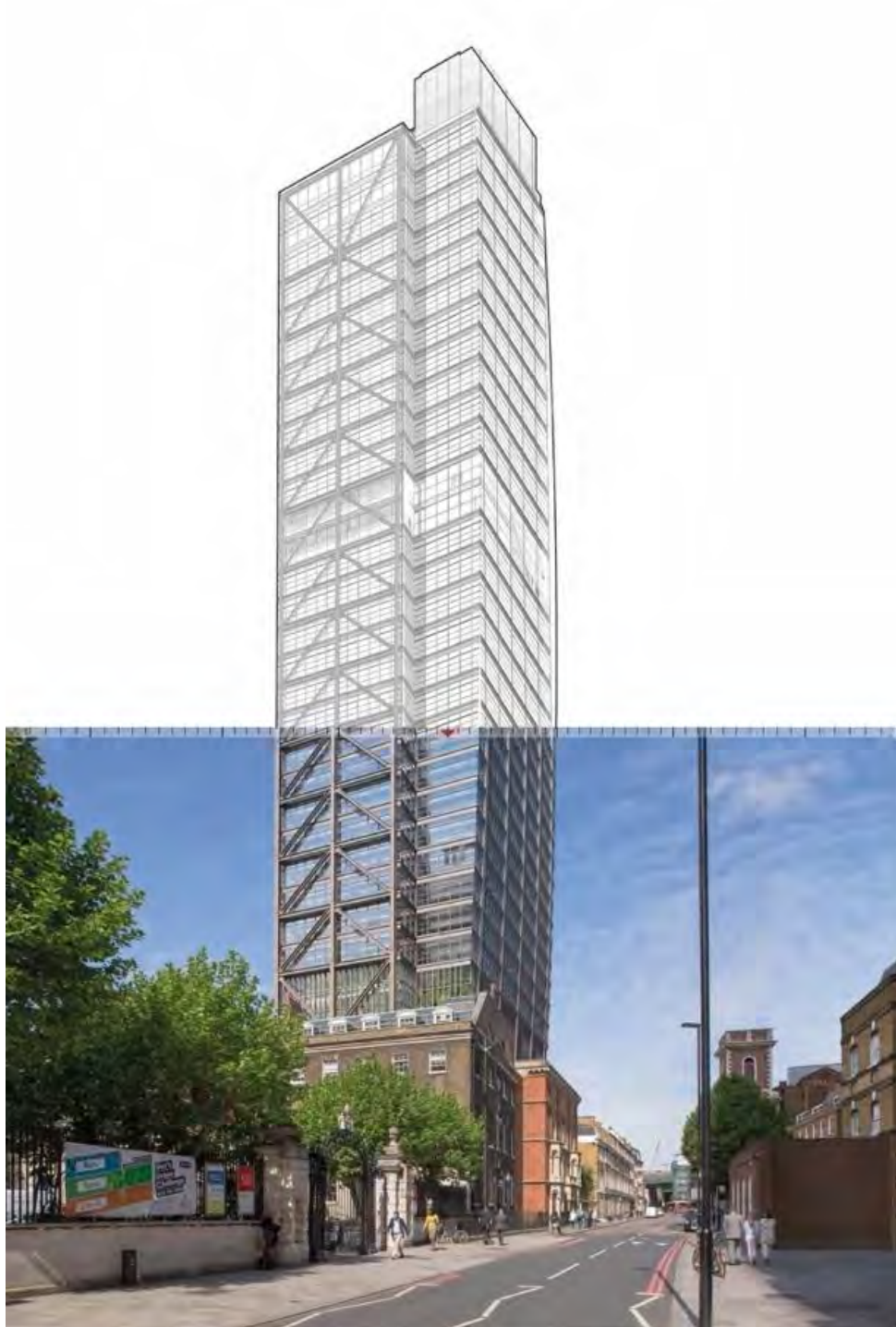


Figure 32 Visualisation of proposal looking west along St Thomas Street. This diagram has been produced for this proof with an addition to the cropped view in the TVIBHA of the line drawing to show the full building height⁸³

⁸³ ES part 3 TVIBHA part 16 of 24 image 50 p257

4.3.1 NEW BUILDING

4.3.1.1 The 2018 application proposes a 37 storey tower (144m AOD). The total GIA of the development would amount to 54,501 sqm⁸⁴, including the refurbished historic buildings of the Georgian Terrace and Keats House. Of this total just under 85% (46,374 sq m) is described as class B1 office floorspace. The proposed tower, positioned in the southeast part of the site, is broadly rectilinear in plan with a footprint of 1,355 sq m, leaving an overall area of 1,383 sq m for pavement level public realm (these dimensions are scaled from the architect's plans).

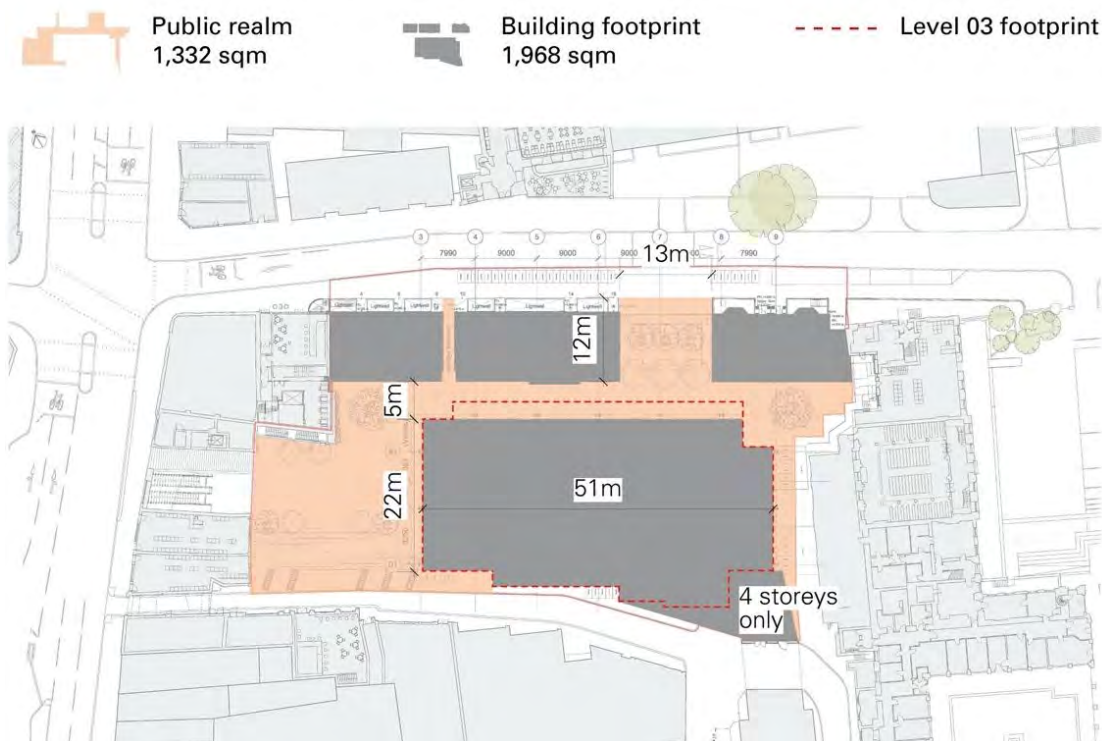


Figure 33 2018 Proposal - simplified building footprint and dimensions

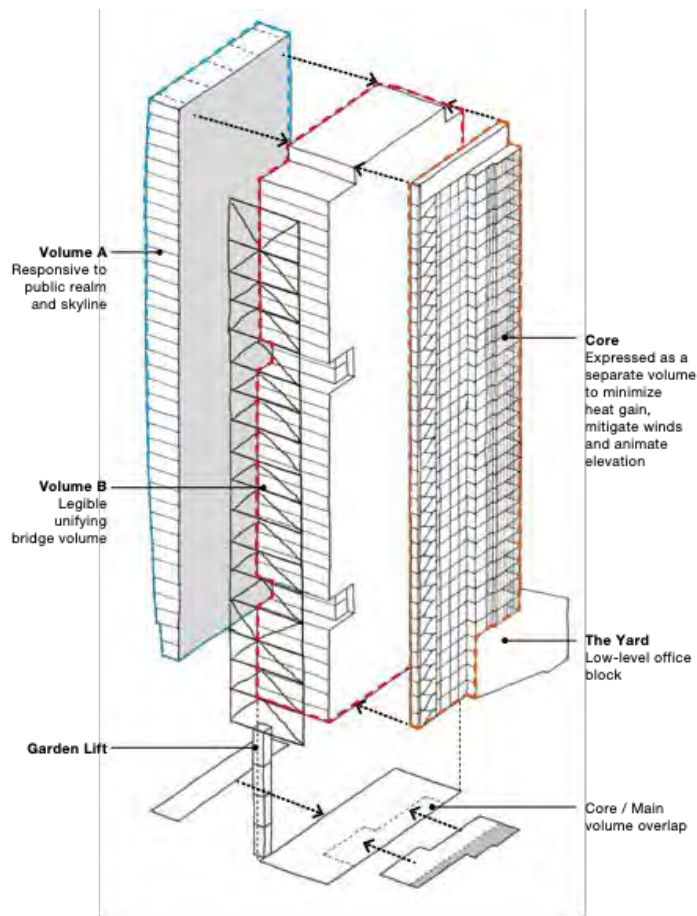
⁸⁴ Figures calculated from 2018 planning application description

- 4.3.1.2 The rectilinear plan is maintained in the floors above as it rises to 37 storeys, although its depth varies as a result of the north elevation being a vertical curve. The DAS explains that a key aim of introducing the curve is to ‘maximise the public realm on site by reducing the footprint of the building.’⁸⁵ This applies to the space between the new building and the rear of the existing terrace of buildings along St Thomas Street. Conversely, the curve increases the width of the tower from 24m at its base to an overall width of over 30m at the widest point on floors 20 and 21, at which level is located the ‘Hub’, a meeting space for businesses or to hire. Whether the curve can be described as a *reduction* in footprint or an *increase* in girth, depends on how the mass and scale of the building has been established.
- 4.3.1.3 The Tower is a steel and glass framed structure; its structural steel frame is exposed and large glazed walls span the entire distance between structural elements. The elevational treatment is described in the DAS as being informed by ‘the richness of local warehouses’⁸⁶, and the heavily engineered railway structures, which cut through the local area, and I have expanded on the issue of local architectural references in Section 5. The result is referred to as a ‘vertical bridge’, consisting in brief of a core building and ‘exoskeleton’ structures to the east and west elevations ‘providing visual bookends encasing the glass tower.’⁸⁷
- 4.3.1.4 The component elements of the tower are described by the DAS in para 4.10 and the following drawing:

⁸⁵ DAS 4.4 Form- base/top (CDA.06)

⁸⁶ 2018 DAS p. 73 (CDA.06)

⁸⁷ 2018 DAS para 4.12 (CDA.06)



Axonometric showing component parts of volumes

Figure 34 Axonometric of component volumes

4.3.1.5 The DAS describes attempts to reduce volume and mass; Volume A curves inwards to provide public realm at its base, and the ‘stepped massing’ seeks to ‘reduce(s) the apparent size of the Tower.’⁸⁸ Earlier in the DAS where the proposed tower is described as ‘slender’⁸⁹ the building corners are shown in the plan to be ‘eroded’ or cut back on the upper floors to create the appearance of a narrower end elevation.

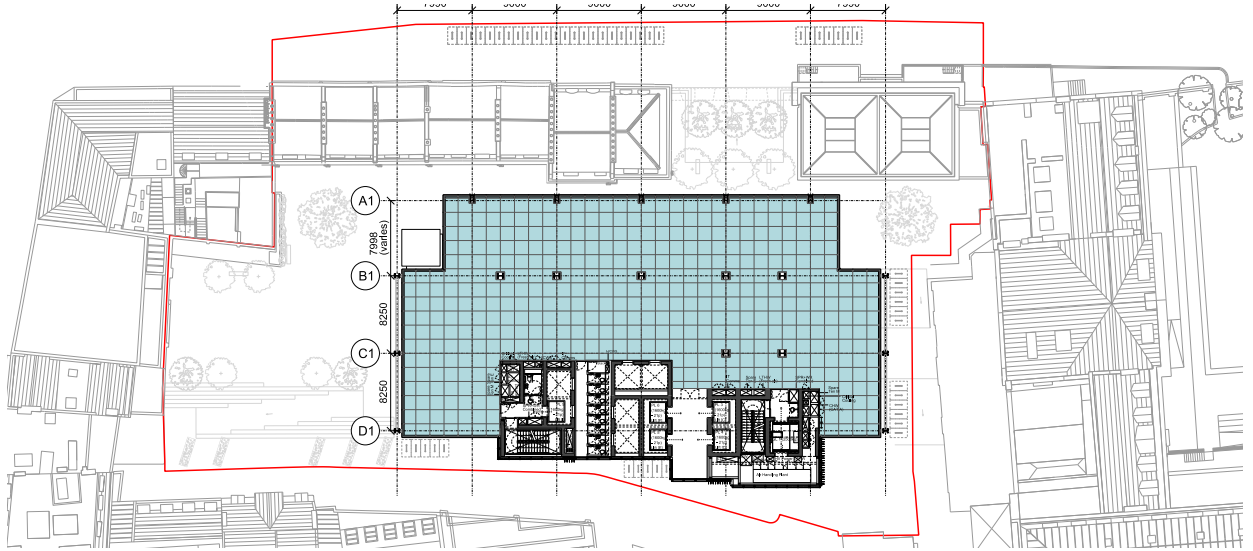


Figure 35 Plan at level 11 describes the cut back corners and demonstrates the extent of the plan in relation to the boundaries of the St Thomas St terrace and King’s Head Yard.⁹⁰

⁸⁸ DAS 2018, p. 87 (CDA.06)

⁸⁹ DAS 2018 p72 (CDA.06)

⁹⁰ 14032_X-(00)_p131 (Drawing pack)

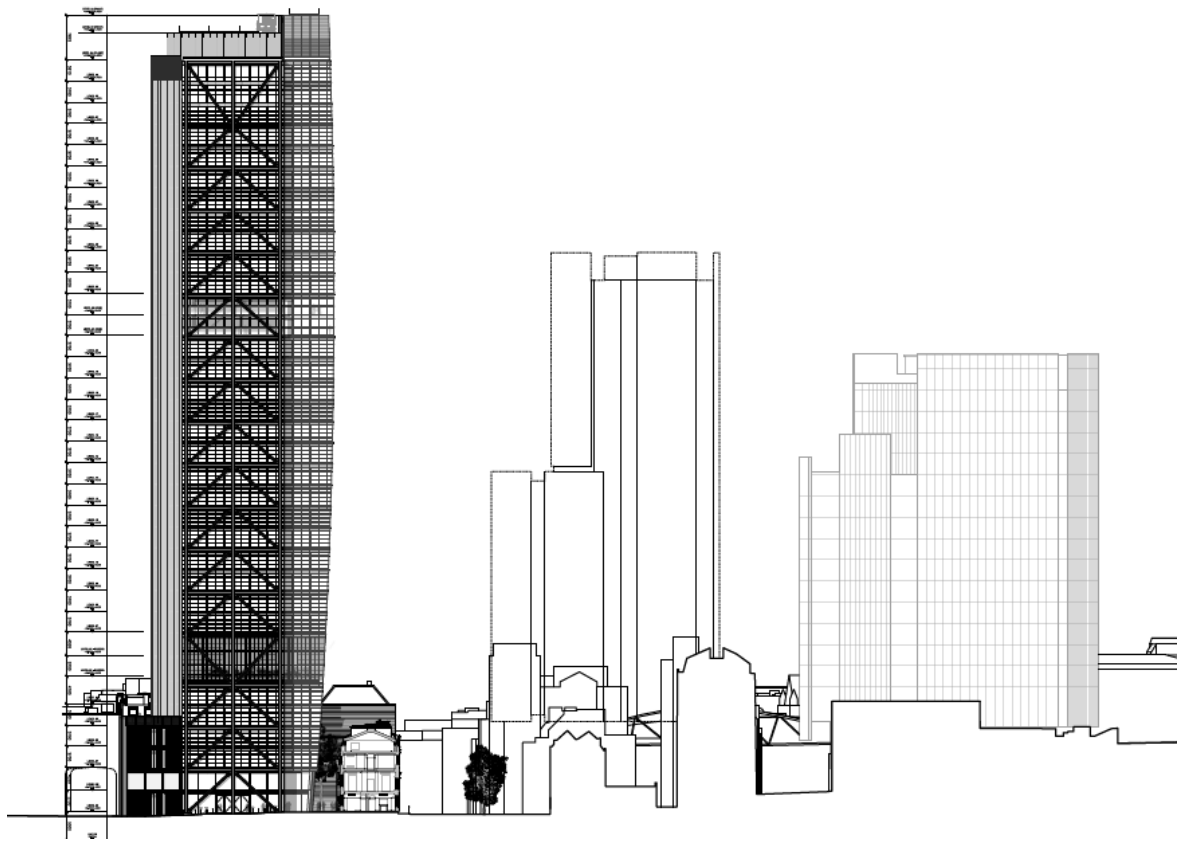
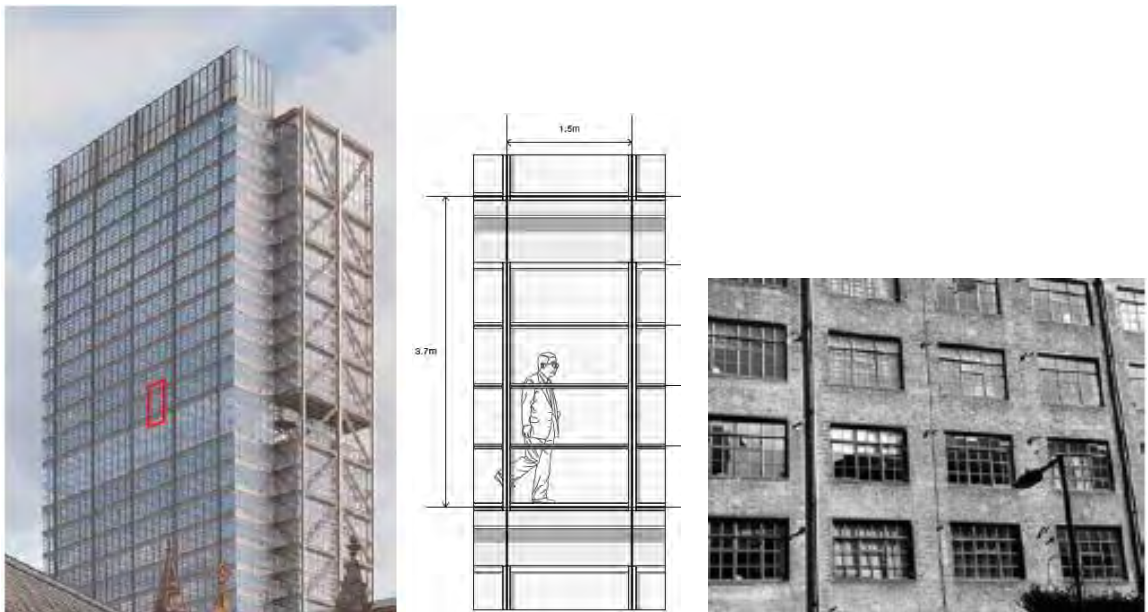


Figure 36 East elevation demonstrating the limited impact on the width of the tower of cutting back the corners.⁹¹

⁹¹ 14032_X-(00)_p203 (Drawing pack)

4.3.1.6 A collection of images are included in the DAS which seek to demonstrate the influence of local architectural elements on the language of the proposed development.⁹² In the example shown in Fig 37, a connection is made with brick-built historic warehouses. This kind of warehouse typology is typically to be found in local low-rise areas closer to the river, and are not part of St Thomas St nor the local context. Whilst there is a comparable regularity to the historic and proposed elevation they are a completely different building language. Where the historic building is a series of windows punched into a solid brickwork wall, the proposed elevation of the new tower is a visible structural steel frame between which the walls are fully glazed.

Figure 37 View of proposed north façade, proposed glazed wall and typical historic warehouse elevation⁹³



⁹² DAS p. 88 and photo book at Appendix B (CDA.06)

⁹³ 2018 DAS p. 91 & p. 88 (CDA.06)

- 4.3.1.7 More photographic references collected in the 'photo book' section of the DAS are of other local historic building elements, and include arched windows, bays, wharf buildings, horizontal – decorative bands (of masonry), window grilles. It is notable that there are no images of details in this section which refer to the Shard or other tall, contemporary buildings in the London Bridge Cluster or wider local context.
- 4.3.1.8 Façade principles are set out in paras 4.13 and 4.14 of the DAS and include component elements which are described as providing daylight and reflectivity (glazed façade), a pattern and depth ('solid elements and filigree subdivision') and exposed structure in the east and west elevations.
- 4.3.1.9 The elevation comprises two compositional patterns. That of a rectilinear composition to the external envelope, and to the east and west elevations an external structural frame (the 'exoskeleton') which is a series of highly visible trusses with diagonal members. The vertical curve to the north elevation is described in the ES main text as being introduced to provide a 'smooth view' in looking up. It is not clear whether this intention is for the upwards view from the New Yard passage, which is not illustrated in the appeal documents, or from neighbourhood views such as those from St Thomas Street.⁹⁴ The elevation treatment is considered in section 5 of this proof.

KEATS HOUSE AND GEORGIAN TERRACE

- 4.3.1.10 The development proposes a restoration of Keats House, which will include the relocation of the main façade 2.7m to the east. The existing 80's entrance to New City Court will be removed along with the building behind, and the west, south and south-east elevations rebuilt. In its new context, this building will be seen against the highly visible backdrop of the proposed tower to the south and an open space to its west.
- 4.3.1.11 The existing Georgian terrace includes a basement level. The four storey (plus roof and dormer) south facing elevation forms the north elevation to the existing courtyard garden of New City Court. The proposed raised ground of the development to ensure a pavement level public realm will mean that the basement is no longer visible in the proposal. The scale of the south elevation of the Georgian terrace will be reduced to a less vertical presence in the proposed public realm, at three storeys (plus roof and dormer).

PUBLIC REALM

4.3.1.12 The total area of new public realm at ground level, amounts to 1,305sq m. It is designed to serve a proposed new entrance to London Bridge underground station to connect this with the new tower, St Thomas St and Kings Head Yard. The proposed public realm consists of five spaces described in the extract from the Landscape Strategy in figure 38 below:

Figure 38 Proposed ground level public realm plan from Landscape strategy 2018 ⁹⁵. The connection to the underground station is not explicit in this drawing.



- ① Main Courtyard 664sqm
 - ② New Yard 181sqm
 - ③ St Thomas Street Entrance 239sqm
 - ④ East Courtyard 149sqm
 - ⑤ East Passage 72sqm
- TOTAL 1,305sqm

⁹⁴ View no 50 in the TVIBHA

⁹⁵ Landscape strategy para. 3

4.3.1.13 A new raised ground level will cover the basement floor to the existing Georgian terrace in order to maintain street level through the new public realm. Spaces 1-3 will be where most pedestrian movement will take place, and each of these is formed on one side by the elevation of the tower. Whilst the main courtyard (1) opens out to the narrow space of Kings Head Yard, the new tower will form a 144m high eastern boundary at a depth of approx. 25m from the station exit. The New Yard is a narrow passage leading to St Thomas St beside new retail space at the ground floor of the existing terrace. The spatial conditions of this space will be defined by the relationship between the four storey Georgian façade on one side, and both the base and the 37 storey façade of the new tower to the south. The new façade will project over this space at a higher level where the elevation is curved outwards. This space will be in constant and deep shade. The St Thomas St entrance will be in almost constant shade from the tower elevation that forms its southern edge.

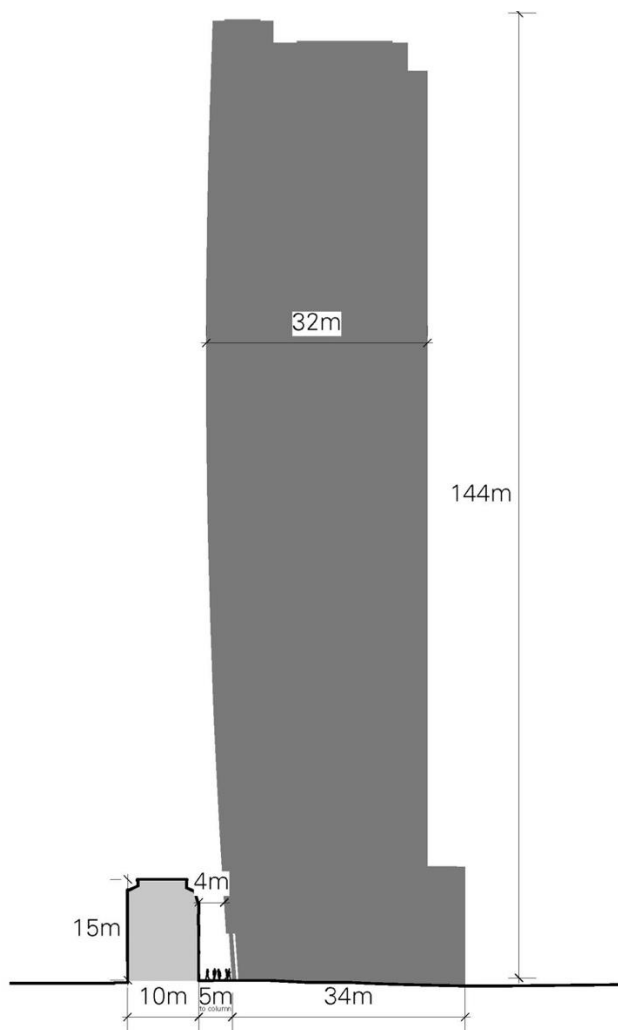
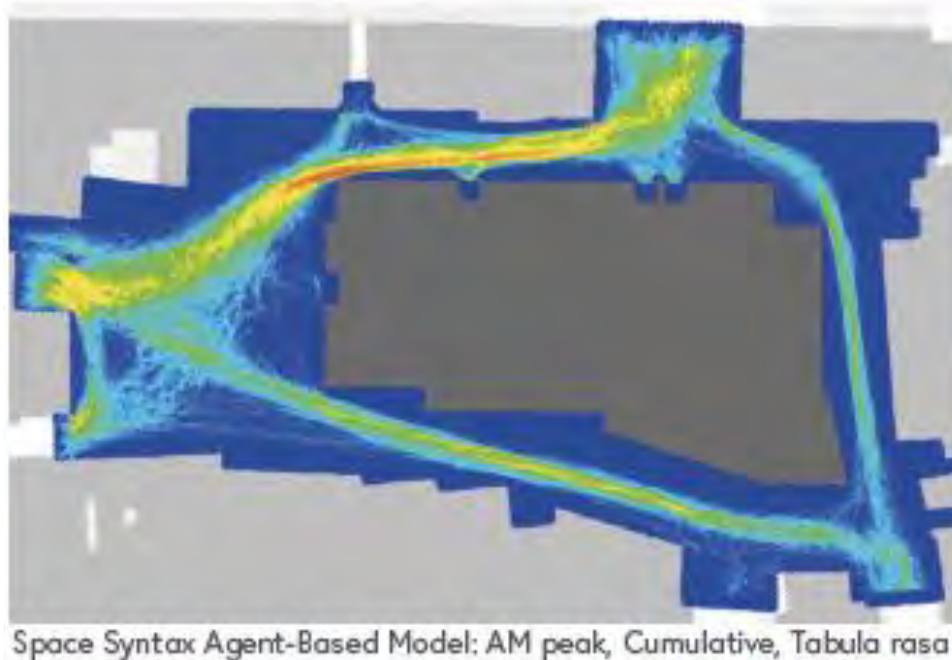


Figure 39 Diagrammatic section looking west, cutting through Georgian terrace and tower, describing dimensioned spatial relationships, including the narrow New Yard.

4.3.1.14 The proposed public realm consists of 5 spaces, which will be defined by programmatic expectations, and spatial conditions. These new spaces will need to provide pedestrian connectivity between St Thomas St, Kings Head Yard and the new station exit. The narrow passageway of New Yard will include entrances to the Tower for building users, and public access to retail units. In addition these spaces must meet policy requirements for high quality placemaking, 'ensur(ing) both the movement function of the public realm and its function as a place'⁹⁶. Supporting text in policy D8 describes this as being 'distinctive, attractive and of the highest quality, allowing people to meet, congregate and socialise, as well as providing opportunity for quiet enjoyment'⁹⁷ and including 'appropriate shade, shelter, seating and, where possible, areas of sunlight'⁹⁸. The Landscape strategy describes the proposed public realm as being in '... light-to-deep shade during most of the day for most of the year.'⁹⁹ Figure 40 describes pedestrian circulation movement through the spaces at morning peak. In section 5, I examine how these spaces are likely to be experienced and whether as a result, the proposals comply with policy requirements for high quality place making.

Figure 40 Circulation diagram showing pedestrian desire lines¹⁰⁰



⁹⁶ LP Policy D8 E

⁹⁷ LP Policy D8 3.8.6

⁹⁸ LP Policy D8 J

⁹⁹ Landscape strategy p. 16 (CDA.20)

¹⁰⁰ Landscape strategy 3 p. 13 (CDA.20)



Figure 41 Visualisations of New Yard looking west and from building entrance into New Yard ¹⁰¹

4.3.1.15 The public realm is described in the DAS as being part of a wider network of public spaces and put into the context of a number of local neighbourhood parks and green spaces. The examples shown¹⁰² and included in Figure 42 below describe spaces of a very different character, green, open to the sky, sunny and large enough to accommodate a range of activities.

¹⁰¹ DAS 2018 4.38 and 4.43 (CDA.06)

¹⁰² DAS 2018 para 2.6 (CDA.06)

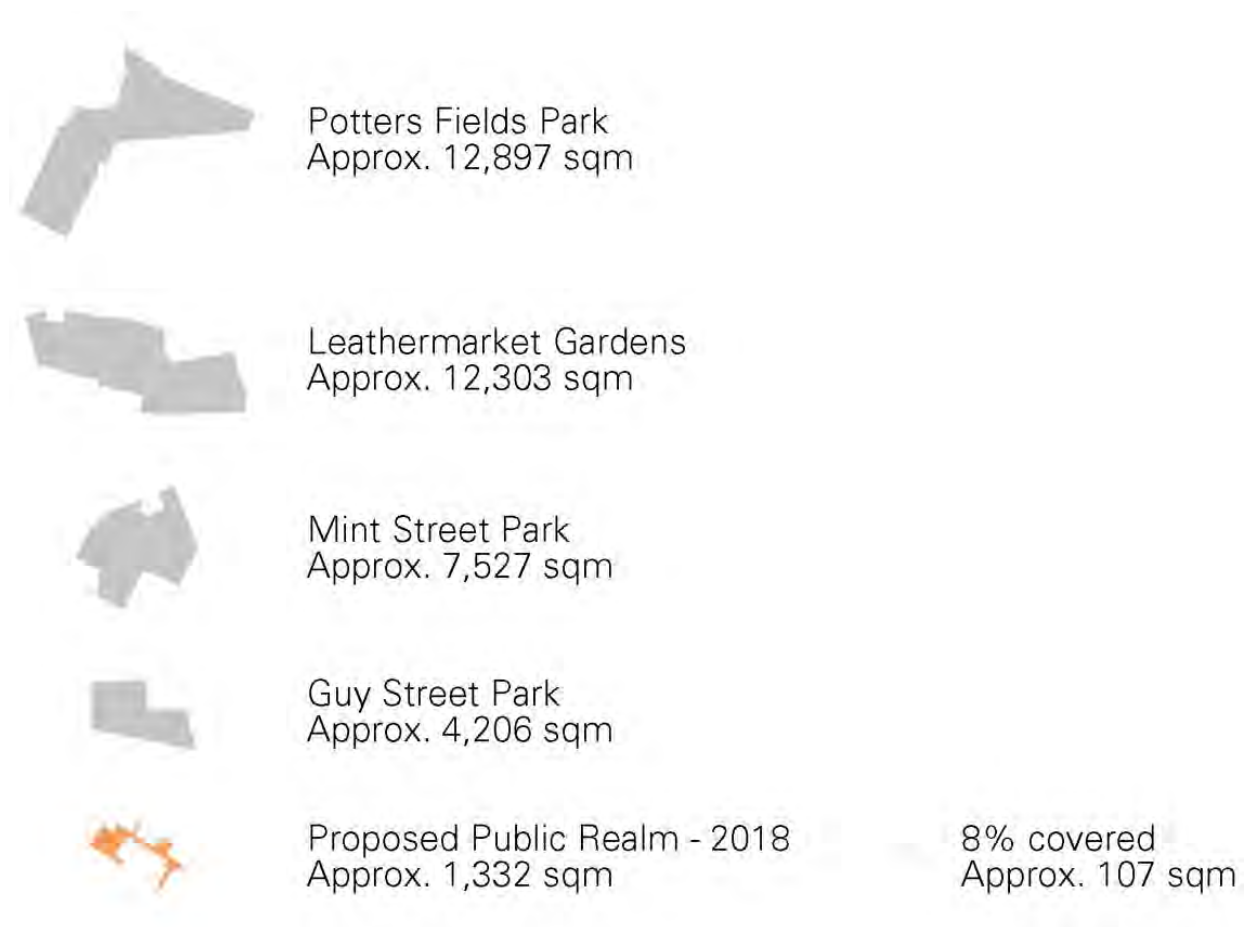


Figure 42 Scale comparison of local open spaces in relation to the scale of the proposed public realm referred to in DAS

4.4 2021 PROPOSAL



Figure 43 View of 2021 proposal looking west along St Thomas Street ¹⁰³

¹⁰³ ES TVIBHA View 42

NEW BUILDING

4.4.1 The 2021 application proposes a 26 storey tower of 108m AOD. This tower will comprise a total of 52,461 sq m GIA (2018 application= 54,501 sq m) of which 49,049 sq m is class E office space (an increase compared to the 2018 application of 46,374 sq m B1 office space).

4.4.2 At its base the tower meets the ground in a stepped back arrangement creating a four storey covered area all around the new building. The ground floor footprint is a complex non rectilinear shape, creating a covered passage to its north of 7m width and a new public space to the west between the building and the new station exit together amounting to an area less than 1000 sq m. The fifth storey and above overhangs the lower four floors to the north and west. The section below (figure 44) and diagrammatic view (figure 45) demonstrate that the building from fifth storey upwards reaches beyond the eaves line of the existing historic terrace.

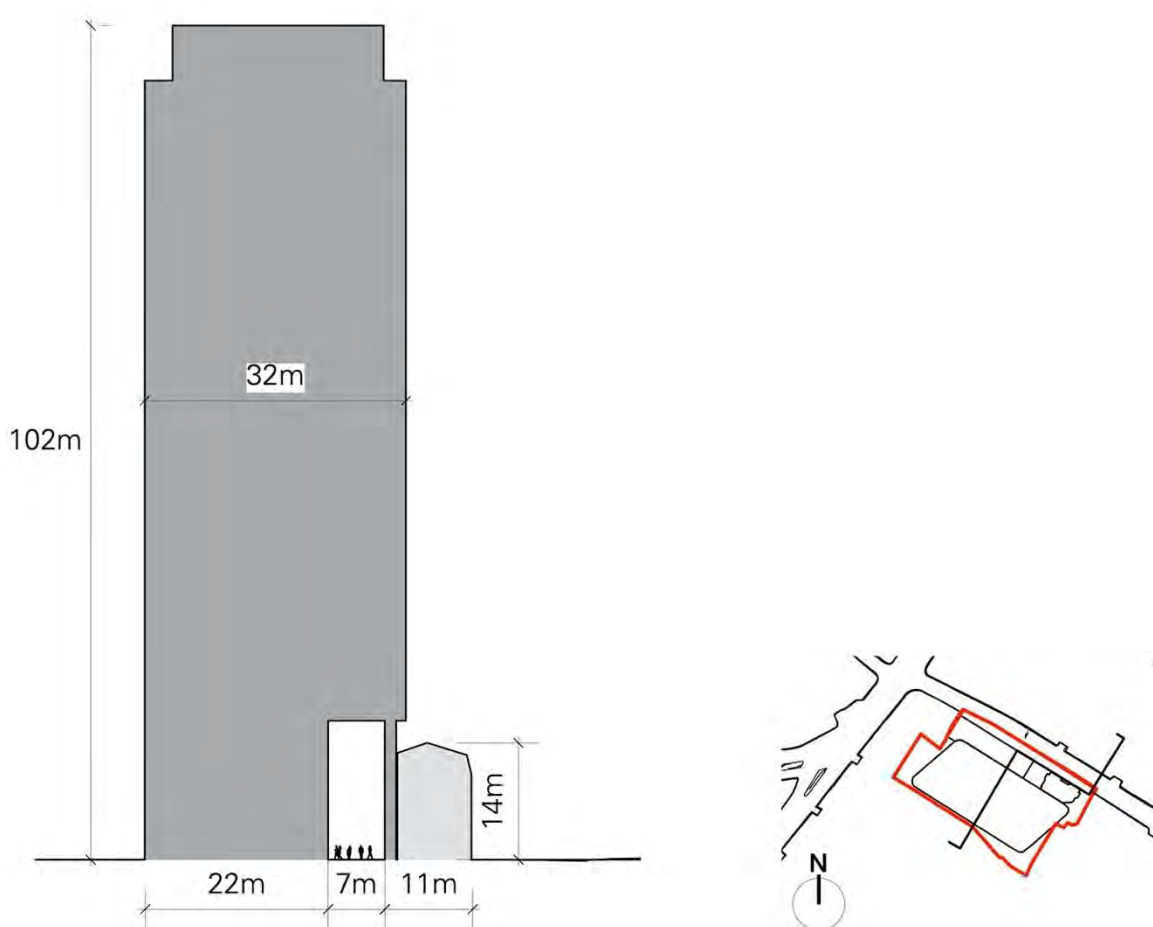


Figure 44 diagrammatic section looking west, showing the relationship between proposed Tower and the existing Georgian terrace

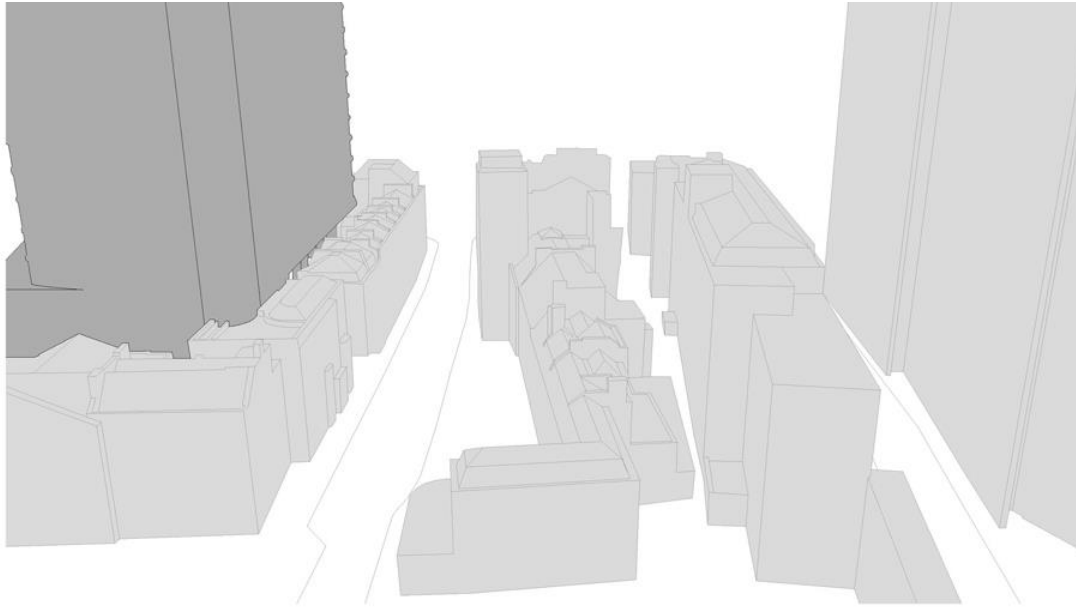


Figure 45 Diagram looking west along St Thomas st showing the Tower emerging from behind Keats house and the Georgian terrace, (drawing developed using the VuCitydocument)

- 4.4.3 The building footprint occupies 2,188 sq m leaving a total of 999 sq m available for the creation of public realm.
- 4.4.4 The projecting floors of the tower above fourth floor are a significant enlarging of the plan as it emerges vertically from above the Georgian terrace, rather than from behind it. For the rest of its height the floorplan and building shape is that of a regular parallelogram with curved corners for the remaining storeys to the top and with no further variation in width or length.
- 4.4.5 In views from St Thomas St, the north elevation of the proposed building appears to fill the space behind the terrace, the oblique view of the west elevation serving to increase the sense of mass when seen from this position. The proximity of the new building in relation to the existing Georgian terrace, is extreme. These are two completely different building typologies, not only in terms of their scale and height, but in all aspects of materiality, building elements, and architectural language. The abruptness of the juxtaposition of new and old is jarring.

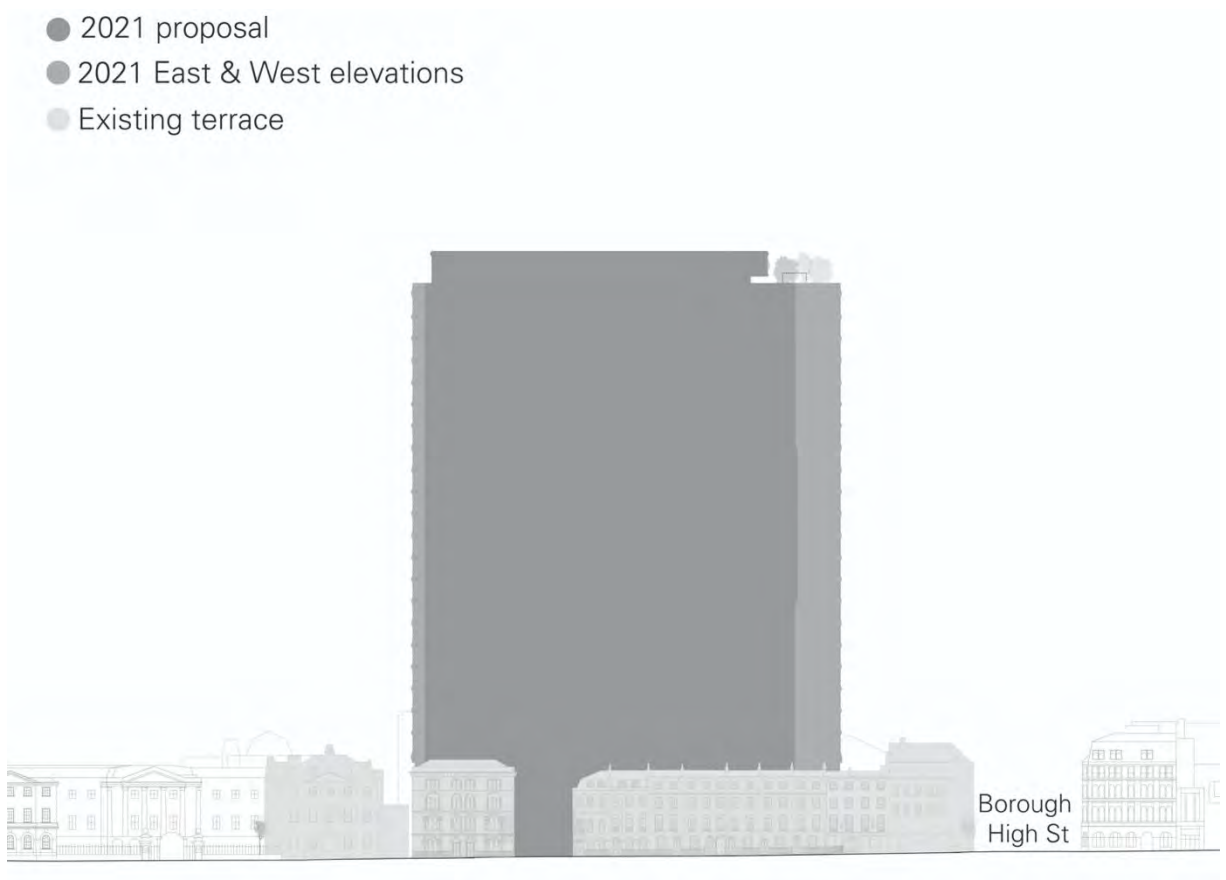


Figure 46 Simplified north elevation showing the relationship between existing terrace and proposed tower

KEATS HOUSE and GEORGIAN TERRACE

4.4.6 The development proposes a restoration of Keats House, which is as described in section 4.3 above, except for the greater relocation distance of the main façade being c 6m to the east. The 2021 proposal brings the tower from fifth floor upwards to just overlap with the eaves line at the rear of the existing buildings, forming a covered space. From St Thomas St it appears that there will be no visible gap between the existing buildings and the main tower.

4.4.7 The development proposals for restoration of the Georgian terrace remain as described in the 2018 proposal. However the relationship between the existing terrace and the new Tower will be different. In this case whilst the four storey base is further way from the rear of the existing buildings, the edge of the tower that rises above will be much closer, bringing covered space to the south elevation of the terrace. The effect will be an almost complete loss of daylight to this elevation. The juxtaposition of scales between the existing buildings and the new mean that the existing will appear to be almost beneath the new tower as it appears to emerge from the south eaves line of the Georgian terrace roof.

PUBLIC REALM

- 4.4.8 In order to create public realm in this proposal, the first four floors at the base of the Tower are set back, creating a covered passage behind the St Thomas St terrace.

Figure 47 Diagram of ground floor plan to show proportion of public realm to built space, and the extent of the tower beyond the base or podium which results in 61% of the public realm being covered



- 4.4.9 The 2021 proposal reduces the area of public realm from the 2018 proposal by almost 400 sq m to 941 sq m overall, the majority of which becomes covered space, with little or no access to the sky. Whilst the passage behind the Georgian terrace becomes wider the main space between the underground exit and the base of the new building is very reduced, with the footprint of the building extending out to the west, to be 13m from the station, with a proportion of this as covered space.
- 4.4.10 With the exception of the retail units being no longer in the proposals, the programmatic and qualitative expectations remain as set out in section 4.3 above. The circulation diagram in figure 48 demonstrates a space in which the pedestrian movement dominates the space leaving barely any areas in which to pause. The extent of overshadowing will be increased, with 'Most of the outdoor areas on the GF (being) in part shade for most of the day during most of the year' except for some sunlight to the centre of the main space in the middle of the day in mid summer, and to its northern part from spring to autumn.¹⁰⁴

¹⁰⁴ Landscape strategy p31 (CDA.20)



Figure 8 Circulation diagram from the Landscape Strategy document¹⁰⁵

5 Likely Reasons for Refusal

5.1 INTRODUCTION

5.1.1 My evidence addresses the likely reasons for refusal dealing with the design and townscape issues for the 2018 and 2021 proposals and will explain how the proposed development is contrary to the development plan policies as set out in the Statement of Case including national planning policy in section 12 of the NPPF.

¹⁰⁵ Landscape Strategy 2021 p23 (CDA.20)

- 5.1.2 This section will focus on the height, scale, and mass, the design and architectural quality of each of the proposed tall buildings and their associated proposed public realm and the impact of each proposed development on the local townscape and character and on the skyline. I also consider each of the proposals against the criteria of Policy P17 of the Southwark Plan and Policy D9 of the London Plan insofar as they relate to my area of expertise and evidence.
- 5.1.3 The overview below covers those issues of design development which pertain to both proposals. I consider what the expectations of the design process should be for a development of this scale in a site of this nature, and whether the process that is described meets those expectations. I then go on to consider each proposal in terms of the following headings, drawing upon local and national policy to address the quality and impact of the development on townscape and context in terms of:
- Height, scale and mass
 - Design Quality: The new building
 - Design Quality: Public Realm
 - Impact on townscape and views
 - The criteria in Policy P17 and Policy D9

5.2 OVERVIEW

- 5.2.1 Both proposals are large and as a result have a correspondingly substantial adverse impact on the character and context of their immediate area, and adjacent character areas. A careful consideration and analysis of the suitability of this site for a development of this scale is necessarily crucial to a successful and high-quality design, and my evidence considers whether the design evolution and the proposals have done this, including taking account of the Southwark Plan Policy P17 requirement for tall buildings to ‘have a height that is proportionate to the significance of the proposed location and the size of the site’.¹⁰⁶
- 5.2.2 Suitability of the site for a tall building includes the criterion set out in Policy P17 which requires Tall Buildings to be located at a point of landmark significance. The ‘fact box’ at page 135 of the Southwark Plan explains that a point of landmark significance is where a number of important routes converge, where there is a concentration of activity and which is or will be the focus of views from several directions. Whilst Borough High Street is an important route, St Thomas St can be understood as a more local one and the appeal site is not where a ‘number of important routes converge’. Also, although there is busy pedestrian activity on the corner of St Thomas St and Borough High St, the appeal site location itself does not have a concentration of activity, the

¹⁰⁶ SP P17 2) 2

western end of St Thomas Street being low rise without active frontages or public buildings that would generate activity.

- 5.2.3 In section 3 of this proof, I have noted the nature of the site condition in relation to views from London Bridge. The low-rise existing buildings of Borough High St and the site itself allow a gap of sky to define the route into south London, providing an openness between the London Bridge cluster and the historic situation of Southwark Cathedral neighbourhood. It is the absence of building in this location that gives it a significant quality in townscape terms, when seen from London Bridge, and reinforces the observation that the site is not of landmark significance. The Shard on the other hand is instructive in fulfilling the criteria for landmark significance. It acts as the focus for a number of surrounding views, in particular the approaches from Southwark St to the west and from Borough High Street to the south. The arrival of this large and prominent new building in the foreground would significantly reduce the clarity and status of the Shard as the key local landmark. In the view from London Bridge the clarity of the Shard as both the pinnacle of the tall building group and a singular entity is also significant. Again this clarity is undermined by the new tower, which disrupts the downward inclination of the cluster towards London Bridge.
- 5.2.4 The Borough, Bankside and London Bridge characterisation study locates the appeal site in the Borough High St character area, which is described as an important arterial route, with a 'defined frontage to the street' and a typology of yards (such as Kings Head Yard) and coaching Inn yards.¹⁰⁷ As described in section 3 above, the local context has strong spatial characteristics, and valuable architectural qualities, derived from both the periods in which it was built, and narrative associations with local history, including Guy's Hospital and the arrival of the railway. The site itself is a constrained plot, with a complex and low-rise boundary condition, and access to the interior of the site, currently only available by way of the existing 1980's building.
- 5.2.5 THE DESIGN STORY - The National Design Guide explains that 'Well-designed places and buildings come about when there is a clearly expressed 'story' for the design concept' and 'how it has evolved into a design proposal.'¹⁰⁸
- 5.2.6 Each of the proposals introduces a very large building into this complex site and context, and it is a requirement of LP Policy D4¹⁰⁹ that such proposals be subject to enhanced scrutiny through an early design review before the application is made or a local borough design review process that complies with the criteria of Policy D4 E, which include the review being undertaken by independent experts. Whilst I have considered the CABE review and report on the 2018 proposal,

¹⁰⁷ BBLB characterisation study 3.7.4 (CDE.013)

¹⁰⁸ NDG p. 4, para. 16 (CDD.020)

¹⁰⁹ LP policy D4 D (CDD.021)

no equivalent design review of the 2021 scheme appears to have taken place.

- 5.2.7 The starting point for a consistent and coherent ‘design story’ should be a rigorous interrogation of the client brief. This accords with LP policy D3, which seeks ‘a design-led approach’ to ensure that ‘development is of the most appropriate form and land use for the site.’¹¹⁰ A careful design-led exercise in respect of these proposals should weigh the quantity of accommodation sought along with the associated aspiration for a tall building, against a forensic evaluation of the site’s capacity to meet this brief. This would accord with Southwark Plan policy P14 which requires ‘design solutions that are specific to the site’s historic context, topography and constraints’ and ‘buildings and spaces that utilise active design principles that are fitting to the location, context, scale, and type of development’.¹¹¹ In neither of the proposed schemes does the DAS describe or reproduce the client’s original brief, and I am not aware of a submission document that provides a schedule of accommodation or a categoric brief for the development, provided by the client team, beyond the set of project aspirations described in section 4 above.
- 5.2.8 An appropriate evaluation of the brief and proposal in relation to site conditions requires as a starting point a careful analysis and qualitative understanding of the site; one that goes beyond data gathering. This should be a careful assessment of what already exists, as well as where the opportunities are for the most appropriate and high quality spatial and architectural response in relation to the existing scale, materiality, and character.
- 5.2.9 LP Policy D3 and Policy P13 of the Southwark Plan require a design response to ‘local distinctiveness’ (outlined in greater detail in section 2 above). With these policy requirements in mind, I consider that an assessment of area character should provide an interpretation and understanding of what is particular to the place and include considerations of townscape as well as architectural detail in assessment of character. As the design emerges it should be clear how these considerations inform proposals at a strategic as well as detailed level, informed by the nature of a place and the surrounding environment. In this responsive process the outcome is determined by the design process and considerations of the site and surrounding area, rather than by the client brief alone.
- 5.2.10 This requirement also indicates that the form and character of a building should not be developed in isolation from its site, in such a way that the architectural decisions refer only to the needs of the building or brief. Instead, it should be clear throughout the iterative process how the emerging design decisions are a response to site conditions. This process should include interrogation of the brief and the client’s accommodation expectations, to test the brief against the capacity of the

¹¹⁰ LP policy D3 A (CDD.021)

¹¹¹ Southwark Plan Policy P14 2) and 6) (CDE.01)

site, its scale, constraints and sensitivities and those of the wider context.

- 5.2.11 The 2018 DAS provides a broad overview of the local area, the context of the site, and its prominence in relation to the Thames and the City.¹¹² The assessment of the existing historic buildings that form part of the proposals includes a description of Kings Head Yard.¹¹³ The DAS is dismissive of the existing 1980's building of New City Court, as I have outlined above in section 3.
- 5.2.12 The London Plan Policy SD4 prioritises the retention of existing area quality and character in the CAZ, stating in part C, that 'the distinct environment and heritage of the CAZ should be sustained and enhanced.'¹¹⁴ Having regard to this policy requirement and the general policies of the London Plan and Southwark Plan that deal with responding to local distinctiveness (D3 and P14) as well as the specific tall building policies that also require development that responds positively to existing character and townscape (D9 and P17), I have looked in the DAS and ES of each proposal for an analysis of context that demonstrates an understanding of what is particular and distinctive about this site and its context, which is not confined to detailed architectural elements. I would expect to see a context analysis that instead engages with what kind of place it is including with regard to existing built scale. Whilst each DAS includes a number of photographs of local details, materials and surfaces¹¹⁵, and identifies a local language of engineered elements associated with the railway (see section 3 above), there is no equivalent analysis of built scale, or building heights across the immediate area. There is also no analysis that includes observations of what it is like to live, work or travel through this neighbourhood, which would reasonably include identifying spatial, acoustic, temporal and other qualities that vary across this complex built environment as it shifts in scale between London Bridge Station, Guy's Hospital Campus, and the western end of St Thomas St. Notably, there is no description of how existing built scale and conditions have informed the proposal to include a tall building¹¹⁶ in this location.
- 5.2.13 The chronology of design development, which I consider further below, is described as including the following¹¹⁷:
- 2014 – review of conventional redevelopment/reuse. Assessment of the site, opportunities it offers and evaluation of the potential for a taller building.
 - March to July 2015 – consideration of different shapes of the Tower to maximise public space at ground level.

¹¹² DAS 2018 pp. 16-30 (CDA.06)

¹¹³ DAS 2018 pp. 31-33 (CDA.06)

¹¹⁴ LP Policy SD4 C (CDD.021)

¹¹⁵ DAS 2018 and DAS 2021, Appendix B (CDA.06 and CDB.08)

¹¹⁶ 2018 DAS and 2021 DAS, ch 3 p. 72 (CDA.06 and CDB.08)

¹¹⁷ ES Part 1 Main text p4 para 4.13

- July to September 2015 – initial expression of a Tower on the Site.
- October to December 2015 – refinement of height and massing and integration with surroundings.

5.3 2018 Proposal

5.3.1 HEIGHT, SCALE AND MASS

5.3.1.1 In the ES Main Text the section entitled ‘Alternatives and Design Evolution’¹¹⁸ describes a process of analysis and options studies in which ‘the height of the Tower (is) the primary focus’ and adds that ‘The aim is to provide a building of similar height that matches the massing of surrounding buildings’.¹¹⁹ The ‘surrounding buildings’ are selectively listed as the Shard, Guy’s Hospital tower and the Quill (Capital House), and do not include the buildings that form part of the appeal site that would be immediately adjacent to a tower nor the buildings in the immediate and local context of the site such as those on the north side of St Thomas St, on Borough High Street, and those forming part of Guy’s Hospital to the east of the site. The absence of consideration of these buildings (some of which are listed) limits the assessment of their significance, in defining area character, townscape qualities and context. This in turn limits proper consideration of the site’s suitability for a tall building. Rather than grappling appropriately with the implications of the redevelopment of the site for the surrounding context and the suitability of the site for a tall building having regard to local context, the DAS instead seeks to align the development with the London Bridge cluster of tall buildings, which occupy a very different sub area in terms of character as described in section 3 above. I note that the November 2018 CABE design review expresses concern about equating this site with the London Bridge cluster, stating states that ‘we do not believe a tall building on this site can be seen part of a ‘London Bridge cluster’ of tall buildings’.¹²⁰

5.3.1.2 The Southwark Plan policy P13 Design of Places requires development to ‘ensure height, scale, massing and arrangement respond positively to the existing townscape, character and context’ and Policy P17 requires tall buildings to ‘respond positively to local character and townscape’.¹²¹ The DAS states that ‘*the optimum height of the Tower has been a key focus of the design process*’.¹²² I have looked for the considerations that informed the Appellant’s approach, which I consider as follows.

¹¹⁸ ES Part 1 Main text Section 4

¹¹⁹ ES Part 1 Main text para 4.22

¹²⁰ New City Court Design review letter 29.10.18 p. 3

¹²¹ Southwark Plan Policy P17 tall buildings 2) 5) (CDE.01)

¹²² 2018 DAS para 4.2 p. 79 (CDA.06)

5.3.1.3 From the information made available by the Appellant, it appears that the analysis moves directly from ‘no development’ to an iterative process developing the shape and form of a tall building. This binary position (no development or a tall building) sidesteps the critical stage of considering what kind of form, mass or scale of building would be successful and appropriate to the sensitivities and complexities of this particular site. Figures 49 and 50 below show the tower form being considered in isolation, without testing the impact of the options on the site or context. This process also does not consider the scale of associated proposed public realm in relation to building height. Instead, the drawings present as an exercise in architectural gesture and independent form making, in which the reader is unable to understand the relationships between building height and public realm, or the impact of different heights and forms of redevelopment on adjacent low-rise buildings (many of which are listed) and the character and appearance of the conservation area of which they form part.

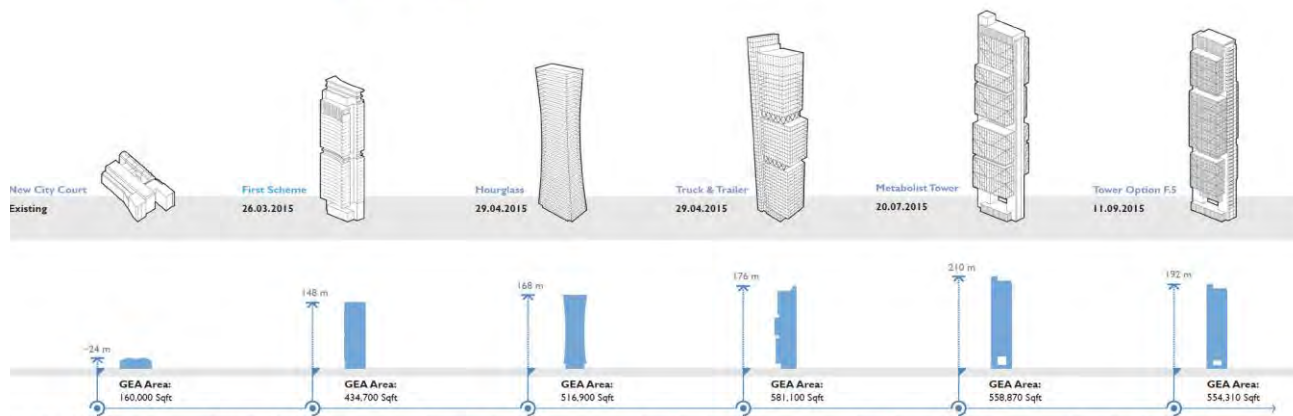


Figure 49 ES Part 2 Fig 4.1 Different tower shapes, summarized in terms of GEA. Heights are given but without reference to context have limited value.

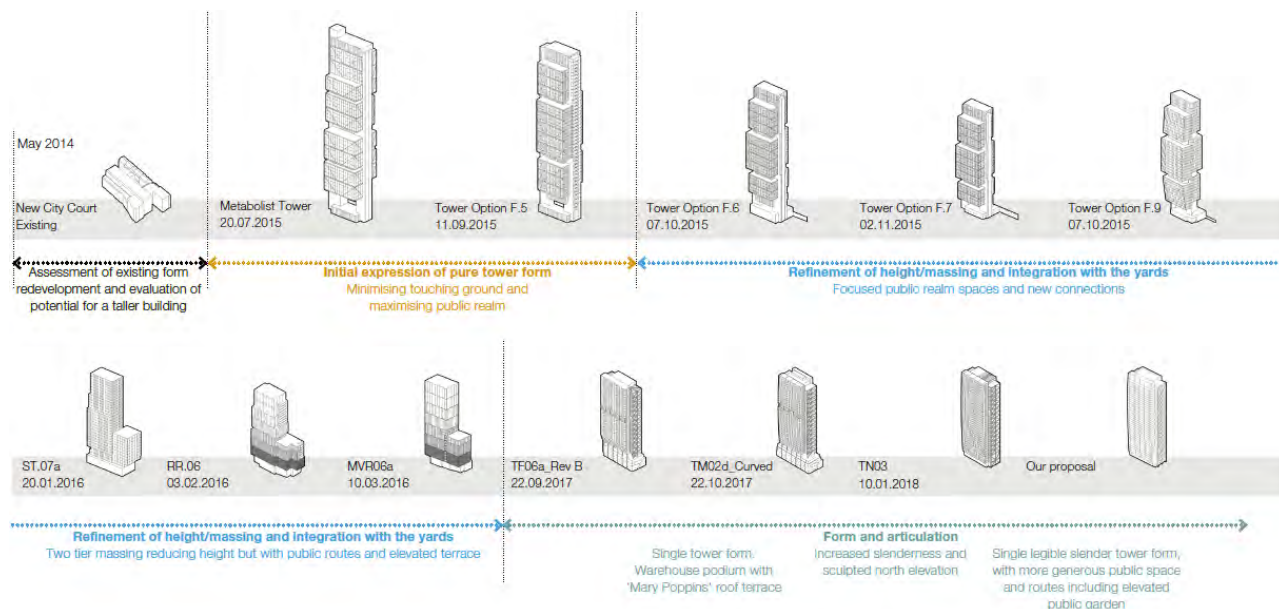


Figure 50 'Refinement of tower shape'¹²³ again without reference to wider context.

- 5.3.1.4 In respect of the historic environment, I note that both the Southwark Plan and the London Plan expect design to respond to the site's historic context (see Policy P14 para. 2 and LP Policy D3 11) and to conserve and enhance the significance of the local historic environment (see Policy P13 para. 2 and Policy P17 para. 3.2 in respect of tall buildings and LP Policy D3 11). The extent to which consideration of impact on the historic environment has informed the design process and the decision to opt for a tall building at the height, scale, and mass proposed is not explained. I note that the Inspector in his Report in respect of the Tulip Appeal Decision considered that the proposal in that appeal would be a poor and unsympathetic response to the historic context, which included the Tower of London WHS and that this weighed heavily against the quality of the design (IR paras 14.84-14.87 p. 154). I agree that the design approach to the historic environment and heritage assets within it and the outcome of the design process in respect of these matters can have a real impact on the design quality of submitted proposals and is an important element of good design.
- 5.3.1.5 The ES states 'The starting point in 2014 was assessing the opportunities that the Site has and evaluating the potential for taller buildings on the Site'.¹²⁴ The list that follows makes no reference to building height, instead describing a series of outcomes which could be achieved by developing the site, including new public realm and creation of commercial space. There is no assessment as to the interaction between these desired outcomes and a building of the proposed scale and height and no analysis as to why these outcomes would require a building of the proposed scale and height.
- 5.3.1.6 Similarly the option of 'no development' does not provide an assessment of what already exists on the site and instead is presented as a series of lost opportunities, including the following:
- no connection between St. Thomas Street, King's Head Yard and Borough High Street
 - increase flexible office floorspace
 - creation of new public spaces and communal facilities
 - preserve and enhance existing heritage assets.
- 5.3.1.7 Whilst the delivery of these 'lost opportunities' could provide benefits, neither the ES nor the DAS explain in architectural, spatial or townscape terms why these improvements require a building of such scale to deliver them.

¹²³ ES part 2 Fig 4.2

¹²⁴ ES Main text para 4.6

- 5.3.1.8 The ES text emphasises that the design process balances the need to maximise floorspace with options for massing and quantity of public realm.¹²⁵ This approach limits strategic design considerations to the relationship between accommodation expectations and public realm but omits the evaluation of wider townscape issues, which is clearly required by policy, and which would be reasonably expected to have a significant influence on the scale, massing, height and overall intent of a large building.
- 5.3.1.9 The design development of the vertical curve to the north elevation is described in the DAS¹²⁶. This description shows a squeezing and shifting of the building's volume, in order to fit a more or less fixed quantity of interior accommodation onto the site. The drawings seek a way to reduce the footprint of this large built volume inserted into the small site, in order to provide a strip of public realm between the north elevation of the Tower and the rear of the Georgian terrace. Since there has been no townscape or architectural reason provided as to why the upper storeys of the building need to be as wide as they are, it is difficult to understand why the design team did not propose a narrower building. The outward bulge of the curve appears to respond to the accommodation expectations, as it extends above the roofline of the existing listed terrace, rather than to fulfil an architectural or townscape approach.

¹²⁵ ES part 1 Main text para 4.15

¹²⁶ DAS 2018, pp. 81-82 (CDA.06)

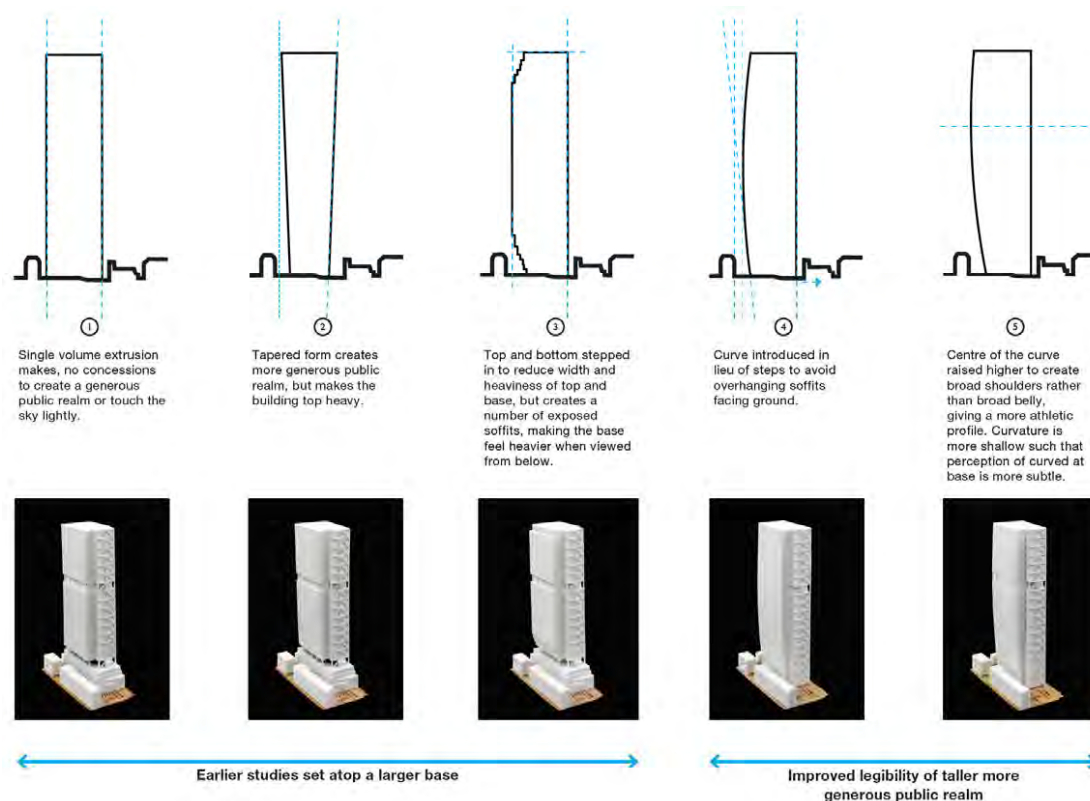


Figure 51 The development of the curved elevation¹²⁷

5.3.1.10 The result of the curve is a building in which the scale of its extremely large north elevation, and extensive glazed walls, gains even greater emphasis and presence as it leans outwards towards St Thomas St, above the low buildings at its base. This is contrary to the accompanying text in the ES TVIBHA view 51 below which describes the proposed tower as less visually dominating due to the top of the tower being visually peripheral to the view.

5.3.1.11 Having regard to the above, my view is that the proposal fails to be of a height that is proportionate to the significance of the proposed location and the size of the site contrary to Southwark Plan Policy P17, para. 2.2.

¹²⁷ DAS 2018, p. 81 (CDA.06)

Figure 52 View 51, ES Part 3 TVIBHA. The curve brings the north elevation into even greater juxtaposition with existing historic buildings



5.3.2 DESIGN QUALITY: NEW BUILDING

- 5.3.2.1 As I have explained in Section 2, both the most recent version of the NPPF and the London Plan 2021 place increased emphasis on good design. I also explain in section 2 that the design quality of tall buildings is specifically emphasised by the London Plan and the Southwark Plan, with both requiring tall building design to be 'exemplary'.

- 5.3.2.2 Architectural references recalling large scale engineering elements characteristic of the railway, and elements of riverside warehouses, (which are at some distance from the site) are described as informing the proposal and considered above in section 4. The DAS describes the ‘conceptual expression’ of these references in the proposed tower as a ‘vertical bridge’¹²⁸ which brings together ‘the fine warehouse language and the heavy infrastructure of the railway’. At the same time the drawing below associates the proposal with the tall buildings in the London Bridge Cluster, and developing further east along St Thomas St. The result of these references would be a building which is not only large in overall scale but in the language and expression of its structural and engineered elements, a tower which would appear as a singular entity separate to these existing tall buildings.
- 5.3.2.3 As described in section 3, the Appeal site can be understood as being in a distinct sub area. The strong existing historic character of Borough High St defined in the CA Appraisal describes street frontages to long narrow plots (burgage plots) and low-rise buildings, generally not exceeding 5 storeys of brick and masonry construction, solid facades with windows arranged within them and decorative detail designed to be seen up close. The finer grain sub areas identified in section 3 identify a strong sense of place formed at the adjacent western end of St Thomas St.
- 5.3.2.4 The proposal fails to consider the built language, or scale of the historic perimeter buildings around the site. The framed structure of the proposed building, in which the envelope is formed of extensively glazed walls within an expressed structural frame, would sit in stark contrast to existing buildings. Despite the historic terrace and Keats House being renovated, the scale and the extreme proximity of the new Tower would reduce the prominence and status of these existing buildings to one that is subservient to the development, appearing as a podium or base to the Tower as it emerges from behind them.

¹²⁸ DAS 2018, p. 73 (CDA.06)

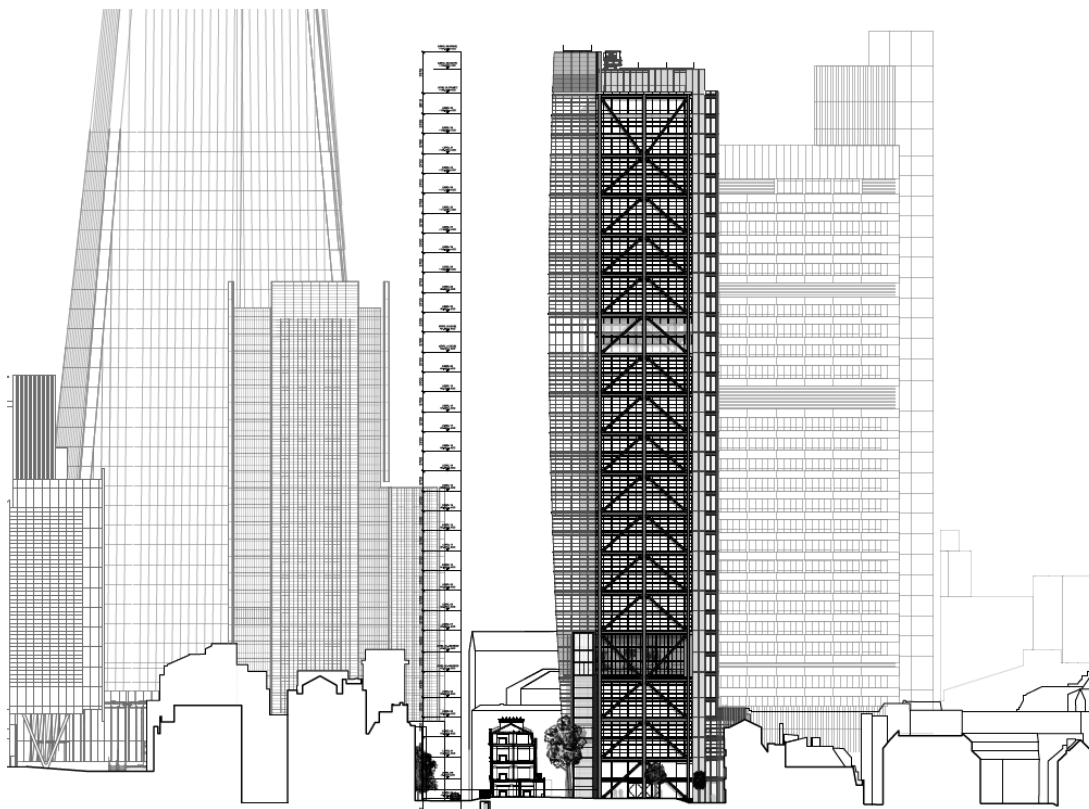


Figure 53 West elevation¹²⁹. Section through the Tower, looking east. The orthogonal drawing has the effect of grouping the Tower with the Shard, Shard Place, and Guy's tower in much greater proximity than the dimensional reality

- 5.3.2.5 The LP Policy D9 requires consideration of the visual impacts of a tall building at immediate, local, and citywide scales, and its supporting text¹³⁰ explains that 'A tall building can be considered to be made up of three main parts: a top, middle and base'. To understand the impact of the development on the context, I have considered the 2018 proposal from the street and new public realm, at middle distance from the local neighbourhood, and surrounding streets and from mid-range viewpoints, in terms of townscape, context and character.

5.3.3 BASE

¹²⁹ Drawing14032_X_(00)_P204

¹³⁰ LP D9 3.9.6

5.3.3.1 LP policy D9 emphasises that ‘the base of the (tall) building’ should maintain ‘the pedestrian scale, character and vitality of the street’ and seeks an ‘appropriate transition in scale between the tall building and its surrounding context to protect amenity or privacy’.¹³¹ Contrary to these policy expectations, the constrained spaces of the base of this very large building are characterised by a language of large structural and architectural elements that are consistent in scale, materiality and character with those of the 34 storeys above. The building rises like a cliff face above the ground and first floor base section and its overbearing impact is exacerbated by the outwardly curving profile. This kind of uncompromising scale may be appropriate in a more open area, a city plaza, or amongst other tall buildings of a similar character, as in the Shard cluster. Here however, there appears to be no acknowledgement of the fact that the building’s base is situated in a space that is disproportionately small in relation to its height and mass and includes a number of valuable listed buildings.

5.3.3.2 The effect of the large-scale architectural elements is that the building appears to have been designed downwards, the base being a continuation of the structural language higher up the building, rather than considered in relation to the particular spatial restrictions around it. These large building elements will be experienced up close, and their relationship to the existing Georgian terrace rear elevation and to Kings Head Yard will be abrupt and jarring. The existing sense of enclosure to this historic space is low rise and consistent with the scale of the Kings Head inn and its neighbours. The proposed steps will not, as suggested in the DAS replace that enclosed character¹³², but the tower will bring instead an enormity of scale into this historic environment, of which the cropped visualisation below (figure 55) conveys only a partial description.

¹³¹ LP Policy D9 C 1a)iii) (CDD.021)

¹³² DAS 2018 p66 (CDA.06)

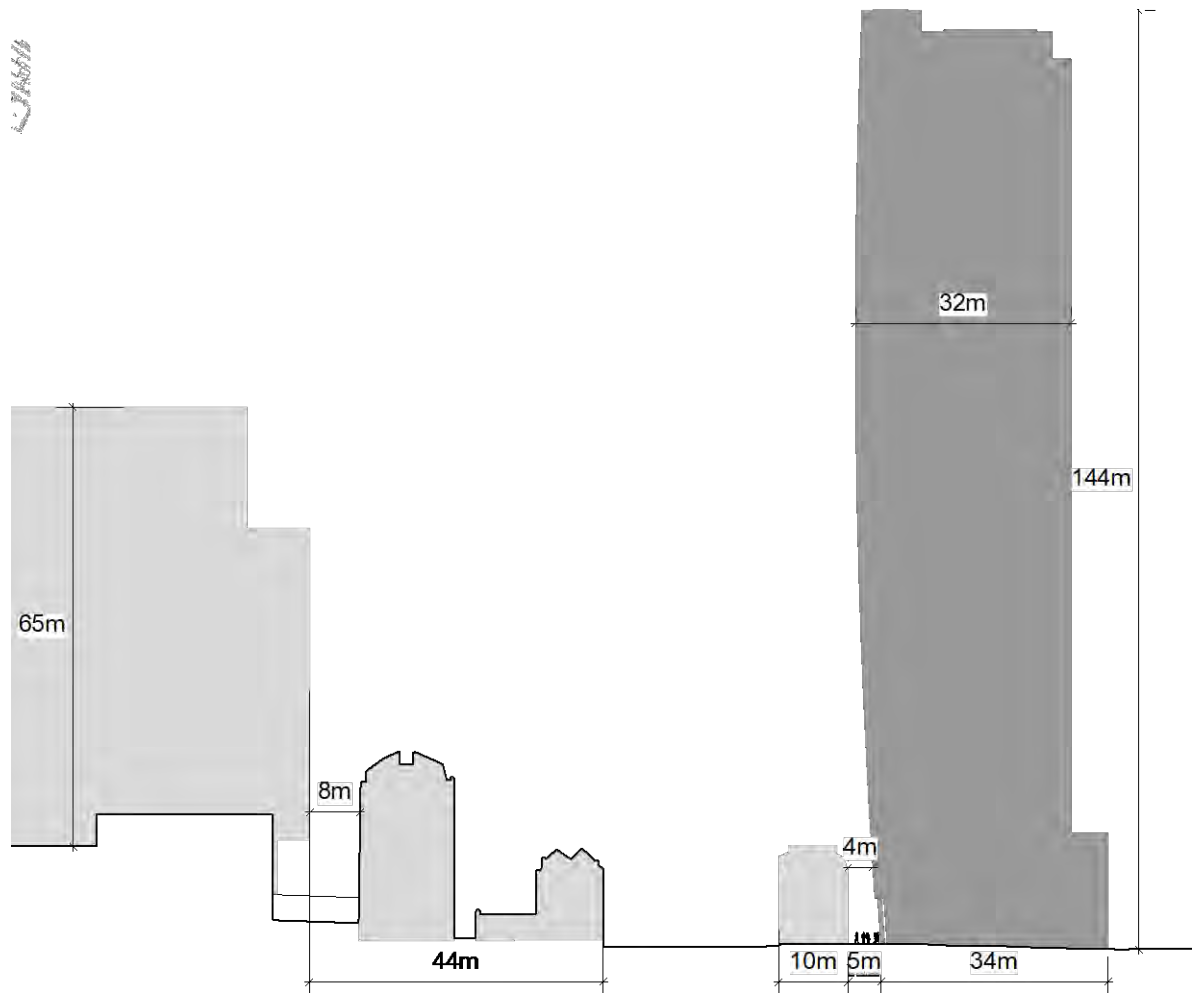


Figure 54 simplified dimensioned diagram describes relationship with local context and the scale of space at the Tower base



Figure 55 visualisation looking west along Kings Head Yard

5.3.4 MIDDLE:

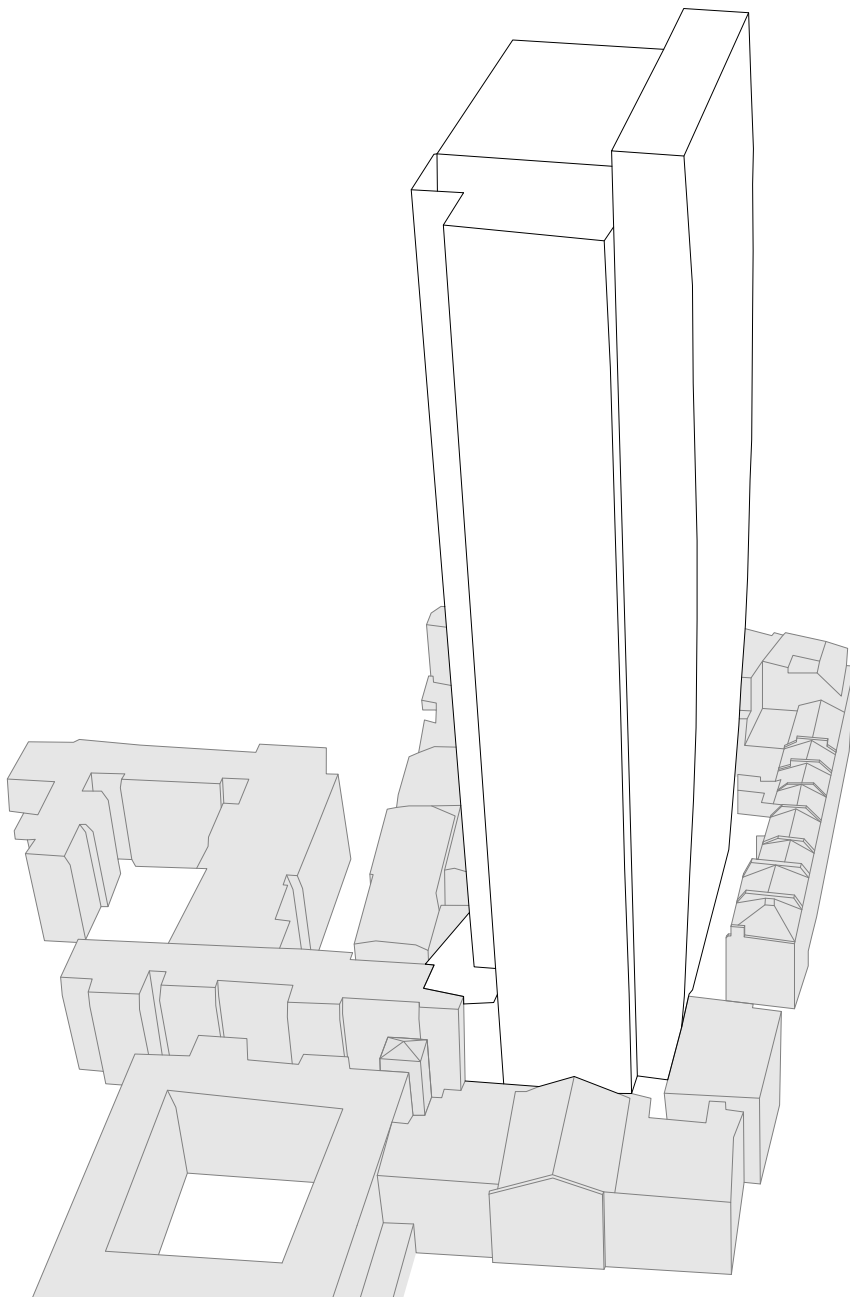


Figure 56 diagrammatic view showing the relationship of new building to existing terrace and surrounding buildings

- 5.3.4.1 Whilst the base of the proposed building would have limited presence in the wider area, being largely concealed, its middle section rises close to the south elevation of St Thomas St terrace, 5m from the base, before extending out in a vertical curve. In my view, this proximity and scale will result in adverse impacts to the local townscape, which can be clearly seen in a number of visualisations from the ES TVIBHA¹³³ and which include the following:
- 5.3.4.2 **Loss of sense of place:** I have described above in section 3 the intact character and strong sense of place present in the western end of St Thomas St. This includes the north quad of Guy's Hospital. Figure 57 below demonstrates how the facades of the proposed tower rise abruptly behind these lower historic buildings, and contrary to Local Plan Policy D9 C 1a) ii) and iii), includes no transition in scale or appropriate proportions in the context of the local townscape. This creates a loss of definition and adds confusion to the existing townscape by an overbearing juxtaposition and leap in scale. The existing buildings, which currently are seen against a clear backdrop of sky in this view, would be visually diminished and become subservient in their built impact to the new tower rising behind them. The definition of scale by way of the roofline, and the architectural differences between the north quad and Keats House would become reduced in visual significance, and so diminished. Instead of being able to understand the character of this well-defined and singular historic townscape the eye would inevitably be drawn upwards by the scale of the tower above, and street level would lose much of its area character. As I have already explained above, good design encompasses appropriate consideration and treatment of context, including historic context. Dr Barker-Mills' evidence explains in detail the impact of the proposal on the historic environment.

¹³³ ES TVIBHA view nos 48, 53, 54, 50



- 5.3.4.3 **Loss of sky:** An important impact that the middle of a tall building has on the surrounding spatial quality is that of the loss of open sky. In a constrained urban environment, views of the sky, and the sense of having space above our heads is an important spatial quality. It is part of the amenity of the streetscape and open space, bringing familiar and shared pleasures that are intrinsic to our sense of place; of openness, and access to the natural phenomena of passing clouds, changing light and weather. The breadth and height of the proposal will replace these qualities across a vast amount of open sky, with built elevation, heavy building components, artificial lighting and reflections. This tower would block the sky that forms a backdrop to many of the surrounding historic buildings and cast shadow across both sides of St Thomas St. This would be the first time in those buildings' history that they had been seen against a backdrop of another building.
- 5.3.4.4 **Impact on existing context:** Figure 57 is supported by explanatory text which describes the proposed eastern elevation as 'articulated to create a dynamic and visually engaging composition' which 'help(s) to create an instantly recognisable building'. This description suggests an ambition which is more attention seeking than one which is designed with the policy considerations in mind that are directed towards responding positively to local context, as set out in section 2 above.
- 5.3.4.5 The text also describes the proposal as adding 'drama and interest to the view'. I have been unable to find analysis identifying that the area is lacking in interest, and this statement equates 'drama' primarily with built scale, as though discounting the existing rich narrative the area already has. In this context it is notable that the site sits within an area that has been designated as a conservation area because of the quality and value of its existing character and appearance, and it features a significant concentration of buildings listed because of their architectural and historic significance. It is already characterful and interesting area, and Dr Barker-Mills evidence addresses the adverse impacts of the proposed development on that character and appearance in more detail.

5.3.4.6 Text in the ES emphasises that ‘the pattern of cross girders is clearly inspired by the character of older railway bridges in the area’¹³⁴ and a similar comparison is drawn in the DAS.¹³⁵ Nevertheless the juxtaposition that will be most often seen is with the existing buildings and structures on and near to the site which are neither tall nor associated with railway structures. They are of an entirely different character, and it is probable that the reference will be lost in the context of the development site, and the visual connection with the railway will become tenuous. The compositional treatment of the elevation, and the architectural references, will not in any case mitigate the impact of this building’s mass, height and rectilinear form on local townscape.



¹³⁴ ES para 4.27, p. 22

¹³⁵ DAS 2018, p. 88 (CDA.06)

Figure 58: View from Bedale St/Borough market from ES TVIBHA¹³⁶



Figure 59: View from Guys Courtyard from ES TVIBHA¹³⁷

5.3.5 TOP

- 5.3.5.1 The top of the tower is largely undifferentiated from the floors below in its architectural language. Due to the curved north elevation, it leans back slightly, away from the vertical, and this along with the material treatment will increase its reflectivity of the sky. However, this remains a large building at its top just as it is lower down, and such an adjustment will not reduce the impact of the building from ground level. Although the building is described in the DAS as 'slender', it has a width to height ratio of 5:1. With an increasing number of super -tall, super-slender towers (often named as 'pencil towers'), being constructed in urban centres such as New York and Hong Kong, and achieving ratios of 15:1 or even 24:1 (111 West 57th St NY), 5:1 by comparison is far from slender. The proximity of the Shard, which despite its scale becomes slender as it rises, serves to emphasize this point. Design adjustments such as the 'eroded corners' or the stepped arrangement at the very top do not succeed in reducing the overall broad and wide mass of this tower or mitigating its adverse impact on the local townscape.

¹³⁶ ES part 3 TVIBHA view 53

¹³⁷ ES part 3 TVIBHA part 15 View 48

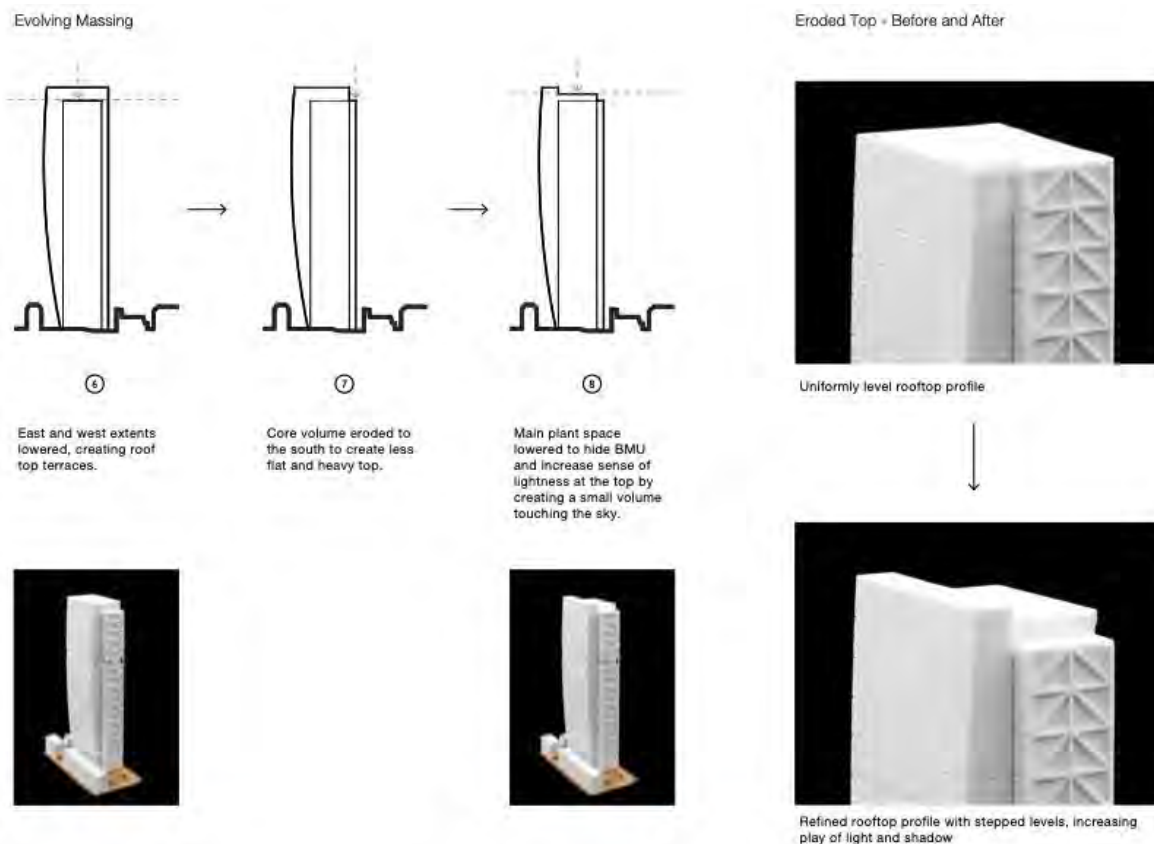


Figure 60: Evolution of massing and treatment of the top of the tower¹³⁸

5.3.6 Further factors relevant to the assessment of the design quality of the proposal are its energy and sustainability credentials. Policy P17 of the Southwark Plan makes it a design requirement of tall buildings that they 'maximise energy efficiency and prioritise the use of sustainable materials'. I have considered Mr Glasgow's evidence in respect of these matters and the Council's view is that the Appellant has recently explained that BREEAM Outstanding is being targeted for the tall building but, as at the date of my evidence, it has not yet justified the view taken that the Georgian Terrace on St Thomas Street is incapable of achieving BREEAM 'Excellent'. I note that the policy requirement sets 'Excellent' as the minimum standard. I have also considered Mr Glasgow's evidence in respect of on-site carbon reductions relative to Building Regulations and his view that the evidence presented by the Appellant does not demonstrate that the minimum requirement of a 40% reduction is feasible nor how it would be achieved (although it is understood that it is common ground between the parties that a revised energy strategy to achieve the 40% on-site reduction policy requirement would be necessary on a permission). I view these issues and the current failure to demonstrate that the policy standards can be met as further negative factors in my consideration of the overall design quality of the proposal.

¹³⁸ DAS 2018, p. 82 (CDA.06)

5.3.7 KEATS HOUSE and GEORGIAN TERRACE

- 5.3.7.1 The new development will cause a permanent change to the context of the St Thomas St historic buildings which form part of this proposal. Whilst the careful restoration of historic building fabric is of benefit, the character and townscape significance of these buildings is not a result of their architecture or materials alone. It includes their legibility, their scale, and the built context in which they are located. At present the existing terrace, Keats House and the north side of St Thomas St, together bring definition to this area's built character. The impact of the scale and proximity of the proposed new building will be to destroy that legibility, and consistency, introducing a new built character that has no recognizable connection to the existing.

5.3.8 DESIGN QUALITY – Public Realm

- 5.3.8.1 As I have explained in section 2 above, policy requirements are emphatic about the need to deliver and prioritise high quality public realm within development. It is a vitally important component of good design, and critical to successful placemaking.
- 5.3.8.2 Visualisations in the DAS and ES which describe the public realm and are included here illustrate only the base of the tower. Given the constrained distances in which a viewpoint can be constructed accurately, I accept that it is difficult to convey in visualisations the real physical experience of, either through pausing in or passing through, the spaces that surround the building's lower floors. Nevertheless, through considering the space in section or deploying 3d projections, it is possible to clearly understand the relationship between these very large elevations, and the constrained and very contained spaces below. Unfortunately, due to the Appellant's decision not to permit its use, I have been unable to illustrate the impact by making use of the VuCity model.
- 5.3.8.3 The provision of new public realm in a space currently unavailable for public use can be a positive addition and improvement to an area. Whilst public realm can add amenity, ease pedestrian movement and improve connectivity, policy requires that 'both the movement function and its function as a place are provided for and that the balance of space and time given to each reflects the individual characteristics of the area.'¹³⁹ Also required is a 'mutually supportive relationship between building and space' with 'the design of buildings contribut(ing) to a vibrant public realm.'¹⁴⁰ Southwark Plan Policy P13 expects high quality urban design which extends to the spaces between buildings as well as the appearance of the buildings and, in respect of tall buildings, Policy P17 requires the functional public space provided by a tall building to be 'appropriate to the height and size of the proposed building.' In considering the main courtyard as the principal public space Figure 61 below demonstrates an extreme ratio of 1:5.7 depth of space to height of building. Despite the ambition to create 'generous public realm',¹⁴¹ in fact the development would deliver only a very small space, notably ungenerous and one that would be lacking a sense of openness, dominated and overshadowed by the tall building. As such the proposal fails to meet policy expectations that I have described.

¹³⁹ LP Policy D8 E (CDD.021)

¹⁴⁰ LP Policy D8 F (CDD.021)

¹⁴¹ DAS 2018, 2.3 p. 11 (CDA.06)

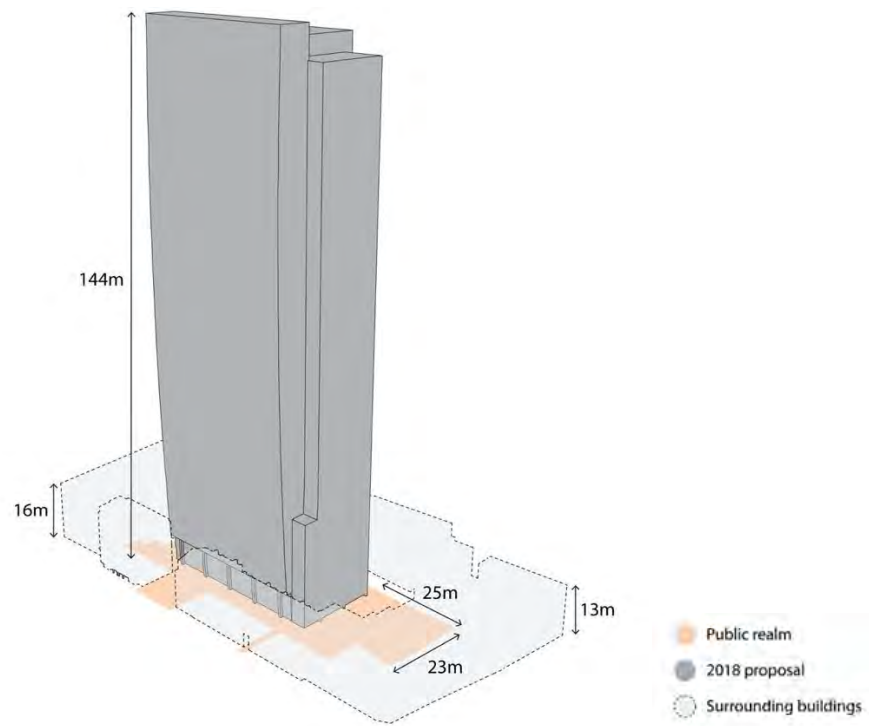


Figure 9 showing the ratio of height of building to depth of public space at 1:5.7

- 5.3.8.4 Further, the policy requirements in respect of public realm expect it to do much more than serve a function such as providing a pedestrian connection. The London Plan and Southwark Plan policies (D8 and P13) view the quality and scale of the buildings which form the public realm and the interaction between buildings and space as critical to the success of the public realm.
- 5.3.8.5 The qualities that define a high quality gathering space are numerous, but policy requirements, described in section 2 of this document seek ‘high quality people focussed spaces’¹⁴² that are ‘comfortable and inviting’.¹⁴³ LP Policy D8 states that development proposals should ensure that the public realm delivers appropriate shade, shelter, seating and where possible, areas of direct sunlight are provided.¹⁴⁴ I consider that delivering on these policy requirements will require ensuring that the public realm has access to generous views of the sky, access to sunlight and that it results in a place that people want to pause in and enjoy their surroundings. These spaces are described in the landscape strategy thus: ‘Most of the public realm on the ground floor will be in light to deep shade during most of the day, for most of the year.’¹⁴⁵ Local green spaces referred to in the DAS and the landscape strategy, by comparison, are open to the sky and significantly larger than the proposed and provide both connectivity and places of activity and rest as I have explained above.
- 5.3.8.6 The constrained public realm and its relationship with the proposed Tower will in my view result in a space in which people are unlikely to want to linger. I do not consider that it will be a welcoming environment or a place for example where workers might find somewhere to eat lunch in peace or to meet others. This is not ‘generous’ public realm as described by the Appellant’s submission documents but constrained, narrow, limited in variety and predominantly overshadowed. Dominated by the looming scale of the building and overshadowed for much of the year its appeal will be limited, in opposition to policy expectations described above. The public realm must be considered and understood in relation to the new building, the elevation of which will be an inescapable presence in all parts of its new public realm and creating a canyon effect to the narrow passage of New Yard.

¹⁴² LP Policy D5 B 2) (CDD.21)

¹⁴³ LP Policy D3 10) (CDD.21)

¹⁴⁴ LP Policy D8 J (CDD.21)

¹⁴⁵ Landscape strategy 3 (CDA.20)

5.3.8.7 The servicing arrangements for the proposal and their interaction with the public realm is a factor relevant to the success of the design of the proposal. LP Policy D9 states that tall buildings should be ‘serviced, maintained and managed in a manner that will preserve their safety and quality, and not cause disturbance or inconvenience to surrounding public realm’ and Policy P14 of the Southwark Plan, entitled Design Quality, requires adequate servicing within the footprint of the building and the site, which is not achieved. I have had regard to the evidence of Mr Glasgow regarding the concerns expressed by TfL and the Council and unresolved issues in respect of the proposed servicing arrangements, in particular the use of St Thomas St for servicing of HGVs (amongst other vehicles) and the use of White Hart Yard for servicing through its use for access to a basement. Given that the concerns and issues associated with servicing remain unresolved and having regard to their likely effect on the experience of using St Thomas Street and Borough High Street for pedestrians and cyclists, I do not view the servicing arrangements proposed to be a successful design solution particularly in a context in which the 2021 proposal has achieved on-site servicing through access to a yard from St Thomas St.

5.3.9 IMPACT ON TOWNSCAPE AND VIEWS

- 5.3.9.1 The scale and height of the proposal is disproportionate in relation to both the size of the site and the scale and character of the surrounding townscape. This large building will appear abrupt, over scaled and discordant in the historic and complex setting that is close around its base, and which extends to define the local neighbourhood character as described in section 3 above. The extent of overshadowing from the tall building will impact not only the small new public spaces, some of which will be in permanent shade, but both sides of St Thomas St, disrupting the coherent townscape qualities which currently give the western end of the street a strong sense of place and of history. Rather than appearing to be part of a cluster of tall buildings, or having a calm, well-judged and singular presence, the tall building will stand out and have adverse impact on, and diminish existing coherence and legibility of, important local views, including, in relation to the historic buildings of and associated with Guys hospital, views from Borough High Street, and from London Bridge, where the new building would appear to terminate the view and damage the distinction between the London Bridge cluster and the low rise, Southwark cathedral sub area as described in section 3 above.
- 5.3.9.2 For example, in my view, the commentary in the TVIBHA on view no 43 stating ‘the combined effect of The Shard and the Development represents a noticeable shift in the balance between historic background and modern background and the conjunction between the orthogonal form of the Development and the angled form of The Shard is visually uneasy from this particular point’¹⁴⁶ is revealing. This shift in balance has a disruptive impact with the proposal introducing a prominent, and discordant background to a historic high street. This would undermine the quality of place of the war memorial in particular as described in Section 3 above. Set back, the Shard is at a sufficient distance to be much less disruptive.
- 5.3.9.3 Within the very local context of the site, the most sensitive nearby locations are those of the St Thomas St terrace, Borough High Street and the portico elevation to the Guy’s quadrangle. Kings Head Yard in its existing narrow and confined state also has important historic value, as part of the wider typology of narrow back land spaces serving the main road public frontage, and the many pubs and inns that would have been important at this location. Where the Borough High St frontages are often narrow, and workaday, reflecting the commercial and arterial character of this main road, the St Thomas St Georgian terrace, Keats House and the porticoed elevation to Guys’ quad, clearly visible from St Thomas St, are more refined and dignified. These same conditions can be found on the north side of St Thomas St.

¹⁴⁶ ES TVIBHA p. 229

- 5.3.9.4 The introduction of the proposal into this context is disruptive. It shifts the balance of the area away from the adjacent conditions of the university campus on one side and the Borough High St and Borough Market on the other and instead seeks to align it with the cluster of tall and large buildings, on the other side of St Thomas St and around the Shard.
- 5.3.9.5 To the east the Shard has generated a familial cluster which is referred to in the CABI report on the 2018 scheme.

'We reiterate our advice from May 2018 that the Local Planning Authority should operate a fully up to date policy on scale of development. As in May 2018, we do not believe a tall building on this site can be seen part of a 'London Bridge cluster' of tall buildings. We strongly recommend that if approved, this proposal should form the western stop of the line of tall buildings that is in progress along St Thomas Street, so as not to set a precedent for further tall buildings adjacent.

We are concerned at the extent to which key views, particularly from Kenwood House to St Pauls and from the courtyard of Southwark Cathedral, will be affected by this proposal. Reducing the height would clearly be one of the ways to address this specific impact.' CABI design review November 2018¹⁴⁷

¹⁴⁷ CABI Review 2018

- 5.3.9.6 In the period since CABE's review in 2018, the Council has adopted the Southwark Plan which puts in place an up-to-date set of policies on the scale of development. As I have explained in section 2 above, it identifies areas where tall buildings can be expected, and it also allocates specific sites within these areas. In the London Bridge area, the four site allocations (NSP52-NSP55) provide specific guidance on the approach to tall buildings, including the location of any tall building and its relationship with the context and the importance of not detracting from the Shard's primacy. For the allocations to the east of the Shard (NSP53 and NSP54), the approach is that taller buildings should be located towards the west with building heights stepping down in height from west to east i.e. away from the Shard. For the London Bridge Health Cluster allocation (NSP52), which is located to the east of the site and to the south-west of the Shard, the policy states that the scale of any new tall buildings should step down towards the site boundaries and that redevelopment may affect the setting of the Shard as an important unlisted building. The allocation for Colechurch House (NSP55) to the north of the News Building also recognises that redevelopment has the potential to affect the setting of the Shard and that any taller buildings should not detract from the primacy of the Shard. I note that in respect of all of these allocations, taller buildings are supported subject to 'considerations of impacts on existing character, heritage and townscape'. The 2018 proposed tower, in stepping up higher than the cluster of buildings around the Shard, contradicts the townscape approach underlying these allocations and would disrupt any wider intended coherence. A building in this location which is significantly higher than Shard Place undermines the primacy of the Shard and the clear hierarchy established with its cluster.
- 5.3.9.7 With regard to the interaction of the 2018 proposal with the Shard and other nearby tall buildings, the 2018 DAS includes page 29 para 2.12 which shows an elevation that collects together the tall buildings that already exist and are in development along the south side of St Thomas St. This diagram is helpful for understanding the Shard as the pinnacle of the collection of tall buildings but is partial in its description of the impact of the proposal in this context, Where the drawing appears to show a downward incline in both an east and west direction from the high point of the Shard, the visualisation of the view from London Bridge demonstrates emphatically that the 2018 proposal in fact disrupts this incline. Policy AV.11 requires that the Shard remains significantly taller and more visible than surrounding buildings as the station's landmark and my view is that the 2018 proposal disrupts the Shard's status as a landmark. Unlike Shard Place, the 2018 proposal would not be subordinate to the Shard.



Figure 62 View down St Thomas Street from Borough High St¹⁴⁸

5.3.9.8 Elsewhere in this proof I have described the proposed tower as a singular entity, one which would appear to stand out, visually dissociated, from the nearby tall building cluster. The consistency of the Shard cluster is reinforced by the News Building, which marks the cluster's western edge, and sits at some distance from the distinctive area of the western end of St Thomas St. These existing relationships reinforce the distinction between the character of the London Bridge cluster (area 2 section 3 above) and that of the Borough High St conservation area which includes the appeal site and Kings Head Yard. The arrival of a building of this scale into that conservation area would damage and undermine the clarity of the conservation area and its relationship with the London Bridge cluster. In my view, the introduction of the tower at the appeal site would undermine the spatial hierarchy of the local and wider context, due to its visual disconnection from the London Bridge cluster and its challenge to the primacy of the Shard, contrary to London Plan Policy D9.

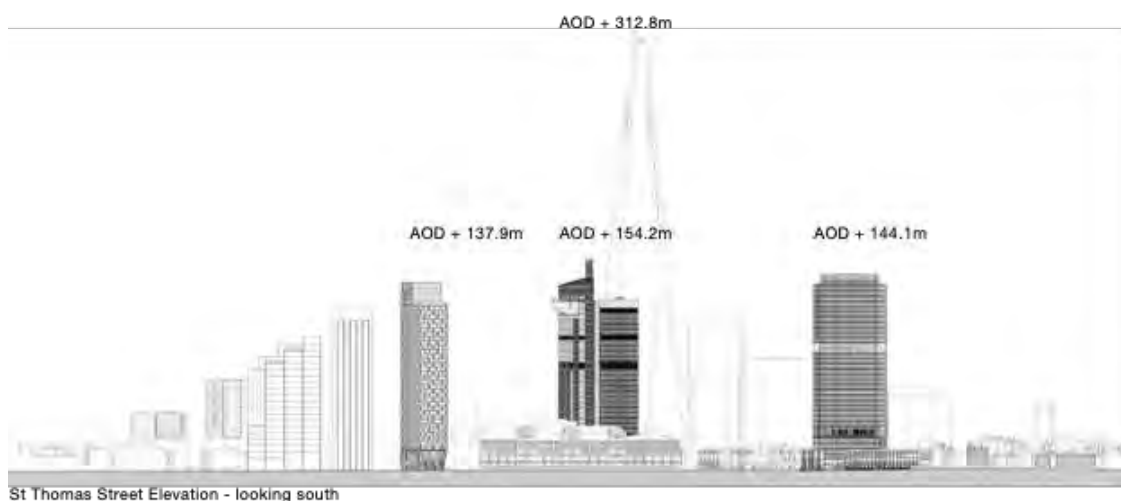


Figure 63 This section appears to group the proposal with the Shard and other tall buildings, in reality the new tower would be seen in isolation at some distance from that group in most views

5.3.9.9 The scale and character of the Appeal site and the neighbouring campus, on the south side of St Thomas St is balanced by the equivalent historic frontages to the north side of St Thomas St. The proposed development would cause permanent disruption to the scale and consistency of this area which currently enjoys a sense of completeness and separateness from the London Bridge cluster.



Figure 64 Proposed View from London Bridge

5.3.9.10 The view along Southwark Street, shown in figure 65, describes the relationship between the railway bridge, Hop Exchange, Borough High Street and beyond, the Shard and its immediate neighbours (or cluster). The development would be a new focal point in this view. However, the Shard would remain a very noticeable feature of the view seen rising directly behind the development. The contrast in scale between the development and the street scale buildings of Borough High St would be of an order that exists today with respect to the Shard's impact on this view¹⁴⁹. The proposed tower is, however, a poor replacement for the clarity of the Shard in this view, which rises from behind the foreground of lower rise buildings along Borough High St. The proposal instead dominates the view, not only due to its scale but also the scale and composition of its elevations and its material qualities. This is not only an uncomfortable relationship with the Borough High St elevation but a dramatic reduction of the presence of the Shard, which in this view currently provides a satisfying landmark that is sufficiently set back from its surrounding streetscape to cause little disruption to its historic context.



Figure 65 Proposed View from Southwark Street

5.3.9.11 Finally, with regard to views, I have considered views in the local context above. From a design perspective, it is also relevant to have regard to strategic views and London Plan Policy D9 recognises this when it refers to strategic views in the context of the visual impact of a tall building as well as Policy P17 para. 4 of the Southwark Plan. The impact of the proposal on the London skyline at a strategic and borough level and the manner in which the design responds to those views are important design considerations. I do not separately cover the consideration of strategic or borough views in my evidence on the basis that Dr Barker-Mills has considered the impact of the proposal on borough views within Southwark and strategic views of St Paul's Cathedral within the London View Management Framework. I do consider that the adverse impact on strategic views identified by Dr Barker-Mills is a consideration that is relevant to whether the 2018 proposal constitutes good design.

5.4 POLICY D9 and POLICY P17

5.4.1 Although I have considered a number of the policy criteria for the tall buildings policies of the London Plan and Southwark Plan in my consideration of the 2018 proposal above, in this section, I consider how the 2018 proposal performs against the criteria in LP Policy D9 and Policy P17 of the Southwark Plan taken in turn, to the extent that they are relevant to my area of expertise. With regard to Policy P17 of the Southwark Plan, my view is as follows.

¹⁴⁹ Para 5.524 of TVIBHA part 3

- 5.4.2 1. Located at a point of landmark significance. I do not consider this to be a site of landmark significance, this observation is relevant to both proposals. This is covered in the 'overview' at the start of section 5 above.
- 5.4.3 2. A height that is proportionate to the Significance of the Proposed Location and the Size of the Site. For the reasons that I have explained above, I do not consider that the height of the 2018 proposal is proportionate to the significance of the proposed location and the size of the site. Whilst the wider local area contains a number of tall buildings, the distinction between their location and the low-rise historic character of the appeal site is an important one. The proposed tower would disrupt and undermine the legibility of this and have an adverse impact on the overall balance of sub areas as described above. The challenge of fitting the desired quantum of accommodation onto the site, has resulted in a public realm that is constrained, ungenerous, and in shadow most of the time. The relationship between the proposed tall building, the existing low-rise buildings which form the site, and the proposed extent of public realm, is disproportionate.
- 5.4.4 3. Positive Contribution to the London Skyline and Landscape. As I have explained above, I consider that the proposed tower would be visually and architecturally separated from the existing and emerging London Bridge cluster in a number of important views and I do not consider that the proposal would make a positive contribution to the London skyline. It would also not result in the Shard retaining its primacy.
- 5.4.5 4. Not cause Harmful Impact on LVMF Strategic or Borough Views. As I have explained above, Dr Barker-Mills undertakes an assessment of the adverse impact of the proposal on strategic and borough views and I consider that these matters are relevant to the success of the design of the proposal.
- 5.4.6 5. Respond Positively to Local Character and Landscape. I have explained above that I do not consider that the design of the proposal was informed by consideration of the local character in the vicinity of the site and that I do not consider that the proposal results in a positive response to local character.
- 5.4.7 6. Functional Public Space that is Appropriate to the Height and Size of the Proposed Building. For the reasons explained within the public realm section above, I do not consider that the public space delivered by the proposal is appropriate to the height and size of the proposed building but is instead constrained and unlikely to be an attractive place to dwell.
- 5.4.8 7. Provide a New Publicly Accessible Space at or Near the Top of the Building. The proposal does deliver publicly accessible space but it is not at or near to the top of the building but at level 05. This would deliver some views across the local area, although views to the north will be restricted

by the tall buildings of London Bridge Cluster. This kind of elevated internal garden is not part of a wider connectivity or network of open or green spaces. A garden within a building, is necessarily a destination, with time limited access. Such a space would not add to the local provision of accessible, inclusive public realm through which people pass in the course of their normal day.

- 5.4.9 With regard to the design criteria of Policy P17, as I have explained above, I do not consider that the design is of exemplary architectural design (P17 para. 3.1) nor do I consider that it will contribute positively to wider townscape character (P17 para 3.2).
- 5.4.10 In respect of the criterion regarding maximising energy efficiency, I have noted the current position as regards compliance with BREEAM standards and the 40% on-site carbon reduction. I view the energy efficiency and sustainability credentials as relevant to good design and do not consider that the policy requirement has been met. I also do not consider that the design of the tall building has avoided overshadowing in that the public realm will be overshadowed and I do not consider that the public realm and the tall building will have a positive relationship with one another as I have explained in my public realm section above.
- 5.4.11 With regard to London Plan Policy D9, my view is as follows.
- 5.4.12 In respect of LP Policy D9 C 1)a) and consideration of the visual impacts of the tall building in long-range, mid-range and immediate views, I have described the building in terms of its base, middle and top in the paragraphs above. I do not consider that the proposal makes a positive contribution to the skyline, to the local townscape and that it does not have direct relationship with the street and maintain the character of the street or provide an appropriate transition in scale between the building and its surrounding context.
- 5.4.13 With regard to Policy D9 C 1)b), for the reasons that I have explained above, I do not consider that the proposal reinforces the spatial hierarchy of the local and wider context due to its relationship with the Shard and the clear imperative to maintain the primacy of the Shard.
- 5.4.14 With regard to matters of design quality at Policy D9 C 1)c), I am of the view that the proposal will not deliver exemplary architectural quality. I do not consider that the buildings will positively contribute to the character of the area contrary to Policy D9 C 1)d).
- 5.4.15 In respect of functional impact, Policy D9 C 2)b)'s requirements relating to servicing requires servicing arrangements that maintain the building's quality and do not cause inconvenience or disturbance to the surrounding public realm. In the absence of agreement with TfL and in the light of the concerns raised regarding the use of St Thomas Street and White Hart Yard for servicing, I consider that the servicing arrangements negatively affect the design quality of the proposal.

5.4.16 I also note criterion D of Policy D9, which expects that publicly accessible space will 'normally' be located at the top of a building, which is not the case in the design of this proposal.

5.5 2021 PROPOSAL

5.5.1 INTRODUCTION

- 5.5.1.1 In common with the equivalent 2018 document, the ES main text for the 2021 proposal states that the ‘height of the Tower above ground level has been the primary focus during the design process’ and that ‘The Development is surrounded by existing and proposed developments of significant height above ground level’ (from Shard place (100m) to the Shard (301m)). The Development has been considered in this context, to form part of the ‘foothills of The Shard’, and ‘no significant consideration was given to an alternative scheme within this height range’¹⁵⁰.
- 5.5.1.2 By 2021 the ES states that the ‘principal strategy in the architects design has been to deliver an appropriate quantum of accommodation, respectfully integrating within the wider setting of the site, and minimising the appearance of the bulk of the Tower’¹⁵¹ and goes on to state that ‘over one hundred different conceptual designs have been considered’.
- 5.5.1.3 The numerous conceptual options are not set out in the ES or in the DAS to show the progression towards the selection of this particular form and height of Tower. ‘The (selected) design was refined to maximise the efficiencies of the Site’ and to ‘ensure the Tower is articulated in such a way to minimise its visual bulk.’¹⁵² This indicates that in the view of the author, the selected strategy is one that brings with it the introduction of undesirable mass and bulk to the site such that efforts must be made to minimise its appearance. This approach does not accord with the positive approach to setting and townscape as articulated in the policies set out in section 2 above, namely London Plan Policy D3 and Southwark Plan Policy P13’s requires of development proposals to respond positively to local distinctiveness, as well as Policy SD4 and the tall building policies at D9 and P17, as well as the NPPF’s requirement that development ‘fit in’ with its surroundings.
- 5.5.1.4 As regards the design scrutiny process, whereas the 2018 proposal was subject to a CABE design review, I am not aware of any equivalent process of independent design review for the 2021 proposal, contrary to the London Plan Policy D4 requirements.

5.5.2 HEIGHT, SCALE and MASS

¹⁵⁰ ES Part 1 Main Text 4.21

¹⁵¹ ES Main text 2021 4.21

¹⁵² ES Main text 2021 4.23

5.5.2.1 The 2021 scheme proposes a tall building with an overall GIA of just under 4% less than the 2018 proposal. Of this the proportion and quantity of office space increases to 49,049 sq m (93% of total GIA) and the building is reduced in height by 36m to 108m. As a result, the development team have faced a significant design challenge; to fit 96% of the 2018 GIA into a building that is 36m lower. This design challenge is particularly stark in a context in which the site size has not changed and neither has there been any change to the spatial constraints or contextual sensitivities of the site.

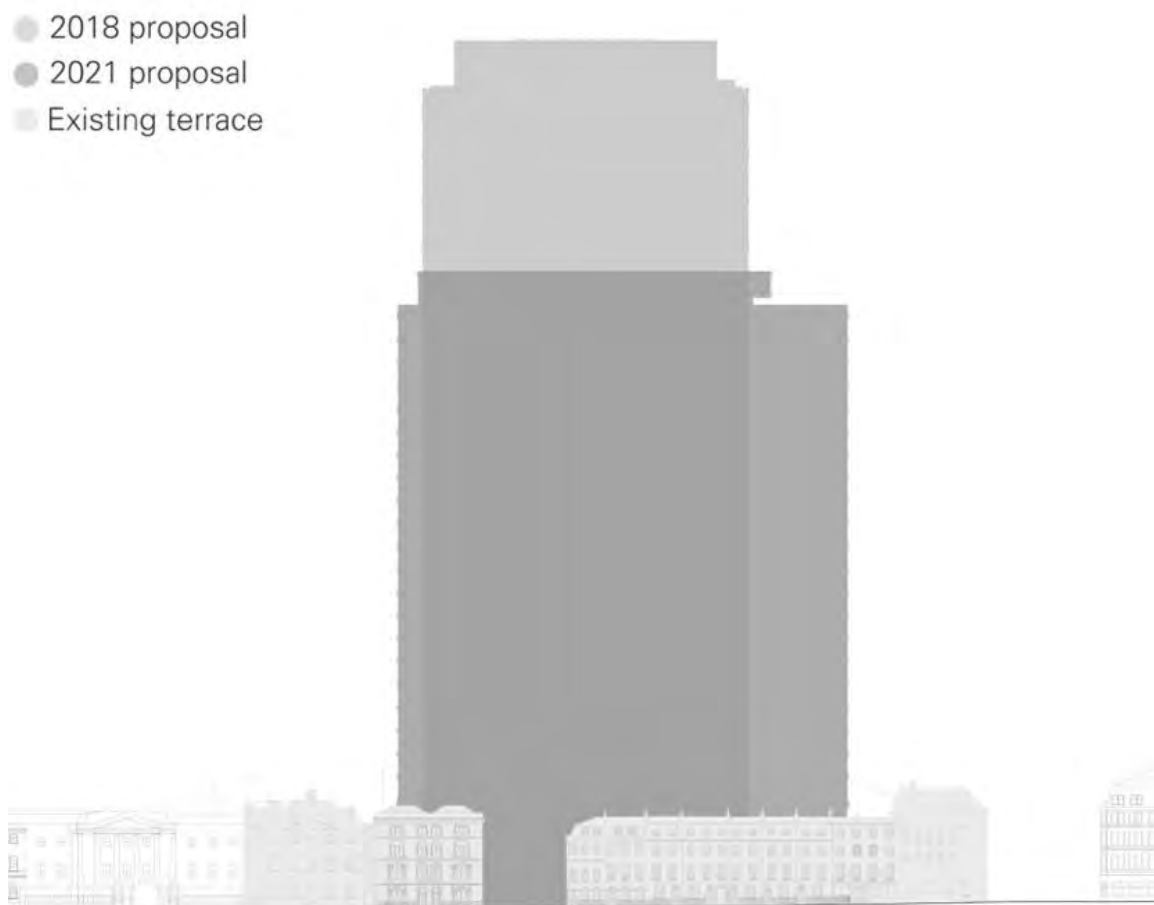


Figure 66 Diagrammatic comparison of building mass between 2018 and 2021 proposals

5.5.2.2 At 102m the proposed building is tall. Its scale, breadth, length and mass, however result in a form that is more block than tower. The structural frame is expressed in wide piers and areas of wall which give an appearance of some solidity to the building, but the large glazed walls describe a framed structure, distinct from the masonry walls of those buildings which surround it. Rounded corners are included for no other reason than to 'soften' or reduce the appearance of its scale. Despite this adjustment the building is bulky, it fills the width of the site, and the impact of its scale on its context and the surrounding townscape will be adverse and contrary to the policies that I have described that require a positive response to local distinctiveness, townscape and existing character.

5.5.2.3 In response to this design challenge, the 2021 iterative process adopts a new language in the DAS at p. 75 of 'form finding' and 'sculpting'¹⁵³ (rather than the previous 'refinement of (a) tower shape') and describes an exercise of fitting a lower building with a similar GIA, and which necessarily requires greater mass, into the same dimensional constraints.

5.5.2.4 The form finding part of the design development excludes a re-examination of the quantity of proposed accommodation and scale of the building. Instead the shape making is aimed at 'reduc(ing) the apparent mass of the building through a simple erosion of the corners'¹⁵⁴. There is no strategy or attempt to reduce the actual mass. The logic behind this form-finding process is described in para 4.4 of the DAS, as responding to the north-south site limit (or 'constraint') of the listed Georgian terrace: First the rectilinear plan is extended east-west, then the corners are rounded to reduce bulk, followed by the plan being skewed to form a parallelogram. The design principle is described as seeking to achieve a 'legible single volume, a tower on a podium' (DAS 2021, para. 4.6, p. 77).

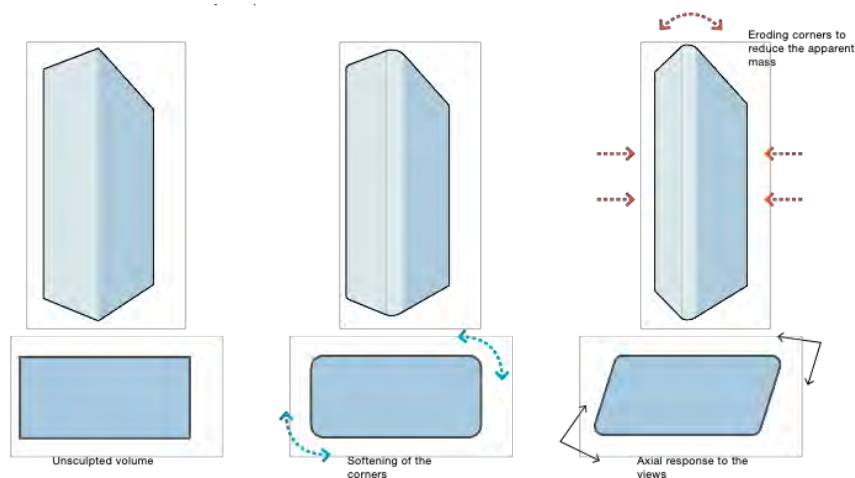


Figure 67 Diagrammatic development of the proposed building form¹⁵⁵



¹⁵³ DAS 4.4 (CDB.08)

¹⁵⁴ DAS 4.4 p75 (CDB.08)

¹⁵⁵ DAS 4.4. p75 (CDB.08)

Figure 68 plan above fifth floor showing the building at the limits of the site and (right) ground level showing circulation and public realm

5.5.2.5 The Flat Iron building in New York is presented as a precedent image and is an instructive comparison. The Flat Iron is 87m tall, with a floor area of 23,690 sq m, almost half the accommodation proposed at New City Court. This elegant three-cornered building sits between two major roads, which provide breathing space and allow it to be framed by clear sky. It is a building that makes satisfying design distinctions between its base, its middle and the top, and its impact on the adjacent townscape is dignified, and strong without being overbearing. It can be viewed at a distance in its entirety. By contrast the proposed tower is located within a constrained site, and can only ever be partially seen; its building base concealed largely behind existing historic buildings, and the public realm that it will deliver providing no distance from which to stand back from the building. The shaping and adjustments described above will do little to reduce the adverse impact of its scale and bulk in this setting.

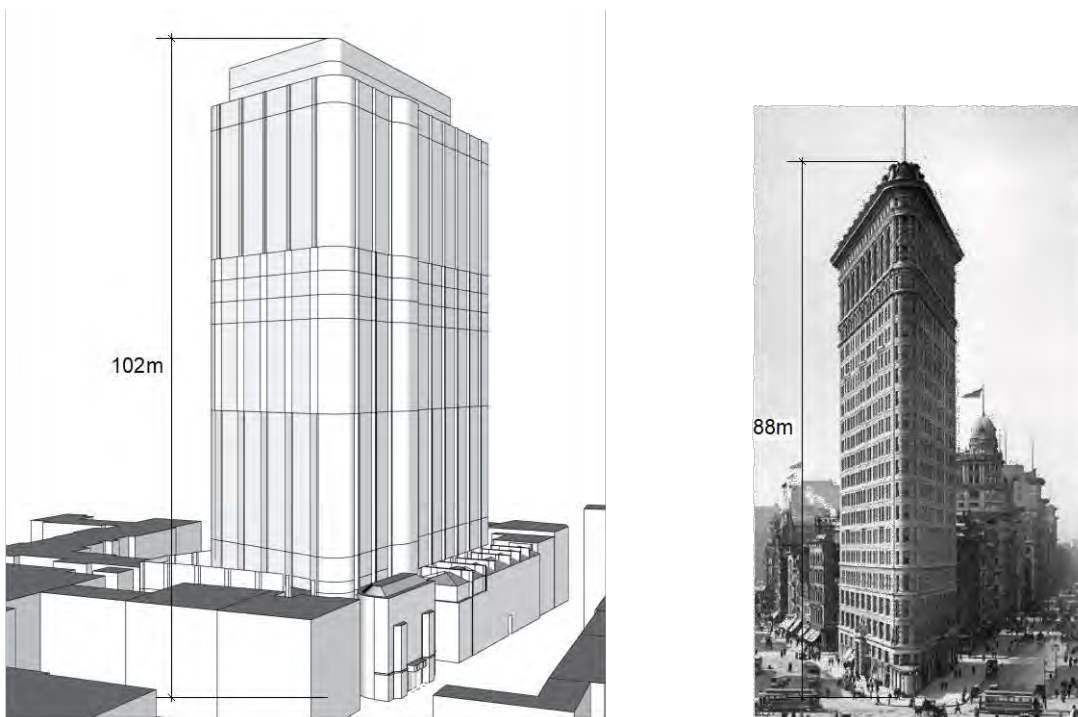


Figure 69 Flat Iron building NY, from the DAS¹⁵⁶ with comparable view of the proposed. The spatial qualities which define the Flat Iron are not available in the proposal site, which is constrained on all sides

5.5.2.6 The proposal for a new building which is lower but only 4% smaller in GIA than the 2018 proposal, suggests that considerations of programme and quantum have taken priority over townscape and context, and the question of how and why a tall building is appropriate for this particular site is not explained. The DAS describes the form and height as having been 'shaped and refined in response to a complex set of aspirations, and constraints including townscape views, rights of light, heritage setting and wind mitigation.'¹⁵⁷

¹⁵⁶ DAS 2021, para. 4.4 (CDB.08)

¹⁵⁷ DAS 2021 para. 4.2, p. 72 (CDB.08)

- 5.5.2.7 The ‘aspirations’ on p. 71 of the DAS describe ambitions for the building itself; how the proposal will be ‘experienced by the various anticipated users of the site’. Height definition is described as being determined by the needs of the building users, ensuring ‘extensive views of the surrounding’. This describes a design process which is led by the needs of the users and of the development, but which is neither tested against or informed by the context, and site conditions, that policy requires regard to described in section 2 of this proof.
- 5.5.2.8 With regard to townscape, the site is described as positioned within a number of ‘Axial Views,’¹⁵⁸ with the proposal developed to ‘sit calmly in the background of these dynamic views.’¹⁵⁹ Elsewhere in the TVIBHA the proposal is described as adding ‘drama and interest’ in a number of important views.¹⁶⁰ As I have already explained in relation to the 2018 proposal above, the area already has a rich narrative and has been designated as a conservation area due to the quality and value of the existing character and appearance. It also includes a number of listed buildings, of architectural and historic significance. This is not a location that demands further drama and interest. The existing juxtaposition of old and new between the London Bridge cluster and adjacent historic buildings is described as providing a ‘sense of visual spectacle’¹⁶¹ In my view, the 2021 proposal does not take account of the particular qualities of the site context, and ignores the distinctions in character area, between the London Bridge and Borough High St areas defined in the BBLB study and which I have referred to in section 3 above, in my own definition of local sub areas. In my view, the 2021 proposal would sit within a coherent low rise context not as a calm juxtaposition but as an abrupt imposition which would fundamentally alter the character of this existing conservation area townscape. The TVIBHA appears to recognize this difficulty in what it says about the impact on View 35 from the War Memorial at paragraph 5.436. It notes that ‘the combined effect of the Shard and the Development represents a noticeable shift in the balance between historic foreground and modern background; and the conjunction between the orthogonal form of the Development and the angled form of The Shard is visually uneasy from this particular point’¹⁶². This shift in balance has a disruptive impact with the proposal introducing a very prominent, and discordant background to a historic high street. This would undermine the quality of place of the war memorial in particular as described in Section 3 above. Set back, the Shard is at a sufficient distance to be much less disruptive.
- 5.5.2.9 Contrary to Policy P17, its height would not be proportionate to the significance of the proposed location and the size of the site.

¹⁵⁸ DAS para. 4.2 (CDB.08)

¹⁵⁹ DAS para. 4.3 (CDB.08)

¹⁶⁰ ES para. 5.40, p. 41

¹⁶¹ ES par 3 TVIBHA 1.537

¹⁶² ES par 3 TVIBHA 5.436

5.5.3 DESIGN QUALITY New building

5.5.3.1 Other than the singular description of the proposed new building as a 'legible single volume, a tower on a podium' the description of architectural intent is broken down throughout section 4 of the DAS into 7 separate issues¹⁶³ each of which is considered separately. In order to gain an overview of all these issues, and in accordance with supporting text in London policy D9 at para. 3.9.6 and to accord with Policy D9's expectation that tall buildings' visual impacts are considered at immediate, local and citywide scales, I have, as with the 2018 proposal, considered this proposal in terms of its base, middle and top.

5.5.3.2 Before turning to this, as described above, the 2021 proposal is less of a tower and with greater mass, is better described as a 'block' due to the ratio of height to length to width. Nevertheless, it is a tall building at 27 storeys. Its presence is no less dominating in the context for being a reduced height. The language of this building is one of a continuous elevation treatment that wraps around a singular volume from the fifth floor up. The DAS refers again to the aesthetic of warehouses, as informing the character of the windows and framed appearance, however the scale of elevations, the greater solidity and the overall mass and dimensions, give the building a monolithic presence in relation to the existing historic perimeter buildings that form the site.

5.5.4 BASE

5.5.4.1 The base of the building, refers to the lowest four storeys. The main body of the tower from 5th storey upwards is a singular four cornered parallelogram in plan. At its base however this singular shape becomes a more complex plan arrangement, to allow movement around the foot of the building, but leaving less than 40% of the exterior space as open to the sky. The 4-storey base extends beyond the floorplan of the tower above into the southeast corner of the plot to follow the line of Kings Head Yard, to 'stitch' the building into its context¹⁶⁴. Here, and in floors 5 and above, the design of the new building extends to the very edge of the plot with the exception of the west side, which leaves a space around 13m deep, between covered public realm of the Tower, and the new underground station entrance.

5.5.4.2 The result of this extremely tight fit of built space to site, is a new set of constrained conditions created by the proposal itself, limiting open air and views of the sky and instead introducing large built elements into the limited space around the building footprint, and a large flat soffit to the tower above, covering the north side of the site. The diagram shown in fig below, describes the roofline to the north and south of the proposed tower as 'context datum.' It appears from figure

¹⁶³ DAS 2021 para 4.1 (CDB.08)

¹⁶⁴ DAS 2021, para. 4.6 (CDB.08)

70 below that this term is describing the roofline as a datum, meaning a level against which to position the building. At this height the proposal extends to fill the width of the site. This approach does not respond to site distinctiveness, and instead reduces the existing Georgian terrace to a subservient role, that limits the extent of new building. Access to sunlight, daylight and views of the sky become extremely limited in the new covered 'gallery' space between the Tower and the Georgian terrace, the south elevation of which will be subjected to permanent overshadowing and reduced natural light.

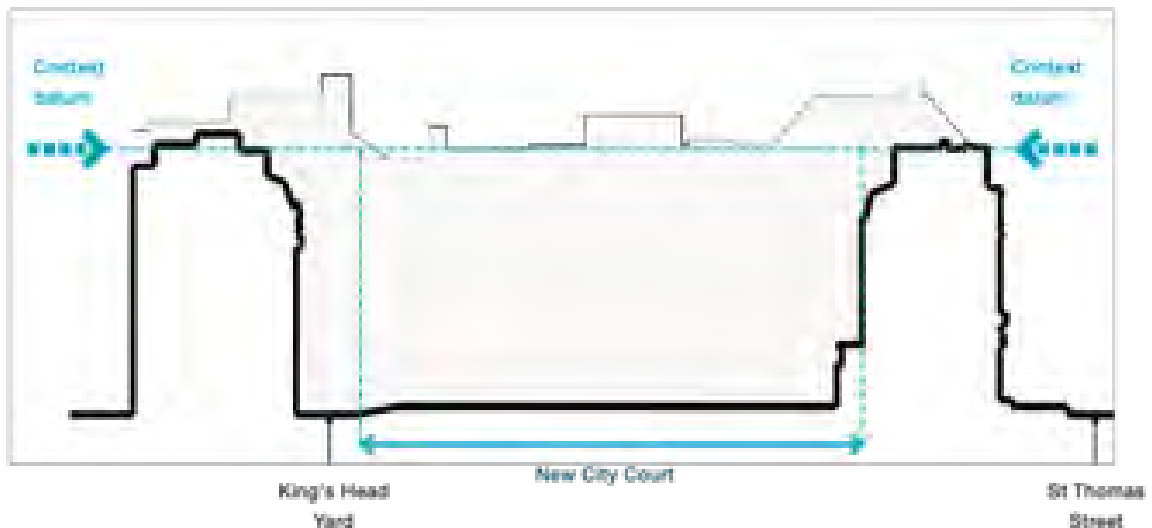


Figure 70 Cross section diagram from DAS describing relationships between proposed and existing site alignments.¹⁶⁵

- 5.5.4.3 The qualities of the space that would be created around the north side of the Tower and by the constrained sectional condition shown in figure 71, is in contrast to the existing sunken garden which enjoys periods of direct sun, views of the sky, and the full height of the Georgian terrace rear elevation, with its mellow London stock brickwork and domestic scale of windows.

¹⁶⁵ DAS para 4.5



Figure 71 Left: view of existing rear of Georgian terrace. Right: Proposed covered gallery space showing a narrow passage of daylight allowed to pass through between the existing terrace roof and the edge of the new tower soffit

5.5.4.4 The public realm is considered in its own section below. However even though the proposal includes a pedestrian route across the site, and some open space with areas of planting, the spaces at the base of the Tower can also be understood as an arrangement of structures and built enclosures. The reduction of the plan across the lowest four floors, introduces the need for a series of large 4 storey high columns to support the overhanging tower above. The area around the Tower base becomes a harsh juxtaposition of new and old that eliminates the existing and valued historic quality of Kings Head Yard, at its western end. The proposed building will introduce into this narrow thoroughfare an uncompromising scale of built space up against the existing listed buildings, which will overwhelm them. This is contrary to the ‘appropriate transition’ of built scale between tall building and surrounding context to protect amenity and privacy’ that is required by LP Policy D9.¹⁶⁶

5.5.4.5 The existing King’s Head Yard is described in section 3 above. In Figure 72 below from the DAS, the accompanying text describes the new steps as ‘retaining the yard’s character of enclosure’. In fact the opening up of Kings Head yard to the north will remove the narrowness and sense of enclosure along this western end, which is critical to the historic character of this valuable townscape element.

¹⁶⁶ LP policy D9 C 1) iii) (CDD.021)



Figure 72 Image from the DAS showing the enormous leap in scale between the Tower base and surrounding historic buildings

5.5.5 MIDDLE

- 5.5.5.1 In describing the middle part of the building, I have drawn upon the paragraphs in section 4 of the DAS which describe the design of the façade; its rhythm and geometry¹⁶⁷ and details of the elevations in terms of sunlight and wind mitigation. I have also referred to local visualisations within both the DAS and the ES TVIBHA.
- 5.5.5.2 The building in relation to the existing St Thomas St elevation requires particular consideration. In the orthogonal view (elevation) below, the Tower is seen at its widest, incorporating the oblique west facing elevation with the long elevation facing directly north and forming an enormous and contrasting backdrop to the St Thomas St north facing frontage. Whilst we do not generally experience buildings in this orthogonal way, the views of the terrace from the north side of St Thomas street (which have not been made into visualisations) would nevertheless be a close approximation to that, and experienced as a very large scale juxtaposition, leaving none of the south St Thomas St buildings without the rising elevation behind. As a result the Tower would appear to occupy almost the entire length of the site with its vertical elevation rising from directly above the existing terrace roof.

¹⁶⁷ DAS para 4.10 (CDB.08)



Figure 73 Elevation from St Thomas St showing the elevational relationship between the existing Georgian terrace, Keats House and the proposed 2021 tower

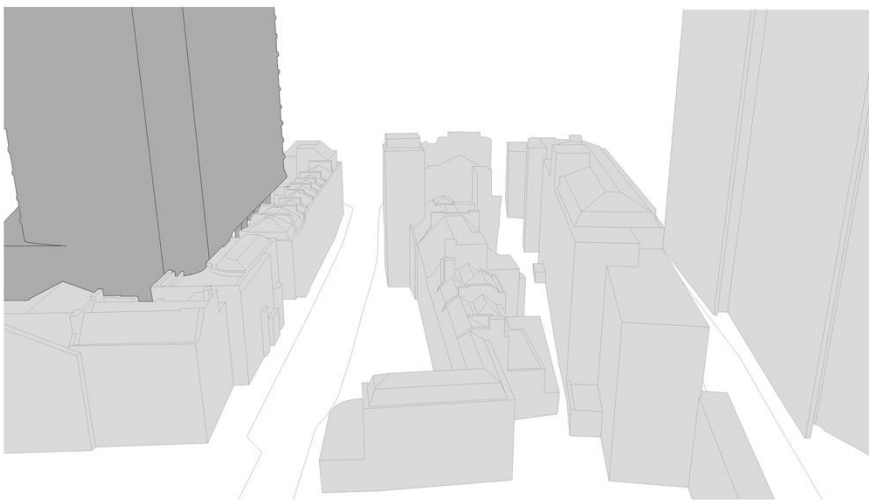


Figure 74 This view demonstrates the extreme proximity of new elevation to existing roofline

- 5.5.5.3 The very large north and south elevations are broadly vertical (rather than stepped) from the overhanging 5th floor and rise on the north face directly above the roof of the St Thomas St terrace. The scale of their elevational language is also large.
- 5.5.5.4 The DAS describes the design of the facade grid as ‘aligned to the scale of both the Burgage plot’ and also the module of the Georgian terrace house¹⁶⁸. The burgage plot is described in the Borough High St Conservation area appraisal as ‘plots characterised by a long thin plan’. The result is a tall narrow frontage, rarely more than three to four storeys, and a complex programme of accommodation on the site including commercial or public frontage, (in itself a complex elevation of windows and openings), and yards, stabling, kitchen garden all on this singular deep plot.¹⁶⁹ Burgage plots vary in width being as narrow as 4-5m along Borough High St.
- 5.5.5.5 The proposal lifts one aspect of this condition, the width of the historic plot (which in fact varies locally), and transfers it onto the building’s elevational grid by way of a 2 dimensional exercise in pattern making. The façade rhythm and grid pattern then becomes an exercise in composition which is no longer tested against the context around it, and from which it is derived. This is a design process that has become largely self-referential as a result. Once applied at the large and multiple scale across the elevations, the legibility of the local architectural reference becomes tenuous, overwhelmed by the mass of the building in its relationship to the existing buildings, local yards, and the size of the plot itself.
- 5.5.5.6 The more solid language of this proposal is in contrast to the 2018 scheme and the ES describes the rejection of an earlier smooth glazed proposal as being in order to ‘fit with the townscape and character of Southwark’ and describes a pattern of increasingly solid wall towards the lower part of the building to ‘mimic the solidity of the Georgian terrace to the north and the Guys hospital buildings to the east’¹⁷⁰. In my view it fails to do this from important local views, including from Guys hospital quad seen below (ES part 3 TVIBHA view 39) . The context of this proposal is very varied, an architectural language that seeks to ‘mimic’ one neighbouring typology is likely to then fail in relation to a different one. The policy requirements for the development’s relationship to context that is required and outlined in section 2 above requires a response that is much more complex than mimicry, or an elevation or façade treatment, one that ‘positively responds to local distinctiveness through their layout, orientation, scale, appearance

¹⁶⁸ DAS para 4.10 (CDB.08)

¹⁶⁹ Borough High St CA appraisal 2006 para 2.2.4 (CDE.06)

¹⁷⁰ ES Part 1 main text para 5.23

and shape'¹⁷¹. The architectural language of the proposal does not meet the exemplary standard of design required.

5.5.5.7 Further factors relevant to the assessment of the design quality of the proposal are its energy and sustainability credentials. Policy P69 of the Southwark Plan requires a BREEAM rating of 'Excellent' for non-residential development. I have considered Mr Glasgow's evidence in respect of these matters and the Council's view that the Appellant has recently demonstrated that BREEAM Outstanding is being targeted for the tall building but as at the date of this evidence, it has not justified the view taken that the Georgian Terrace on St Thomas Street is incapable of achieving BREEAM 'Excellent'.

5.5.6 TOP

5.5.6.1 Policy D9 requires the top of the building 'to make a positive contribution to the existing and emerging skyline and not adversely affect local or strategic views'.¹⁷² The 2021 proposal locates a rooftop garden of around 800 sq m at level 24 for public use, arranged around the perimeter of the building and a second smaller roof terrace for building occupants at floor 26. The plan of this very large building is maintained up to floor 26 giving it a monolithic appearance which is unaltered as it reaches the top floors. The roof garden wraps around the perimeter of the plan at this level. The visualisations make the presence of the roof garden more significant as a way of softening the building profile, than would be the likely reality in local views. Relying on successful planting at such high levels to deliver an all-year-round impact from ground level seems unrealistic. The scale and overbearing presence of the building will be undiminished at its top in local views.

5.5.7 KEATS HOUSE and GEORGIAN TERRACE

5.5.7.1 The new development will cause a permanent change to the context of all the neighboring historic buildings on St Thomas St along with those which form part of the proposal. My comments on this in the 2018 proposal in respect of Keats House and the Georgian Terrace apply also to the 2021 proposal. The main difference in the later proposal is the greater proximity of the new building to the eaves line at the rear of the Georgian Terrace and Keats House. This overbearing relationship would further compromise the quality and reduce the legibility and meaning of the existing buildings, drawing the eye away from the lower buildings in mid-range views, disrupting the character of the western end of St Thomas St and belittling the existing buildings so as to reduce them to the status of a podium.

¹⁷¹ LP policy DR D1.1 (CDD.021)

¹⁷² D9 C i. (CDD.021)



Figure 75 ES TVIBHA view no 39 View from Guys hospital west wing quad

5.5.8 PUBLIC REALM

- 5.5.8.1 I review the public realm provision in respect of the 2018 proposal above. There is no need to repeat here my views on that scheme which remain applicable to the 2021 proposal in respect of the inadequacy of the proposal to meet the requirements for high quality urban design of policy P13, P17 and LP D8. In the 2021 proposal the spaces are smaller, and the overshadowing greater.
- 5.5.8.2 As with the 2018 proposals this scheme fails to meet the policy requirements in P17 for ‘functional space that is appropriate to the height and size of the proposed building.’¹⁷³ In this case Figure 76 below demonstrates an even more extreme ratio than the 2018 proposal, of 1:7.8 depth of space to height of building. The building footprint would occupy the majority of the site area. The public realm that remains at 30% would be constrained, overshadowed and largely under cover.
- 5.5.8.3 The Landscape Strategy document describes the new spaces as ‘complementing and improving the public space offer’¹⁷⁴ of the area. In fact, the proposed public realm would have none of the qualities of scale, openness, and generous sunshine of the local open spaces described.
- 5.5.8.4 Far from generous these would be small spaces, and under great pressure from the activity and pedestrian needs generated by the Development. Notably ungenerous, lacking a sense of

¹⁷³ SP P17 6

¹⁷⁴ Landscape strategy p11

openness, overshadowed by the tall building these spaces would be unable to meet the needs for activity, rest or connectivity, and would fail to meet policy expectations for high quality public realm.

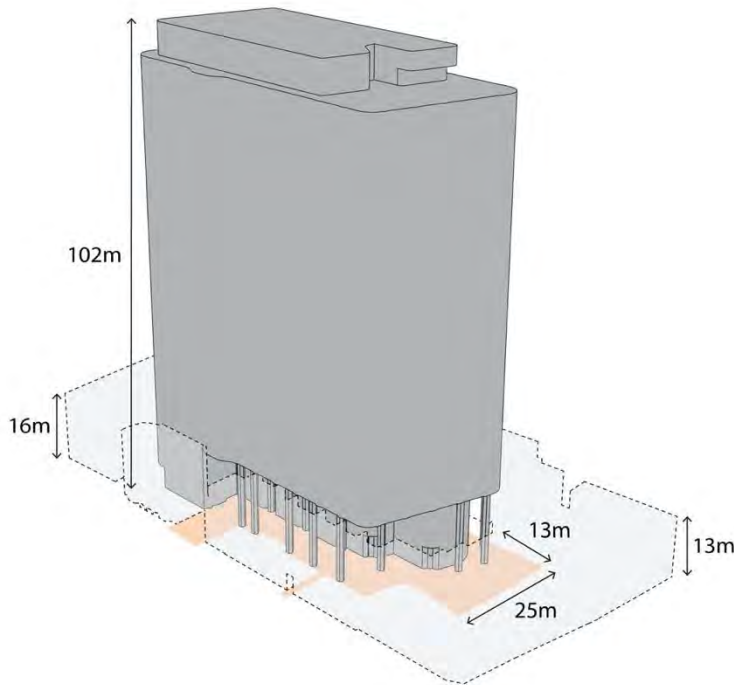


Figure 76 showing the ratio of height of building to depth of public space

5.5.8.5 With the space to the east of the tower providing servicing and loading there remain three spaces around the base of the building that are public realm. The diagrams below show:

- Kings Head courtyard: approximately 300 sq m: Receives some sunlight in mid-summer midday, almost 50% covered.
- The New Passage St Thomas St square. 327 sq m. Covered passage. Deep shadow.
- St Thomas Yard 98 sq m Full shadow.

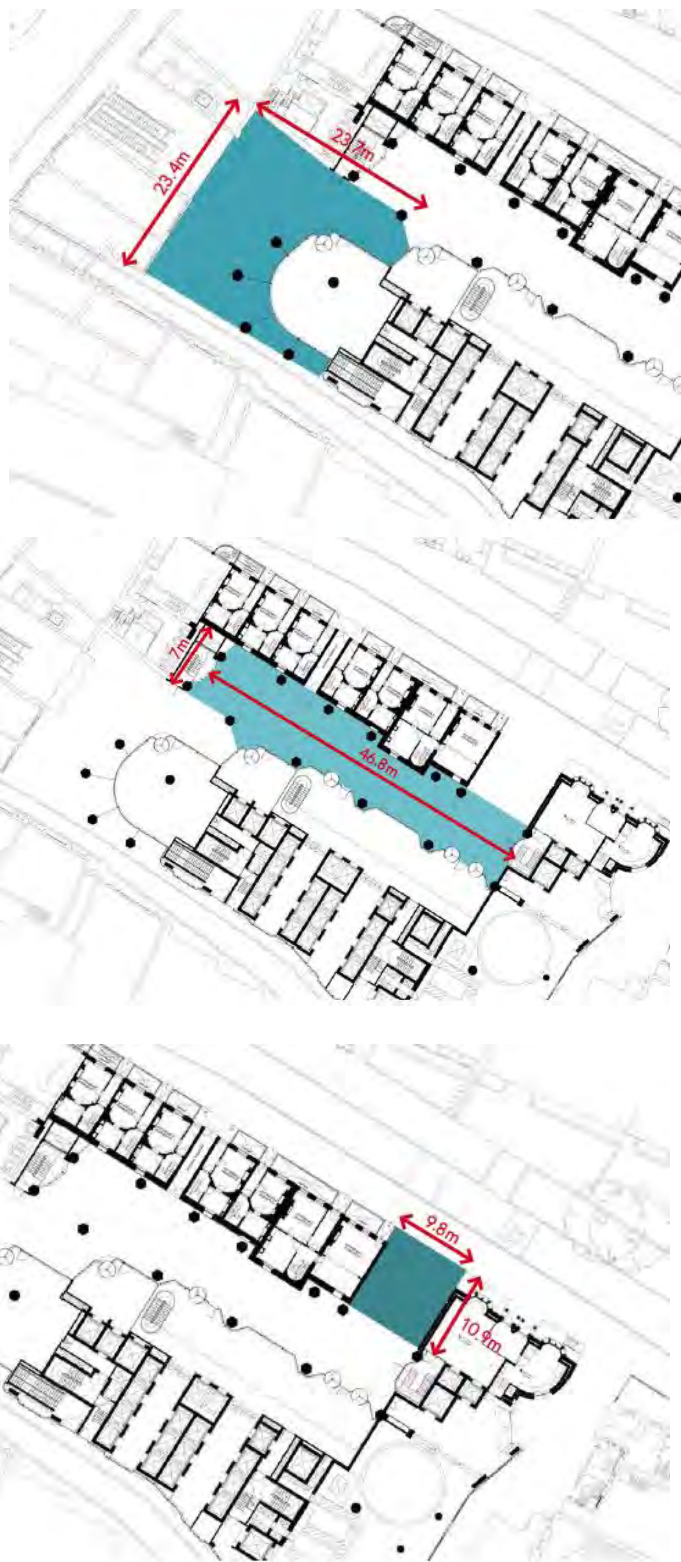


Figure 77 Public Realm Spaces¹⁷⁵

5.5.9 IMPACT ON TOWNSCAPE AND VIEWS

5.5.9.1 In reviewing the 2018 proposal above I have considered the impact of that tower on the townscape. The considerations I outline in that part of my evidence remain applicable to the

¹⁷⁵ Landscape Strategy pages 19-21

2021 proposal. The local context is sensitive, and complex. Locating this large new building into this historic context will be disruptive to the legibility of the historic context and will undermine the clarity of the historic buildings at the western end of St Thomas St, as described above. The greater bulk of the 2021 proposal aggravates any impact on neighbouring buildings and streetscapes.

- 5.5.9.2 The character of the new framed elevations is one of predominant horizontality. The deep framed masonry-like elements that form the framed facades will dominate local views. The disruptive and discordant relationship between proposed and existing, as observed with regard to the 2018 proposal, also applies here. However in the 2021 proposal, the scale of the frame, emphasised by its solidity, will appear as especially overscaled in relation to the historic existing buildings with their human scale windows, and delicate details, set within elevations whose emphasis is more vertical.
- 5.5.9.3 In my review of the 2018 proposal, I describe the disruptive and discordant relationship the proposal would have with the London Bridge Cluster. The impact on this and the undermining of the primacy of the Shard would be no less in this case. The 2021 proposal has less height but a larger presence, due to its mass, its horizontality, and its more solid materiality. The eastwards incline of the cluster towards London Bridge would be undermined by this building, which would obliterate the clear gap of sky that is currently visible from London Bridge and diminish the clarity of the relationship of scale, character and distance between the London Bridge cluster and the Southwark Cathedral and Borough Market area. As with the 2018 proposal, I consider that the 2021 proposal would undermine the spatial hierarchy of the local and wider context.
- 5.5.9.4 With regard to views, from a design perspective, it is also relevant to have regard to strategic views. London Plan Policy D9 recognises this when it refers to strategic views in the context of the visual impact of a tall building as well as Policy P17 para. 4 of the Southwark Plan. The impact of the 2021 proposal on the London skyline at a strategic and borough level and the manner in which the design responds to those views are important design considerations. I do not separately cover the consideration of strategic or borough views in my evidence on the basis that Dr Barker-Mills has considered the impact of the proposal on borough views within Southwark and strategic views of St Paul's Cathedral within the London View Management Framework. I do consider that the adverse impact on strategic views identified by Dr Barker Mills for the 2021 proposal is a consideration that is relevant to whether the proposal constitutes good design.

5.5.10 POLICY D9 AND POLICY P17

- 5.5.10.1 As with the 2018 proposal, although I have considered a number of the policy criteria for the tall buildings policies of the London Plan and Southwark Plan in my consideration of the 2021 proposal above, in this section, I consider how it performs against the criteria in LP Policy D9 and Policy P17 of the Southwark Plan taken in turn, to the extent that they are relevant to my area of expertise. With regard to Policy P17 of the Southwark Plan, my view is as follows:
- 5.5.10.2 1. Located at a point of landmark significance: For the reasons that I have explained above, I do not consider that the appeal site is located at a point of landmark significance and my analysis of this policy requirement applies equally to the 2018 and 2021 proposal.
- 5.5.10.3 2. A height that is proportionate to the Significance of the Proposed Location and the Size of the Site: For the reasons that I have explained above, my view is that the proposal's height is not proportionate to the significance of the proposed location and the size of the site.
- 5.5.10.4 3. Positive Contribution to the London Skyline and Landscape: As I have explained above, I consider that the proposed tower would be visually and architecturally separated from the existing and emerging London Bridge cluster in a number of important views and I do not consider that the proposal would make a positive contribution to the London skyline. It would also not result in the Shard retaining its primacy.
- 5.5.10.5 4. Not cause Harmful Impact on LVMF Strategic or Borough Views. As I have explained above, Dr Barker-Mills makes an assessment of the adverse impact of the proposal on strategic and borough views and I consider that these matters are relevant to the success of the design of the proposal.
- 5.5.10.6 5. Respond Positively to Local Character and Landscape I have explained above that I do not consider that the design of the proposal was informed by an adequate consideration of the local character in the vicinity of the site and that I do not consider that the proposal results in a positive response to local character.
- 5.5.10.7 6. Functional Public Space that is Appropriate to the Height and Size of the Proposed Building. For the reasons explained in my review of the public realm above, I do not consider that the public space delivered by the proposal is appropriate to the height and size of the proposed building but instead it is constrained, delivering a small space that is notably ungenerous, and lacking a sense of openness.

5.5.10.8 7. Provide a New Publicly Accessible Space at or Near the Top of the Building. The proposal does include a new publicly accessible garden at roof level and meets this requirement. However, for the reasons I have explained, I do not consider that the public realm and experience for pedestrians at street level represent good design.

5.5.10.9 With regard to the design criteria of Policy P17, I have explained above that I do not consider that the proposed development is of exemplary architectural design nor that it will make a positive contribution to wider townscape character.

5.5.10.10 I also do not consider that the design of the tall building has avoided overshadowing in that the public realm will be overshadowed and I do not consider that the public realm and the tall building will have a positive relationship with one another.

5.5.10.11 With regard to London Plan Policy D9, my view is as follows:

5.5.10.12 In respect of LP Policy D9 C 1)a) and consideration of the visual impacts of the tall building in long-range, mid-range and immediate views, I have explained above that my view in respect of the impact on townscape and views in the 2021 proposal are consistent with my assessment of the 2018 proposal and I do not therefore consider that the proposal makes a positive contribution to the skyline, to the local townscape and that it does not have direct relationship with the street and maintain the character of the street or provide an appropriate transition in scale between the building and its surrounding context.

5.5.10.13 With regard to Policy D9 C 1)b), for the reasons that I have explained above, I do not consider that the proposal reinforces the spatial hierarchy of the local and wider context due to its relationship with the Shard and the clear imperative to maintain the primacy of the Shard.

5.5.10.14 With regard to matters of design quality at Policy D9 C 1)c), I am of the view that the proposal will not deliver exemplary architectural quality and with regard to Policy D9 C 1)d), the buildings will not positively contribute to the character of the area.

6 CONCLUSION

- 6.1 As explained in Section 3 of my evidence, the Appeal site is located in a vibrant, complex part of London; one which includes a wide range of built scales. Large and tall buildings, sit alongside the engineering and infrastructure of railways that define much of the townscape character. The university campus, and hospital buildings, provide both open grain and a sense of elegance, with buildings arranged around formal but generous public open spaces. To the west, the complex historic typologies and land use patterns of former coaching inns, yards, markets and back routes characterise the Borough High St Conservation Area, and it is within this that the Appeal site of New City Court is located.
- 6.2 In the immediate vicinity of the Appeal site, the two sides of St Thomas St, including Keats House and the Georgian terrace on the south, and the Old Operating Theatre Museum, and Georgian Terrace on the north side, provide a strong sense of place with both sides of the street working together to define a coherent spatial quality, and consistent scale, distinct from the London Bridge station and tall building cluster.
- 6.3 My evidence in section 3 considers the emergence of tall buildings at London Bridge as part of the existing and emerging context. In recent decades, the arrival of tall buildings, in particular those that form the London Bridge cluster with the Shard at its pinnacle, has introduced a new built character into the Borough, Bankside and London Bridge area. Although geographically close to the financial district of the City on the other side of the Thames, and recalling in its height and materiality, aspects of the City's Eastern cluster, this is a different place, within a very different context. Here, mixed use tall buildings arranged around large-scale transport infrastructure, are within a neighbourhood that is commercial but is also a place in which people live, work and study. A centre of commercial activity, but one that is not defined by it.
- 6.4 The Shard, singular and dramatic in scale, has become a familiar element in the London skyline. Its height, elevated site and proximity to the space of the river mean that it can be seen from much of London and beyond, in almost complete form, against a backdrop of clear sky. It is an exemplary landmark building at a point of landmark significance. The arrival of other tall buildings which adhere to a consistent aesthetic, and now form a cluster around it has not diminished those qualities. However, both of the proposed developments in their effect on important local and wider views, would impact adversely on the clarity of the cluster in which the Shard retains prominence at its pinnacle.

- 6.5 The ability of the neighbourhood surrounding these buildings to absorb the London Bridge cluster of tall buildings and to a large extent be redefined by them in townscape terms, is due in large part to their containment by adjacent conditions. The railway, the river and London Bridge, the western end of St Thomas St, and the Borough High Street conservation area all help provide definition, coherence and a sense of place to the London Bridge cluster, and to its neighbouring sub areas. As I have explained, I consider that the London Bridge cluster can be understood as an area distinct from the historic terrace and group of buildings along western St Thomas St that include the Appeal site. For this reason the suggestion by the appellant that the proposal can be understood as part of the London Bridge cluster is unjustified and inappropriate.
- 6.6 The Southwark Plan Policy P17 requires tall buildings to be located at a point of landmark significance and have a height that is proportionate to the significance of the proposed location and size of the site. These are two specific requirements, particular to Southwark, that require careful consideration of the characteristics of the site and its context. My evidence shows that these requirements are not met in respect of either the 2018 or the 2021 proposal.
- 6.7 Throughout my evidence I have placed emphasis on the narrative of the design process, which is reinforced by the National Design Guide's recognition of the importance of a clear design story that links concept, design development and proposal and which should address the ten Design Guide characteristics of a well-designed place. London Plan Policy D3 seeks a 'design-led approach' to ensure 'development is of the most appropriate form and land use for the site'.
- 6.8 Southwark Plan Policy P14 requires design solutions that are specific to a site's historic context, topography and constraints and which use design principles that are fitting to the location, context, scale and type of development. A requirement of good design in the NPPF (para. 134) is that the design of development 'fits in' with the overall form and layout of the surroundings. Policy D3 of the London Plan and P13 of the Southwark Plan emphasise that new development should respond positively to local distinctiveness and the existing townscape or character of a place. The specific Central Activities Zone policy in the London Plan (SD4) and the tall building policies in both the London Plan (D9) and the Southwark Plan (P17) also place emphasis on sustaining and enhancing existing townscape character through new development. National, London and local policy, and the National Design Guide all emphasise the same essential point: to be successful, and policy compliant, development proposals must take proper account of and respond well to the existing nature of a place. My view is that both the 2018 and 2021 proposals fail to establish a meaningful relationship which links site, context analysis and proposal and also fails to demonstrate a clear design narrative.

- 6.9 The 2018 development proposes an enormous and abrupt leap in scale and height from this existing condition. It introduces a 144m high tower into the southeast part of the site, occupying 60% of the available building plot, with only 40% for public realm. The 2021 proposal arranges almost the same large quantum of built space (minus 2,000 sq m) into a lower-rise (102m) but larger building, with even less pavement level space (30% of the plot) available for public realm. Each of these proposals are of a scale, height and mass that would have an unacceptably and permanent adverse impact on the existing conditions and townscape qualities of the site. Both propose a building footprint that is disproportionately large in relation to the land available and so restrict the possibility of creating high quality and generous public realm.
- 6.10 The two proposals presented in these appeals, maintain almost the same GIA as one another. The 2021 proposal, although reduced in height has to increase in mass to achieve this. In doing so the already minimal area of associated public realm is squeezed still further, to become a series of constricted and compromised spaces, much of which is covered space. A comparison of both proposals makes explicit the development objective to prioritise the quantum of accommodation above townscape considerations and the quality and extent of public realm.
- 6.11 A design strategy for the development of a tall building that meets the requirements of national, London and local plan policy by relating well to context and site conditions and ‘reinforcing the spatial hierarchy of the local and wider context’ (London Plan Policy D9) would respond to and rely upon a careful analysis of how much development a site can tolerate. This should not be an exercise in how much floor space it can accommodate, regardless of the resulting quality. Demonstrating that it is possible to fit a large building into a small site, is not the same as demonstrating that this is an appropriate or acceptable approach to the development of a site. Neither of the design evolution and outcomes in respect of either proposed tall building provides an answer to this critical point. The result is the extreme proximity of the new building to both the rear of existing buildings on St Thomas St and to Borough High Street, and a minimum area retained for public realm.
- 6.12 Both of the proposed schemes significantly failed to consider building and territory together throughout the strategic design development stages, but instead focussed on the form and mass of the new building. Numerous design iterations in form making and plan and height adjustments were carried out in isolation from its ground floor spaces, and from its context.

- 6.13 Policy requires that the relationship between public realm and a building is positive, and that the public realm is not only functional providing connectivity and access, but succeeds in its spatial, programmatic and environmental qualities. The London Plan and Southwark Plan policies (D8 and P13) view the quality and scale of the buildings and the interaction between it and its associated space as critical to the success of the public realm. It is also a specific requirement of Southwark Plan Policy P17 that tall buildings must ‘provide a functional space that is appropriate to the height and size of the proposed building’. Neither of the developments achieve this.
- 6.14 Whilst a high quality space in terms of choice of materials, planting and a considered layout may be delivered, these things do not mitigate the fundamental lack of area, and the problems associated with spaces which are too small, too shady and which, due to the ratio of building height to open space, are not only subservient to the building, but dominated by its presence.
- 6.15 The claim by the Appellant that this public realm is generous is not credible. In terms of physical size, the spaces proposed for each scheme may be adequate as a small pocket park that need only provide some seating, planting and a moment of respite. However, this space has to provide access to and from a busy station entrance, an entrance to the building, and to new retail in the case of the 2018 scheme. Visualisations show sunny urban space. The reality is likely to be very different and neither proposals’ public realm is likely to be attractive to users as a place to dwell.
- 6.16 The specific Central Activities Zone policy in the London Plan (SD4) and the tall building policies in both the London Plan (D9) and the Southwark Plan (P17) also place emphasis on sustaining and enhancing existing townscape character through new development. National, London and local policy, and the National Design Guide, all emphasise the same essential point: to be successful, and policy compliant, development proposals must take proper account of and respond well to the existing nature of a place. My view is that both the 2018 and 2021 proposals fail to establish a meaningful relationship and link between site and context analysis and proposal.
- 6.17 Legibility is an important quality of successful placemaking, and the clear historical context of this area, and the relationships between modernity and history are legible and interesting. The modern townscape in this area, like most central urban areas, has changed and accumulated over many years, and in doing so reflect changes in economy, politics and social values. The rate at which this happens has accelerated with modern construction technologies, and the most recent tall buildings have brought a more rapid pace of change than seen before. This does not however remove the need to make careful and qualitative assessments about impact. It is not enough that the ES TVIBHA describes the proposal as an addition to the ‘evolving urban landscape’ over 50 times in respect of each proposal, without addressing the impact of this, which would be abrupt and rapid, rather than evolutionary.

- 6.18 Policy P17 requires that development responds positively to local townscape and character. Each of the two proposals of this appeal include restoration of the valuable Keats house and the Georgian terrace in their strategy, but in doing so they are acknowledging and protecting the status of this historic fabric only to then diminish it and reduce its quality, value and presence.
- 6.19 The current occupant of the site, New City Court, a 6 storey 1980's building with associated garden and roof terrace spaces, is not striking in architectural terms, but its adverse impact is minimal. It's respectful and restrained character allows the existing Georgian Terrace and Keats House to retain their integrity and presence. The scale and character of each of the proposals will undermine this. It is telling that the 1980's entrance building is described as 'unsympathetic and jarring' and yet both the 2018 and 2021 proposals are unsympathetic and jarring, and additionally bring enormous scale.
- 6.20 The requirements to be informed by, and also to respond to, existing conditions mean that a proposal should both be attentive to local conditions and architectural identity, but also be explicit about the beneficial townscape impacts on the local context. In my view the descriptions in the ES TVIBHA of the proposals as 'adding drama and interest' are unsubstantiated claimed 'benefits' to the area. This is already an interesting place, which has drama, scale, narrowness, modernity, constricted spaces, expansive spaces history and texture.
- 6.21 With regard to the design quality of the two proposals, 'exemplary' is the standard demanded by the London Plan and the Southwark Plan. In my view, the standard reached is far from exemplary for either proposal and each is incongruous in terms of its architectural language and expression. I have also explained the impacts of each proposal on, and interactions of each with, the surrounding and wider area in terms of the base, middle and top level.
- 6.22 Architectural quality is not a singular phenomenon confined to form making or composition, and for a building to demonstrate exemplary quality it must succeed on numerous levels. This includes achieving high quality placemaking, and being responsive and sensitive to its context, even if this means being radically different. It is difficult to assess design quality in isolation from a building's setting or its impact on adjacent or associated existing buildings.
- 6.23 I note that in both proposals the appellant team drew upon local architectural references which are selective and largely confined to Victorian warehouses, and engineering structures. Despite an interest in being understood as part of the London Bridge cluster, the architectural language there is not drawn upon. Perhaps surprisingly, using the same reference material has resulted in two schemes that are completely different in appearance. Each proposal introduces a materiality to the site that is in stark contrast to what exists. This need not necessarily matter if other spatial and townscape relationships are functioning well, although a highly contrasting approach lays a greater onus on ensuring these are successful.

6.24 I have reviewed the formal and material qualities of the proposals as well as considering them in their townscape setting. Neither proposal succeeds in making a new place that could either successfully enhance or integrate into its existing context and associated public realm. I am therefore in agreement with the Council's likely reasons for refusal in both cases.¹⁷⁶

¹⁷⁶ Council's Statements of Case CDI.03 and CDI.04

Appendix A

First Office Hub



New City Court

RunwayEast

London Bridge, London

Two minutes from London Bridge station, we've found the perfect spot right next to the Shard for startups looking to take off. Did we mention a roof terrace, on-site cafe and all inclusive membership fees? Members can pick from dedicated desks, private offices for teams of 1 – 80 people, all of which come with meeting room access, essential services and refreshments, dedicated support from our friendly team and treats throughout the week. Not to mention perks worth up to £15k from our 'Startup Toolkit' and, most of all, the opportunity to connect with dozens of other ambitious and engaged startups!

Desks & Offices

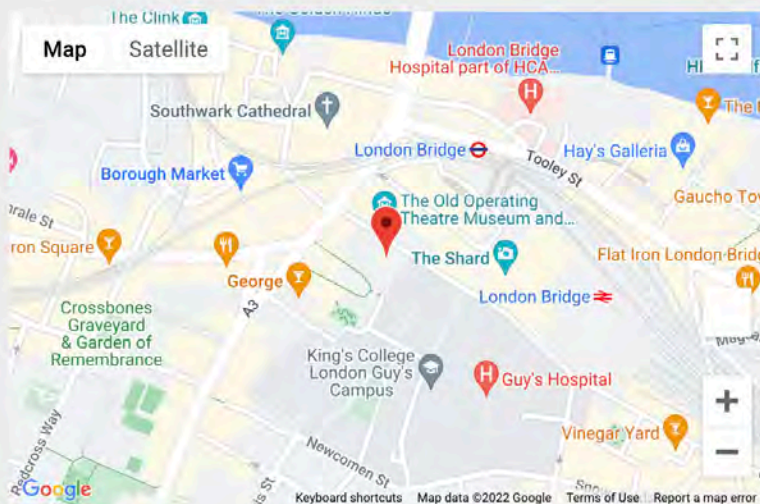
Virtual Office Hot Desk Private Office Virtual Phone Line

Guide price
£50

Term
1 - 24 months

Details

Location



Show walking distance from:

Enter a location

Amenities

- 24hr access
- Bicycle storage
- Break out areas
- Disabled access
- Espresso machine
- Event space
- Lifts
- Manned reception
- Meeting rooms
- Onsite café
- Pet friendly
- Roof terrace
- Security scanning equipment
- Showers
- WiFi

**RUNWAY
EAST**

Rating
4.9 ★

5 ★

Great place (and location) with a very friendly staff.

London Bridge Underground Station
0.3 km | 4 mins

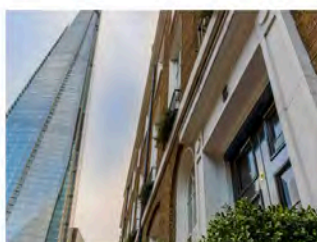
Monument Station
0.8 km | 10 mins

London Bridge Borough High St
0.3 km | 4 mins

Opening Hours

Monday: 9:00 am – 6:00 pm
Tuesday: 9:00 am – 6:00 pm
Wednesday: 9:00 am – 6:00 pm
Thursday: 9:00 am – 6:00 pm
Friday: 9:00 am – 6:00 pm
Saturday: Closed
Sunday: Closed

Nearby spaces



St. Thomas Street
London Bridge, London



The Shard
Southwark, London



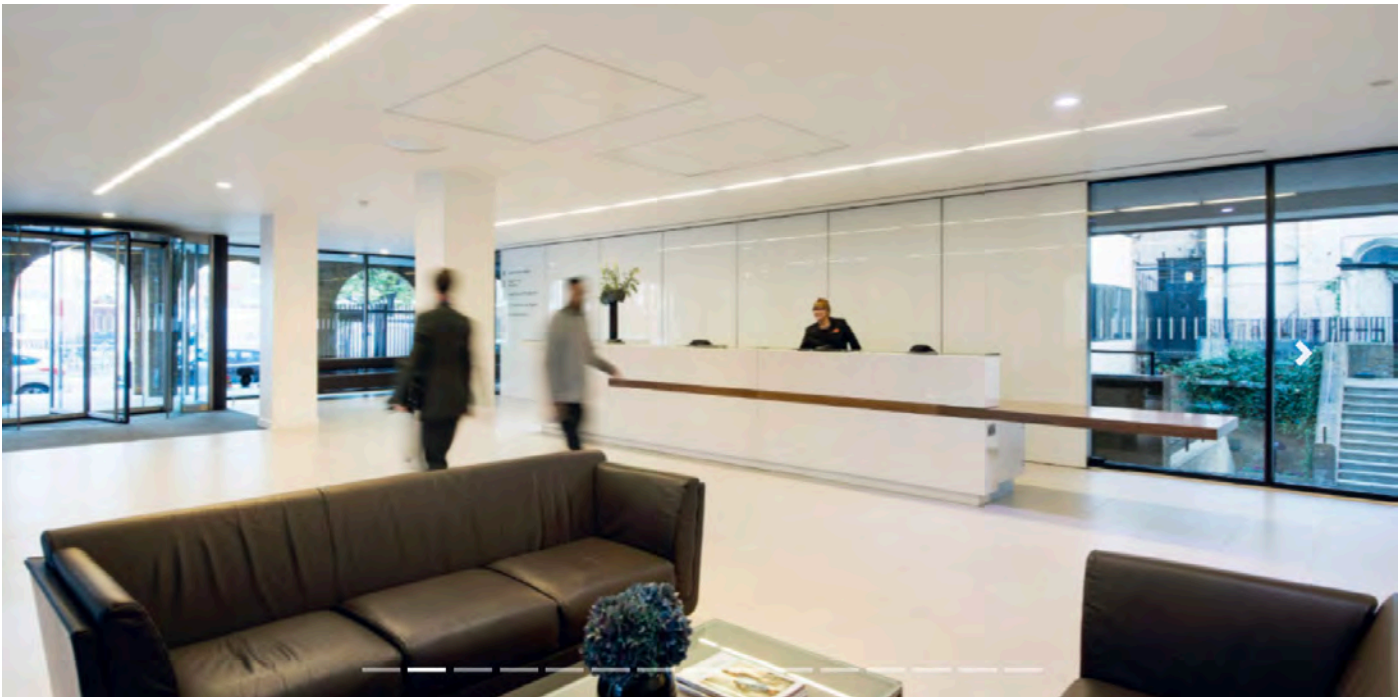
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