

**Land between Bank End, Park Street, Stoney Street,
Clink Street and railway arches (including Vinopolis)****in the London Borough of Southwark****planning application no.15/AP/3066****Strategic planning application stage 1 referral**

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

The proposal

Redevelopment of 1 Bank End, including reuse of railway arches, and rebuilding and extension of the rear of Thames House, Park Street (retention of facade) to provide a development reaching a maximum height of 6 storeys comprising retail/cafe/restaurant units (flexible Class A1, A3 and A4 use) at ground and first floor levels, office floorspace (Class B1 use) at ground up to fifth floor level, a cinema (Class D2 use) at ground and basement level, associated cycle parking spaces, associated refuse and recycling, with new public access routes and public open space.

The applicant

The applicant is **Sherwood Thames Ventures Ltd**, and the agent is **Deloitte LLP**.

Strategic issues

The principle of **intensification** of this site in the London Bridge, Borough and Bankside **Opportunity Area** is supported; the loss of Vinopolis does not raise concern but the replacement **cultural offer** needs re-considering. The design does not raise strategic concern although further work is required to address **delivery and servicing** needs. Additional **energy** information is required. Transport **contributions** and **plans** are required.

Recommendation

That Southwark Council be advised that while the application is generally acceptable in strategic planning terms the application does not comply with the London Plan, for the reasons set out in paragraph 65 of this report; but the possible remedies set out could address these deficiencies.

Context

1 On 1 October 2015 the Mayor of London received documents from Southwark Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor must provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

2 The application is referable under Category 1B of the Schedule to the Order 2008:

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

3 Once Southwark Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

4 The Mayor of London's statement on this case will be made available on the GLA website www.london.gov.uk.

Site description

5 The site is located within the London Borough of Southwark and adjoins Borough Market to the west. It is a complex and irregularly shaped site that straddles the railway viaducts coming out of Cannon Street station. It comprises Thames House, a six storey Victorian warehouse converted to commercial use, car park to the rear, corporate event space that forms part of the Vinopolis complex and is located between 30 Park Street and the railway viaduct, Vinopolis itself, various associated commercial and retail uses within railway arches on Stoney Street, Victoria warehouse buildings known as Wine Wharf and Brew Wharf, the area known as Vinopolis Plaza, which includes further commercial uses with railway arches.

6 The application site is located 50m to the west of a Scheduled Monument, the 'Remains of Winchester Palace, Clink Street and waterfront' and is partially within the Borough High Street Conservation Area and immediately adjoins Grade II listed buildings at 20-26 Park Street. Parts of the site are oversailed by the background consultation area of LVMF views 2A.1 (Parliament Hill to St Paul's) and 3A.1 (Kenwood to St Paul's).

7 The site also falls within the Central Activities Zone and the London Bridge, Borough and Bankside Opportunity Area.

8 The site is bound by Park Street, Bankside and Stoney Street, all of which form part of the local road network. The nearest section of the Transport for London Road Network (TLRN) is the A3 Borough High Street located approximately 250m distant. Given the proximity of the site to London Bridge Underground Station is approximately 300m east of the site and London Bridge Rail station 550m. The site is served by 12 bus services, with bus stops located on Southwark Street, London Bridge and Southwark Bridge Road all are available within a reasonable walking distance. Accordingly, the site benefits from a PTAL of 6b (on a scale of 0-6b, where 6b is the highest).

9 The site lies within the Cycle Hire network, with the nearest docking stations lying to the west of the site on Park Street. Cycle Super Highway 7 lies a short distance to the west of the site and Park Street is a route signed or marked for use by cyclists. River Bus Services are available from Bankside pier to the west of the site.

Details of the proposal

10 The proposals involve 11,801sq.m. (GIA) of retail (new build and conversion), 1,318 sq.m. boutique cinema, 6,395 sq.m. of offices and new routes connecting Park Street, Stoney Street and Clink Street. The scheme is described in the application as five buildings. :

- **Building 1 (Thames House):** Facade retention with offices behind and flexible retail at ground floor, entrance to a new two screen luxury cinema at rear, creation of a new route ("George Street") from Park Street to a small public space ("Clink Yard").
- **Building 2:** Six storey linear office block between the railway and the existing office/residential building on Park Street, with flexible retail/restaurant use on the ground floor fronting a new lane ("Dirty Lane") from "Clink Yard" alongside the railway and continuing through the railway arches out on to Clink Street.
- **Building 3 (Vinopolis Piazza):** New three storey building for retail use, extending into the adjacent railway arches, with entrances onto "George Street" and "Clink Yard", new public space "Soap Yard" linking Stoney Street, via a route through one of the railway arches to "Clink Yard".
- **Building 4 (Wine Wharf):** Retention of facade and erection of a three storey building for retail use, extending into adjacent railway arch.
- **Building 5 (including Vinopolis):** Retail use of the railway arches fronting Stoney Street and Bank End.

Case history

11 The application site has not been the subject of a pre-application meeting.

Strategic planning issues and relevant policies and guidance

12 The relevant issues and corresponding policies are as follows:

- Land uses *London Plan;*
- Urban design *London Plan;*
- Heritage *London Plan*
- Access *London Plan; Accessible London: achieving an inclusive environment SPG;*
- Sustainable development *London Plan; Sustainable Design and Construction SPG; Mayor's Climate Change Adaptation Strategy; Mayor's Climate Change Mitigation and Energy Strategy; Mayor's Water Strategy*
- Transport *London Plan; the Mayor's Transport Strategy; Land for Industry and Transport SPG*
- Parking *London Plan; the Mayor's Transport Strategy*

13 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the 2011 Southwark Core Strategy, saved policies of Southwark Plan (July 2007) and the London Plan (consolidated with alterations since 2011 (March 2015)).

14 The following are also relevant material considerations:

- The National Planning Policy Framework and Technical Guide to the National Planning Policy Framework.
- Draft Minor Alterations to the London Plan (2015)

Principle of development

15 The proposals are for a mix of uses including retail, restaurants and bars, office floorspace and a cinema.

16 Annex One of the London Plan sets out the objectives for the Opportunity Area, noting that it has considerable potential for intensification for office, residential and mixed leisure and cultural related development.

17 The provision of additional office floorspace in this location is supported, given its excellent public transport accessibility. The provision of the cinema will add to the leisure offer of the vibrant bankside area and the additional retail/restaurant floorspace will complement this. These uses are supported. The Council should consider preventing unit amalgamation to limit the maximum size of any one retail unit, in order to maintain the character of the area.

18 The scheme proposes the loss of the Vinopolis complex. The applicant notes that while Vinopolis is perceived as one facility it comprises a mix of uses including retail, restaurants, bars, wine tour floorspace, office and ancillary floorspace, this is supported by the marketing of the venue, which identifies it as a tourist attraction (Wine tasting), venue hire, dining and drinking and events/masterclasses.

19 The London Plan CAZ policy seeks to sustain the CAZ visitor attractions and extend the offer of strategic cultural areas along the South Bank. As such the loss of Vinopolis as a tourist attraction would conflict with this policy objective. The applicant states that the fact that it was sold in 2015 demonstrates that the use is surplus to requirements and that it understands that many of the uses have not been as successful as they were upon first opening. The applicant also states that the replacement with a boutique cinema will enhance the cultural provision.

20 The fact that it has been sold, does not in itself demonstrate that it is surplus; there could be many reasons for this. There is no evidence that it was marketed for an alternative tourist use and no evidence provided regarding the success or otherwise of the varied uses. The cinema is not a replacement tourist attraction, but would provide a new culture/leisure facility. However, it is unclear how the size of the cinema (870sq.m.) compares with the size of the tourist attraction at Vinopolis (although it is accepted that this may be hard to define given its fluid use).

21 Given the flexible nature of the existing use, its loss does not raise strategic concern, however, the replacement with a boutique cinema, located in the basement of the development, is not considered to be a comparable replacement with a tourist attraction which had a high profile entrance on the main south Bank tourist route. The applicant should give further consideration to a more suitable facility located at street level. Notwithstanding this, given that the provision of the cinema is stated as justification for the loss of the tourist attraction, its use for the lifetime of the development must be secured.

Urban design

22 Good design is central to all objectives of the London Plan, in particular the objective to create a city of diverse, strong, secure and accessible neighbourhoods to which Londoners feel attached whatever their origin, background, age or status. Policies contained within chapter seven specifically look to promote development that reinforces or enhances the character, legibility, permeability and accessibility of neighbourhoods by setting out a series of overarching principles and specific design policies related to site layout, scale, height and massing, internal layout and visual impact.

Layout

23 The development creates new public routes between Park Street, Clink Street and Stoney Street in the form of lanes and routes through arches, which is reflective of the character of this part of London Bridge. It has the potential create an interesting new destination adding to the vibrancy of this part of London Bridge. However, the creation of these routes, and public access to them, will be crucial to the success of the scheme and they should be secured through any planning permission. There is a concern that much of the delivery and servicing of the various uses will need to take place from these new routes and that given the scale of these uses, and therefore the likely number of vehicles, their value as new public realm will be severely compromised. The applicant will need to give further consideration as to how delivery and servicing can take place without compromising the use of the public realm.

24 The layout of the built development reflects the pattern of the existing built form, with the exception of the linear office block, which is infilling a gap between the existing office block and the railway. The layout does not raise any strategic concern.

Height and views

25 The tallest element of the scheme is the new build linear office, which is six storeys. This is comparable with the existing adjacent office/residential block on Park Street and the height does not raise any strategic concern. The site is oversailed in parts by the background consultation area of LVMF views 2A.1 (Parliament Hill to St Paul's) and 3A.1 (Kenwood to St Paul's). However, in both cases the maximum height of development is below the development threshold plane and therefore has no impact on the strategic view. The height does not raise a strategic issue, but it is understood that there are residential uses on the top floor of the adjacent block, which may be impacted. The Council will need to assess this.

Appearance and materials

26 The scheme proposes a successful response to the contextual environment of Victorian warehouse and railway viaducts/arches, principally through the use of brick. Other material used are, profiled pre-cast concrete panels with brick motif embossed into the surface, bronze coloured metal panels and frames, patterned coloured glazed brick, low iron clear glass and Crittal windows. The largest building, the linear office building, is largely set behind existing buildings and therefore will only be glimpsed from the surrounding streets. However, it will be highly visible to the thousands of rail passengers using Cannon Street, and to a lesser extent Charing Cross/Thameslink. On this highly visible elevation the building is strongly articulated through the use of features such as punched and projecting windows, projecting eaves and pairs of doubled pitched roofs. The ground floor retail element is emphasised through a projecting canopy. Overall the appearance of the building raises no strategic issues.

Historic buildings

27 Part of the site lies within the Borough High Street Conservation Area, it is also close to other nearby Conservation Areas. It is also immediately adjacent to Grade II listed buildings (20 – 26 Park Street) and close to a number of other listed buildings (as identified in the applicant's heritage assessment). Thames House, within the site is identified as making a positive contribution to the Conservation Area as are a number of other buildings adjacent to the site.

28 As such the Mayor is required to apply the tests for dealing with heritage assets in planning decisions set out in the Planning (Listed Buildings and Conservation Areas) Act 1990. In relation to listed buildings, all planning decisions should *"have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses"* and in relation to conservation areas, special attention must be paid to *"the desirability of preserving or enhancing the character or appearance of that area"*.

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

30 The applicant has carried out a thorough heritage assessment which concludes that the development will have either a beneficial or neutral impact on all of the designated and non-designated heritage assets. From a strategic perspective this is accepted. Given their local and detailed knowledge Historic England and the Council's Conservation and Urban Design Team may have relevant considerations.

Sustainable energy

31 The applicant has broadly followed the energy hierarchy and sufficient information has been provided to understand the proposals as a whole. Further revisions and information are required before the proposals can be considered acceptable and the carbon dioxide savings verified.

32 A range of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed development. Both air permeability and heat loss parameters will be improved beyond the minimum backstop values required by building regulations. Other features include low energy lighting and mechanical ventilation with heat recovery. The applicant is also proposing to include the energy efficiency measures in the refurbished elements of the development, this is welcomed.

33 The demand for cooling will be minimised through solar control glazing and external shading. The applicant should provide evidence of how policy 5.9 has been addressed to avoid overheating and minimise cooling demand. It was noted that the BRUKL outputs show that the solar gain limit will be exceeded for a large majority number of areas. It was also noted that the cooling demand of the actual building is significantly higher than the notional building. Further passive measures in line with Policy 5.9 should, therefore, be integrated to show that the cooling demand has been reduced below the notional and the solar gain limits are met.

34 The development is estimated to achieve a reduction of 98 tonnes per annum (27%) in regulated carbon dioxide emissions compared to a 2010 Building Regulations compliant development. As the application was submitted after the 5th of July 2014, the carbon emissions and savings should be calculated following Part L 2013 methodology and targeting a 35% carbon reduction, in line with latest GLA Guidance: <http://www.london.gov.uk/what-we-do/planning/planning-applications-and-decisions/pre-planning-application-meeting-service-0>

35 Part L 2013 BRUKL sheets including efficiency measures alone should be provided to support the savings claimed.

36 The applicant has carried out an investigation and there are no existing or planned district heating networks within the vicinity of the proposed development. The applicant has, however, provided a commitment to ensuring that the development is designed to allow future connection to a district heating network should one become available. The applicant is proposing to install a site heat network. However, the applicant should confirm that all building uses will be connected to the site heat network. A drawing showing the route of the heat network linking all buildings on the site should be provided.

37 The site heat network will be supplied from a single energy centre. Further information on the floor area and location of the energy centre should be provided.

38 The applicant is proposing to install a 50 kWe gas fired CHP unit as the lead heat source for the site heat network. The CHP is sized to provide the domestic hot water load, as well as a proportion of the space heating. A reduction in regulated Part L 2010 carbon dioxide emissions of 31 tonnes per annum (9%) will be achieved through this second part of the energy hierarchy. The applicant should provide the Part L 2013 carbon emission figures for the 'be clean' stage of the energy hierarchy.

39 The applicant should provide information on the management arrangements proposed for the system, including anticipated costs and how any sales of power will be managed, given that the management and operation of small CHP systems can significantly impact their long term financial viability.

40 The applicant has investigated the feasibility of a range of renewable energy technologies and is proposing to install roof mounted photovoltaic (PV) panels on the roof of the development. The applicant should confirm the size of PV array (in kWp and m2) and also provide a roof layout drawing demonstrating that there is sufficient capacity to accommodate the proposed PV array. A reduction in regulated Part L 2010 CO2 emissions of 22 tonnes per annum (6%) will be achieved through this third element of the energy hierarchy. The applicant should provide the Part L 2013 carbon emission figures for the 'be green' stage of the energy hierarchy.

41 The applicant is also expecting a reduction of 230 tonnes per annum (8%) in regulated Part L 2010 CO2 emissions for the site wide (including the refurbished elements). The applicant should explain how this reduction will be achieved.

42 Based on the energy assessment submitted at stage 1 the scheme will result in a reduction of 151 tonnes of CO2 per year in regulated emissions compared to a 2010 Building Regulations compliant development is expected, equivalent to an overall saving of 42%. However, the applicant should reassess the development against Part L 2013 and commit to the development exceeding 2013 Building Regulations compliance through energy efficiency alone.

43 The carbon dioxide savings exceed the target set within Policy 5.2 of the London Plan. However, the comments above should be addressed before compliance with London Plan energy policy can be verified.

Flood risk & sustainable drainage

44 The site is within Flood Zone 3 but does not appear to have a significant surface water flood risk. The submitted flood risk assessment confirms that the site is protected to a high standard by the Thames Tidal Flood Defences. The FRA also confirms that the site is at risk of flooding in the event of overtopping or breach of those flood defences during a breach event. The FRA states that the following measures will be applied to mitigate this residual risk:

- Raised threshold to basement areas.
- Use of flood resilient construction techniques.
- Sign up to EA Flood Warning Procedures.
- Office accommodation above first floor level.
- Preparation of a Flood Action Plan.

45 Given the mitigation measures included, the proposals are acceptable in terms of London Plan Policy 5:12.

Drainage

46 Although the site itself is not at significant risk of surface water flooding, parts of the surrounding area are and therefore the application of London Plan Policy 5:13 (Sustainable Drainage) will be important for this site.

47 The FRA states that the proposals will reduce surface water discharge by 50% compared to the current situation. This will be achieved by including:

- Green and blue roof construction on parts of the site
- rainwater harvesting
- attenuation tank(s)

48 Residual surface water will be discharged into the surrounding Thames Water sewer network at a controlled rate.

49 Given the nature and location of the site, the approach taken to drainage is acceptable and in accordance with London Plan policy 5.13.

Transport

Trip Generation

50 Given the nature and amount of development it is accepted by TfL that there would not be a significant impact upon strategic highway or public transport capacity. However it will be important to consider cycling and walking network and facilities serving the development both within and in the vicinity of the site.

Car Parking

51 A car free development is proposed which is supported by TfL. However there would be no Blue Badge car parking on site and the applicant considers that there is sufficient on street capacity to cater for demand. TfL would suggest that to comply with London Plan policy and enable the development to be accessible to all that consideration is given to at least one on street parking bay, equipped with Electric Vehicle Charging Points, being dedicated for Blue Badge holders together with appropriate provision for drop off and pick up of disabled people in particular

including by taxi/booked private hire. These arrangements should be discussed with Southwark Council and secured by condition and/or appropriate legal agreement.

Cycle parking

52 Further information is required to enable confirmation of the minimum short and long term cycle parking provision necessary to comply with London Plan policy. However the proposed 141 spaces are significantly short of the standard.

53 Details of cycle storage design and access should be subject to subsequent approval and the condition should also require that provision is available prior to occupation of the relevant use and thereafter retained. Appropriate provision should also be secured of lockers, showers and changing facilities to support cycling by staff.

Cycle Hire Docking Station

54 Cycle docking stations are in high demand in the area. It is TfL's view that this development would necessitate an additional 30 cycle docking station to be installed to cater for future demand. Due to the change of use and addition of cinema and leisure facilities attracting demand for cycle hire, TfL requires that £200,000 is secured for a 30 dock cycle hire station which should be included in the S106 agreement. An appropriate area of land, which is publically accessible, should be secured on the site for a docking station.

Pedestrian Environment

55 A new public access route would be created through the site which would link Park Street and Clink Street whilst providing access to the proposed retail units. TfL support improved pedestrian and cycle facilities however is concerned with the quality of the environment particularly as parts of the route will be used for servicing and refuse vehicles. TfL request the design of the public access route is compliant with London Cycling Design Standards. Including that it should be available 24/7 for public use.

56 TfL request that a contribution of £6,266 is made to Legible London signage in the site and the vicinity of the site. The contribution is to provide for a finger post in the centre of the public access route and a refresh of 4 signs to take account of the new route through the development.

Servicing and Construction

57 A Delivery and Servicing Plan (DSP), of a form fully in line with TfL guidance should be secured by s106 or condition, to be submitted and agreed prior to first occupation.

58 An initial Construction Traffic Management Plan (CTMP) has been submitted however it should incorporate a detailed Construction Logistics Plan, in line with TfL guidance, which should be secured by condition and should include in particular cyclists' safety measures.

Travel Plan

59 A Framework Travel Plan in accordance with TfL travel planning guidance has been provided; it should be secured, funded and monitored through a s106 agreement, with a range of the indicated potential measures developed into specific agreed outcomes.

Community Infrastructure Levy

60 The Mayoral CIL is payable at a rate of £35 per sq.m. for Southwark (see Community Infrastructure Levy Charging Schedule – Mayor of London, February 2012). The required CIL should be confirmed by the applicant and council once the components of the development have been finalised. More details are available via the GLA website <http://london.gov.uk/>.

61 London borough councils are also able to introduce CIL charges which are payable **in addition** to the Mayor's CIL. Southwark Council has adopted a scheme. See the Council's website for more details.

Local planning authority's position

62 It is understood that Southwark Council officers have concerns about the replacement cultural offer, delivery and servicing, impact on residential amenity, need for increased permeability and detailed design.

Legal considerations

63 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application and any connected application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

Financial considerations

64 There are no financial considerations at this stage.

Conclusion

65 London Plan policies on employment land, housing mix, affordable housing, housing density, children and young person's play, urban design, sustainable energy, access, flood risk and surface water run-off and transport are relevant to this application. The application complies with some of these policies but not with others, for the following reasons:

- **Principle of development:** Supported, however, the replacement cultural offer should be given a higher profile location and secured.
- **Urban design:** Supported, however, further consideration needs to be given to delivery and servicing to avoid compromising the proposed new public realm.
- **Historic buildings:** Development does not cause harm to heritage assets.
- **Energy:** The carbon dioxide savings meet the target set within Policy 5.2 of the London Plan however the applicant should provide further revisions and the request verification information before the proposals can be considered acceptable and the carbon dioxide savings verified. This should be provided before stage 2 referral.

- **Flood risk & sustainable drainage:** Given the nature and location of the proposals, the adopted approach to flood risk mitigation and sustainable drainage is considered to comply with London Plan Policy 5:13 and should be secured via an appropriate planning condition.
- **Transport:** Provision of a blue badge space, increased cycle parking, cycle docking station, legible London and travel/delivery & servicing/construction & logistics plans required.

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