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Item No. 7.1	Classification: Open	Date: 7 November 2023	Meeting Name: Planning Committee (Major Applications) B
Report title:	<p>Development Management planning application: Application 23/AP/2334 for: Non-material amendment</p> <p>Address: The Liberty Of Southwark (Formerly Landmark Court), Land Bounded By Southwark Street, Redcross Way And Crossbones Graveyard, London, SE1</p> <p>Proposal: Non material amendment of planning permission 19/AP/0830: 'Mixed-use development involving the demolition of 25-33 Southwark Street, the restoration of 15 Southwark Street for residential use and the erection of new buildings comprising: a part 6/8/9-storey office (Class B1) building incorporating a single-storey basement, flexible ground floor uses (Classes A1/A2/A3/A4 and D2) and workspace units (Class B1); a 3-storey workshop building (Class B1); a marketplace with up to 9 permanent stalls (Class A1); 36 residential units in the refurbished 15 Southwark Street building and a new 8-storey block; associated areas of new public realm; hard and soft landscaping; enhancements to Crossbones Burial Ground; means of access and enclosure, and; ancillary plant and equipment.'</p> <p>Non-Material Amendment to enable the dismantlement, storage, and restoration of the facade of 15 Southwark Street and the amendment of the wording of Condition 25.</p>		
Ward(s) or groups affected:	Borough and Bankside		
From:	Director of Planning and Growth		
Application Start Date	30/08/2023	PPA Expiry Date	N/A
Earliest Decision Date	26/09/2023		

RECOMMENDATION

1. That the application for non-material changes be agreed.

BACKGROUND INFORMATION

Parent planning application

2. The detailed background information relating to this development and the application site is set out in the report on the original planning permission ref: 19/AP/0830 dated 05.01.2021 (and the reports of permissions ref: 21/AP/1295

and 22/AP/1689 – non-material amendments to the original permission) for:

“Mixed-use development involving the demolition of 25-33 Southwark Street, the restoration of 15 Southwark Street for residential use and the erection of new buildings comprising: a part 6/8/9-storey office (Class B1) building incorporating a single-storey basement, flexible ground floor uses (Classes A1/A2/A3/A4 and D2) and workspace units (Class B1); a 3-storey workshop building (Class B1); a marketplace with up to 9 permanent stalls (Class A1); 36 residential units in the refurbished 15 Southwark Street building and a new 8-storey block; associated areas of new public realm; hard and soft landscaping; enhancements to Crossbones Burial Ground; means of access and enclosure, and; ancillary plant and equipment.”

Details of the proposed non-material changes

3. The changes sought by this application to the original planning application are as follows:
 - Non-Material Amendment to enable the dismantlement, storage, and restoration of the facade of 15 Southwark Street and then reconstruction (as opposed to repairing in situ).
 - The amendment of the wording of Condition 25 (façade repair specification) to the following:

“Notwithstanding the repair and restoration details as approved under discharge of condition reference 22/AP/2038, prior to commencement of above ground works to Block 01: The Southwark Street Office Cluster, an updated specification for the restoration of the front elevation of 15 Southwark Street shall be submitted to and approved by the Local Planning Authority. The development shall not be carried out other than in accordance with any such approval given, and the restoration of 15 Southwark Street shall be completed prior to occupation of Block 01: The Southwark Street Office Cluster.

Reason: In order that the Local Planning Authority may be satisfied that the construction details to be used in the construction of the development achieve a quality of design and detailing, are suitable in context and consistent with the consented scheme, in accordance with: Chapter 12 of the National Planning Policy Framework 2019; Strategic Policy 12 (Design and Conservation) of the Core Strategy 2011, and; Saved Policies 3.12 (Quality in Design) and 3.13 (Urban Design) of the Southwark Plan 2007.”

Planning history

4. See Appendix 3 for any relevant planning history of the application site and/or adjoining sites.

Preliminary matters

Planning policy

5. This application is to be determined on matters of fact and degree and planning law in respect of the extent and effect of the proposed change to the permitted development. Matters of planning policy are not a relevant consideration.
6. The detailed planning policy relating to this development is set out in the report on the original planning application.

KEY ISSUES FOR CONSIDERATION

7. The main issue in respect of this application is to determine if the proposed changes are:
 - (a) non-material and do not require the submission of an application for planning permission by reason that they:
 - (i) do not in themselves constitute development, or
 - (ii) are considered to be so trivial or inconsequential that they may be regarded as *de minimis*, that is legally of no consequence, and that planning permission is not required;
 - or
 - (b) are materially different from the permitted development and require the submission of an application for planning permission.
8. This is discussed in detail in the 'Assessment' section of this report.
9. Community impact, equalities and human rights implications are relevant considerations, as is working proactively and positively with applicants and agents. These matters are discussed in the 'Assessment' section of this report.

Community involvement and engagement

10. There is no statutory requirement for consultation for a non-material amendment, however, the following comments have been taken into consideration when assessing the application.

Consultation responses from external and statutory consultees

11. **Historic England (HE):** Proposal would result in less than substantial harm. LPA should consider whether this harm is outweighed by public benefits. As much significant fabric must be retained as possible. If LPA is minded to approve, it is recommended that redevelopment of 15 Southwark Street is prioritised in terms of the phasing plan for the wider development (to help ensure historic fabric is reinstated).
12. **Greater London Authority (GLA):** The GLA offered the following comments in their pre-application report (regarding the subject amendment to 15 Southwark Street):

“GLA officers have had further discussions with the LPA and the applicant in relation to the condition of the façade and the proposals; and have also inspected the façade themselves on site. It is accepted that the façade is in very poor condition, with serious structural issues. The approach proposed is a practical way forward in current circumstances and it is noted that the LPA is in support of this aspect of the proposals. The dismantling and re-erection of the façade will cause a low degree of less than substantial harm to the conservation area, since it is unknown how much of the original material will be able to be salvaged and reused. There will therefore be some loss of authenticity; however, the harm is justified. It is understood from the applicant that advice from suitable experts has been received and that the re-erection of the façade will be supervised by a well-regarded firm of conservation experts, which is welcome.”

13. **Victorian Society:** Façade should be restored in situ. If this is not possible then strict conditions must be applied that will ensure the reconstruction of the elevation as accurately as possible with minimal loss of historic fabric. Suggestion of deliberate neglect.
14. **Council for British Archaeology (CBA):** Façade should be repaired in situ. If this is not possible then strict conditions must be applied that will ensure the reconstruction of the elevation as accurately as possible with minimal loss of historic fabric. Suggestion of deliberate neglect.

Consultation responses from members of the public and local groups

15. Public comments - 15 objections were received raising the following concerns:
 1. Concern façade will be permanently removed (façade should be restored in situ)
 2. Damage has been caused by applicant (deliberate neglect)
 3. Harm to character and appearance of the façade (and wider conservation area)
 4. Lack of consultation

ASSESSMENT

Condition of 15 Southwark Street

16. The non-material amendment application (NMA) for the façade of 15 Southwark Street (reference - 23/AP/2334) was submitted in September 2023, as it was deemed the stabilisation works that are currently underway to the building structure are no longer considered to be safe.
17. 15 Southwark Street (15SS) was last occupied in 1972 when Wigan Richardson & Co moved to new modern premises on Borough High Street. The building has never been occupied since. 15 Southwark Street and the

adjacent hop warehouse were left empty during the remainder of the 1970's and 1980's. During that time the building suffered fire damage which materially affected the timber joisting in the floors and roof.

18. The site was identified as a construction yard for the Jubilee Line Extension and was confirmed as a strategic site, being set aside in the Jubilee Line Act 1990. This is the point at which the building formally goes into the ownership of London Underground Limited.
19. The current condition of the 15SS façade is due to the fact that once the Jubilee line construction was completed, the building was offered basic protection from the elements and left unattended for a further 35 or so years. The temporary roof did not cover the top coping stone, allowing several decades of water to penetrate the masonry, causing extensive degradation.
20. The recent demolition work has allowed an inspection of the rear face of the front facade wall of 15SS for the first time (which previously was not possible). This has revealed many structural defects within the facade wall.
21. The façade of the building remains standing only due to the previous scaffold system and current structural scaffold. Previous neglect (over a number of decades, well before the current applicant was involved) and subsequent loss of the original roof some half century ago has resulted in the issues seen today.



Image showing rear face with decaying brickwork, rotting timber and corroded metalwork.

22. Extensive survey work and review of the strategy for the restoration of 15SS was commissioned by the Applicant, and reports by Arnold Burgess

Partnership, Harrison Goldman and Robert Bird Group, suitably qualified experts, have been prepared. The referenced reports have been submitted with the subject application to ensure a transparent process. These all identify that in situ restoration is no longer possible and deconstruction is necessary for the following reasons:

- The façade is severely cracked, and the majority of the structural nodes are compromised. This means that the application of additional supports would be more intrusive to the historic fabric than deconstructing and reconstructing.
- The bond between the inner brick skin and the facing brick cannot be assessed fully and is known to be broken. This would prevent any in-situ restoration from being compliant with Building Regulations.
- The compressive strength of the historic fabric has been assessed as around half of what it needs to be, due to prolonged exposure to freeze/thaw action. As such, the retained material needs to be tested and re-conditioned before an appropriate design for its structural support can be implemented.
- There is a further defect at first floor which need to be addressed; the support beams are rusted through, and the stone has fallen away. These beams can only be repaired with the load taken off of them i.e., that the masonry above needs to be removed, which can only be achieved through deconstruction.

23. The applicant has engaged with the LPA extensively at pre-application stage, with both officers and Councillors having visited the site to assess the condition of the façade. It was evident that the façade is in a poor state of repair and the elements described in the reports were plainly visible.



Image showing the poor quality brickwork behind the outer skin of stone.



Cracking through all major stone pieces at a structural node in the façade.

Policy context

24. The site is in the Borough High Street conservation area as a building of importance and is considered to be an undesignated heritage asset within the designated asset of the conservation area. The significance of the building is a good and detailed example of hop exchange and sales offices with warehouse above and behind, albeit in a dilapidated state and without the majority of the building (the roof and the areas behind the façade having been lost).
25. The NPPF para 207 states that loss of a building which makes a positive contribution to a conservation area should be treated at substantial harm or less than substantial. The NPPF also requires the LPA to place great weight (para 199) on the conservation of the asset, and also requires less than substantial harm to be outweighed by public benefit. Para 196 requires no emphasis to be put on the assets condition if the erosion or neglect of the asset is deliberate (this is not applicable in this instance). The Southwark Plan 2022 policy P20 requires conservation areas to be preserved and enhanced.

Impact on 15 Southwark Street

26. The loss of the building would cause substantial harm to the undesignated heritage asset (the building itself) while the loss of the building within the conservation area would cause less than substantial harm.
27. The 15SS façade would be dismantled, with the fabric remaining on-site ready for reconstruction. The removal of the NDHA will be harmful to its heritage significance, although this condition is temporary. It is important to consider the façade retention works as a whole, including both deconstruction and reconstruction, with the end objective to reinstate the frontage in a cleaned and restored state. The works as a whole give the building a new and appropriate use, whilst securing its long-term conservation. The design solutions sought are specific to the Site's historic context, and take into account the role of the building both within the immediate townscape but its historic function as a hop warehouse. Taken as a whole, whilst the proposals do include some impacts that will adversely impact the building, those are outweighed by the positive aspects.
28. 15SS has been left unused since 1972. The proposed restoration works (which can only be achieved via deconstruction) allows the building to be brought back into use, a building which is a positive contributor to the Borough High Street Conservation Area. The restoration works would result in a positive impact to both 15SS' character and appearance as well as the wider conservation areas'. The building would positively contribute through the strong horizontal proportions, which are maintained through the improvements to the signage and the fenestration of 15SS.
29. If the subject application were to be approved, the applicant would have to reconstruct the façade (as approved). Any deviation from the approved drawings and supporting documents would be a breach of planning control and would result in enforcement action.

30. The subject non-material amendment application is strictly to allow the careful deconstruction and restoration of the 15SS façade (as opposed to restoring in situ). All other proposals (such as a change of use or design alterations) are to be assessed and determined under a separate application (ref. 23/AP/2810).
31. A non-material amendment is considered to be the appropriate mechanism to facilitate the proposed changes (including the re-wording of condition 25). There is no statutory requirement to consult on a non-material amendment application. The proposal is considered to be acceptable and to be non-material when considered in the context of the wider development, i.e. the delivery of approximately 21.4k sqm of employment space (including affordable workspace), 36 residential units (including affordable housing), public realm improvements, and all associated public benefits of the wider scheme etc. It should not be considered in isolation (15SS façade alone).

Community impact and equalities assessment

32. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights.
33. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.
34. The Public Sector Equality Duty (PSED) contained in Section 149 (1) of the Equality Act 2010 imposes a duty on public authorities to have, in the exercise of their functions, due regard to three "needs" which are central to the aims of the Act:
 1. The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
 2. The need to advance equality of opportunity between persons sharing a relevant protected characteristic and persons who do not share it. This involves having due regard to the need to:
 - Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it, and;
 - Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
 3. The need to foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to tackle prejudice and promote understanding.

35. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.
36. In the view of officers, this NMA, does not impinge on any groups with protected characteristics.

Human Rights Implications

37. This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
38. This application has the legitimate aim of providing the details required by a grant of planning permission. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

Positive and proactive statement

39. The council has published its development plan on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
40. The council provides a pre-application advice service that is available to all applicants in order to assist applicants in formulating proposals that are in accordance with the development plan and core strategy and submissions that are in accordance with the application requirements.

41. **Positive and proactive engagement: summary table**

Was the pre-application service used for this application?	Yes
If the pre-application service was used for this application, was the advice given followed?	Yes
Was the application validated promptly?	Yes
If necessary/appropriate, did the case officer seek amendments to the scheme to improve its prospects of achieving approval?	Further information was submitted by applicant
To help secure a timely decision, did the case officer submit their recommendation in advance of the statutory determination date?	No - called in to planning committee

Conclusion on the materiality of the changes

42. As explained in detail in the 'Assessment' part of this report, the proposed changes are considered to be 'non-material'. Accordingly, it is recommended that the application be granted.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP 1145-15 Application file: 23/AP/2334 Southwark Local Development Framework and Development Plan Documents	Environment, Neighbourhoods & Growth Department 160 Tooley Street London SE1 2QH	Planning enquiries: 020 7525 0254 planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 0254 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Recommendation (draft decision notice)
Appendix 2	Relevant planning policy
Appendix 3	Planning history of the site and nearby sites
Appendix 4	Consultation undertaken
Appendix 5	Consultation responses received

AUDIT TRAIL

Lead Officer	Steve Platts, Director of Planning and Growth	
Report Author	Nathaniel Young, Strategic Team Leader	
Version	Final	
Dated	25 October 2023	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance	No	No
Strategic Director of Environment, Neighbourhoods and Growth	No	No
Strategic Director of Housing	No	No
Date final report sent to Constitutional Team		25 October 2023

Recommendation

This document shows the case officer's recommended decision for the application referred to below.

This document is not a decision notice for this application.

Applicant	C/O Agent Landmark Court Partnership Ltd	Reg. Number	23/AP/2334
Application Type	Variation: Non-Material Changes		
Recommendation	Agreed	Case Number	1145-15

Draft of Decision Notice

The Non-material amendment is **AGREED** for the following development:

Non material amendment of planning permission 19/AP/0830: 'Mixed-use development involving the demolition of 25-33 Southwark Street, the restoration of 15 Southwark Street for residential use and the erection of new buildings comprising: a part 6/8/9-storey office (Class B1) building incorporating a single-storey basement, flexible ground floor uses (Classes A1/A2/A3/A4 and D2) and workspace units (Class B1); a 3-storey workshop building (Class B1); a marketplace with up to 9 permanent stalls (Class A1); 36 residential units in the refurbished 15 Southwark Street building and a new 8-storey block; associated areas of new public realm; hard and soft landscaping; enhancements to Crossbones Burial Ground; means of access and enclosure, and; ancillary plant and equipment.'

Non-Material Amendment to enable the dismantlement, storage, and restoration of the facade of 15 Southwark Street and the amendment of the wording of Condition 25.

At

The Liberty Of Southwark (formerly Landmark Court) Land Bounded By Southwark Street Redcross Way And Cross Bones Graveyard London SE1

In accordance with the valid application received on 30 August 2023 and supporting documents submitted which can be viewed on our Planning Register.

For the reasons outlined in the case officer's report, which is also available on the Planning Register.

The Planning Register can be viewed at: <https://planning.southwark.gov.uk/online-applications/>

Conditions

Permission is subject to the following Approved Plans Condition:

The development shall be carried out in accordance with the following approved plans: (drawing numbers to be added)

Reference no./Plan or document name/Rev.

Received on:

Reason: For the avoidance of doubt and in the interests of proper planning.

Permission is subject to the following Compliance Condition(s)

1. (REPLACEMENT OF CONDITION 25):

SPECIFICATION FOR THE REPAIR AND RESTORATION OF THE FRONT ELEVATION OF 15 SOUTHWARK STREET

BLOCK 02(B): 15 SOUTHWARK STREET

Notwithstanding the repair and restoration details as approved under discharge of condition reference 22/AP/2038, prior to commencement of above ground works to Block 01: The Southwark Street Office Cluster, an updated specification for the restoration of the front elevation of 15 Southwark Street shall be submitted to and approved by the Local Planning Authority. The development shall not be carried out other than in accordance with any such approval given, and the restoration of 15 Southwark Street shall be completed prior to occupation of Block 01: The Southwark Street Office Cluster.

Reason: In order that the Local Planning Authority may be satisfied that the construction details to be used in the construction of the development achieve a quality of design and detailing, are suitable in context and consistent with the consented scheme in accordance with Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (2021); Policy HC1 (Heritage conservation and growth) of the London Plan (2021); Policy P19 Listed buildings, Policy P20 (Conservation areas) and Policy P21 (Conservation of the historic environment and natural heritage) of the Southwark Plan (2022).

2. Prior to commencement of above-grade works (excluding cores), a valid construction contract (under which one of the parties is obliged to carry out and complete the works of redevelopment of the site for which planning permission was granted simultaneously with this consent) shall be entered into and evidence of the construction contract shall be submitted to for approval in writing by the Local Planning Authority.

Reason: As empowered by Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to maintain the character and appearance of the Conservation Area, in accordance with Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (2021); Policy HC1 (Heritage conservation and growth) of the London Plan (2021); P19 Listed buildings, Policy P20 (Conservation areas), and Policy P21 (Conservation of the historic environment and natural heritage) of the Southwark Plan (2022).

3. Prior to above grade works commencing (excluding deconstruction works), material samples of all external facing materials to be used in the carrying out of the restoration/rebuilding of 15 Southwark Street shall be presented on site and approved in writing by the Local Planning Authority; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason: In order to ensure that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with Chapter 12 (Achieving well-designed places) of the National Planning Policy Framework (2023); Policy D4 (Delivering good design) of the London Plan (2021); Policy P13 (Design of Places) and Policy P14 (Design Quality) of the Southwark Plan (2022).

Important Notes Relating to the Council's Decision

1. Conditions

- If permission has been granted you will see that it may be subject to a number of planning conditions. They are an integral part of our decision on your application and are important because they describe how we require you to carry out the approved work or operate the premises. It is YOUR responsibility to comply fully with them. Please pay particular attention to those conditions which have to be met before work commences, such as obtaining approval for the siting and levels of buildings and the protection of trees on the site. If you do not comply with all the conditions in full this may invalidate the permission.
- Further information about how to comply with planning conditions can be found at:
https://www.planningportal.co.uk/info/200126/applications/60/consent_types/12
- Please note that there is a right of appeal against a planning condition. Further information can be found at:
https://www.planningportal.co.uk/info/200207/appeals/108/types_of_appeal

2. Community Infrastructure Levy (CIL) Information

- If your development has been identified as being liable for CIL you need to email [Form 1: CIL Additional Information](#), [Form 2: Assumption of Liability](#) and [Form 6: Commencement Notice](#) to cil.s106@southwark.gov.uk as soon as possible, so that you can be issued with a Liability Notice. This should be done at least a day before commencement of the approved development.
- **Payment of the CIL charge is mandatory and the CIL Regulations comprises a range of enforcement powers and penalties for failure to following correct procedures to pay, including stop notices, surcharges, late payment interests and prison terms.**
- To identify whether your development is CIL liable, and further details about CIL including eligibility and procedures for any CIL relief claims, please see the Government's CIL guidance:
<https://www.gov.uk/guidance/community-infrastructure-levy>
- All CIL Forms are available to download from Planning Portal:
https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5
- Completed forms and any CIL enquiries should be submitted to cil.s106@southwark.gov.uk

3. National Planning Policy Framework

- In dealing with this application we have implemented the requirements in the National Planning Policy Framework to work with the applicant/agent in a positive, proactive and creative way by offering a pre-application advice service; as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible and if applicable suggesting solutions to secure a successful outcome. We have considered the application in light of our statutory policies in our development plan as set out in the officer's report.

4. Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If an enforcement notice is or has been served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: **28 days** of the date of service of the enforcement notice, OR within **6 months** (12 weeks in the case of a householder or minor commercial appeal) of the date of this notice, whichever period expires earlier.

- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal.
- Further details are on GOV.UK (<https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>).

5. Purchase Notice

- If either the local planning authority or the Secretary of State grants permission subject to conditions, the owner may claim that the land can neither be put to a reasonably beneficial use in its existing state nor made capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances the owner may serve a purchase notice on the Council requiring the Council to purchase the owner's interest in the land in accordance with Part VI of the

6. Provisions for the Benefit of the Disabled

- Applicants are reminded that account needs to be taken of the statutory requirements of the Disability Discrimination Act 1995 to provide access and facilities for disabled people where planning permission is granted for any development which provides:
 - i. Buildings or premises to which the public are to be admitted whether on payment or otherwise. [Part III of the Act].
 - ii. Premises in which people are employed to work as covered by the Health and Safety etc At Work Act 1974 and the Management of Health and Safety at Work Regulations as amended 1999. [Part II of the Act].
 - iii. Premises to be used as a university, university college or college, school or hall of a university, or intended as an institution under the terms of the Further and Higher Education Act 1992. [Part IV of the Act].
- Attention is also drawn to British Standard 8300:2001 Disability Access, Access for disabled people to schools buildings – a management and design guide. Building Bulletin 91 (DfEE 99) and Approved Document M (Access to and use of buildings) of the Building Regulations 2000 or any such prescribed replacement.

7. Other Approvals Required Prior to the Implementation of this Permission.

- The granting of approval of a reserved matter or outstanding matter does not relieve developers of the necessity for complying with any Local Acts, regulations, building by-laws and general statutory provisions in force in the area, or allow them to modify or affect any personal or restrictive covenants, easements, etc., applying to or affecting either the land to which the permission relates or any other land or the rights of any persons or authorities (including the London Borough of Southwark) entitled to the benefits thereof or holding an interest in the property concerned in the development permitted or in any adjoining property. In this connection applicants are advised to consult the council's Highway Maintenance section [tel. 020-7525-2000] about any proposed works to, above or under any road, footway or forecourt.

8. Works Affecting the Public Highway

- You are advised to consult the council's Highway Maintenance section [tel. 020-7525-2000] about any proposed works to, above or under any road, footway or forecourt.

9. The Dulwich Estate Scheme of Management

- Development of sites within the area covered by the Scheme of Management may also require the permission of the Dulwich Estate. If your property is in the Dulwich area with a post code of SE19, 21, 22, 24 or 26 you are advised to consult the Estates Governors', The Old College, Gallery Road SE21 7AE [tel: 020-8299-1000].

10. Building Regulations.

- You are advised to consult Southwark Building Control at the earliest possible moment to ascertain whether your proposal will require consent under the Building Act 1984 [as amended], Building Regulations 2000 [as amended], the London Building Acts or other statutes. A Building Control officer will advise as to the submission of any necessary applications, [tel. call centre number 0845 600 1285].

11. The Party Wall Etc. Act 1996.

- You are advised that you must notify all affected neighbours of work to an existing wall or floor/ceiling shared with another property, a new building on a boundary with neighbouring property or excavation near a neighbouring building. An explanatory booklet aimed mainly at householders and small businesses can be obtained from the Department for Communities and Local Government [DCLG] Free Literature tel: 0870 1226 236 [quoting product code 02BR00862].

12. Important

- This is a PLANNING PERMISSION only and does not operate so as to grant any lease, tenancy or right of occupation of or entry to the land to which it refers.

Relevant planning policy

NPPF Chapters 12. Achieving well-designed places & 16 Conserving and enhancing the historic environment

London Plan 2021: D1 Design, character and capacity for growth; D3 Optimising site capacity; D4 Delivering good design; D5 Inclusive design; HC1 Heritage conservation and growth

Southwark Plan 2022; P13 Design of places; P14 Design quality; P19 Listed buildings, P20 Conservation areas, Policy P21 (Conservation of the historic environment and natural heritage)

Heritage SPD 2021

Other guidance: “The setting of Heritage Assets” (Historic England); Borough High Street conservation area appraisal

PLANNING HISTORY OF THE SITE AND NEARBY SITES

19/AP/0830 – Parent application - Mixed-use development involving the demolition of 25-33 Southwark Street, the restoration of 15 Southwark Street for residential use and the erection of new buildings comprising: a part 6/8/9-storey office (Class B1) building incorporating a single-storey basement, flexible ground floor uses (Classes A1/A2/A3/A4 and D2) and workspace units (Class B1); a 3-storey workshop building (Class B1); a marketplace with up to 9 permanent stalls (Class A1); 36 residential units in the refurbished 15 Southwark Street building and a new 8-storey block; associated areas of new public realm; hard and soft landscaping; enhancements to Crossbones Burial Ground; means of access and enclosure, and; ancillary plant and equipment. Granted 05.01.2021.

21/AP/1295 – NMA: The amendments relate to the creation of a two-part CIL phasing plan. Agreed 14.05.2021.

22/AP/1689 – NMA: The amendment relates to stabilisation works and reconfiguration of the layout of no.15 Southwark Street, and consequent minor changes to conditions to facilitate scheme phasing. Agreed 03.08.2022.

23/AP/0230 – NMA: The amendment relates to the further amendment of the CIL phasing plan. Agreed 16.02.2023.

23/AP/2643 – NMA: The amendment relates to the further amendment of the CIL phasing plan. Agreed 20.10.2023.

Consultation undertaken

Site notice date: n/a.

Press notice date: n/a.

Case officer site visit date: n/a

Neighbour consultation letters sent: 31/08/2023

Internal services consulted

Design and Conservation Team [Formal]

Statutory and non-statutory organisations

Neighbour and local groups consulted:

13 Serpentine Court Bletchley Milton Keynes

11 Edithna Street London SW9 9JR

4 Bull Mill Warminster BA12 8AY

4W Rosebery Square West Rosebery Avenue London

46 Manor Park Rd East Finchley London

69 Kemps Lane Beccles

22 Trinity Church Square London SE1 4HY

Flat 5 41 Glengall Road London

50 Northfleet House London SE1 1YX

Flat 2 26 Marshalsea Road London

25 Vista Way Harrow HA3 0SP

85E Balfour Street London SE17 1PB

Flat 6, Triangle Court Redcross Way London

1 Poultry London EC2R 8EJ

17 Slingsby Place London WC2E 9AB

Flat 2, 8 Vine Yard London SE1 1QL

Flat 1 Wiltshire House 2 Maidstone Buildings Mews

Red Cross Garden 50 Redcross Way London

8 Southwark Street London SE1 1TL

Flat 12, Triangle Court 10 Redcross Way London

Red Cross Gardens 50 Redcross Way SE1 1HA

Flat 39, 10 Hilary Mews London SE1 1AP

Flat 32 Benbow House 24 New Globe Walk

4 Hilary Mews London Southwark

Flat 1 Clink Wharf Clink Street

Flat 1 Hatters Court 99 Redcross Way

2 Redcross Way London Southwark

11 Vine Yard London SE1 1QL

2B Redcross Way London Southwark
SE1 9HR

Flat 2 8 Vine Yard London Southwark
SE1 1QL

Flat 16 Brandon House 10 Hilary Mews

City And Farmers Market Borough
Market 8 Southwark Street

Redcross Garden 50 Redcross Way
London

Bankside Community Space 18 Great
Guildford Street London

Flat 8, Brandon House 10 Hilary Mews
London

Flat 2 31 Union Street Southwark

28 Whittlesey St London SE1 8TA

12 Sussex House Maidstone Buildings
Mews London

Re-consultation:

Consultation responses received

Internal services

Design and Conservation Team [Formal]

Statutory and non-statutory organisations

Neighbour and local groups consulted:

44-48 Borough High Street London se1
1xw

218 Empire Square West London SE1
4NL

70 Cowcross Street London EC1M 6EJ

Flat 78, Brandon House 10 Hilary Mews
London

32 Tate close Romsey SO51 0BE

90 Guinness Court London SE1 3TA

Unit 13, 39 Gransden Avenue London
E83QA

Via Email

4th Floor Cannon Bridge House 25
Dowgate Hill

8 Southwark Street London SE1 1TL

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12 Clifton Road London DA14 6PY

11 Edithna Street London SW99JR

1 Priory Gardens London W4 1TT

Flat 2 8 Vine Yard London

153 kennington lane london se11 4ez

Flat 1 28 Clennam Street London

17 Touchard House Chart Street London

Flat 5, Triangle Court, 10 Redcross Way,
Triangle Court Triangle Court London
Bridge

92 symington house deverell street
london