

9 March 2026

Update Report: GLA/2020/6665

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

**in the London Borough of Southwark
planning application no. 18/AP/4171**

Planning application

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

Update:

To consider any material changes to policy, planning guidance and site circumstances since the Mayor's resolution to grant planning permission on 27 May 2022 and to extend the time period for completion of the Section 106 legal agreement to 27 February 2026.

Recommendation:

That the Mayor:

- i. Agrees that the policy and guidance changes since the Representation Hearing do not change the resolution to grant planning permission made on 27 May 2022. The proposal remains in overall conformity with the development plan. This report explains how the developments in planning policy and guidance relate to the assessment of the key planning issues in the Representation Hearing Report.
- ii. Agrees to an extension of time for the completion of the Section 106 legal agreement until the 27 March 2026 (i.e. the period after which the Head of Development Management has delegated authority to refer it back to the Mayor in order to refuse permission if the Section 106 legal agreement is not completed) and agrees with the final wording of the Section 106 legal agreement and draft planning conditions noting that there have been minor changes to the wording to tighten and clarify the obligations. .
- iii. Agrees that any changes to site circumstances or the surrounding area since the Representation Hearing or the consultation responses received do not materially affect the resolution to grant planning permission made on 27 May 2022 and agrees that it is unnecessary to re-open the Representation Hearing.
- v. Agrees to the wording in the Draft Decision Notice attached at Appendix 1.

This Update Report addresses matters which have arisen since the Mayor considered the planning application (GLA/2020/6665).

Context

1. On 27 May 2022 the Mayor resolved to grant conditional planning permission in respect of planning application 18/AP/4171 within the London Borough of Southwark, subject to the prior completion of a Section 106 legal agreement. The Mayor also gave delegated authority for the Head of Development Management to negotiate the Section 106 legal agreement and gave delegated authority to refer it back to the Mayor to refuse permission should the Section 106 agreement not be completed by 27 August 2022.
2. Since the Representation Hearing slow progress has been made with the Section 106 legal agreement negotiations and there was an extended period of non-engagement by the applicant. However, negotiations have now concluded and the agreement is resolved. GLA officers have also had to consider the implications on the scheme in response to a number of changes to policy and guidance set out below.

Planning Policy and Guidance Update - December 2024 NPPF and updated PPG

3. In December 2024 an update to the NPPF was published and in December 2025 a draft was published for consultation. The main changes of the December 2024 NPPF are considered below.
4. The NPPF clarifies that sustainable development includes the provision of homes, commercial development and supporting infrastructure in a sustainable manner (para 7). GLA officers consider that the proposal accords with this paragraph given the development is within an established urban area.
5. The NPPF identifies the need to achieve beautiful buildings (rather than attractive) as an outcome of 'healthy and safe communities' (para 96). As highlighted in the Representation Hearing Report to date the design of the proposal is considered to be in line with this paragraph and the conclusions within the Representation Hearing Report remain unchanged.
6. The NPPF still advocates the use of character assessments, design guides and codes to ensure land is used efficiently while also creating beautiful spaces. As highlighted in the Representation Hearing Report, GLA Officers consider that the design is both appropriate and acceptable.
7. The NPPF places greater emphasis on the need for conditions to refer to clear and accurate plans and drawings and use of materials to provide visual clarity and the design of development. The planning permission is drafted to accord with this paragraph.
8. The NPPF sets out that LPAs must now give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings. The proposal accords with the principles of sustainable development outlined in the Representation Hearing Report with suitably worded conditions and obligations attached where necessary.
9. In terms of the various updates to the Planning Practice Guidance (PPG), these have been considered and are not considered to have a material bearing on the acceptability of the proposals.

Regional Planning Policy and Guidance

10. Since the Representation Hearing, the GLA has published new and updated London Plan Guidance (“LPG”) and Supplementary Planning Guidance (“SPG”) which provide further information about how the London Plan policies should be applied. These include the following among others; Optimising Site Capacity: A Design-led Approach LPG (June 2023); Fire Safety (June 2022); Urban Greening Factor LPG (February 2023); Air Quality Positive LPG (February 2023); Energy Assessment LPG (June 2022); Sustainable Transport, Walking and Cycling LPG (December 2022). GLA Officers consider that the aforementioned updates are not considered to have a material bearing on the acceptability of the proposals.

Southwark Local Plan

11. The Southwark Local Plan was adopted on 23 February 2022 and was considered at the Hearing in May 2022 and hence GLA Officers do not consider that there are any changes sufficient to warrant a change to the conclusion reached in respect of the planning application in the Representation Hearing Report.

Section 106 agreement

12. At the time of the Representation Hearing heads of terms had been agreed as a basis for the planning obligations to be contained within the section 106 legal agreement. These included definitions in relation to the medical and research and development use of the building; an Affordable Workspace Schedule; various transport obligations (including financial contributions towards bus service improvements, cycle docking, Healthy Streets and associated infrastructure); and other contributions as set out in the Representation Hearing Report.
13. Lengthy and protracted discussions have been undertaken with the applicant over the last three years in relation to the detail of the Section 106 agreement. These delays meant slow progress has been made partly down to the applicant failing to engage in a timely manner.
14. In terms of the discussions, these have related to the exact definitions as outlined in the draft heads of terms and also a tightening and clarifications in relation to the detail of the above mentioned clauses. GLA Officers consider that the changes are not significant and that the obligations are still relevant and provide appropriate mitigation.

Environmental Statement (ES) Review Report

15. The applicant provided an ES Review Report which is available on the GLA’s Vinegar Yard webpage/datastore. GLA Officers treated this submission as voluntarily submitted additional information pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (‘EIA Regulations’) and carried out consultation in accordance with the EIA Regulations, which concluded on 17th January 2026.
16. The ES Review Report examined the cumulative impacts element of four schemes which had been granted consent since the Representation Hearing in the vicinity of this proposal. Three schemes are not considered to be of a scale to impact the assessment as they do not themselves constitute EIA development. The fourth scheme for the Snowfields Quarter development was accompanied by an ES the potential for cumulative effects between this proposal and Snowfields Quarter was considered for each technical topic. It is noted that the Snowfield Quarter scheme is owned by Guys &

ST Thomas' foundation providing commercial research and development uses, however, it has been confirmed that the rent levels are unaffordable to the NHS trust and there remains continued interest by GSTT in the application site. The Snowfields ES concluded that, for each of the topics, there was no potential for significant (in EIA terms) cumulative effects between Snowfields and the proposal and GLA Officers concur with this conclusion.

Consultation

17. Nine responses were received as a result of the consultation undertaken as highlighted above. Historic England reiterate their previous comments and Natural England and London Underground raising no objections.
18. Five individual representations reiterate objections to the proposal on similar grounds to those reported in the Representation Hearing Report in relation to increased height and massing and resulting in unacceptable amenity impacts (sunlight /daylight and overshadowing); cumulative ground and basement risk; risk to sewers and increased flooding, increased traffic construction impacts. One representation in support as it provides space for clinical, and research uses.
19. GLA Officers consider that the representations have been fully addressed by the Representation Hearing Report and raise no new issues.
20. All those that requested to speak at the Representation Hearing; anyone who has asked for clarification on the next steps in the decision-making process; the Council; and the Applicant have all been notified of the process for determination of the application. All those notified have been provided with a link to this report which has been published on the GLA's website together with a copy of the proposed draft section 106 legal agreement and draft planning conditions 14 days in advance of any consideration of this matter. Noting the minor extent of the changes the extent of further notification carried out and the process for reconsideration of the application by way of update GLA Officers considered that there was nothing to warrant a further Representation Hearing.

Legal Implications

21. Under the arrangements set out in Article 7 of the Order and the powers conferred by Section 2A of the Town and Country Planning Act 1990 ("the Act") the Mayor is acting as the Local Planning Authority for the purposes of determining this planning application.
22. Section 2E of the Act states that where the Mayor has given a direction under section 2A in relation to a planning application, the function of agreeing a planning obligation related to the application is a function of the Mayor instead of the local planning authority. Before agreeing any planning obligation, the Mayor is required to consult the local planning authority, who together with the Mayor will be able to enforce any planning obligation whether or not they are a party to the agreement.
23. The Council have confirmed that they are content with the Section 106 agreement and are a signatory.

Planning Balance

24. As set out in the Representation Hearing Report, the proposals do not fully comply with development plan policies concerning heritage, although the NPPF balancing

act is favourable to the scheme.

25. In addition to the conflict with heritage policies identified above, the proposal would not meet specific requirements of Site Allocation NSP54 relating to employment space and public realm provision. The overall quality and quantum of public realm and the impact of on-site servicing has been raised within objections to the scheme from members of the public, community groups and Southwark Council. These areas of non-compliance with the site allocation have been considered within the Representation Hearing Report and whilst the conflict with the requirements of the site allocation is acknowledged, the proposal is considered to comply with relevant London Plan and Southwark Plan Policies relating to employment space and public realm overall, as detailed within this report.
26. Overall, it is not unusual for applications of this scale and nature to result in conflicts with some policies. Development plan policies can, and in this case do, pull in different directions. Notwithstanding the partial conflict with some development plan policies, the proposed development is considered to accord with the development plan overall. GLA officers consider that the planning balance weighs in favour of the grant of permission.

Recommendation to the Mayor

27. That the Mayor, acting as Local Planning Authority for the purpose of determining this planning application has considered the particular circumstances of this application against national, strategic, and local planning policy, relevant supplementary planning guidance, and all material planning considerations. He has also had regard to the comments of the Council and all consultation responses and representations made on the case both to the Council and the GLA. Accordingly, the recommendations at the beginning of this report are proposed.
28. Agrees that the policy and guidance changes since the Representation Hearing do not change the resolution to grant planning permission made on 27 May 2022. The proposal remains in overall conformity with the development plan. This report explains how developments in planning policy and guidance relate to the assessment of the key planning issues in the Mayor's Representation Hearing Report.
29. Agrees that any changes to site circumstances or the surrounding area since the Representation Hearing or the consultation responses received do not materially affect the resolution to grant planning permission made on 27 May 2022.

Decision record – recommendation agreed/refused

Sadiq Khan
Mayor of London

Appendix 1: Draft Decision Notice
Appendix 2: S106 agreement

For further information, contact GLA Planning Unit (Development Management Team):

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