

Item No. 11.2	Classification: Open	Date: 4 February 2014	Meeting Name: Planning Committee
Report title:	<p>Development Management planning applications: Address: 127-143 BOROUGH HIGH STREET, LONDON SE1 1NP</p> <p>Application for: Full Planning Permission, Ref 13-AP-1714</p> <p>Proposal: Demolition of several existing structures and construction of a six storey hotel with 100 bed spaces (4,006sqm GIA) (Use Class C1), two commercial units (576sqm GIA) (Use Classes A1 – A3), a gym (492sqm GIA) (Use Class D2). Reconfiguration of a Listed Building to provide a ground floor retail unit (Use Class A1) (55sqm GIA) with 1, two bedroom residential unit (102sqm GIA) (Use Class C3) on the upper floors; servicing, landscaping, alterations to vehicular and pedestrian accesses and associated works.</p> <p>Application for: Conservation Area Consent, Ref 13/AP/1718</p> <p>Proposal: The demolition of 129-131, 133-135 and 141-143 Borough High Street and partial demolition of an external wall at 127 Borough High Street.</p> <p>Application for: Listed Building Consent, Ref 13/AP/1716</p> <p>Proposal: Reconfiguration and use of the ground floor to provide a ground floor retail unit (55sqm GIA) (Use Class A1), with a two bedroom residential unit (102sqm GIA) (Use Class C3) on the upper floors</p>		
Ward(s) or groups affected:	Chaucer		
From:	Head of Development Management		
Application Start Date 28/05/2013		Application Expiry Date Subject to PPA	

RECOMMENDATION

1.
 - a) Grant planning permission for application 13/AP/1714, subject to the completion of a Section 106 Agreement and the conditions set out in the recommendation;
 - b) Grant conservation area consent for application 13/AP/1718 subject to the conditions set out in the recommendation and any direction by the Secretary of State; and
 - c) Grant listed building consent for application 13/AP/1716 subject to the conditions set out in the recommendation and any direction by the Secretary of State.

BACKGROUND INFORMATION

Site location and description

2. The site comprises of 6 individual buildings and fronts onto Borough High Street, north of its junction with Newcomen Street. It has a site area of 0.2625 hectares. It is located on the east side of Borough High Street. Most of the properties are vacant. The upper floors of 129 to 131 have been vacant since the 1950s due to constrained floor to ceiling heights. Nos 141 and 143 sustained damage in the second world war. It appears that the buildings were previously used for mainly retail on the ground floor with some of the upper floors used as offices or administrative space by the applicant. There is an existing gym on site which is still being used at 131 Borough High Street. However, the majority of previous uses are considered to have been abandoned. Previously the buildings had been supported by external scaffolding; however, this was not considered acceptable and some structural alterations took place to allow the scaffolding to be removed.
3. In terms of the context of the site the area is in mixed use but predominantly commercial with properties on Borough High Street ranging in scale from 5/6 storeys to 3 storeys. To the rear of the site are the Guys campus of Kings College London and Guys Hospital.
4. The site is within the Borough High Street Conservation Area and No 127 Borough High Street is a Grade II listed building. Adjacent to the north are Grade II listed buildings at 121, 123 and 125 Borough High Street.
5. In the Southwark Plan the site is situated within: the Bankside and Borough district town centre where it fronts Borough High Street and in the London Bridge district town centre behind; the central activities zone; air quality management area; strategic cultural area; Borough High Street conservation area; Bankside, Borough and London Bridge opportunity area; archaeological priority zone; and a protected shopping frontage.

Details of proposal

6. The proposal will retain 127 Borough High Street a Grade II listed building and its proposed use is as a small retail unit on the ground floor and a two bedroom maisonette above with a first floor extension. The unit will have a floor area of 105sqm with two bedrooms of 12sqm with private bathrooms and a living area of 39sqm.
7. In relation to the rest of the site nos 129 to 143 Borough High Street are proposed to be demolished and a contemporary set of buildings up to 6 storeys above a basement built on the site. The scheme will have a four/five storey element at the front rising to six storeys behind with a maximum height including the lift overrun of 23.3m
8. The proposed basement will provide a gym area (492sqm) for the existing gym that is currently located on the site along with storage for retail unit 2, a plant roof and back of house area for the hotel.
9. The proposed ground floor of nos 129 to 143 Borough High Street will comprise of two retail units with the reception area and restaurant for the hotel being to the rear of the second retail area (retail 2) and the storage area for the bins etc being at the rear of the third retail unit (retail 3). There will be a total of 576sqm in retail use.
10. The first floor comprises of 23 bedrooms and is located over the retail units (2) and (3) and the reception area of the hotel. There are 22 bedrooms on both the second and third floors and all floors have ancillary stores, 18 bedrooms on the fourth floor and 15

bedrooms on the fifth floor. The roof has an enclosed structure housing the plant.

11. Externally there will be a set down and pick up point to the south side of the proposed hotel reception area in Nag's Head Yard. This will also be utilised as a service area for the hotel. It is envisaged that the retail units will be serviced from Borough High Street. To the north the Spur Inn Yard will be landscaped area and will be open to the general public. Pedestrian access will be mainly from Borough High Street and will be able to use both Spur Inn Yard and Nag's Head Yard. The Public Transport Accessibility Level (PTAL) is 6.
12. In terms of materials for the new elements the main body of the building will be stock bricks with reconstituted stone cills and parapets with contrasting board marked concrete with frameless opaque glassed cladding. Samples of all materials will need to be displayed on site and subject to a condition.
13. The historic cobbles and stone cart tracks in the yards will be retained as will the existing timbers located on the Spur Inn Yard facade at 127 Borough High Street.

In terms of employment, it is indicated that the hotel will require 43 employees, the retail element 15 and the gym 6 employees.

Conservation Area Consent and Listed Building Consent Works

14. The proposal is to demolish the existing buildings on site but retain 127 Borough High Street, the listed building, and carry out the following works:
 - Extensive stripping-out of the property, with the removal of all partitions and stairs at basement, ground and first-floor levels; at second and third floor-levels the stairs and partitions are retained.
 - The contemporary shopfront is also being replaced, and a new shopfront inserted on the alley-return and a new window inserted at third-floor level.
 - A rear extension is also proposed at first-floor level along with a new flat roof.
 - Within the basement the main works are removing the existing non-original stair and the insertion of a new stairway to the rear
 - The ground-level the layout is simplified to make a single shop area with the residential access/storage/stairway moving to the rear
 - The first floor layout creates one long open-plan living space, increased by the rear extension
 - The second and third floors retain the central stair with a room front and back, which is an acceptable retention of the building's only historic form and layout
 - Externally, all windows are to be refurbished, or replaced if necessary.

Planning history

15. The current proposals have been accompanied by an application for an Environmental Impact Assessment (EIA) Screening Opinion (13/AP/0519) which at the time of writing is due to be considered under delegated powers, the decision on which will be reported via an addendum report to Members.
16. Planning permission (03/AP/1332) granted on 7/5/2004 and conservation area consent (03/AP/1335) granted on 18/5/2004 for the demolition of existing building at 133-135 Borough High Street, restoration of existing buildings at 129-131 and 141-143 Borough High Street together with the construction of a new five storey in fill building between 131-141 Borough High Street comprising of retail (Class A1) use on the ground floor and offices (Class B1) on the upper floors. This permission was subject to conditions on Archaeology, materials to be as specified, full details of the repair and restoration of 129-131 and 141-143 Borough High Street, requirement of an acoustic

report and no additional roof plant.

17. 139 Borough High Street
Permission granted 15/12/98 (98/AP/1241) for a widened access and erection of new entrance arch and gates. This was subject to a condition requiring details of materials to be approved.
18. Conservation Area Consent dated 15/12/98 (98/AP/1242) for the demolition of existing single storey building.

Planning history of adjoining sites and relevant nearby sites

19. Oriel House 145-149 Borough High Street
Planning permission 20 December 1999 (99/AP/1724) for the construction of an additional storey to two-storey glazed link access.
Planning permission dated 5 March 1998 (98/AP/0045) for the removal of a fire escape and erection of new enclosed fire escape and new pedestrian entrance from Newcomen Street.
20. 161-163 Borough High Street
Planning permission dated (13/AP/2007) for the change of use of offices on upper floors of 161 Borough High Street to hotel (Use Class C1), erection of 3-storey rear extension above existing ground floor extension and rebuild existing top floor mansard, all to provide additional hotel space. Extension above rear wing of No. 163 to provide additional hotel space and rebuild and extend existing 5th floor mansard. Extension to office wing at rear of 163 Borough High Street/Mermaid Court by removing existing 2nd floor mansards and creating new 2nd and 3rd floor to provide additional office space (Use Class B1); change of use of basement from hotel and office to hotel use only. Erection of 4th floor mansard above 165 Borough High Street and erection of 2nd floor infill behind the Borough High Street frontage to create additional hotel space. Erection of additional storey at 71 Newcomen Street to create a self-contained flat and change of use of first floor from office to self-contained flat (Use Class C3).

KEY ISSUES FOR CONSIDERATION

Summary of main issues

21. The main issues to be considered in respect of this application are:
 - a) Land use issues in relation to use of the site for retail, a 100 bedroom hotel and a residential unit.
 - b) Impact of proposed development on amenity of adjoining occupiers and surrounding area
 - c) Transport
 - d) Design
 - e) Impact of the proposed demolition and redevelopment on the character and appearance of the conservation area and setting of adjacent listed buildings
 - f) Impact of the proposals on the listed building at No. 127
 - g) Planning obligations (S.106 undertaking or agreement)
 - h) Mayoral community infrastructure levy
 - i) Sustainable development implications
 - j) Flood risk.

National Planning Policy Framework (NPPF)

22. Section 1 – Building a strong, competitive economy

Section 2 – Ensuring the vitality of town centres
Section 4 – Promoting sustainable transport
Section 6 – Delivering a wide choice of high quality homes
Section 7 – Requiring good design
Section 8 – Promoting healthy communities
Section 10 – Meeting the challenge of climate change, flooding and coastal change
Section 12 – Conserving and enhancing the historic environment

London Plan 2011

23. Central Activities Zone – strategic priorities
Central Activities Zone – strategic functions
Central Activities Zone – predominantly local activities
Increasing housing supply
Quality and design of housing developments
Housing choice
Mixed and balanced communities
Offices
Mixed use development and offices
London's visitor infrastructure
Policy 6.9 Cycling
Policy 6.13 Parking
Policy 7.2 An inclusive environment
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology
Policy 8.2 Planning obligations

24. Core Strategy 2011

Strategic Policy 1 – Sustainable Development
Strategic Policy 2 – Sustainable transport
Strategic Policy 3 – Shopping, leisure and entertainment
Strategic Policy 5 – Providing new homes
Strategic Policy 10 – Jobs and businesses
Strategic Policy 12 – Design and Conservation
Strategic Policy 13 – High Environmental Standards
Strategic Policy 14 – Implementation and Delivery

25. Southwark Plan 2007 (July) – saved policies

The council's cabinet on 19 March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

26. 1.11 Arts, culture and tourism uses
1.12 Hotels and visitor accommodation
1.7 Development within town and local centres
2.5 Planning Obligations
3.2 Protection of Amenity
3.4 Energy Efficiency
3.6 Air Quality
3.7 Waste Reduction

3.9 Water
 3.11 Efficient Use of Land
 3.12 Quality in Design
 3.13 Urban Design
 3.14 Designing out Crime
 3.15 Conservation of the Historic Environment
 3.16 Conservation Areas
 3.17 Listed Buildings
 3.18 Setting of Listed Buildings, conservation areas and World Heritage Sites.
 3.19 Archaeology
 4.2 Quality of residential accommodation
 5.2 Transport Impacts
 5.3 Walking and Cycling
 5.6 Car Parking
 3.17 Listed Buildings
 3.18 Setting of Listed Buildings, conservation areas and World Heritage Sites.
 5.2 Transport Impacts
 5.3 Walking and Cycling
 5.6 Car Parking
 7.4 Bankside and Borough Action Area

Sustainable Transport Planning SPD (2008)
 Sustainable Design and Construction SPD (2009)
 Residential Design Standards SPD (2011)
 Sustainability assessments SPD (2009)
 Section 106 Planning Obligations (2007)
 Borough High Street Conservation Area Appraisal (June 2006)

Principle of development

The proposal is for the provision of a mixed use scheme comprising of a hotel (Use Class C1), retail (Use Class A1) and a residential maisonette (Use Class C3), and re-provision of a gym (Use Class D2). All the proposed uses are considered acceptable in land use terms in this town centre location within the Central Activities Zone for the following reasons.

27. Proposals within a town centre

Within the District Town Centres including Bankside and Borough and London Bridge Saved Policy 1.7 Development within town and local centres of the Southwark Plan 2007 will apply and states;

"The LPA will permit a range of uses including retail and services, leisure, entertainment and community, civic, cultural and tourism, residential and employment (B uses), where the following criteria are met;

i) The scale and nature of the proposal is appropriate to the character and function of the centre and catchment area which it seeks to serve.

ii) The proposal will not harm the vitality and viability of the centre; and

iii) A mix of uses is provided where appropriate;

iv) Any floorspace in use as A1 retail should be retained or replaced, unless the proposed use provides a direct service to the general public and the proposal would not harm the vitality and viability of the town centre (where the proposal site is located within a Protected Shopping Frontage, the proposal should comply with policy 1.9); and

v) The proposal should not materially harm the amenities of the surrounding occupiers;

vi) Where developments that are likely to attract a lot of people are proposed, the site should be highly accessible by sustainable modes of transport; and

vii) *The road network has sufficient capacity to take any additional servicing traffic generated by the proposal without causing adverse effects on the environment, traffic circulation or air quality; and*
viii) *The development addresses the street, provides an active frontage on pedestrian routes, and would not erode the visual continuity of a shopping frontage; and*
ix) *The proposal provides amenities for users of the site such as public toilets, where appropriate."*

The proposal is considered to comply with this policy as retail, leisure and residential uses are all proposed in accordance with the range of uses listed above. Moreover these proposed uses do not displace existing protected uses on the site.

28. Provision of a hotel

Saved policy 1.12 of the Southwark Plan relates to hotel provision and states:

Hotels and other visitor accommodation will be encouraged in areas with high public transport accessibility.

Smaller hotels and visitor accommodation will be permitted in areas with good access to public transport, where the scale of the proposal is appropriate to the context and location.

Hotels and visitor accommodation will not be permitted where they would result in a loss of existing residential accommodation, or an over dominance of visitor accommodation in the locality.

29. The proposal is considered to accord with this policy as the site is located in an area of high public transport accessibility (PTAL 6a), the scale of the proposal is appropriate to its context and will not result in an over dominance of visitor accommodation. These issues are considered further below.
30. In terms of the core strategy Strategic policy 10 encourages development that creates employment and a vibrant economy which this proposal will help to create on a site where employment is currently provided only by the newsagent at No. 127.
31. It is noted that the GLA's Hotel Demand Study (2006) indicates that approximately 2,500 additional hotel rooms will be needed in the borough over the period 2007 to 2026 and that the NPPF recognises hotels as a town centre use.
32. There has been a growth of hotels in the borough but with most of the growth being around Southwark and Waterloo stations, with a degree of growth around London Bridge. While there are a number of hotels around London Bridge there are fewer to the south in the vicinity of Borough High Street. New and extended hotel provision has been recently approved at 161-165 Borough High Street and 71 Newcomen Street although these are a different offer from that proposed here. Indeed this would be the first major 100 room hotel in the area since the Hilton on Tooley Street. However, as set out below, given the location of this site within a fast growing area of Central London it is considered that there will be sufficient demand to support this new hotel.
33. The applicant has produced a Hotel Demand study which concludes that there is a clear hotel market in London and in this location due to Southwark's popular tourist attractions and iconic buildings such as Tate Modern, The Globe and more recently The Shard. There are also other tourist attractions within walking distance of the application site. Additional regeneration in the area has resulted in additional demand for overnight accommodation for key corporate companies as well as the leisure travellers. Furthermore, there is a need for accommodation for the applicant's visitors, including professors, students, friends and relatives. Therefore, the report concludes that the proposal will provide an additional supply of overnight accommodation which

is appropriate to the market and will help to reduce accommodation demand being displaced to other areas of central London.

34. Therefore, there is no in principle objection to a new hotel use in this area as there is a demand for a new hotel, and there is not an over-dominance of such uses in this part of the borough.
35. Provision of retail within the proposal
The provision of a retail element to replace the lost and now vacant retail element in the original buildings is welcomed as it provides active frontages to the application site and will add to the vitality and viability of the Bankside and Borough/London Bridge District Town Centre in compliance with saved policy 1.7 Development within town and local centres of the Southwark Plan. Provision of new retail space also accords with Saved Policy 1.9 concerning protected shopping frontages.
36. Provision of one housing unit
Residential is an acceptable use in a town centre providing it does not detract from the viability and vitality of the commercial uses in the centre. In this case due to the restricted floor plans and the inability to make substantial alterations or build substantial extensions due to the property (no 127) being listed it is considered that residential was the only viable option for the property. A one bedroom maisonette is being provided and while in the past this may have been used for commercial purposes this property has been vacant for many years and therefore it is considered that former uses on the upper floors are likely to have been abandoned. Therefore the introduction of a new residential unit is considered acceptable in land use terms and complies with saved policy 1.7 Development within town and local centres.
37. Quantum of development
An objection has been raised by English Heritage and other parties in respect to the proposed development being too large. The applicant has submitted a viability report to show that not only would it not be viable to keep the buildings that are proposed to be demolished but that the proposed scale and massing are also essential to the viability of the proposal. The report is currently being assessed by the council's valuation team and their findings will be reported in an addendum.

Environmental impact assessment

38. An application for a screening opinion for an Environmental Impact Assessment (EIA) was submitted under ref. 13/AP/0519, the outcome of which will be reported in an addendum report.

Impact of proposed development on amenity of adjoining occupiers and surrounding area

39. Whilst the adjoining properties to the site are primarily commercial/institutional, there are residential occupiers in 92 and 121 (a hostel) Borough High Street and to the rear in Newcomen Street. A verbal concern was expressed by a resident in Newcomen Street that the proposal would increase the traffic using Newcomen Street which will increase noise. However, the proposed vehicle trips will not be substantially higher and the fact that the drop off area is surrounded by commercial properties will help ameliorate any potential noise at unsociable hours when residents are dropped off at the hotel.
40. There will be no material loss of privacy for any nearby residential properties as the proposed windows look out onto commercial properties or there is generally a reasonable distance between buildings, apart from the windows overlooking the Wolfson Centre to the rear (east) which is a commercial/institutional building in the

ownership of the applicant.

41. A sunlight and daylight report has been produced by the applicant, which concludes that surrounding residential windows will receive at least 27% of the Vertical Sky Component except for three windows in 121 Borough High Street, a hostel. A Sky Line Assessment was then carried out and found that these windows had a ratio reduction of 0.8 times its former value, which is considered satisfactory. The Annual Probable Sunlight Hours (APSH) assessment results showed that all residential windows within 90 degrees of due south received at least 25% of the APSH of which 5% are in the winter months or by experiencing a ratio reduction of above 0.8 times its former value. Therefore the report concluded that the proposed redevelopment would have an acceptable impact on the surrounding residential properties having regard to established BRE tests.
42. In terms of amenity for the future occupiers of the maisonette in 127 Borough High Street all rooms meet the space standards set out in the Residential Design Standards SPD 2011 and the living area and overall area exceeds it. The first floor extension will not cause overlooking and the whole development has been submitted to a sunlight and daylight test and found there would be an acceptable impact on the surrounding residential properties.
43. The neighbouring commercial /institutional uses have also been considered and any impacts would also be at acceptable levels.

Impact of adjoining and nearby uses on occupiers and users of proposed development

44. The neighbouring properties being mainly offices and institutional uses will have no material impact on the occupiers of the hotel or the retail units. The proposed residential unit should not be impacted by adjoining uses.

Transport issues

45. Existing site conditions/site context
The proposed development is located on Borough High Street (BHS), this section of BHS forms part of the TLRN. The site benefits from a PTAL of 6b, which is the highest rating possible and is located some 400m from the London Bridge transport hub.
46. The site is located within both the CAZ, and the Borough CPZ which is operational Monday to Saturday from 08:30 to 18:30. The above section of Borough High Street has high levels of pedestrian foot fall through out the day. Footfall peaks correlate with AM and PM traffic flows; the northern section of Borough High Street has high levels of footfall during the lunch time period 12:00-14:00.
47. A pedestrian and cycle crossing facility is located at the junction of Borough High Street, Newcomen Street and Union Street. Further pedestrian crossing facilities are available to the north of Borough High Street at the junctions of Borough High Street and Southwark Street and the junctions of Borough High Street/ St Thomas Street and Bedale Street.
48. The existing site is vacant and has been for some time due to dangerous structures. The site has an access on Borough High Street and Newcomen Street. The safest logical passage through the site would be in from Borough High Street (BHS) and out on to Newcomen Street/south down Tennis Street.
49. Nuffield Cancer Centre is being developed to the east, this site is within close

proximity to the site, some 150 metres away on Newcomen Street, the London Bridge Station re development also has a wide impact on the operation of the surrounding highway network.

50. Pedestrian and cycle movement

The main pedestrian desire movements are north/south along BHS travelling to and from the London Bridge transport hub. Cycle movements during the AM and PM peak also follow this north south movement. There is some east west movement along Union Street and Newcomen Street (west only due to one way working).

51. There is an increase in pedestrians and cycle movements associated with the new London Bridge station. As part of the station design southern permeability will be significantly improved. It is reasonable to assume that an increase in pedestrian movements may occur through Guys and St Thomas's/Snowfields and Newcomen Street.

52. Footways along the northern section of BHS are generous and are able to accommodate the current high level of pedestrian foot fall experienced on BHS. There are a number of concealed vehicular accesses on BHS (particularly on the eastern side). Vehicular flows are minimal and the narrow width does not permit vehicles larger than vans access. The concealed nature of these accesses still causes some concern due to the high foot falls on BHS.

53. Transport impact of the proposed development

The transport assessment has provided a number of comparable sites using the TRAVL database. The level of trip generation by the development is expected to be of a minimal nature, it will not impact significantly on the operation of the surrounding highway network.

54. The majority of the vehicular trips will be from service and refuse vehicles. A service management plan has been submitted which details a number of measures and practices which will be put in place to mitigate the impact of future service and refuse vehicle movements.

55. The remainder of vehicle trips will be mainly formed by taxi drop offs, the development will generate an insignificant number of private vehicle trips.

56. Given the development's location and nature the predominant modal share is walking. A small level of cycle usage is expected in association with the retail and leisure uses proposed.

57. Access

The development proposes pedestrian and cycle access to the development from BHS (at two points).

58. Vehicles are proposed to enter from Newcomen Street, and exit on to BHS (from the southern access).

59. The transport team have previously raised concerns relating to the narrow width of the southern exit access (which is for the predominate use of vehicles). The narrow width of the access may cause conflict between pedestrians and cycles and service/ refuse vehicles on the site.

60. Other concerns raised previously related to conflict between vehicles emerging from the concealed access on BHS, and pedestrians travelling in a north/south direction on this section of BHS.

61. A road safety audit (RSA) of the development's access design and operation was undertaken at the request of Transport officers and TfL officers. The design of the access and its operation were found to be safe by the Road Safety Auditors.
62. Council officers and TfL officers have seen the RSA report. Whilst TfL officers have not commented, council officers are satisfied that the RSA is robust and undertaken to TfL standards and that it demonstrates that the current design of the access is suitable and will not impact significantly on pedestrian safety on the above section of BHS.
63. Driver visibility splays have been provided and the building line altered to comply with current manual for street guidance. The provision of these splays provides emerging vehicles good visibility of pedestrians on BHS, while making vehicles more obvious to pedestrians on BHS. The proposed visibility splays were included within the road safety audit.
64. Public Realm / Highway's Impact
Alterations to the building line to achieve driver visibility splays are located on private land; these areas are at grade with the footway on BHS and have not been offered for adoption. The development does not require stopping up of any existing public highway. No new public highway is being created, and no land within the site is being offered for adoption in association with this application.
65. Cycle parking
The proposed development's cycle parking provision exceeds Southwark plan and London Plan minimum cycle parking levels for both staff and visitors. Visitor cycle parking (for all uses except C3) has been provided in circulation areas (northern courtyard). Internal cycle stores are deemed to be secure, convenient and weather proof. Visitor cycle parking within the courtyard area has a good level of passive security, although is not covered. The type of cycle parking facilities provided for staff and visitors is accessible to persons of all physical abilities.
66. Car parking
The proposed development is fully car free and proposed to be exempt from the surrounding CPZ. Visitors and staff will not be eligible to apply for on street parking permits.
67. No disabled parking spaces have been provided, however drop off facilities have been provided with step free access to all of the proposed uses.
68. Given the short stay residential nature of the C3 use and the central nature, the likelihood of disabled car users accessing the development is minimal. Disabled persons are expected to use public transport to access the development or taxis, both forms of travel have been well catered for by the proposed development. As stated above the development is located within 400m of the London Bridge transport hub which has step free access.
69. Servicing, deliveries and refuse collection
The development will be capable of being serviced from an off street location. Service and refuse vehicles will enter the development from Newcomen Street and exit on to BHS. A worst case scenario level of refuse and service vehicle movement in one day is 6 vehicles, this level of trip generation has been estimated using comparable sites on the TRAVL trip generation data base.
70. Swept paths have been provided to show worst case (largest) vehicles entering from Newcomen Street, navigating through the development and exiting on to BHS. The applicants have also provided swept paths (in pre application discussion) for the worst case vehicles entering from BHS and exiting on to Newcomen Street/ Tennis Street.

As stated previously a service management plan has been submitted. The Service management plan provides suitable measures to minimize the impact of service and refuse vehicles on the surrounding highway network.

71. Travel plan

The travel plan has passed the TfL's Attribute Test. Given the development's nature and location it is unlikely that private car usage will occur, however the travel plan has been proposed to be monitored at 1,3 and 5 years. The proposed travel plan will provide useful journey planning information for users of the constructed development.

72. Demolition and construction management

A construction management plan should be conditioned; in particular the construction management plan should be aware of highway operation changes which may occur from redevelopment of the cancer centre and London Bridge station redevelopment works.

73. The construction management plan should conform to TfL's guidance on construction/demolition management plans.

74. In terms of transport we support the application as it contributes to Southwark's sustainable transport policies. The operational development will not generate a significant negative impact on the performance and safety of the surrounding highway network.

Design issues

75. This 'development' site is large, complex and extremely sensitive, a combination of factors that will make its re-development extremely challenging. The site is entirely within the Borough High Street Conservation Area, with a lengthy frontage to the important streetscape, and incorporating a grade II listed building at No. 127. The site also incorporates two historic yards/alleyways, Nag's Head Yard and Spur Inn Yard; these are integral to the historic character of the area and are valuable reminders to its historic development. Three blocks on the site are currently internally scaffolded for structural support, with street facade netting, nos 129-131 and 141 and 143.

76. This proposal allows for the complete demolition of the buildings on the site, excluding no.127. Within conservation areas, there will be a general presumption in favour of retaining buildings that contribute positively to the character or appearance of the conservation area. Planning permission will not be granted for proposals that involve the demolition or substantial demolition of a building that contributes positively to the character or appearance of the conservation area, unless, in accordance with Saved Policy 3.16 (and Section 133 of the NPPF 2012) the loss can be justified and mitigated for with the new design. While the existing buildings on the site do make a positive contribution to the conservation area streetscape, or they would if they were fully stabilised and renovated, their current condition does significantly impact upon their heritage contribution. The assessment of the demolition proposed under the conservation area consent is provided in the 'impact on the conservation area' section of this report below.

77. The scale of the proposal is a key factor for any re-development, as the height and bulk of the proposal should be appropriate for the conservation area streetscape, roofscape and wider townscape. This is a large and very prominent site within the conservation area, and as such the way the proposal 'fills the gap' in the street frontage, as well as responds to the urban grain beyond, will be key issues. Saved Policy 3.13 Urban design, requires that the height, scale and massing of buildings should be appropriate to the local context and should not dominate its surroundings inappropriately.

78. The listed buildings at 125-127 Borough High Street and the Oriel House corner building at No.145-9, set-up the general quantum of scale that is appropriate for the street frontage, as they act very much as 'urban-bookends' to the proposal site. Oriel House in particular sets a very strong example in terms of scale and height, being the corner or 'anchor' building to the urban block and prominent within southern views of/approaches to the site.
79. The proposal has been amended in terms of its bulk and massing to better respond to the heritage streetscape and wider townscape. The street frontage has been broken-up into 4 elements that are intended to reflect the general plot widths of surrounding buildings and express a variety within the proposal that visually breaks-up the bulk, yet still retains a consistency and unified development. The scale of these 4 blocks is defined by two pairs, the southerly two being 5-storey and rising almost half-a-storey above the adjacent Oriel House, while the northerly pair at 4-storey are stepping-down towards No.127; the height of the northern pair also represents a median between the parapets of Oriel House and No.127, which reads well within the pattern and proportions of the wider street frontage.
80. While there is some variety of scale and height within the existing Borough High Street frontage, new development should seek to 'repair' gaps and inconsistencies within this, to achieve a more harmonious collective; the variety proposed here is relatively subtle and successful towards this goal, and this variety is indicative of the character of Borough High Street. This apart, the step-up from the two northern blocks to the block above the Nags Head Yard entrance will be more prominent in southern views. The massing of the street-frontage blocks has been given further articulation by 'kinking' them to align with the street frontage, in four different planes, which is viewed positively.
81. Behind the frontage blocks the greater bulk of the hotel extends up to 6-storey, plus roof-top plant-room. This bulk has been set-back on the upper two levels from the Borough High Street frontage, thus reducing its visibility within the conservation area streetscape; while still visible in longer views, it is more of a background building and we would consider this re-distribution of bulk to be relatively successful. We would note however that the proposed scale is the absolute maximum that would be considered acceptable on this site, and that the considerable bulk would have benefited from further articulation of its massing to appear constituted of smaller elements (much as has been achieved with the street-frontage blocks).
82. The most important aspect of the site layout is the retention of the two historic yards, which are key to the appreciation of the local historic urban grain. Spur Inn Yard is currently clearly defined and lined by buildings, in what is likely to be close to its original form. Nag's Head Yard however is now just a gap between buildings (Zenith House and No.141) that leads onto a large open service yard, and as such is not perceptible as one of the historic yards which are a defining feature of this conservation area. This proposal retains both yards as primary features in its layout and character, re-defining Nag's Head Yard with a covered entrance and then formed by the northern wall of the rear hotel-block. The alignment of Spur Inn Yard is altered to the rear, widening into a public courtyard at the hotel entrance, and then connecting into the other yards as it does now; the entrance to the yard becomes open, with the proposed demolition of nos 129-131, which is considered to be to the detriment of the Yard's character.
83. Another issue for the assessment of the site layout is how the proposal references the traditional Burbage plots which informed the original development of the area; these typically were a narrow-fronted building with a corresponding garden strip stretching behind. The applicant's document 'Design Revisions Further to Planning Consultation'

dated September 2013, has a very useful diagram on page 5 which shows the building plot widths in elevation (in 1840, present day and for the proposed scheme). In 1840 the frontage constituted 10 buildings/elements, which represent the traditional Burbage-plot and alleyway/yard layouts. The present-day view constitutes 7 elements, indicating the gradual combination of the narrow plots into wider buildings. The proposed frontage is made up of 6 buildings/elements that is only a marginal decrease from the present situation, and does give added emphasis to the two yards. While it would have been a positive enhancement of the conservation area streetscape to re-introduce the missing 'Burbage plot widths' in the facade design/massing, the practicalities and architectural integrity of this could have been somewhat forced and a pastiche in a contemporary development.

84. Access to the site is maintained at the two yard entrances, with pedestrian access to the hotel primarily from Spur Inn Yard and vehicular servicing from Newcomen Street via Nag's Head Yard. A high quality of landscaping design and materials will be required for the yard environments and any improvements to the public/semi-public realm, including street furniture, planting and public art. This should be coordinated wherever possible, to avoid unnecessary clutter, and ensure a safe, informative and attractive environment. Where appropriate, developments should include landscape design that enhances the area and biodiversity, for example through the use of living roofs. The proposed landscaping of Spur Inn Yard, while it is predominantly hard materials, does show considerable interest and variety. The same cannot be said for Nags Head Yard which is treated purely as a service road, with only a lighting strip and retained cobbles/cart-track slabs for interest. This is less than ideal considering there is a secondary entrance to the hotel off this yard, which is also the taxi drop-off. Greater variety and interest in design and materials for Nags Head Yard can be secured through conditions.
85. All developments must fully incorporate the principles of inclusive design, with suitable access for people with disabilities or those who are mobility impaired. Both hotel entrances, as well as the commercial units, should have level thresholds to permit ease of equal access.
86. Within this extremely sensitive context the composition, detailing and materiality of the design will obviously be of key importance. Saved Policy 3.12 Quality in design, requires that developments achieve a high quality of both architectural and urban design, specific to their site's shape, size, location and preserving or enhancing the historic environment. This high quality is a vital requirement of this proposal and forms part of the leverage to justify the demolition of the existing buildings.
87. The composition of the four blocks that comprise the street-frontage need to develop a certain amount of individual character, within a cohesive overall development, to contribute positively to the conservation area's character and appearance. The architectural style that has been applied is a very simple and contemporary styling, within which there is a subtlety to the proportional composition and elemental detailing.
88. Further design revisions were made to these elevations in the course of this application, to introduce: a more interesting fenestration design, with enhanced depth to the reveals; a subtlety different parapet design to each of the four elements to add interest to the roofscape/capping; added emphasis to the commercial frontages and a double-height element to match those adjacent/existing on Oriel House. These amendments have certainly added interest and design quality to the street-frontage elevations.
89. The elevation onto Spur Inn Yard was also revised at this point, from a rather banal facade to an elevation that now has some design quality and interest; it now has a

stronger feature for the hotel entrance, and pairs the windows on levels one to four to give more interest to the fenestration composition.

90. The frontage to Spur Inn Yard is much more successful, showing real architectural intent to the lower levels, with an interesting form that splays inwards from the Borough High Street frontage then projects out into the Yard to highlight the hotel entrance and restaurant. The return wall employs a deeply textured brickwork pattern to give it a richness of finish, an effect that is continued in the lower two stories by the board-marking to the concrete finish and then the smooth concrete vertical fins to the restaurant. The upper levels are of less architectural interest. The glass cladding to these upper levels may however give an aesthetic 'lightness' to their bulk, which may to some extent mitigate for the reduction in detail. On top of these levels is a further plant-area which is enclosed by a screen made up of light-grey coloured powder-coated aluminium vertical fins. The visibility of these three levels will be somewhat limited from pavement level.
91. The entrances to the two yards will be a key design element in the response to the particular heritage significance of the conservation area, and these are key elements in the composition of the street frontage. The shop-frontages would benefit from further design consideration, but this can be secured by condition.
92. Saved Policy 3.14 Designing out crime, requires that development in both the private and public realm, should be designed to improve community safety and crime prevention. Access within Spur Inn and Nags Head Yards will be particularly sensitive to this issue, particularly relative to the night-life culture that exists within the context. While it is rational to keep Spur Inn Yard fully open at all times, Nag's Head Yard (and its eastern link to Spur Inn Yard behind the hotel) is much less active and secure; security gates have been planned for these points, the design of which will require careful consideration.
93. Saved Policy 3.15 Conservation of the historic environment, requires that development should preserve or enhance the special interest or historic character or appearance of buildings or areas of historical or architectural significance. Section 129 of the NPPF 2012 requires that local planning authorities (LPAs) should identify and assess the particular significance of any heritage asset that may be affected by a proposal. The particular significance of this site is a complex combination of issues, such as the prominent position within the conservation area, the architectural variety within the streetscape and the urban grain that is typified by the yards and alleyways.
94. The fact that this site is within the Borough High Street Conservation Area is the single most important planning factor that will affect the ultimate assessment of any application. Saved Policy 3.16 Conservation areas, requires that within conservation areas, development should preserve or enhance the character or appearance of the area. New development should respect the context, use high quality materials, not involve the loss of existing traditional features of interest, and do not introduce design details or features that are out of character with the area. The criteria for the demolition of buildings have been assessed below in the specific section on the conservation area and consideration of the proposed demolitions. The assessment against these new development criteria will be challenging, but to a large extent the success of this development will be dependant on the quality of materials and detailing.
95. Brickwork is the predominant facing material, which is the rational choice but sample panels will be required on site for conditioned approval, to ensure that the various bricks have an inherent interest and character in their colouring and texture; this character in the material will be essential to enliven the facades, and contribute to the richness of facings that typify the conservation area streetscape. The more

contemporary elements, such as the bronze-finished metal windows and concrete facings, will be 'grounded' into the heritage context by the more traditional brickwork.

96. Strategic Policy 12 – Design and conservation of Core Strategy 2011, requires that development will achieve the highest possible standards of design for buildings and public spaces to help create attractive and distinctive places which are safe, easy to get around and a pleasure to be in. We will do this by expecting development to conserve or enhance the significance of Southwark's heritage assets, their settings and wider historic environment, including conservation areas and listed buildings. This strategic policy gives an over-arching framework for the issues that affect this constrained and sensitive site, and the assessment of this proposal is very much an on-balance decision of the harm that is caused by the existing building demolitions against the architectural quality of the re-development.

Impact on character and setting of a listed building and/or conservation area

97. 127 Borough High Street is a grade II group-listed building, with nos 123 and 125 Borough High Street creating an important group on the street frontage. The application property will be affected by the proposed demolition of nos 129-131, if approved, which are built against it on the upper levels and there is some concern over the stability of No.127 without this 'prop' as well as the condition of the wall/construction that will be exposed. It is thought that the southern wall of No.127 may also contain fabric from the original C17 Spur Inn, but this cannot be fully ascertained until No.129 is removed.
98. Should the Conservation Area Consent be consented, then a strict watching brief and stabilisation programme should be conditioned to monitor the impacts of the building removal on No.127. Saved Policy 3.15 Conservation of the historic environment, requires that development should preserve or enhance the special interest or historic character or appearance of buildings or areas of historical or architectural significance. Planning proposals that have an adverse effect on the historic environment will not be permitted. Should remains/fabric of the original Spur Inn be found in the south wall, the new shop frontage may not be acceptable.
99. Paragraph 129 of the NPPF 2012 requires that LPAs should identify and assess the particular significance of any heritage asset that may be affected by a proposal. The particular significance of this listed building lies in its group-value as a street-frontage block, but there is also some interest in the Spur Inn Yard return, which has 'cart-protection' timbers built into the wall. Internally the building is much altered on the basement, ground and first-floor levels, where very little historic fabric or layout is evident; the second and third floors retain the original stairway and room layout, but limited detailing. The existing shopfront is also of poor quality and requires replacement.
100. Paragraph 131 of the NPPF 2012 notes that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Returning this property to a commercial base with residential above is returning it to its original use, which along with the extensive refurbishment is viewed as the optimum viable conservation.
101. It is considered that the proposed redevelopment will preserve the setting of the neighbouring listed buildings at 121, 123 and 125 Borough High Street.

Listed Building Works to 127 Borough High Street (Grade II Listed Building)

The proposed works comprise an extensive stripping-out of the property, with the removal of all non-original partitions and stairs at basement, ground and first-floor

levels; at second and third floor-levels the stairs (which may be original) and partitions are retained. The contemporary shopfront is also being replaced, and a new shopfront inserted on the alley-return and a new window inserted at 3rd-floor level.

102. A rear extension is also proposed at first-floor level along with a new flat roof. Saved Policy 3.17 Listed buildings, requires that development proposals involving a listed building should preserve the building and its features of special architectural or historic interest. Proposals should: involve no loss of important historic fabric; not be detrimental to the special architectural or historic interest of the building; relate sensitively to the period, style, detailing and context of the listed building; and preserved, repair or replace (where missing) existing detailing/important later additional features.
103. Within the basement the main works are removing the existing non-original stair and the insertion of a new stairway to the rear, which are non-problematic. To the ground-level the layout is simplified to make a single shop area with the residential access/storage/stairway moving to the rear; this makes optimum use of the floor layout with no loss of historic form or fabric. To the first floor the layout creates one long open-plan living space, increased by the rear extension; while this involves no significant loss of historic form or fabric, it does introduce one long space that has no relevance to the original building in its form or layout. While this may be problematic in terms of conservation practice and historical integrity, the width of this building is very narrow (varying, maximum 3.29m) so the open-plan layout does make the optimum use of the space which is acceptable on-balance. The second and third floors retain the central stair with a room front and back, which is an acceptable retention of the building's only historic form and layout.
104. Externally, all windows are to be refurbished, or replaced if necessary; for any replacements we will require conditioned approval of shop-drawings at 1:1/1:2 for all components. The building is also to be re-rendered and re-painted; this should be a lime-based render, mix to be approved by condition along with the paint colour. The new shopfront to the Borough High Street facade is a considerable improvement over the existing and is acceptable; the new shopfront to the alleyway is somewhat more contentious, but it does have clear precedents in other yard entrances in the area, and the actual loss of historic fabric to be removed is not considered to be overly significant.
105. This structural opening is however reliant on the wall not containing historic fabric from the C17 Spur Inn, which would have to be retained in-situ if discovered. A new window is re-instated to an original opening on the top-level south facade, which is acceptable. The first-floor rear extension is actually regularising an existing almost double-height extension with a lean-to roof, so the increase in wall-height/bulk is minimal and the design is considered to be an enhancement over the existing.
106. This proposal does include significant alterations to the listed building, including the first-floor rear extension and the new shop-frontage onto the alleyway. Paragraph 134 of Section 12 of The NPPF 2012 requires that 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 securing its optimum viable use.
107. Saved Policy 3.18 Setting of listed buildings, conservation areas and world heritage sites, states that permission will not be granted for developments that would not preserve or enhance the immediate or wider setting of a listed building. Any alterations to No.127 will have an immediate effect on No.125 adjacent, as they are read as a combined pair. The main alteration is the installation of a new shopfront, which along with the repairs to the windows and render should constitute a significant

enhancement to the setting.

108. Loss of the existing buildings (CAC)

This proposal will have a direct impact on one listed building and completely remove four other non-listed buildings, creating a large gap (for development) in the conservation area streetscape. All the buildings proposed for demolition are noted in the Borough High Street Conservation Area Appraisal, section 4.3.1, as being key un-listed buildings that make a positive contribution to the area. Saved Policy 3.15 Conservation of the historic environment, requires that development should preserve or enhance the special interest or historic character or appearance of buildings or areas of historical or architectural significance. Planning proposals that have an adverse effect on the historic environment will not be permitted.

109. No.129-131 is a former hop warehouse/showroom, built in the C19 and as with No.127 it may contain significant earlier fabric; it appears the facade was replaced/significantly altered later in the C19. This facade has considerable aesthetic interest, with its variety of arched window openings and decorative brickwork, all combining to make a positive contribution to the conservation area streetscape. The rear of the property contained double-height spaces with cross walkways, where fresh hops were stored, but the interior has been partly gutted to allow a structural scaffold to be inserted. The side wall onto the entrance to Spur Inn Yard contains exposed timber-framing with later brickwork infilling, and the ground-level frontage is a poor-quality later C20 shopfront. The building has not been maintained in a weather-tight manner and years of water ingress and lack of use have allowed it to deteriorate into a structurally unstable condition.

110. No.133-135 Zenith House appears to be an early C20 building that spans two burgage plots, with a facade that appears to have been altered mid-century. While it is not considered to have any particular historical or architectural significance, its decorative stucco facade does however provide interest and variety to the streetscape; its contribution to the area is still noted as being positive. This building appears to be relatively structurally sound.

111. Nos 141 and 143 form an interesting pair at the southern end of the site. No.143 appears in Tallin's drawing of 1840, but not No.141, which was built later as a match to No.143. Their facades display the finely balanced proportions and subtlety of detailing that typify Georgian design (or replication in the case of No.141). The facades are further enlivened by attractive stone panels above the fourth floor and guilloche moulding around the first floor windows. While the buildings have been gutted, again as a result of lack of maintenance leading to disrepair, the interiors show signs (in painted cornicing and a grand stairway) of the grandeur that once enlivened the buildings. No.143 also has historic interest relating to the use of the Underground during WWII. While the buildings are being stabilised by a structural framing system, the facade at least has a scale and a physical condition that suggest retention may not be entirely unfeasible.

112. The complete loss of these buildings will have a significant impact upon the conservation area, and the applicant's Heritage Statement concedes in Section 5.4 that 'substantial harm to the conservation area will occur as a result of the demolition of nos 129-143'. Saved Policy 3.16 and paragraph 133 of the NPPF 2012 both set four criteria by which a demolition can be justified. Saved Policy 3.16 Conservation areas, requires that within conservation areas, there will be a general presumption in favour of retaining buildings that contribute positively to the character or appearance of the conservation area. Planning permission will not be granted for proposals that involve the demolition or substantial demolition of a building that contributes positively to the character or appearance of the conservation area, unless, in accordance with the NPPF 2012 or any subsequent amendments, it can be demonstrated that:

- i. Costs of repairs and maintenance would not be justified, when assessed against the importance of the building and the value derived from its continued use, providing that the building has not been deliberately neglected; and
 - ii. Real efforts have been made to continue the current use or find a viable alternative use for the building; and
 - iii. There will be substantial planning benefits for the community from redevelopment which would decisively outweigh loss from the resulting demolition; and
 - iv. The replacement development will preserve or enhance the character or appearance of the conservation area and has been granted planning permission.
113. Whilst acknowledging the substantial harm on the conservation area created by the extent of demolition proposed, the applicants submit that this is outweighed by substantial public benefits thereby meeting the test set out in the NPPF at paragraph 133.
114. In support of this point the applicant submits that the proposal will, inter alia, regenerate and transform the site which has blighted the High Street for many years; will sensitively refurbish the listed building at no. 127, will refurbish, activate and open up to public access the two historic yards, Spur Inn and Nags Head; the existing gym will be re-provided and enhanced for the benefit of King's students and the general public; new high quality retail and hotel uses will be created and approximately 64 full time jobs will be created across the site (in addition to over a 100 who will be involved in construction).
115. Notwithstanding these public benefits, English Heritage has commented that it does not consider the public benefits to be substantial such that they justify the significant harm that will result. Accordingly, in response, and without prejudice to its view that substantial benefits would arise, the Agent submitted a further assessment against the four testing criteria at paragraph 133 of the NPPF which are used where substantial public benefits have not been adequately demonstrated. This requires that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless all of the following apply:
- the nature of the heritage asset prevents all reasonable uses of the site
 - no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation
 - conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible
 - the harm or loss is outweighed by the benefit of bringing the site back into use.
116. Under the first test in the NPPF the applicant has made the case that the nature of the heritage asset prevents all reasonable uses of the site, while also noting that the harm caused by the demolition will be 'substantial'. Accepting the loss of nos 133-135 as being of lower significance, the complete retention of nos 129-131 and 141-143 was not considered physically or financially viable due to restrictions of their plan form and constraints relating to floor-levels (particularly nos 129-131). A scheme to retain their facades was also considered unviable due to the misalignment of windows with the proposed new floors, the unsatisfactory proportions relating to a 'stretched' re-built facade (presumably nos 129-131) and the new-build elements of the proposal would be over-bearing to the retained elements. The first three points that were made (the Nags Head Yard entrance would be blocked; limitations on public realm improvements; constraints to the wider King's campus masterplan) were considered by officers to be either resolvable or less relevant. However, it is clear that the existing buildings on the site require significant investment and provide a number of physical constraints on future uses due to the tightness of their layout and in the case of 129 – 131, very low floor to ceiling heights. The applicants have considered re-use

of the buildings and facade retention with redevelopment behind. However, they have set out in detail why they do not consider these options are feasible or viable and have submitted a financial appraisal to support this also. At the time of writing this is still being considered and officers' conclusions on this appraisal will be reported via an addendum.

117. Under the second NPPF test, the applicant asserts that no marketing can find a medium-term use for the asset's conservation. As a charitable trust, Kings has an obligation to maximise the use and value of its landholdings; it therefore has no intention to sell the site, and states that a facade-retention scheme would not be viable.
118. The applicant notes that the third test is not applicable as the site is already in charitable ownership and it does not meet English Heritage or HLF criteria for grant-funding.
119. Under the fourth test the applicant assesses the harm or loss as being outweighed by the benefits of bringing the site back into use. In 2004 a scheme for the partial redevelopment of the site was granted planning consent, but was not implemented due to the financial crisis. A scheme in 2012 that retained/rebuilt the existing facades was rejected; The council would note that this was due to the poor quality of the architectural design, not to the principle of the proposal. The applicants submit in their further heritage statement the 'impossibility of finding a satisfactory design solution for a viable scheme that retains the existing shell buildings'. As discussed above, the applicants have demonstrated that they have considered a number of different ways in which to regenerate the site re-using both the existing buildings and also retaining merely the facades with redevelopment behind, however each of these options has proved to be unviable and some, such as facade retention, are of limited heritage benefit given the extent of redevelopment that would be evident behind.
120. Officer view on the Listed Building and demolition (CAC) works
This proposal would affect the integrity of the conservation area, as well as support its continued regeneration. Given the failed attempts to regenerate the site previously with partial redevelopment schemes, the council entered into a lengthy pre-application process with the applicants, latterly on a scheme that cleared the site of existing buildings save for the listed No. 127. It is recognised that English Heritage and a number of statutory amenity societies and other established heritage bodies, together with some local occupants, have raised concerns that remain outstanding at the substantial harm to the Conservation Area that will result from the proposed demolition, as is set out in their comments in the appendices to this report. However, the NPPF recognises that in certain situations substantial harm to a heritage asset can be outweighed by substantial public benefits or by demonstrating compliance with the four other tests set out above. The applicants have sought to demonstrate that they meet both aspects of the NPPF tests.
121. Officers consider that there will be a number of important public benefits that arise from this development which will regenerate this prominent site which has lain under used for decades, as discussed above. It is arguable that these are substantial public benefits. However, even if a more pre-cautionary approach is taken, the applicants have also engaged with the four alternative tests which appear, on balance, to be met. Therefore, overall, whilst acknowledging the sensitivity of these issues and taking careful account of the heritage objections that have been received, it is considered that the loss of these buildings in this heritage context is justified in this instance by the quality and other benefits that will arise from this proposed redevelopment.

Impact on trees

122. None.

Planning obligations (S.106 undertaking or agreement)

123. The applicant has agreed to pay the standard heads of terms, except for the public realm contribution as the applicant is paying for public realm works within the historic yards. The agreed heads of terms are:

124. • Construction workplace co-ordinator being provided; if there is an under performance the council can ask for a construction and workplace co-ordinator and employment contribution.
- Provide details of construction apprenticeships
 - Local procurement – 10% of the value of the construction contract or the numbers of contracts procured in relationship to the site.
 - Public Open Space contribution – £15,994
 - Site specific Transport Contribution – £50,500
 - Strategic Transport Contribution – £38,276
 - Administrative cost – £11,506

There is a restriction on the use of the bedrooms as individual hotel units and not for any other residential purposes. The planning obligations will also secure a travel plan and exemption from the controlled parking zone in the area.

125. Crossrail Contribution and CIL Levy
The normal contributions will apply, the Crossrail contribution being £296,782.

Sustainable development implications

126. The applicant has produced a sustainability statement and energy statement which concludes that the application property sits within a constrained and previously developed site. However the proposal will achieve a BREEAM rating of 'Excellent' but can only achieve an overall carbon reduction of 16% and not 20% as required. However, the applicant has adopted 'the energy hierarchy' to deliver an energy efficient low carbon solution to comply in line with the council's Sustainable Design and Construction SPD 2009 and therefore, on balance, this is considered acceptable.

Other matters

127. Archaeology
The applicant's archaeologists have completed the archaeological evaluation of the site. Despite the limited trenching possible within the proposal area, due to the standing buildings, a clear picture of the archaeological resource on site has been established. Essentially the evaluation has revealed a classic Borough High Street archaeological sequence of a truncated Roman sequence below post medieval archaeology.

128. This proposal has a significant archaeological impact across the entirety of the site. The area will be entirely covered by a basement that will remove all archaeological significance from the site. Therefore in broad terms this application does not comply with saved policy 3.19 of the Southwark Plan or the requirements of the NPPF. To make this application comply it will be necessary for a greater level of public benefit to be offered in relation to the total loss of archaeological significance from the site.

129. Archaeological deposits have been identified across the site. It will be necessary for these to be excavated by the applicant's archaeologists, recorded, a programme of

post-excavation works and assessment undertaken and the results published and placed in context with other sites in Borough High Street. This, however, represents the standard approach to an archaeological site. As the application removes all significance from the site to comply with policy it will be necessary for a greater level of public engagement to be undertaken to comply with paragraph 141 of the NPPF to balance the greater loss of archaeological significance from the site.

130. An excavation fronting onto Borough High Street offers a great opportunity for archaeologists to engage with the general public. These works are recommended to be secured by condition, but the public engagement should include signage on site, information on the internet in the form of a blog and use of social networking. The site itself should be visible from the street through the form of viewing windows in the hoarding and a balcony/doorway to enable the public to view the excavations at controlled times in a safe environment.
131. Recommendations for building recording and suitable conditions will be placed on the Conservation Area and Listed Building consents. Standard conditions are recommended.
132. Landscaping Issues
The proposed development retains and realigns the existing historic courtyards to include new landscaping which enhances these areas as a new public space. The detailed plans are of design merit and provide semi-mature trees within raised planters integrated with seating and up lighters, an extensive green wall to an elevation on Spur Inn Yard on Kentish Buildings and screening to the adjacent Wolfson Centre to the rear. A green roof is also proposed to 4th and 2nd floor levels.
133. Due to the extent of basements, planting is within planters which are partially above a concrete slab. The tree planters and other raised planters have automated irrigation with drainage to attenuation tanks as part of a SUDs strategy.
134. A raised planter with a multi stemmed tree is used as a focal point at the main entrance to the building at Spur Inn Yard. Here dining space, block benches and glass skylights to the basement gym form the significant feature at ground level together with linear lighting and reused granite setts along the re-graded surface. These are also relayed elsewhere within Nags Head Yard using a smoother surfaced equivalent. This area is primarily used for access with controlled gates and the use of permeable surfacing to loading bays. Existing surfacing is to be re-laid to highways standards on Borough High Street.
135. Ecology implications
The applicant had provided a desk based ecological appraisal and a preliminary bat roost assessment for the site. Both documents establish there are no protected species on the site or in the nearby area and there is no habitat such as trees, scrub or shrubs that would attract protected species into the site and there was negligible potential to support roosting bats in the current structures.
136. Flood Risk Assessment
A report has been submitted and the Environment Agency have made no objections.

Conclusion on planning, conservation area consent and listed building issues

137. This is a very prominent site in the Borough High Street Conservation Area which has lain unused and in some respects semi-derelict for many years. The current proposal will regenerate the site and lead to a range of uses which are suitable in this town centre location. There will be an acceptable impact on neighbouring amenities and the transport issues have been successfully overcome during the course of the

application.

138. Whilst acknowledging that the proposals will result in substantial harm to the significance of the Borough High Street conservation area. On balance it is considered that the constraints of the existing buildings in conjunction with the particular merits and the many public benefits that will arise from the proposal, justify the demolition of the existing buildings sought under the conservation area consent application.
139. In terms of the listed building, the important parts of the building architecturally and historically will be preserved and the whole building will be brought back into productive use as a result of these proposals.
140. Accordingly, subject to the various conditions recommended, the completion of the S106 agreement and any direction by the Secretary of State due to the outstanding English Heritage objections, it is recommended that these applications be granted.

Community impact statement

141. In line with the council's community impact statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.
 - a) The impact on local people is set out above.
 - b) The issues relevant to particular communities/groups likely to be affected by the proposal have been identified above.
 - c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

Consultations

142. Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1.

Consultation replies

143. Details of consultation responses received are set out in Appendix 2.

Summary of consultation responses

144. English Heritage have raised no objection to the listed building proposal but raise significant objections to the planning and conservation area consent applications due to their concern that substantial harm will arise to the conservation area through the demolition of existing buildings proposed, which has not been adequately justified. The Georgian Group, Victorian Society, council for British Archaeology, Society for the Protection of Ancient Buildings, the Trustees of Spitalfields Trust, the Bermondsey Village Action Group and local occupants at 80, 103 and 123A Borough High Street and 62E Trinity Church Square have all raised objections at the loss of the existing buildings on the site and, with some respondents, the impact on the listed building. Some of the objections also raise concern at the design quality of the proposed scheme, traffic implications and loss of light to adjoining premises.

These representations can be seen in more detail in the appendices.

Human rights implications

145. 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.
146. This application has the legitimate aim of providing new retail, residential and leisure space. 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.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/1140-127 Application file: 13/AP/1714 Southwark Local Development Framework and Development Plan Documents	Chief executive's department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5453 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Images
Appendix 4	Recommendation for Full planning permission (app ref 13-AP-1714)
Appendix 5	Recommendation for Conservation area consent (app ref 13-AP-1718)
Appendix 6	Recommendation for Listed building consent (app ref 13-AP-1716)

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Michèle Sterry, Team Leader Development Management	
Version	Final	
Dated	23 January 2014	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Strategic director of finance & corporate services	No	No
Strategic director of environment and leisure	Yes	Yes
Strategic director of housing and community services	No	No
Director of regeneration	No	No
Date final report sent to Constitutional Team	23 January 2014	

APPENDIX 1

Consultation undertaken

Site notice date: 25/06/2013

Press notice date: 27/6/2013

Case officer site visit date: 25/6/2013

Neighbour consultation letters sent:4/7/2014

Internal services consulted: 4/7/2013

Ecology officer
Archaeologist
Transport
Environmental Protection Team
Ecology officer

Statutory and non-statutory organisations consulted: 4/7/2013

English Heritage
The Georgian Group
The Victorian Society
Ancient Monuments Society
Council for British Archaeology
The Society for the Protection of Ancient Buildings
Environment Agency
Transport for London

Neighbours and local groups consulted:

Re-consultation: 15/11/2013

All neighbours, internal services and Statutory organisations

Neighbours and local groups consulted:

50, 50-52, 52A, 54, 56, 58, 60, 62, 64, TULIP HOUSE 70, BECKETT HOUSE 72, 72-74, 72-76, 76, 78-80, 82, 84-86, 85-87, 88, 90, 91, 92, EBBARK HOUSE 93-95, 94,97-99, 101, 103, 2 THREE TUNS HOUSE 109, ALPHA HOUSE 100, 107, 109, 106-114, 121 and St CHRISTOPHERS INN, 123A, 125, 127, 131, 141,145-149, 151, 153, 155, 157, 159, 161 BOROUGH HIGH STREET LONDON SE1
KINGS ARMS 65, 65 LIVING ACCOMMODATION, 66, 67, 68, 70, 71 4
NEWCOMEN STREET LONDON SE1 1YR

1B, 5 MAIDSTONE BUILDINGS MEWS LONDON SE1 1GD
2, 6, 8, 10-14, UNION STREET LONDON SE1 1SZ
3 CALVERTS BUILDING 52 BOROUGH HIGH STREET LONDON SE1 1XN
All flats BETSHAM HOUSE NEWCOMEN STREET LONDON SE1 1YU
SECOND FLOOR AND THIRD FLOOR 1 ST MARGARETS COURT LONDON SE1
1XF
HODGKIN BUILDING GUYS HOSPITAL ST THOMAS STREET LONDON SE1 9RT
ZENITH HOUSE 133-135 BOROUGH HIGH STREET LONDON SE1 1NP
ST MARGARETS COURT LONDON SE1 1XF
ALL FLATS DEVON HOUSE 1 MAIDSTONE BUILDINGS MEWS LONDON SE1 1GE
CALVERTS BUILDING 52 BOROUGH HIGH STREET LONDON SE1 1XN
BASEMENT AND GROUND FLOOR 60 BOROUGH HIGH STREET LONDON SE1
1XF
SECOND FLOOR AND THIRD FLOOR FLAT 151 BOROUGH HIGH STREET
LONDON SE1 1HR
SECOND FLOOR STAFF ROOM ST CHRISTOPHER INN 121 BOROUGH HIGH
STREET LONDON SE1 1NP
FIRST FLOOR 5 MAIDSTONE BUILDINGS MEWS LONDON SE1 1GN
ROOM G3 GROUND FLOOR ALPHA HOUSE 100 BOROUGH HIGH STREET
LONDON SE1 1LB
FIRST FLOOR SECOND FLOOR AND THIRD FLOOR 89 BOROUGH HIGH STREET
LONDON SE1 1NL
1 KENTISH BUILDINGS 125 BOROUGH HIGH STREET LONDON SE1 1NP
1 MERMAID COURT LONDON SE1 1HR
BASEMENT 64 BOROUGH HIGH STREET LONDON SE1 1XF
THIRD FLOOR 64 BOROUGH HIGH STREET LONDON SE1 1XF
GROUND FLOOR 64 BOROUGH HIGH STREET LONDON SE1 1XF
14 Crucifix Lane London SE1 3JW

Consultation responses received

Internal services

Archaeology comments within the report.

Transport comments incorporated within the report.

Arboriculture comments incorporated within the report.

Ecology comments incorporated within the report.

Environmental Protection Team -

The Air Quality Assessment presented by Environ dated May 2013 is wholly adequate in its inclusion > It is noted that the hotel rooms will be mechanically ventilated and that assessment has been made for fresh air intakes to be adequately space form discharge points of CHP flue and kitchen extracts.

The ventilation strategy document which has been uploaded onto 'therefore' appears incomplete.!!

Noise & Vibration Assessment

There is no separate Noise Assessment , a reference is made in the Sustainability doc. by Halcrow May 2013 to meeting Southwark's design SPD.

We need to ensure that sound insulation treatment is installed to acceptable standards to reduce traffic noise form Borough High street frontage bedrooms and first floor rooms above commercial elements of the scheme

The will also be considerable plant serving the development including heating and ventilation / lifts / kitchen odour extraction / gym –fitness centre; and plant noise / vibration will need to be assessed against background

I would suggest we request a document to cover these issues or we could set out a series of conditions.

Land Contamination Assessment

The preliminary investigations reported by Tweedie Evans Consultants May 2013 identified the need for further physical exploration post demolition. We should therefore apply relevant standard conditions for further identification, risk assessment and remediation .

Construction Management Plan

This report by Kings College dated May 2013 set out suitable and adequate measures to address the construction phase impacts ; a condition would not be necessary.

Lighting

N/a

Statutory and non-statutory organisations

Environment Agency:

No objections raised.

Transport for London:

The site of the proposed development is on the A3 Borough High Street, which forms part of the Transport for London Road Network (TLRN). TfL is the highway authority for the TLRN, and are therefore concerned about any proposal which may affect the performance and/or safety of the TLRN. The site also lies in the vicinity of the London Underground (LU) Northern Line tunnels.

Prior approval should be sought from the TfL Roads Directorate structural team and from LU Infrastructure Protection for the detailed construction methodology, particularly the basement and any piling, prior to work commencing on site - this should be a condition/informative of any planning approval. This is to ensure that the structural integrity of the TLRN and LU running tunnels.

In addition, due to the proximity of the TLRN, a number of consents may be required from TfL to allow demolition/construction, for example scaffolding, over-sailing and road works permits. In addition, any street works undertaken on the highway in association with the development may be liable for the Transport for London Road Lane Rental Scheme (TLRS). As such early engagement with TfL is encouraged, and this should be communicated to the applicant by way of an informative attached to any planning permission. Further information on red routes can be found on the TfL website:

<http://www.tfl.gov.uk/roadusers/redroutes/10185.aspx>

It is requested that, should planning permission be granted, the legal agreement requires that the applicant enters into a Section 278 agreement with TfL for the crossover alterations and reinstatement/making good the footway on Borough High Road, at no cost to TfL. Furthermore, it is considered appropriate that the legal agreement secures a contribution towards planned improvements on the TLRN in the local area. TfL is developing a scheme at the Borough High Street/St Thomas Street junction to improve pedestrian and cycle facilities, with associated urban realm improvements, for implementation in late 2014/early 2015. The development would benefit from better pedestrian/cycle links to London Bridge mainline station, so a £125,000 contribution, towards a total scheme cost of £500,000, would be appropriate.

All vehicles associated with the proposed development must only wait/ load at permitted locations and within the time periods permitted by the current on-street restrictions. I understand concerns were raised previously concerning the safety of the service yard egress onto Borough High Street. The applicant has subsequently provided a technical note and a road safety audit (RSA). I have not seen the RSA but I understand it has been accepted by Southwark Highways. Given the low numbers of service vehicle movements predicted, the low traffic speeds along Borough High Street, the low speed of egressing vehicles and the lack of alternatives, the proposed arrangement appears acceptable.

A construction logistics plan (CLP) and deliveries and servicing plan (DSP), in line with TfL guidance and to be approved in writing by the local planning authority in consultation with TfL, should be secured by condition/legal agreement. The DSP should, amongst other things, detail how vehicles egressing the service yard are managed in order to minimise adverse safety impacts on pedestrians and cyclist on Borough High Street.

Further information on TfL guidance can be found on the TfL freight website:

<http://www.tfl.gov.uk/microsites/freight/>

The Mayor has introduced a London-wide Community Infrastructure Levy (CIL) to help implement the London Plan, particularly policies 6.5 and 8.3 toward the funding of Crossrail. The required CIL should be confirmed by the applicant and council once the components of the development have been finalised.

The site is within the area where s106 contributions for Crossrail should be sought, in accordance with London Plan policy 6.5 and the associated Supplementary Planning Guidance (SPG) 'Use of planning obligations in the funding of Crossrail' (April 2013). In these situations, the Mayoral CIL will be treated as a credit towards the s.106 Crossrail liability and this should be reflected in the wording of the legal agreement.

English Heritage:

Regarding the planning application and conservation area consent:

We provided extensive comments at pre-application stage back in April. Although the proposals have been amended and refined since our pre-application advice was submitted, they are closely based on those which we commented on and the information set out in our pre-application advice therefore remains valid.

In terms of the amended designs, we acknowledge that they represent an improvement on the designs we commented on in April, and we welcome some aspects of the submitted proposals such as the re-use of historic paving , the retention and repair of some of the historic walls within the yard areas, and the restoration and re-use of the Grade II listed building at No. 127. We also welcome the high quality materials proposed for the new buildings.

However, in our view, the demolition of the existing buildings on the site has not been adequately justified in accordance with the NPPF. We agree with the applicant's heritage statement that the proposals cause substantial harm to the Borough High Street Conservation Area (the designated heritage asset) and that therefore the criteria in NPPF paragraph 133 apply.

Where we differ in our views is on the meaning of substantial public benefits. The applicants claim that the benefits of the proposals are substantial and achieving them necessitates the substantial harm to the conservation area. Thus, the applicants claim the first part of 133 is addressed and the four criteria to justify demolition in the second part of paragraph 133 do not apply.

In our view, the benefits set out in the applicants' Heritage Statement cannot be demonstrated as substantial, as they are either unsubstantiated, or are benefits which we would broadly expect from any less intensive development that does not cause substantial harm to the conservation area.

As the benefits arising from the current proposals are not substantial, it follows that the necessity of causing substantial harm to the designated heritage asset cannot be demonstrated without addressing the four criteria in the second part of paragraph 133 of the NPPF. In our view the proposals will not give rise to any benefits that could be fairly described as genuine public benefits and so there is no apparent justification for the harm caused under the National Planning Policy Framework.

Since there would be substantial harm to the Borough High Street Conservation Area (the designated heritage asset), and this harm has not been demonstrated to be necessary in accordance with the NPPF, the proposals fail to achieve sustainable

development, which is the core principle of the NPPF. In addition the proposals fail to preserve or enhance the character of Borough High Street Conservation Area as required in the Planning (Listed Buildings and Conservation Areas) Act 1990, and contravene Southwark's own heritage policies and those in the London Plan. We therefore believe that the only proper decision that can be taken within the decision making framework is to refuse this application. Accordingly, we strongly object to the proposals.

In respect of the listed building application:

This application should be determined in accordance with national and local policy guidance and on the basis of your specialist conservation advice. Included the necessary letter of authorisation for your council to determine the application as you see fit and referred the case to National Planning Casework. Subject to the Secretary of State not directing reference of the application to him, they will return the letter of authorisation to you.

The Georgian Group

The proposals were reviewed by The Group's Casework Panel 30 July 2013, following a site visit 23 July, and it was requested that the following objections be passed on.

127-143 Borough High Street

127, 141 and 143 Borough High Street all fall within The Group's remit for comment, the former an early C18 structure and the latter two early C19 structures. Each building follows the form of the long narrow, mediaeval, burgage plot that constrains the frontage and is of interest in itself. It is these narrow forms and simple, but varied, details that makes the Borough High Street Conservation Area so rich. 127 is listed Grade II and numbers 141 and 143 are unlisted, but noted as buildings that make a positive contribution to the conservation area.

141-143 are noted in Pevsner for their "*traces of late 18th century coade stone decoration*" (P586)

Proposals

It is proposed to make alterations to number 127 to create a new, modern, retail unit with wrap-around shop front and demolish the remaining buildings to accommodate a 100 bedroom hotel, gymnasium and two new large open plan retail units.

It is The Group's position that the proposals will result in the loss of two historic structures that make a positive contribution to the conservation area, amounting to significant harm to the Borough Conservation area and that the proposed alterations to number 127 will be damaging to the significance of the listed building.

The proposed wrap-around shop front was considered by The Panel to be incongruous with the building. The proposal will open the building out into a single floor space, allowing clear views into the proposed courtyard. This will effectively remove what remains of the building's historic ground floor shell and replace it with large sheets of plate glass - significantly altering the views from Borough High Street. The Conservation Area Appraisal states that this is a key characteristic of the area:

"glimpses into the numerous alleys and yards that open off Borough High Street are part of its visual interest and a reminder of Borough's historic legacy: King's Head Yard, White Hart Yard, George Inn Yard, Queen's Head Yard all survive in name if not form. In many instances they remain bridged by the upper storeys of buildings on the High Street, and in others have developed as narrow slots in the street frontage." (3.2.11)

Notwithstanding that the proposals result in the loss of little historic fabric the proposed

replacement materials, i.e plate glass, are not appropriate to the building's historic context and will totally alter its character. At first floor level it is proposed to remove the early C19 bridge link – noted above as integral to the character of the conservation area - and early C19 rear sash windows. It is The Group's opinion that without this fabric the building would be de-listed. English Heritage provides guidance, which remains a material consideration in the absence of new guidance:

“Doors and windows are frequently key to the significance of a building. Change is therefore advisable only where the original is beyond repair.” (PPS 5 Planning Practice Guide, Para, 152)

The Group objects to the proposed alterations at 127 Borough High Street in principle. The Group cannot support the proposed demolition of 141-143; How the buildings came to be in such a poor condition is unclear, however, it may be that not everything has been done to ensure the buildings find new uses. The NPPF states:

“Where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision” (Para.130)

It is The Groups position therefore that the condition of the buildings cannot be a material consideration, in accordance with the NPPF, unless further evidence is provided.

In practical terms The Panel concluded that the re-use of the building in some form is both possible and desirable in order to preserve the character of the conservation area:

“in considering whether to grant planning permission with respect to any buildings or other land in a conservation area, the local planning authority shall pay special attention to the desirability of preserving or enhancing the character or appearance of that area” (Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990).

The demolition of two historic structures, that have developed in an organic way, and their wholesale redevelopment - departing further from the historic burgage plot - will be highly detrimental to the character of the conservation area.

Recommendation

The Group recommends that application_13/AP/1716 be refused on the grounds that it will be highly damaging to the significance of a Grade II listed building and character of the Borough High Street Conservation Area.

The Victorian Society

Thank you for consulting the Victorian Society on this application. This case has been discussed at the last meeting of our Southern Buildings Committee, and I write to you now to register the Society's strong objection to the proposed scheme.

The proposal involves the demolition of numbers 129 to 143 Borough High Street in order to erect a series of new buildings to host a new hotel and retail outlets. These historic buildings are, like the vast majority of buildings in the conservation area, modest but attractive, wholly of their place and very much worthy of retention in their own right.

Our main objection however is founded primarily on the basis that these buildings contribute positively to the character and setting of the Borough High Street conservation area. They represent part of the history of the site and, in their plots and the rhythm of their frontages, reflect the development and tight grain of the whole of the conservation area. They constitute a large section of the east side of Borough High Street and their loss would cause substantial harm to the significance of this statutorily

designated area, contrary to paragraph 133 of the NPPF.

We do not believe that the supposed benefits of the scheme would amount to substantial benefits and thereby outweigh the harm that would be caused to the historic environment by the demolitions proposed. We are also entirely unconvinced that the project brief could not be fulfilled whilst retaining the historic buildings.

This is an extremely harmful scheme that would, at a stroke, destroy a sizeable portion of Southwark's historic streetscape, contrary to both local and national policy. We urge you in the strongest terms to refuse consent for this damaging scheme.

Ancient Monuments Society

Borough's importance as an early London settlement cannot be overstated. The area was a major suburb to Roman Londinium and in Medieval times became famous for its market and theatres. It remained the only major settlement on the south side of the Thames until new crossings were introduced in the mid-C18 to supplement London Bridge. *The Buildings of London: Volume 2: South London* by Bridget Cherry and Nikolaus Pevsner (1983) says of Borough High Street:

"This area has the longest urban tradition of the inner areas of South London. It was built up by the early C17, and although almost nothing remains of this date, the medieval and Tudor pattern of tall narrow buildings with courts and alleys opening off is still easily recognisable." (pp 586-7).

By the 18th and early 19th centuries Borough High Street had become a bustling staging post and up to the mid-C20 was an important commercial and trading area. Today it remains a lively centre for commercial and business activities.

Section 2 of Southwark Council's *Borough High Street: Conservation area appraisal* of 2006 gives an account of the historic development of the High Street. Paragraph 2.2.1 of the appraisal states that:

"The street forms and layout of the Conservation Area contribute fundamentally to its character. The importance of Borough High Street as the primary route into the City of London from the south for 2,000 years is the most powerful influence on the physical evolution of the Conservation Area, and this street still forms the spine of the area."

The "tall, narrow property frontages" of Borough High Street are "one of the most important characteristics of development on the street" and the ensuing 'burgage' plots, with services and accommodation placed on long strips behind public-facing frontages, have great significance (2.2.4).

The application site reflects this arrangement. Of the five buildings concerned, one is Grade II listed (127 Borough High Street) and the other four (129-131, 133-135, 141 and 143 Borough High Street) are highlighted as "positive contributors" to the Conservation Area.

English Heritage's pre-application advice letter of April 2013 contains a more detailed assessment of the significance of the various building which make up the application site.

Proposal

The proposal is to refurbish the listed building, with the addition of a 'wrap-around' shopfront at ground level, and to demolish the other four buildings, including a bridge link, to make way for a new hotel development.

Some effort has been made to retain and re-use historic floor surfaces and to ensure that high quality materials are specified for the construction of the new element. The design also makes reference to the narrow frontages and courtyards which characterise Borough High Street.

Impact of the Proposal

English Heritage's consultation response of 10 July 2013 confirms the organisation's position – that the proposal would cause **substantial harm** to the Borough High Street Conservation Area, as well as the setting of the Grade II-listed building, and that Paragraph 133 of the National Planning Policy Framework (NPPF) therefore applies.

We were able to visit the site on 23 July 2013. We are grateful to the owners for allowing us access. We recognise that the condition of the unlisted buildings is poor, particularly that of nos 141 and 143, which have been gutted and are being propped up internally by steel supports. It was very disappointing to see the extent to which the buildings have been neglected over the years. We believe that Paragraph 130 of the NPPF could apply in this case:

Where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.

It would be useful to know what efforts have been made by the site's owners in the past to secure a future for the buildings.

The applicant's *Heritage Statement* concedes that "substantial harm" would occur to the Conservation Area should the unlisted buildings be demolished (page 33). We share English Heritage's view that "substantial harm or loss" is **not** "necessary to achieve substantial benefits that outweigh that harm or loss" and that the conditions listed in the second part of that Paragraph 133 of the NPPF therefore apply. We second their recommendation that the application be refused in the absence of a fuller justification. We would welcome an imaginative proposal centered on the retention of the historic buildings.

Any application to alter the character and appearance of the Borough High Street Conservation Area should be approached with the utmost care. The area as a whole has suffered from a degree of neglect over the years, but the transformation of London Bridge Station and the arrival of the Shard may change its fortunes in years to come. It therefore seems more important than ever to safeguard surviving historic buildings, to ensure the historic character of the area is preserved and enhanced for the benefit of future generations.

Please let us know the decision on this application in accordance with the direction in Annex A of ODPM Circular 09/2005 (DCMS 01/2005). If our comments are referred to in any committee report or document supporting a delegated decision then we should be pleased to see a copy of such report or document.

Society for the Protection of Ancient Buildings

Having considered the outline scheme, the SPAB concluded that it has grave concerns about the proposals. Essentially, there seems to be insufficient justification for demolishing the unlisted buildings on the site. We note that the site lies within a conservation area and even in their current poor condition we still take the view that the unlisted buildings make a positive contribution to the street-scape. They represent part of the history of the site and have a relationship with the historic plot division that adds to

the story of the site's development over the years. We therefore believe that it is important to retain not only the footprint of the yards but also as much as possible of the existing historic fabric. This extends to important elements of the landscaping such as the cobbled surfaces and other such ancillary features. Much of the character of such places lies in the detail of their fabric and it would be very disappointing to see this lost during the comprehensive redevelopment and 'tidying up' of the site such as is currently proposed. In addition, we feel that the proposals for a single large frontage with repetitive opening patterns would be a very poor substitute for the subtlety and interest that can be appreciated in the fine grain of the existing subdivisions. This is a very important yet fragile characteristic of the Borough High Street Conservation Area and should be preserved.

In conclusion, we urged King's College to reconsider the scheme for this site and to find a way to incorporate the existing buildings and the historic landscaping in the new development in a more creative and meaningful way. It seems that this advice has not been taken on board and therefore we must object to the current applications for the redevelopment of the site.

Council for British Archaeology

This Committee acts on behalf of the Council for British Archaeology in respect of Listed Buildings and Applications within the Greater London area. The Committee discussed the above case at its meeting on Tuesday, 30 July 2013 and made the following observations:

This was felt to be a cleverly contrived scheme and in some ways it fits quite well and 'revitalises' the yards. However, after discussing the issues relating to the designated and un-designated heritage assets, the Committee objected to the demolitions and were of the opinion that the scheme neither preserved nor enhanced the character or appearance of the area, as the Listed Building would become isolated; other frontage buildings were lost and the character of the yards would be utterly changed both spatially and commercially.

With regard to Archaeology, there was some concern about statements made in relation to the Saxon period in particular, and it was agreed that the views of the LAMAS Archaeology Committee should be sought.

Neighbours and local groups

The Spitalfields Trust

We are writing to object most strongly to the above planning application that proposes to demolish a large section of the historic urban fabric on Borough High Street. Although the proposed new buildings for the site are mundane, sterile and lifeless, it is the demolition of the many historic buildings that we are most concerned about.

This part of Borough High Street retains not just its medieval street pattern, but a very ancient urban landscape, the place where stage coaches and other vehicles arrived from Kent and the Continent for many hundreds of years. It is famous for the inns and the inn-yards, one ancient example (complete with high archway, timber-framing and ancient masonry) is under the present proposal to be demolished.

Just because a building is not listed does not mean it is not historically important, conservation areas are full of unlisted buildings which are extremely important to their urban fabric. If such an important historic urban district existed in another European capital such as Oranienburg in Berlin, these buildings would be carefully repaired and brought back into life to create a truly creative and diverse area, not demolished for a soulless development that will kill the area dead.

We urge you to turn this appalling scheme down and ask the developers to go back to the drawing board and come back with a scheme that includes keeping all these buildings/ ancient urban fabric and enriches rather than destroys Borough High Street and its passages, yards and other environs.

Bermondsey Village Action Group

Our views are largely in union with those of English Heritage, AMS, Georgian Group, Victorian Society and local residents, in that the proposed development does not adequately justify the destruction of local heritage structures.

The existing buildings area an important asset to the Borough High Street Conservation Area will only add to the number of casualties that this area long with its neighbouring Bermondsey area has suffered recently. English Heritage have listed the significance of the existing buildings despite their poor state of repair and believe that the benefits of the proposed scheme can be equally achieved by preserving and restoring the buildings.

While the scheme is not particularly low quality it does not sit well within the historic setting of Borough High Street, particularly given its immediate proximity to the Grade II listed 127 Borough High Street.

We would like to point out that if we were able to process with the neighbourhood plan - The St Thomas St Plan - which has now been obstructed by Southwark Council for some 18 months this scheme would be contrary to local policy for the reasons spelled out above.

In summary, we request that permission for the proposed scheme be refused on the above grounds. Besides, the proposal is contrary to the National Planning Policy Framework requirements and section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires that development preserves or enhances the character or appearance of conservation areas and the setting of listed buildings. It is impossible to argue that this requirement is met by the proposed scheme.

Borough House 80, 103 and 123A Borough High Street, 62E Trinity Church Square and other occupiers/residents -

Object to the demolition of the existing buildings and the effect that this will have on the streetscape.

Proposal has no historical or design merit.

In our view the entire new design mirrors that of the 1980s when character buildings were demolished in Borough High Street and replaced by structures with no historical or design merit. Successive reports by the local authority's conservation officers and others regarding the exceptional historical value of Borough High Street have regretted the disposal of the character buildings which has changed the whole 'feel' of the street. This is particularly so in the part of the street away from the Shard.

We have no objection to the change of use of the premises (although there are concerns about the additional car parking and traffic) but we do object to the demolition of the existing buildings and the effect that this will have on the streetscape.

Borough High Street's charm and interest derives from the fact that each building is different, revealing a different style and period of build. The buildings which are proposed for demolition have valuable and intricate designs on the brickwork and stonework over the arched windows. It is our understanding that the two buildings which

were previously 'Flutes' and 'Shoefayre' may have been hop merchants and to replace these interesting style fascias with what can only be described as a bland design more suited to an out of town shopping centre would be simply awful.

We think that the two brick building fascia plus the white arched plaster windows should be retained even if the rest of the buildings behind are demolished. The whole character of the High Street will be ruined if yet more buildings of interest are lost.

We cannot quite make out what is happening with the exposed brick and wood beams in the yard nearest London Bridge – we would just hope that this is retained for public viewing as at present.

The buildings and the street plan in this area are of extreme historic importance.

It is clear that the buildings are in very poor repair due do years of neglect and it may well be that demolition is the only option available.

However the designs that I have seen take no account of the existing buildings in the area and their historic detail and features. Nor is any reference made to the many side entrances that were once access to some of the 160 plus coaching inns that were in existence between the junction within Great Dover Street and the river at London Bridge. Creating a solid wall of characterless modern building will create a canyon in Borough High Street. There will be no refuge from the pavements nor any access to the building other than through one main door.

A hotel with 100 rooms will create extra pedestrian traffic on streets that are already crowded.

Small side streets with access through to other streets continue to character of the original design.

Six storeys will take light from both the street and buildings in the area.

Southwark has a fantastic mix of old and modern and it would be a shame to make our streets faceless and boring like the City of London.

Reconsultation

English Heritage:

Acknowledge the minor change to the proposed elevations in the current proposals. Whilst we agree that the amendments can be considered positive, they are minor and not sufficient enough to change the views we have expressed previously.

Acknowledge the Supplementary Heritage Statement but consider that it fails to demonstrate that the substantial harm to the Conservation Area is necessary to achieve substantial public benefits that outweigh the harm. The still valid PPS5 Planning Practice Guide states that 'for the loss to be necessary there will be no other reasonable means of delivering similar public benefits, for example through different design of development of an appropriate alternative site.' EH do not believe that the test of necessity has been met.

In addition, whilst acknowledging the retention and enhancement of the grade II listed 127 represents a heritage benefit (and therefore a public benefit) we are not convinced that the other benefits go beyond what would be expected of any development on this site. Furthermore, many of the positive aspects of the development that are set out in the document are directly related to supporting King's College London and thus could

only be considered indirectly 'public'.

EH accept that delivering a viable scheme on the site is challenging, but do not consider that the marketing exploration work that the College has carried out to be sufficient to meet the tests in NPPF paragraph 133.

In summary EH maintain that substantial harm to Borough High Street Conservation Area will be caused by the proposals and this harm has not been demonstrated as necessary in accordance with the NPPF. The proposals fail to achieve sustainable development, which includes protecting and enhancing the historic environment and is a core principle of the NPPF (paragraph 7). Despite the minor amendments to the elevations of the proposed buildings, EH believe the proposals fail to preserve or enhance the character of the Conservation Area and contravene Southwark's own heritage policies and those in the London Plan. EH therefore continue to strongly object to the proposals.

The Georgian Group commented as follows: As the principles of development remain as they when we were last consulted, REF: 13/AP/1716, we maintain our previous objections.

Neighbouring commercial occupiers commented:

The revised plans do not address our initial concerns that with the hugely increased elevation of the hotel in Spur Inn Yard we will suffer considerable loss of light, a problem for a design company such as ours. The elevation should be reduced significantly or risk being detrimental to surrounding properties.