

**AVONMOUTH HOUSE**

**6 Avonmouth Street, London, SE1 6NX**

## **PROOF OF EVIDENCE**

**of Richard Coleman Dip Arch (Cant) ARB RIBA RIAI**

## **DESIGN AND TOWNSCAPE**

on behalf of Tribe Avonmouth House Limited

**Planning Inspectorate Reference: APP/A5840/W/22/3303205**

**LPA Reference: 21/AP/4297**

**16 November 2022**



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**APPENDIX 1** – Full CV

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## 1.0 INTRODUCTION

### 1.1 Qualifications and Experience:

1.1.1 I am Richard Coleman Dip Arch (Cant.), RIBA RIAI Chartered Architect and independent Architecture, Heritage and Townscape Consultant.

1.1.2 I give advice on architecture, urban design, townscape and matters concerning development in historic environments. I set up my consultancy in 1997, after holding the post of Deputy Secretary at the Royal Fine Art Commission for 13 years and following a varied architectural career designing new buildings and work to historic buildings including restoration work at Hampton Court Palace and Windsor Castle and alterations and extensions to buildings within Bushey Park and Windsor Great Park. As principal of Citydesigner I have contributed to a great number of high profile projects affecting heritage townscapes and landscapes, from giving urban design and heritage advice for the Swiss Re building (the Gherkin) in the City of London, to carrying out the heritage assessment for the Eric Parry extension to the Grade I listed Holburne Museum within Sydney Gardens, part of the City of Bath World Heritage Site.

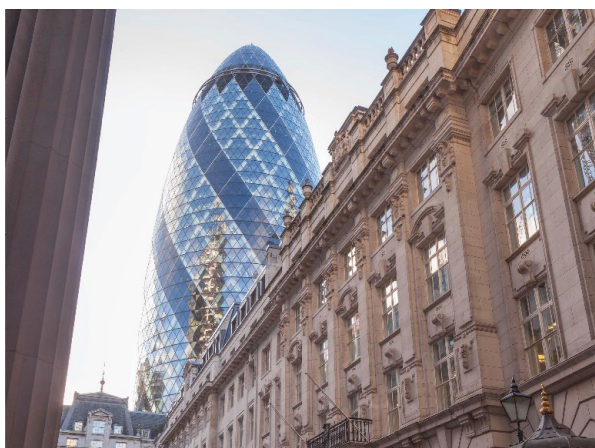
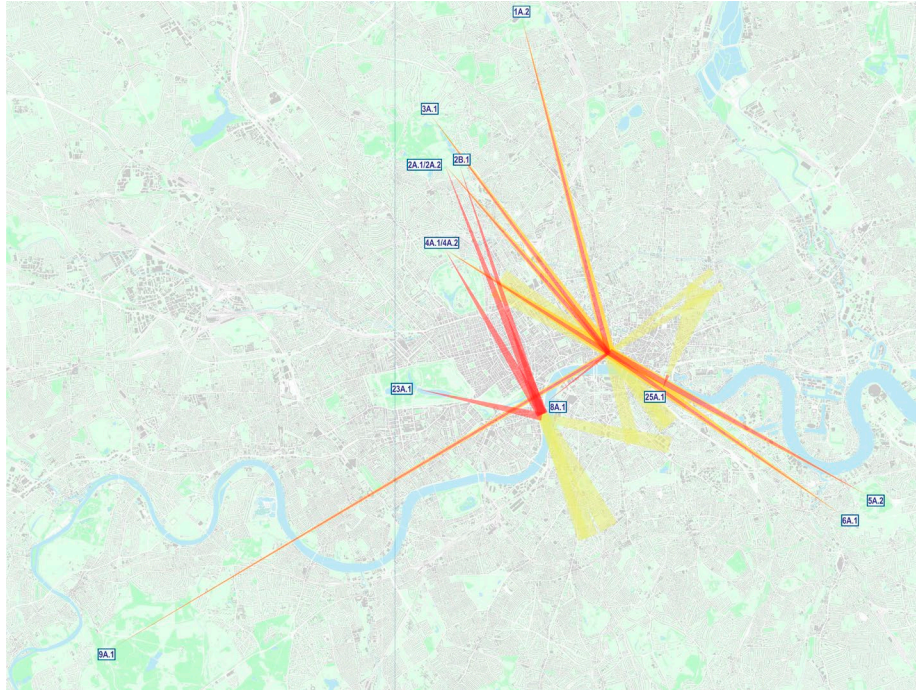


Figure 1: The Gherkin, City of London



Figure 2: Holburne Museum, Bath



*Figure 3: LVMF Viewing Corridors map.*

- 1.1.3 We partnered with Visualisation specialist Miller Hare in drafting the first draft of the London View Management Framework for the GLA.
- 1.1.4 My work generally concerns the achievement of an appropriate quality of design for developments which are prominent or affect conservation areas, listed buildings, registered landscapes such as the Royal Parks, National Parks and World Heritage Sites. Other examples as well as the ones shown on the previous page are provided in my Appendix 1 to this Proof of Evidence.
- 1.1.5 A number of our schemes are now in built form, which we have been effective in stimulating design debate and leading to better designs. Illustrated over the page are: Vauxhall, South Lambeth Road with Fielden Clegg Bradley Studio; East London, 2 Trafalgar Way with APT; and all in Brighton: Student Castle,



Lewes Rd, by Hassell; Preston Barracks, with Studio Egret West; Mithras House with Hassell and Vogue Studios with Waugh Thistleton Architects.



*Figure 4: South Lambeth Road, Lambeth, London with FCB Studio*



*Figure 5: 2 Trafalgar Way, Tower Hamlets, London with APT*



*Figure 6: Student Castle, Brighton with Hassell*



*Figure 7: Preston Barracks, Mithras House, Brighton with Hassell and SEW Architects*



*Figure 8: Preston Barracks, Mithras House, Brighton with Waugh Thistleton Architects*

## **1.2 Appointment:**

1.2.1 I was appointed by Tribe Avonmouth House Ltd in May 2021 to provide townscape and heritage advice, collaborate with the appointed architects, Stitch Architects, and to contribute a Townscape Heritage and Visual Impact Assessment, HTVA, to the planning application dated November 2021

## **1.3 Declaration of truth:**

1.3.1 I declare that the evidence set out here for the appeal, ref: APP/A5840/W/22/3303205 is true and follows accepted good practice. I confirm that the opinions expressed are my true and professional opinions.

## **1.4 The Architects, Stitch Architects**

1.4.1 It is not my practice to work on projects where the appointed architects are not sufficiently skilful to achieve a high quality of design. In this case I reviewed the initial design concepts being developed by the architects and their other work. Though I had not worked with Stitch Architects before, I quickly recognised their design talents and was, therefore, able to join the development team in this assessment role.



## **1.5 Layout of the Evidence:**

1.5.1 This written evidence is complemented by an A3 format Appendices document.

The written evidence consists of relevant information about the appeal site, its context, and the design approach. It then goes on to describe the virtues of the appeal scheme, its design qualities and why the London Borough of Southwark (LBS) are wrong to reject it, from a design quality and townscape point of view.

1.5.2 The A3 Appendices document contains 2 sections setting out:

- 1) my full CV;
- 2) selection of Accurate Visual Representations (AVRs).

## 2.0 DEVELOPMENT SITE

### 2.1 Illustration of the site



Figure 9: Aerial view of Site, shaded red.



Figure 10: Aerial view of Site with cumulatives, VU.City  
Brown-Appeal Scheme; Blue-Under Construction; Yellow-Approved; Red-Borough Triangle Application

2.1.1 The site lies within the LBS, located to the west of the Inner London Crown Court and to the east of the Thameslink railway.

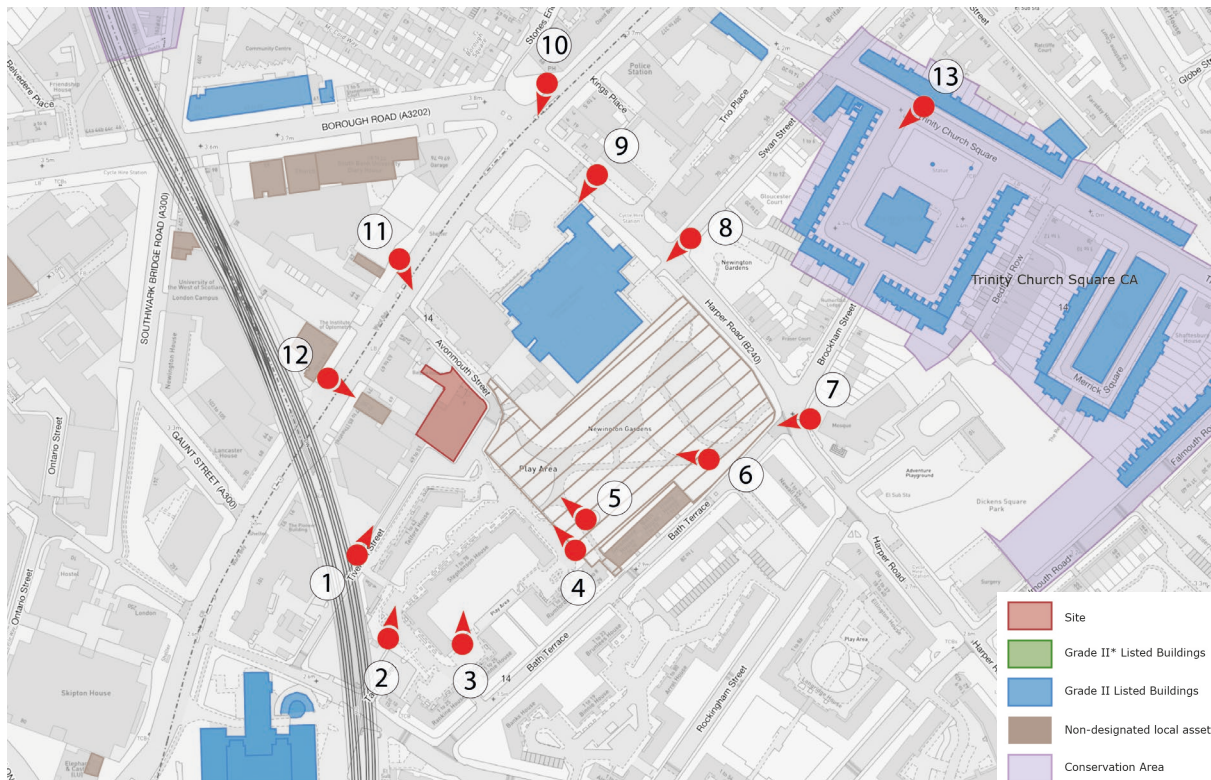


Figure 11: Views Map with Heritage Designations.

2.1.2 My consultancy established 13 suitable positions in the townscape from which to test the massing of the appeal scheme. These are shown on the map at figure 11.

## 2.2 The qualities and deficiencies of the Site in terms of townscape and architectural quality

2.2.1 The site offers the potential for a new building which would contribute to townscape in better defining Avonmouth Street and the northern edge of Newington Gardens. The current building is poor in design terms, does not

optimise the site and provides no active frontage. Development of the site is not in dispute, only the choice of materials and the height.

2.2.2 The surrounding context is varied in building uses, architectural typologies, height, scale and materials. From the linear blocks of the Rockingham Estate to the 24 storey high Ceramic Building and Eileen House (No.251 Southwark Bridge Road) at 41 storeys on the north side of Newington Causeway, all are influential in townscape terms. To the east is the imposing though only two storey classical and listed Grade II London Sessions House on the north side of Newington Gardens. It has an extensive extension to the south backing onto the gardens, therefore only appreciated from Newington Causeway. Even from here it is compromised by the un-landscaped courtyard used as a car park with a grim extension taking up the eastern end. All this is somewhat redeemed by mature trees.

2.2.3 While there is no obvious contextual reference by which to derive a form, design or use of materials, the architect has nonetheless drawn from the variety of expressions and materiality within the context, in particular of the Rockingham Estate buildings.

## **3.0 THE APPEAL SCHEME**

### **3.1 Design Quality**

3.1.1 Inevitably student housing accommodation gives rise to repetitive elements not unlike an hotel, and ways need to be found to vary the plan form and articulate the architecture while also being influenced in this by the context. The appeal scheme is a good example of how to do this by varying the building form to a base, middle and a top, articulating the plan form and developing an interesting profile. All these design decisions benefit the townscape context by expressing an appropriate scale within the elements of the design to both avoid over-scale or dominance, and to provide a well composed architectural composition.

3.1.2 My consultancy provided a thorough appraisal of the design in chapter 5 of the HTVA dated May 2022, at pages 14 to 18 (CD1.69). I recommend that it is given consideration at the Inquiry. It is a comprehensive chapter and it would not do justice if summarised here. It concludes that the scheme is both policy compliant in townscape and heritage and represents a thoughtful, qualitative, and distinctive addition to the LBS's architecture. The assessment methodology at chapter 2.0 of the HTVA explains how design quality plays an important role in the Views Assessment.



## **3.2 HTVA**

- 3.2.1 This document, dated Nov 2021, contains 65 pages of research, study, analysis and assessment. It was built up during the course of design development, early drafts being presented to Council planning officers at pre-app meetings. Its general form, approach and content, therefore, was known to officers before the submission of the application. It has not been criticised for any of its content, save for apparent disagreement on the analysis of height and the effect on the townscape in general. The Council originally listed in their first Statement of Case that there would be harm to the setting of the listed Session House without describing what aspect of significance was harmed through this condition. This claim has been subsequently withdrawn from the appeal. This implies that the Council now believes that there is in fact no harm to the significance of the listed building nor to any other heritage asset.
- 3.2.2 At Section 2 is set out the consultancy's bespoke methodology which sets out, among other things, and in particular, the assessment of design quality, the assessment of the significance of heritage assets and the contribution that setting makes to that significance. The methodology of assessing townscape effects and visual matters with the use of Accurate Visual Representations (AVR's) is also set out. The methodology is a pertinent matter to consider when analysing the efficacy of our assessments.
- 3.2.3 Section 3 provides a comprehensive history of the area and the site in particular with its current condition and emerging context illustrated in Section 4.



3.2.4 In Section 5 the quality of the appeal design is illustrated and assessed. The relevant illustrations are set out in my appendix at App 2. My consultancy was involved in and collaborated with the design process through a series of design workshops with the architects. At each session it gave interim assessments as to how certain details and use of materials would be perceived from within the nearby townscape. Subsequently the architects would consider how best to alter the design to continually improve its qualities in an iterative fashion until the client team and in particular Citydesigner were confident of being able to make an ultimate positive assessment as to the quality of design in the assessment section of the HTVA.

3.2.5 The qualities of the design lie in its three dimensional compositional form, the particular articulations both horizontally and vertically defining these forms and the differential in the colour of the masonry cladding material. The further enriched articulation of the top two floors, with extended pilasters forming a crown, add to the building's character and identity. This means that when it is seen it becomes an enrichment to the area and makes a positive townscape contribution. A worthy judgement on height and scale has been made which mediates in an appropriate way, as is required by Policy P13 and P17, between the scale of the emerging cluster of considerably taller buildings and the lower Rockingham Estate blocks and Newington Gardens. For ease of use I have transferred the relevant AVRs from Section 7 of the HTVA to App 2 of this evidence and include 9 of the 13 views produced. Views 1,2,3,4,7,8,9,10 and 11 are those included.

3.2.6 In the HTVA, at paras 5.8 - 5.12, the scheme is checked against the relevant planning policies extant at the time. Since then the new local plan has introduced new numberings to similar policies. These are brought up to date in Section 3.4 of this evidence. My interpretation of the appeal scheme is that it meets all current relevant policies and the reasons are set out in light of the Council's revised SoC now absent of heritage issues.

3.2.7 The HTVA concludes that the appeal scheme has merit and is generally policy compliant and wholly compliant on townscape and heritage grounds.

### **3.3 Consideration of LBS's Statement of Case**

3.3.1 I now consider the two main items raised in the Council's Statement of Case:

- i) impact on townscape views;
- ii) architectural quality; London Plan D9;

3.3.2 The Council must be aware, I assume, that impact does not equate with either harm or unacceptability. Their Statement of Case seems to imply that it does.

3.3.3 The appeal scheme has resulted from an in-depth design process, which I have followed by regular meetings with the architects. On these occasions, I have been able to provide preliminary assessments about design quality and impact, which has assisted the architects to mature the design. There is an innovative idea embodied in the design about how to break the building into three parts, thus avoiding an over repetitiveness of expression and so that, as a composition, a harmonious design arises, which enhances the townscape.

- 3.3.4 The Council seem not to have considered these aspects. It is such qualitative benefits which have informed the assessments in the HTVA as positive factors. The high quality of the design effectively eliminates any harm that a poor design might otherwise cause the townscape or the listed Sessions House. As is confirmed in paragraph 39 of Historic England's 'Good Practice Advice in Planning Note 3 (Second Edition): The Setting of Heritage Assets' (CD 7.35), where it is stated that "*good design may reduce or remove the harm, or provide enhancement. Here the design quality may be an important consideration in determining the balance of harm and benefit*". The Council's change to their Statement of Case, therefore, means that the appeal scheme is acceptable, at least in heritage terms even though it changes the setting. By implication, this can be interpreted as being acceptable in general townscape terms. The impacts recorded in the HTVA are genuine, based on a qualitative assessment of the design.
- 3.3.5 The scheme is positively endorsed by the support from the GLA, as is set out in their Stage 1 report. (CD 6.11)
- 3.3.6 The process of design development, in consultation with Southwark's planning officers and those at the GLA, has been rigorous and creative, to the extent that the GLA fully support it.
- 3.3.7 I have set out in the paragraphs above what constitutes the high quality of the design. I maintain that the scheme is of exemplary quality and accords in this regard with the policies of the Southwark Development Plan and those of the GLA.

3.3.8 In the following paragraphs I set out my opinion on the matters relevant to my discipline raised in the LBS's Statement of Case.

3.3.9 I set out each of the relevant paragraphs from the LBS's Statement of Case and add my comments:

3.3.10 Paragraph 8.2: *Policy P13 ('Design of places') " (...) respond(ing) positively to the existing townscape, character and context."*

Comment: The site is accepted as one for a high building by Southwark. It is transitional in its role at the edge of an existing high building cluster.

3.3.11 Paragraph 8.3: *"Policy P17 ('tall buildings') additionally requires development proposals for tall buildings to respond positively to local character and townscape. The policy goes on to define tall buildings as those being either above 30m (or 25m where they are located within the Thames Special Policy Area) and also 'where they are significantly higher than surrounding building or their emerging context.' The policy has a number of other criteria which proposals for tall buildings are required to conform to, and the council requires these to have been adequately addressed."*

Comment: The Appeal Scheme responds to the local character and context and relates to both the edge of a cluster of high buildings and to the smaller scale hinterland.

3.3.12 Paragraph 8.5: *Referring to the HTVIA " (...)tall enough, relative to the context of the site, to cause harm on the townscape (...) compounded by the proposed architectural approach to the crown of the building (...) which provides an impression of a top heavy, building within the streetscape."*

Comment: The Council fails to say why 16 storeys is too high other than to state it as incongruous. It also fails to acknowledge how the darker brick is applied to an element of the building which is from ground level to the crown and creates a feature which divides the mass and animates the sky-line and distinctive form.

3.3.13 Paragraph 8.9: *“Views 1 – 3, 8 – 9 and 11 demonstrate that the proposed building is of a height that is out of character (...)”*

Comment: The views mentioned do not, in my opinion, demonstrate that the appeal scheme is out of character with the townscape. The Council acknowledge a tall building is appropriate within this townscape character which is mixed. The statement is contradictory without providing an analysis of what a slight reduction in height would actually achieve.

3.3.14 Paragraph 8.10: *In Views 8 and 9 “ (...) the 16 storey building’s scale is read within the townscape of being the same height as that of the 24 storey Ceramic building (...)”*

Comment: This is a weak justification for the appeal scheme being too high. All AVR views are static and based on a single camera lens i.e. monocular. In reality the human being is binocular which means distance can be sensed. The human being also moves, has a memory and a sense of time. Therefore two buildings which appear in a single monocular photograph to be the same size, are not perceived as such in real time. This is fundamental.

3.3.15 Paragraph 8.11: *“This progression of scale of buildings within the townscape would not be achieved with the 16 storey proposal within these views.”*

Comment: 16 storeys will definitely achieve the progression of scale defined by the Council being 8 storeys lower than the Ceramic Building and furthest away from No. 251 Southwark Bridge Road. It is also worth adding that neither of the latter two are at convergences of key routes nor at foci of activity.

3.3.16 Paragraph 8.12: *“The proposal is considered to be excessively tall in relation to the 5 storey housing blocks of the Rockingham Estate as demonstrated in Views 1 – 3 of the HTVIA.”*

Comment: Visibility does not constitute harm to townscape, in particular when a design is of quality. In London, backdrop development is only unacceptable in policy terms, in certain prescribed views of World Heritage Sites. The Rockingham Estate is not on the draft 2018 list of local townscape, architectural or historical interest. However, the architects have always been aware about this interaction and have paid attention to the scale and use of materials to ensure a harmonious relationship.

3.3.17 Paragraph 8.13: *Newington Gardens “(...) with full foliage, obscuring the proposed building (...) the full impact of the proposal has not therefore been readily available for assessment (...).”*

Comment: The assessment for View 7 where the appeal scheme reaches the tree-line, accepts that more of the upper parapet would be visible in winter but that it would not detract from the experience of the gardens. Eileen House (251 Southwark Bridge Road) and the Ceramic Building are, by contrast, highly visible above the trees.



3.3.18 Paragraph 8.14: “(...)the 16 storey proposal would harm ‘townscape’ views from Newington Gardens and the immediate surrounds.”

Comment: The density of trees in Newington Gardens is considerable even in winter, Views 5, 6 and 7, illustrate how the appeal scheme would be seen in different positions outside and within the Gardens. Existing buildings are already visible through winter branches. This is common to all public gardens in winter.

3.3.19 Paragraph 8.15: “(...) contrary to policies P13, P17 and P19 of the Southwark Plan (2022).”

Comment: The Council analysis is not adequate and its case is, therefore, not proven.

3.3.20 Paragraph 8.16: *NPPF*

3.3.21 Paragraph 8.16.1: *London Plan (2021) policies D3*

3.3.22 Paragraph 8.16.2: *Southwark Plan (2022) policies P13 “Design of places”, P14 “Design quality”, P17 “Tall buildings” and P19 “Listed buildings and structures”*

3.3.23 Paragraph 8.20: “The proposal fails to respond positively to the existing character and context and would as a result harm the local townscape.”

Comment: On the basis that the Council recognises the appeal site can accept a tall building and that one a little less tall may be acceptable, I do not accept that the height proposed or the design contravenes the policies set out above.

### **3.4 Assessment based on guidance/policy within the NPPF, NPPG, the National Design Guide and Historic England's Advice Note 4: Tall Buildings.**

3.4.1 In chapter 5 of the November 2021 HTVA (CD 1.69) the appeal scheme design is fully illustrated and appraised. This is necessary for the assessments of effect on the townscape and views to be considered qualitatively. The design was found to be of high quality. As a result, enhancing effects can be established. In the following paragraphs, I carry out a series of checklists to illustrate how well the design stands up to scrutiny within my professional area of expertise.

#### **National Planning Policy Framework (2021) (CD 7.0) and Planning Practice Guidance (CD 7.30)**

3.4.2 Section 12 of the NPPF (CD 7.0) is entitled 'Achieving Well-designed Places'. Its first paragraph (126) states that: *"The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities"*. The increased emphasis on 'beauty' in the NPPF is taken to mean, in the absence of definition, an emphasis on design quality for which there is definition through the various analyses presented below.

3.4.3 **Paragraph 130 of the NPPF:** This paragraph includes six bullet points setting out how planning policy should encourage good development. It states:

*“Planning policies and decisions should ensure that developments:*

*a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*

*b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*

*c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*

*d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*

*e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*

*f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*

3.4.4 The appeal scheme responds positively to and meets the aspirations in paragraph 130 set out above.

3.4.5 The wording in the NPPF gives further support to the appeal scheme because its design responds to the surrounding built environment in this part of

Southwark. Thus, it consists of a group of forms arranged in a balanced manner. The building is fully considered and designed to a high standard. The appeal scheme is of high quality and appropriate for its site. It is also a sustainable development. It increases density to an optimum level, taking into account its effect on neighbouring properties, in accordance with policy.

3.4.6 The analysis my consultancy undertook shows how the appeal scheme has been designed to relate to its context and interact sympathetically with the surrounding townscape and the nearby listed building, as illustrated thoroughly in the application from 13 distant, medium and close-range Accurate Visual Representations (AVRs).

3.4.7 The NPPF paragraphs illustrate how important design is in delivering sustainable development. Good quality design can overcome potential harm to existing environments which would otherwise occur if a visible building of substantial height was poorly designed. This is confirmed in paragraph 39 of Historic England's 'Good Practice Advice in Planning Note 3 (Second Edition): The Setting of Heritage Assets', where it is stated that "*good design may reduce or remove the harm, or provide enhancement. Here the design quality may be an important consideration in determining the balance of harm and benefit*". The quality of design of a building and its response to the surrounding context is a critical part of the justification for its height and visibility.

3.4.8 The PPG (CD 7.30) sets out a number of issues that should be considered in order to achieve good design. These are:

- local character (including landscape setting)

- safe, connected and efficient streets
- a network of greenspaces (including parks) and public places
- crime prevention
- security measures
- access and inclusion
- efficient use of natural resources
- cohesive and vibrant neighbourhoods

In the context of my evidence, the first bullet on local character is the most relevant. The PPG goes on to say, in respect of local character that *“development should seek to promote character in townscape and landscape by responding to and reinforcing locally distinctive patterns of development, local man-made and natural heritage and culture, while not preventing or discouraging appropriate innovation”*.

3.4.9 I consider the appeal scheme legitimately creates an appropriate character as a transition from large scale development to the smaller scale hinterland. The appeal scheme in its arrangements of height, form and townscape, connects well with its surroundings and relates visually with them in an harmonious way. The design, therefore, does not ignore the context. The AVRs were used following the use of VU.CITY software to check and assess the performance of the designs during the design development period.

## **National Design Guide (2021) (CD 7.32)**

3.4.25 The National Design Guide (CD 7.32) was adopted by the Ministry of Housing, Communities and Local Government in 2021. The guidance outlines the Government's priorities for well-designed places in the form of the following ten characteristics.

3.4.26 **Context:** Well-designed places are stated to be *“based on a sound understanding of the features of the site and the surrounding context, using baseline studies as a starting point for design; integrated into their surroundings so they relate well to them; influenced by and influence their context positively; and, responsive to local history, culture and heritage”*.

**Response:** The context of the Site offers considerable freedom for contextual interpretation. Since the development is seen from a number of directions, it is also three-dimensionally rich in composition. A detailed analysis of the appeal site's context is included in the architects' Design and Access Statement (CD 1.39 and CD 2.21), submitted with the planning application. The appeal scheme has been designed to a suitable qualitative level that relates to its context and interacts with the surrounding heritage assets without harm to their significance.

3.4.27 **Identity:** Well-designed places are stated to *“have a positive and coherent identity that everyone can identify with, including residents and local communities, so contributing towards health and well-being, inclusion and cohesion; have a character that suits the context, its history, how we live today*



*and how we are likely to live in the future; and, are visually attractive, to delight their occupants and other users”.*

**Response:** The development has a clear identity, through its three interlocking forms. Its contribution to Newington Gardens also supports its identity. While the site’s existing underdeveloped nature brings some design freedom from the adjacent context, the architects have derived the design from the studies of existing context and materiality. The height of the building makes it visible only from Rockingham Street and three positions along Newington Causeway and one from Newington Gardens. The combination of a desirable increase of enclosure to Newington Gardens, the proposed active front, its landscaping, and an architecture of substance, provides a townscape which will support wellbeing, and which will be visually attractive close up and when seen from the surrounding areas.

**3.4.28 Built form:** Well-designed places are stated to have *“compact forms of development that are walkable, contributing positively to well-being and placemaking; accessible local public transport, services and facilities, to ensure sustainable development; recognisable streets and other spaces with their edges defined by buildings, making it easy for anyone to find their way around, and promoting safety and accessibility; and, memorable features or groupings of buildings, spaces, uses or activities that create a sense of place, promoting inclusion and cohesion”.*

**Response:** The development is fully accessible to public transport at Elephant and Castle. Various retail and food and beverage facilities are within walking

distance. The development will be recognisable as a result of its sculptural form and its place-making credentials.

**3.4.29 Movement:** A well-designed movement network defines a clear pattern of streets that *“is safe and accessible for all; functions efficiently to get everyone around, takes account of the diverse needs of all its potential users and provides a genuine choice of sustainable transport modes; limits the impacts of car use by prioritising and encouraging walking, cycling and public transport, mitigating impacts and identifying opportunities to improve air quality; promotes activity and social interaction, contributing to health, well-being, accessibility and inclusion; and, incorporates green infrastructure, including street trees to soften the impact of car parking, help improve air quality and contribute to biodiversity”*.

**Response:** As a single building, it offers a frontage to Avonmouth Street and a townscape context at one of the main entrances to Newington Gardens. It provides a suitable level of enclosure to the Gardens and its height and plan form are in scale with the context.

**3.4.30 Nature:** Well-designed places are stated to *“integrate existing, and incorporate new natural features into a multifunctional network that supports quality of place, biodiversity and water management, and addresses climate change mitigation and resilience; prioritise nature so that diverse ecosystems can flourish to ensure a healthy natural environment that supports and enhances biodiversity; provide attractive open spaces in locations that are easy to access, with activities for all to enjoy, such as play, food production, recreation and*

*sport, so as to encourage physical activity and promote health, well-being and social inclusion”.*

**Response:** The modest amount of landscaping is well detailed and takes into account the creation of ecosystems and biodiversity as well as sustainability.

**3.4.31 Public spaces:** The guidance states that the quality of the spaces between buildings is as important as the buildings themselves. The section on public spaces refers to streets, squares, and other spaces that are open to all and that when they are well-designed, they *“support a wide variety of activity and encourage social interaction”, they “feel safe, secure and attractive for all to use; and have trees and other planting within public spaces for people to enjoy”.*

**Response:** This is an “edge” building. Its contribution to public space is to provide a suitable enclosure to the street, the gardens and to create a façade at ground level which incorporates activity.

**3.4.32 Uses:** Well-designed places are stated to have *“a mix of uses including local services and facilities to support daily life; an integrated mix of housing tenures and types to suit people at all stages of life; and, well-integrated housing and other facilities that are designed to be tenure neutral and socially inclusive”.*

**Response:** Though not a single use development, the appeal scheme provides student accommodation which will facilitate a sustainable community through the shared use of internal and external spaces. Space is provided in strategic positions at ground level and at upper levels. Facilities to support the daily life of the students are all located within close proximity of the Site. There is a

balance which has been struck to provide other uses than merely student residential on the site, while ensuring that the vibrancy of the ground level is realised.

**3.4.33 Homes and buildings:** Well-designed homes and buildings are stated to *“provide good quality internal and external environments for their users, promoting health and well-being; relate positively to the private, shared and public spaces around them, contributing to social interaction and inclusion; and, resolve the details of operation and servicing so that they are unobtrusive and well-integrated into their neighbourhoods”*.

**Response:** The functioning of the building has been given adequate thought such that students experience well-being and the opportunity to engage in their community and the local community without conflict.

**3.4.34 Resources:** Well-designed places are stated to *“have a layout, form and mix of uses that reduces their resource requirement, including for land, energy and water; are fit for purpose and adaptable over time, reducing the need for redevelopment and unnecessary waste; use materials and adopt technologies to minimise their environmental impact”*.

**Response:** Though not directly aware of all the methods by which the building design is sustainable, I am sufficiently aware of discussion in design team meetings I attended, to know that this subject has been an inherent consideration within every design decision.

3.4.35 **Lifespan:** Well-designed places, buildings and spaces are stated to be *“designed and planned for long-term stewardship by landowners, communities and local authorities from the earliest stages; robust, easy to use and look after, and enable their users to establish a sense of ownership and belonging, ensuring places and buildings age gracefully; adaptable to their users’ changing needs and evolving technologies; and, well-managed and maintained by their users, owners, landlords and public agencies”*.

**Response:** The building use requires constant management on behalf of the occupiers. This will include the maintenance of the landscape which will mature over time. Brickwork of varying shades and textures are proposed for the building to ensure long term durability and enhanced weathering.

**Historic England (HE) ‘Advice Note 4: Tall Buildings’ (2022) (CD 7.36)**

3.4.36 The appeal scheme is up to 16 storeys, which will be substantially lower than its wider context to the west, but higher than the hinterland to the east. HE’s guidance on tall buildings (CD 7.36) focuses on, in their words, *“plan-making and the importance of a plan-led approach to tall building development; the information needed to support plan-making, and to assess and determine individual development proposals at application stage; and how to identify appropriate locations for tall buildings and define design parameters in relation to the historic environment”*.

3.4.37 The guidance goes on to state that *“in the right place well-designed tall buildings can make a positive contribution”* and that *“if a tall building is not in*

*the right place, by virtue of its size and widespread visibility, it can seriously harm the qualities that people value about a place” (para. 3.2, p.6).*

**Response:** By making this statement HE are correctly accepting that well-designed tall buildings can be appropriate. I would go so far to say that if a tall building is considered to be “*not in the right place*” then it is highly likely that neither the height nor the design relate suitably to its context, unlike the appeal scheme. The appeal scheme is an example of a well-designed building, which is also well suited to its context close to an area considered by the Council to be suitable for tall buildings. What is disputed is the suitability of the proposed height. It is, in my view, the right height and in the right place.

3.4.38 At paragraph 4.5 of the guidance HE note a set of criteria that assist in understanding the historic environment to inform the approach to tall building design. As my evidence illustrates, the design of the appeal scheme was developed explicitly in response to an understanding of the Site and its surrounding townscape and the potential impact which it may make. Taken together, the criteria at paragraph 4.5, set out from (1) to (6), provide another useful framework for assessing the proposal in an objective way. I consider below the HE design criteria that are appropriate to the scheme.

**3.4.39 (1) The response to local context; (2) The impact on the local environment**

**Response:** Views were chosen at an early stage of the design to test the design as it was developed. They were then accurately constructed to illustrate the visibility and quality of the composition from near and distant positions within



the HTVA. Where the appeal scheme provides a skyline in views, it is one of articulation and richness and of compositional value. The architects have related the appeal scheme very appropriately to the varied character of what is found in the wider area.

#### 3.4.40 (3) Architectural quality

**Response:** The overall scale of the appeal scheme responds to a varied pattern in this part of Southwark. Its scale, in relation to its various parts, has been determined compositionally with an artistic component and in order to respond to the contrast of scale in the area. Thus the varied height references within the design are ordered according to the immediate neighbours and according to the townscape of the area as a whole. In this way, the scale relationships between the appeal scheme and the context creates a visual harmony. This is reflected in its form, massing and lively silhouette. The juxtaposition of the differently expressed elements create an interesting form. Proportion is introduced into the elevations by the arrangement of the fenestration and materiality. This also has a harmonious appearance. The choice of materials is derived from the wider built context.

#### 3.4.41 (6) A well-designed inclusive environment

**Response:** The appeal scheme is experienced at ground level through an enhanced public realm created by an active frontage and modest landscaping. A strong sense of enclosure in relation to Newington Gardens enhances the contrast between nature and the built form.

## **GLA, The London Plan (2021) (CD 7.1)**

3.4.42 The London Plan (CD 7.1) sets out the regional policies for the GLA. The key policies related to the first reason for refusal are policies D3 and D9, which the GLA has confirmed are satisfied by the appeal scheme.

3.4.43 Policy D3 seeks to optimise site capacity through the design-led approach ensuring that development is of the most appropriate form and land use for the site. Developments are required, amongst others, to enhance and respond to local context through their orientation, scale, appearance and shape; achieve a safe, secure and inclusive environment; provide active frontages; provide green and open spaces for social interaction; and be of high quality with appropriate construction methods and use of robust, attractive materials that weather well. The appeal scheme quite obviously provides these facilities to the satisfaction of the GLA.

3.4.44 Policy D9 relates to tall buildings and advises boroughs to determine locations suitable for tall buildings. The appeal scheme is an appropriate form of development in an area considered appropriate for tall buildings. In response to the requirement of policy D9, the appeal scheme has been illustrated thoroughly in the HTVA from 13 distant, medium and close-range AVRs. The views were selected and accepted by the Council's officers early projections of the appeal scheme being first viewed using VU.CITY software. This illustrated the visual effects arising from the development at an early stage and enabled the architects to make further amendments to both refine the design and mitigate any potential adverse effects. The appeal scheme will have a beneficial

effect on most views studied, owing to the high architectural quality of the design and its contribution to the existing skyline. It will not adversely affect any local or strategic views nor harm heritage assets.

3.4.45 Policy D9 also states that whether part of a group or stand-alone, tall buildings should reinforce the spatial hierarchy of the local and wider context and aid legibility and wayfinding. The appeal scheme will make a positive contribution to the local townscape, reinforce the spatial hierarchy of the local and wider context, and aid legibility and wayfinding. It will have an appropriate relationship with the existing and proposed street network and it will contribute to the vitality of the existing streets and to the built and natural environment.

3.4.46 Architectural quality and materials will be of an exemplary standard to ensure that the appearance and architectural integrity of the building is maintained through its lifespan, as required in policy D9.

### **Concluding statement on policy and guidance**

3.4.47 In testing all these criteria, I believe the proposed development satisfies policy and guidance on good design and, when combined with the landscape scheme, gives rise to 'beauty', i.e., it functions well, is visually attractive, is sympathetic to the local character and history, establishes a strong sense of place, and reinforces spaces that are safe, inclusive and accessible, in accordance with paragraph 130 of the NPPF (CD 7.0).

## **4.0 CONCLUSIONS**

- 4.1 The HTVA assessed the qualities of the design as a transitional element of the tall buildings cluster at the north side of Elephant and Castle. It concluded that the appeal scheme is a worthy and appropriate addition to both that cluster, the smaller scale hinterland and Newington Gardens.
- 4.2 Reason for Refusal - The reason is highly critical of the appeal scheme and proclaims adverse effects on views from the surrounding area and insufficient architectural quality. The reasons are not sustainable and contrary to the conclusion reached by the GLA. They appear to be based on a misunderstanding of the scheme an overreliance on the still images within the application rather than how it would be perceived in reality.
- 4.3 In my main proof of evidence I consider a series of checklists to illustrate how well the design stands up to scrutiny, using various national guidance criteria, within my area of skills. These range from assessment based on guidance within the NPPF, NPPG, the National Design Guide and Historic England's Advice Note 4: Tall Buildings, and the London Plan. Testing the scheme through these means confirms its compliance within the aspirations of the planning system.
- 4.4 In this evidence I show how misconceived is the basis for the reason for refusal. I do this through enlarging upon the valid assessments made in the HTVA. I also do so by challenging each and every criticism in the Council's Statement of Case.

4.5 The appeal scheme is planning policy compliant in these respects, high quality in urban design and architecture, and worthily adds to a townscape and sense of place for this area of Southwark while providing much needed student accommodation. I recommend to the Inspector that the scheme be approved.