GREATER LONDON AUTHORITY

representation hearing report GLA/2020/6665

27 May 2022

Land bounded by St Thomas Street, Fenning Street, Vinegar Yard & Snowsfields, including 1-7 & 9 Fenning Street

in the London Borough of Southwark

planning application no. 18/AP/4171

Planning application

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008 ("the Order") and Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

The proposal

Full planning permission for the redevelopment of the site to include the demolition of existing buildings, retention, refurbishment and use of the warehouse as a retail and community space and the erection of a ground, mezzanine and 18 storey building (with plant at roof) and 3 basement levels, comprising new office space, a medical or research and development space, flexible retail at ground floor and affordable workspace, alongside cycle parking, servicing, refuse and plant areas, soft and hard landscaping, highway improvements and all other associated works

The applicant

The applicant is **St Thomas Bermondsey Ltd** and the architects are **KPF.**

Recommendation summary

The Mayor, acting as Local Planning Authority for the purpose of determining this application;

i. grants conditional planning permission in respect of application 18/AP/4171 for the reasons set out in the approval section below, and subject to the prior completion of a section 106 legal agreement;

ii. delegates authority to the Head of Development Management to issue the planning permission and attach, add, delete or vary, the final detailed wording of the conditions and informatives as required with any material changes being referred back to the Mayor, and authority to negotiate, agree the final wording, and sign and execute, and complete the section 106 legal agreement;

iii. delegates authority to the Head of Development Management to agree any variations to the proposed heads of terms for the section 106 legal agreement;

iv. delegates authority to the Head of Development Management to refer it back to the Mayor, if by 27 August 2022, the section 106 legal agreement has not been completed;

v. notes that approval of details pursuant to conditions imposed on the planning permission will be submitted to, and determined by Southwark Council;

vi. notes that Southwark Council will be responsible for the enforcement of the conditions attached to the planning permission.

Drawing numbers and documents

SITE DRAWINGS		
Urban Context: Site Location Plan	PA-010	A1@1:1250
Existing Site Plan	PA-011	A1@1:500
Proposed Site Plan	PA-012	A1@1:500
EXISTING DRAWINGS		
Existing Building Plan	PA-025	A1@1:200
Existing Contextual Elevations	PA-031	A1@1:500
Demolition Plan	PA-035	A1@1:200
PROPOSED GENERAL ARRANGEMENT PLANS		
Proposed General Arrangement Plan Level Basement 03	PA-097	A1@1:200
Proposed General Arrangement Plan Level Basement 02	PA-098	A1@1:200
Proposed General Arrangement Plan Level Basement 01	PA-099	A1@1:200
Proposed General Arrangement Plan Level Basement 01 Mezzanine	PA-099M	A1@1:200
OPTION 1 ONLY: Proposed General Arrangement Plan Level 00 – D1	PA-100	A1@1:200
OPTION 2 ONLY: Proposed General Arrangement Plan Level 00 – B1(b)	PA-100A	A1@1:200
Proposed General Arrangement Plan Level 00 Mezzanine	PA-100M	A1@1:200
Proposed General Arrangement Plan Level 01	PA-101	A1@1:200
Proposed General Arrangement Plan Level 02	PA-102	A1@1:200
OPTION 1 ONLY: Proposed General Arrangement Plan Level 03 – D1	PA-103	A1@1:200
OPTION 2 ONLY: Proposed General Arrangement Plan Level 03 – B1(b)	PA-103A	A1@1:200
Proposed General Arrangement Plan Level 04 & 05	PA-104	A1@1:200
Proposed General Arrangement Plan Level 06	PA-106	A1@1:200
Proposed General Arrangement Plan Level 07	PA-107	A1@1:200
OPTION 1 ONLY: Proposed General Arrangement Plan Level 08 – D1	PA-108	A1@1:200

OPTION 2 ONLY: Proposed General Arrangement Plan Level 08 – B1(b)	PA-108A	A1@1:200
Proposed General Arrangement Plan Level 09	PA-109	A1@1:200
Proposed General Arrangement Plan Level 10	PA-110	A1@1:200
Proposed General Arrangement Plan Level 11	PA-111	A1@1:200
Proposed General Arrangement Plan Level 12	PA-112	A1@1:200
Proposed General Arrangement Plan Level 13	PA-113	A1@1:200
Proposed General Arrangement Plan Level 14	PA-114	A1@1:200
Proposed General Arrangement Plan Level 15	PA-115	A1@1:200
Proposed General Arrangement Plan Level 16	PA-116	A1@1:200
Proposed General Arrangement Plan Level 17	PA-117	A1@1:200
Proposed General Arrangement Plan Level 18	PA-118	A1@1:200
Proposed General Arrangement Plan Level 19	PA-119	A1@1:200
Proposed General Arrangement Plan Roof	PA-120	A1@1:200
PROPOSED ELEVATIONS & SECTIONS		
Proposed Contextual Site Elevations North & East	PA-200	A1@1:500
Proposed Contextual Site Elevations South & West	PA-201	A1@1:500
OPTION 1 ONLY: Proposed North Elevation – D1	PA-210	A1@1:250
OPTION 2 ONLY: Proposed North Elevation – B1(b)	PA-210A	A1@1:250
Proposed South Elevation	PA-211	A1@1:250
Proposed West Elevation	PA-212	A1@1:250
Proposed East Elevation	PA-213	A1@1:250
Proposed Section AA	PA-250	A1@1:250
Proposed Section BB	PA-251	A1@1:250
EXTERNAL WALL DRAWINGS		
Wall Type 01 – Plan, Section, Elevation	PA-350	A1@1:25
Wall Type 02 – Plan, Section, Elevation	PA-351	A1@1:25
Wall Type 03 – Plan, Section, Elevation	PA-352	A1@1:25
Wall Type 04 – Plan, Section, Elevation	PA-353	A1@1:25

Wall Type 05 – Plan, Section, Elevation	PA-354	A1@1:25
Wall Type 06 – Plan, Section, Elevation	PA-355	A1@1:50
WAREHOUSE DRAWINGS		
Warehouse Existing Plans – Level 0 & 1	PA-400	A1@1:100
Warehouse Existing Plans – Attic & Roof	PA-401	A1@1:100
Warehouse Existing Elevations – All	PA-405	A1@1:100
Warehouse Demolition Plans – Level 0 & 1	PA-420	A1@1:100
Warehouse Demolition Plans – Attic & Roof	PA-421	A1@1:100
Warehouse Demolition Elevations – All	PA-425	A1@1:100
Warehouse Proposed Plans – Level 0 & 1	PA-410	A1@1:100
Warehouse Proposed Plans – Roof	PA-411	A1@1:100
Warehouse Proposed Elevations – All	PA-415	A1@1:100
Warehouse Proposed Sections – YY & ZZ	PA-416	A1@1:100
Warehouse Wall Type 01 – Shopfront	PA-417	A1@1:25
Warehouse Wall Type 02 – Brick Screen	PA-418	A1@1:25
LANDSCAPING DRAWINGS		
Landscape General Arrangement Level 00	8350-PL-GA-101-P Rev 01	A1@1:150
Landscape General Arrangement Roof Level	8350-PL-GA-102-P Rev 02	A1@1:150
Landscape Section Roof Terraces	8350-SE-GA-205-P Rev 01	A1@1:50
Urban Greening Factor	8350-PL-UGF-101 Rev 02	A1@1:150

SUPPORTING DOCUMENT	**AUTHOR**
Application Form for Full Planning Permission *(Dated 3 November 2021)*	Montagu Evans
Covering Letter *(Dated 3 November 2021)*	Montagu Evans
Community Infrastructure Levy Additional Information Form *(Dated 3 November 2021)*	Montagu Evans
Application drawings *(See separate schedule)*	KPF
Schedule of Areas and Accommodation Schedule: *- Option 1 (D1) Area Schedule – Rev P01 (23 September 2021)* *- Option 2 (B1(b) Area Schedule – Rev P01 (23 September 2021)*	KPF

Planning Statement *(November 2021)*	Montagu Evans
Planning Statement Addendum *(January 2022)*	Montagu Evans
Design and Access Statement *(October 2021)*	KPF
Draft Community Space Strategy *(February 2022)*	Four Communications
Landscaping and Public Realm Strategy *(October 2021)*	Spacehub
Energy and Sustainability Assessment *(Revision 4 – 2 November 2021)*	Sweco
Detailed Circular Economy Statement *(Revision 2 – 31 January 2022)*	Sweco
Whole Life Cycle Carbon Assessment *(Revision 4 – January 2022)*	Sweco
Ventilation Strategy *(Revision 03 – 27 October 2021)*	Sweco
Basement Impact Assessment *(Revision C – 29 October 2021)*	AKT II
Flood Risk Assessment *(Revision 06 – 2 November 2021)*	AKT II
Drainage Assessment *(Revision 06 – 15 October 2021)*	AKT II
Statement of Community Involvement *(December 2020)*	Four Communications
Community Update Report *(October 2021)*	Four Communications
Fire Safety Strategy *(Revision 6 – February 2022)*	Sweco
Construction Environmental Management Plan *(2 November 2021)*	Mace
Heritage Impact Assessment *(November 2021)*	Montagu Evans

Introduction

1 Having assumed authority to determine this planning application, this report sets out the matters that the Mayor must consider in determining whether to grant or refuse planning permission and to guide his decision making at the upcoming representation hearing. This report includes a recommendation from GLA officers, as set out below.

Officer recommendation - reasons for approval

2 The Mayor, acting as the local planning authority, has considered the particular circumstances of this application against national, strategic and local planning policy, relevant supplementary planning guidance and all material planning considerations. He has also had regard to Southwark's Planning Committee report dated 29 June 2020 (as updated by Southwark Council's Addendum Report), the draft decision notice setting out the reason for refusal and all consultation responses and representations made on the case both to Southwark Council and the GLA. The below reasons set out why this application is acceptable in planning policy terms:

i. The proposed optimisation of this highly accessible, under-utilised brownfield site within the CAZ, London Bridge, Borough and Bankside Opportunity Area and the London Bridge Town Centre to provide a high-density development, including commercial, medical or research and development, retail and community uses is strongly supported in line with planning policy. The provision of a range of high-quality employment floorspace, including a significant proportion of affordable workspace, would contribute towards the diversity of workspace and businesses within the CAZ and Opportunity Area and the jobs target within the London Plan and Southwark Plan. The proposed medical space has been specifically developed to enable the expansion of the Guy's and St Thomas Hospital for use as a medical facility in use class D1 and is a significant public benefit of the scheme. Should Guy's and St Thomas not occupy the floorspace, it would be occupied by an alternative user within the medical/life science Research and Development industry, which would still make a significant contribution towards the healthcare and life sciences cluster at London Bridge, which is a key priority for the London Borough of Southwark and supported by London Plan Policy. The proposed land uses are therefore consistent with the vision for London Bridge (AV.11) and Site Allocation NSP54 and complies with London Plan Policies SD1, SD4, SD5, SD6, SD7, S2, E1, E2, E3, E8, HC5, HC6 and Southwark Policies ST1, ST2, AV.11, P30, P31, P47.

ii. The design and layout principles of the scheme are well-considered in the context of the site constraints and land use requirements and would appropriately optimise development capacity. Whilst there is a conflict with the open space requirement of the site allocation, on balance, the proposal achieves a good quality of placemaking, with new public routes secured and landscaped areas which would benefit from good levels of sunlight. The height and massing strategy responds well to the site characteristics and the existing and emerging context. The tall building has been appropriately sited to provide a distinctive and high-quality landmark. The proposals have been subject to design scrutiny. The architecture and materials would ensure a distinctive and high-quality development which sits comfortably within the emerging cluster of tall buildings and would contribute positively to the regeneration of the surrounding area. No harm would be caused to strategic views. The proposal is considered to accord with London Plan Policies D1, D3, D4, D5, D8, D9 (apart from sub-clauses C1d&e), D11, D12 and HC3 and Southwark Policies P13, P14, P16, P17 and P22. Whilst there are minor conflicts with specific requirements of the site allocation, on balance, the proposal generally meets the expectations of site allocation NSP54 and the London Bridge Vision Area.

iii. The proposed building would cause less than substantial harm to the significance of a number of heritage assets surrounding the site, including the Tower of London World Heritage Site, Bermondsey Street Conservation Area and listed buildings within it (68-76, 78 Bermondsey Street), Tooley Street Conservation Area, Bermondsey Leather Market and the Horseshoe Inn. The proposals would enhance the significance of the Warehouse at No.9 Fenning Street, a non-designated heritage asset, which is a public heritage-related, benefit of the scheme. The adverse impacts on settings are generally caused by the appearance of a new modern building of such height and massing that would detract from the appreciation of the setting of these heritage assets. Such change would therefore cause a degree of harm to the understanding and appreciation of the heritage significance of these assets, which would generally fall at the low to moderate end of the scale of 'less than substantial' harm, as defined by the NPPF. As the significance of a number of heritage assets

would not be ‘conserved’, the application would be contrary to London Plan Policies D9C1(d&e), HC1, HC2 and Southwark Policies 19 and 20. However, the proposals would also provide significant public benefits, including: high-quality medical or medical/life science related research and development space; affordable workspace, including a proportion provided at a deep discount; high-quality office space and the creation of new jobs within the CAZ; the refurbishment of the Fenning Street Warehouse; a community use; a financial contribution towards the Healthy Street initiative along St Thomas Street; and, £160,000 towards new cycle hire docking stations. Considering the extent of the harm that would be caused, which would be ‘less than substantial’ at the low to moderate end of the scale, and the public benefits delivered by the scheme, it is concluded that the public benefits would outweigh the harm. The balancing exercise under paragraph 196 of the Framework is therefore favourable to the proposals.

iv. The proposed development would not unacceptably reduce the level of daylight and sunlight to neighbouring residential properties, given the inner-London urban setting. Whilst the technical assessment demonstrates that most properties would experience negligible impacts, it is acknowledged that the proposal would result in significant adverse impacts to daylight and sunlight levels to some surrounding properties (particularly on Melior Street and Snowsfields). However, given the requirement for an appropriate balance to be struck with the benefits provided by the scheme and that the site is allocated for a tall building, GLA officers consider that the resultant harm to surrounding daylight and sunlight levels would not justify refusal of planning permission. Whilst the potential for adverse wind impacts has been identified within and around the site, the wind impacts would be acceptable subject to final wind mitigation measures to be agreed with the Council by condition. Furthermore, the overshadowing impacts associated with this development are considered acceptable; the development would not cause an undue loss of privacy; issues of noise and disturbance, solar glare and light pollution would be adequately mitigated through planning conditions. On balance, the impact of the proposals on surrounding amenity are considered acceptable, and the proposal therefore complies with London Plan Policies D3, D4, D9 (relevant sub-sections) and D14, Southwark Plan Policies P14 and P56, the Mayor’s Housing SPG (2016) and Southwark’s Residential Design Standards SPD.

v. The proposed development has demonstrated that an acceptable standard of sustainable design and construction would be achieved, minimising carbon dioxide emissions, using energy efficiently and including renewable energy, in accordance with the London Plan energy hierarchy. The development would deliver sustainable urban drainage, ecology and urban greening benefits over the existing situation at the site. The principle of establishing trees along St Thomas Street is supported, subject to final confirmation of species by the Council. As such the scheme complies with Policies G5, G6, G7, SI1, SI2, SI3, SI4, SI5, S16, SI7, SI8, SI12, SI13 of the Mayor’s London Plan, Sustainable Design and Construction SPG, Strategic Policies 11 and 13 of Southwark Core Strategy, Policies SP6 and policies P57, P59, P60, P61, P62, P66, P67, P68, P69 and P70 of the Southwark Plan.

vi. The proposal, for a high-density commercial development in a highly accessible location would represent a pattern of development that would reduce the need to travel by car, and this is reflected in the car-free (with the exception of Blue Badge) nature of the scheme, which is supported by strategic and local planning policy. The

proposed site layout would improve legibility and connectivity by improving existing routes and providing new walking routes between St Thomas Street, Melior Street, Snowsfields and onwards to Bermondsey. The applicant has committed to appropriate controls regarding servicing and delivery hours and a cap on service vehicles trips per day. A range of cycle parking options as well as extensive facilities to encourage cycling to work would be provided in line with the standards of the London Plan. An appropriate package of transport mitigation measures are proposed in terms of Healthy Streets, cycle hire, bus capacity and legible London signage, together with travel plan incentives, safety, deliveries, servicing and construction. Subject to the transport mitigation measures being delivered, the application generally supports the transport objectives set out in the London Plan, Policies T1, T2, T3, T4, T5, T6 and T7 and Southwark Policies P49, P50, P51, P52, P53 and P54.

vii. The Environmental Statement (ES) provides an assessment of the likely significant effects of the proposal on the environment during the construction and operational phases. The ES and supporting documents comply with the relevant regulations in terms of their scope and methodology for assessment and reporting. The supporting documents in particular also appropriately respond to and address Development Plan policy, supplementary planning guidance and the representations made. As is usual for a major development of this nature there are potential environmental impacts and, where appropriate, mitigation has been identified to address adverse impacts. The general residual impact of the development with mitigation is considered to range from negligible to minor beneficial throughout most of the site. Given the context of the site, the environmental impact of the development is acceptable in view of the general compliance with relevant, London Plan and local policy standards and where applicable, the relevant British Standards.

viii. Appropriate, relevant, reasonable and necessary planning conditions and planning obligations are proposed to ensure that the development is acceptable in planning terms and the environmental impacts are mitigated, in line with London Plan Policies DF1 and T9, Southwark Plan Policies IP1, IP2, IP3 and IP6, and Southwark's Section 106 Planning Obligations and Community Infrastructure Levy SPD (2015).

ix. It is officers view that the public benefits delivered by the scheme would clearly and convincingly outweigh the identified heritage harm and, notwithstanding some policy conflicts which are considered to arise, the proposals are considered to accord with the development plan when considered as a whole. It is the view of GLA officers, applying section 38(6) of the 2004 Act, that material considerations, when taken together, confirm that the proposals should be granted planning permission.

Section 106 Legal agreement

3 The following heads of terms have been agreed as a basis for the planning obligations to be contained within the section 106 legal agreement.

Medical and research and development use

4 The following provides a summary of the main headlines of the draft Medical or Research and Development Facility Schedule of the S106:

- ‘Medical Facility’ defined as 1-10 of the main building within Use Class D1.
- ‘Hospital’ defined as Guy's and St Thomas' NHS Foundation Trust or such other NHS institution (on behalf of or nominated by Guy's and St Thomas' NHS Foundation Trust).
- To use all reasonable but commercially prudent endeavours during the ‘Offer Period’ to offer the ’Medical Facility’ to the hospital for medical use within Use Class D1.
- The ‘Offer period’ means a period of exclusive negotiations with Guys and St Thomas’ for the later of 12 months from the grant of planning permission or, the commencement of the above ground works (whichever is the later). The applicant will do the following within four months of the commencement of the Offer Period:
    - provide the hospital details of base design specification of the Levels 1 to 10 Floorspace
    - provide a first draft medical facility agreement for lease and,
    - such other documents and information as the Hospital may reasonably require in order to enter into and/or make the relevant decision to enter into the agreement for lease.
- To jointly prepare with the Hospital a business case and feasibility study in respect of the Medical Facility agreement for lease, the reasonable costs in respect of which are to be shared with the Hospital.
- To provide regular progress updates to the Council and GLA, as may reasonably be required, including written updates at least every 2 months from the grant of planning permission.
- At the expiry of the Offer Period, if no Medical Facility agreement for lease has been exchanged with the Hospital despite the applicant having used all reasonable but commercially prudent endeavours (to be confirmed by the Council by way of an approval process), the applicant may use the Levels 1 to 10 floorspace (or such part of it which the Hospital has elected not to take) for a medical/life science related research and development use falling within Use Class B1(b).
- The occupier of the Research and Development Facility must operate within the categories set out in Appendix 12 of the S106, or, if the proposed occupier does not fall within these categories, it must have approval in writing from the Council.
- Appendix 12 includes:
    - advanced therapy medicinal products (ATMPs)

- anaesthetic and respiratory technology
- laboratory analytical services
- antibodies
- assay developer
- assistive technology
- blood and tissue products
- cardiovascular and vascular devices
- clinical research organisations
- contract formulation manufacturing
- contract manufacturing/research organisation
- dental and maxillofacial technology
- digital health
- drug discovery
- formulation/drug delivery specialists
- healthcare service providers
- hospital hardware including ambulatory
- implantable devices
- in vitro diagnostic technology
- infection-control
- medical imaging/ultrasound equipment and materials
- mobility access
- neurology
- ophthalmic devices/equipment
- orthopaedic devices
- radiotherapy equipment
- reagent equipment and consumables suppliers
- reusable diagnostic or analytic equipment
- single use technology
- small molecules
- surgical instruments (reusable)
- therapeutic proteins
- tissues and biomass
- training (Lab based only)
- vaccines
- wound care and management

- Not to occupy any part of the office floorspace, until Levels 1-10 floorspace is ready for use to shell and core either as a medical facility or as a research and development facility.

Affordable Workspace

5 The following provides a summary of the main headlines of the draft Affordable Workspace Schedule of the S106:

- 3,067sq.m (GIA) of affordable workspace, including:
    - 842sq.m. of Class B1 workspace, located on Basement Level 1 and Basement Mezzanine, provided at 30% discount on local market rents (General Affordable Workspace);

    - 1,190sq.m. of affordable workspace, located on Basement level 1 and Basement Mezzanine, provided at £12psf for Southwark Studios; or £12psf or 70% discount on local market rent (all other workspace providers). Priority offer of that space to Southwark Studios (Southwark Council approved workspace provider to the creative industries) (Discount Affordable Workspace); and.
    - 1,035sq.m. of alternative affordable workspace (use class D1/B1b), located on the ground floor mezzanine, offered at 30% discount on local market rents (D1/B1b Affordable Workspace).
- Affordable workspace to be secured for 30 years.
- 'Offer Period' defined as the later of 12 months from the grant of planning permission or, the commencement of the above ground works.
- During the 'Offer Period', the applicant will use all reasonable but commercially prudent endeavours to enter into an agreement with Southwark Studios to lease the Discount Affordable Workspace at a rate of £12 per square foot (index linked), plus service charges capped at £1.20 per square foot (index linked). Fit out to be in accordance with the approved specification.
- If the tenant of the Discount Affordable Workspace is not Southwark Studios, then the rent shall be whichever is the lower of £12 per square foot (index linked) and 70% discount on local market rent. Service charges shall be capped at £3.00 per square foot (index linked).
- During the 'offer period', to use all reasonable but commercially prudent endeavours to offer the D1/B1b Affordable Workspace to the Hospital. If, following the expiry of the offer period the hospital has not entered into an agreement to take the lease, the owner may offer this space to an affordable workspace provider as general B1 workspace.
- The General Affordable Workspace and D1/B1B Workspace shall not exceed 30% discount on local market rent, with service charges capped at £3.00 per square foot (index linked)
- Not to occupy the office floorspace within the development until each part of the affordable workspace has been completed in accordance with the approved specification.

<u>Transport</u>

6 The following transport obligations would be secured by legal agreement:

- A financial contribution of £270,000 towards local bus service enhancements and sustainable transport mitigation.
- A financial contribution of £160,000 towards the installation of two TfL Cycle Hire docking stations within the surrounding area.
- A financial contribution of £300,000 towards the planned Healthy Streets project for St Thomas Street (segregated cycle lane).
- Delivery and servicing plan
- Delivery and Service Cash Deposit of £33,359 in the event of non-compliance with the Delivery and Servicing Plan.

- Street tree failure replacement (£8,000 per tree).
- A financial contribution of £16,000 towards Legible London wayfinding signage in the vicinity of the Development.
- A financial contribution towards raised tables (£40,000), footway reconstruction (£8,000) and resurfacing works (£4,000).
- Requirement to enter into a section 278 agreement with Southwark Council and Transport for London for required highways works.

Other obligations:

7 Completion and ongoing maintenance of all public open spaces and public routes (including the internal east-west route to Fenning Street), with rights of public access to these (subject to limited closures).

8 The internal east-west route to Fenning Street to be open to the public between the hours of 7am to 10pm every day, apart from in the case of emergencies.

9 No occupation of the development until the landscaping and public realm works outside the redline application boundary have been completed.

10 Archaeology Contribution of £11,171 (index linked)

11 Carbon off-set payment of £371,127 for Option 1, or, £360,920 for Option 2 (indexed linked).

12 Future connection to a District CHP; 'Be Seen' energy monitoring; and, agreed carbon targets.

13 Local employment, training and skills obligations covering the construction and end use periods.

14 Community Space Use Strategy for the first floor of the retained warehouse (180 sq.m.), including a management and fit-out schedule.

13 The costs to the Council of monitoring and enforcing the section 106 legal agreement will be secured.

Conditions to be secured [1]

15 The following list provides summary of the subject matter of the conditions and informatives to be attached to any planning permission which is to be granted:

1. Quantum of development – Option 1
2. Quantum of development – Option 2
3. Expiry of planning permission
4. Compliance with approved plans and documents - Option 1
5. Compliance with approved plans and documents - Option 2
6. Development must be built in accordance with approved plans Option 1 or Option 2.

[1] Draft conditions have been prepared and will be published as an appendix to this report; this list provides a summary of the draft notice condition headings

7. Archaeological Evaluation
8. Archaeological Mitigation
9. Archaeological Public Engagement Programme
10. Archaeological Reporting
11. Construction Logistics Plan
12. Demolition and Construction Environmental Management Plan
13. Detailed Basement Impact Assessment
14. Demolition and Construction Waste Management Plan
15. Arboricultural method statement
16. Vehicle Dynamic Assessment
17. Blast Mitigation Impact Assessment
18. Contamination
19. Air Quality Positive
20. Detailed Drainage Strategy
21. Ventilation Strategy
22. Swift boxes
23. Piling Method Statement
24. Warehouse building survey
25. Fire evacuation lifts
26. Samples of all external surfaces
27. Detailed drawings
28. Wind mitigation measures
29. Solar glare
30. Landscaping
31. Planting of trees on St Thomas Street
32. Green Roofs for biodiversity
33. Secure by design
34. Cycle parking and monitoring plan
35. Contamination (Environment Agency)
36. Building Management Strategy
37. Delivery and Servicing Plan
38. Water network (Thames Water)
39. Circular economy post- completion report
40. Whole life-cycle carbon post-construction monitoring
41. Flood warning and evacuation plan
42. External lighting strategy
43. Refuse and recycling
44. BREEAM
45. Environmental Statement compliance
46. Restrictions within Class E
47. Removal of permitted development rights
48. Construction work hours
49. Medical use restrictions
50. D1 use restrictions
51. Terrace use
52. Hours of use
53. Surface water drainage
54. Noise
55. Plant noise
56. Thames Water – no construction within 5 metres of water main
57. CPZ exclusion

58. Digital infrastructure
59. Basement ventilation
60. Drainage verification report
61. Tree protection and arboricultural supervision
62. Restricted roof plant
63. Free drinking water

Informatives

- 1. S106 agreement
- 2. Pre-commencement conditions
- 3. CIL
- 4. Deemed discharge
- 5. Designing out crime
- 6. Licencing
- 7. Thames Water underground assets
- 8. EIA Regulations

Publication protocol

16 This report has been published seven clear days prior to the Representation Hearing, in accordance with the GLA procedure for Representation Hearings. Where necessary, an addendum to this report will be published on the day of the Representation Hearing. This report, any addendum, draft decision notices and the Mayor's decision on this case will be made available on the GLA website:

https://www.london.gov.uk/what-we-do/planning/planning-applications-and-decisions/public-hearings/vinegar-yard-public-hearing.

Site description

17 The proposed development related to the land bounded by St Thomas Street, Fenning Street, Vinegar Yard & Snowsfields, including 1-7 and 9 Fenning Street, SE1 3QR.

18 The application site, identified in Figure 1 below, is 0.3 hectares in area and is located within the London Bridge & West Bermondsey Ward of the London Borough of Southwark. The site is located to the south of the London Bridge railway viaduct and railway arches, bound to the north by St Thomas Street, Fenning Street to the west, Melior Street to the south-west and Snowsfields to the east. Vinegar Yard is located within the eastern part of the site and runs north to south through the site to a pedestrian walkway adjacent to the Horseshoe Public House.

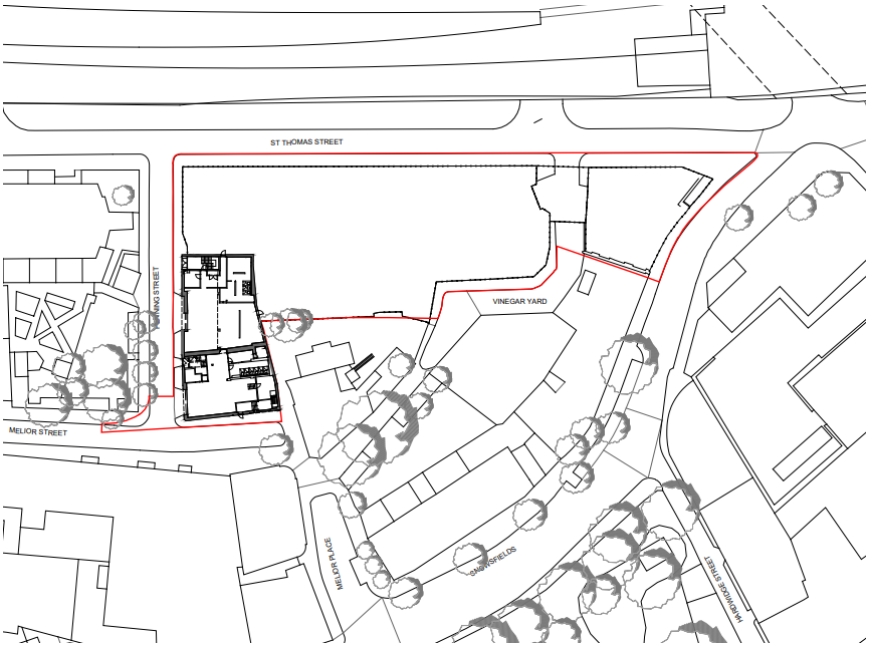


Figure 1 – application site boundary

19 The site is occupied by Nos 1-7 and 9 Fenning Street, a part two-storey/part three-storey warehouse located on the corner of Melior Street and Fenning Street (Figure 2). The existing buildings provide approximately 848 sq.m. of light industrial, ancillary office and storage floorspace (Use Class B1c/E(g)) and were most recently occupied by an artist's studio and for the storage of metal sculptures. The previous tenant vacated the site in early 2020.

20 A mural, commissioned by the Mayor to celebrate the final of the Euro 2020, is painted on the Fenning Street elevation of the warehouse extension and would be demolished as part of the proposed redevelopment.



Figure 2 – the existing warehouse at Nos 1-7 and 9 Fenning Street

21 The site comprises a large area of hardstanding adjacent to St Thomas Street. This space was previously occupied by Network Rail as a temporary works site in connection with the redevelopment of the London Bridge Station. A temporary office building was established adjacent to St Thomas Street. Network Rail vacated the site at the end of October 2018 and the temporary office building was demolished.

22 A temporary use of the site was granted in September 2019 by Southwark Council (planning reference number: 19/AP/1185) for food and drink stalls, retail units, a bar and events space along with art installations and art artist studios (total floorspace of 848 m2 GIA). The site continues to be used for these purposes.

23 The application site is set within a dense urban area, characterised by residential and commercial uses. Immediately to the north of the site is London Bridge Station and railway viaduct (referred to as the low-line), which includes commercial and retail units within the railway arches. Immediately to the west of the site, on the opposite side of Fenning Street, is Melior Street Community Gardens and No. 60-88 St Thomas Street (known as Beckett House), a six-storey office building occupied by the Home Office Border and Immigration Service (forming part of site allocation NSP53). To the south of the site, adjacent to the rear of the existing warehouse, is the Horseshoe Inn Public House, which includes residential accommodation on the upper floors. The six-storey Leather Warehouse is located to the east of the Horseshoe Pub. Residential uses are located opposite the site along Melior Street and to the south along Snowsfields.

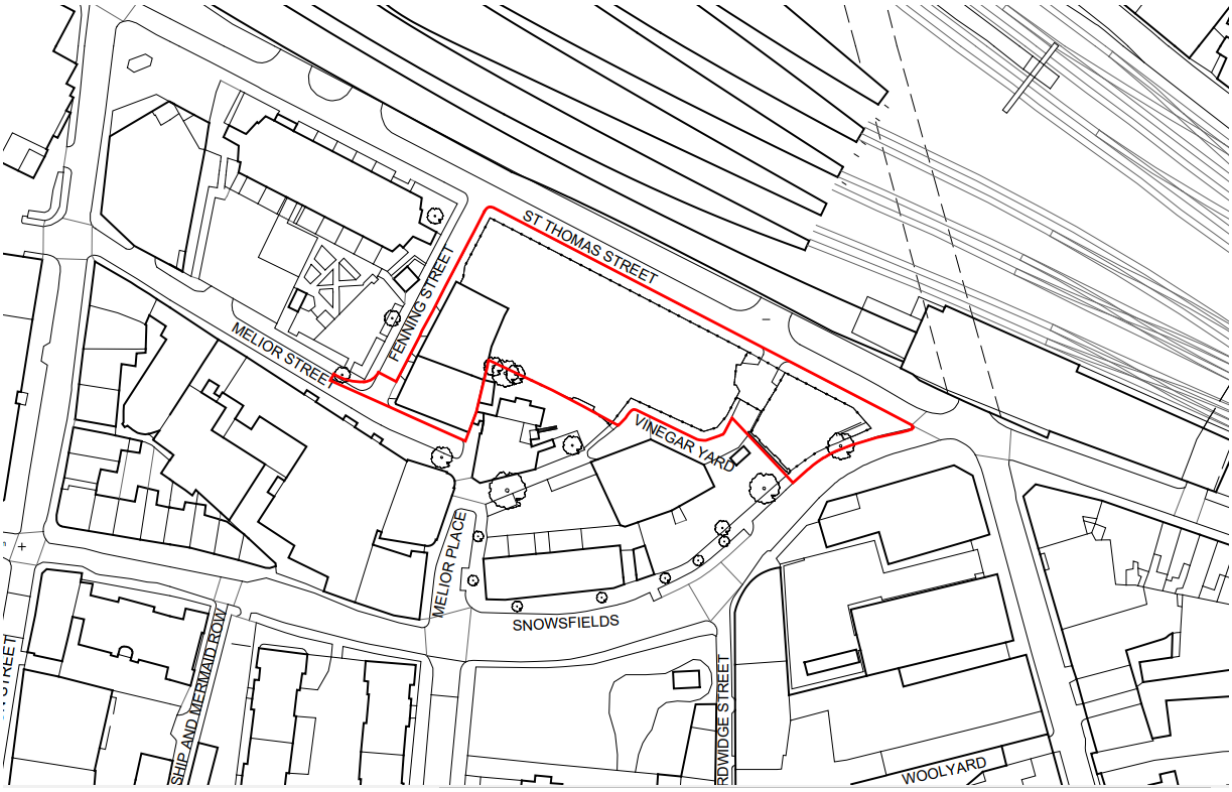


Figure 3: site location plan

24 Beyond the immediate context, the character of the area has a wide variety of uses and varying urban grain, building scale and form. The surrounding area includes Guys Hospital, Kings College campus and the Shard to the north-west, and lower-scale development within Bermondsey Street to the south-east. Snowsfields Primary School is

located to the south, along Kirby Grove. Land to the north of the railway viaduct includes a range of retail, office, and food and beverage uses. The River Thames is approximately 420 metres to the north of the site.

25 The site has a Public Transport Access Level (PTAL) of 6b (on a scale of 0 to 6b, where 6b is the most accessible), resulting from its proximity to London Bridge Station, which is served by National Rail, London Underground and London Bus Services.

26 At a strategic level, the site is located within the Bankside, Borough and London Bridge Opportunity Area, the London Bridge District Town Centre and the Central Activities Zone (CAZ). The site also falls within the Bankside Business Improvement District (BID).

27 The site forms part of allocated site NSP54 'Land between St Thomas Street, Fenning Street, Melior Place and Snowsfields' within the Southwark Plan (2022), identified for comprehensive mixed-use development including the following:

- Employment floorspace (B Use Class) – at least the amount currently on the site or at least 50% of the development as employment floorspace, whichever is greater;
- North-south green link from Melior Place to St Thomas Street;
- Town centre uses (Use Class A1, A2, A3, A4, D1, D2) at ground floor along St Thomas Street; and
- New open space of at least 15% of the site area.

28 The northern boundary of the Bermondsey Street Conservation Area extends along the southern side of Melior Street and includes No. 9 Fenning Street, located within the application boundary. The conservation area extends to the east to include the Horseshoe Pub and Leather Warehouse. In terms of the wider context, Borough High Street Conservation Area is located approximately 280 metres west of the site and the Tooley Street Conservation Area lies to the north of London Bridge Station, approximately 100 metres from the application site.

29 Surrounding listed buildings include: the Grade II listed Railway Viaduct Arches on the corner of St Thomas Street and Crucifix Lane; the Grade II listed Shipwright Arms located approximately 180 metres to the north-west; Grade II listed 55, 59-63 and 68-76 Bermondsey Street to the south-east; and the Grade II* Guys Hospital Main Building approximately 250 metres to the west. The Tower of London World Heritage site lies approximately 700 metres to the north-east of the site.

30 The site is over-sailed by Protected Vistas Extension 3A.1 from Parliament Hill Summit to St Paul's Cathedral (Grade I) and 2A.1 Kenood Viewing Gazebo to St Paul's Cathedral, as identified within the Mayor's London View Management Framework SPG.

Details of the proposal

31 Full planning permission is sought for the comprehensive redevelopment of the site to include the demolition of the existing warehouse extension at Nos 1-7 Fenning Street, retention, refurbishment and use of the warehouse at 9 Fenning Street as a retail and community space, and construction of a ground, mezzanine and 18 storey building with three-basement levels, to provide office floorspace, medical or research and development space, flexible ground floor retail and affordable workspace alongside

cycle parking, servicing, refuse and plant area, landscaping highways improvements and all other associated works.

Proposed land use

32 The application seeks approval for two alternative uses for ground to tenth floor: medical floorspace (Use Class D1/Ee) under 'Option 1'; or, medical/life sciences related research and development floorspace (Use Class B1(b)/Eg(ii)) under 'Option 2'. The upper ground mezzanine level would be linked to the use of levels 1-10 and would provide either affordable medical space (Use Class D1/Ee) or affordable research and development space (Use Class B1(b)/Eg(ii)).

33 Under both options, the remainder of the building would comprise office space (Class B1(a)/Eg(i)) on the upper floors (11 to 18) and affordable workspace (Class B1/E) at basement mezzanine and basement level 1. The ground floor would include flexible retail space along with lobby areas for the upper floor office and medical/research and development levels. The office space on levels 11-18 has also been designed to adhere to the Guys and St Thomas Trust's Adaptable Estate Guidance, to ensure that the Trust could occupy the whole building, if required.

34 The S106 agreement and planning conditions would control how and when the applicant could move from Option 1 to Option 2 (further details within paragraphs 211-228). Under Option 1, the ground floor lobby, mezzanine level and floors 1-10 would initially be offered to Guys and St Thomas' NHS Foundation Trust ('the Trust') for medical use. Should an agreement not be reached in line with the requirements of the S106 legal agreement, and subject to the confirmation by the Council, the lobby space, mezzanine level and floors 1-10 could then be marketed as medical/life-science related research and development space. In line with the definitions secured within the draft S106 agreement, this space would be offered to an NHS Foundation Trust, Higher Education Institution specialising in medicine/life science or other life science, medical or healthcare organisations.

35 Once an option is committed to, the permission would not allow any further flexibility for further changes between the two options. Accordingly, the consented use for the lower floors would be fixed. In addition to this, a condition would remove permitted development rights and would restrict a further change of use within Use Class E.

36 The refurbished warehouse would provide 180sq.m. of ground floor retail and 180sq.m. of community space at first floor level, within Options 1 and 2.

Option 1: Medical Scenario

37 'Option 1' has been designed to adhere to the Guys and St Thomas NHS Foundation Trust Adaptable Estates Guidance and would provide a total of 13,552sq.m. of medical floorspace (Use Class D1/ Class Ee) (excluding plant and circulation space). As detailed in Table 1, Option 1 comprises medical lobby space at ground floor, with dedicated lifts providing access to floors one to ten. The mezzanine level would provide 918sq.m. of discounted medical space (Class D1/Eg), offered at a 30% discount on market rents.

38 In line with the requirements of Use Class D1, the proposed medical floorspace would be restricted to day clinics and outpatient functions. A condition of approval would further restrict accident and emergency functions as well as associated ambulances.

39 A breakdown of the proposed land uses (by use class and equivalent use classes further to 2020 amendments) is provided within Table 1:

Table 1: Scenario 1 proposed floorspace

Level	**Land use (Use Class)**	**GIA (sq.m.)**
Proposed building		
Levels 11-18	Office (B1a) (E(g)i)	8,207
Levels 1-10	Medical (D1) (E(e))	12,314
Ground Floor Mezzanine (AWS)		918
Ground Floor Lobby		320
Ground Floor Mezzanine (AWS circulation)		117
Ground Floor	Retail (A1/A2/A3/A4) (E(a)(b)(c) and Sui Generis)	408
Basement Mezzanine (AWS)	Affordable workspace (B1) (E(g)	914
Basement Level 1 (AWS)	Affordable workspace (B1) (E(g)	1,118
Mechanical plant		5,827
	Warehouse	
First floor	Community/event/seminar (D1) (E(e)/F2(b))	180
Ground	Retail (A1/A2/A3/A4) (E(a)(b)(c) and Sui Generis)	180
	Totals	
Total		30,503

Option 2: Research & Development

40 Option 2 has also been designed to adhere to the Guys and St Thomas Adaptable Estates Guidance relating to medical offices, support accommodation and lab space and would provide 13,882 sq.m. of research and development floorspace (Use Class B1b/Eg(ii)) (excluding plant and circulation space). As detailed in Table 2, Option

2 comprises lobby space at ground floor and dedicated lifts provide access to floors one to ten. The mezzanine level would provide 918sq.m. of research and development space (Class B1a/Eg(ii)), offered at a 30% discount on market rates.

41 The S106 would restrict the use of the research and development floorspace to medical and life science related users. Whilst this space could be occupied by Guys and St Thomas Trust, the S106 also allows for marketing to other medical and life science related users. A detailed description of potential end-users is secured within the S106.

42 A breakdown of the proposed land uses (by use class) is provided within Table 2:

Table 2: Option 2 proposed floorspace

Level	**Land use (Use Class)**	**GIA (sq.m.)**
Proposed building		
Levels 11-18	Office (B1a) (E(g)i)	8,207
Levels 1-10	Research & Development (B1b) (E(g)ii)	12,644
Ground Floor Mezzanine (AWS)		918
Ground Floor Lobby		320
Ground Floor Mezzanine (AWS circulation)		117
Ground Floor	Retail (A1/A2/A3/A4) (E(a)(b)(c) and Sui Generis)	438
Basement Mezzanine (AWS)	Affordable workspace (B1) (E(g)	914
Basement Level 1 (AWS)	Affordable workspace (B1) (E(g)	1,118
Mechanical plant		5,467
	Warehouse	
First floor	Community/event/seminar (D1) (E(e)/F2(b))	180
Ground	Retail (A1/A2/A3/A4) (E(a)(b)(c) and Sui Generis)	180
	Totals	
Total		30,503

Design Changes

43 Minor design changes would be required, depending on what option is pursued. The submitted drawings therefore include a number of alternative drawings to allow for Option 1 or Option 2. A planning condition and legal obligation would restrict the build-out to one set of approved drawings (Option 1 or Option 2).

44 The design changes between the two options are:

- The retail provision at ground floor would increase from 588sq.m. in Option 1 to 618 sq.m. in Option 2. This is due to the additional requirement for gas storage at ground floor level within Option 1. This change results in minor amendments to the ground floor layout and the eastern elevation.

- The quantum and configuration of plant at levels 3 and 8 would change. Option 2 requires less plant. These changes are demonstrated on drawings PA-103, PA-103A, PA-108 and PA-108A.

- The difference in air handling requirements between the two uses results in a differing requirement for glazed louvres serving levels 3 and 8. Option 2 requires less fresh air than Option 1. This results in slightly less glazed louvres on the northern façade in Option 2. These changes are demonstrated on drawings PA-210 and PA-210A.

<u>Layout, massing and appearance</u>

45 The proposed site layout is demonstrated in Figure 4. The proposed building would be located on St Thomas Street and Fenning Street, to the north of the retained warehouse at 9 Fenning Street. A two-storey connection would be constructed between the southern side of the proposed building and the northern elevation of the retained warehouse. A public landscaped area is proposed at the eastern end of the site, at the corner of Melior Street and Fenning Street.



Figure 4: proposed site layout

46 The proposed development includes the demolition of the existing warehouse extension (No.1-7 Fenning Street) and the retention and refurbishment of the warehouse building at No. 9 Fenning Street. The proposed works include new glazed openings at ground floor, new first floor windows, decorative metal work and a sculptural roof. All areas of painted brickwork would be removed, and the original brickwork repaired. Within both land use scenarios, the ground floor would be activated by retail uses, while the upper level would provide a community space. Access to the building would be via Fenning Street and Melior Street. Internal access from the proposed building would also be provided via the two-storey connection.

47 The two-storey connecting element would adjoin the northern elevation of the retained warehouse and the proposed new building. This space would enable an east-west public route through the site from Vinegar Yard to Fenning Street, internal access from the retained warehouse to the new building and access to the affordable workspaces on the lower levels. This element would be set back from the primary east and west building lines and would comprise open brick screen in front of a glazed wall.

48 The proposed building comprises three levels of basement (B1, B2, B3), a basement mezzanine, ground floor, upper mezzanine, and 18 storeys, with plant at roof level.

49 The basement mezzanine level and basement level 01 are principally designed for the use of affordable workspace and cycle parking. Basement levels 02 and 03 are used wholly for plant and back of house activities.

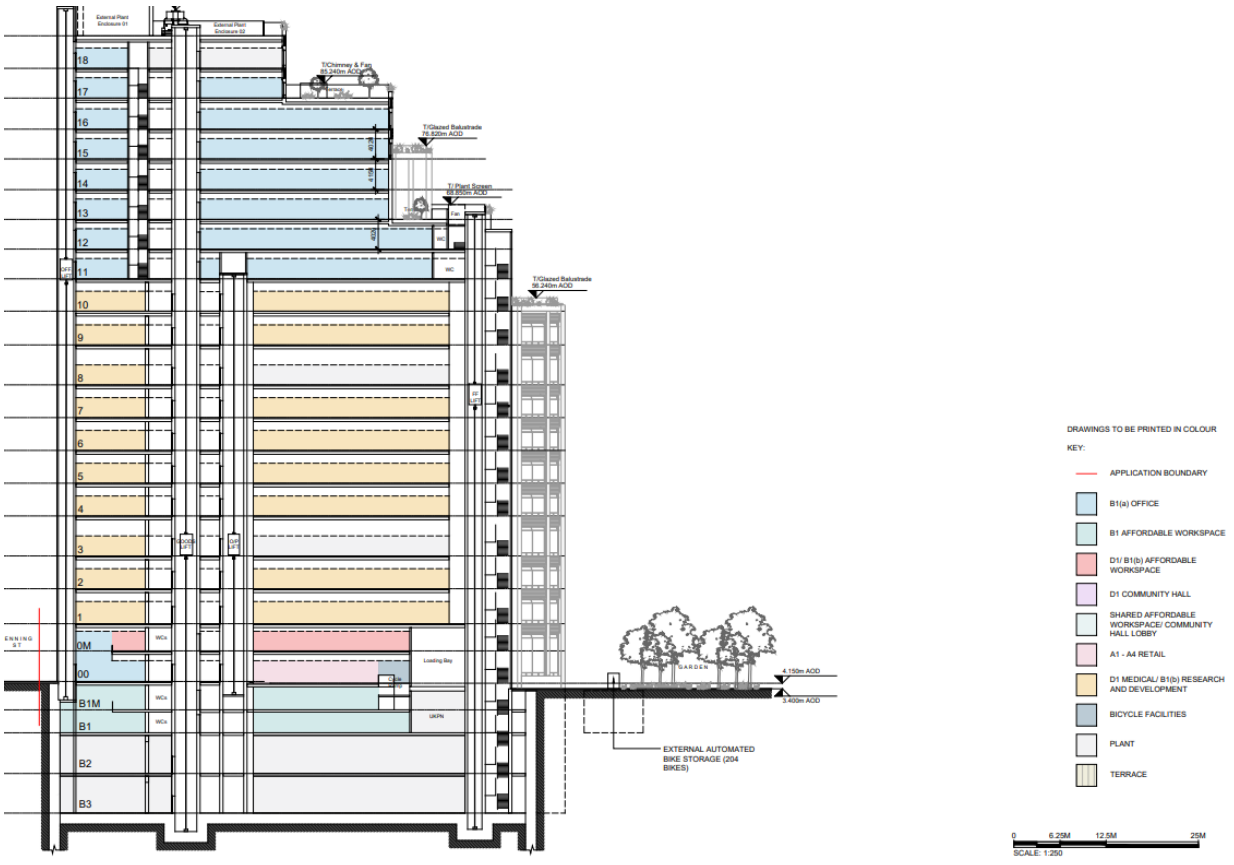


Figure 5: proposed section plan including land use

50 The proposed ground floor layout would include retail units and lobby space. Separate lift cores would be provided for the medical/research and development and office uses on the upper floors. A stepped ramp would provide access to the affordable workspace at above ground mezzanine level. Access to the building would be provided along St Thomas Street and Fenning Street.

51 Above ground levels 1-10 are designed to accommodate medical or research and development floorspace. In order to accommodate the mechanical equipment associated with the medical and research and development use, primarily to accommodate the requirement for a high number of air changes, floor to floor heights have been increased to 4.4metres (comprising 2700mm ceiling height, 1200mm service zone and 500mm floor slab/build up). Levels 3 and 8, which include the mechanical plant space, have been increased to 5.4metres (floor-to-floor). The proposed office space at levels 11 to 18 has also been designed to adhere to the Trusts' Adaptable Estate Guidance, with floor-to-floor heights of 4.02metres (comprising 2750mm ceiling height, 800mm service zone and 470mm floor slab/ build up).

52 The overall height of the building is 20 storeys, measuring 97.14 metres AOD (including plant). The building includes a stepped massing, with the tallest element (20 storeys) located at the western end of the site, stepping down to 9 storeys (46.28 AOD) to the east, parallel to St Thomas Street. Roof terraces are proposed on levels 8, 10, 13, 15 and 17 within the stepped profile and various setbacks within the building's massing. All terraces would include perimeter planting.



Figure 6: The Proposed Development

53 When viewed from St Thomas Street, the massing would be arranged into rectangular vertical elements, distinguishable through the steps in building height and defined brick frames. Differentiation between each element is proposed through design detailing and materials, including red/orange, buff and grey brickwork. The southern building façade is articulated by floor-to-ceiling glazing with internal steel elements and external horizontal fins for solar and wind mitigation. The Fenning Street elevation (western façade) is arranged as three distinct vertical elements, with glazed lift shafts forming the central part of the façade.

54 The proposed public realm and landscaping strategy includes the provision of mature trees along the widened St Thomas Street footway and a new are public landscaped area (Vinegar Garden) at the eastern end of the site, on the corner of St Thomas Street and Snowsfields. The proposed landscaped area would provide 190sq.m. of green space, with herbaceous planting and seating (comprising 167sq.m. of grassed area and planting). Additional planting is proposed to the rear of the building, along the boundary with the Horseshoe Pub.

55 In addition to the primary pedestrian route along St Thomas Street, the proposed layout includes a secondary east-west route from Snowsfields and Vinegar Yard to Fenning Street, via the internal route between the warehouse and main building. New north-south routes would also be established from St Thomas Street towards Snowsfields and the Horseshoe Inn.

56 Servicing would take place via a new loading bay, located to the south-east of the proposed building, accessed via Snowsfields and Vinegar Yard. Minor alterations are proposed to the existing access along Vinegar Yard to widen the existing carriageway and to provide two on-street blue badge parking spaces.

57 A total of 465 cycle parking spaces are proposed, including 292 long stag spaces and 173 short stay. Parking for at least 204 bicycles would be provided within an automated underground silo at the eastern end of the site. This system allows users to drop off their bike at ground level, the machine then takes the bike to an available space and the user picks it up again later. Additional cycle parking would be provided in Sheffield stands at ground level and within basement levels 1 and basement mezzanine.

Relevant planning history

58 The application site has been subject to various temporary planning permissions, including: Southwark Ref: 19/AP/1185 for the continued use of the site for food and drink stalls, retail units, a bar and events space and an artist's studio (Use Class Sui Generis) - dated 25 September 2019.

Current application

59 The current scheme was subject to pre-application discussions with GLA officers. On 27 September 2019, a formal pre-planning application meeting was held at City Hall focusing on strategic level London Plan issues for the redevelopment of the site for a mixed-use commercial development up to 100 metres AOD, comprising office floorspace, retail uses and a music venue.

60 The GLA's pre-application advice report of 14 November 2018 (GLA ref: GLA/4822) strongly supported the principle of the proposed office-led development. The

proposed retail uses and new music/events venue were also supported. The broad design principles were welcomed, including site layout, height and massing. The importance of the architectural detailing was highlighted due to the potential impact of the building on the surrounding heritage assets. The applicant was advised that any future planning application would need to address the matters raised within the advice report, with respect to architecture, servicing, transport demand, energy, urban greening, air quality, drainage and inclusive access.

61 The current application was submitted to Southwark Council on 24 December 2018 and was validated on 15 April 2019 (LPA ref: 18/AP/4171 and GLA ref: GLA/4822/01). This application sought planning permission for:

'Redevelopment of the site to include the demolition of the existing buildings and the erection of a building up to 20 storeys in height (maximum height of 86.675m AOD) and a 3 storey pavilion building (maximum height of 16.680m AOD) with 3 basement levels across the site providing . The development would include use classes A1/A2/A3/A4/B1/D2 and sui generis (performance venue), cycle parking, servicing, refuse and plant areas, public realm (including soft and hard landscaping) and highway improvements and all other associated works.'

62 Stage 1: On 14 June 2019, the Mayor of London received documents from Southwark Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. The application was referred under Categories 1B and 1C of the Schedule to the Order 2008:

- *Category 1B: Development (other than development which only comprises the provision of houses, flats or houses and flats) which comprises or includes the erection of a building in Central London and with a total floorspace of more than 20,000 square metres.*

- *Category 1C: Development which comprises or includes the erection of a building more than 30 metres high and is outside the City of London.*

63 On 22 July 2019, the Mayor considered planning report GLA4822/01. This report advised Southwark Council that whilst the proposed land uses were supported in strategic planning terms, the application did not comply with the London Plan or the draft London Plan and the issues raised relating to urban design, heritage impacts, LVMF views, energy, flood risk and drainage and transport should be addressed.

64 Specifically, in relation to urban design, the Mayor's Stage 1 representation stated that the L-shape layout of the office building would benefit from further consideration in terms of the impact and relationship with the Horseshoe Pub. Concerns were also raised regarding the east-west pedestrian route under the croft of the building, in terms of wind tunnelling and potential conflict with the proposed servicing and loading bay on Fenning Street. Further information was required regarding the landscape strategy, including the proposed plaza located between the main building and the pavilion. Officers also considered that the proposal would benefit from further refinement in terms of materials and architectural detailing and a more simplified and subtle treatment should be explored.

65 In relation to surrounding heritage assets and LVMF views, the applicant was requested to provide additional information, including a full views assessment with

written commentary, identifying the impact of the proposed development and surrounding St Thomas Street developments on London Panorama views 2A.1 and 3a.1 and River Prospect views 10.A.1 and 12B.1. Overall, the proposal was considered to result in less than substantial harm to surrounding heritage assets, including the Bermondsey Street Conservation Area, Tooley Street Conservation Area and the Tower of London World Heritage Site. Whilst officers considered that this harm could be outweighed by the public benefits of the scheme, the applicant was encouraged to refine the quality of architecture to reduce the level of harm.

66 On 29 June 2020, the application was considered by Southwark's Planning Committee. Members resolved to refuse planning permission, contrary to officers' recommendation for approval. The draft decision notice cited the following reason for refusal:

The proposed development by virtue of its excessive height, scale and massing would result in the loss of 9 Fenning Street and have an adverse impact on the Horseshoe Inn, both of which are undesignated heritage assets which make a positive contribution to the Bermondsey Street Conservation Area. The proposed development would therefore fail to preserve or enhance the character and appearance of the Conservation Area. The heritage harm would not be outweighed by the public benefits. The proposed development is therefore contrary to Policy 3.15 Conservation of the Historic Environment: 3.16 Conservation Areas; 3.18 Setting of Listed Buildings, Conservation Areas and World Heritage Sites of the Saved Southwark Plan 2007; SP12 – Design and Conservation of the Core Strategy 2011 and Policy 7.8 - Heritage Assets and Archaeology of the London Plan 2016 and paragraphs 196 and 197 of the NPPF.

67 Stage 2: On 24 August 2020, the Deputy Mayor, under delegated planning powers, considered a planning report reference GLA/6208/S2. The report concluded that having regard to the details of the application, the development was of such a nature and scale that it would have a significant impact on the implementation of London Plan Policies 2.10, 2.11, 2.13 and 4.2 in terms of delivering a significant number of new jobs and other appropriate uses in the Central Activities Zone and an Opportunity Area. The development was considered to have a significant effect on more than one London Borough. Consequently, it was considered that there were sound planning reasons for the Mayor to intervene in this case and issue a direction under Article 7 of the Order that he would act as the Local Planning Authority for the purpose of determining the application. The Deputy Mayor agreed with this recommendation.

68 The GLA's Stage 2 report identified that there were outstanding matters, including building layout and the relationship with the Horseshoe Pub, architectural design, impacts on heritage assets including the Tower of London World Heritage Site, impact on LVMF views, energy and sustainable development, and transport.

69 On 18 December 2020 the applicant submitted revisions to the application and additional documents in response to GLA comments, the Council's reason for refusal and representations made during the public consultation. The revised description of development was as follows:

"Redevelopment of the site to include the demolition of existing buildings, retention and refurbishment of the warehouse and the erection of a ground, mezzanine and 18 storey building (with plant at roof level and 3 basement levels) comprising of café and community space within the warehouse and flexible retail, affordable workspace and

flexible office and medical floorspace within the new building, cycle and disabled car parking, servicing, refuse and plant areas, public garden (including soft and hard landscaping), highway improvements and all other associated works."

70 The revisions included:

- Providing 8,207 sq.m. of office floorspace (levels 11-18)
- 12,634 sq.m. of medical floorspace or 12,964 sq.m. of medical related research and development floorspace;
- Increasing the affordable workspace from 1,200 sq.m. to 3,067 sq.m;
- Retention of the existing warehouse (No. 9 Fenning Street) to accommodate retail and community space;
- Removal of the music venue and subsequent reconfiguration of the proposed building layouts and public realm, providing 190 sq.m. of public garden space;
- Revising the massing and overall height of the building from 86.7m AOD to 97.14m AOD, specifically to facilitate the increased floor to ceiling heights required to accommodate medical and medical related research and development uses;
- Relocating servicing route from along Fenning Street to a loading bay served by Vinegar Yard, accessed from Snowsfields; and,
- Development of a more articulated treatment and external architectural treatment;

71 The amended proposal remained referable under Categories 1B and 1C of the Schedule to the Order 2008.

72 Given the amendments to the scheme, which included a change in the proposed land use, it was considered appropriate for the Mayor to revisit the reasons which led to the taking over of the application. Specifically, it was considered that the Mayor has power to revisit and reconsider a direction made under Article 7 of the Town and Country Planning (Mayor of London) Order 2008 ('the 2008 Order') that he is to act as the local planning authority. It is GLA officers' view that the Mayor has implied power to reverse such a direction made pursuant to Article 7 of the Order if he so wishes. In the case of R (Trustees of the Friends of the Lake District) v Secretary of State for the Environment [2002] P&CR23, it was held in relation to section 77 of the Town and Country Planning Act 1990 that it must be implicit in that section that the Secretary of State can withdraw or revoke a call-in direction made by him under that section. It is considered that the Mayor has an equivalent implied power which can be exercised if there are sound planning reasons to do so.

73 Second Stage 2: On 21 December 2020, the Deputy Mayor, under delegated planning powers, considered a planning report reference GLA/6913/S2, which provided a review of the earlier Stage 2 report (GLA/6208/S2), in light of the amendments sought to the proposal. The report concluded that the nature of the proposed development and the issues raised remain such as to give rise to a significant impact on the implementation of the London Plan (as well as having a similar impact on the Intend to Publish London Plan) and significant effects on more than one London borough, in particular with respect to the delivery of Opportunity Area and CAZ objectives, employment floorspace and jobs, and healthcare provision. Accordingly, it was considered that there remained sound planning reasons for the Mayor to intervene in this case and issue a direction under Article 7 of the Order that he would act as the Local Planning Authority for the purpose of determining the application. The Deputy Mayor agreed with this recommendation.

74 Following the Deputy Mayor's decision on 21 December 2020, the proposed development continued to evolve to address comments raised by GLA officers. In November 2021, the applicant submitted a revised schedule of documents in support of the following revised description of development:

"Redevelopment of the site to include the demolition of existing buildings, retention refurbishment and use of the warehouse as a retail and community space and the erection of a ground, mezzanine and 18 storey building (with plant at roof) and 3 basement levels, comprising ~~of café and community space within the warehouse and within the new building office~~ new office space, a flexible medical and research and development space, flexible retail at ground floor and affordable workspace, alongside cycle parking, servicing, refuse and plant areas, soft and hard landscaping, highway improvements and all other associated works".

75 The November 2021 scheme included the following revisions:

- Clarification around the medical or research and development use and submission of drawings showing the two options.
- A reduction in massing to the eastern part of the main building, resulting in the introduction of a terrace at level 13;
- The relocation of affordable workspace entrance to align with the masterplan east-west route;
- An additional entrance along the northern elevation on ground level to the retail hall and two additional entrances along the southern elevation;
- The relocation of gas storage to increase retail frontage at the eastern retail unit;
- The relocation of one accessible parking space to be re-provided off-site;
- Structural and drainage related updates to account for the amended massing; and,
- Minor amendments to the landscaping and urban greening factor as a result of the additional terrace at level 13.

76 Given the scale and nature of the November 2021 amendments, the proposed development was not considered to be materially different to the scheme presented to the Deputy Mayor on 21 December 2020. For this reason, the revisions to the proposal were accepted by GLA officers.

77 Re-consultation on amended plans: A 30-day public re-consultation was carried out on 18 November 2021 to reflect and accord with statutory requirements, notifying the public and other interested parties of the amendments to the proposal.

78 As a result of a potential postal error with the November 2021 consultation, a further 30-day re-consultation was carried out on 19 January 2022, notifying the public and other interested parties on the amendments to the proposal. In order to provide further clarity and details in terms of the proposal, the wording of the description of development was revised to that proposed by the Applicant in November 2021 so as to provide as follows:

"Redevelopment of the site to include the demolition of existing buildings, retention, refurbishment and use of the warehouse as a retail and community space and the erection of a ground, mezzanine and 18 storey building (with plant at roof) and 3 basement levels, comprising new office space, a ~~flexible~~ medical ~~and~~ or research and development space, flexible retail at ground floor and affordable workspace, alongside

cycle parking, servicing, refuse and plant areas, soft and hard landscaping, highway improvements and all other associated works".

79 In summary, the main changes to the scheme to be determined compared to the scheme submitted to Southwark Council include: the loss of 12,913sqm office provision and introduction of medical or medical/life science research and development use; the increase in height from 86.7m AOD to 97.14m AOD; the loss of the music venue (pavilion building); alterations to building layout and public realm; and, the relocation of the servicing route from Fenning Street to a loading bay served by Vinegar Yard, accessed from Snowsfields. The Deputy Mayor has confirmed in his decision on application GLA/6913/S2 that he is satisfied, following full re-consultation, that the scheme can be determined as amended and no prejudice arises from this.

80 Site visit: The Mayor will undertake an accompanied site visit on 24 May 2022 with GLA and TfL officers, representatives from the Council and the applicant team.

81 The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 has been taken into account in the consideration of this case. The Mayor's decision on this case, and the reasons for it, will be made available on the GLA's website www.london.gov.uk.

Surrounding development – St Thomas Street East Framework

82 The application site forms part of a series of adjacent development plots that have become known as the St Thomas Street East Framework Area. The framework is an initiative by four major individual landowners on St Thomas Street to develop a cohesive approach to redeveloping the adjoining sites. The framework itself is an informal document and is not planning policy but is a material consideration in the determination of the application.

83 The St Thomas Street East Framework Area includes 'Capital House' at 42-46 Weston Street, 'the Edge development' at 60 St Thomas Street and 'the Sellar development', which includes the Vinegar Yard Warehouse (Leather Warehouse) as well as the buildings on the corner of Snowsfields and Bermondsey Street. Details of planning applications for the St Thomas Street East area are set out below:



Figure 7: St Thomas Street East Framework Area

84 Capital House, 42-46 Weston Street (Southwark Ref: 18/AP/0900 / GLA Ref: 2020/6163):

Redevelopment of the site to include the demolition of Capital House and the erection of a 39-storey building (3 basement levels and ground with mezzanine and 38 storeys) of a maximum height of 137.9m (AOD) to provide up to 905 student accommodation units (Sui Generis use), flexible retail/café/office floorspace (Class A1/A3/B1), cycle parking, servicing, refuse and plant areas, public realm improvements and other associated works incidental to the development. The application is accompanied by an Environmental Statement submitted pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 – approved 18 December 2020.

85 This application was granted with legal agreement by Southwark Council on 17 December 2020 following Stage 2 referral to the Mayor. Development has recently commenced on site.

86 Sellar site: 40-44 Bermondsey Street, Vinegar Yard Warehouse 9-17 Vinegar Yard and land adjacent to 1-7 Snowsfields (Southwark Ref: 19/AP/0404 / GLA Ref: 2019/4917/SI):

Demolition of existing buildings at 40-44 Bermondsey Street including partial demolition, rebuilding and refurbishment of existing Vinegar Yard Warehouse and erection of three new buildings (two linked) with up to two levels of basement and heights ranging from five storeys (24.2m AOD) to 17 storeys (67m AOD) to provide office space (Class B1); flexible retail space (Classes A1/A2/A3/A4/A5); new landscaping and public realm; reconfigured pedestrian and vehicular access; associated works to public highway; ancillary servicing; plant; storage and associated works.

87 A Stage 1 response was issued by the GLA on 13 May 2019. Whilst the application was broadly supported in strategic planning terms, the application did not yet comply with London Plan and draft London Plan Policies relating to heritage, energy, flood risk and drainage and transport.

88 The application has not yet been determined at Southwark Council.

89 The Edge: Becket House, 60-68 St Thomas Street (Southwark Ref: 20/AP/0944 / GLA Ref: 2020/6508):

Redevelopment of the site to include demolition of Becket House and the erection of a 27 storey building with additional level of plant and basement levels in order to provide office use (Class B1), retail (flexible Class A1/A3), cycle parking, servicing, refuse and plant areas, public realm improvements and other associated works incidental to the development approved 4 October 2021.

90 This application was granted with legal agreement by Southwark Council on 17 November 2021 following Stage 2 referral to the Mayor. Development has not yet commenced on site.

Relevant legislation, policies and guidance

91 In determining this application, the Mayor must determine the application for planning permission in accordance with the requirement of Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004. In particular, the Mayor is required to determine the application in accordance with the development plan unless material considerations indicate otherwise. For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area consists of the Southwark Plan 2022 and the London Plan 2021.

92 Paragraph 213 of the NPPF states that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the NPPF, and that due weight should be given to them, according to their degree of consistency with the NPPF. All relevant policies in the adopted development plan are considered to be consistent with the NPPF.

93 The Mayor is also required to have regard, as material considerations, to national planning policy and guidance, as well as supplementary planning documents and, depending on their state of advancement, emerging elements of the development plan and other planning policies.

94 The relevant planning policies and guidance at the national, regional and local levels are noted in the following paragraphs.

National planning policy and guidance

95 The National Planning Policy Framework (NPPF) provides the Government's overarching planning policy framework. First published in 2012, the Government published a revised NPPF in July 2018 and further revised in February 2019 and July 2021. The NPPF defines three dimensions to sustainable development: an economic role – contributing to building a strong, responsive and competitive economy; a social

role - supporting strong, vibrant and healthy communities; and, an environmental role - contributing to protecting and enhancing the natural, built and historic environment. The sections of the NPPF which are relevant to this application include:

- 2. Achieving sustainable development
- 4. Decision-making
- 6. Building a strong, competitive economy
- 7. Ensuring the vitality of town centres
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment

96 The National Planning Practice Guidance is also a material consideration.

Spatial Development Strategy for London and supplementary guidance

97 The London Plan 2021 is the Spatial Development Strategy for Greater London. The relevant policies within the London Plan are:

- Policy SD1 Opportunity Areas
- Policy SD4 The Central Activities Zone (CAZ);
- Policy SD5 Offices, other strategic functions and residential development in the CAZ;
- Policy SD8 Town Centre Network
- Policy SD10 Strategic and local regeneration;
- Policy D1 London's form, character and capacity for growth;
- Policy D2 Infrastructure requirements for sustainable densities;
- Policy D3 Optimising site capacity through the design-led approach;
- Policy D4 Delivering good design;
- Policy D5 Inclusive design;
- Policy D8 Public realm;
- Policy D9 Tall Buildings;
- Policy D10 Basement development;
- Policy D11 Safety, security and resilience to emergency;
- Policy D12 Fire Safety;
- Policy D14 Noise;
- Policy S1 Developing London's social infrastructure;
- Policy S2 Health and social care facilities;
- Policy S6 Public toilets;
- Policy E1 Offices;
- Policy E2 Providing suitable business space;
- Policy E3 Affordable workspace;
- Policy E9 Retail, markets and hot food takeaways;
- Policy E11 Skills and opportunities for all;
- Policy HC1 Heritage conservation and growth;

- Policy HC2 World Heritage Sites
- Policy HC3 Strategic and local views;
- Policy HC4 London View Management Framework;
- Policy HC5 Supporting London's culture and creative industries
- Policy G1 Green infrastructure;
- Policy G5 Urban greening;
- Policy G6 Biodiversity and access to nature;
- Policy G7 Trees and woodland;
- Policy SI1 Improving air quality;
- Policy SI2 Minimising greenhouse gas emissions;
- Policy SI3 Energy infrastructure;
- Policy SI4 Managing heat risk;
- Policy SI5 Water infrastructure;
- Policy SI7 Reducing waste and promoting a circular economy;
- Policy SI12 Flood Risk Management;
- Policy SI13 Sustainable drainage;
- Policy T1 Strategic approach to transport;
- Policy T2 Healthy streets;
- Policy T3 Transport capacity, connectivity and safeguarding;
- Policy T4 Assessing and mitigating transport impacts;
- Policy T5 Cycling;
- Policy T6 Car parking;
- Policy T6.2 Office parking;
- Policy T6.3 Retail parking;
- Policy T6.5 Non-residential disabled persons parking;
- Policy T7 Deliveries, servicing and construction;
- Policy T9 Funding transport through planning; and
- Policy DF1 Delivery of the plan and planning obligations.

98 The following published supplementary planning guidance (SPG), strategies and other documents are also relevant:

- London View Management Framework SPG (March 2012);
- Culture and Night-Time Economy (November 2017); and,
- Accessible London: achieving an inclusive environment SPG (October 2014)
- Character and Context SPG (June 2014)
- The control of dust and emissions during construction and demolition SPG (July 2014)
- All London Green Grid SPG (March 2012)
- Planning for Equality and Diversity in London (October 2007)
- Public London Charter LPG (2021)
- Use of planning obligations in the funding of Crossrail and the Mayoral Community Infrastructure Levy (April 2013)
- Crossrail Funding (March 2016)
- Mayor's Transport Strategy (March 2018)
- Mayor's Environment Strategy (May 2018)
- 'Be Seen' Energy Monitoring Guidance (September 2021)
- London Cycle Design Standards (October 2016)
- Circular Economy Statement Guidance (March 2022)

- Whole Life-Cycle Carbon Assessments (March 2022)

99 The following pre-consultation draft strategic supplementary planning guidance (SPG) and London Plan guidance (LPG), strategies and other documents are also relevant but do not have significant weight due to their stage of advancement towards adoption:

- Air Quality Positive guidance – consultation draft (November 2021)
- Air Quality Neutral guidance – consultation draft (November 2021)
- Energy Planning Guidance (April 2020)
- Sustainable Transport, Walking, and Cycling LPG – consultation draft (September 2021)
- Urban Greening Factor - consultation draft (September 2021)
- Fire Safety LPG – pre-consultation draft (March 2021)
- Optimising Site Capacity: A Design-led Approach LPG – pre-consultation draft (October 2020)

Local planning policy and guidance

Southwark Plan 2022

100 On 28 February 2022 Southwark Council Assembly approved the final adoption of the Southwark Plan 2022. This plan supersedes the Core Strategy (2011) and the Saved Southwark Plan (2007).

101 The following policies are relevant to this application:

- Policy ST1 Southwark's Development Targets
- Policy ST2 Southwark's Places;
- Policy SP2 Southwark Together;
- Policy SP3 Great start in life;
- Policy SP4 Green and inclusive economy;
- Policy SP5 Thriving neighbourhoods and tackling health inequalities;
- Policy SP6 Climate emergency;
- AV.11 London Bridge Area Vision
- Policy P13 Design of places;
- Policy P14 Design quality;
- Policy P16 Designing out crime;
- Policy P17 Tall buildings;
- Policy P18 Efficient use of land;
- Policy P19 Listed buildings and structures;
- Policy 20 Conservation areas
- Policy P21 Conservation of the historic environment and natural heritage;
- Policy P22 Borough views;
- Policy P23 Archaeology;
- Policy P24 World Heritage sites;
- Policy P28 Access to employment and training;
- Policy P30 Office and business development;
- Policy P31 Affordable workspace;
- Policy P32 Small shops;

- Policy P34 Railway Arches;
- Policy P35 Town and local centres;
- Policy P45 Healthy developments;
- Policy P47 Community uses;
- Policy P49 Public transport;
- Policy P50 Highways impacts;
- Policy P51 Walking;
- Policy P52 Low Line routes;
- Policy P53 Cycling;
- Policy P54 Car parking;
- Policy P55 Parking standards for disabled people and the mobility impaired;
- Policy P56 Protection of amenity;
- Policy P59 Green infrastructure;
- Policy P62 Biodiversity;
- Policy P61 Trees;
- Policy P62 Reducing waste;
- Policy P65 Improving air quality;
- Policy P66 Reducing noise pollution;
- Policy P67 Reducing water use;
- Policy P68 Reducing flood risk;
- Policy P69 Sustainability standards;
- Policy P70 Energy;
- Policy IP1 Infrastructure;
- Policy IP2 Transport infrastructure; and
- Policy IP3 CIL and S106.

102 Site allocation NSP54: *Land between St Thomas Street, Fenning Street, Melior Place and Snowsfields* within the Southwark Plan 2022 encompasses the entire development site as well as the Leather Warehouse and land adjacent to Snowsfields. Paragraphs 179-182 provide a summary of the site allocation requirements in terms of land use and form of development.

103 The following adopted Southwark SPDs are also relevant to the proposal:

- Sustainable Design and Construction SPD (2009);
- Sustainability Assessment SPD (2009);
- Sustainable Transport SPD (2010);
- Section 106 Planning Obligations/CIL SPD (April 2015, updated November 2020);
- Bermondsey Street Conservation Area Appraisal (2003);
- Design and Access Statements (2007);
- Heritage SPD (September 2021)

Community Infrastructure Levy

104 Local planning authorities in London are able to introduce Community Infrastructure Levy (CIL) charges which are payable in addition to the Mayor's CIL. Southwark Council's CIL came into effect on 1 April 2015. Since then, Southwark CIL charging schedule has been revised to ensure that the Council can secure sufficient funding for infrastructure to support growth in the Old Kent Road Opportunity Area,

including the Bakerloo Line extension in the Old Kent Road area. The Revised Southwark CIL Charging Schedule was brought into effect on 1 December 2017 and is charged at a rate of £53-£435 per sq.m. for residential uses, £136 per sq.m. for retail (A1-A5, sui generis) uses and £76 per sq.m. for office uses. Health, education and community uses include a nil charge. Following the adoption of a new charging schedule, MCIL 2 rates now apply to planning permissions granted from 1 April 2019. Accordingly, a rate of £60 per sq.m. would apply to all eligible development.

Response to consultation

105 As part of the planning process Southwark Council undertook public consultation in May 2019 by sending notifications to 1,129 addresses in the vicinity of the site, as well as posting site notes close to the site and publishing press notices. A further round of public consultation was undertaken in October 2019 in response to minor amendments made to the proposal. The consultation also included all relevant statutory bodies, neighbouring boroughs and amenity groups. All consultation responses received in response to Southwark Council's local consultation process, and any other representations received by Southwark Council and/or the Mayor of London in respect of this application at the time of writing this report, are summarised below, and have been taken into account in this report. The Mayor has been briefed on the amount and content of all consultation responses, including the comments, objections and issues raised.

106 In addition, as explained above, the Mayor has carried out consultation on revised plans submitted subsequent to him taking over the application, and comments received are outlined below.

Statutory consultee responses to Southwark Council

107 Greater London Authority (including Transport for London): The Mayor's initial consultation stage comments (GLA report ref: GLA/4822/01) and the Mayor's Stage 2 decisions (GLA report ref: GLA/6208/S2 and GLA/6913/S2) are set out in aforementioned reports and are summarised in the 'Relevant case history' section above.

108 Transport for London: commented as part of the Mayor's Stage 1 and 2 response, and also provided a separate direct response to Southwark Council, setting out issues in relation to healthy streets, cycle parking, the provision of accessible car parking, construction, travel planning and Mayoral CIL. Suggested conditions, section 106 obligations and financial contributions were also detailed. The detailed consideration of these points is set out in the Transport section below.

109 Historic England: Raised concerns on heritage grounds. The development would have some impact on the Bermondsey Street Conservation Area, by introducing a much larger element at the termination of some attractive views. The overall harm caused by this development could be reduced if the corner warehouse was incorporated into the development. Retaining this positive contributor to the conservation area would maintain the patina, intimate scale and historic character around the Horseshoe Inn, setting back and visually softening the large urban office development, and reducing its impact.

110 London Underground: No comment.

111 Environment Agency: No objection, subject to conditions relating to ground water and contaminated land, flood risk and flood resistant and resilience.

112 Metropolitan Police: It is possible for the scheme to achieve Secured by Design standard and a condition should be added to that effect.

113 Natural England: No objection.

114 Network Rail: Issues support for the proposed scheme and encouraged the London Borough of Southwark to approve the application.

115 Thames Water: No objection, subject to conditions relating to piling, water network upgrades, protection of underground water assets, and restriction over building over mains crossing.

Individual neighbourhood responses

116 At the time of making a decision on the proposal, Southwark Council reported that it had received a total of 77 objections and 66 letters of support in response to the public consultation. All responses were provided to the GLA subsequent to the decision to take over the application and have been made available to the Mayor in advance of the hearing.

117 The main concerns and issues raised in objection to the proposals are summarised below and grouped by topic headers used in this report:

Land use principle

- The proposed music venue is unacceptable, would lead to disturbance and would not be viable. There do not appear to be any parties interested in running the venue
- Concerns regarding the loss of the community space
- The area does not need any more shops or retail
- The proposal does not meet the requirements of the site allocation

Urban design, tall buildings, heritage and views

- The proposed building would be excessive in scale, height and massing
- The building would be overbearing to the local area and would cause harm to the Vinegar Yard Warehouse and the Horseshoe Inn
- The development would represent overdevelopment
- The development would result in the loss of the historic two-storey warehouse, which is unacceptable
- Harm would occur to local heritage assets, including the Bermondsey Street Conservation Area and the railway arches on St Thomas Street
- The harm to heritage assets is not justified in line with the NPPF and would not be outweighed by public benefits
- The proposal is out of keeping with the character of the surrounding area.
- A significant adverse impact would occur to strategic and local views
- The architectural design is poor and out of character with the area
- The Design Review Panel recommended that a strategic approach to landscaping, public realm and environmental impact should be undertaken. This does not appear to have been done
- The proposed basements are excessive

Public realm and landscaping

- The proposed public spaces would be overshadowed, windy and would not include sufficient green landscaping
- Concerns regarding large areas of pavements and unnecessary new routes through the site
- The proposed landscaping does not include enough greening to meet the Mayor's urban greening policy

Impacts to surrounding area

- The proposed development would result in a loss of light and privacy to adjacent properties
- The development would result in overshadowing to St Thomas Street and surrounding public spaces

Transport

- Transport facilities are inadequate for the proposed development and services from London Bridge are already under pressure at peak hours
- The increase in traffic would affect the operation of Guy's Hospital
- The servicing requirements would result in increased traffic and nuisance

Environmental

- The proposal would result in excessive wind impacts and the mitigation has not been appropriately secured
- The trees proposed as wind mitigation may not be feasible due to locational issues, ownership and underlying services
- There is no cumulative wind study
- Noise, dust and pollution from the construction phase would affect physical and mental health
- There would be excessive levels of disturbance during demolition, construction and operation of the development
- The construction and servicing plans are insufficient
- The depth of the basement is inappropriate and would affect the water table.
- The sustainability credentials of the development are insufficient
- The updates to the ES have not resulted in any scheme amendments and the Environmental Impact Assessment has not considered all cumulative impacts

Social infrastructure and the community

- The development would adversely affect local business and make it difficult for them to hire and retain the best staff and offer them a suitable work life balance due to the impacts on the local area
- The proposal would result in excessive pressure on local infrastructure

Public consultation

- The public consultation was poor, insufficient and not meaningful; and,
- Consultation with local community has been ineffective

118 The main comments in support to the proposals are summarised below:

- Good design and architecture
- The proposal would support independent retail
- Exciting new development with independent food, retail artists and creatives
- Much needed new employment and will bring life to the area
- The development would be good for the borough
- The development would provide much needed affordable workspace for artists.
- An underused site would be brought into beneficial use

Other responses to the Council, including residents' groups and elected members

119 An objection was received from The Victorian Society on the basis that the height of the building would be out of character with the conservation area. The proposed building would be overbearing to the Horseshoe Inn and would shift focus away from this building. The development would be harmful to the conservation area and would set an unwelcome precedent.

120 An objection was received from Old Bermondsey Neighbourhood Forum (OBNF) on the basis that they view the application process and engagement arrangements for the development as flawed. Further objections are made in terms of the impact of the development on heritage assets and the conservation area; the inappropriate scale of the proposal; harm cause by the development; environmental impacts such as wind and overshadowing; disruption during and after construction; and insufficient public benefits.

121 Team London Bridge: Important to achieve a design at ground level that would be of a human scale and to address shadowing to St Thomas Street. There are concerns that the music venue, having been reduced in size, would now be too small to serve the anticipated increase in the number of people in the area and the layout of the venue (being mostly below ground) could present a challenge. The market space and retail space is supported but strong visual prompts may be required to help draw people into this space. It will be important to keep the public realm open in character in order to improve pedestrian flows and avoid congestion. There are concerns with the free standing building on Fenning Street and how this would contribute to the area. The level of greening should be improved especially on roof terraces and green walls and increased greening may help alleviate the impact on the view from Leathermarket gardens. There is a lack of clarity on servicing and cycle parking.

122 An objection was received from WSET School on the basis that there would be disruption/disturbance, the design is not in keeping with the area, the building scale is disproportionate and would be damaging to the historic area. The proposed development would harm the operations of the school and lead to significant disruption

Representations made to the Mayor of London

Re-consultation exercise (November 2021)

123 The Mayor took over the planning application for his own determination on 24 August 2020. A re-consultation exercise took place on 18 November 2021 for 30 days in relation to revisions to the scheme that had been updated since the original consultation exercise which are summarised in paragraph 64. Letters were sent to all those consulted

by the Council, in addition to all those who had responded to the planning application thus far. A press notice was posted in Southwark News and site notices were erected.

124 Responses: A total of 24 responses were received by the Mayor and/or the GLA, of which 21 responses objected to the application, and 3 responses were in support. A representation (detailed below) was received from Team London Bridge which supported the redevelopment, however raised issues with specific elements of the proposal. These responses have been made available to the Mayor and have been taken into account in this report.

125 In summary, the issues raised in objection to the revised scheme can be broadly categorised as follows:

Land use

- Concerns regarding the loss of Vinegar Yard's food and drinks market, which is a celebrated community and public space
- Concerns regarding the demand for office space
- The assessment of the potentially negative impact on the economic health of the Central Activities Zone, London Bridge and surrounding areas from rejecting this application ignores that there are multiple other development proposals for the same street - the cumulative effect of which is concerning.

Height, density and design

- Excessive building heights which are out of keeping with the surrounding area
- Concerns regarding the proposed heights adjacent to the conservation area
- Object to the increase in height following the Mayor's take-over
- The proposed tall buildings would dominate Bermondsey Street, Weston Street and the adjacent low-rise cityscape
- Objections to the emerging high-rise character
- Unattractive building

Landscaping and public realm

- Inadequate provision of usable public realm which falls short of the requirements of London Plan Policy G4
- Given the use of the building, which is planned for uses that support health and wellbeing, the public realm offer falls significantly short of delivering benefits to the local community
- Concerns regarding the Urban Green Factor (UGF) and the viability of some of the proposed trees which are included in the calculation
- The public realm and pedestrian routes would be dominated by servicing and would not be an attractive or safe area for pedestrians
- Concerns regarding the width of pavement on St Thomas Street and various routes within the site in terms of accommodating the increased population

Impacts to surrounding amenity

- Significant impact on quality of life for Southwark residents due to construction impacts, loss of north facing views, increase in daytime footfall and the impacts from the loading bay

- Concerns regarding the additional pressure on social infrastructure and parking
- Serious concerns regarding the impact of the service yard and service vehicles

Transport, highways and servicing

- Chapter 7 of the ES is substantially inaccurate and incomplete in terms of the impacts of construction and demolition traffic, changes to the location of the service yard and the cumulative impacts with surrounding schemes, which does not consider 92-112 Snowsfields
- Additional vehicular traffic generated during construction and operation of the site has not been sufficiently and thoroughly assessed in the ES
- Concerns regarding the impacts of demolition and construction traffic on Weston Street and Snowsfields, in terms of danger to pedestrians and cyclists, pollution and physical strain on the narrow access way
- Serious concerns regarding the impact of the service yard access from Snowsfields in terms of schools, cyclists, traders and the community

Environmental

- The wind tunnelling along St Thomas Street needs to be considered, particularly the cumulative impact with the other proposed developments
- The cumulative effect of the proposed scheme and adjacent developments is concerning in terms of over development, environmental impact given insufficient greening for the scale of development, increasing wind-tunnelling effects, and excessive building /traffic disruption to local residents and businesses expected for several years

Consultation and planning process

- Concerns regarding the Mayor's ability to overrule local Council decision without addressing any of the concerns raised within the community consultation
- Re-notification by the GLA failed to identify the changes to the service yard, which fundamentally impacts the proposed scheme

126 The responses received in support for the revised scheme are summarised as follows:

- The proposal would bring a modern character to the area, creating improved streetscene views
- The appearance of the building has improved since the addition of the stepped roof and broken up massing

127 A letter of support was received from Guys and St Thomas NHS Foundation Trust which confirmed the applicant's working relationship and collaborative approach with the Trust. The Trust confirmed their commitment to the scheme.

128 An additional 30-day public consultation took place on 20 January. The additional round of consultation was considered necessary following postal errors associated with the initial consultation period in November 2021 and to ensure that members of the public had the opportunity to let the Mayor know their views on the proposal. Letters were sent to all those previously consulted, in addition to all those who had responded to the planning application thus far. A press notice was posted in Southwark News and site notices were erected

129 Responses: A total of 11 additional responses were received by the Mayor and/or the GLA, of which 7 responses objected to the application and 4 responses were in support. These responses have been made available to the Mayor and have been taken into account in this report.

130 The responses received in support for the revised scheme considered that the proposal would be an improvement to the area and would enhance local views and character.

131 Southwark Studios, a potential occupier of the affordable workspace, issued their support for the proposed development. Within their representation, Southwark Studios supported the pioneering solution to securing the next generation cultural infrastructure for local artists and SMEs in the creative industries.

132 GoodPeople, a labour market-focused social enterprise, issued support for the proposal in terms of the potential for job creation, employment outcomes for local unemployed residents, apprenticeships and training.

133 King's College London issued support for the proposal due to the significant contribution towards the shared SCI vision at London Bridge. The potential lab space and research and development activities would support the Universities' objectives.

134 The responses received in objection for the revised scheme are summarised as follows:

- The existing retail and office space within the city isn't filled. There is no need to build a high-rise in this location
- The proposal offers little to the local community
- Disagreement with the project
- The height is out of keeping with the surrounding character. The emerging development should not be justification for another high-rise building in this area
- The height is not justified by the proposed medical use as this could change at any time in the future
- The building would cast shadows over surrounding streets
- There is a requirement to build sustainably for the future

135 Correspondence was also received from the Victorian Society to confirm their objection to the proposal, as previously submitted to Southwark Council.

Other responses to the GLA, including residents' groups and elected members

136 An objection has been received from the Old Bermondsey Neighbourhood Forum (OBNF):

- The increased height and massing of the revised development is out of scale with the surrounding historic environment, including the Bermondsey Street Conservation Area and the St Thomas St Arches. The height would obstruct views and cast St Thomas Street in wind and shade. The extreme contrast in scale between the proposal and the Conservation Area is contrary to London Plan Policies D3, D9 and HC1
- Cllr Kath Whittam's concern that the Horseshoe Inn would be completely swallowed up by the proposal has not been addressed. The revised proposal

would overshadow the pub. Despite requests from the community, an accurate visual representation (AVR) has not been produced to show the view from Melior Street where the pub is situated. The impact on the conservation area will be most apparent from this view

- The AVRs grossly understate the visual impact of the building due to the wide-angle lenses, which create a false impression of the scheme. According to the London Views Management Framework AVRs should show "the location of a proposed development as accurately as possible", which the Environmental Statement pointedly fails to do
- Extensive and meaningful community engagement has not been carried out, contrary to the NPPF and London Plan Policies
- The proposed development would create uncomfortable wind tunnelling on St Thomas Street, Vinegar Yard, Fenning Street and Snowsfields, contrary to London Plan Policy D8
- The proposed public realm is dominated by servicing and manoeuvring space for vehicles. The small, windy and polluted public space provided in a development of such high density is grossly insufficient
- The negative impacts of the proposed service area would extend beyond the development site. Overall, the servicing is wholly inappropriate for the area, not just anti-social but also dangerous, and is contrary to London Plan Policy SD7;
- The proposal would significantly increase foot traffic which would strain the capacity of already busy pavements. This issue would be amplified by the proposed narrowing of the footpath along St Thomas Street. The addition of street trees and bike stands in this area will compound the overcrowding
- The urban greening factor is misleading and inaccurately relies on trees along St Thomas Street which will never be able to grow. The small, windy and polluted public space provided in a development of such high density is grossly insufficient

137 An objection was received from Bermondsey Street London on four grounds: the proposal compromises the context of the Bermondsey Street Conservation Area; inadequate public space and pedestrian routes; the scale of the proposed garden is insufficient; and the quality of the public space at the south-east of the building would be dominated by service vehicles.

138 A submission was received from Team London Bridge which supported the proposal to strengthen the biomedical innovation cluster at London Bridge and retain the warehouse at 9 Fening Street. Concerns were however raised regarding the impacts on St Thomas Street, the quality of public realm, the cultural offer and greening commitments.

139 An objection was received from Bermondsey Yards Limited Partnership (the owner of 42-44 Bermondsey Street, 40 Bermondsey Street and the Leather Warehouse):

- The proposal is considered to be contrary to the principles agreed within the St Thomas Street East Framework (STSEF), in terms of enhancing the setting of the Leather Warehouse, pedestrian connectivity, servicing and public realm. This document is considered to be a material planning consideration, as confirmed within PINS Ref APP/A5840/W/20/3261317
- The STSEF seeks to manage the impacts of servicing across the framework area by identifying a servicing point along Fenning Street. The proposed servicing

arrangement at the rear of the building from Snowsfields is contrary to the agreed STSEF design principles and would give rise to impacts on public realm, pedestrian connectivity and vehicle movements

- The proposed service vehicle route would be at the detriment of a high-quality public realm in the immediate setting of the Leather Warehouse. This space should form a coherent and connected space which prioritises pedestrian activity however it would now be dominated by vehicular traffic. The proposal would also create narrow pinch points; result in a landscaping design which not permeable; and, the vehicular access would significantly impact the ability to stitch two areas of public realm together
- The location of two parking spaces on Snowsfields would form a barrier between the proposed pedestrian flow
- The proposals would generate additional vehicular activity, to the detriment of the public realm and the future occupiers of the Leather Warehouse. A swept path analysis for larger vehicles (8-10m vehicles) has not been provided
- Concerns regarding the macroclimatic effects and the impact of the proposed canopy on the quality of the public realm in terms of overshadowing and the loss of visual connection

Statutory consultee responses

140 UK Power Network: No objection to the planning application.

141 London Underground: No response received.

142 Network Rail: Issued support for the application.

143 Environment Agency: No objection to the proposal, subject to conditions relating to groundwater and contaminated land, flood risk and flood resistance and resilience.

144 Met Police: No further comments received.

145 Historic England: Previously emphasised that the overall harm could be reduced by incorporating the warehouse into the development and recommended that your Authority seeks such amendments with the Applicant. We are therefore very pleased to see that the amended scheme now proposes to retain and incorporate the warehouse at 9 Fenning Street with a new active glazed façade. However, as a result of the increased building height, the overall larger scale of development would result in increased visual intrusion in many Bermondsey Street Conservation Area views (or particular note is the view from Bermondsey Street, junction with Tanner Street). Overall, we are satisfied that the harm to the Bermondsey Street Conservation Area would be lower than we originally identified due to the retention of the warehouse at 9 Fenning Street. However, we consider that there would still be harm due to the visual encroachment of the proposed development in longer-range views, particularly along Bermondsey Street where the scheme would now appear more visually intrusive. This harm must be clearly and convincingly justified and outweighed by public benefits, in line with the NPPF.

146 London Underground Infrastructure Protection: No further comments.

147 Thames Water: No objection based on the information provided, subject to recommended conditions regarding water network upgrades and a piling method statement and plan.

Southwark Council

148 A formal consultation response considering the revised proposal was received from Southwark Council on 11 February 2022. In addition to this, Council officers have participated in a series of lawyer-led meetings to discuss the proposed S106 agreement.

149 The Council's comments are summarised below, with further detail provided in relevant sections of the report:

Proposed use

150 To comply with the site allocation, the redevelopment should provide 50% employment floorspace. Option 1 would fall significantly short of providing 50% employment floorspace and, as such, would be contrary to the site allocation. However, the benefits of providing a facility for medical purposes as an extension to the existing health care cluster at London Bridge, and the role they would play in promoting the SC1 life sciences cluster are recognised. The public benefit of this should be given significant weight and consequently the proposed land uses are supported.

151 Option 2 is welcomed and would comply with the site allocation requirement for employment floorspace. The outcome of Option 2 being designed specifically for Guys and St Thomas to occupy is a building with more generous floor to floor heights, which has the effect of significantly increasing the height of building beyond that which may be required for an alternative occupier operating within the B1 use class. For this reason, it is considered necessary for the s106 agreement to include a clause whereby an occupier must be secured for this specific medical use (including the R&D option) before the development is implemented.

152 The net gain of jobs from Option 1 or 2 is also recognised as a positive aspect of the scheme, although it is noted that the level of potential employment falls short of that indicated under the original office proposal.

153 If the GLA are minded to grant planning permission this should be subject to robust controls being secured in the s106 legal agreement to ensure that the building is occupied as proposed. The s106 obligation should go as far as preventing the permission being implemented if an appropriate occupier cannot be secured. An appropriate occupier would be Guys and St Thomas in the first instance or if such an arrangement cannot be secured, an alternative public medical operator or failing that another operator in the life sciences sector who would use the building for R and D purposes. If the building cannot be occupied for medical purposes then an alternative SC1 Life Science operator would be acceptable.

154 Floors 11-18 (8,207sqm) should be restricted to employment use (Use Class B/E(g)).

155 The quantum of affordable workspace and discount rate should be secure in the S106. The affordable workspace at basement would be provided at 70% discount on market value for Southwark Studios, which would be a positive benefit of the scheme. This level of discount should apply to the space in its entirety, for all future occupiers. Future service charges should be inclusive or capped at appropriate levels.

156 It is not clear how the discounted medical/research and development space at mezzanine level would work. If the proposal is to provide the affordable space to Guys and St Thomas, a clear demonstration of the benefits of this approach and the services to be delivered to the public would need to be demonstrated to comply with Policy 31. In the event that the medical facility is not delivering healthcare services to the public, as per clause 5, then other clear benefits of the approach need to be demonstrated to outweigh the key objective of the policy to provide space for small and independent businesses.

157 The provision of ground floor real is accepted, in accordance with the site allocation.

158 The proposed community use is a positive benefit of the scheme. This should be secured in the s106 agreement, including cost, availability, management arrangements, fit out and facilities and the means of promoting its use by the community.

159 The s106 agreement and/or conditions should restrict any change of use beyond those specified in Options 1 or 2 to prevent permitted changes of use between the full range of uses now permissible under Use Class E or to prevent future change of use to residential without planning permission.

Design and heritage

160 The retention of the warehouse is welcome, maintaining the intimate, historical setting of this part of the conservation area with its positive relationship of the warehouse, Horseshoe Pub and low-rise terrace in Melior Street (south) and the notable townscape view along Melior Street from the junction with Weston Street. The outcome is that the revised development preserves the character and appearance of the conservation area at this point.

161 Given that substantial works are required to retain and convert the existing building into useable space it would be appropriate to secure by way of a planning condition the submission of a RICS Building Survey prior to commencement to demonstrate in full the detailed condition of the building and necessary techniques required during construction to protect the important elements that are to be retained as part of the conversion.

162 The demolition of the warehouse extension (No. 1-7 Fenning Street) is of no particular merit and is outside the conservation area. This small loss is considered acceptable.

163 The revised proposal extends the massing of the building further along St Thomas Street, this will make for a considerable, continuous street frontage which at the proposed heights will feel unrelenting. The extended massing runs counter to opening up Vinegar Yard and views through to its historic warehouse, which is a key feature better revealing this part of the local conservation area.

164 The revised proposal adds 10.4m (the equivalent of three additional standard floors) to the building. The additional scale is more evident within the conservation area within the middle distance and longer distance views of the development, such as from Kirby Grove, Leathermarket Gardens, Weston Street and St Mary's Gardens. Previously, the impacts on these views were considered minor to moderate adverse,

particularly where the views were static (e.g., view #24). Whilst the increase in scale is notable, the increase in the degree of adverse impact over-and-above the previous scheme is modest or minor.

165 The critical issue, however, is the impact of the additional height on Bermondsey Street, which is the heart of the local conservation area. The proposed c.10m increase in height and the building's extended southern massing results in the uppermost 3 and 4 storeys of the development being distinctly visible above the roofline within the linear view (view 15). The harm is less than substantial but given the street's high townscape value and prominence within the conservation area, is considered important and towards a high order of less than substantial harm.

166 In accordance with the NPPF, the increased extent of less than substantial harm should set against the wider planning benefits of the scheme. This would include the consideration of the proposed community use, medical use and the enhanced public realm, albeit the public realm benefits are not without design shortcomings.

167 The success of the elevations will be dependent upon the detailed design and execution including the use of high quality, robust materials, which should be subject to control via conditions in respect of detailed large scale, elevations, sections and bay studies, submission of material samples/full scale mockups and detailed landscaping proposals.

Impact on public realm

168 The quantum of public space has reduced and the way in which the space will be used has also changed the nature of the space, to the detriment of the scheme. The Council maintain that the inclusion of the loading bay as currently proposed will dominate the character and function of the route, with its pedestrian quality seriously eroded.

169 Notwithstanding the concerns with how the east-west route has been diminished it is still considered to be important to open up future east-west connections through this site to link with adjacent schemes coming forward. If the GLA are minded to grant permission then the detailed design execution will be key to ensuring that the route is legible, attractive and comfortable to use. Detailed design conditions should be used to ensure this outcome. Furthermore, the s106 agreement must include an obligation to ensure that the route is publicly accessible at times to coordinate with the adjacent development sites.

170 The proposed servicing route off Snowsfields would make for an overt vehicular route onto the site and disrupt the opportunity to co-ordinate the soft landscaping with that of the Vinegar Yard scheme to provide a single, combined landscaped public garden aligned onto Snowsfields. It is therefore suggested that the opportunity to reroute the service access off St Thomas Street, in a similar arrangement to the current Vinegar Yard but shifted westwards, closer to the new building be considered.

Servicing

171 There will be a requirement for a detailed delivery and servicing and management plan to be submitted once the intended use of the building is known and the Developer has confirmed whether they are building out Option 1 or 2.

Climate Change

172 The proposal meets the policy requirements of Southwark Policy P69 and P70. The revised scheme would result in a greater onsite carbon reduction than the original scheme considered by Southwark Planning Committee which would have achieved 46% on site carbon savings

Representations summary

173 All the representations received in respect of this application have been made available to the Mayor, however; in the interests of concision, and for ease of reference, the issues raised have been summarised in this report as detailed above. The key issues raised by the consultation responses, and the various other representations received, are addressed under the relevant topic headers within this report, and, where appropriate, through the proposed planning conditions, planning obligations and/or informatives outlined in the recommendation section of this report.

Environmental Impact Assessment

174 Planning applications for development that are covered by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 are termed “EIA applications”. The requirement for an EIA is based on the likelihood of environmental effects arising from the development. The proposed development is considered to be Schedule 2 development likely to have significant effects on the environment by virtue of factors such as nature, size or location. Consequently, the application is considered to form an application for EIA and it has been necessary that an Environmental Statement be prepared in accordance with EIA Regulations.

175 The applicants submitted a Scoping Report (submitted September 2018) outlining the scope of the Environmental Statement (ES) prior to the submission of the application to Southwark Council. Following consultation with the relevant consultation bodies, Southwark Council issued a Scoping Opinion on 29 November 2018. This confirmed that the scheme constituted EIA development and set out advice and instructions in relation to the methodology of the assessment. It identified a range of potential effects that would need to be included in the ES that was required to be submitted with the application.

176 The submitted ES is divided into four volumes covering the 1) main assessment text; 2) the townscape, heritage and visual impact assessment; 3a) technical appendices (including archaeology, EIA methodology, FRA and drainage, greenhouse gas emissions, health assessment, land contamination, noise and vibrations, socio-economics, wind microclimate, and sunlight, daylight and overshadowing); and 3b) transport assessment. The statement includes qualitative, quantitative and technical analysis of the impacts of the development on its surrounding environment in physical, social and economic terms. The impacts of the planning application are assessed individually and cumulatively with other consented applications in the vicinity of the application site.

Principal planning issues

177 Having regard to the site and the details of the proposed development, relevant planning policy at the local, regional and national levels; and, the consultation responses and representations received, the principal planning issues raised by the application that the Mayor must consider are:

- Land use principles (including policy designations, employment, affordable workspace, medical and research and development, retail and community);
- Urban design (including design scrutiny, surrounding character, layout & public realm, height & massing, protected views, fire safety, designing out crime and inclusive design);
- Heritage (Including the setting of World Heritage Sites, conservation areas, listed buildings and archeology);
- Surrounding amenity impacts (including daylight, sunlight & overshadowing, privacy, solar glare, light pollution, noise & vibration, basement development and wind microclimate);
- Green infrastructure and the natural environment (including trees, biodiversity & ecology and urban greening);
- Sustainability and climate change (including sustainability strategy, air quality, energy, waste & the circular economy, and flood risk & drainage
- Transport (including healthy streets and vision zero, vehicle access and parking, taxi pick up/drop off, cycle parking, deliveries and servicing, demolition and construction, travel plan, hostile vehicle mitigation, environmental impacts);
- Socio-economic impacts;
- Mitigating the impact of development through planning obligations; and,
- Planning balance.

These issues are considered within the following sections of the report.

Land use principles

Policy background

178 The National Planning Policy Framework (NPPF) provides the Government's overarching planning policy framework. A key component of the NPPF is the presumption in favour of sustainable development. In terms of decision making, this means approving applications that accord with the development plan without delay; or, where there are no relevant development plan policies, or where such policies are out-of-date, granting permission unless either: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole; or where NPPF policies that protect areas or assets of particular importance (including designated heritage assets) provide a clear reason for refusing a proposed development.

179 The London Plan 2021 is the Spatial Development Strategy for Greater London. Within the London Plan, the Mayor's overarching objective is to meet London's housing and development need by making the best use of land, whilst safeguarding the Green Belt and designated open spaces. This is reflected in the objectives on 'Good Growth' GG1, GG2, GG3, GG4, GG5, and GG6, which support intensified, high-density, mixed-

use and mixed housing developments, particularly on sites well connected by existing or future public transport, walking and cycling connections; development on brownfield land, particularly in Opportunity Areas and on surplus public sector land; promotes industrial and employment space in the right locations; and new and improved green infrastructure.

180 The proposed development seeks to redevelop the currently underutilised inner-London brownfield site to deliver medical or medical/life sciences research and development floorspace, a significant provision of employment (including office) floorspace and affordable workspace, ground floor retail uses, and a community use within the retained warehouse.

181 The application site is subject to the following strategic and local policy designations:

- London Bridge, Borough and Bankside Opportunity Area;
- Central Activities Zone (CAZ);
- London Bridge District Town Centre;
- London Bridge Vision Area; and,
- Site Allocation NSP54.

London Bridge, Borough and Bankside Opportunity Area

182 The application site is located within the London Bridge, Borough and Bankside Opportunity Area. London Plan Policy SD1 identifies Opportunity Areas as significant locations with development capacity to accommodate new housing, commercial development and infrastructure, linked to existing or potential improvements in public transport connectivity and capacity. Table 2.1 of the London Plan sets the London Bridge, Borough and Bankside Opportunity Area an indicative capacity of 4,000 new homes and 5,500 new jobs during the plan period (2019-2041).

183 Policy ST1 of the Southwark Plan 2022 identifies a target of 58,000 total jobs between 2019 and 2036, with 10,000 to be provided within the Borough, Bankside and London Bridge Opportunity Area.

Central Activities Zone and London Bridge District Town Centre

184 The site is located within the Central Activities Zone (CAZ) and the London Bridge District Town Centre. The CAZ is an internationally and nationally significant office location that plays a crucial role in supporting London's growth. Table 6.1 of the London Plan indicates that the CAZ is projected to accommodate more than 367,000 additional jobs and a net increase of 3.5 million sq.m. (GIA) of office floorspace over the period 2019-2041, an average of 140,000 sq.m. per annum.

185 Table A1.1 of the London Plan identifies the London Bridge Town Centre as a CAZ retail cluster, with a high potential for commercial growth and an incremental potential for residential growth. London Plan Policies SD4 and SD5 inform development on town centre sites located wholly within the CAZ.

186 Policy ST1 of the Southwark Plan identifies a target of 460,000 sq.m. of office floorspace between 2019 and 2036, with around 80% of new offices to be delivered within the CAZ and in town centres.

AV.11 London Bridge Area Vision

187 The site is located within the London Bridge Vision area of the Southwark Plan, which extends along the southern side of London Bridge Station, from the corner of St Thomas Street and Snowsfields, towards Borough High Street to the west. The application site forms the eastern boundary of the vision area. The area vision identifies the potential to grow its strategic office provision, shops, leisure, culture, science and medical facilities. The potential to contribute towards meeting the borough's housing needs is also acknowledged.

188 Table 1B of Policy ST2, identifies the following targets for the London Bridge Vision area:

- Employment floorspace: 56,574 sq.m. (43,156 sq.m. uplift)
- Retail, leisure and community uses floorspace: 2,132 sq.m. (1,526 sq.m. uplift)
- Approximate housing capacity: 483 units
- Net open space provision within site allocations: 605 sq.m

Southwark Pan Site Allocation NSP54

189 The site forms part of site allocation NSP54: *Land between St Thomas Street,* Fenning Street, Melior Place and Snowsfields, within the emerging Southwark Plan 2022. As demonstrated in Figure 5, the site allocation includes the existing Leather Warehouse on Vinegar Yard and land to the north of Snowsfields, which sit outside the application boundary. In terms of existing uses, the site allocation identifies 751 sq.m. of existing light industrial (Class E(g) floorspace within the existing warehouse at 1-7 & 9 Fenning Street, 1,117sq.m. of warehouse within the vacant Leather Warehouse and 2,691sq.m. of temporary office (Class B1) floorspace. It is noted that the temporary office floorspace was previously occupied by Network Rail and has since been demolished.

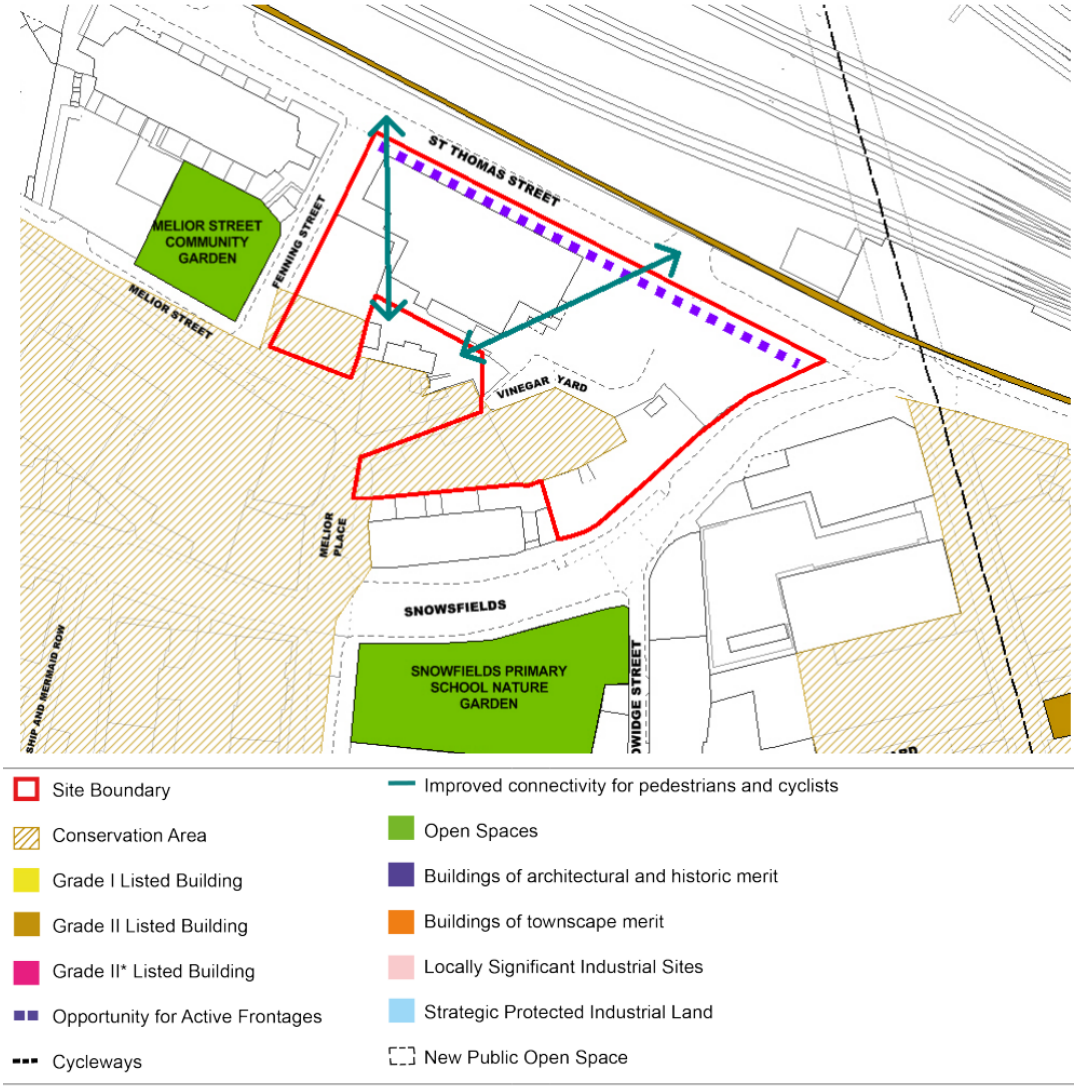


Figure 8: Southwark Plan site allocation NSP54

190 Site allocation NSP54 identifies that the redevelopment of the site must:

- Provide at least the amount of employment floorspace (E(g), B Class) currently on the site or provide at least 50% of the development as employment floorspace, whichever is greater
- Provide a new north-south green link from Melior Place to St Thomas Street;
- Enhance St Thomas Street by providing high quality public realm and active frontages including retail, community, medical or healthcare or leisure uses at ground floor; and,
- Provide new open space of at least 15% of the site area (605sq.m.).

191 The site allocation identifies that the redevelopment of the site 'should' provide new homes (Use Class C3) and sets an indicative residential capacity of 121 homes.

192 The site allocation identifies that the site 'could' include taller buildings, located towards the west of the site, with building height stepping down in height from west to east, taking into account the height of buildings approved at site NSP53.

St Thomas Street East Framework (STSEF)

193 As discussed in paragraph 77, the application site forms part of the St Thomas Street East Framework. The framework is a shared vision by four individual landowners on St Thomas Street to develop a cohesive approach to the redevelopment and regeneration of the land to the south of London Bridge Station. The framework is an informal document and not planning policy. In addition to this, the framework is not referenced within the recently adopted Southwark Plan or the site allocation. Notwithstanding this, within appeal decision APP/A5840/W/20/3261317 relating to Raquel Court at 147 Snowsfields, the planning inspector concluded that while the masterplan has no formal status, it is a material consideration in decision making.

194 Where relevant, the principles of the St Thomas Street East Framework have been considered within this report.

195 In line with the requirements of the site allocation, the proposal would deliver a significant amount of employment floorspace in the form of office and affordable workspace, along with retail, community and medical or research and development uses. The site allocation sets an indicative capacity of 121 new homes. Whilst the proposal would not contribute towards meeting this indicative residential capacity, it is noted that the wording of the site allocation requires that redevelopment must provide employment floorspace alo1ng with retail, community, medical/healthcare/leisure at ground floor, and should provide new homes. Furthermore, in line with London Plan Policy SD5, offices and other CAZ strategic functions are to be given greater weight relative to new residential development. Accordingly, the principle of the commercial-led redevelopment of the application site is supported.

196 The optimisation of this highly accessible, under-utilised brownfield site within the London Bridge, Borough and Bankside Opportunity Area and London Bridge Town Centre to provide new jobs and community and retail opportunities is consistent with the Good Growth objectives of the London Plan and site allocation NSP54. The proposed high-density commercial development would make a significant contribution towards the London Plan and Local Plan jobs targets for the Opportunity Area and the local plan commercial/office floorspace targets for the CAZ and London Bridge Vision Area.

197 Specific land use considerations are outlined in detail below.

Employment

198 The NPPF states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. In line with paragraph 81, significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

199 London Plan Policies E1, SD4 and SD5 strongly support the provision of new, high-quality office functions within the CAZ and town centres. In addition to the requirement for office space (Class B1a), London Plan Policies E2, E3 and SD5 support the provision of a range of B Use Class business space, in terms of type, use and size, at an appropriate range of rents to meet the needs of micro, small and medium-sized enterprises (SME). Policy E2 specifically requires that development proposals for new B Use Class business floorspace greater than 2,500sq.m., provide a proportion of flexible workspace or smaller units.

200 Policy 30 of the Southwark Plan requires that developments retain or increase the amount of employment floorspace (Use class E(g) B2, B8 Class) in the CAZ, town centres, opportunity areas and where specified in site allocations. Site allocation NSP54 supports new and replacement business floorspace and requires that development proposals provide at least the amount of employment floorspace currently on the site or provide at least 50% of the total development as employment floorspace, whichever is greater.

201 Southwark Policy P30 and site allocation NSP54 define employment uses as those which fall within Use Class B (Class Eg).

202 The site allocation indicates that the following existing uses occupy the site:

- 2,691sq.m. of temporary office (Use class B1);
- 751sq.m. of light industrial with ancillary office and storage (Use class E(g)); and
- 1,117sq.m. of vacant warehouse.

203 GLA officers note that the temporary office, which was occupied by National Rail, was vacated and demolished in October 2018 and the vacant Leather Warehouse sits outside the application site boundary. Accordingly, the site currently delivers between 751- 848sq.m. of employment floorspace within the existing warehouse and extension buildings at 1-7 and 9 Fenning Street.

204 A breakdown of the proposed employment floorspace has been provided, in line with the requirement of the site allocation:

Table 3: Option 1 employment land use

Level	**Land use (Use Class)**	**Floorspace (GIA)**
11-18	Office (B1a)	8,207sq.m.
Basement Mezzanine	Affordable workspace (B1)	914sq.m
Basement Level 1	Affordable workspace (B1)	1,118sq.m.
Total		10,239sq.m

205 Option 1 would deliver 42% of the total usable floorspace (24,316sq.m. – excluding the retained warehouse) as employment space (Class B1/E(g)).

Table 4: Option 2 employment land use

Level	Land use (Use Class)	Floorspace (GIA)
11-18	Office (B1a)	8,207sq.m.
1-10	Research and development (B1b)	12,644sq.m.
Mezzanine	Affordable workspace (B1b)	918sq.m
Ground	Research and development (B1b)	437sq.m
Basement Mezzanine	Affordable workspace (B1)	914sq.m.
Basement level 1	Affordable workspace (B1)	1,118sq.m.
Total		24,238sq.m.

206 Option 2 would deliver 98% of the total usable floorspace (24,676sq.m. excluding the retained warehouse) as employment floorspace (Class B1/E(g)).

207 In line with London Plan Policy E2(C) and Policy 30 of the Southwark Plan, the loss of the existing light industrial business space (1-7 and 9 Fenning Street), previously occupied by an artist's studio, would be replaced by high-quality, flexible employment space (Class B1). Overall, the proposal would provide a significant uplift in flexible workspace suitable for creative and artists' workspace. Specifically, the proposal would deliver 1,190sq.m. of flexible workspace at basement level 1 and basement mezzanine which would be occupied by Southwark Studios, who manage affordable workspaces for individual artists and small businesses within the creative industries. This is strongly supported and considered to be a notable public benefit of the proposal.

208 Whilst Options 1 and 2 would both result in a significant uplift in employment floorspace from what currently exists, the site allocation requires that proposals provide at least the amount of employment floorspace currently on the site or provide at least 50% of the total development as employment floorspace, whichever is greater. Given that the research and development space proposed within Option 2 meets the definition of employment space, Option 2 significantly exceeds the 50% requirement for employment floorspace. Option 1, which includes a significant amount of medical or research and development floorspace, would provide 42% of the total usable floorspace as B Class employment space, and as such falls marginally short of the 50% requirement. However, given the provision of a medical/research and development use complies with the site allocation and the wider vision for a healthcare cluster at London Bridge, GLA officers consider that this minor shortfall in terms of employment floorspace within Option 1 is acceptable in terms of the public benefits which would be delivered by the proposed development.

209 Furthermore, whilst the proposed medical, community and retail uses are not included within the Council's definition of employment floorspace, these uses would also generate a proportion of on-site employment. Accordingly, in addition to the floorspace requirements, the number of jobs created by each Option should also be considered to provide a complete picture of the employment potential of the development. As detailed

within Chapter 6 of the ES, the application site currently provides approximately 100 full-time equivalent (FTE) jobs. Option 1 would create between 682-900 FTE jobs and Option 2 would create approximately 885 FTE jobs. It is noted that Option 2 does not specify the research and development use within the medical/life sciences industries and as such, this estimate may differ from what is delivered on site. Notwithstanding this, it has been demonstrated that both Option 1 and 2 would significantly increase the potential for on-site employment and whilst Option 1 does not meet the 50% employment space requirement of the site allocation, this Option does not result in a significantly lower provision of jobs when compared to Option 2.

210 In terms of the overall employment offer, the proposal in the form of both Options would deliver a significant amount of office floorspace (Class B1a) at levels 11-18, with a proportion of flexible workspace at mezzanine and basement levels. The proposed office space would include large open-plan floorplates enabling easy space planning or subdivision by future tenants. The proposed workspace would benefit from double height spaces and triple-height voids allowing light and interest to create high-quality workspace. The above ground workspace is anticipated to be used for medical or research and development start-ups (Class B1b), whilst the basement would be a flexible use suitable for a range of creative industries. In addition to this, Option 2 would deliver approximately 13,999 sq.m. of research and development floorspace within an industry which has planned growth in the area. Accordingly, the proposed employment offer is considered to provide a range of high-quality employment space to meet the needs of a diverse range of industries and businesses. The proposed affordable workspace offer is discussed further in paragraphs 207-218 below.

211 Overall, the proposed development (Options 1 and 2) would provide a significant uplift in the current employment provision on the site. The provision of high quality B1 floorspace, within a range of flexible and multi-tenanted units, would make a significant contribution towards the floorspace and jobs targets of the CAZ and Opportunity Area. The proposed employment offer is therefore supported, in line with London Plan Policies SD4, SD5, E1, E2 and E3, Policies ST1, ST2 and P30 of the Southwark Plan and site allocation NSP54. Whilst Option 1 does not fully comply with site allocation NSP54 on the basis discussed above, the benefits of providing a facility for medical purposes as an extension to the existing world-renowned NHS healthcare cluster at London Bridge is recognised as a key priority for the London Borough of Southwark. The public benefit of this is given significant weight and the proposed land uses are supported

212 In order to restrict a change of use, a condition would secure the employment floorspace within the office use class and would remove permitted development rights. This condition is necessary to ensure the public benefit of the employment space is delivered and retained in perpetuity.

Affordable workspace

213 London Plan Policies E2 and E3 support the provision of a range of Use Class B business space, in terms of type, use and size, at an appropriate range of rents to meet the needs of micro, small and medium-sized enterprises. Specifically, Policy E3 supports Boroughs in developing detailed affordable workspace policies within their development plans which reflect local evidence of need and viability. Part A of the Policy E3 supports the use of planning obligations to secure affordable workspace (in the B Use Class) at rents maintained below market rate for a specific social, cultural or economic development purpose such as creative and artists workspace.

214 Policy P31 of the Southwark Plan relates to affordable workspace. Developments proposing 500sq.m. (GIA) or more of employment floorspace must: deliver at least 10% of the proposed gross employment floorspace as affordable workspace on site at discount market rents; secure the affordable workspace for at least 30 years; and, provide affordable workspace of a type and specification that meets local demand including workspace targeted for small and independent business from the local area; and, collaborate with the council, local businesses and workspace providers to identify businesses that will be nominated for occupying affordable workspace.

215 As detailed in Table 3, Option 1 would deliver a total of 10,239sq.m of employment floorspace (Class B1). Accordingly, in line with the 10% requirement of Policy P31, Option 1 is required to deliver 1,023.90sq.m. of affordable workspace. Option 2 (Table 4), which includes a total of 24,238sq.m. of employment floorspace (ground floor-level 18) must provide 2,423.8sq.m.

216 Both Option 1 and 2 would deliver a total of 3,067sq.m. of affordable workspace across the mezzanine level, basement mezzanine and basement level 1. Accordingly, the proposed development significantly exceeds the 10% requirement of Policy P31. Furthermore, in line with Policy 31, the affordable workspace is secured for 30 years within the S106 agreement.

217 The development would deliver a range of affordable workspace, in line with Policies E2 and E3 of the London Plan. Furthermore, in line with Southwark Policy P31, the applicant has explored local demand for workspace and has proactively engaged with local business and workspace providers to identify and nominate specific businesses.

218 It is proposed that approximately 1,190sq.m. of flexible Class B1 workspace at Basement Level 1 and Basement Mezzanine would be occupied by the Council's approved workspace provider, Southwark Studios. Southwark Studios manage affordable workspaces for individual artists and small businesses within the creative industries. Southwark Studios have issued their support for the proposal and have indicated that the space could provide approximately 30 studios and the future home of 'The Southwark Gallery', a free public-engagement space. The applicant and Southwark Studios have reached agreement regarding the rental rates and service charges, which would be secured at £12 per square foot (index linked) with service charged capped at £1.20 per square foot (index linked). Officers understand that this rate exceeds the discount generally offered for this type of workspace. The provision of genuinely affordable workspace for the creative industries would enhance and strengthen the creative and cultural offer of the Bankside, Borough and London Bridge Strategic Cultural Area and the London Bridge Vision Area, in line with London Plan Policy HC5. This is strongly supported and would be secured within the S106 legal agreement along with details of the initial fit-out and management.

219 Should an agreement not be reached with Southwark Studios within the 'offer period' (defined as the later of 12 months from the grant of planning permission or, the commencement of the above ground works), the space would then be offered to Southwark's wider list of approved workspace providers at the agreed discount of 70% of market rents with service charges capped at a maximum of £3.00 per square foot. Details of this have been secured within the S106 and are detailed within paragraph 5.

220 The remaining 842sq.m. of floorspace at Basement Level 1 and Basement Mezzanine would deliver Class B1 floorspace at a discount of 30% on market rates, with service charged capped at £3.00. This space could be subdivided to provide a range of unit sizes and specifications to meet individual demand. The marketing and management details would be agreed with Council, as secured within the S106 agreement.

221 In addition to traditional Class B1 workspace, the proposal would deliver approximately 1,035sq.m. of discounted medical or research and development (Class D1/B1b) space at upper mezzanine level. It is noted that in exceptional circumstances, Policy P31 supports public health services as an alternative to affordable workspace (employment uses), where there is a demonstrated need with a named occupier. This floorspace would be linked to the use of levels 1-10 and would form part of the cascade mechanism.

222 Following a request from the GLA and Southwark Council, the applicant has provided further detail on the proposed structure of the mezzanine level discounted space. Within Option 1, this space would be offered to partner organisations and start-ups who are benefiting from integration or association with the Trust and King's College London. The Trust or Kings College who would act as the Affordable Workspace Provider, would offer this space as 'lab-enabled' incubator units for small and medium enterprises for medical (Class D1) use. The space would be fit out as containment laboratories and write-up/office space.

223 However, should Option 1 not be secured, in line with the S106 requirements, this space would be offered as open Class B1 floorspace. It is anticipated that this space would facilitate the occupation by start-up enterprises specialising in biomedical research, benefitting from the proximity to the hospital and research and teaching facilities on the Guy's campus. Within Option 1 and Option 2, this space would be offered at a discount of 30% on market rates, with service charges capped at £3.00 per square foot.

224 The affordable workspace offer is strongly supported in line with London Plan Policies E2, E3 and HC5 and exceeds the requirements of Southwark Policy P31. The S106 agreement would appropriately secure the basement level workspace for the use of Southwark Studios. However, should Southwark Studios not enter into a lease, this space would be secured for 30 years at a deep discount rate for other workspace providers. The requirements of Policy P31, including term of lease, discount and management plans would be secured by S106 agreement. Details of the D1/B1 mezzanine level workspace to include a cascade mechanism regulating the use and occupation would also be secured in the S106. Overall, the provision and nature of the affordable workspace would make a significant contribution towards the creative and cultural industries and is a significant public benefit of the proposal.

Medical and research and development use

225 London Plan Good Growth Objective GG3 'Creating a Healthy City', seeks to improve Londoner's health and reduce health inequalities through the planning and development process. The need to deliver new high-quality and enhanced health and social care facilities, including primary care, community healthcare, acute provision and specialist provision is reflected in London Plan Policy S2.

226 In addition to the need for medical facilities, London's role as a location for research and development and specialist clusters such as functions of health is identified in the London Plan. Specifically, London Plan Policy E8 supports employment opportunities for Londoners across a diverse range of sectors and encourages boroughs to identify and support the growth of sustainably located employment clusters. The networks and facilities that support London's role as a centre of medical excellence and need for appropriate laboratory space to support a range of medical and life sciences research districts is supported by this policy. Furthermore, in line with London Plan Policy SD4, centres of excellence for higher and further education and research, and centres of medical excellence and associated specialist facilitates are strategic functions of the CAZ.

227 In line with London Plan Policies S2 and E8, King's Health Partners, King's College Hospital, King's College London, South London and the Maudsley, London Boroughs of Lambeth and Southwark, and Guy's and St Thomas' Foundation ("The Founders") have entered into a partnership to develop and promote the 'SC1 Life Sciences cluster' (herewith referred to as the SC1 initiative). This partnership aims to create a global quarter in the centre of London that delivers high impact innovation, driving improvements in health and wealth, both locally and globally. The SC1 initiative brings together public, private, education and clinical partners to drive innovation across the boroughs, increasing investments into life sciences and attracting new companies to the area.

228 In line with the SCI initiative, the London Bridge Vision Area states that new development should harness the expertise and infrastructure from Kings College London, Guy's Hospital and other medical and science facilities to develop a strong, dynamic and specialised local economy that will attract new specialised servicesin research and promote health and wellbeing. This intent is reflected within site allocation NSP54 which requires the provision of medical or healthcare uses.

229 In response to this vision and given the highly accessible nature of the site and the proximity to the existing hospital, the applicant has proactively engaged with the Trust regarding their need for additional floorspace to accommodate future growth of the hospital.

230 The future need for additional flexible floorspace is outlined within the Guys and St Thomas Estate Strategy which has been reviewed by GLA officers. In addition to the existing hospital facilities, Southwark Council has recently granted planning permission for the construction of an 8 storey hospital building on St Thomas Street. Construction of this development has not yet commenced. Notwithstanding this, Guys and St Thomas have advised that their future demand for additional capacity goes beyond their existing and proposed facilities.

231 In order to accommodate the future needs of Guys and St Thomas and the wider life science innovation cluster at London Bridge, the proposed development seeks permission for two land use options. As discussed within paragraphs 29-40, Option 1 would deliver Class D1 medical floorspace and Option 2 would deliver Class B1b research and development floorspace, which would be secured for use by medical and life sciences industries.

232 Within Option 1, the proposed provision of a new, high-quality medical facility within the CAZ, Opportunity Area and within close proximity to an existing hospital, is

strongly supported by London Plan Policies SD1, SD4, SD6 and S2, the London Bridge Area Vision and site allocation NSP54. The proposed medical use would provide day clinics and outpatient functions and as such, the quantum and nature of the space is appropriate. Southwark Council have expressed their support for the proposed medical facility and extension to the Guys and St Thomas Hospital.

233 Within Option 2, the provision of a medical/life-science related research and development use within a highly accessible location within the CAZ, Opportunity Area and Town Centre is supported by London Plan Policies and would comply with the site allocation requirement for 50% employment floorspace. Whilst the research and development use generally encompass a wide range of potential end-users, the s106 would restrict the proposed floorspace to medical or life science related industries (specific users would be defined within an Appendix to the S106 agreement). Given the physical layout of levels 1-10, this space could provide suitable biomedical laboratories to support medical/life science industries. The development of a specialised healthcare and life science cluster at London Bridge is strongly supported in line with London Plan Policies SD4 and E8 and is a key priority for the London Borough of Southwark. Whilst not in planning policy, the provision of medical or life science related research and development use would also make a significant contribution towards the SC1 initiative.

234 The applicant, Council and GLA have worked closely to secure appropriate controls and mechanisms regarding the use and occupation of the medical or research and development use at levels 1-10. The applicant has also proactively engaged with the Trust in terms of future requirements and lease arrangements. The agreed controls have been secured within a draft S106 agreement and are detailed within this report (paragraph 4). A summary of the 'cascade mechanism' for this floorspace is detailed in the following paragraphs.

235 Following the grant of planning permission, the applicant must use *all reasonable endeavours* to offer and agree a lease for levels 1-10 floorspace (or any part of it as elected by the Trust) to the Trust as a medical facility (Use Class D1). This initial offer period to the Trust must be the later of 12 months from permission or the start of the superstructure construction and may be extended by such time as it may take for any challenges to the planning permission to be disposed of. During this offer period, the applicant must provide written updates at least every 2 months to the Council, evidencing the steps it has taken and how negotiations with the Trust are progressing to achieve exchange of the medical facility. Further to this, both the Council and the GLA can request information or a meeting/call to discuss progress towards exchange. The S106 also secures specific actions and information which must be provided by the applicant to the Trust, within agreed deadlines. This includes details of design specification, business case and feasibility and bespoke design specifications.

236 At the expiry of the offer period, if no medical facility lease has been exchanged with the Trust in line with the S106 requirements, subject to the confirmation from the Council, the applicant may then use levels 1 to 10 floorspace (or such part of it which the hospital has elected not to take) for a medical/life science research and development use (in line with the SC1 operator definition with the draft S106).

237 Following extensive discussions on the s106 agreement the research and development space will be used by a life science/medical/healthcare organisation / operator. The Council must confirm that the final occupant meets the SC1 operation definition within the S106 agreement.

238 The s106 would also restrict the occupation of the office floorspace (levels 11-18) until levels 1-10 floorspace is ready for use (shell and core) as either medical facility or for medical or life science related research and development space.

239 Whilst the Council's consultation response advised that a legal obligation is required to secure an appropriate occupier (defined as Guys and St Thomas in the first instance, or an alternative public medical operator) before the development is implemented, GLA officers do not consider this request to be justifiable in planning terms and are satisfied that appropriate and proportionate controls over use and marketing of the space have been secured within the draft S106. Furthermore, the agreed planning obligations include various requirements to engage with the Council and the GLA throughout the proposal, with the Councils formal confirmation required prior to engaging Option 2 and before a potential occupier could be agreed. GLA officers consider that these controls should offer the Council comfort in terms of the final use and occupiers of floors 1-10.

240 The technical specifications of the building would ensure that it can be used for healthcare, medical or life sciences uses in future, throughout the life of the building. Specifically, the physical characteristics of floors 1-10, which include increased floor-to-ceiling heights to accommodate mechanical equipment and high-level deep service zones to accommodate a high number of air changes, have been specifically designed to accommodate medical related users or lab space. In order to justify the associated increase in height, the Council and GLA have requested planning obligations which secure an appropriate end user within the medical, health or life sciences industry. GLA officers consider that robust planning obligations to secure the end-user of the research and development space are required in terms of attributing appropriate weight to the benefits of the proposal. As discussed, in paragraphs 220-224, appropriate obligations have been secured in this respect.

241 Overall, subject to the agreed planning obligations within the draft S106, GLA officers are confident the proposal has been appropriately designed and developed to enable hospital outpatient care for the Trust. The S106 ensures that the Trust is offered a suitable period to occupy the building. In addition to this, the applicant has agreed to jointly fund and support the business case work, once planning consent has been granted. The potential expansion of the existing Guys and St Thomas Hospital is considered to be an important public benefit of the proposed development which carries significant weight. However, should the Trust not wish to enter a lease for floors 1-10, GLA officers are satisfied that the development has been appropriately designed to enable occupation of a health/life science related occupier within the wider industry which would also carry significant beneficial weight.

242 In land use terms, the public benefits arising from the medical or medical/life science related research and development uses are comparable. Both land uses would contribute towards London's specialist cluster for health around London Bridge Station and both attract considerable weight. The final provision of floorspace would be appropriately secured by a cascade mechanism within the S106 agreement.

Retail

243 Paragraph 86 of the NPPF identifies that main town centre uses should be located in town centres. London Plan Policies SD6, SD7 and SD8 set out a town centre first approach for town centre uses, including office, retail, leisure, arts and cultural uses. Policy 35 of the Southwark Plan support the provision of appropriate town centre uses such as retail within town centres. This requirement is reflected within draft site allocation NSP51, which requires the enhancement of St Thomas Street through active town centre uses (A1, A2, A3, A4, D1, D2) retail, community, medical or healthcare or leisure uses at ground floor.

244 The development would deliver 180sq.m. of flexible retail floorspace (Class A1/A2/A3/A4 Class E(a)(b)(c) and Sui Generis) at ground floor within the retained warehouse and 408sq.m. (Option 1) / 438sq.m. (Option 2) at ground floor within the proposed building. The overall provision of retail uses (588sq.m.), is significantly reduced from the proposal considered by Southwark Council Planning Committee, which delivered 5,220sq.m. of retail floospace.

245 In line with London Plan Policies E9, SD6, SD7, SD8, Southwark Policy 35 and the site allocation, the proposed flexible retail use and the associated active frontage along St Thomas Street and Fenning Street would contribute to the vitality and viability of the London Bridge Town Centre and the CAZ. Whilst the proposal represents a significant reduction in ground floor retail space from that considered by Southwark Planning Committee, GLA officers consider that the St Thomas Street frontage would be appropriately activated through the lobby areas for the proposed medical and employment uses. Furthermore, the proposal would make a more proportionate contribution towards the retail, leisure and community uses floorspace requirement of 2,132sq.m. for the London Bridge Vision Area. Overall, the provision of retail space is considered appropriate to serve the existing population as well as providing for new employees of the proposed development. In line with Southwark Policy 35, given the provision of town centre uses does not exceed 1,000sq.m., there is no policy requirement to provide public toilets or drinking fountains. However, the applicant has agreed to provide a drinking fountain which is to be secured by planning condition.

246 In line with Policy HC6 of the London Plan, the provision of restaurants, cafes and drinking establishments (Class A3/A4) would support the night-time economy. As discussed elsewhere in this report, appropriate conditions relating to the hours of operation and internal sound insulation are required to protect the amenity of surrounding residents.

Community use

247 Paragraph 92 of the NPPF states that in order to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should plan positively for the provision and use of community facilities to enhance the sustainability of communities. Good Growth Objective GG1 and London Plan Policy S1 seek the provision of a wide range of community facilities, that provide space for different communities and activities in accessible areas. Policy P47 of the Southwark Plan sets out that new community facilities (Use Class D1, D2 and Sui Generis) will be permitted where provision is made for the facility to be used by all members of the community.

248 In addition to the proposed medical use (Option 1), the proposed development (Option 1 & 2) would deliver 180sq.m. of dedicated community space (Class D1) within the first floor of the retained warehouse. This space would be retained in perpetuity.

249 In line with Policies S1 of the London Plan and P47 of the Southwark Plan, the D1 floorspace would facilitate a new community space, which would be made available to members of the public and local community groups free of charge (peppercorn rent) for community uses. The space would be leased to a suitable operator, in consultation with the London Borough of Southwark, who will manage the programme of activities taking place.

250 The detailed arrangements for the management of this space would be secured and regulated by a planning obligation within the S106 agreement.

Land use conclusion

The proposed optimisation of this highly accessible, under-utilised brownfield site within the CAZ, London Bridge, Borough and Bankside Opportunity Area and the London Bridge Town Centre to provide a high-density development, including commercial, medical/research and development, retail and community uses is strongly supported in line with planning policy. The provision of a range of high-quality employment floorspace, including a significant proportion of affordable workspace, would contribute towards the diversity of workspace and businesses within the CAZ and Opportunity Area and the jobs target within the London Plan and Southwark Plan. The proposal medical space has been specifically developed to enable the expansion of the Guy's and St Thomas Hospital and is a significant public benefit of the scheme. However, should this not occur, the medical and life science related research and development space would make a significant contribution towards the healthcare and life sciences cluster at London Bridge, which is a key priority for the London Borough of Southwark and supported by London Plan Policy. The proposed development is therefore generally consistent with the vision for London Bridge (AV.11) and Site Allocation NSP54 and complies with London Plan Policies SD1, SD4, SD5, SD6, SD7, S2, E1, E2, E3, E8, HC5, HC6 and Southwark Policies ST1, ST2, AV.11, P30, P31, P47. Whilst the proposal represents a limited shortfall in B class floorspace to that required by Site Allocation NSP54, given the public benefits and jobs which would be generated by the proposed medical use, this conflict is to be given limited weight and the proposal, including Option 1, is considered to generally accord with the site allocation and its objectives.

Urban design

251 The NPPF (at paragraph 126) states that good design is a key aspect of sustainable development and is indivisible from good planning. Paragraph 130 states that, in determining applications, great weight should be given to outstanding designs which help raise the standard of design more generally in the area. In achieving the Mayor's vision and objectives relating to neighbourhoods and architecture, chapter 3 of the London Plan sets out a series of policies about the places and spaces in which Londoners live, work and visit. London Plan Policy D4 sets the overarching design principles for development in London. Other relevant design polices in this chapter include specific design requirements relating to: optimising site capacity (Policy D3); inclusive design (Policy D5); public realm (Policy D8); tall buildings (Policy D9);

basement development (Policy D10); designing out crime (Policy D11); and fire safety (Policy D12).

252 In terms of local policy, the Southwark Plan contains policies on design including Policy P13 (design of places); Policy P14 (design quality); Policy P16 (designing out crime); and Policy P17 (tall buildings). Site allocation NSP54 provides site specific principles for the proposed development.

Design Scrutiny

253 In line with London Plan Policy D4, the proposal has been subject to extensive design scrutiny at pre-application stage, during the initial Stage 1 consideration by the Mayor, and by the Council in reporting the application to Committee. The GLA Stage 1 and 2 response supported the broad layout principles, however, additional information was requested regarding detailed design, layout of the plaza as well as the relationship with the Horseshoe Inn. Southwark Council's committee report expressed general support for the proposed layout as originally submitted and concluded that the proposed development was of an acceptable height, massing and design. Despite the support of planning officers, Southwark's Planning Committee refused the application for matters relating to the impact of the building on non-designated heritage assets and the Bermondsey Conservation Area. Specifically, the reason for refusal stated that 'the proposed development, by virtue of its excessive height, scale and massing would result in the loss of 9 Fenning Street and have an adverse impact on the Horseshoe Inn…'.

254 The proposals were considered by Southwark's DRP in October 2018. At that time the scheme was presented within the context of the wider St Thomas Street East Development Framework, which the panel generally endorsed, subject to a clearer definition of the new east-west pedestrian route, better landscaping and confirmation of benign climatic conditions. The DRP generally supported the heights across the framework area, including the proposed development. It suggested adjusting the architecture to improve the ground level of the tall building and to refine the elevations at upper floor levels, including the service tower. It made similar comments regarding the pavilion building, however expressed their confidence in the scheme architects to deliver a high-quality design.

255 Following the Mayor's recovery of the application numerous design workshops were held with the applicant and the architects. Whilst the revised proposal broadly retains the original design principles, various amendments to layout, design and massing have been undertaken to respond to the reason for refusal and the concerns raised in the Mayor's Stage 2 report. Further amendments to layout, access, servicing, and building height were required to accommodate the proposed medical or research and development use. A comparison of the site layout is demonstrated in Figure 9.

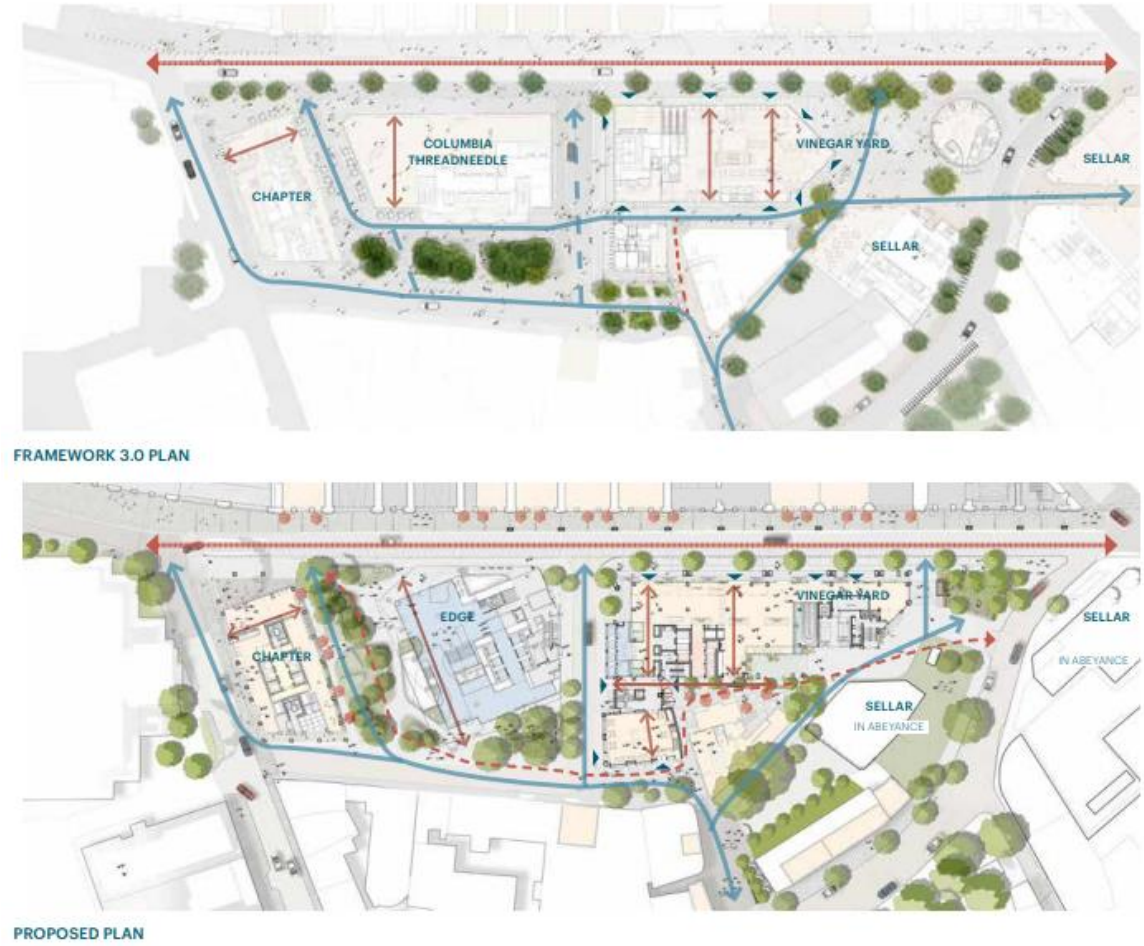


Figure 9: revisions to layout

256 In response to the Council's reason for refusal, the revised proposal removes the tall building from within the Bermondsey Street Conservation Area and retains the existing warehouse at no. 9 Fenning Street. The warehouse would be restored and refurbished, providing active frontages to Fenning Street and Melior Street. As with the previous iteration of the scheme, the extension at 1-7 Fenning Street would be demolished. Whilst the loss of the mural on the warehouse extension is regrettable, GLA officers acknowledge that this was considered to be a temporary piece of artwork and should not restrict the redevelopment of the site.

257 The massing of the proposed building has been redistributed to the corner of Fenning Street and St Thomas Street and the building footprint has been extended towards the east of the site, resulting in the loss of the yard space. The proposed pavilion building located on the corner of St Thomas Street and Snowsfields is replaced by a new area of public realm (190sq.m.). Pedestrian and cycle routes throughout the site have been revised to respond to the changes to the building footprint and the need to accommodate servicing on-site, via Vinegar Yard and Snowsfields.

258 The stepped approach to the massing of the building has been retained. In addition to the removal of the building mass within the conservation area, revisions have been undertaken to the arrangement of building steps and distribution of massing along the eastern end of St Thomas Street. Whilst the overall number of floors remains the same (ground + mezzanine + 18 storeys), the floor-to-floor heights throughout the building have been increased to accommodate the mechanical equipment and air handling associated with the proposed medical/research and development use. The overall height of the building has therefore increased by approximately 11.3metres, from 86.7m AOD to 97.14m AOD. The revisions do not result in additional storeys to the building.

259 The general approach to architectural detailing has been retained. Whilst the brick frames and warehouse references have been retained, the design has been further articulated to respond to the changes in massing. The vertical elements now incorporate increased frames and recessed double-height spaces to accommodate external terraces and urban greening.

260 Servicing was previously proposed to take place from a loading bay on Fenning Street. Whilst this approach was supported within Southwark's committee report, Council officers considered that it was imperative that there would be service and delivery consolidation with the adjacent developments. A planning obligation was proposed in this respect. However, due to the increased servicing requirements associated with the medical/research and development use, deliveries and servicing are no longer able to take place from Fenning Street. Servicing is proposed to take place via a loading bay located to the south-east of the proposed building, accessed via Snowsfields and Vineyard Yard. The proposed approach to servicing will be discussed in detail within the transport section of this report.

261 An assessment of the detailed design of the revised proposal is discussed in the following sections.

Surrounding character

262 The site sits adjacent to two contrasting character areas in terms of urban grain. To the west the site adjoins an area characterised by larger scale and tall developments. Most of the buildings in this area were destroyed by bombing during WWII and the redevelopment has been piecemeal with no fixed vernacular. Development in this area is informed by the London Bridge Area Vision and three site allocations for the redevelopment of Guy's Hospital (NSP52), Capital House and Beckett House (NSP53) and the application site (NSP54). Whilst tall buildings are supported, the Shard is to remain significantly taller and more visible than surrounding buildings, with building height stepping down from east to west along St Thomas Street.

263 In contrast, the area to the south of the site is characterised as 'historic Bermondsey' and includes the Bermondsey Conservation Area. This area has a high heritage value and includes a number of listed buildings and series of open spaces. The fine-grained 18th and 19thcentury built character has been mostly retained. Development in this area is predominantly low to mid-rise. The Council's committee report indicates that heights in this area generally range between 12-20 metres.

264 The wider context includes the Tooley Street and More London areas located to the north of London Bridge Station, Borough High Street to the west and the residential estate area (C20th residential estates) to the south-west.

Layout, public realm and landscaping

Layout

265 The proposed redevelopment of the Vinegar Yard comprises the retention and refurbishment of the two-storey warehouse at No.9 Fenning Street and the construction of a new building on the corner of St Thomas Street and Fenning Street. A two-storey connection would be provided between the southern side of the proposed building and the northern elevation of the retained warehouse, providing internal access and an east-west public route through the site. New public realm is proposed at the eastern end of the site.

266 The applicant has advised that the scheme has been conceived as part of a wider St Thomas Street East Framework. Notwithstanding this, objections have been received from adjacent landowners regarding the conflict with the framework, specifically relating to servicing, impact on pedestrian routes, public realm and the impact on the setting of heritage buildings. GLA officers have reviewed the framework which includes, but is not limited to, design principles on pedestrian connectivity, setting of heritage buildings, active frontage, spatial character and service consolidation. Whilst the framework is a non-statutory document, it forms a material consideration and has been attributed a low level of weight in decision making. GLA officers acknowledge that whilst the revised proposal generally aligns with the framework in terms of pedestrian routes, active frontages and response to the railway low-line, the required revisions have resulted in a departure from the design principles in terms of servicing consolidation, character areas/public realm and enhanced setting of the Leather Warehouse. These matters will be considered within the following urban design assessment.

267 The proposed building would be located on the corner of Fenning Street and St Thomas Street, extending east along St Thomas Street. In line with the site allocation, the London Bridge Area Vision and the St Thomas Street Framework, the proposed building would enhance St Thomas Street and contribute towards the development of the adjacent Low Line, by providing an active frontage to create an engaging street form.

268 The proposed building would sit directly adjacent to the Horseshoe Inn and the Leather Warehouse. Concerns have been received as part of the consultation process regarding the impact of the proposed development on these adjacent buildings. Given the close proximity of the Horseshoe Inn, the proposal to retain the existing warehouse at No.9 Fenning Street is strongly supported in terms of protecting and enhancing the setting of this non-designated heritage asset, in line with the St Thomas Street East Framework. The proposal would not impact visitors' experience to the Horseshoe Inn, nor would it preclude any future re-development due to the layout of the building and separation distances provided. No objections have been received from the owners of this site. The Council and Historic England have confirmed that the retention of the warehouse would help to reduce the impact of the tall building in views immediately around the Horseshoe Inn. Impact on the significance of the Horseshoe Public House as a non-designated heritage asset is considered further below.

269 Concerns have also been received regarding the overbearing and oppressive relationship with the Leather Warehouse (also referred to as Vinegar Yard Warehouse) and the impact on the surrounding public realm. The proposal would introduce a service route adjacent to the northern façade of the Leather Warehouse and the extension of the proposed building eastward along St Thomas Street would impact views of the Leather Warehouse from St Thomas Street. The impact of the service route on pedestrian routes and public realm will be discussed in later sections of this report. Whilst the extension of the building would partially enclose the Leather Warehouse when viewed from St Thomas Street, the removal of the pavilion building and introduction of public realm at the eastern end of the site would open views when approaching from the east. Furthermore, GLA officer acknowledge that the revisions to the building footprint is, in part, a result of the retention of the warehouse and redistribution of the massing outside of the conservation area boundary. Accordingly, any departure from the St Thomas Street Framework and impact on the setting of the Leather Warehouse must be considered in this context.

270 The base of the building has been well-considered in terms of the positioning of land use and entrances to spread activity and promote permeability throughout the site. The proposed triple-height office lobby on the corner of Fenning Street and St Thomas Street would provide a prominent arrival point for the upper floor office use, which would appropriately reflect the character of the adjacent commercial buildings to the west. The centrally located retail unit would provide through-access, enabling activation of St Thomas Street and the rear of the building. The eastern retail unit extends around the building façade, responding to the location of the public realm further to the east and the pedestrian routes through the site. The retained warehouse at No. 9 Fenning Street and the two-storey connection appropriately activate Fenning Street and Melior Street. The proposal to provide an active retail use on the ground floor of the retained warehouse, along with glazed frontage and dual access, is strongly supported.

271 Overall, whilst the minor conflict with elements of the St Thomas Street East Framework is acknowledged, the layout of the site appropriately responds to surrounding development and the adjacent low-line and would successfully activate St Thomas Street. Accordingly, the proposed layout is considered acceptable, consistent with the vision for the London Bridge area and the site allocation.

Public realm, connectivity and landscaping

272 Policy D8 of the London Plan and Southwark Plan Policy P13 require a high quality of public realm which encourages active travel.

273 The site allocation requires that the redevelopment of the site enhances St Thomas Street by providing high-quality public realm and active frontages. The applicant has worked closely with TfL officers to ensure that the proposed building creates a successful public realm along St Thomas Street, whilst meeting the requirements to facilitate a cycle highway. Notwithstanding this, concerns have been raised in the public consultation regarding the width of footway along St Thomas Street. Additional concerns have been received by Southwark Council regarding the impact of the columns on the pedestrian experience. In terms of the width of the footway, the proposal would allow for a 2metre separation (at its narrowest) from the edge of the tree pit to the columns of the building and an additional 1.75metres of covered walkway adjacent to the building. In line with London Plan Policies D5 and D8 and the site allocation, GLA officers consider that the public realm along St Thomas Street is well-designed, safe, accessible and

inclusive, and would encourage active travel. The proposal would successfully align with the approved public realm of the adjoining developments. Overall, the proposal would deliver a high-quality public realm onto St Thomas Street and allow sufficient space for pedestrian movement in line with the site allocation.

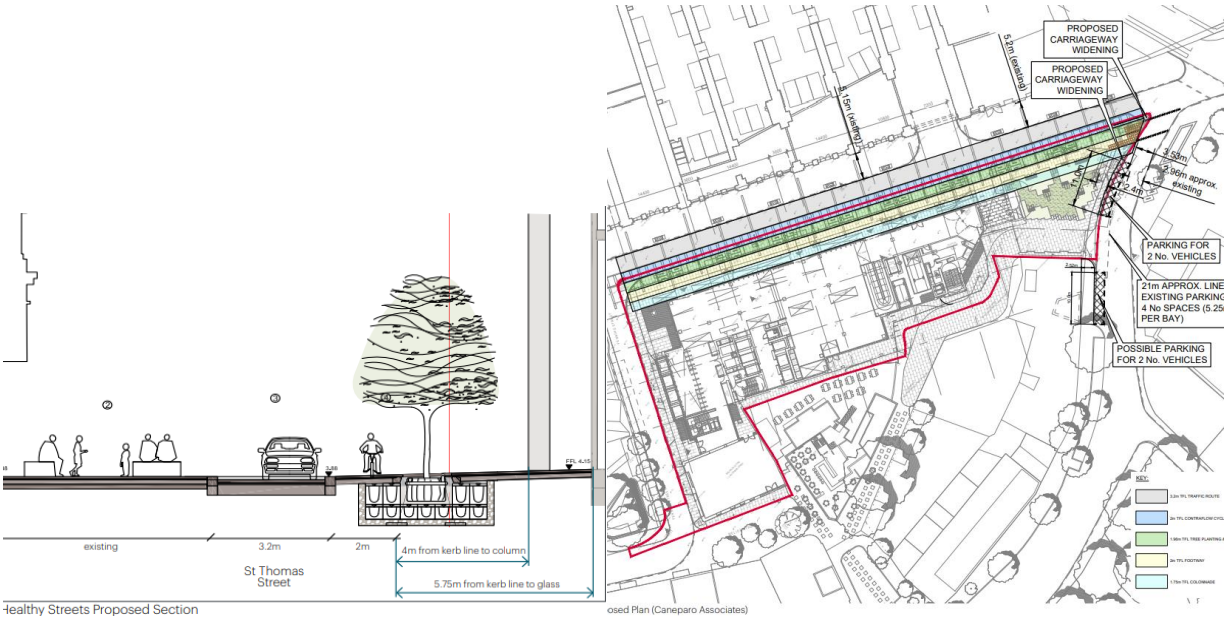


Figure 10: Proposed footway along St Thomas Street

274 In line with the site allocation, the proposed redevelopment would establish the north-south link from Melior Place to St Thomas Street. Specifically, the proposed route would extend from St Thomas Street, along Vinegar Yard, towards the eastern elevation of the pub, where an existing route provides access to Melior Place. Whilst the site allocation refers to a ‘green route’, this route would be partially shared with service vehicles, due to the requirement for on-site servicing for the medical/research and development use. Concerns have been raised within the public consultation and by Southwark Council in terms of the impacts of the proposed servicing arrangement on pedestrian safety and comfort. GLA officers recognise the impact of the revised proposal and introduction of a rear servicing bay and the potential conflict with vehicle servicing movements. As discussed elsewhere in this report, alternative servicing arrangements have been explored and discounted for various reasons. Accordingly, the impact of the on-site servicing must now be weighed against the public benefits of the scheme overall. Notwithstanding this, officers consider that potential conflict between service vehicles and pedestrians could be acceptably mitigated through restricted servicing hours and the use of signage and street furniture to ensure an appropriate delineation between the shared uses. Should the proposal be approved, these matters could be appropriately secured within the S106 agreement and planning conditions.

275 In addition to the north-south route, Southwark officers sought to retain a secondary east-west route through the adjacent St Thomas Street development sites, to provide access from Bermondsey Street to Weston Street. The proposal would provide this east-west route adjacent to the rear elevation of the building, through the internal

access to Fenning Street. Whilst the proposed east-west route would benefit from a degree of overlooking from the ground floor retail unit, most of the rear elevation accommodates back of house uses and servicing. The narrow width provided between the building and the Horseshoe Inn further restricts the quality and attractiveness of this route. Similar concerns have been raised by Southwark Council within their consultation response. Whilst the provision of this route is supported in principle in line with the Council's requests, GLA officers acknowledge that this would be a secondary route and most pedestrian activity would be directed towards St Thomas Street. The other route between St Thomas Street and Melior Street would also be used by pedestrians and is located to the south of the route, leading to Fenning Street. On balance, the proposed arrangement is considered to be accepted. The Council have requested that a minimum width and public lighting is secured along this route. These requirements, and further details of tree planting and street furniture in this area, would be subject to a landscaping condition. Further details to address wind microclimate and lighting would be secured by condition.

276 The proposed east-west route would be directed through the foyer space of the two-storey connection to the warehouse. The Council have stated that it is important that the space is designed as more a passageway than a foyer and that the doors are held open during the daytime and are seldom closed, if the public are to feel confident in regularly using the route. In line with these comments, the route is proposed to be open to the public every day, during the hours of 7:00am and 10:00pm. This has been secured within the S106 agreement.

277 The development would deliver approximately 190sq.m. of soft landscaping within the public space at the eastern end of the site. This provision falls significantly short of the site allocation requirement to provide new open space of at least 15% of the site area (605sq.m.). The applicant has calculated that the overall quantum of public realm within the development equates to 51% (this includes all areas void of built form within the site boundary), whilst the public space in the eastern part of site would account for approximately 6.3% of the application area. Various concerns have been raised within the public consultation regarding the under provision and poor quality of the public realm and green space, the loss of the previously proposed yard/piazza and the impact of the servicing route on the public realm. Additional concerns regarding non-compliance with the St Thomas Street East Framework have been raised by adjacent land owners and Southwark Council.

278 GLA officers acknowledge that the quantum of soft landscaping and public realm is generally a result of the revised building footprint building, which has sought to redistribute the building outside the conservation area, and the need to provide service vehicle access via Vinegar Yard. Overall, the proposed development falls significantly short of the required quantum of open space, as detailed within the site allocation, with the proposed eastern public realm delivering the only meaningful area of public open space within the site. Contrary to the design principles of the St Thomas Street East Framework, the proposed servicing route would also dissect a proposed area of public realm, adjacent to the Leather Warehouse. Notwithstanding these conflicts, in line with London Plan Policy D8, the eastern public space would deliver a high-quality area of public realm which would achieve high levels of sunlight and would provide landscaping and seating opportunities. Whilst the Council welcome the provision of the new green space and planted trees in terms of its contribution to the physical and visual amenity of the surrounding area, the Council remain concerned regarding the overall public realm provision. On balance, whilst the proposal falls short of the site allocation requirements,

GLA officers consider the provision of usable public realm to be comparable to similar inner-London commercial developments. Furthermore, officers are confident that, subject to appropriate conditions, the restrictions on service vehicles accessing the site would help to mitigate the impact on the public realm and pedestrian routes.

279 In addition to ground floor amenity, roof terraces are proposed at levels 8 and 10 for outpatients and floors 15, 17 and 19 for office users. All terraces would include perimeter plants, whilst larger terraces 10, 15, and 17 would also include planters providing a range of mature trees. In line with London Plan Policies D8 and G5, the proposed roof terraces and associated planting would provide a significant contribution towards the urban greening factor of the development and would provide outdoor amenity space for the future employees and visitor/patients of the medical space. Details of planting and maintenance would be secured by condition.

Summary of layout, public realm and landscaping

280 The proposed layout principles are generally supported and have been informed by the site allocation and evolved through discussions with Southwark Council and the GLA. The quality of public realm and provision of open space has been assessed against relevant policies and the concerns from Southwark Council and members of the pubic are acknowledged. The revised layout has sought to address the Council's reason for refusal through the retention of No.9 Fenning Street and the redistribution of the building outside of the conservation area boundary. Whilst the need to accommodate servicing at the rear of the site has also impacted the quality and quantum of the public realm, this must be weighed against the public benefits of the proposed medical/research and development use. On balance, the layout, public realm and landscaping proposals are suitable and acceptable for the proposed commercial redevelopment of this inner-London site and would provide a good sense of place. The proposal would enhance St Thomas Street and the adjacent low line and improve permeability across the site and within the surrounding area. It is considered that the proposals align with London Plan Policies D4 and D8, Policies P13 and P14 of the Southwark Plan 2022. Whilst the proposal does not meet the quantum of open space required by the site allocation, given the layout revisions have resulted in the retention of the Fenning Street Warehouse and the provision of on-site servicing to accommodate the proposed medical/research and development use, this conflict is to be given limited weight and the proposal is considered to generally accord with the site allocation and its objectives.

Height, massing and architectural design

281 As part of the Council's recommendation to grant planning permission, the committee report concluded that the development's design sufficiently met the policy criteria for a new tall building. The overall approach to height, massing and articulation was supported and was considered to result in a distinctive and engaging appearance.

282 Whilst GLA officers acknowledge that the Committee's reason for refusal cited the excessive scale and height of the building, it is understood that this largely related to the impact on the character and appearance of the historic environment and, in particular, the Bermondsey Street Conservation Area. This reason for refusal will be discussed within the heritage section of this report.

283 Following the Mayor's recovery of the application, GLA officers engaged with the applicant to ensure that the scheme optimised the development potential of the site, whilst providing the highest quality design. To accommodate the proposed medical/research and development use, the floor-to-floor heights have been increased throughout the building to adhere to the Trusts' Adaptable Estates Guidance. The increases in height are primarily required to accommodate the mechanical equipment associated with the medical and research and development use and a high number of air changes required to introduce clean, oxygen-rich air at appropriate temperatures, throughout the building. These requirements result in increased floor slabs and service zones. Specifically, levels 11-18 include floor-to-floor heights of 4.02metres, levels 2, 4, 5, 6, 7, 9 and 10 (medical/research and development use) include floor-to-floor heights of 4.4metres and levels 3 and 8 (mechanical plant) include floor-to-floor heights of 5.4metres. In addition to this, level 1 would provide seminar space with a floor-to-floor height of 4.73metres.

284 The overall height of the building has increased by approximately 11.3metres, from 86.7m AOD to 97.14m AOD. The general approach to building articulation and massing has been retained, with adjustments to the massing and alterations to the façade articulation. Objections have been received during the consultation process which consider the revised height and massing of the proposal to be excessive and out of keeping with the surrounding character.

285 Above the double/triple-height commercial base, the main body of the building is articulated to read as several volumes, each expressed by their height profiles, varying elevational treatment and by rotating the (eastern) end element. This approach results in a building which is highly articulated with a complex arrangement of steps in the buildings massing. When viewed from the north of the site, the building includes four distinct volumes, cascading in height from 20 storeys on the corner of Fenning Street, to 18, 16, 11 and 9 storeys. The building includes a similar appearance when viewed from the south, comprising of cascading vertical volumes with varying articulation and materials. From the west, the building includes a consistent 20 storey height, arranged as three distinct vertical elements, with a glazed lift shaft forming the central part of the façade. Following the recent revisions to the scheme, the facade articulation has been further broken down to control air flow with roof gardens dispersed up the building.

Tall Buildings Policy

286 London Plan Policy D9 states that development plans should define what is considered a tall building for specific localities (although not less than 6 storeys or 18 metres) and identify suitable locations; and identify appropriate tall building heights on maps in Development Plans (Parts A and B). Policy D9 also sets out further requirements for assessing tall buildings (Part C) including addressing visual impacts at different distances; aiding legibility and wayfinding; having exemplary architecture and materials; avoiding harm to heritage assets (or demonstrating clear public benefits that outweigh any harm); not causing adverse glare; and minimising light pollution. Functional impacts should consider internal and external design; servicing; entrance capacity; area and transport capacity; maximise benefits to the area; and not interfere with communications. Environmental impacts should consider wind, daylight, sunlight, and temperature; air movement (dispersal of pollutants); and noise creation. Cumulative impacts should also be considered.

287 The Local Plan defines tall buildings as those that are higher than 30 metres (or 25m metres in the Thames Special Policy Area) or significantly higher than surrounding buildings or their emerging context. Policy P17 of the Southwark Plan identifies that tall buildings should typically be located within Major Town Centres, Opportunity Area Cores, Action Area Cores and the Central Activities Zone. Individual sites where taller buildings may be appropriate have been identified in site allocations. Site allocation NSP54 identifies that the application site could include taller buildings, subject to consideration of impact on existing character, heritage and townscape. The site allocation further states that the taller buildings should be located towards the west of the site with building heights stepping down in height from east to west, taking into account the height of buildings approved at the adjacent allocated site NSP53 and should not detract from the primacy of the Shard. The emerging site allocation does not identify specific heights for proposed tall buildings.

288 Accordingly, the application site is identified as an appropriate location for tall buildings, in line with Southwark's plan-led approach for the emergence of tall buildings within the Borough. As the site allocation does not identify recommended heights, there is no conflict in this regard. The principle of a tall building is therefore supported in line with Part B of London Plan Policy D9, Policy P17 of the Southwark Plan and site allocation NSP54.

Visual impacts of the tall building

289 In terms of visual impacts, the abovementioned policies seek to ensure that the height of tall buildings are proportionate, reinforce the spatial hierarchy of an area and are located at a point of landmark significance. Tall buildings should make a positive contribution to surrounding character and townscape, within immediate, mid-range and long-range views. The tall building must have a positive relationship with the public realm, provide a functional space and opportunities for new street trees and widened pedestrian routes. Both London Plan and local policy include the requirement to deliver an exemplary standard of design and materials. Tall buildings must avoid harm to strategic views and the significance of London's heritage assets and their settings. The impacts of reflective glare and light pollution must also be considered.

290 The applicant has submitted a revised Built Heritage, Townscape and Visual Impact Assessment (BHTVIA) (October 2021) and an addendum report (dated January 2022) which considers the proposal against 32 accurate visual representations (AVRs), including night-time and winter iterations for selected views. Views have also been included to demonstrate the proposal and cumulative development within the surrounding area. Whilst concerns have been raised regarding the legitimacy of the submitted views, which objectors to the scheme consider create a false impression of the scale of the scheme, the applicant has confirmed that the visual assessment has been carried out in accordance with the Guidelines for Landscape and Visual Impact Assessment, Third Edition (Landscape Institute and Institute of Environmental Management and Assessment). An addendum to the BHTVIA has been prepared to address these concerns. In addition to this, following a number of walk-around site visits of the surrounding area, GLA officers consider that the proposed views provide a fair representation of the surrounding context and proposed impact of the building. The submitted views are considered therefore reliable as an aid to assessing impact.

291 The application site adjoins two contrasting character areas: Historic Bermondsey and the larger scale and tall developments along St Thomas Street to the east. In terms of immediate views, the BHTVIA includes 3 close range views of the proposal, from the east, west and south-west of the site (views 17, 20 and 23). A range of middle range views have been provided to the south of the railway line and an additional two views on the northern side, to the east of the site. Longer range views include London Bridge, The Tower of London and further afield to the south and south-west of the site.

292 In immediate views of the proposal from St Thomas Street, the triple-height glazed base of the building, appropriately responds to the emerging character of approved developments. Overall, the approach to public realm, including the active ground floor frontage, supports the vitality of the street and the activity within the adjacent railway arches. When viewed from the east of the site (view 17) the landscaped public realm and green landscaping would enhance the experience at street level and would provide an appropriate transition between the larger scale of development along St Thomas Street and the finer grain of development within Bermondsey Street and Crucifix Lane. The proposed retail at the eastern end of the building has been appropriately positioned to ensure the building actively engages with the surrounding street to the east. The proposal would deliver new street trees and widened footways in line with the requirements of Southwark Policy P17.

293 Concerns regarding the impacts of the proposal within immediate views to the south-west, along Melior Street have been raised during the consultation process. The BHTVIA includes a view of the proposal, as seen from the junction of Melior Street and Weston Street. Given the scale of existing and proposed development at the western end of Melior Street (including Capital House), the proposed tall building would be largely obscured in this view. Notwithstanding this, GLA officers understand that the concerns from objectors relate to the impact of the proposal in more immediate views from Melior Street. Whilst this view has not been provided, the retention and refurbishment of No.9 Fenning Street, including the proposed materials and detailing, is considered to provide an appropriate transition between the proposed tall building and the surrounding development, in this view. In addition, parts of the proposed building would be partially obscured from the redevelopment of Capital House and Beckett House from this view.

294 The adverse impact of the proposal on the setting of the Horseshoe Inn was cited within Southwark's reason for refusal and was also raised within the community consultation process. Whilst the impact on the significance of this non-designated heritage asset will be discussed within the Heritage section of this report, the general townscape impact is demonstrated in view 25, at the junction of Kirby Grove and Snowsfields. As confirmed in this view, there would be a considerable change in scale between the proposed development and the Horseshoe Inn. The proposal, along with the approved development along St Thomas Street, would form a solid backdrop of large buildings within this view. Whilst the visual change within this view would be high, the principle of establishing high-density tall buildings along St Thomas Street is specifically supported by Southwark Council within site allocations NSP52, 53 and 54 and the London Bridge Vision Area. Furthermore, the proposed architectural detailing of the building, including significant glazed elements and varied palettes of framing, would juxtapose the finer grain development in the foreground, clearly distinguishing between the two adjacent character areas. GLA officers consider that this is an appropriate response to distinguish between the two distinctly opposing character area which sit alongside each other.

295 In medium distance views, the proposal would form part of an emerging cluster of tall buildings along St Thomas Street. The principle of establishing tall buildings in this area, which mediates between the prominence of the Shard and lower grain development to the east/south-east within Bermondsey Village, is established within the Southwark Plan. In line with the site allocation, the proposed tall building is located at the west of the site, stepping down in height from west to east, taking into account the height of buildings approved at site NSP53. The proposal would therefore reinforce the spatial hierarchy of the area and the buildings would collectively aid legibility and wayfinding towards London Bridge Station and the commercial activity along St Thomas Street and the railway low-line.

296 Within the formal consultation response, Southwark Council consider that the additional scale of the revised scheme would be more evident within the Conservation Area and within the medium distance views of the development, such as from Kirby Grove, Leathermarket Gardens, Weston Street and St Mary's Gardens. Previously, the impacts on these views were considered minor to moderate adverse, particularly where the views were static (e.g. view 24). However, whilst Southwark consider the increase in scale to be notable, the increase in the degree of adverse impact over-and-above the previous scheme is modest or minor. GLA officers have considered each of these views as part of the overall tall building assessment and consideration of the impact on heritage assets. Within these views, Officers consider that the proposal would sit comfortably within the existing and emerging context and would not result in significant adverse impact.

297 The development would be largely obscured in long-range views due to the scale and nature of development along the Southbank and around London Bridge, or the presence of mature vegetation (views 18 Leather Gardens). Whilst visible, the top of the building would be viewed in the context of the tall buildings cluster along St Thomas Street. Given the stepped massing of the building which steps down in height from the adjacent development at Capital House and Beckett House, the proposed development would sit comfortably within its context and would not be prominent in long-range views. The top of the building has been well considered in terms of the detailed articulation of each vertical element and the addition of landscaping within roof terraces. The design successfully incorporates plant screening at roof level. In line with Policy D9, it is considered that the top of the building reads as an interesting and distinct addition to the emerging cluster of tall buildings.

298 In architectural terms, officers consider that the form of the building results in an engaging and distinct addition to the townscape and skyline. The elevations are articulated to read as a series of vertical elements rather than a single mass, easing the building's broad bulk. The variance in architectural detailing, material, colour and tone creates a distinct identity for the different vertical elements, whilst ensuring that the building works together as a cohesive development. The robust composition of contrasting materials, stepped and angled elements and variation in heights across the site provides visual interest and relief in facades. Overall, the architectural appearance of the buildings would result in a development of high-quality design when viewed from all aspects, including mid to long distance views, in line with London Plan Policy D9, D3 and Southwark Policies P14 and P17.

299 The proposed materials include vertical brick piers, including a palette of three brick colours: red/orange, buff and grey. Horizontal spandrels are expressed in extruded colour, in a darker shade to the adjacent brick colour. The fenestration on the northern

elevation has sought to reflect the traditional warehouses in the area with subdivided slim metal profiles. Floor-to-ceiling glazed walls with internal steel structures are provided for the primary core and lift shafts on the western elevation.

300 Whilst Southwark Council officers welcome the visual relief provided by the proposed planted terraces, they consider that the revised architecture has become busier and the success of the elevations will be dependent on the detailed design and execution including the use of high quality, robust materials. GLA officers agree that the final selection of materials and quality of detailing will have a significant impact on the quality of the development and will therefore work with Southwark Council officers to secure conditions so that certain aspects of the detailed design are reserved for later approval. In this respect, key details such as window reveals, ground floor frontages and sample panels of facing materials will be secured through condition. Furthermore, a condition will require the submission of detailed design of the facades to provide an assessment of solar glare.

301 In line with London Plan Policy D9 and local plan requirements for tall buildings, a full assessment of the proposal on LVMF views, river prospects and protected borough views has been undertaken in paragraphs 297-302 below. As assessment on surrounding heritage assets, including the Tower of London World Heritage Site, has been undertaken in the Heritage section. Given the comments received from Southwark Council and Historic England, the potential impacts from Bermondsey Street have been carefully considered. In summary, the proposal would result in a low to moderate level of less than substantial harm to the significance of surrounding heritage assets, which would be outweighed by the significant public benefits of the scheme.

Functional Impact

302 In line with the site allocation and the London Bridge Area Vision, the proposed development would provide medical or medical related research and development space to accommodate the future expansion of Guys and St Thomas Hospital or the emerging health cluster at London Bridge. Whilst the proposed uses are strongly supported in terms of developing the medical and life sciences cluster at London Bridge, in line with London Plan Policy E8, the associated requirements of the medical use have informed the internal and external design of the proposal.

303 The internal design of the building has been carefully designed to ensure there is no unacceptable overcrowding or isolation. Specifically, the ground floor includes separate at grade entrances and generous lobby space for each proposed use. Separate lift cores are proposed. The medical/research and development lobby ensures sufficient space to accommodate a potential waiting area for patients or visitors. In terms of means of escape, refuge spaces have been identified in the escape stairs or adjacent to lobbies. These call systems would be suitable for use by all people with disabilities, including those with hearing, speech or visual impairment. A condition of approval would require the submission of a Building Management Strategy which would include a final means of escape strategy.

304 As previously discussed, objections have been received regarding the impact of the servicing strategy on the public realm and pedestrian routes through the site and on adjacent land. Due to the more intensive servicing requirements of the medical and research and development use, GLA officers acknowledge that the proposed servicing is no longer able to take place via Fenning Street, as agreed with adjacent owners within

the St Thomas Street East Framework. Servicing is now proposed via an internal loading bay at the south-eastern of the building, accessed via the re-routed Vinegar Yard. Whilst alternative strategies have been explored, servicing on Fenning Street and St Thomas Street were ruled out due to the capacity requirements. In order to reduce the disturbance to the public realm, servicing would be restricted to outside of peak pedestrian times and service vehicle trips would be capped. The use of signage and landscaping would also be used to provide an informal delineation of the shared spaces. On balance, officers are satisfied that the applicant has explored all alternative options for deliveries and servicing and that the proposed strategy is required to support the proposed medical/research and development use.

305 Given the location of the site adjacent to London Bridge Station and the existing/planned pedestrian and cycle routes, the capacity of the area and its transport network is capable of accommodating the quantum of development in terms of access to facilities, services, walking and cycling networks, and public transport. As previously discussed, whilst concerns have been received regarding the capacity of footway and potential for overcrowding, GLA officers consider the width and accessibility of the footway along St Thomas Street to be sufficient.

Environmental Impact

306 A full assessment of environmental impacts is discussed in the Environmental Statement (October 2021) and are discussed in detail in later sections of this report. Matters relating to air quality, wind microclimate, noise and daylight and sunlight assessment have been fully considered against London Plan and Local Plan policies. In summary, officers consider that the proposed development would result in an acceptable environmental impact. Where harm has been identified, appropriate management plans and mitigation measures have been secured.

Cumulative Impact

307 The EIA regulations require that, in assessing the effects of a particular development proposal, consideration should also be given to the likely significant effects arising from the cumulation with other existing or approved projects. In this respect, the ES has identified all planning consents or applications that have been submitted but not yet determined (including permitted development applications), within a 1km radius of the site, which result in an uplift of more than 10,000sq.m. of mixed-use floorspace over 150 residential units. These developments are identified in Figure 2.1 of the ES and include Capital House, Becket House and the adjacent Snowsfields/Bermondsey development site.

308 A summary of the cumulative impacts is provided in each of the technical chapters of the ES. The adjacent schemes have also been identified in selected views within the BHTVIA. Where likely significant adverse effects have been identified, management and mitigation measures have been proposed and would be adequately secured. These matters are discussed in detail within the Environmental section of this report. Overall, GLA officers are satisfied that the cumulative impacts have been considered in line with London Plan Policy D9.

Public Access

309 In line with Part D of Policy D9 tall buildings should include publicly accessible areas at the top of buildings to provide wider views across London. Whilst the proposed building includes various roof terraces, these areas would be restricted to the users and visitors to the office and medical space. GLA officers note that in the context of surrounding tall buildings, including the Shard, the proposed development would not represent one of the more prominent tall building. In this respect, and also considering the proposed use of the building, it is not considered appropriate or necessary to provide a public access to the top of the proposed building.

Summary of height, massing and appearance

310 In addition to London Plan Policy D9, Policy P17 of the Southwark Plan provides a set of criteria for tall buildings. As discussed above and within this report, the proposed tall building is considered to comply with the outlined criteria. In summary, the tall building is located at a point of landmark significance (Criteria 2.1) and the height is considered to be proportionate to the significance of the proposed location adjacent to London Bridge Station (Criteria 2.2). The proposal makes a positive contribution to the London skyline and as discussed in later sections of this report, would not cause a harmful impact on strategic views (Criteria 2.3 and 2.4). A functional area of public realm would be provided at the eastern end of the site and communal roof terraces would be provided for the office/medical users (Criteria 2.6, 2.7 and 3.5). Subject to a condition relating to detail and materials, the tall building would be of an exemplary architectural design (Criteria 3.1), would conserve the significance of designate heritage assets (Criteria 3.2), avoid harmful and uncomfortable environmental impacts (Criteria 3.3) and would maximise energy efficiency (Criteria 3.4)

311 In summary, the principle of a tall building at the application site is supported by London Plan Policy D9(B), Policy P17 of the Southwark Plan, the London Bridge Vision Area and site allocation NSP54. Whilst the proposal presents two options in terms of land use, the overall height of the building would not change, and the design amendments would be limited to minor changes to fenestration. This is considered acceptable. Furthermore, subject to planning conditions relating to architectural detailing, materials and environmental mitigation measures, the proposed tall building is considered acceptable in line with the criteria within Part C of London Plan Policy D9 (apart from sub-sections 1d&e) discussed further below within heritage section) and Southwark Policy P17.

Protected views

312 The Mayor has identified a list of strategic views within Table 7.1 of London Plan Policy which include significant buildings or urban landscapes which help to define London at a strategic level. Policy HC4 of the London Plan seeks to protect these strategic views and requires proposals to make a positive contribution to the composition of the views and their landmark elements. The London View Management Framework SPG (2012) provides further guidance on the strategic views.

313 Whilst the application site is not located within the Landmark Viewing Corridor of any identified LVMF views, the site sits within the Wider Setting Consultation Area of View 2A.1 from Parliament Hill and View 3A.1 from Kenwood. In line with London Plan Policy HC4(F), development in the wider setting consultation area should form an

attractive element and preserve or enhance the viewer's ability to recognise the landmark.

314 Verified wireline views of the proposed development from these locations have been provided within the BHTVIA. Within LVMF view 2A.1, the proposed development would be entirely occluded by the Shard and other buildings within the foreground. In terms of LVMF view 3A.1, the proposed development would be mostly obscured by existing buildings within the foreground. Whilst the development may be partially visible to the left of the Shard in the distant backdrop of this view, it would be integrated within the varied scale of development around London Bridge and would not affect the viewer's appreciation of the view.

315 In addition to this, the BHTVIA includes LVMF River Prospect views from Tower Bridge (view 10A.1) and Southwark Bridge (view 12B.1). Within these views, the proposed development would either be partially or entirely obscured by existing development in the foreground, including the Shard. Where partial kinetic views of the proposal are visible within river prospects, the proposal would form part of the existing and further evolving cluster of development around London Bridge Station and as such, appropriately juxtaposes with the river frontages.

316 Policy P22 of the Southwark Plan relates to borough views and requires developments to enhance the composition of the panorama across the borough and central London as a whole. Policy P22 identifies five views that the development plan seeks to protect. Verified view of the proposed development 'View 1: The London panorama of St Paul's Cathedral from One Tree Hill' is provided within the BHTVIA. A non-verified massing study has also been provided from 'View 2: The Linear view of St Paul's Cathedral from Nunhead Cemetery'. Within these views, the proposal would sit below the ridgeline of the existing developments and as such, would not materially alter the skyline.

317 Overall, the proposed building, whilst being taller than the original submission, would feature amongst various other buildings of a similar perceived scale; would not cause harm to the view or setting of St Paul's Cathedral; and, would preserve the viewer's ability to recognise and appreciate the strategic landmark in LVMF views 2A.1 and 3A.1. In addition to this, the proposed development would not adversely impact the LVMF river prospects or borough views identified within Policy P22. The application therefore complies with London Plan Policy HC4, the London View Management SPG and Southwark Policy P22.

Fire safety

318 Policy D12 of the London Plan seeks to ensure that development proposals achieve the highest standards of fire safety and to ensure the safety of all building users. Policy D5 requires as a minimum at least one lift per core to be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.

319 A Fire Safety Strategy has been submitted which demonstrates that fire safety has been considered at the earliest stage, and further development of a fire strategy will be based upon the principles established. Whilst GLA officers consider that the submitted Statement is generally in accordance with Policies D12 of the London Plan in terms of their broad content, the fire safety strategy of the buildings would be considered

in detail at a later stage outside of the planning process. Furthermore, whilst the proposal includes one fire evacuation lift within the main core, which would service all floors, in line with Policy D5, the applicant is encouraged to include additional evacuation lift where possible. A condition is required in this respect.

Designing out crime

320 London Plan Policy D11 relates to safety, security and resilience to emergency. This policy requires new development to provide legible, convenient and well-maintained movement routes and spaces which are well-overlooked and benefit from an appropriate level of activity, with private and communal spaces clearly defined to promote a sense of ownership. Similar requirements are detailed within Southwark Policy P16.

321 The proposals provide new areas of public realm and permeable linkages to the surrounding urban fabric, which would assist in activating the site and surrounding areas. The activation of the frontage of the development would assist with natural surveillance opportunities for the street, as well as activating the walkways and pedestrian areas. In regard to the upper floor uses, users would only be able to access floors in which they work and there would not be the ability to travel freely around the building. The development benefits from a lobby and reception area that would be staffed during office opening hours. Overall, subject to the use of appropriate security measures within the detailed design of the building, the proposed site and building layout is considered to meet the intent of London Plan Policy D11 and Southwark Policy P16.

322 The Metropolitan Police Secured by Design Officer supported the proposals, subject to a condition to ensure that the scheme achieves Secured by Design accreditation.

323 In line with the counter terrorism principles of Policy D11, a Blast Mitigation Impact Assessment and Vehicle Dynamic Assessment are to be secured by condition. The installation of tested and accredited hostile vehicle mitigation is also required as part of the landscape design, to protect the building and users of the new public realm.

Inclusive design

324 London Plan Policy D5 requires all future development to meet the highest standards of accessibility and inclusion, and that the design process has considered how everyone, including those with disabilities, older people, children and young people, will be able to use the places and spaces that are proposed. Policy P13 of the Southwark Plan requires that development provide accessible and inclusive design for all ages and people with disabilities.

325 Section 5 of the Design and Access Statement addresses access and inclusive design and focuses on the inclusive design measures within the public realm and buildings. Within the site, pavements are level or easy gradients and all facilities would include level access from the adjacent pavement. All primary entrances are at grade and would have a level threshold approach. In terms of access to the below ground and upper levels of the building, separate accessible lifts would provide access to the floors 1-10 and the office use at levels 11-18. A separate accessible lift would provide access to the below ground affordable workspace. Ramps are also proposed on the ground floor to navigate a difference in level from east to west. All corridor widths are designed

to allow easy manoeuvring for wheelchair users. Accessible toilet facilities are provided throughout the building.

326 One disabled parking space would be provided on Snowsfields and an additional space would be provided on Melior Place. Drop off in the adjacent streets would also be possible for wheelchair users. Accessible cycle storage would be provided within the main building at basement mezzanine. This space would also be suitable for the storage of larger wheelchairs and scooters. Overall, the accessible parking provision meets the requirements of the London Plan. A car park management plan, secured via condition, would set out measures to monitor and increase this provision, if necessary. A minimum of 5% of long-stay cycle parking and all short-stay parking will be designed to accommodate larger, adapted cycles or bicycles used by disabled cyclists, in line with the London Cycling Design Standards.

327 The proposed development would achieve a high level of accessible and inclusive design and would comply with London Policy D5, Southwark Policy P13 and the Accessible London SPG.

Conclusion on urban design

328 The design and layout principles of the scheme are well-considered, appropriately optimise the development capacity of the site and generally respond to the design principles of the site allocation. Whilst the quantum of public realm and quality of pedestrian routes have been impacted by the need to accommodate on-site servicing and respond to the Council's concerns regarding the impacts on the Conservation Area, on balance and considered overall, the proposal achieves a good quality of placemaking for an inner-London commercial-led development. The height and massing strategy responds to the site characteristics and the existing and emerging context. The tall building has been appropriately sited to provide a distinctive and high-quality landmark, close to London Bridge Station and the adjacent Low Line. The proposals have been subject to design scrutiny. The architecture and materials will ensure a distinctive and high-quality development which sits comfortably within the emerging cluster of tall buildings and will contribute positively to the regeneration of the surrounding area. No harm would be caused to strategic views. The proposal is considered to accord with London Plan Policies D1, D3, D4, D5, D8, D9 (apart from Part C1d&e discussed further below within heritage section), D11, D12 and HC3 and Southwark Policies P13, P14, P16, P17 and P22 Whilst there is minor conflict with the open space provision, the proposal generally meets the expectations of site allocation NSP54 and the London Bridge Vision Area.

Heritage

329 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the statutory duties for dealing with heritage assets in planning decisions. In relation to listed buildings, all planning decisions should "have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses" and, in relation to conservation areas, special attention must be paid to "the desirability of preserving or enhancing the character or appearance of that area".

330 The NPPF states that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. Significance is the value of the heritage asset because of its heritage interest, which may be archaeological, architectural, artistic or historic, and may derive from a heritage asset's physical presence or its setting. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Where a proposed development will lead to 'substantial harm' or total loss of the significance of a designated heritage asset, consent should be refused, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a development will lead to 'less than substantial harm', the harm should be weighed against the public benefits of the proposal.

331 Policy HC1 of the London Plan states that development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail. Policy HC2 relates to World Heritage Sites and states that developments should conserve, promote or enhance their Outstanding Universal Value (OUV). London Plan Policy D9C1(d)(e) also relates to heritage assets and World Heritage Sites and requires that proposals avoid harm and preserve their significance/Outstanding Universal Value.

332 Policies P19, 20 and 21 of the Southwark Plan relate to Listed Buildings, Conservation Areas and conservation of the historic environment and natural heritage. These policies seek to conserve or enhance the special significance of heritage assets and their settings. Robust justification is required for any harm to the significance of heritage assets that results from the development. Policy P24 relates to World heritage sites.

333 A revised Built Heritage, Townscape and Visual Impact Assessment (BHTVIA) (October 2021) has been submitted within Volume 2 of the Environmental Statement (ES) and tests the impacts of the proposal on the setting of surrounding heritage assets, including sensitive views from surrounding conservation areas, listed buildings and the Tower of London World Heritage Site. A Heritage Statement has also been submitted in support of the revised proposal.

334 Verified views provided in accurate visual representations (AVRs) have been provided within the BHTVIA, demonstrating how the proposal would look from different locations, accurately merging the scheme into photos of the townscape. The assessment considers the visual implications of the changes from these viewpoints, taking into account their sensitivity and magnitude of the impact during both construction and operation phases of the development. The proposal has been considered against 31 AVRs which have previously been agreed with Southwark Council. In addition to this, an addendum document has been submitted which provides an additional AVR from Tanner Street Park.

335 Whilst a range of views have been considered, it should be acknowledged the submitted representations are static and perceptions of the development would vary when moving around each location. It is also not possible to evaluate every single viewpoint from where the development may be seen, however the views selected are considered to be those most sensitive. Concerns regarding the submitted view from Melior Street, received during public consultation, are discussed below.

Heritage Context

336 There are no statutory listed or locally listed buildings within the site boundary. Part of the site, comprising the existing warehouse at No.9 Fenning Street falls within the boundary of the Bermondsey Street Conservation Area. The Bermondsey Street Conservation Area Appraisal (2003) identifies the warehouse as a positive contributor and as such, is defined as a non-designated heritage asset.

337 The wider surrounding context includes a range of heritage assets, demonstrated in Figure 7. In addition to the Bermondsey Street Conservation Area which extends to the south-east of the site, the wider area includes the Tooley Street Conservation Area (350 metres north of the site) and Tower Bridge Conservation Area (500 meters north of the site), and the Borough High Street Conservation Area (530 metres west of the site). The closest statutory listed structure is the Grade II Listed Railway Viaduct Arches located at the junction of Crucifix Lane and Bermondsey Street. The surrounding area includes a range of Grade II* and Grade II Listed Buildings, including groups of listings along Bermondsey Street to the south-east.

338 The Tower of London World Heritage Site is located within the wider surrounding context, approximately 800 metres north-east of the site, on the north bank of the River Thames.

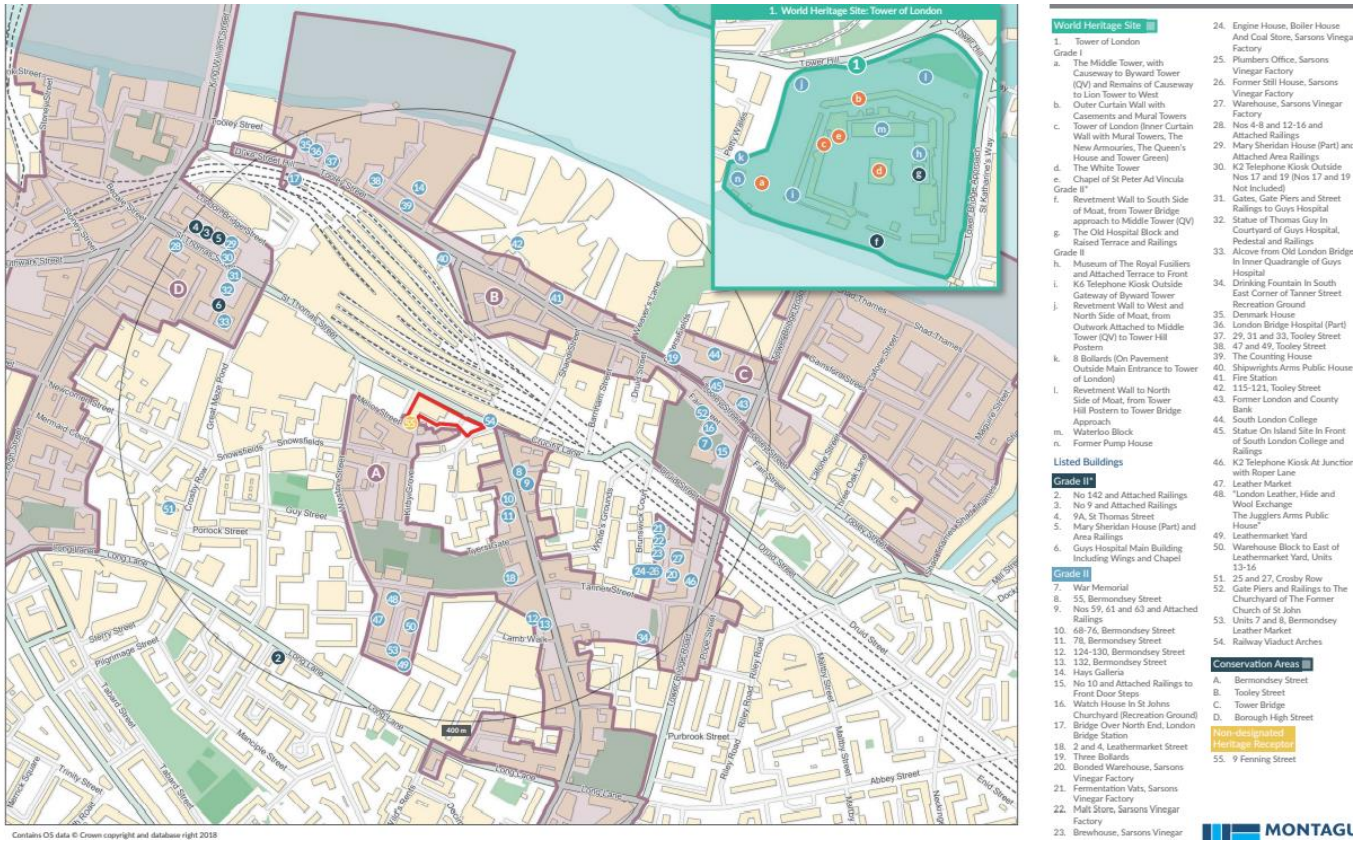


Figure 11: Heritage context

Tower of London World Heritage Site, Conservation Area and Listed Buildings

339 The Tower of London was designated as a World Heritage Site (WHS) in 1988 and includes a Scheduled Ancient Monument, 14 listed buildings, five of which are Grade I listed and the designation of the Tower and its surroundings as a conservation area. The heritage significance of the Tower of London WHS is derived from the exceptional historical and architectural interest as the oldest and most complete complex of fortified royal palace buildings in the world. The Tower of London met two (ii & iv) of the UNESCO criteria for inscription as set out below:

> ii) "to exhibit an important interchange of human values, over a span of time or within a cultural area of the world, on developments in architecture or technology, monumental arts, town-planning or landscape design.
> A monument symbolic of royal power since the time of William the Conqueror, the Tower of London served as an outstanding model throughout the kingdom from the end of the 11th century. Like it, many keeps were built in stone, e.g. Colchester, Rochester, Hedingham, Norwich or Carisbrooke Castle on the Isle of Wight.
> iv) to be an outstanding example of a type of building, architectural or technological ensemble or landscape which illustrates (a) significant stage(s) in human history.
> The White Tower is the example par excellence of the royal Norman castle in the late 11th century. The ensemble of the Tower of London is a major reference for the history of medieval military architecture."

340 The Outstanding Universal Value (OUV) of the Tower is summarised in the Tower of London WHS Management Plan as follows:

- Its landmark siting for protection and control of the city and, by extension, the country;
- Its function as a symbol of Norman power which reflects the last military conquest of England;
- Its merit as an outstanding example of late 11th innovative Norman military architecture;
- Its merit also as a model example of a medieval fortress palace, which evolved from the 11th to the 16th centuries;
- The association with British State institutions; and
- Its role as the setting for key historical events in European history.

341 The most recent Statement of Outstanding Universal Value (SOUV) for the Tower of London WHS was prepared in 2011 and agreed by the 37th session of the World Heritage Committee in June 2013. The brief synthesis of the SOUV states:

"The Tower of London is an internationally famous monument and one of England's most iconic structures. William the Conqueror built the White Tower as a demonstration of Norman power, siting it strategically on the River Thames to act as both fortress and gateway to the capital: it is the most complete example of an 11th century fortress palace remaining in Europe. A rare survival of a continuously developing ensemble of royal buildings, from the 11th to 16th centuries, the Tower of London has become one of the symbols of royalty. It also fostered the development of several of England's major State institutions, incorporating such fundamental roles as the nation's defence, its record-keeping and its coinage. It has been the setting for key historical events in European history, including the execution of three English queens."

342 As stated in the Tower of London WHS Management Plan the property's 'attributes' are the features or relationships that express its OUV as identified in the agreed SOUV. Attributes are usually physical but can also be processes or practices (such as traditions, or management regimes) that have an impact on physical qualities. The attributes that express the OUV of the Tower of London are as follows:

- An internationally famous monument
- Landmark siting
- Symbol of Norman power
- Physical dominance (of the White Tower)
- Concentric defences
- Surviving medieval remains
- Physical, historical (associative) evidence

343 Three of the attributes relate to physical location and how that is appreciated (landmark siting; physical dominance; and concentric defences) whilst the symbolic attribute of Norman power also relies on how the Tower relates to its setting, both immediate and wider. As such, the relationship between the Tower and its setting is therefore a key aspect of the significance or OUV of the World Heritage Site, as well as contributing to an ability to appreciate significance. Each attribute has key components that can be used to identify potential impacts of proposals. Each component can illustrate more than one attribute and the most relevant include:

- The physical form and visual dominance of the iconic White Tower including its fabric
- The distinctive silhouette in the world-famous view from the south bank of the Thames (LVMF protected view 25A 1-3)

- Its iconic skyline (silhouette) against the sky from within its local setting, and particularly from the lower-level viewpoints of the river itself and its south bank
- The concentric defences around the White Tower, their visible structure and three-dimensional form
- The Tower's relationship to the City
- Key views of the Tower up, down, across and from the river
- The presence of the wall walks and their visual linkage with the surrounding cityscape and river, which demonstrate use and function

344 The Tower of London also has other designations and, as stated above, the site is designated as a scheduled monument which provides protection for the fabric of the WHS. The majority of buildings and structures within the Tower WHS are also listed. There are six Grade 1 listed buildings and structures (The White Tower, Inner Curtain Wall, Chapel of St Peter Ad Vincula, The Outer Curtain Wall, East Moat revetment wall and Middle Tower), two Grade II* listed buildings (Hospital Block 1718-19 and South Moat Revetment Wall 1365-70 altered C18 and C19) and four Grade II buildings (North East Moat Revetment Wall 1670-3 and C19, North-west and west moat revetment wall 1670-3, Regimental Museum 1845 and Waterloo Block 1845. In addition, there are four Grade II listed buildings within the WHS but outside the main tower complex. These listed buildings are part of the key components of the attributes which contribute to the OUV of the WHS with the White Tower being the physical and symbolic centre.

345 The application site forms part of the wider setting of the WHS, due to its location in the background of the tower. As such, any development that intrudes upon views within the Tower complex must be carefully considered and require the submission of a detailed Heritage Assessment, which the applicant has provided.

346 The BHTVIA includes 7 AVRs (views 1-7) and 5 supporting appendix views (A9-A13) which demonstrate the impacts of the proposal on the WHS. Officers note that there would be no physical change to the way the heritage significance of the WHS is appreciated, and the effects are entirely setting-related.

347 The wider setting area currently includes a mix of historic and modern commercial buildings, including clusters of tall buildings in the City and at London Bridge, including the Shard and St Thomas Street cluster.

348 The proposed development would not be visible from large areas within the Inner Ward (view 1).

349 View 2 is taken from the Inner Ward, from a point to the north of the White Tower. Whilst the significance of this view in terms of the importance of the White Tower is acknowledged, the proposal would only be partially glimpsed above the Inner Ward, from the northern end of the courtyard. In this view, several more prominent incursions appear above the roofline most notably Guy's Tower and the Shard. The approved Capital House scheme would also be more prominent. Accordingly, due to the degree of

visibility from this viewpoint, officers do not consider that the proposal would detract from the viewer's appreciation of the heritage receptors in the foreground, nor would it detract from the appreciation of the White Tower.

350 View 3 is taken from the Inner Ward, north of the Lanthorne Tower. Within this view, the upper storeys of the proposed development would be visible above the ramparts of the tower. Given the degree of visibility, officers do not consider that the proposal would materially alter this view or detract from the heritage receptors in the foreground.

351 View 4 is taken from the Inner Curtain Wall and provides a raised panoramic across the river. View 5 is taken from outside the Tower of London, within Wakefield Gardens, which forms part of Trinity Square/Tower Hill Gardens, to the north of the Tower of London, outside Tower Hill Station. Officer's note that the applicant's THVIA incorrectly labels these views. Specifically, whilst the commentary for each view is correct, the images for views 4 and 5 have been mixed-up.

352 View 4, is taken from the inner curtain wall looking southwards across the River Thames (images incorrectly shown in view 5). Within this view, the proposed development (shown in blue wireline) would appear above the roofline of the More London development, on the south side of the river.

353 View 5 (images incorrectly shown in view 4) is taken from outside Tower Hill Station within Wakefield Gardens (which is located between Trinity Square Gardens and Tower Hill Garden). This view is taken outside the WHS but provides a view looking south looking across the WHS. This is a raised view with the grass moat and Tower in the foreground with the applicant site in the background. Similar to view 4, whilst the proposed development is largely obscured by foreground buildings, its uppermost floors are visible above the More London buildings that form the backdrop to this setting.

354 In views 4 and 5, the proposal would detract from the consistent heights existing within the 'More London' development. The proposal would become apparent as part of the cumulative impact of the adjacent schemes, with the proposed replacement Capital House, Becket House and Vinegar Yard schemes designed to be seen stepping down in height eastwards. The impact of the proposed development would be greater should those adjacent schemes not be constructed as the proposal would appear in isolation. In these views, the proposal does alter the setting of the outer parts of the World Heritage Site, albeit the backdrop remains that of a modern context with its cluster of tall buildings around London Bridge and the change is small.

355 The proposed development would not appear in the view of the WHS west from Royal Mint Court (view 6) or north-west from Tower Gateway (view 7).

356 Whilst the visibility of the proposal from within the Tower of London would be limited, the proposed building would be visible from certain raised locations within the WHS which provide panoramic prospects across the river towards the south bank. The proposal would result in a new inclusion in the background of the WHS and as such, would have an impact on the setting of the WHS. However, in this setting, the proposal would read as part the recessive background of modern, tall buildings in the London Bridge area. The height and massing of the proposal would appear subservient to the more significant incursions of the Shard, Guy's Tower and the emerging development on St Thomas Street.

357 GLA officers have considered the existing context and the potential impact the scheme would have on the key attributes of the WHS which contribute towards its overall significance and outstanding universal value, along with the setting of individual listed buildings within the Tower of London, the conservation area and the status of the tower as a scheduled monument.

358 The most relevant 'attributes' of the Tower of London WHS's OUV that will be slightly negatively impacted by the proposal include the Tower's landmark siting and the concentric defences. As stated above, this is due to views of the proposal from the inner curtain wall and also the views looking south across the WHS towards the application site from the elevated positions along Tower Hill and Wakefield Gardens.

359 The proposal would contribute to the cumulative harm, as part of the emerging St Thomas Street developments and the proposals impact would be greater should those adjacent schemes not be constructed. Overall, GLA officers consider that the proposal would cause a very low level of less than substantial harm to the setting of the Tower of London World Heritage Site and would slightly negatively affect the attributes of the Outstanding Universal Value of the Tower, in terms of the landmark siting.

360 As such, the proposal is in conflict with London Plan Policies HC2 and D9C1(e) and Southwark Policy P24.

361 Historic England have not raised any concerns regarding the impact of the development on the Tower of London WHS.

Conservation Areas

Bermondsey Street Conservation Area

362 As demonstrated in Figure 12 below, the south-western corner of the application site, which includes the existing warehouse at No. 9 Fenning Street, is located within the boundary of the Bermondsey Street Conservation Area.

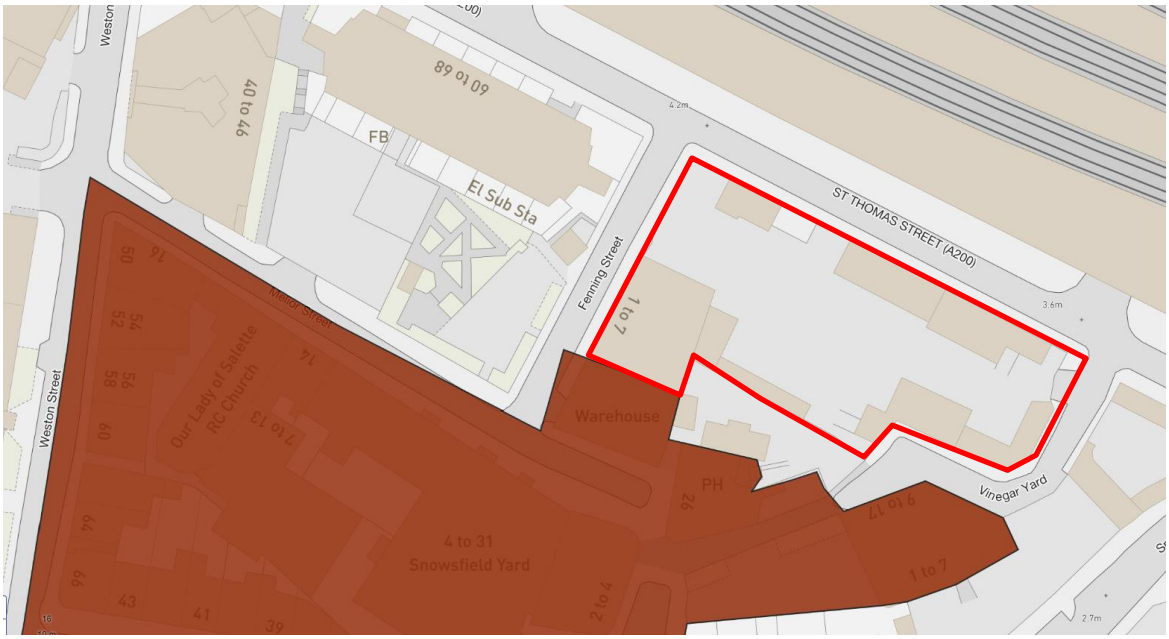


Figure 12: Bermondsey Street Conservation Area (shaded red)

363 Southwark Council adopted the Bermondsey Street Conservation Area Appraisal (CAA) in 2003, which provides the following description of the area:

The Bermondsey Street Conservation Area has a rich and varied character that at its heart reflects the street scale of its mediaeval origins. Originating as a simple causeway to Bermondsey Abbey, the historic street pattern has largely remained, but is built up by 18th century houses and shops, and by 19th and 20th century warehouse and office buildings. The combination of mediaeval scale and industrial detail creates a very distinctive townscape of narrow streets and building plots, arched alleyways to rear yards, warehouse architecture with tall loading bays, hoists, etc. and the backdrop of the railway arches on Crucifix Lane. This physical character continues to be expressed in a vibrant range of uses and activities that include housing, workshop and office-based businesses and many small-scale shops and cafés.

364 The Conservation Area includes 4 sub-areas, demonstrated in Figure 9: sub-area 1 Bermondsey Street; sub-area 2 Grange Walk; sub-area 3 Weston Street; and, sub-area 4 Tower Bridge Road. The site abuts and is partially located within sub-area 3 (SA3). Various buildings within this sub-area are identified as making a positive contribution to the conservation area, including a group of buildings on Melior Place and Snowsfields, the Horseshoe Inn Public House and Arthur's Mission. The Vinegar Yard Warehouse and No.9 Fenning Street are also noted as positive contributors to the conservation area.

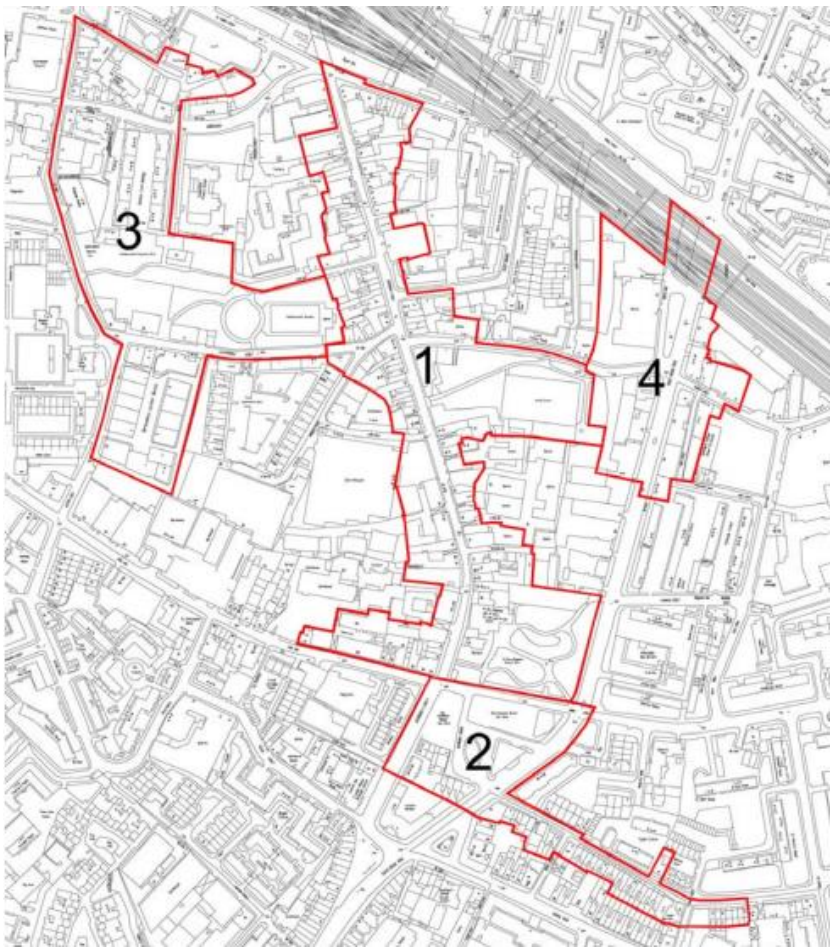


Figure 13: Sub-areas of the Bermondsey Street Conservation Area

365 The heritage significance of the Conservation Area is considered to focus on the survival of the early street pattern with narrow alleyways and the rich variety of buildings and warehouses from the medieval period to the present.

366 As detailed within the CAA, the conservation area lies immediately adjacent to the hub of activity associated with London Bridge Station and Guy's Hospital, and a clear change of character is evident with its quieter, smaller scale.

367 Southwark's committee report concluded that the original proposal resulted in less than substantial harm to the Bermondsey Conservation Area, that was outweighed by public benefits of the scheme. Notwithstanding this and the officer recommendation, the Committee's reason for refusal concluded the following:

The proposed development by virtue of its excessive height, scale and massing would result in the loss of 9 Fenning Street and have an adverse impact on the Horseshoe Inn, both of which are undesignated heritage assets which make a positive contribution to the Bermondsey Street Conservation Area. The proposed development would therefore fail to preserve or enhance the character and appearance of the Conservation Area. The heritage harm would not be outweighed by the public benefits. The proposed development is therefore contrary to Policy 3.15 Conservation of the Historic Environment: 3.16 Conservation Areas; 3.18 Setting of Listed Buildings, Conservation Areas and World Heritage Sites of the Saved Southwark Plan 2007; SP12 – Design and Conservation of the Core Strategy 2011 and Policy 7.8 - Heritage Assets and Archaeology of the London Plan 2016 and paragraphs 196 and 197 of the NPPF.

368 Following the Mayor's take-over of the proposal, various concerns have been received by residents' groups and members of the public regarding the impact of the height and massing of the proposal on the conservation area, the Horseshoe Inn and the Leather Warehouse.

369 In response to the Council's reason for refusal, the revised proposal removes the tall building from within the Bermondsey Street Conservation Area and retains the existing warehouse at no. 9 Fenning Street. The warehouse would be restored and refurbished, providing active ground floor frontages to Fenning Street and Melior Street. The retention of this building would preserve the distinctive and tightly defined space at the eastern end of Melior Street. The refurbishment and activation of the ground floor facades would improve the pedestrian experience along Melior Place and would appropriately relate to the external gathering areas located to the front of the Horseshoe Inn. In line with the CAA, the proposal to retain No.9 Fenning street ensures that the Horseshoe Inn is the most visually important feature in views along Melior Street. The retention of this undesignated heritage asset is strongly supported by GLA, Southwark and Historic England Officers and is considered to overcome part of the Council's concerns, in line with London Plan Policy HC1, Policies P20 and P21 of the Southwark Plan and the Bermondsey Street CAA.

370 Whilst the proposed development would require the demolition of the warehouse extension at no. 1-7 Fenning Street, where the existing mural is located, this structure is not listed or protected and sits outside of the conservation area boundary. There have been no objections on these grounds from residents and GLA officers raise no concerns to its demolition in order to enable redevelopment of the site.

371 Southwark's reason for refusal also referenced the impact of the proposal on the Horseshoe Inn. Concerns have been received during the consultation process regarding the impact on the Horseshoe Inn and the omission of an AVR of the proposal from the eastern end of Melior Street. The BHTVIA includes 3 AVRs which demonstrate the impact of the proposal on the setting of the Horseshoe Inn: view 20 from the western end of Melior Street; view 24 from Kirby Grove and view 25 from Kirby Grove at Snowsfields. Officers consider that these views are acceptable and sufficient to assess the impact of the proposal on the significance of the non-designated heritage asset, in line with paragraph 203 of the NPPF.

372 When viewed from the western end of Melior Street (view 20), the chamfered corner of the tall building would be partially visible beyond the existing development at the junction of Melior Street and Weston Street. However, when considered in the cumulative context, the approved development at Capital House would entirely obscure the proposed development in this view. Officers acknowledge that the tall element of the proposal would become visible in kinetic views moving east along Melior Street. When considering the street level view, Historic England has confirmed that the retention of No.9 Fenning Street would help to soften the impact of the tall building in views immediately around the Horseshoe Inn. Whilst the proposal would result in an additional inclusion in the background of this view, which would result in a low level of harm, the proposed refurbishment of No. 9 Fenning Street would also give rise to minor beneficial effects at street level, within Melior Street.

373 The greatest impact to the setting of the Horseshoe Inn can be seen from the south, along Melior Place and Kirby Grove (views 24 and 25). The setting of the Horseshoe Inn is characterised by a distinctive, tightly defined space surrounded by buildings of varied design. The Horseshoe Inn is the focus from views along Melior Place and Kirby Grove. As confirmed in these views, there would be a considerable change in scale between the proposed development and the foreground buildings, including the Horseshoe Inn. The proposal would introduce a tall building directly beyond the Horseshoe Inn and the cumulative impact of the proposed developments along St Thomas Street would result in a solid backdrop of large buildings. When considered in isolation, the proposed development would give rise to moderate adverse effects to this view, however this impact would be reduced in part, when considered in context of the approved cluster of tall buildings. Officers note that the setting of this part of the conservation area currently includes tall buildings near London Bridge Station, such as Guys Hospital and the Shard. Furthermore, the proposal to establish high-density tall buildings along St Thomas Street is supported by Southwark Council within the site allocations and the vision for London Bridge, driven by the location adjacent to London Bridge Station. Accordingly, the juxtaposition of tall buildings with the finer grain of the conservation area is expected. Whilst officers consider that the modern design of the building successfully contrasts against the more traditional development within this part of the conservation area, the proposal is considered to result in a moderate level of less than substantial harm to the significance of the Conservation Area and the setting of the Horesehoe Inn.

374 The impacts of the proposal on the non-designated heritage asset of the Leather Warehouse have also been taken into account in assessing the proposal. Whilst the Council and Historic England have not raised concern in this respect, various objections have been received as part of the community consultation, regarding the impact on the proposal on this building. Specific concerns were raised regarding the conflict with the St Thomas Street East Framework which seeks to enhance the setting of heritage

buildings. Whilst GLA officers acknowledge that the revised footprint of the proposed building would obscure some views of the Leather Warehouse from within St Thomas Street, the Warehouse would be a focal part of views from the new public space at the eastern end of the site. The redevelopment of Vinegar Yard would also open routes and areas of public realm around the Warehouse. Within the St Thomas Street Masterplan, the Leather Warehouse would sit amongst new large-scale buildings, with the warehouse itself undergoing refurbishments and extensions. Accordingly, the proposed development and wider St Thomas Street East development are considered to enhance the setting and visual prominence of this non-designated heritage asset.

375 In terms of medium to long range views within the conservation area, the increased height of the building would result in an increased visual intrusion, including from within the Leather Market Gardens and along Bermondsey Street.

376 Southwark Council raised concern regarding the impact of the additional height on Bermondsey Street, which is considered to be the heart of the conservation area and of particularly high townscape value. They consider the proposal to form a notable and continuous backdrop to this highly sensitive townscape view, disrupting the strong roofline and visual coherency within the historic street. GLA officers agree that due to the homogeneous three and four storey scale and shared character of development on Bermondsey Street, the value attached to views within this area are considered to be high particularly as the proposal represents the introduction of a tall building on the edges of the Conservation Area. The proposal would be visible along the eastern pavement of Bermondsey Street. The exact scale and prominence of the building would change in kinetic views from north to south. The top of the building would be visible within the cluster of tall buildings approved along St Thomas Street, however due to the siting and massing arrangement the proposal would appear as one of the most prominent in the cluster. The stepped massing, interesting articulation of the façade and use of landscaping on the upper levels reduces the overall degree of harm, however, due to the significance of the setting within Bermondsey Street, the proposal is considered to result in a moderate level of less than substantial harm to the conservation area within these views.

377 Overall, taking into existing setting which includes tall buildings near London Bridge Station, the proposal is considered to give rise to moderate levels of less than substantial harm to the significance of the Bermondsey Street Conservation Area.

Tooley Street Conservation Area

378 The Tooley Street Conservation Area is located approximately 350 metres north of the site at the nearest point. The conservation area is defined by the river to the north and the linear pattern of development along Tooley Street. The tall buildings on the southern side of London Bridge Station provide a backdrop of contrasting tall buildings from within the conservation area.

379 A CGI has been provided within the Design and Access Statement, demonstrating the visual impact of the development from the corner of Bermondsey Street and Tooley Street, close to the Grade II Listed Shipwrights Arms public house. In this part of the conservation area, the proposal would form part of the emerging cluster of tall buildings. The proposal is considered to sit comfortably within the emerging developments. Whilst the proposal would be prominent in views from this part of the

conservation area, the cluster of tall buildings on the southern side of the railway is an established baseline setting which affects the significance of the conservation area.

380 A view has been provided from St John's Church Park (view 26), 320 metres east of the site. St Johns Churchyard is a mature treed green environment that provides important relief to the urban environment that surrounding it. The Shard is currently viewed above the existing tree line. As confirmed within the applicant's BHTVIA, this is a valued local view from one of the few green spaces within the Tooley Street Conservation Area. Whilst the proposed development would be largely obscured by the tree canopy, during winter months the proposal and adjacent tall buildings would become more visible. The proposal would sit comfortably within the emerging tall buildings which form a backdrop to the park. However, given the significance of these views and the lower scale of this part of the conservation area, the proposal and the cumulative impact of the development along St Thomas Street is considered to give rise to a very low level of less than substantial harm to the significance of the Tooley Street Conservation Area.

Tower Bridge and Borough High Street Conservation Area

381 The Tower Bridge Conservation Area is located approximately 500 metres north-east of the site and the Borough High Street Conservation Area is located approximately 530 meters west of the site. The impact of the proposal on these conservation areas has been demonstrated on AVRs within the BHTVIA.

382 As demonstrated in View 22, the proposal would largely be obscured by existing and approved development along St Thomas. Similarly, the proposal would be largely obscured by existing development in views from the Tower Bridge Conservation Areas. The proposal is therefore considered to have a neutral impact on the setting of these conservation areas.

Listed Buildings

383 In addition to the Tower of London WHS, the BHTVIA identifies 53 Grade II* and Grade II listed buildings within a 400-metre radius of the site. The Council's committee report identified that a relatively modest level of harm would occur to the setting of listed buildings (19), but not to buildings of grade I or II* listing. The consultation response received from Historic England does not reference harm to surrounding listed buildings.

384 As part of the baseline stage of the heritage assessment, 28 of the 54 surrounding heritage assets were taken forward for full assessment (including the Tower of London). The judgement was taken on the basis of: the extent to which the setting contributes to the heritage significance; the setting relationship between the heritage asset and the site; and, the visibility of the proposal. GLA officers support this approach.

385 A summary of the impacts on each listed building/groups of listed buildings is provided below:

- Grade II listed **railway viaduct arches at the junction of Crucifix Lane** (map reference 54) – the proposal would introduce a tall building immediately adjacent to this heritage asset. The arches form part of the original London Bridge Station and their significance derives from the historical, architectural detailing. The arches sit adjacent to areas of emerging development, located to the north and to

the south, along St Thomas Street. The setting of the arches is not considered to impact the viewer's ability to appreciate the traditional architectural detailing. In this respect, the proposal would not harm the significance of the heritage asset.

- Grade II* **No. 142 Long Lane** and attached railings (map reference: 2) – the listed building is comprised of a pair of houses which date to 1721. Their heritage significance is derived from the quality of its early Georgian character and survival in Long Lane. The original setting of the listed building has been lost. The proposal would appear to the north of the listed building and would not be seen together within the primary elevation. And as such, the proposal would not harm the significance of the heritage asset.

- Grade II* No.9, 9a, **St Thomas Street and Mary Sheridan House** (Part) and railings (map reference: 3, 4, 5) and Grade II listed Nos 4-8, 12-16 St Thomas Street and railings and Mary Sheridan House (part) (map reference: 28, 29, 30) – this group of listed buildings is located at the western end of St Thomas Street at the junction with Borough High Street. Nos 9 and 9a St Thomas Street and Mary Sheridan House are located on the northern side of St Thomas Street. The heritage significance of these buildings is derived from high historical and architectural interest. The proposal would not be directly visible when viewing the primary elevations of these heritage assets. Whilst the proposal would be visible from the street (facing east), it would form part of an existing and emerging cluster of tall buildings to the townscape to the east of the heritage assets. Given the distance to the proposed development, the interposing development, and the fact that the proposal would not be prominent within direct views of the heritage assets, no harm would occur to the significance of these listed buildings.

- Grade II listed **55 Bermondsey Street** – this listed building is a 19th century warehouse, originally used as a tannery, located on the eastern side of Bermondsey Street. The listed building sits on a narrow section of Bermondsey Street where the low-density character of the setting positively reinforces its heritage significance. The proposed development would be located to the west of the listed asset and as such, could not be viewed as part of the primary elevation. The proposed development would therefore no harm the significance of the listed building.

- Grade II listed **59, 61, and 63 Bermondsey Street** – these listed buildings are early-mid 19th century dwelling houses, located on the eastern side of Bermondsey Street. Their heritage significance is derived from the historical and architectural interest as a surviving domestic, Georgian architecture. The low-density setting of the heritage assets positively enforces its heritage significance. The proposed development does not form part of the setting within which the asset is experienced and as such, not harm would occur.

- Grade II listed Nos **68-76 and 78 Bermondsey Street** – these listed buildings are located on the eastern side of Bermondsey Street, within the conservation area. The heritage significance of these listed buildings is derived from their architectural and historical interest as examples of adapted domestic architecture in an evolved medieval high street. The immediate setting of these listed buildings comprises a medieval high street, with consistent building heights The contribution of the setting to heritage significance is therefore considered to be

high... When approaching the listed buildings from the south, on the eastern side of Bermondsey Street, the proposal would extend above the roofline of 68-76 and 78 Bermondsey Street. Whilst officers note that the proposal would only be partially visible in kinetic views along this section of Bermondsey Street, given the consistent low-scale and village-like vernacular characteristic of this part of Bermondsey Street, the proposal for an additional tall building within the setting of the historical medieval high street is considered to result in a low-level of less than substantial harm to the significance of the heritage assets.

- Grade II listed **drinking fountain in Tanner Park** (map reference 34) – as concluded within the applicant's Heritage Statement, GLA officers agree that this fountain is experienced in its immediate setting of a public park and there is limited visibility between the site and this heritage asset. Accordingly, no harm would occur to the significance of this asset.

- Grade II listed 2 & 4 **Leathermarket Street** (map reference 18) – there would be no visibility of the proposed development from the primary (south-east) elevation of this heritage asset. Whilst the proposal would be visible in the background of views from Leathermarket Gardens, this setting is not considered to contribute to the heritage significance of the asset. Accordingly, no harm would occur. Grade II listed **Leather Market** (including units 7 & 8), London Wool Exchange, Leathermarket Yard and the Warehouse Block (map reference: 47, 48, 49, 50, 53) - these heritage assets comprise 5 listed buildings forming the former Leather Market, arranged around a central courtyard. The significance of this group of heritage assets is predominantly derived from the central courtyard and their historical interest as a surviving complex of Victorian industrial buildings. As demonstrated in view 19, when viewed from the western elevation of the Leather Market, the proposal would result in a prominent inclusion at the northern end of Weston Street. In addition to this, the zone of theoretical visibility demonstrates that the proposal would be partially visible from within the central courtyard. Given the significance of the internal courtyard in terms of the historic value, officers consider that an inclusion to the background of this view would impact the setting of the heritage asset. However, given the separation distance, the location of other tall buildings adjacent to Leather Market and the levels of visibility within the courtyard, officers consider this to be a low level of less than substantial harm.

- Grade II listed War Memorial located on the northern side of the railway, within **St John's Recreation Ground** (map reference 7) and Grade II listed buildings within the former churchyard (current recreation park) and Church of St John (map reference: 15, 16, 52) – the listed heritage assets are generally focused in the north-eastern corner of the grounds, with primary elevations facing away from the application site. Accordingly, the addition of a tall building within the south-facing, long-range setting would not harm the setting and therefore the significance of these heritage assets.

- The **South London College** and associated listed statue are situated north of the site (map reference 44 & 45) – the listed building is located on the north side of the junction between Queen Elizabeth Street and Fair Street. Given the location of the application site to the south-west, the way in which the listed building is appreciated from Tooley Street would not change. Accordingly, no harm would occur to the significance of the heritage asset.

- Grade II listed **Fire Station on Tooley Street** (map reference 41) – the heritage asset is located on the northern side of Tooley Street. The proposed development would not be visible within the primary elevation. Whilst the proposal would form part of the existing development on the opposite side of Tooley Street, around London Bridge Station, this setting is not considered to impact the significance of the heritage asset. In this respect, no harm would occur.

Archaeology

386 The application site is situated within 'North Southwark and Roman Roads Archaeological Priority Area' (APA), which the Southwark Plan defines as an area of very high archaeological sensitivity.

387 London Plan Policy HC1 requires development proposals to identify assets of archaeological significance and use this information to avoid harm or minimise it through design and appropriate mitigation. Policy P23 of the Southwark Plan 2022 requires that planning applications affecting sites within APAs must be accompanied by an archaeological assessment and a report on the results of a field evaluation. Any harm of loss of archaeological resource requires justification.

388 In line with these policies, the applicant has submitted an Archaeological Desk-Based Assessment (DBA) (October 2021) which is presented within ES Volume 3: Appendix Archaeology. This assessment contains a summary of the baseline conditions and an assessment of the proposed schemes impact and potential mitigation measures. The ES concluded that there would be no significant impacts. In addition, a programme of archaeological evaluation fieldwork was undertaken on the site in November 2018. This involved the excavation of four trenches and boreholes across the site. The boreholes measured the depth of deposits in order to assess the nature of buried waterlogged deposits. The Summary Report of the Archaeological Evaluation by PCA and dated November 2018 has been submitted in the Environmental Statement as Annex 2. The evaluation revealed a moderate/high potential for late medieval and early post-medieval occupation.

389 The construction of the proposed development, including the excavation associated with the three-storey basement, has the potential to have a high magnitude of impact on any existing archaeological remains. The proposed mitigation strategy is preservation by record (excavation). The details of the scope of the mitigations would be agreed with Southwark Council. Where archaeological remains will be preserved by record, the analysis and reporting of the results of the archaeological works will occur off site, however the results will be published in a variety of technical and non- technical formats. The applicant has confirmed that during the groundworks, an archaeologist would be present on site to monitor any archaeological findings and record these prior to their excavation.

390 Whilst the high archaeological potential of the area is acknowledged, on the basis of the information available from the desk-based assessment and evaluation fieldwork, GLA officers are satisfied that the development is unlikely to cause such harm as to warrant refusal of planning permission on the grounds of archaeological harm. The proposed mitigation strategy is supported, subject to robust planning conditions to secure the implementation of a phased archaeological evaluation programme following

demolition and site clearance, and implementation of further excavation work dependent upon the results of the evaluation.

391 Southwark Council has reviewed the previous and amended proposals and have requested conditions relating to archaeology building recording, archaeology excavation fieldwork, archaeological foundation and basement design, archaeological public engagement and post excavation assessment report.

Conclusion on heritage assets

392 On the basis of the above considerations, GLA officers consider that the proposals would result in less than substantial harm at the lower to moderate end of the scale to the significance of the following heritage assets:

- Very low level of less than substantial harm to the setting and thus to the significance of the Tower of London World Heritage Site and would slightly negatively affect the attributes of the Outstanding Universal Value, including the Tower's landmark siting and the concentric defences;
- Moderate level of harm to the significance of the Bermondsey Street Conservation Area and the Grade II listed buildings at 68-76 and 78 Bermondsey Street, owing to the impact on setting from height and massing of the proposal above the homogeneous three and four storey scale of Bermondsey Street;
- Very low level of harm to the significance of the setting of the Tooley Street Conservation Area owing to the impact on the setting of St Johns Recreation Ground, in views facing east;
- Low level of harm to the group of Grade II listed buildings forming the Bermondsey Leather Market, owing to the impact on setting by way of the inclusion of a tall building in views from the central courtyard area; and,
- Low level of harm to the significance of the Horseshoe Inn (non-designated heritage asset) by way of the inclusion of tall building within the background setting of the asset.

393 The scheme would also deliver the following heritage benefits which are to be taken into account as part of the public benefits:

- The adaptation and re-use of No.9 Fenning Street with ongoing viable uses (including community facilities);

394 As concluded above, the proposed development would result in a low to moderate level of harm to the significance of a number of heritage assets, including the Tower of London World Heritage site, and as such, conflicts with London Plan Policies HC1 and HC2. In addition to the NPPF balancing exercise, London Plan Policy D9C1d states that proposals resulting in harm require clear and convincing justification, demonstrating that alternatives have been explored and that there are clear public benefits that outweigh that harm. Southwark Policies 19 and 20 also require that any harm to the significance of heritage assets is robustly justified.

395 In line with London Plan Policies HC1 and D9C1(d), GLA officers are satisfied that the applicant has successfully explored and introduced alternative design options in order to avoid and reduce the level of harm to the significance of surrounding heritage

assets. This is demonstrated in the redesign of the proposal which has sought to retain the non-designated heritage asset at No.9 Fenning Street and redistribute the massing of the proposal outside the boundary of the conservation area. Nevertheless, due to the land use changes associated with the revised proposal, the overall (increased) height of the proposal has resulted in less than substantial harm to surrounding heritage assets.

396 In accordance with the NPPF, incidences of 'less than substantial harm' should be weighed against the public benefits of the proposal. GLA officers have attributed great weight to the heritage harm caused by the proposed development, however following a robust assessment, it is considered that this harm is outweighed by its public benefits brought forward by the development, including the potential expansion of the Guys and St Thomas medical campus, the provision of medical or medical/life science related research and development space, a significant amount of affordable workspace, high-quality employment space a community use and provision of new public realm and the refurbishment and securing the future of the Fenning Street warehouse. The balancing exercise and a further discussion on the planning benefits of the proposal is discussed in the planning balance section located at the end of this report.

397 Accordingly, whilst the proposal is contrary to London Plan Policies HC1, HC2 and D9C1(d&e) and Southwark Plan Policies 19 and 20, the resulting harm to the significance of heritage assets is outweighed by the significant public benefits of the scheme and is therefore justified.

Surrounding amenity impacts

398 This section assesses the impact of the proposals on the living conditions at neighbouring properties, including impacts on daylight/sunlight, overshadowing, sense of enclosure and privacy, noise and light pollution.

399 A core principle of the NPPF is to seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. London Plan Policy D3 states that the design of new buildings should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings in relation to privacy, overshadowing, wind and microclimate. In line with London Plan Policy D9, the impact of tall buildings on wind, daylight, sunlight penetration and temperature conditions around the building and neighbourhood must be carefully considered. Noise and light pollution impacts around the building should also not detract from the enjoyment of these spaces. London Plan Policy D14 specifically seeks to reduce and manage noise associated with development.

400 At a local level, Policy P14 of the Southwark Plan seeks to ensure adequate daylight, sunlight, outlook and microclimate for existing residents, whilst Policy P56 states that development should not be permitted where it causes an unacceptable loss of amenity. The adopted Residential Design Standards SPD expands on policy and sets out guidance for protecting amenity in relation to privacy, daylight and sunlight.

401 Concerns were received from neighbouring residents during the Southwark statutory consultation period regarding the loss of privacy and light to adjacent residential properties and the potential for overshadowing to St Thomas Street and surrounding public spaces. In response to these concerns, Southwark Council undertook an extensive assessment into the impact of the proposed development on the amenity of adjoining occupiers as set out in paragraphs 164-227 of the committee report. Whilst the

harm arising from the development, in terms of properties experiencing a loss of sunlight and daylight beyond BRE recommendations was acknowledged, these impacts were weighed against the public benefits of the proposal. On balance, Southwark officers did not consider that amenity impacts would warrant the refusal of planning permission.

402 Following the recent revisions to the proposal, two additional rounds of neighbourhood consultation were undertaken by the GLA. Further concerns were raised by residents regarding loss of daylight/sunlight and overshadowing. The following assessment considers the impacts of the revised scheme on surrounding residential amenity and the cumulative impact of the proposal with St Thomas Street development.

Daylight, sunlight and overshadowing

403 A Daylight, Sunlight, Overshadowing Solar Glare and Light Pollution Assessment has been submitted within Volume 1, Chapter 11 of the Environmental Statement (ES). This document considers the impact of the proposal upon existing nearby properties and also the resultant daylight and sunlight levels within the proposed public spaces. This assessment concludes that isolated areas around the site will see a change in daylight and sunlight as a result of the proposed development. The analysis is based on Building Research Establishment (BRE) Guidelines with specific reference to Vertical Sky Component (VSC) and No Sky Line (NSL) for assessing daylight and Annual Probable Sunlight Hours (APSH) for assessing sunlight.

404 The BRE Guidance is intended for building designers, developers, consultants and local planning authorities. The advice it gives is not mandatory and should not be used as an instrument of planning policy. Of particular relevance, the Guidance states: “This guide is a comprehensive revision of the 1991 edition of Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice. It is purely advisory and the numerical target values within it may be varied to meet the needs of the development and its location.”

405 The guidance notes that within dense urban environments and areas of modern high-rise buildings, a higher degree of obstruction may be unavoidable to match the height and proportion of existing buildings. This area south of St Thomas Street and the redeveloped London Bridge Station has been identified as an area where tall buildings are appropriate and there are existing tall buildings in the area such as the Shard and Guys Hospital Tower as well as consented schemes at Capital House and Beckett House, which are within close proximity to the site.

406 When considering the BRE guidelines, it is important to note that paragraph 123 of the NPPF states that local authorities should take a flexible approach to policies and guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site.

407 Given the location and surroundings, the residential, mixed-use and educational properties with the potential to be most impacted as a result of the proposal are demonstrated below:



Figure 14: daylight and sunlight receptors

- The Glasshouse (2-4 Melior Street);
- 14, 16 Melior Street;
- 8 Melior Street- 36 Snowsfields;
- 1-15, 103-114 Guinness Court;
- Raquel Court;
- La Salette Church;
- Snowsfields Primary School; and,
- 38, 39, 40, 41, 42, 62, 64, 66 Weston Street.

Daylight

408 The Vertical Sky Component Test (VSC) assesses the potential for daylight into a building by quantifying the amount of sky visible from within a room which is unobstructed by buildings and is measured from a centre point of a windowpane. The BRE guidelines suggest that if the VSC is greater than 27%, sufficient skylight should reach the window in question. In terms of assessing the impact of a proposed development, the BRE guidelines state that occupants of the existing building shall experience a materially noticeable reduction in the amount of skylight they receive where the VSC with the development will be both less than 27% and less than 0.8 times its former value, with the guidelines suggesting that 'moderate adverse impacts' are likely to be expected where the level of reduction is above 30% and 'substantial adverse impacts' above 40%.

409 It should also be noted however that the 27% VSC recommended guideline is based on a low-density suburban housing model and in an urban environment it is recognised that VSC values in excess of 20% are considered as reasonably good, and that VSC values in the mid-teens are deemed acceptable.

410 No-sky line (NSL) is a measure of the expected level of daylight penetration and distribution within a room, which is calculated by dividing those areas which can receive direct sunlight, from those which cannot. BRE guidelines state that if the no-sky line moves so that the area of the existing room which does receive direct skylight is reduced to less than 0.8 times its former value (reductions of 20% or more), then this will be noticeable to the occupants, and more of the room may appear poorly lit. It should be noted that consideration also needs to be given to the depths of single aspect rooms. If the room is greater than 5 metres deep, then an adverse infringement may be unavoidable.

411 The daylight assessment considered 514 residential windows serving 277 rooms across 18 buildings around the site. Overall, of the 514 windows assessed for VSC, 321 (62.5%) meet the BRE criteria. Of the 277 rooms that the windows assessed serve, 238 (85.9%) of these rooms meet the BRE criteria for NSL.

412 Six of the 18 properties assessed would experience little or no alterations below the 20% for both VSC and NSL. Accordingly, the following buildings would experience a negligible daylight impact as a result of the proposed development:

- 38 Snowsfields;
- 39 Snowsfields;
- 40 Snowsfields;
- 42 Snowsfields;
- 64 Western Street; and,
- 66 Western Street.

413 The following tables outline the general results in terms of the loss of VSC and NSL that would be experienced by the remaining buildings:

Table 5: impact of proposed development on VSC

Address	VSC					
	Total No. of Windows	No. Windows that meet BRE criteria	Below BRE Guidelines			
			20-29.9% Reduction	30-39.9% Reduction	>40% Reduction	Total
The Glasshouse	5	0	1	0	4	5
16 Melior Street	66	57	3	1	5	9
8 Melior St-36 Snowsfields	141	70	14	17	40	71
103 -114 Guinness Court	42	42	0	0	0	0
1-15 Guinness Court	41	21	20	0	0	20
Raquel Court	55	15	14	26	0	40
La Salette Church	25	24	1	0	0	1
14 Melior Street	7	2	5	0	0	5
Snowsfields Primary School	30	12	18	0	0	18
8-20 Snowsfields	24	0	0	0	24	24
38 Snowsfields	8	8	0	0	0	0
39 Snowsfields	14	14	0	0	0	0
40 Snowsfields	14	14	0	0	0	0
41 Snowsfields	4	4	0	0	0	0
42 Snowsfields	20	20	0	0	0	0
62 Weston Street	9	9	0	0	0	0
64 Weston Street	8	8	0	0	0	0
66 Weston Street	1	1	0	0	0	0
Total	**514**	**321**	**76**	**44**	**73**	**193**

Table 6: Impact of proposed development on NSL

Address	NSL					
	Total No. of Rooms	No. Rooms that meet the 0.8 times former value criteria	Below BRE Guidelines			
			20-29.9% Reduction	30-39.9% Reduction	>40% Reduction	Total
The Glasshouse	2	1	0	0	1	1
16 Melior Street	18	18	0	0	0	0
8 Melior St-36 Snowsfields	66	65	1	0	0	1
103 -114 Guinness Court	30	26	3	1	0	4
1-15 Guinness Court	30	22	2	4	2	8
Raquel Court	27	27	0	0	0	0
La Salette Church	5	5	0	0	0	0
14 Melior Street	3	3	0	0	0	0
Snowsfields Primary School	15	10	5	0	0	5
8-20 Snowsfields	19	2	6	6	5	17
38 Snowsfields	8	8	0	0	0	0
39 Snowsfields	8	8	0	0	0	0
40 Snowsfields	8	8	0	0	0	0
41 Snowsfields	4	3	1	0	0	1
42 Snowsfields	16	16	0	0	0	0
62 Weston Street	9	7	2	0	0	2
64 Weston Street	8	8	0	0	0	0
66 Weston Street	1	1	0	0	0	0
Total	**277**	**238**	**20**	**11**	**8**	**39**

414 Having regard for the findings of the VSC and NSL tests, the following 12 properties would experience substantial adverse impacts to one or more windows. A summary of the impact to these properties is discussed as follows:

- The Glasshouse (2-4 Melior Street): All 5 windows (serving 2 rooms) would fail the BRE criteria for VSC, 4 of which would experience a major adverse impact. For NSL, one room would experience an alteration more than 40% (major adverse). Overall, the effect to daylight is considered to be **significant**.
- 16 Melior Street: 57 of the 66 windows would meet the BRE criteria for VSC. Three of the 9 affected windows serve bedrooms, and therefore have a lower requirement for daylight. The other 6 windows are located within deep recessed balconies which are considered to be the main factor in the relative loss of light. All rooms would meet the BRE criteria for NSL. Overall, given the central London location, the effect to daylight is considered to be acceptable.
- 8 Melior Street – 36 Snowsfields: 70 of the 141 windows would meet the BRE criteria for VSC. 40 of the affected windows would experience a major adverse impact (in excess of 40%). In terms of NSL, one room would fail the BRE criteria and would experience an alteration in VSC which equates to a minor adverse effect. Overall, the effect to daylight is considered to be **significant**.
- 103-114 Guinness Court: All 42 windows meet the BRE criteria for VSC. For NSL, 26 of the 30 rooms would meet the NSL criteria. The four affected rooms would experience an alteration which equates to a minor adverse impact. Given the central London, urban location, the impact on this property is considered to be acceptable.
- 1-15 Guinness Court, 14 Melior Street and Snowsfields Primary School (these buildings have been assessed together due to the similar effect experienced and close proximity to the reopposed development): 35 of the 78 windows would meet the BRE criteria for VSC. Of the affected windows, all would experience alterations to VSC which equate to a minor adverse effect. For NSL, 35 of the 48 rooms would meet the BRE criteria. Overall, given all the windows would experience either a negligible or minor effect for VSC and a good level of BRE compliance for NSL, the effect to daylight to these 4 properties is considered to be acceptable.
- Raquel Court: 25 of the 55 windows would meet the BRE criteria for VSC. Of the affected windows, 26 would experience alterations to VSC which equate to a moderate adverse effect. For NSL, all 27 rooms would meet the BRE criteria. Overall, due to all windows experiencing either minor or moderate effect, servicing bedrooms or retaining good levels of daylight and BRE compliance for NSL, the effect to daylight is considered to be acceptable.
- La Salette Church: 24 of the 25 windows would meet the BRE criteria for VSC. The affected window would experience a minor adverse impact. For NSL, all 5 rooms would meet the BRE criteria. Overall, given the central London location, the effect to daylight is considered to be acceptable.
- 8-20 Snowsfields: none of the 24 windows and 19 rooms assessed for VSC and NSL would meet the BRE criteria. All windows would experience alterations in VSC which would equate to a major adverse effect. Of the affected rooms, 5 would experience an alteration in excess of 40%, which is considered a major adverse effect. Overall, the effect to daylight is considered to be **significant**.
- 14 Snowsfields and 62 Weston Street: for VSC, all windows would meet the BRE Criteria. For NSL, 10 or the 13 rooms would meet the BRE criteria. Of the affected rooms, all three would experience a minor adverse impact. Overall, given the central London, urban location, the impact on this property is considered to be acceptable.

415 In addition to the specific impacts of the proposed development, the applicant has considered the cumulative daylight impacts of the proposed development alongside other consented developments in the immediate area, including Capital House and the Edge. Whilst the Sellar scheme has also been considered, it is acknowledged that this proposal has not yet received planning permission. The findings of this assessment are provided within Chapter 11 of the Environmental Statement. The cumulative impacts of the Sellar scheme have not been discussed below, as officers note this application has not yet received planning permission and is currently undergoing redesign.

416 In terms of the cumulative impacts with the approved Capital House scheme, additional significant impacts would also be experienced by 16 Melior Street, 103-114 Guinness Court and 1-15 Guiness Court. In all instances, the increase in effect between the proposed development and the cumulative scenario would occur as a result of the additional impacts from Capital House.

417 Overall, the results of the daylight assessment demonstrate that there would be a number of windows and rooms that would not meet the relevant daylight standards of the BRE. However, for the most part, these impacts would be minor in nature and would be balanced out by compliant daylight distribution levels. Overall, and noting the central London location, 15 of the 18 tested buildings would continue to receive levels of daylight commensurate with a high-density urban environment. The remaining three buildings at The Glasshouse (2-4 Melior Street), 8 Melior Street – 36 Snowsfields and 8-20 Snowsfields would experience major adverse effects that are considered to be significant. These impacts are discussed below.

- The Glasshouse: in both instances, the rooms which fail the VSC and NSL criteria are classed as bedrooms. In line with the BRE guidance, bedrooms have a low requirement for daylight. Accordingly, the overall impact is considered acceptable, given the high-density central location and the designation of the affected rooms as bedrooms.

- 8 Melior Street – 36 Snowsfields: In terms of VSC, it is noted that 44 of the 71 affected windows within this property serve bedrooms. As previously noted, the BRE guidelines indicate that bedrooms have a lower requirement for daylight. Additionally, this property has large balconies with recessed windows that restrict already the level of light to these windows. All of the rooms meet the BRE guidelines for NSL. Accordingly, while the significant impacts on VSC are acknowledged, on balance, considering the overall impacts, form of the building and the central London location, the impact on this property is acceptable.

- 8-20 Snowsfields: due to the position of this neighbouring property, daylight availability is obscured from the east by the presence of the Vinegar Yard Warehouse and by the properties on Melior Street to the west. This property receives the majority of its daylight directly from the north and, as such, any development to the north, including the redevelopment of the application site, would result in adverse daylight conditions. In addition to this, it is noted that the presence of overhanging first floor walkways already restricts the level of light to the affected windows. The ‘No Balconies’ assessment demonstrates that whilst there would be residual VSC values of between 0.1% - 13.2% with the proposed development in place, removing the balconies would see these residual values increase to between 7.7% - 13.2%. The most affected windows at 8-20

Snowsfields are therefore compromised to a significant extent by the existing balcony access overhangs.

418 In summary, where breaches in the guidance occurs, the technical assessment demonstrates that in most cases, this is due to either low existing values of daylight which produce disproportionate percentage alterations, or the constraints imposed by the existing design of the neighbouring properties, which include deep overhanging walkways and balconies, or the windows serve less sensitive spaces such as bedrooms. While it is acknowledged that a small number of windows would experience major adverse impacts, overall, the retained levels of daylight are considered acceptable in the circumstances.

Sunlight

419 In relation to sunlight and overshadowing, the Daylight and Sunlight Assessment sets out an analysis of Average Probable Sunlight Hours (APSH) of windows which face the site and are located within 90° of due south (as per the application of the BRE Guidelines). A window may be adversely affected if a point at the centre of the window receives for the whole year less than 25% of the APSH, including at least 5% of the APSH during the winter months (September 21 to March 21) and less than 0.8 times its former sunlight hours during either period, and for existing neighbouring buildings, if there is a reduction in total APSH which is greater than 4%.

420 Of the 119 rooms assessed for sunlight, 102 (86%) would meet the BRE criteria for both total and winter PSH (probably sunlight hours). The following buildings experience little to no change in sunlight levels with the completed development in place:

- 103-114 Guinness Court;
- Raquel Court;
- Snowsfields Primary School;
- 39, 41 Snowsfields; and,
- 62, 64, 66 Weston Street.

421 The remaining 17 rooms would experience some slight reductions. Two of these windows are located at 16 Melior Street and the remaining 15 are located at 8 Melior Street-36 Snowsfields:

- 16 Melior Street: 10 of the 12 rooms assessed would be fully compliant for both total and winter APSH. The two affected rooms would remain compliant for winter ASPH, however would see a reduction in total APSH in excess of 40%. Overall, due to the high level of BRE compliance for winter ASPH and given that only two windows are affected for total APSH, the impacts to this buildings are not considered to be significant.

- 8 Melior Street-36 Snowsfields: of the 50 rooms assessed for sunlight amenity, 35 rooms would meet the BRE guidance for both winter and total APSH. All of the affected rooms would continue to meet BRE guidance for winter APSH. As such, the impact that would occur would be the total APSH, where there would be two rooms with minor impacts, five with moderate impacts and eight with major impacts. Overall, due to the high level of BRE compliance for winter ASPH and

given that only two windows are affected for total APSH, the impacts to these buildings are not considered to be significant.

422 In terms of the cumulative assessment, the total number of rooms that would meet the BRE guidelines for APSH would reduce from 102 to 99. As such, the cumulative impacts would see three additional rooms affected. Overall, this change is not considered to be significant, and the development is therefore considered acceptable in terms of sunlight.

Daylight and sunlight conclusion

423 The applicant's Daylight and Sunlight Assessment has been reviewed by GLA officers, who are satisfied that an extensive and robust assessment has been undertaken.

424 The proposed development would achieve 62.5% compliance with BRE guidelines for VSC, 85.9% compliance with BRE guidelines for NSL and 86% compliance for APSH. Notwithstanding these relatively high levels of compliance for an inner-London location, officers acknowledge that the proposal would result in a substantial adverse impact to daylight and sunlight levels to some surrounding properties (detailed above). The most significant of these impacts would be experienced on Melior Street and Snowsfields. Notwithstanding this, the retained levels of daylight and sunlight are generally in line with other schemes of a similar nature within an urban context.

425 Given the under-utilised character of the application site, the urban setting of the surrounding area and the high-density form of the proposed development, which is supported by London Plan and local plan policies, some degree of change to existing daylight and sunlight conditions must be expected. Consideration should also be given to the fact that the BRE should not be applied rigidly as the site is in an Opportunity Area within a Central London location. On balance, GLA officers consider that the resultant harm to surrounding daylight and sunlight levels would not warrant refusal of the planning application.

Overshadowing

426 An overshadowing assessment has been undertaken within ES Volume 1, Chapter 11, which looks at the impact of the scheme in terms of overshadowing to amenity and public spaces. The BRE Guidance suggests that where large buildings are proposed, it is useful and illustrative to plot a shadow plan to show the location of shadows at different times of the day and year. The path of the sun is tracked to determine where the sun would reach the ground and where ground would be overshadowed. BRE Guidance recommends that at least 50% of a garden or amenity area should receive at least 2 hours of sunlight at the Spring Equinox (21 March) to appear adequately sunlit, or else the area which receives 2 hours of direct sunlight on 21 March should not be reduced to less than 0.8 times its former value (i.e. reduced by more than 20%). Two overshadowing assessments were undertaken as part of the applicant's original ES; Sun Hours on Ground and Transient Overshadowing.

427 The overshadowing assessment considered the following sensitive amenity areas, demonstrated in Figure 15:

- St John’s Park (1);
- Communal gardens serving St Olaves Estate (2); and,
- Communal area serving Melior Street and Fenning Street (3).



Figure 15: overshadowing assessment

428 St John’s Church Park and communal gardens serving St Olaves Estate would experience no overshadowing on any amenity areas as a result of the proposed development or within the cumulative scenario. The total sun hours on ground would also not change.

429 In terms of the communal gardens serving Melior Street and Fenning Street, during the 21st March, the proposed development would cast a shadow over this area from 8:00am to approximately 12:00. This would increase to 6:00 to 13:00 on the 21st of June. In terms of the sun hours on ground, the assessment shows that as a result of the proposal, the total area that would receive at least 2 hours of sunlight changes from 67% to 65%, and as such, does not significantly differ from the baseline scenario. This area would therefore meet BRE criteria which requires more than 50% of the area receives two or more hours of direct sunlight on March 21st. GLA officers consider that the overshadowing impacts to this amenity space would not be significant, and as such, would not outweigh the delivery of the public benefits brought about by the development.

Privacy

430 Southwark Council's Residential Design Standards SPD recommends a minimum separation distance of 12 metres between the fronts of buildings and any buildings which front a highway, and a minimum of 21 metres at the rear. The Mayor's Housing SPG (March 2016) notes that commonly used minimum separation distances between habitable rooms of 18-21 metres are yardsticks, however advocates a more flexible approach to managing privacy.

431 The proposed buildings would maintain policy compliant separation distances to neighbouring residential buildings on both Melior Street and Snowsfields. In this context and also considering the non-residential use of the building, the proposal would not result in significant outlook and privacy impacts to surrounding properties.

Solar Glare

432 London Plan Policy D9C1(g) requires that tall buildings should not cause adverse reflected glare. An assessment of Solar Glare has been included within ES Volume 1, Chapter 11. The assessment methodology identities road and rail users as sensitive receptors to solar glare impacts. As such, a total of 19 locations on nearby roads and railways have been identified for assessment (figure 16).

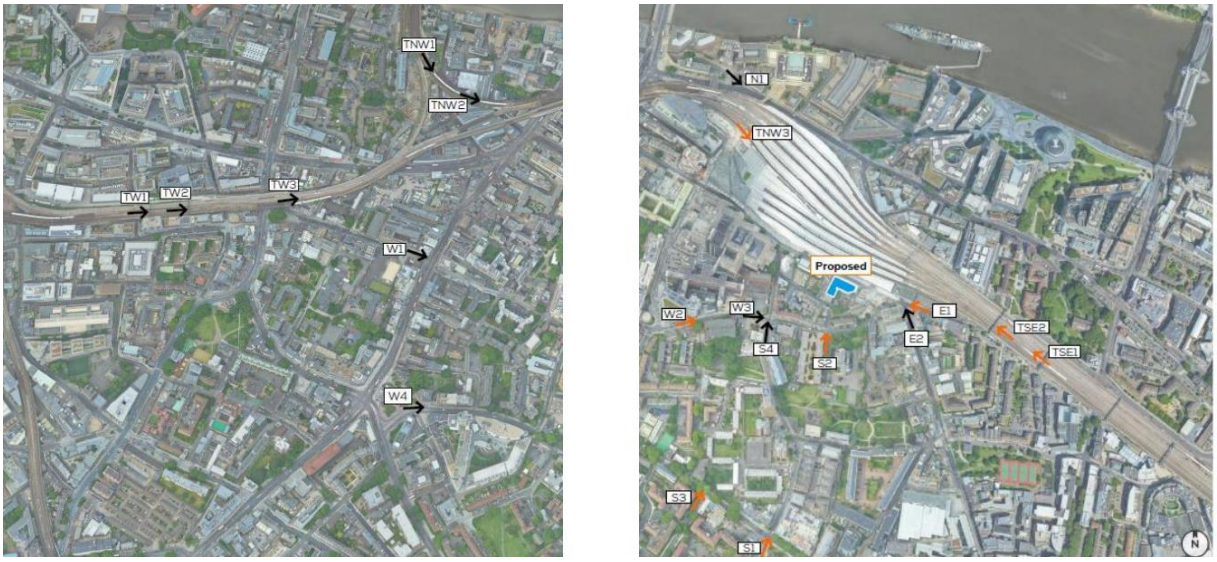


Figure 16: solar glare assessment

433 In accordance with the solar glare significance criteria, solar reflections occurring at angles greater than 30 degrees from the driver's line of sight would not affect the drivers responsiveness. In addition, viewpoints where the portion of the facade of the proposed development visible is very small and the distance is greater than 15 degrees of the driver's line of sight are also negligible.

434 Of the 19 locations, the building is not visible from 11 viewpoints (shown in black arrows). The eight remaining locations have been assessed for solar glare within the submitted document. Of these locations, minor to moderate adverse effects have been identified at the following 4 viewpoints:

- Crucifix Lane (2 viewpoints): instances of solar reflection may be visible on the façade of the development between 8:00 to 10:00 and 14:00 to 16:00 from mid-August to mid-April. The reflections would occur between 5 degrees and 18 degrees of the driver's line of sight. Due to the broken-up nature of the façade, the solar reflection would be scattered and would only be visible from a limited period of time. In addition, as there are two traffic signals at this location, should one be adversely affected, drivers could refer to the unaffected traffic signal. Overall, the proposal would not result in a significant or unacceptable degree of solar glare from this location.

- Weston Street: instances of solar reflection may be visible on the façade of the proposed development between 7:00 to 8:00 and 13:00 to 14:00 from mid-October to mid-February. The reflections would occur from approximately 5 degrees of the driver's line of sight. However, given that only a very limited section of the façade would be visible from this viewpoint, the actual occurrence or solar reflection would be limited and would only appear for a short period of time. Overall, the proposal would not result in a significant or unacceptable degree of solar glare from this location.

- Kirby Grove: instances of solar reflection may be visible on the façade of the proposed development between 9:00 to 10:00 and 12:00 to 14:00 from mid-September to mid-November and mid-January to mid-March. The reflections would occur at approximately 10 degrees of the driver's line of sight. The reflections at this viewpoint would be broken up due to the solid elements of the building's façade. Accordingly, whilst the potential for reflections at 10 degrees of the driver's line of sight are acknowledged, overall, the solar glare that could be experienced at this junction would not be as significant as to warrant refusal of planning permission.

Light pollution

435 Policy D9C of the London Plan requires tall buildings to minimise light pollution from internal and external lighting. In line with London Plan Policy D9, a Light Pollution Assessment has been submitted in the ES (Volume 3 – Appendix: dso, annex 7). Figure 16 demonstrates the buildings which have been assessed for light trespass.

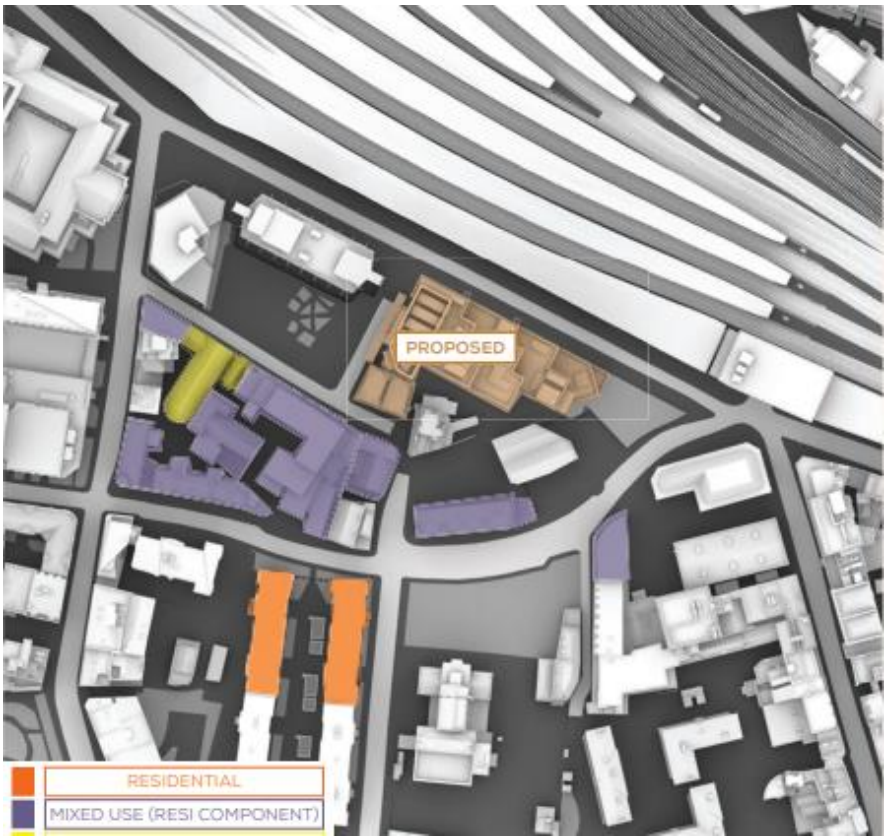


Figure 17: building assessed for light impacts

436 The assessment concludes that pre-curfew (11pm), the levels of light trespass would be limited and within the 25 lux level suggested for a city centre location, within the guidance notes for the reduction of obtrusive light within the ILP guidelines (2011). The levels of light intrusion would also be within the LIP criteria of 5 lux after the hours of 11pm. The assessment therefore concludes that no mitigation measures are required. Accordingly, whilst the design of the building appropriately minimises light pollution in line with Policy D9C1(h), a condition is recommended to control obtrusive light within 5 lux after the hours of 2300.

Noise and vibration

437 London Plan Policy D14 states that development should avoid significant adverse noise impacts on health and quality of life. The Mayor's Environment Strategy aims to reduce the number of people adversely affected by noise and includes policies and proposals to support this aim. At a local level, Policy P66 requires that developments must avoid significant impact on health and quality of life and must mitigate any adverse impacts caused by noise. Policy P56 which relates to the protection of amenity, specifically references impacts of noise and vibration.

438 The applicant's ES reports on the findings of the likely noise and vibration effects of the proposed development during both the construction and operational phases.

439 During the construction phase, which includes the excavation, piling and construction of a three-storey basement, there will inevitably be some abnormal noise caused to nearby properties by construction activities and vehicles. Specifically, the applicant's Noise and Vibration Assessment indicates that major to moderate adverse

noise impacts would be experiences by surrounding properties during demolition, excavation and piling, however these impacts would reduce to minor adverse impacts once construction works reach substructure stage. In terms of vibrations, the assessment identifies a minor to moderate impact on Beckett House and the Horseshoe Inn. GLA officers note that these impacts would be temporary and confined to normal working hours (8am to 6pm) and can be managed through the implementation of mitigation measures outlined in a construction environmental management plan (CEMP) (covering hours of works, use of Best Practicable Means, “quiet piling” techniques, erection of hoardings etc). The submission and implementation of the CEMP would be secured by condition. On this basis, the noise and vibrations impacts during construction are accepted.

440 During the operational phase, potential noise impacts from the development on existing neighbouring properties are likely to be generated from the proposed uses, public realm and noise from plant and services. Officers note that the small scale of the individual retail and community units within the retained warehouse and at ground floor within the main buildings are compatible with residential uses and consider that any noise impacts can be adequately controlled via the imposition of conditions limiting the opening hours. The proposed medical use, medical related R&D and office uses would not result in significant noise impacts. Noise from the building services plant would need to be controlled by condition to ensure that it would not have a significant impact on surrounding properties. These limits would be determined independently and irrespective of the different use classes proposed in Option 1 or Option 2.

441 Noise associated with construction traffic and servicing and delivering during the operation phase has also been assessed within the ES. In terms of construction traffic, the demolition and construction programme show a peak of approximately 36 vehicle movements per day (one way), entering or leaving the site (Option 1 or Option 2). On this basis, the impacts from construction traffic would not be significant. The traffic generated by the proposed development would be limited to taxis and service vehicles. Option 1 (medical) would result in an increase in 1.2dB above the existing ambient noise levels whilst Option 2 (R&D) would increase by 0.1dB. Officers note that the greater increase in traffic related noise associated with Option 1 is related to the higher proportion of service vehicles required to access the site. Whilst the traffic noise must be considered in the balance of the public benefits brought forward by the proposal, in order to mitigate against the potential noise impact from service vehicles, a condition is recommended controlling and restricting the servicing hours.

442 On balance, GLA officers are satisfied that the noise and vibrations during the construction phase and the operation phase (both Options 1 and 2) could be suitably controlled by condition to ensure that no significant impact on health and quality of life, in line with London Plan Policy D14 and Southwark Policy P66.

Basement development

443 Policy D10 of the London Plan requires Boroughs to establish policies in their Development plan to address the negative impacts of large-scale basement development beneath existing buildings. Specifically, this policy identifies the impact of basements on land stability, localised flooding, drainage, and noise and vibrations. The impacts on surrounding residential amenity must be addressed. Whilst the local plan does not include a specific policy relating to basement development, Part 11 of Policy

P14 requires that developments must provide basements that do not have adverse archaeological, amenity or environmental impacts.

444 The proposal development would sit above three levels of basement (B1, B1 mezzanine and ground floor mezzanine). The basement depth would be approximately 18 metres below ground level, providing space for affordable workspace, back of house area, cycle stores and plant. The proposed development also includes a standalone underground silo to the east of the main buildings, for additional cycle storage. The impact of the basement on subterranean groundwater flow, land stability, surface water flow and flooding has been assessed within the Basement Impact Assessment (October 2021). The noise and vibrations associated with the excavation and construction of the basement has been considered within the Environmental Statement and the archaeological impacts have been discussed within the HTVIA.

445 The noise and vibrations impact on surrounding residential occupiers would be temporary during the construction period and would be controlled through the implementation of measures approved by the Council within the demolition and construction environmental management plan (DCEMP). This would include controls covering hours of works and the use of 'quiet piling' techniques. The Environment Agency have reviewed the proposal and have recommended standard conditions relating to groundwater and contaminated land, flood risk and flood resistance and resilience.

446 The impacts of the proposed basement on archaeology, flooding and drainage, ground conditions and disturbance to surrounding residents in terms of noise and vibrations, have been discussed elsewhere in this report. In summary, subject to conditions, the demolition and operation of the basement would not have an adverse archaeological, amenity or environmental impact.

Wind microclimate

447 London Plan Policy D9 states that tall buildings should not adversely affect their surroundings in terms of (amongst other things) microclimate and wind turbulence. The Mayor's Sustainable Design and Construction SPG identifies the Lawson Criteria as a means for identifying suitability of wind conditions. Policy P17 of the Southwark Plan also states that new tall buildings must avoid harmful and uncomfortable environmental impacts.

448 Chapter 10 of the ES assesses the likely impacts of the proposed development on wind and microclimate, in terms of pedestrian comfort and safety. Wind tunnel tests were undertaken to assess and quantify the pedestrian level wind microclimate at the site against the Lawson Comfort Criteria. The assessment has focused on areas within and around the site at ground level, including areas of outdoor seating as well as roof terraces. Areas surrounding the site and associated pedestrian crossings and thoroughfares have also been tested. The cumulative impacts with surrounding developments have also considered the consented schemes at Capital House and The Edge, and the proposed Sellar Scheme (live application).

449 Whilst the wind conditions for the proposed development (with existing surrounding buildings) would be windier than in the baseline, most conditions in and around the proposed development, including at roof terrace level, show that the spaces would be mostly suitable for their intended use. Two instances of stronger than desired

wind conditions during the windiest season would occur immediately south-east of the site on Vinegar Yard, between the proposed buildings and the Leather Warehouse. The assessment concludes that these locations would require wind mitigation.

450 In terms of the cumulative impact, the general wind conditions in and around the site would be expected to range from suitable for sitting to walking. However, the wind tunnel testing identified potential adverse wind impacts, and occurrences of strong winds that would generally be located at ground level at the south-east of the site along Vinegar Yard and at the north-western corner of the development along Fenning Street. The wind conditions at the upper-level amenity spaces would be acceptable for their intended use.

451 It was determined that wind mitigation measures are necessary in several instances to ensure that wind levels do not breach the levels suitable for the intended pedestrian use and to ensure the safety of pedestrians and cyclists. Following iterative tunnel testing, a list of mitigation measures was determined to ensure that wind conditions were acceptable at all measured locations. Proposed measures include the provision of canopies over buildings entrances, screening, and tree planting to the south of the development. Whilst full details of the proposed wind mitigation measures have not been provided at this time, GLA officers are satisfied that through the implementation of a condition, an acceptable environment in terms of wind effects can be secured.

Neighbouring amenity impacts conclusion

452 The assessment above has been based on the information provided by the applicant and analysis by borough officers and GLA officers. On balance and having regard to the increase in scale proposed following amendments to the scheme, the proposal would not result in a level of sunlight or daylight loss to neighbouring properties to warrant alteration to or rejection of the scheme. Furthermore, the overshadowing impacts associated with this development are considered acceptable; the development would not cause an undue loss of privacy, solar glare or light pollution; and issues of noise and disturbance would be adequately mitigated through planning conditions. Whilst issues regarding wind tunnelling are acknowledged, subject to further consideration with the Council, GLA officers are satisfied that any impacts could be adequately addressed via mitigation measures. The proposals therefore comply with London Plan Policies D3, D4, D9 (relevant sub-sections) and D14, Southwark Policies P14 and P56 and the Residential Design Standards SPD.

Green infrastructure and the natural environment

Trees

453 Policy G7 of the London Plan requires development proposals to ensure that, wherever possible, existing trees of value are retained. Where planning permission is reliant on the removal of trees, there should be adequate replacement based on the existing value of the benefits of the trees which are removed. New development should include the planting of new trees, particularly large-canopied species. These aims are reflected in Policy P61 of the Southwark Plan.

454 An Arboricultural Constraints and Opportunities Report has been submitted as an appendix to the ES. This report concludes that no trees were found within the site,

however there were a small number of trees located outside the site boundary which were surveyed. Specifically, a group of three wild cherry trees are located in the rear garden of the Horseshoe Inn and six individual trees, including 3 high and moderate quality trees, are located around the site's boundary. In addition to this, it is noted that 3 of these trees are located within the Bermondsey Street Conservation Area. The proposed development would not require the removal of any existing trees. The retained trees are proposed to be protected with tree protective fencing. Conditions are recommended requiring the submission of an Arboriculture Method Statement and tree protection measures.

455 The Landscape and Public Realm Strategy identifies an indicative planting palette for ground and roof level. At ground level, street trees are proposed along St Thomas Street and Fenning Street. Groups of trees are also proposed within the public space to the east of the site and to the rear of the main building, along the boundary with the Horseshoe Inn. Concerns have been raised during public consultation regarding the success of the species of street trees proposed along St Thomas Street and Fenning Street and reference has been made to the quality of the existing trees along St Thomas Street outside Guy's and St Thomas hospital . Whilst GLA officers acknowledge that the proposed Alnus incana are a particularly light demanding tree which may not be suitable for the proposed north facing location, the submitted tree strategy indicates that the species proposed are indicative and would be finalised with the local authority at detailed design stage. Accordingly, given the appropriate space retained for tree pits along these frontages, subject to a specific condition regarding tree planting along St Thomas Street, the proposed tree strategy is considered acceptable.

456 As discussed elsewhere in this report, the proposal includes 4 trees along the common boundary with the Horseshoe Inn and 3 additional off-site trees proposed as wind mitigation. A condition is proposed which requires the final planting strategy and wind mitigation measures to be agreed with Southwark Council.

457 A significant benefit of the amended proposal is the addition of planting within three roof terraces. Each roof terrace would include planting within planter boxes. In order to ensure the success of the proposed roof level planting, further detail of the proposed species, planter boxes and proposed maintenance and management must be provided with a detailed landscaping and planting strategy.

458 Overall, subject to the aforementioned conditions, the proposed development would successfully retain all existing trees around the site boundary and would introduce new plant species at ground and roof level which is considered acceptable. The proposal therefore complies with London Plan Policy G7 and Policy P61 of the Southwark Plan.

Biodiversity and ecology

459 Given the absence of trees and soft landscaping, the application site presently has a very low ecological value. As such, and in line with the scoping opinion provided by Southwark Council, biodiversity and ecology has not been considered within the ES chapters. During the initial assessment of the proposed development, the council's ecologist reviewed the application and raised no objection. In line with London Plan Policy G6 and Southwark Policy P60, there is an opportunity, as part of the redevelopment, to secure a net biodiversity gain through such features as green/brown roofs, green walls, soft landscaping, nest boxes and habitat restoration and expansion.

In addition to the measures included as part of the proposal's urban greening factor, the Council's ecologist has recommended conditions relating to the installation of Swift boxes and a biodiverse roof. Accordingly, subject to these conditions, GLA officers consider that the proposal would deliver a biodiversity net gain, in line with Policy G6.

Urban Greening

460 As set out in Policy G5, the Mayor has developed a generic Urban Greening Factor (UGF) model to assist boroughs and developers in determining the appropriate provision of urban greening for new developments. This is based on a review of green space factors in other cities. The factors outlined in Table 8.2 of the policy are a simplified measure of various benefits provided by soils, vegetation and water based on their potential for rainwater infiltration as a proxy to provide a range of benefits such as improved health, climate change adaption and biodiversity conservation. In addition to this, Southwark Plan Policy P59, identifies the benefits of urban greening.

461 The applicant has provided a calculation of the Urban Greening Factor within the Landscape and Public Realm Statement, demonstrating a site wide UGF of 0.30 will be achieved for the application site. The following breakdown of the UGF has been provided:

Table 7: Urban Greening Factor

Surface Cover Type	Factor	Area (m²)	Contribution
Semi-natural vegetation (e.g. trees, woodland, species-rich grassland) maintained or established on site.	1		0
Wetland or open water (semi-natural; not chlorinated) maintained or established on site.	1		0
Intensive green roof or vegetation over structure. Substrate minimum settled depth of 150mm.	0.8	379	303.2
Standard trees planted in connected tree pits with a minimum soil volume equivalent to at least two thirds of the projected canopy area of the mature tree.	0.8	580	464
Extensive green roof with substrate of minimum settled depth of 80mm (or 60mm beneath vegetation blanket) – meets the requirements of GRO Code 2014.	0.7		0
Flower-rich perennial planting.	0.7	91	63.7
Rain gardens and other vegetated sustainable drainage elements.	0.7		0
Hedges (line of mature shrubs one or two shrubs wide).	0.6		0
Standard trees planted in pits with soil volumes less than two thirds of the projected canopy area of the mature tree.	0.6	131	78.6
Green wall –modular system or climbers rooted in soil.	0.6		0
Groundcover planting.	0.5	57	28.5
Amenity grassland (species-poor, regularly mown lawn).	0.4		0
Extensive green roof of sedum mat or other lightweight systems that do not meet GRO Code 2014.	0.3		0
Water features (chlorinated) or unplanted detention basins.	0.2		0
Permeable paving.	0.1		0
Sealed surfaces (e.g. concrete, asphalt, waterproofing, stone).	0	2476	0
Total contribution			**938**
Total site area (m²)			3,029
Urban Greening Factor			**0.309703833**

462 It is considered that urban greening has been appropriately embedded as a fundamental element of the site and building design. This is reflected in the proposal's 0.3 UGF score, which complies with the target set in London Plan Policy G5.

463 Overall, the proposed development would deliver an increase in greenspace and tree planting, including the provision of 3 planted roof terraces. Subject to a condition requiring a full landscaping and maintenance scheme to be submitted and approved to ensure the proposals are carried through to the build out, the application is policy compliant in respect of urban greening.

Sustainability and climate change

464 This section assesses the sustainability of the proposals, including air quality, the proposed energy strategy, waste and the circular economy, flood risk and drainage mitigation, and water usage.

465 Sustainable infrastructure policies within the London Plan are set out in chapter 9 and require developments to make the fullest contribution to the mitigation of, and adaptation to, climate change, minimise carbon dioxide emissions and meet the highest standard of sustainable design. The policies set stringent standards regarding air quality, greenhouse gas emissions, energy infrastructure, water infrastructure, waste and the support for the circular economy.

466 The following documents also provide guidance on sustainability and climate change matters: Environment Strategy; Sustainable Design & Construction SPD; Circular Economy Statements draft LPG; Whole-life Carbon Assessments draft LPG; 'Be Seen' Energy Monitoring Guidance LPG; Control of dust and emissions during construction and demolition SPG; Air Quality Neutral draft LPG; Air Quality Positive draft LPG.

467 The Southwark Plan includes a number of policies relating to sustainability, including P59 (green infrastructure), P62 (reducing waste), P64 (contaminated land and hazardous substances), P65 (air quality), P68 (flood risk), P69 (sustainability standards) and P70 (energy).

Sustainability strategy

468 The applicant has submitted an Energy and Sustainability Report for the site, which sets out a number of climate change adaptation measures proposed in the design and construction process. Where appropriate, the themes within the Sustainability Statement have been considered separately in this report under sections addressing energy, flood risk and drainage, air quality, transport, ecology and biodiversity, waste management/circular economy and socio-economics. The remaining themes are considered as follows:

469 BREEAM: The applicant is targeting a BREEAM "excellent" rating for the non-residential floorspace. It is recommended that the commitment relating to BREEAM is secured by way of planning condition, in line with the requirements of Policy P69.

470 Water consumption: The sustainability statement proposes that the non-residential components of the development would target a greater than 45% reduction in water consumption and scores of 3 on water measures, which is strongly supported.

Water efficient fittings, water meters and water leak detection systems are proposed. The selection of sanitary fittings would be informed by products accredited or certified to robust water efficiency standards. The implementation of these measures is strongly supported in line with London Plan Policy SI5 and Southwark Policy P67 and would be secured by condition.

Air quality

471 Paragraph 181 of the NPPF states that planning decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas (AQMA) and Clean Air Zones, with further guidance provided in the Government's Planning Practice Guidance (PPG).

472 London Plan Policy SI1 states that development proposals should not create unacceptable risk of high levels of exposure to poor air quality and should ensure design solutions are incorporated to prevent or minimise increased exposure to existing air pollution. Policy P65 of the Southwark Plan requires development to achieve air quality neutral standards and address air quality impacts on future occupiers.

473 The whole of Southwark, including the application site, is within an AQMA. The applicant has submitted an assessment of the proposal's impact on air quality, set out in the Environmental Statement. This assessment looks at the impacts of demolition and construction, traffic generated by the scheme and emission from plant equipment.

474 Construction Phase: During the demolition and construction works, there is the potential that emissions of dust, vehicle movement and construction plant could result in a loss of amenity at nearby existing residential properties. However, with the implementation of suitable mitigation, including following best practice to reduce dust emissions from works, it is anticipated that the likely effects from dust effects and vehicle emissions could be mitigated so as not to be significant. As such, planning conditions are recommended that require the approval and implementation of a Dust Management Plan (DMP) and a Construction Environmental Management (CEMP), prior to undertaking any works on site. Subject to these conditions, the likely temporary effects on air quality during the construction period are acceptable.

475 Operational Phase: Air quality impacts once the proposed development has been completed would arise due to emissions from road traffic movements and plant associated with the proposed development. The assessment concludes that the operational air quality effects, without mitigation, are not considered to be significant for both Option 1 and Option 2. Specifically: the proposal would not generate a significant amount of additional traffic during construction or once operational; the development would not cause any exceedances of the air quality objectives as a result of emissions generated during testing of the proposed emergency plant; predicted concentrations within the proposed development would be below the air quality objectives; and, future users would experience acceptable air quality. Overall, it is considered that the completed development would not give rise to a significant effect on air quality at either off-site existing receptors or at future on-site receptors.

476 In terms of air quality, the proposed development (Option 1 and Option 2) would be air quality neutral in terms of both building and transport emissions. When considered cumulatively with other emerging development, the air quality effects have been defined

as not significant. However, in line with London Plan Policy SI1C, development for large-scale proposals subject to an EIA should consider how local air quality can be improved across the area of the proposal, as part of an air quality positive approach. Accordingly, a condition should be secured requiring the submission of an Air Quality Positive Statement (AQPS), for approval by Southwark Council.

477 Having reviewed the applicant's air quality assessment, GLA officers consider that identified air quality impacts can be suitably mitigated via the proposed mitigation. Subject to a condition requiring the submission and approval of an AQPS, the application complies with the requirements of the NPPF, London Plan Policy SI1 and Policy P65 of the Southwark Plan.

Energy

478 Policy SI2 of the London Plan requires development proposals to minimise carbon dioxide emissions to meet the Mayor's targets, in accordance with the energy hierarchy, which is reflected in Policy P70 of Southwark's Plan.

- Be lean: use less energy:
- Be clean: supply energy efficiently;
- Be green: use renewable energy.
- Be seen: monitor and report on energy performance

479 Policy SI2 of the London Plan also requires calculation of whole life-cycle carbon emissions.

480 Policy SI 2 of the London Plan requires all major developments (residential and non-residential) to meet a net-zero carbon target. Reductions in carbon emissions beyond Part L of the 2013 Building Regulations should be met on-site. Only where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site a contribution to a carbon offset fund or reductions provided off site can be considered. The policy requires that a minimum on-site reduction of at least 35% improvement beyond Part L 2013 Building Regulations

481 Policy SI2 of the London Plan also includes the expectation that energy efficiency measures alone should account for a minimum of 10% of the reductions in carbon dioxide emissions for residential development and 15% for non-residential development.

482 An updated Energy and Sustainability Statement was submitted by the applicant as part of the revised application in November 2021, setting out how the development proposes to reduce carbon emissions beyond that of the previously considered proposal. The following overall carbon emission savings have been calculated for each of the energy hierarchy:

Table 8: carbon emission savings

Option 1- medical use		
	Regulated Carbon Dioxide Emission Savings	
	Tonnes/Year	**(%)**
Be Lean	102.2	34%
Be Clean	0	0%
Be Green	69.6	23%
Total	171.8	**57%**
Option 2 – medical related R&D		
	Regulated Carbon Dioxide Emission Savings	
	Tonnes/Year	**(%)**
Be Lean	88.3	31%
Be Clean	0	0%
Be Green	67	24%
Total	155.2	**55%**

Table – Collated Carbon Emissions Savings

483 Energy efficiency (Be Lean): A range of passive design features and demand reduction measures are proposed as part of the development to reduce energy demand, including enhanced thermal envelope performance. The heating and cooling strategy for the proposed development would primarily be achieved through reversible air sourced heat pumps (ASHP). The demand for cooling and the overheating risk will be minimised through a number of methods including mixed-mode ventilation with natural ventilation, solar shading and energy efficient appliances and an air handling heat recovery (AHU).

484 A full thermal comfort assessment has been submitted and reviewed by the GLA energy team. No issues are raised in this respect.

485 As set out above, the proposed development would achieve a 34% reduction through energy efficient measures (be lean) for Option 1 and a 31% savings for Option 2, in line with London Plan Policy SI2. Overall, GLA officers are satisfied that the revised proposal ensures that reductions in carbon dioxide savings from energy efficiency measures have been maximised.

486 Supply energy efficiently (Be Clean): In line with London Plan Policy SI3, the potential for connection to nearby existing low carbon heat distribution networks was investigated and, based on the information shown in the London Heat Map (which was also confirmed by the Council), there are no existing district heating (DH) schemes in close proximity to the site. The proposed development would, however, be future-proofed to make allowance for a connection, should a low-carbon district heat network become available. An on-site combined heat and power (CHP) option was investigated, but discounted, as it would not deliver the lowest carbon dioxide emissions (given electrical grid decarbonisation) and it would not help to protect local air quality.

487 Use renewable energy (Be Green): The applicant has investigated the feasibility of a range of renewable energy technologies and has identified photovoltaics (PV) and air source heat pumps as the most suitable renewable technologies. GLA officers consider that PVs could be maximised across the site by utilising areas of green roof in a bio-solar arrangement. A condition is therefore secured to demonstrate that PV has

been maximised across the site, including the provision of bio-solar PV where this is feasible.

488 Overall savings: Based on the energy assessment submitted, Option 1 would achieve a reduction of 171.8 tonnes of carbon dioxide per year in regulated emissions compared to a 2013 Building Regulations compliant development, equivalent to an overall saving of 57%. Option 2 would achieve a reduction of 155.2 tonnes of carbon dioxide per year in regulated emissions compared to a 2013 Building Regulations compliant development, equivalent to an overall saving of 55%. Accordingly, both options would require a contribution to make up for this deficit, which will be paid into Southwark's carbon offset fund, to be secured in the section 106 agreement. The proposal would exceed the minimum 35% required by policy which is considered acceptable particularly noting the energy intensive uses proposed as either a GSTT or a research and development use as demonstrated within the application submission.

489 Carbon offset contributions to be secured by conditions and within the s106 agreement have subsequently been calculated as at £95 per tonne year with residential and non-residential uses offset to 100% (zero carbon) as per London Plan 2021 and Energy Planning Guidance requirements. Overall, the proposal accords with the requirements of London Plan Policy SI2, and Policy P70 of the Southwark Plan.

Table 9: Carbon Emissions Savings

		Carbon Offset (tonnes)	**Cost at £95 per tonne**
Option 1	Annual Offset (non-residential)	130.2	£371,127
Option 2	Annual Offset (non-residential areas)	126.6	£360,920

490 The applicant has also provided a whole life-cycle carbon emissions calculation, which is supported in line with London Plan Policy SI2. Whole-life carbon post-construction monitoring would be secured by condition.

Waste and the circular economy

491 London Plan Policy SI7 seeks to reduce waste and increase material reuse and recycling and promotes a circular economy. The policy also sets several waste targets including a strategic target of zero biodegradable waste or recyclable waste to landfill by 2026. Further relevant criteria are set out in Policy P62 of the Southwark Plan.

492 The applicant has submitted a detailed Circular Economy Statement in line with London Plan Policy SI7, which demonstrates how all materials arising from demolition and remediation works will be re-used and/or recycled; how design and construction will reduce material demands, and allow re-use; how as much waste as possible will be managed on-site; outlines storage space and collection systems to support recycling and re-use; estimates of how much waste the proposal is expected to generate; and how and where it will be managed, monitored and reported.

493 The applicant has proactively engaged with the GLA Circular Economy team during the application process. Further detailed information has been provided regarding recycling and waste reporting and operational waste. In line with the GLA guidance on

Circular Economy, the submitted statement includes clear commitments to circular economy measures which exceed best practice. Overall, GLA officers are satisfied that the submitted information meets the policy requirements of London Plan Policy SI7 and Southwark Policy P62. A condition is recommended to secure post-construction monitoring, in line with the commitments detailed within the Circular Economy Statement.

Flood risk and drainage

494 Paragraph 163 of the NPPF states that where appropriate, planning applications should be supported by a site-specific flood-risk assessment. This is reflected in London Plan Policy SI12. The NPPF also states that major developments should incorporate sustainable drainage systems which is reflected in London Plan Policy SI13. Policy P67 of the Southwark Plan sets out criteria to ensure that flood risk is not increased by developments and that new development is resilient to flooding.

495 An updated Flood Risk Assessment (FRA) and Drainage Assessment Report was submitted to the GLA in November 2021, reflecting the proposed medical/medical-related R & D use.

496 The site is located within Flood Zone 3a (high probability of flooding), within an area benefiting from Thames Tidal defences. In accordance with the NPPF, the office, retail and affordable workspace uses are classified as ‘less vulnerable’ uses, while the medical use and medical-related research and development use would be classes as ‘more vulnerable’. An exception test is required for the more vulnerable uses within flood zone 3a.

497 The Council’s flood risk officer and GLA Environment Team have confirmed that the proposed development would meet the Exception Test in line with NPPF guidelines. Appropriate mitigation measures and flood resilient construction are proposed for the areas at risk of flooding. In line with the Flood Risk Assessment, finished floor levels for the ‘more vulnerable’ uses are set above the 2,100-breach flood level. Subject to a condition requiring the submission of a Flood Warning and Evacuation Plan, the proposal generally complies with London Plan Policy SI12.

498 A surface water drainage strategy has been proposed. The site is currently largely impermeable, and the development would introduce a range of sustainable drainage and water attenuation measures such as infiltration in soft landscaping areas, permeable paving blocks, green and blue roofs and beneath ground water storage tanks to improve the existing surface water run off levels. These measures would restrict peak surface water flows to greenfield rates, which is supported. A condition is required to secure the submission of a detailed drainage strategy, for approval by the local authority. Thames Water have also requested conditions relating to Water supply, Piling and protection or water mains.

Contamination

499 Ground conditions and potential land contamination have been assessed and no significant impacts are anticipated. Notwithstanding this, given the scale of the proposed development, Southwark Council has requested standard conditions around land contamination, soil sampling and remediation measures be imposed to ensure that there would be no adverse impacts resulting from the proposed development in terms of ground conditions.

Conclusion on sustainability and climate change

500 The proposed development would fall short of the on site zero carbon target of the London Plan and a contribution towards the borough's off-set fund will be required and secured to make up for any deficit. The development would not increase flood risk and would deliver sustainable urban drainage benefits over the existing situation at the site. The development has committed to achieve acceptable standards in sustainable design, construction and urban greening/trees. In this respect, the development is generally in compliance with relevant planning policies regarding sustainability and adapting to climate change.

Transport

501 Chapter 9 of the NPPF sets out the Government's aim to promote the use of sustainable modes of transport. When considering the transport implications of development proposals, the NPPF states that decision-makers should ensure that site specific opportunities available to promote sustainable transport modes have been taken up; safe and suitable access to site would be achieved for all users; and any significant impacts from development on transport network (in terms of capacity or congestion) or highways safety can be mitigated to an acceptable degree. Paragraph 109 of the NPPF states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety or where residual cumulative impacts on the road network would be severe. Paragraph 110 of the NPPF sets out additional criteria which should be addressed which includes pedestrian, cycle and inclusive access.

502 The Mayor's Transport Strategy (2018) (MTS) seeks to promote sustainable mode shift, reduce road congestion, improve air quality and assist in the development of attractive, healthy and active places. The MTS aims to ensure that by 2041, 80% of all Londoners' trips will be made on foot, by cycle or by public transport. Policy T1 of the London Plan requires development proposals to support this overarching aim, as do a range of other policies in the London Plan on 'Healthy Streets' (Policy T2), cycling (Policy T5), parking (Policy T6, T6.1-T6.5) and funding necessary transport mitigation measures (Policy T9). Policy T4 of the London Plan requires transport impacts to be assessed and mitigated and avoid road danger.

503 At a local level, the Southwark Plan contains a range of relevant transport policies, including P49 (public transport), P50 (highways impacts), P51 (walking), P52 (Low Line routes), P53 (cycling) and P54 and P55 (car parking).

504 Issues with respect to transport were considered by the Council within the committee report. This assessment concluded that the London Plan and local plan transport requirements had been satisfactorily addressed, subject to agreement of

appropriate planning conditions and section 106 obligations to secure necessary mitigation measures. Transport does not feature in the Council's reason for refusal. The Mayor's Stage 2 confirmed that the consultation stage issues had been resolved subject to conditions/s106 obligations requiring a commitment to consolidate deliveries and servicing movements with the adjacent sites. Strategic transport mitigation was also accepted by the applicant in the form of financial contributions towards bus improvements, cycle hire provisions, Legible London Signage and the St Thomas Street Healthy Streets Scheme.

505 Following the Mayor's takeover of the application, a revised Transport Assessment has been submitted as part of the ES, which appropriately demonstrates the revisions to the proposal in terms of layout and land use.

Transport context

506 The nearest rail station is London Bridge, which is served by the London Underground Jubilee and Northern lines and National Rail Thameslink and South Eastern Trains services, with entrances 200m and 300m from the western end of the site on St Thomas Street. The nearest bus stops are within 300m of the site at London Bridge Bus Station, Borough High Street, and Tooley Street. River bus services can be accessed approximately 620m to the north of the site from London Bridge Pier.

507 Due to the extensive public transport connections, the site has a Public Transport Access Level (PTAL) of 6b, on a scale of 0 to 6b where 6b is the most accessible. The site is also served by the Mayor's cycle hire scheme, Santander Cycles. The nearest cycle hire docking stations are located at Snowfields, Potters Fields Road and Tanner Street.

508 The site is also near several strategic cycle network (SCN) routes. Cycleway 3 (CS3) which can be accessed via London Bridge, and Cycleway 7 (CS7) on Southwark Bridge Road, are approximately 400m and 600m respectively to the west of the site. Cycleway 4 (C4) is being constructed between Tower Bridge and Greenwich and is already operational between Tower Bridge and Canada Water, and is approximately 1km to the east of the site. There is an aspiration to extend C4 to London Bridge and the City via Tooley Street and Duke Street Hill.

509 National Cycle Network Route 4 (NCN 4) can be accessed approximately 200m north of the site on Tooley Street. Union Street and Newcomen Street, approximately 300m to the south of the site forms part of the Central London Grid/Quietway 14.

510 During the pandemic, London Street-space Plan (LSP) schemes have been introduced in St Thomas Street (western end) and Borough High Street (footway widening), and Duke Street Hill (cycle improvements). London Bridge and Bishopsgate have been closed to general traffic. All LSP schemes are temporary and will require further public consultation prior to making permanent.

511 There is an aspiration to deliver a Healthy Streets Scheme in St Thomas Street, building on the LSP scheme and providing a contraflow cycle track, so that it is open to cyclists both ways, rather than just one way (westbound) now.

Transport impacts

512 Southwark Plan Policy P49 states that the public transport network must have sufficient capacity to support any increase in the number of journeys by the users of the development, taking into account the cumulative impact of local existing and permitted development.

513 The TA sets out the predicted trips for two options, Option 1 (medical) and Option 2 (research and development). The methodology used is acceptable. The peak trip generation for Option 1 is approximately 877 AM and 681 PM peaks. Option 2 includes approximately 494 total AM and 426 PM peak trips.

514 The TA provides an extensive assessment of the additional trips and the impacts on various aspects of public transport services, including the gate line and escalators at London Bridge Underground station, along with train and bus loading. Given the range and frequency of services and high background demand, the increase in demand from the development is negligible. Notwithstanding this, the proposal would be required to make a financial contribution towards increased bus capacity in the north of the borough. This would be secured within the S106.

515 The very low level of peak hour service vehicle/taxi trips on Snowsfields (maximum 4 per hour) and St Thomas Street eastern end (maximum 6 per hour) would have a negligible impact on local traffic. Overall, the proposal therefore complies with Southwark Plan policy P50.

Healthy Streets and Vision Zero

516 The Healthy Streets approach aims to create a high quality, attractive and inclusive environment in which people choose to walk, cycle and use public transport. The dominance of vehicles should be reduced by using design to ensure slower speeds and safer driver behaviour, in line with the Mayor's Vision Zero ambition. This intent is reflected in London Plan Policies T2 and T4 and Southwark Plan Policy P51.

517 The proposed development would generate an increase in pedestrian and cycle trips to / from the site and the local area. As previously discussed, the redevelopment of the site would open up new pedestrian routes through the site, which would improve permeability and connectively within the surrounding area. Specifically, the proposed site layout would include an improved east-west pedestrian route adjacent to St Thomas Street, a secondary east-west route from Snowsfields to Fenning Street (via Vinegar Yard) along with new north-south routes from Snowsfields to St Thomas Street and from Melior Place to St Thomas Street via Vinegar Yard. Given the car-free nature of the development, except for service vehicles, these routes are car free, creating a development where walking and cycling has priority over all other modes. Whilst servicing would occur within the site via Vinegar Yard, access to the area would have time restrictions to minimise conflicts with pedestrians and cyclists and would include maximum caps of vehicles per day. In addition to the creation of new pedestrian and cycle routes, the proposal would provide a new area of public realm at the eastern end of the site which would provide shaded areas and places to sit, in line with the Healthy Street policy.

518 The footways around the site, which are currently narrow asphalt/concrete, would be improved with new paving and raised tables would be provided at junctions. The

junction of Vinegar Yard and St Thomas Street would be stopped up and revert to footway. Whilst concerns have been received regarding the width of the footway along St Thomas Street, officers are satisfied that the proposed design and improvements to paving would improve the free flow of pedestrians in the area, in line with London Plan Policy D8 and T2.

519 In terms of improvements to cycle infrastructure, the applicant has worked closely with TfL officers to ensure that the proposed development safeguards adequate space for the provision of a segregated cycle track as part of the proposed St Thomas Street Healthy Street scheme. This is strongly supported and a financial contribution towards delivery of the scheme will be secured, as with other developments in the area. Furthermore, in line with Southwark Policy P53, a financial contribution is required towards two new cycle hire docking stations proposed for the St Thomas Street area.

520 Overall, it is considered that the layout of the development, and additional improvements outside the site's boundary, provide improvements for pedestrians and cyclists. These improvements will be delivered through a s278 agreement, for works on the public highway, or through the Public Realm Works, both of which would be secured through the s106 agreement. A contribution towards Legible London signage would also be secured. These improvements would contribute to the Mayor's Healthy Streets agenda for encouraging active travel and mode shift away from the private vehicle. Therefore, GLA officers consider that the application would comply with London Plan Policies T2 and T4.

Vehicle access and parking

521 London Plan Policy T6.2 and T6.3 set out the principle of restricting car parking, with office/retail developments within the CAZ and Inner London being 'Car free'. In line with these policies, the proposal does not propose any car parking. This is strongly supported. A condition would restrict future visitors or owners of the development from applying for parking permits.

522 Two on-street disabled car parking bays are proposed. This meets London Plan standards (minimum one disabled space for commercial uses) and is commensurate with the site's location in the CAZ, adjacent to the fully accessible London Bridge station.

523 A new vehicle crossover is required on Snowsfields to provide access for service and delivery vehicles. This would replace an existing crossover which does not benefit from a raised footway. Accordingly, there would be no loss of pedestrian amenity. Existing on-street parking bays would need to be relocated to either side of the crossover, however there will be no loss of provision. This detail would be secured within a S278 agreement.

Taxi pick up/drop off

524 A small number of taxi movements (10 per hour) are predicted with Option 1 due to the pick-up and drop-off of outpatients. Taxi movements for Option 2 are lower, limited to standard office taxi pick up/set down.

525 The TA assumes that these movements are spread around the local roads adjacent to the site, with drops-offs and pick-ups taking place at various kerbside locals

on an ad- hoc basis. The TA asserts that there are enough locations for this to happen without impacting on the local network.

526 The alternative would be to provide a dedicated pick up/drop off point, for example the east side of Fenning Street. This could be inset, but at the detriment to pedestrian amenity. The disadvantage of a dedicated provision in this location is that it may act to encourage pick up and drop off by vehicles, which is contrary to strategic traffic reduction/mode shift policies in the London Plan and the Southwark Plan, and the CAZ location. As such, a dedicated pick up/drop off point is not considered necessary or appropriate.

527 A travel plan would be secured by condition and would be required to contain targets for reducing vehicle pick up/drop off and have a monitoring regime, for example regular patient travel surveys.

Cycle parking and facilities

528 New development should take every opportunity to overcome the barriers to cycling and the provision of good quality, well located cycle parking is an essential element of this. London Plan Policy T5 sets standards for cycle parking and requires that its design should accord with the London Cycle Design Standards (LCDS). Southwark Plan Policy P53 states that development must provide cycle parking that is secure, weatherproof, conveniently located, well-lit and accessible.

529 In line with London Plan T5, Option 1 requires a minimum of 292 long stay and 173 short stay cycle parking spaces, and Option 2 requires 288 long stay and 73 short stay spaces. The applicant proposes that the cycle parking for the proposed development is provided as per Option 1, regardless of the final option taken forward. This approach is supported.

530 Just under half of the cycle parking spaces (82 long stay, 122 short stay) are proposed to be in an automated cycle parking facility. This type of cycle parking is unproven in the UK and there are only a few examples in operation around the world. There are clear benefits such as freeing up basement space for other uses, freeing up public realm that would be required for short stay cycle parking, security, accessibility and reduced proportion of double stackers in the traditional basement cycle parking. However, as with any powered system there is also a risk of breakdown and there is no alternative mechanical retrieval mechanism, so a breakdown would render the store unusable whilst it was out of action. Whilst the manufacturer has yet to be specified, the applicant has provided data from other systems in use, for example in Japan, that show the system to be reliable and call out times should be similar to lift breakdowns. The applicant has also provided details on waiting times confirming that the public realm would not be impacted with users queuing to drop off or pick up their cycle.

531 In policy terms there is no reason not to accept the automated facility, indeed it accords with many requirements of the LCDS, as listed above. London is a city where new pioneering solutions have been introduced first, and automated cycle parking could be a solution to increasing cycle parking requirements on small development sites elsewhere in London and other UK cities. As such, the proposal is considered acceptable in this case. The applicant will be required to monitor the reliability and use of the facility, producing monitoring reports for the Council and TfL in year 1, 3 and 5 after completion. This will be secured by condition.

532 The remainder of the cycle parking will be provided within the basement or within the public realm. The basement cycle parking is accessed via a shallow ramp and lift, in accordance with the LCDS. A condition requiring approval of the detailed layout of the cycle parking by the local planning authority will be included in the permission.

533 The provision of end of journey facilities for employees, such as showers and lockers, are also included. The submission of the cycle parking layout, including all complementary facilities, would be secured by condition and should meet the requirements in the London Cycle Design Standards (LCDS). This includes at least 5% of spaces suitable for larger bikes, convenient access, provision of showers and changing facilities for employees. The proposed cycle parking provision meets the policy objectives of Policy T5 of the London Plan and Policy P53 of the Southwark Plan.

Deliveries and servicing

534 Southwark Plan Policy P50 requires development to minimise the demand for private car journeys, ensure safe and efficient operation of the local road network and the Transport for London Road Network, ensure safe and efficient delivery and servicing that minimises the number of motor vehicle journeys, and incorporate delivery and servicing within major development sites and not on the public highway.

535 A two-loading bay service area is proposed, accessed via a new crossover on Snowsfields. Off street loading within the building footprint is in line with Policy P50. Two loading bays provide the anticipated capacity required and gives a degree of flexibility. A further benefit of a servicing area accessed off Snowsfields is that service vehicles are kept away from St Thomas Street and Fenning Street. The former is the main service vehicle route for London Bridge Station, the Shard and the other developments proposed on St Thomas Street, the latter has on-street servicing for the recently approved Becket House/Edge development.

536 The TA anticipates a maximum of 41 daily servicing vehicle trips (one way) with Option 1 (medical use) and 33 with Option 2 (medical related research and development). The applicant has agreed to a cap of 40 (one way) service vehicle trips per day, which could be adequately accommodated within the two loading bays proposed. This cap would be secured by an appropriately worded planning condition.

537 In addition to the maximum cap on vehicles entering the site, there shall be no trips by good or service vehicles to the site during the hours of 07:30-09:30, 12:00-14:00, and 16:30-18:30 except in the cases of emergency or as agreed in writing with London Borough of Southwark. These restrictions would ensure that the public realm is vehicle free for the majority of the working day, during the hours where pedestrian footfall and use of the public realm are expected to be the highest.

538 The applicant is also required to submit a detailed delivery and servicing management plan (DSP) to the local planning authority for approval. The DSP will contain targets for electric vehicle and cargo bikes and be supported by a bond. Fast charge electric vehicle charging will be available in the loading bay.

539 GLA officers acknowledge that the proposed delivery and servicing arrangement has been revised following the Mayor's take-over of the application. Whilst servicing was previously proposed from Fenning Street, in line with the coordinated approach with the St Thomas Street sites, this is no longer possible due to the increased servicing requirements for the medical and research and development use. Objections have been received from members of the public and adjacent landowners regarding the proposed servicing arrangement and associated number of vehicle servicing trips. Specific concerns were raised regarding the impacts on the surrounding road network, the quality of public realm and the impacts on pedestrian routes and amenity space within the wider area.

540 As discussed in the urban design section of this report, GLA officers acknowledge that the requirement for on-site servicing has severely restricted the quantum of public realm that is able to be delivered. As a result, the provision falls significantly below the requirement within Southwark's site allocation. However, the redevelopment of the site would create new pedestrian routes within the area and would provide a meaningful area of public realm at the eastern end of the site. GLA officers are satisfied that the proposed stringent controls on the number of service vehicles and vehicle-free windows would ensure that the pedestrian routes and public realm would remain largely vehicle-free during peak times. Specifically, the s106 agreement caps the number of good and service vehicles at 40 one-way trip per day and restricts access during the hours of 07:30-09:30, 12:00-14:00, and 16:30-18:30.

541 In response to concerns raised during public consultation, GLA and TfL officers are satisfied that capacity issues on the surrounding road network and safety issues in terms of conflict between servicing vehicles and pedestrians can be controlled by conditions, including the restrictions on service vehicles and details of the landscaping and public realm. Furthermore, the supporting documents indicate that service vehicles would be able to safely navigate the site and surrounding road network. Accordingly, on balance, the approach to servicing is acceptable, subject to securing the necessary planning obligations.

Demolition and construction

542 An Outline Construction Environmental Management Plan (CEMP) has been submitted as part of the planning application. This provides details on the proposed construction methodology, phasing, access routes as well as estimates on likely construction vehicle numbers and how these will be managed. It is expected that a detailed (CEMP) and Construction Logistics Plan (CLP) would be prepared in line with TfL Construction Logistics Plan guidance. The submission of a combined Demolition and Construction Environmental Management and Logistics Plan prior to commencement would be secured within the S106 legal agreement.

543 As the development requires deep excavation adjacent to the public highway, the developer is required to secure technical approval from the Council and TfL as the TAA (Technical Approval Authority) for borough roads and TLRN respectively, in accordance with National Standards (CG 300 -Technical approval of highway structures). This will be an informative in the permission. A basement impact assessment review would also be required in the s106 agreement.

Travel Plan

544 A travel plan will be secured by condition, to be submitted for approval by the local planning authority. As outlined above, this will need to include a strategy to minimise taxi pick up and drop off under the Option 1 scenario.

Hostile vehicle mitigation

545 A condition would require a hostile vehicle mitigation (HVM) strategy to be submitted for approval by the local planning authority in consultation with TfL and Metropolitan Police. HVM should be integrated into the streetscape/landscape design, not be a barrier to pedestrian movement or a collision risk to visually impaired people and should not add to maintenance costs to the highway authority where the HVM is placed on the public highway.

Environmental impacts

546 Transport has been fully reviewed for any potential environmental impacts and this information is set out in detail in Chapter 7 of the ES which has looked at the potential effects on severance; pedestrian and cyclist delay; driver delay; accidents and safety, public transport; transport users; and pedestrian and cyclist amenity, fear and intimidation. During the demolition and construction phase, the ES concludes that there would be no significant impact on any of these parameters/receptors with effects being categorised as negligible. This would also be the case when assessing the impact of the completed development with all effects being categorised as negligible.

547 Consideration has also been given to the potential for cumulative effects that could occur during the construction phase and as part of the completed development. In both instances the effects are considered negligible and as such not significant.

548 Climate change has been considered as part of the traffic and transport ES assessment and it is concluded that it will not have a direct effect on severance; delay; or amenity, fear and intimidation. Changing to more sustainable and active travel modes, lower emission vehicles and improved technology (which would also increase telecommuting and flexible working) could result in a reduction in peak hour travel and traffic and the consequent reduced emissions and traffic volumes could have a benefit for cyclists and pedestrians.

Conclusion on transport matters

549 The proposed site layout would improve legibility and connectivity by providing new walking routes between St Thomas Street and Melior Street, to Snowsfields and onwards to Bermondsey Street. This would be complemented by Legible London signage and financial and in-kind contributions towards Healthy Streets.

550 The development would be car free with very limited disabled car parking and would encourage the adoption of more sustainable and active forms of transport such as walking, cycling and public transport. The proposed development would provide a range of cycle parking options as well as extensive facilities to encourage cycling to work. A financial contribution towards extending the cycle hire scheme would also be secured as part of the S106 agreement. Whilst on-site servicing would take place, this would be subject to stringent controls in terms of vehicle-free hours and a maximum daily cap.

551 The ES has given an in-depth assessment of the possible environmental impacts that could arise because of the development and has concluded that there would be no significant effects. The development has been shown to have a very limited impact on the public transport network. Vehicle trips would also be limited, and the proposed servicing arrangements would be appropriately secured to minimise highways impacts and conflict with pedestrians. On balance, the proposal complies with the relevant transport policies of the London Plan and Southwark Plan.

Mitigating the impact of the development through planning obligations

552 Regulation 122 of the Community Infrastructure Levy Regulations 2010 states that a section 106 planning obligation may only constitute a reason for granting planning permission for the development if the obligation is necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. These are statutory tests.

553 The NPPF states that “Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.”

554 Southwark’s Section 106 Planning Obligations and Community Infrastructure Levy SPD (2015) provides further guidance on how the Council will secure planning obligations, where these are necessary to mitigate the impacts of development.

555 Pursuant to the consideration within the previous sections of this report, and in line with the policy context set out above, GLA officers propose to secure several planning obligations required to appropriately mitigate the impact of this development, which are set out in full at paragraph 11 of this report. GLA officers are confident that the obligations in the Section 106 agreement meet the tests in Regulation 122 of the CIL Regulations 2010 as amended in 2019 as they either will not be spent on “infrastructure” as defined in the regulations or will be sufficiently narrowly described in the section 106 agreement. A full list of the obligations is provided under paragraphs 3-12 above, and where appropriate there is detailed consideration given in the relevant topic section of the report.

Legal considerations

556 Under the arrangements set out in Article 7 of the Order and the powers conferred by Section 2A of the Town and Country Planning Act 1990 the Mayor, acting under delegated authority, is the Local Planning Authority (LPA) for the purposes of determining this planning application ref: 18/AP/4171.

557 Section 35 of the Greater London Authority Act 2007 inserts section 2F into the Town and Country Planning Act 1990 a requirement that for applications the Mayor takes over, the Mayor must give the applicants and the LPA the opportunity to make oral representations at a hearing. He is also required to publish a document setting out:

- who else may make oral representations;
- the procedures to be followed at the hearing; and,
- arrangements for identifying information, which must be agreed by persons making representations.

558 The details of the above are set out in the Mayor's Procedure for Representation Hearings which reflects, as far as is practicable, current best practice for speaking at planning committee amongst borough councils.

559 In carrying out his duties in relation to the determination of this application, the Mayor must have regard to a number of statutory provisions. Listed below are some of the most important provisions for this application.

560 Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that in dealing with such an application the authority shall have regard to:

a) The provisions of the development plan, so far as material to the application;
b) Any local finance considerations, so far as material to the application; and
c) Any other material consideration.

561 Section 70(4) defines "local finance consideration" as:

a) A grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or

b) Sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.

562 These issues are material planning considerations when determining planning applications or planning appeals.

563 Furthermore in determining any planning application and connected application, the Mayor is required by section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine the application in accordance with the Development Plan (i.e. the London Plan and the adopted Local Plan) unless material considerations indicate otherwise.

564 Other guidance, which has been formally adopted by Southwark Council and the GLA (e.g Supplementary Planning Documents and Supplementary Planning Guidance), will also be material considerations of some weight (where relevant). Those that are relevant to this application are detailed in this Representation Hearing report.

565 Officers are satisfied that the current report to the Mayor has had regard to the relevant provision of the Development Plan. The proposed section 106 package has been set out and complies with the relevant statutory tests, adequately mitigates the impact of the development and provides necessary infrastructure improvements.

566 As regards to the Community Infrastructure Levy (CIL) considerations, the Mayoral CIL payment associated with this development is estimated to be up to £6,247,260, whilst the Southwark CIL payment is estimated to be £22,698,378. Both figures take into account the expected relief from the affordable workspace floorspace.

567 In accordance with his statutory duty in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 the Mayor shall have special regard to the desirability of preserving Listed Buildings, their settings and any features of special architectural or historic interest which they possess. The Mayor is also required to give special attention to the desirability of preserving or enhancing the character or appearance of the conservation areas which may be affected by the proposed development (section 72 of the of the Planning [Listed Buildings and Conservation Areas] Act 1990). These matters have been addressed within earlier sections of the report.

568 Where the Mayor takes over an application, he becomes responsible for the section 106 legal agreement, although he is required to consult the relevant borough(s). In this instance, there have been a series of lawyer led meetings to discuss the section 106 content, and it has progressed on a number of key issues. Both the Mayor and the borough are given powers to enforce planning obligations.

569 When determining these planning applications, the Mayor is under a duty to take account of the provisions of the Human Rights Act 1998 as they relate to the development proposal and the conflicting interests of the applicants and any third party affected by, or opposing, the application, in reaching his decision. Planning decisions on the use of land can only be taken in line with the Town and Country Planning Acts and decided in accordance with the development plan unless material considerations indicate otherwise.

570 The key Articles to be aware of include the following:

(a) Article 6 - Right to a fair trial: In the determination of his civil rights and obligations... everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.
(b) Article 8 - Right to respect for private and family life: Everyone has the right to respect for his private and family life, his home and his correspondence.
(c) Article 1 of the First Protocol - Protection of property: Every person is entitled to the peaceful enjoyment of his possessions.

571 It should be noted, however, that most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted i.e. necessary to do so to give effect to the Town and Country Planning Acts and in the interests of such matters as public safety, national economic well-being and protection of health, amenity of the community etc. In this case this Representation Hearing report sets out how this application accords with the Development Plan.

572 Regulation 122 of the Community Infrastructure Levy Regulations 2010 states that a section 106 planning obligation may only constitute a reason for granting planning permission for the development if the obligation is necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. These are now statutory tests.

573 The Equality Act 2010 provides that in exercising its functions (which includes the functions exercised by the Mayor as Local Planning Authority), that the Mayor as a public authority shall amongst other duties have due regard to the need to a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act; b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

574 The protected characteristics set out in the Equality Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Equality Act acknowledges that compliance with the duties set out may involve treating some persons more favourably than others, but that this does not permit conduct that would otherwise be prohibited under the Act.

575 Officers are satisfied that the application material and officers' assessment has taken into account the equality and human rights issues referred to above. Particular matters of consideration have included provision of accessible housing and parking bays, the provision of affordable and family housing and the protection of neighbouring residential amenity.

Conclusion and planning balance

576 As detailed above, Section 38(6) of the Planning and Compensation Act 2004 requires matters to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

577 When assessing the planning application, the Mayor is required to give full consideration to the provisions of the development plan and all other material considerations. He is also required to consider the likely significant environmental effects of the development and be satisfied that the importance of the predicted effects and the scope for reducing them, are perfectly understood. As set out in paragraph 2 above, GLA officers consider that the proposal is in overall conformity with the development plan.

578 Whilst the proposal complies with most relevant planning policies at national, regional and local level, areas of non-compliance have been identified, in particular in the Heritage and Urban Design section of this report. Conflict has also been identified with the employment and open space provisions of Southwark Site Allocation NSP54. Accordingly, the proposed development conflicts with London Plan Policies HC1, HC2, D9C1(d&e), Southwark Policies 19 and 20 and does not meet all requirements of Site Allocation NSP54. These areas of non-compliance are discussed below.

Heritage balance

579 As detailed in sections 336-385 of this report and summarised in paragraphs 392-397, the proposed development would result in less than substantial harm to the significance to a number of heritage assets surrounding the site, including:

- Very low level of less than substantial harm to the setting and thus to the significance of the Tower of London World Heritage Site and would slightly

negatively affect the attributes of the Outstanding Universal Value, including the Tower's landmark siting and the concentric defences;

- Moderate level of harm to the significance of the Bermondsey Street Conservation Area and the Grade II listed buildings at 68-76, 78 Bermondsey Street, owing to the impact on setting from height and massing of the proposal above the homogeneous three and four storey scale of Bermondsey Street;
- Very low level of harm to the significance of the setting of the Tooley Street Conservation Area owing to the impact on the setting of St Johns Recreation Ground, in views facing east;
- Low level of harm to the group of Grade II listed buildings forming the Bermondsey Leather Market, owing to the impact on setting by way of the inclusion of a tall building in views from the central courtyard area; and,
- Moderate level of harm to the significance of the Horseshoe Inn (non-designated heritage asset) by way of the inclusion of tall building within the background setting of the asset.

580 The proposed adaptation and re-use of the existing warehouse at No.9 Fenning Street is considered to be a heritage benefit of the scheme.

581 The adverse impact on settings is generally caused by the appearance of a new modern building of such height, massing and design that would detract from the appreciation of some important views from or within these heritage assets. Such change would therefore cause a degree of harm to the understanding and appreciation of the heritage significance of these assets, which would generally fall at the low to moderate end of the scale of the 'less than substantial' harm, as defined by the NPPF. The harm identified to each heritage asset has been considered individually within the planning balance.

582 As the significance of a number of heritage assets would not be 'conserved' or enhanced, the application would be contrary to London Plan Policies HC1, D9 Part C1(d) and Southwark Policies 19 and 20. Whilst there is no balancing act built into Policy HC1, London Plan Policy D9(d) requires that proposals resulting in harm provide clear and convincing justification, demonstrating that alternatives have been explored and that there are clear public benefits that outweigh that harm. Southwark Policies 19 and 20 state that any harm as a result of a proposed development must be robustly justified. GLA officers are satisfied that alternative schemes have been explored and discounted, in line with Policy D9. Furthermore, as the proposal would result in a low level of harm to the setting of the Tower of London World Heritage Site, this is considered to be contrary to London Plan Policies HC2 and Part C1(e) of Policy D9.

583 Paragraph 193 of the NPPF says: "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."

584 However, paragraph 196 of the NPPF also states: "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use".

585 The proposals would provide the following public benefits, which would weigh in favour of the scheme:

13,552sq.m. of high-quality purpose-built medical floorspace and 918sq.m. of ancillary discounted medical floorspace (mezzanine level) which has been designed and developed to allow occupation by Guys and St Thomas Hospital as an extension of their outpatients' facility. **<u>OR</u>** 13,882sq.m. of high-quality medical/life sciences related research and development floorspace, suitable for biomedical laboratory space, which would make a significant contribution towards the healthcare and life sciences cluster (SC1 initiative) at London Bridge, which is a key priority for the London Borough of Southwark and supported by London Plan Policy.	*Significant weight* *Significant weight*
1,190sq.m. (GIA) of affordable workspace (Class B1) provided at £12 per square foot or 70% discount on market rates (capped at a maximum of £12 per square foot) and retained for 30 years. First preference of this space is secured for Southwark Studios (Southwark approved workspace provider) to provide affordable workspace to the creative industries.	*Significant weight*
180 sq.m. of dedicated community space within the refurbished warehouse at No.9 Fenning Street, offered at peppercorn rent.	*Moderate weight*
8,207sq.m. of high-quality office space (514 FTE jobs) which would contribute towards the CAZ and London Bridge, Borough and Bankside Opportunity Area employment targets	*Between Moderate and Significant weight*
1,035 sq.m. of affordable medical or research and development floorspace (Class D1/B1) and 918sq.m. of affordable workspace (Class B1), provided at 30% discount on market rates and secured for 30 years.	*Moderate weight*
£160,000 towards cycle hire docking stations within the vicinity of the site; £135,000 towards improved bus service capacity; and £360,000 Healthy Streets financial contribution towards the proposed cycle highways on St Thomas Street.	*Limited weight*
Approximately 1,550 jobs during construction	*Limited to moderate weight*
Heritage benefit through retention of Warehouse at No. 9 Fenning Street	*Moderate Weight*

586 Considerable and individual weight and importance must be attached to the harm caused by the proposals to surrounding heritage assets in any balancing exercise.

However, considering the extent of the harm that would be caused, which would be 'less than substantial' at the low to moderate end of the scale, and the public benefits outlined above, it is concluded that the public benefits delivered by the scheme would clearly and convincingly outweigh the heritage harm. The balancing exercise under paragraph 196 of the Framework is therefore favourable to the proposals and, despite the policy conflicts outlined above, the proposals would be acceptable in terms of impact on heritage assets.

Overall planning balance

587 As noted above, the proposals do not fully comply with development plan policies concerning heritage, although the NPPF paragraph 196 balancing act is favourable to the scheme.

588 In addition to the conflict with heritage policies identified above, the proposal would not meet specific requirements of Site Allocation NSP54 relating to employment space and public realm provision. The overall quality and quantum of public realm and the impact of on-site servicing has been raised within objections to the scheme from members of the public, community groups and Southwark Council. These areas of non-compliance with the site allocation have been considered within this report and whilst the conflict with the requirements of the site allocation is acknowledged, the proposal is considered to comply with relevant London Plan and Southwark Plan Policies relating to employment space and public realm overall, as detailed within this report.

589 Overall, it is not unusual for applications of this scale and nature to result in conflicts with some policies. Development plan policies can, and in this case do, pull in different directions. Notwithstanding the partial conflict with some development plan policies, the proposed development is considered to accord with the development plan overall. GLA officers consider that the planning balance weighs in favour of the grant of permission.

Conclusion

590 This report has considered the material planning issues associated with the proposed development in conjunction with all relevant national, regional and local planning policy, and has found that the proposed development is acceptable.

591 Accordingly, it is officers' recommendation that planning permission should be granted for planning application reference 18/AP/4171, subject to the obligations set out under 'Section 106 legal agreement' and 'Conditions' at the start of this report.

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