

# Cringle Dock and Battersea Power Station

in the London Borough of Wandsworth

planning applications no. 2015/6537, 2015/6358, 2015/6359

## 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 proposals

**Application 1:** A hybrid planning application for redevelopment of existing waste transfer station, comprising a new waste transfer station (detailed component) at Cringle Dock with residential buildings and other non-residential uses above (outline component) (D&P/0599b);

**Application 2:** Section 73 amendments to the outline planning permission for the Battersea Power Station (ref: 2014/2837), in relation to the massing parameters for Phase 6 to align with the Cringle Dock application. (D&P/2950e);

**Application 3:** Detailed application for construction of a temporary waste transfer station across both sites, with riverside crane and campshed within the River Thames to be in place for the duration of the redevelopment of Cringle Dock WTS. (D&P/0599c).

## The applicant

The applicants are **Western Riverside Waste Authority (WRWA)** and **Battersea Project Land Company Ltd** and the architect is **Rafael Vinoly**.

## Strategic issues

The principle of a **residential-led mixed use** development that retains a **safeguarded wharf** and **waste throughput** is in accordance with strategic objectives in the London Plan and those set out in the **Vauxhall Nine Elms Opportunity Area** Planning Framework. Sufficient information has been provided in the architectural and placemaking codes to demonstrate that an appropriate scale, form and design will be provided for the outline element. Further information is required to demonstrate the impact upon strategic views and the Westminster WHS.

At present, **no affordable housing** is proposed, however the viability appraisal is still the subject of discussion in order to demonstrate compliance with the London Plan. Assuring a satisfactory **residential quality** is challenging given the waste use, and appropriate conditions will be expected. The scheme proposes a mix of **unit sizes**, but it still needs to be demonstrated that the Council's local housing needs are met.

The principles of the scheme in terms of **inclusive design** and the **play space** provision are acceptable subject to robust conditions. Further discussion regarding **energy, parking** and **transport** impact, including cycle routes and CIL/section **106 contributions** is also required to ensure that the scheme fully accords with London Plan.

## Recommendation

That Wandsworth Council be advised that while the schemes are broadly acceptable in strategic planning terms, there are aspects of Application 1 that do not fully comply with the London Plan, with the reasons and remedies set out in paragraph 105 of this report.

## Context

1 On 18 November 2015 the Mayor of London received documents from Wandsworth Council notifying him of three planning applications 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 applications comply 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 Each application is referable in its own right under the following Categories of the Schedule to the Order 2008:

*1A - Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats (applications 1 & 2);*

*1B(c)- Development which comprises or includes the erection of a building outside Central London and with a total floorspace of more than 15,000 square metres (applications 1 & 2);*

*1C(a) - Development which comprises the erection of a building that is more than 25 metres high and is adjacent to the River Thames (applications 1 & 2);*

*2D - Waste development to provide an installation with capacity for a throughput of more than—  
(b) 50,000 tonnes per annum of waste (applications 1 & 3); and*

*4 - Development in respect of which the local planning authority is required to consult the Mayor by virtue of a direction given by the Secretary of State under article 10(3) of the GDPO (application 1).*

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

6 The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 has been taken into account in the consideration of this case.

7 The Mayor of London's statement on this case will be made available on the GLA website [www.london.gov.uk](http://www.london.gov.uk).

## Site description

8 The scheme primarily relates to Cringle Dock, an existing Waste Transfer Station (WTS), which is owned by WRWA and operated by Cory Environmental Ltd. It covers an area of approximately 1.25ha and is located north of Cringle Dock, bounded by the River Thames to the north, Battersea Power Station to the west, a Thames Water Chlorination Plant/Pumping Station to the south and Kirtling Wharf (Thames Tideway Tunnel site and safeguarded aggregates wharf) to the east.

9 Cringle Dock is designated as a Safeguarded Wharf, protected for water-borne freight handling use. It is located within the Central Activities Zone, and Vauxhall Nine Elms Battersea Opportunity Area (VNEB OA). It is also within a Flood Zone (3a) and Archaeological Priority Area.

10 The temporary WTS site comprises part of the Cringle Dock site, in the location of the existing bulk waste facility and also extending on to the BPS Masterplan site. It comprises an area of 1.03ha.

11 The existing ground levels at the Cringle Dock Site range from approximately 4.5 metres AOD at Cringle Street to 5.7 metres AOD at the dockside.

12 The section 73 application relates to the Battersea Power Station masterplan site, which covers 21 hectares and contains the retained listed Power Station building and other ancillary buildings. The earlier phases of the scheme are presently being developed, and the site is also being used as a construction site for the Northern Line Extension.

13 The nearest part of the Transport for London Road Network (TLRN) is the A3205 Battersea Park Road, located less than 100 metres to the north of the site. Three bus routes (P5, 156 and 344) are accessible within walking distance of the site. Battersea Park national rail station is approximately 800 metres to the west, providing access to services to Victoria, Clapham Junction and other destinations. Queenstown Road Station is approximately 1 km to the south west, providing access to services towards Waterloo and Clapham Junction.

14 As such, the site has been estimated to have a moderate public transport accessibility level (PTAL) of 3, on a scale of 1-6 where 6 is most accessible. This will be improved with the development of the NLE, with Battersea Power Station being some 200 metres from the site.



Figure 1: Site location plan (source: submitted DAS)

## Details of the proposals

15 Three applications have been submitted by the applicant comprising the redevelopment of Cringle Dock, a temporary waste facility, and amendments to the main Battersea Power Station (BPS) masterplan.

### Application 1: 2015/6357

16 This application relates to Cringle Dock and seeks part-full and part-outline permission for demolition of the existing buildings and construction of a new waste transfer station (WTS), with residential development above.

17 Detailed permission is sought for a new WTS within a concrete and steel structural enclosure, including a structural transfer deck and lightweight acoustic deck. It extends across from edge of the dock to Cringle Street and across the full width of the site. The maximum height of the structure is 11.9 metres AOD fronting Cringle Street and 21.5 metres AOD fronting the River Thames (dock roof is approximately 17 metres above ground level). It would contain a weighbridge, waste reception area, tipping hall, compactors and containers and would be capable of processing up to the maximum consented throughput of 1,195 tonnes of mixed waste per day (equating to 435,000 tonnes per year). The operational hours would be as per the existing arrangements – 24 hours a day, 7 days a week, 364 days a year. A total of 10 parking spaces are proposed.

18 The outline element is for the residential component over the WTS structure and podium. This would comprise four residential buildings that would rise to 17-storeys above the podium (maximum overall height of 63.05 AOD). Up to 422 units are proposed, equivalent to 61,772 sq.m. GEA of floor space. The applicant seeks outline approval of details given for access, amount and uses, and layout. The applicant is seeking only outline approval for the scale of development, appearance, and landscaping. An architectural code and placemaking code have been submitted and it is intended that these be read in conjunction with the approved documents for Phase 6 of BPS. There are 12 parking spaces (all disabled bays) proposed for the residential element.

### Application 2: 2015/6359

19 The applicant is proposing amendments to the outline planning permission (2014/3837) for Battersea Power Station, granted by Wandsworth Council in December 2014. The amendments specifically relate to Development Zone RS-2 (Phase 6) and are summarised as follows. There are no changes to the approved land use floor areas:

- removal of the majority of the serviced apartment block that shares the boundary with the Cringle Dock site;
- reduction in massing of the office block that sits adjacent to the Thames Water chlorination plant;
- raising the frontage of the office building at the far west of Pump House Lane by 3-storeys, with provision of an additional storey and reduction in depth of the building;
- increase in depth of the office building fronting Kirtling Street at the eastern end of Pump House Lane to accommodation commercial floor area from other areas of RS-2 where reduced.

20 The amendments have been indicated on a set of replacement parameter plans and a revised development specification.

### Application 3: 2015/3658

21 The applicant is seeking permission for a temporary waste transfer station to enable continued operations for a period of 4 years whilst the new facility is constructed. It would comprise a 40 metre by 64 metre building (2,876 sq.m. GEA) and would be 16.6 metres high, to contain the WTS, ancillary office and weighbridge office. This would be located across both sites – the existing Battersea Power Station site and Cringle Dock site. A crane and campshed would be located within the River Thames.

22 It would operate as the existing facility does although it is noted that it is designed only to accept mixed residual waste and does not have a facility to be able to accept segregated recyclables as handled by the bulk handling area in the existing waste transfer station. It is instead proposed that bulk recyclables handling be accommodated in a new scheme at Feathers Wharf. Once the new WTS is constructed, the temporary WTS would be removed to enable the new bulk waste facility within the Cringle Dock site and Phase 6 of BPS to be constructed.

## **Case history**

23 The main BPS site benefits from an extant hybrid planning permission (amended in 2014) for a mixed use redevelopment.

24 Pre-application discussions have been held on the current proposals where the principle of housing over a safeguarded wharf was supported in principle subject to resolving issues around continued operations and amenity impacts in particular.

## **Strategic planning issues and relevant policies and guidance**

25 The relevant issues and corresponding policies are as follows:

Land use principles	<i>London Plan; draft CAZ SPG</i>
Safeguarded wharves	<i>London Plan; London Plan Implementation Report “Safeguarded Wharves on the River Thames”; Mayor’s Safeguarded Wharves Review recommendations;</i>
Waste	<i>London Plan; Mayor’s Municipal Waste Strategy;</i>
Housing/affordable housing	<i>London Plan; Housing SPG; draft interim Housing SPG; Housing Strategy; Shaping neighbourhoods: Play and Informal Recreation SPG; Social Infrastructure SPG</i>
Density	<i>London Plan; Housing SPG; draft interim Housing SPG;</i>
Urban design	<i>London Plan; Shaping Neighbourhoods: Character and Context SPG;</i>
Inclusive access	<i>London Plan; Accessible London: achieving an inclusive environment SPG;</i>
Sustainable development	<i>London Plan; Sustainable Design and Construction SPG; Control of dust and emissions during construction and demolition SPG; Mayor’s Climate Change Adaptation Strategy; Mayor’s Climate Change Mitigation and Energy Strategy; Mayor’s Water Strategy;</i>
Ambient noise	<i>London Plan; the Mayor’s Ambient Noise Strategy;</i>
Air quality	<i>London Plan; the Mayor’s Air Quality Strategy;</i>
Blue Ribbon Network	<i>London Plan;</i>
Transport and parking	<i>London Plan; the Mayor’s Transport Strategy; and,</i>
Crossrail	<i>London Plan; and, Mayoral Community Infrastructure Levy.</i>

26 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 Wandsworth Core Strategy (2010), Site Specific Allocations and Development Management Policies Development Plan Documents (2012) and the 2015 London Plan (consolidated with Alterations since 2011).

27 The following are also relevant material considerations:

- National Planning Policy Framework and National Planning Practice Guidance;
- Draft Minor Alterations to the London Plan (2015);
- The Vauxhall Nine Elms Battersea Opportunity Area Planning Framework (March 2012);
- Wandsworth Core Strategy, DMPD and SSAD – 2<sup>nd</sup> proposed submission version (October 2014); Wandsworth Local Plan Review.

## **Land use principles – safeguarded wharves and waste**

28 As noted, Cringle Dock is a safeguarded wharf, as defined under London Plan policy 7.26. As part of the Mayor's 2005 Safeguarded Wharves Review the wharf is identified as viable for river freight cargo-handling uses, and the continued safeguarding of the wharf is also recommended by the Mayor in his 2013 Review.

29 The Vauxhall-Nine Elms-Battersea (VNEB) opportunity area planning framework (OAPF) land use strategy for this location identifies potential for a high density mixed use focal point for office, retail and housing as part of the Battersea Power Station redevelopment. The VNEB OAPF wharfs and waste strategy acknowledges that the opportunity area will bring high density residential uses in close proximity to the waste transfer stations, which could lead to environmental issues. The OAPF reiterates the London Plan protection of Cringle Dock as a safeguarded wharf for long-term waterborne handling uses. It stresses that it will be important to ensure that the potential for conflicts of use are minimised through good layout and design and suggests wrapping the wharf uses in commercial or other non- residential uses. The key issue is demonstrating that the proposed development does not preclude current and potential future wharf operations from achieving their current capacity, and that suitable mitigation measures are able to be put in place to avoid potential conflicts of use. It notes that the enclosure of the facility and a reduction in noise and odours from the site would provide a main strategic benefit for the OA.

31 Wandsworth Council's emerging Site Specific Allocations Document identifies Cringle Dock as a safeguarded wharf with potential for residential led mixed use development above. It sets out that any proposals for mixed use development will need to ensure that they did not have a negative impact on the operation of the safeguarded wharf including appropriate access arrangements and that the operational capacity of the wharf is retained.

### Waste management

32 The site is owned by WRWA and operated as a Waste Transfer Station by Cory Environmental Ltd, which hold a leasehold interest in the site. The existing WTS accepts predominantly residual municipal waste by road, and currently handles 225,000 tonnes per year, equating to a maximum consented throughput of 1,195 tonnes of mixed waste per day. WRWA has been closely involved in the design of the new waste facility, which assists in demonstrating that a viable and feasible scheme to meet on-going waste needs will come forward.

33 The proposal for the temporary WTS includes the construction of a temporary campshed in the River Thames foreshore to support barges when moored against the river wall. For the new Cringle Dock WTS, all existing buildings and structures would be demolished, except for the

existing dock, which would be divided into two docking bays and retained in its current position. The proposed modernisation of the existing WTS, as well as the temporary WTS continue to fully utilise the wharf, albeit there would be slight reduction in wharf area. The temporary facility would be capable of processing the existing waste transfer throughput, with the exception of the Bulk Waste Facility, which would be located off site at Feathers Wharf in Wandsworth. Therefore the temporary WTS would be capable of processing 850 tonnes of municipal waste each day, slightly less than the current and proposed WTS. Given the temporary nature of the use, and that there would be no net loss in the borough this temporary reduction in capacity is accepted.

34 The applicant has confirmed that the new replacement WTS facility at Cringle would have capacity to process the same amount of waste and there would be no decrease in the consented daily or annual waste throughput. This welcomed in accordance with London Plan policies 5.17 and 7.26. The modernised WTS will have a range of benefits – the storage pits will be replaced by compactors, thereby ensuring much quicker containerisation of the waste and significantly reducing odour emissions. In addition, a wall is proposed between the docks and the area where HGVs discharge the waste. This will further contain the impacts arising from the operation. The modernisation of this facility, recognised as ageing and in need of investment, is welcomed in terms of meeting the waste management needs of the four boroughs in the WRWA, improving operational efficiency and continuing the sustainable use of the river for transport of waste.

#### Barge movements

35 From a navigational perspective the existing number of barge movements would remain at 8 per day, and the dock bays would not be altered by the Cringle Dock redevelopment. However, during the operation of the temporary WTS barges would have a slightly different navigational route to moor adjacent to the river wall. Therefore, a Navigational Risk Assessment will be produced for the PLA to outline the proposed barge movements and interaction with other river traffic. It is expected that this will also demonstrate how water freight arrangements for the construction of the Thames Tideway Tunnel and the Battersea Power Station developments are co-ordinated with the water freight arrangements for the construction and operation of the temporary and the new WTS.

#### Residential use and mitigation

36 The key policy consideration in this case is the construction of residential development above the proposed WTS operations and safeguarded wharf. This is noting Policy 7.26B(a), which states that safeguarded wharves should only be used for waterborne freight handling use, and that redevelopment for other land uses should only be accepted if a wharf is no longer viable, or capable of being made viable, for waterborne freight handling. In this particular instance, the existing use is viable and is being retained for waterborne freight handling at the same capacity as existing however, as the current policy states they should only be used for waterborne freight handling use, as it stands, the principle of introducing residential uses does run contrary to the London Plan.

37 As noted, it is widely recognised, including in the VNEB OAPF that the current facility generates noise and odour nuisance at present, and that this will become more problematic as more residents locate to the area following regeneration of the area. The new WTS would make the current operation more efficient and resilient, providing additional processing equipment including additional cranes for cargo handling of waterborne freight. The scheme also delivers much welcomed additional housing, new routes and a river path. The dedicated Safeguarded Wharves Report produced in support of the planning application is welcomed in terms of setting out proposed operational arrangements and enhancements, and what mitigation measures

would be appropriate to ensure that the wharf and residential uses could co-exist and that potential conflict is managed effectively.

38 The applicant acknowledges that the proposed inclusion of sensitive uses above the wharf does present constraints due to the potential impact of associated environmental issues (such as odour, dust, noise, vibration and artificial light spill) on these sensitive uses - and the threat that this may pose to the on-going, 24-hour, operation of the wharf. The applicant has set out in its Environmental Statement details of the air quality, odour, noise and vibration assessments that have been carried out and which have impacted on the design of the scheme. The conclusion is that in the light of a range of proposed mitigation measures, no significant residual environmental impacts are likely to arise with the exception of possible odour impacts. However, it is stated that these *'would be considered minor adverse as a worst case and would be subject to an Odour Management Plan implementation and continual monitoring by the site operators'*. The WTS would include a mechanical ventilation system to abate odour, including odour neutralising atomizers, reverse jet cartridge filters, ozonolysis pre-treatment and carbon absorbers. Fast acting roller shutters are also proposed. For the residential element, the most affected facades would have either no or limited window openings, and mechanical ventilation and comfort cooling would be used. The eco-deck would also provide noise attenuation and shield residents from glare and odour.

39 The mitigation measures are important in terms of accepting the principle of other uses on the safeguarded wharf, and these in turn present a range of practical and viability challenges for the scheme. Given its novel and specialist nature, the GLA has previously suggested an independent review and verification of the proposed mitigation measures. This will be dependent on the Council's in-house assessment and conclusions, and further discussion on this aspect should take place prior to Stage 2. Given the outline nature of the residential element, the technical design specification of the WTS and detailed design of facades and other mitigation measures will need to be secured as robust conditions and/or s106 obligations, and it will need to be demonstrated that these are viable and technically deliverable.

#### Alternative and adjacent wharf uses

40 In response to the need to demonstrate an appropriate degree of flexibility for possible future changes in wharf operations, the applicant's Safeguarded Wharves Report sets out that the design of the wharf box would allow other potentially suitable container-based waterborne freight uses. This is welcomed. Due to the adjacent Kirtling Wharf housing an aggregates batching plant, this potential use has not been designed for as an alternative wharf use at Cringle Dock, which is accepted.

41 The future relationship with Kirtling Wharf does however need careful consideration, noting its current use and safeguarded wharf status. It is understood that discussions have taken place between the applicant and Thames Tideway Tunnel over the longer-term plans for Kirtling Wharf but there still remains uncertainty over plans beyond the life of the tunnel project. With this in mind, the floor plans indicate access corridors along the eastern elevation with no openable windows facing Kirtling Wharf in order to mitigate against current and any future wharf related activities at Kirtling Wharf. GLA officers are satisfied that the scheme can be designed on the basis of a fully operational open aggregates wharf, reflecting a combination of the latest planning application by Cemex (2013) and the Thames Tideway Tunnel DCO (2014).

#### Riverfront path



42 The applicant has also set out proposals for an extension to the riverfront path from BPS, comprising a 4 metre wide raised bridge across the front of the dock, with lifts and stairs either side. The intention is that this could eventually link up with riverside paths to the east and west to provide a continual unbroken Thames Path through the Opportunity Area. This is strongly supported, in accordance with London Plan policy 7.27. The ability to provide a continual path is however, subject to future plans for Kirtling Wharf site, which currently prevents access by virtue of its current uses and layout. It is accepted that the path's detailed development, and indeed the continual Thames Path can only progress in co-ordination with any post-Thames-Tideway-Tunnel improvements. Therefore a robust s106 clause would be necessary in order to secure this at the appropriate time, with appropriate levels of funds allocated and alternative strategies accounted for, depending on the future of Kirtling Wharf.

### Summary

43 The proposal to modernise the wharf and integrate it better with the surrounding Battersea Power Station development would provide benefits for the wider area, whilst maintain its current handling capacity (licensed capacity would remain at 1,195 tonnes of waste per day). The principle of the scheme that optimises the development potential of this prominent riverside site within the VNEB opportunity area, shielding adjacent uses from waste and wharf activities and delivering additional housing and a continual Thames Path are significant benefits in strategic planning terms and whilst there is a policy conflict in providing other uses on a safeguarded wharf, the circumstances of this case and location are recognised. This is subject to ensuring that points raised in relation to amenity and environmental issues in particular, and securing suitably worded planning conditions and s106 obligations.

44 The temporary WTS facility and the s73 amendments to Phase 6 of the BPS masterplan do not raise any strategic land use issues. The temporary WTS has been designed to ensure that waste operations can continue from this location to meet WRWA processing requirements, with bulk recyclables handling being addressed at a new facility at Feathers Wharf in Wandsworth. The development of additional structures in the River is acceptable as they support water dependent uses. The s73 amendments do not change the overall quantum or amount of different land uses proposed.

## **Housing and affordable housing**

45 Noting the outline nature of the scheme, the application seeks permission for a maximum level of residential floor space of 61,772 sq.m. that could achieve a maximum of 422 residential development, comprising apartments and townhouses. An indicative mix is provide as follows:

Unit Type	Unit Mix	Proportion of Units
Studio	20	4.7%
1 Bed	64	15.2%
2 Bed	240	56.8%
3 Bed	53	12.6%
Townhouse	19	4.5%
Penthouse	26	6.2%
<b>Total</b>	<b>422</b>	<b>100%</b>

46 The scheme would provide 23% of Wandsworth's annual housing target of 1,812 homes, as well contribute to the VNEB OAPF target of 20,000 new homes. This welcomed in principle

noting that this is a designated safeguarded wharf (windfall site), that has not contributed to capacity studies.

47 The scheme would include a range of unit sizes, from studio to four bed units, with 22% comprising 3 and 4-bed family sized. The Council should confirm that the proposed mix would meet local needs and reflects its own housing requirements and should set a baseline or range as a condition.

48 At this stage, affordable housing provision is not indicated in the plans or documents however, the applicant has submitted a financial viability review that the Council is in the process of having independently reviewed - with a view to establishing the viability position and securing the maximum reasonable amount of affordable housing.

49 The applicant has set out that replacement WTS involves exceptional costs and that the viability of this scheme is challenging. Whilst this is acknowledged, the site's riverside location within the heart of the opportunity area also needs to be carefully factored into consideration. It is expected that detailed scrutiny of the cost estimates would be expected, including how they are being accounted for in WRWA business planning and whether any of the costs of providing the new WTS are being passed on to the operator. Whether there would be any impact upon sales forecasts to Phase 6 should also be considered, noting that the enclosure of the WTS would have positive impact on their residential quality.

50 Notwithstanding the above, given the long build out time, it is expected that the scheme should be subject to review mechanism(s), which the applicant has acknowledged. Noting that they Mayor and GLA officers would not be party to subsequent negotiations at reserved matters stage, there needs to be clarity provided on any review mechanisms prior to Stage 2, including how any potential uplift would be used to deliver affordable housing and the tenure, noting London Plan requirements that the maximum reasonable amount of affordable housing is expected. The Council's independent assessment, together with detailed wording regarding the review mechanism clauses within the draft s106 agreement should be shared with GLA officers prior to the Stage 2 referral.

#### Residential quality

51 Indicative floor plans have been provided within the architectural code and DAS, together with a commitment to complying with National Housing Standards. A commitment to meeting the Mayor's housing standards that apply at the time of approval of reserved matters should also be secured by the Council.

52 The layout and orientation of the residential block does result in instances of single aspect north facing units in Block CD-2d to the order of approximately 10% of units overall, contrary to the Mayor's Housing SPG. On the upper levels, it is acknowledged that these units would benefit from outlook and river prospects however there is concern about the lower levels in particular where they face the townhouses in Block CD-3. Whilst the applicant has committed to ensuring that units meet BRE average daylight criteria, there is concern that these lower level units in particular could suffer from poor residential quality due to outlook, light entry and taking into account the lack of natural ventilation (due to mitigation required against WTS activity). Furthermore, in this block, there are also instances where up to 10 units per core are shown, contrary to best practice objectives in the Mayor's Housing SPG. Whilst it is appreciated that the scheme is in outline, the scheme as it stands indicates that the residential quality could be substandard. Further discussion about this aspect of the scheme is requested prior to Stage 2, with the applicant looking to re-arrange the floor layouts to address the above the concerns. It may be that additional cores are required. The architectural code should be updated to reflect Housing

SPG guidance - setting out commitments to avoid and/or reduce north facing units and to restrict the number of units per core to 8 or below. Minimum corridor widths and floor to ceiling heights within the flats should also be set out.

53 Noting the facade design of the units incorporate specialised mitigation features, as noted elsewhere, specific conditions would be expected to secure these details and assure sufficiently high residential quality at detailed design stage.

#### Children's play space and amenity provision

54 Based on the Mayor's playspace SPG, approximately 50 children are predicted to live in the development of which 30 would be under the age of 5. This gives rise to a total child playspace requirement of 500 sq.m. of which 300 sq.m. should be allocated on-site and designed for under 5 year olds.

55 A key feature of the scheme is the communal and private landscaped amenity space provided above the podium that would address the change in levels between the surrounding streets and residential cores, and also link in with the adjacent BPS masterplan landscaping proposals. The amount of landscaping space between Cringle Dock and Phase 6 would also be extended in the scheme.

56 Whilst in outline, the applicant has set out that 1,752 sq m of private amenity space and 1,558 sq.m. of communal amenity space would be provided within the central courtyard of Cringle Dock and via roof terraces/gardens. The applicant's placemaking code confirms that the minimum play requirements for each age group would be provided – on site within the communal amenity space for under 5's, with the eastern gardens of Power Station Park for 5-11 year olds, and Battersea Park for 12-18 years. These commitments and minimum standards should be secured by way of condition for approval at detailed design stage.

#### Density

57 The site currently has a public transport accessibility level (PTAL) of 3, which will increase following the introduction of the Northern Line Extension. Whilst presently the London Plan density matrix would suggest a range of between 200-450 habitable rooms per hectare, the VNEB OAPF envisages high density development for this site, given its central setting where 650-1,100 habitable rooms or 215-405 units hectare is suggested.

58 The applicant has stated that the density of the scheme is 338 units per hectare, which is within the range set out in the London Plan. The scale of development has been dictated by uses and strategic views and is appropriate in this context.

### **Design and strategic views**

#### LVMF strategic views and WHS

59 Chapter 8 of the VNEB OAPF sets out that in the Nine Elms-Battersea Area, the form of development should be 8-10 storeys and tall buildings of up to 60-70 metres may be supported but should not appear in the backdrop of the Palace of Westminster. The Cringle Dock proposals have a maximum overall height of 63.05 metres AOD, in accordance with this height strategy and do not rise above the Power Station Chimneys datum line.

60 The applicant has submitted a townscape and visual impact assessment (TCVIA) that forms an addendum to the TCVIA undertaken to date as part of the EIA process for the main BPS scheme. It assesses the impact of the EIA development as a whole, including the Cringle

Dock development, the temporary WTS and the Phase 6 amendments. Whilst it concludes that due to the scale of development that there would be no impact upon the Westminster World Heritage Site (WHS) or its Outstanding Universal Value (OUV), updated LVMF views analysis from Hungerford Bridge and Waterloo Bridge have not been provided as part of the application documents in order to verify this. As set out at pre-application stage, development on this site would potentially be visible in these strategic views, noting its riverside location, and it could appear in the setting of the Westminster WHS. At this stage, in the absence of these views from Hungerford Bridge and Waterloo Bridge, updated to reflect the current proposals, it is not possible to reach a definitive conclusion regarding the impact upon the OUV of the Westminster WHS or upon LVMF strategic views. The applicant should provide an assessment of this impact and confirm that the scheme would not appear in the backdrop of the Palace of Westminster, prior to Stage 2.

61 As was the case with the adjacent new blocks approved at Battersea Power Station, the TCVA analysis indicates that whilst visible in river prospects and local views, the scheme would not interrupt views of the Power Station and its chimneys by virtue of its height and scale and would not cause harm to the setting of the Power Station or any other listed buildings.

#### Layout and public realm

62 The operational requirements of the proposed WTS, routes to it and access to the existing dock have provided the baseline principles for the design of the scheme. The crescent arrangement enables the lightweight roof structure that spans the WTS and makes the most of river prospects. In terms of the podium courtyard, the indicative plans indicate a successful piece of amenity space for residents that links into the wider BPS masterplan and creates a mitigation barrier between residential and waste uses. The provision of a new safe access that avoids the waste transfer station's main servicing route is strongly supported, and addresses many of the concerns that were raised in considering the initial BPS masterplan previously.

63 The applicant has undertaken assessment of daylight and sunlight to the courtyard between Phase 6 and Cringle Dock. The results show that the amenity space located between the revised Phase 6 and the proposed Cringle Dock development falls just short of BRE's recommendation, with 46% of the area receiving two or more hours of direct sunlight where 50% is the suggested minimum, however as noted by the applicant, this is an improvement compared to the 16.26% achieved under the BPS masterplan condition. The courtyard within the Cringle Dock scheme would receive little light, being north facing and as such, it will be crucial that landscaping and public realm design and maintenance carefully considered at detailed design and operational stage.

64 Given the podium access, a clear/legible way-finding strategy for pedestrians and visitors will also be expected given that there is a level change of some 8 metres from street to residential core access points, managed through landscaping. The details of this should be secured for future consideration by the Council.

65 The lightweight sedum roof above the waste facility provides visual and noise mitigation barrier between the uses, and whilst it will not be useable by residents, will provide a visual amenity for them, which is welcomed. The townhouses facing it are intended to act as a barrier to prevent public access onto it. This is considered appropriate, and the architectural code sets out some design solutions and boundary treatments that would maintain their private amenity space within a podium setting.

#### Scale, height and massing

66 The applicant has set out the rationale for the heights and scale of development and sets out that this has been dictated by the datum level of the foot of the chimneys to Battersea Power Station, in line with the maximum prescribed in the BPS masterplan. This approach is appropriate, ensuring that the chimneys retain their prominence in local and wider townscape views and river prospects. The scale and massing is also in keeping with the BPS masterplan proposals, improving on the current situation and providing an appropriate urban setting. The scheme creates some variation in form and gaps along the river front from Riverlight to the Power Station, again ensuring that the Power Station remains a focal point.

67 The scheme pragmatically deals with the current land ownership arrangements and uses taking place on the adjacent Thames Tideway Tunnel/Cemex Site, and allows for the option of it to be incorporated into a wider masterplan solution in the future. The amendments to the approved masterplan, and relationship between the two sites is markedly improved compared to approved, in terms of building layout and outlook and as noted above, the daylight and sunlight to this space would also be improved.

### Architecture and appearance

68 In terms of appearance and architectural types, indicative images have been provided and the architectural code sets out guidance on facades, materials and colours, as well as overall design quality threshold. These broadly follow the approach taken in the original BPS masterplan, which is being successfully implemented on the early phases. The documents sets out the key requirements of the reserved matters process to guide detailed design at that stage, including materials, window expression, balcony projections and massing organisation.

69 The waste facility raises no strategic issues in terms of its design or appearance, representing the industrial function and needs of the WRWA.

70 The temporary WTS has been designed to ensure that all waste handling operations occur within a controlled environment, within an appropriately scaled and designed temporary structure. Whilst not typically appropriate for such a setting on a permanent basis, given its temporary nature and the adjacent uses, the design and appearance does not raise any strategic issues in relation to design and appearance.

### **Inclusive design**

71 The applicant has given particular consideration to access arrangements noting the significant level changes from street level to residential cores for the Cringle Dock application, with Cringle Street is at +4.5m AOD and the proposed entrance level and communal garden adjacent to RS-2 at +11.9m AOD. Step free routes have been indicated on plan, with lift access provided within the communal gardens and accessible routes integrated into the landscaping. Lifts are also required to access the riverside walk. The Architectural Code also sets out the principles of external access and uses, and where cut-throughs are proposed in order to accommodate stair and lift access. Given the outline nature, the final details will need to be secured for approval at reserved matters stage. This should include specific wayfinding and access strategies, given the complexities of drop-off arrangements, street to residential entrance arrangements and the complex level changes that are required across the landscaped courtyards.

72 The applicant has committed to ensuring that 90% of dwellings would meet Building Regulation M4(2) in accordance with London Plan Housing Standards and has demonstrated commitments to achieving this including an indicative layout plan. The applicant has also set out that 10% of units would meet Building Regulation requirement M4(3), which should be secured by condition in terms of number and location, noting the outline nature of the scheme.

73 As noted in the transport section below, all of the 12 residential car parking would be allocated as Blue Badge parking. This falls below the expectation of 1 parking space per wheelchair unit (42). Further discussion about the capacity of surrounding roads and details of parking management plans and allocations would be appropriate in order to demonstrate how demand for spaces in the future could be.

74 The nature of the temporary WTS in terms of use and operations does not raise any specific access issues. The s73 application for BPS would be subject to the same reserved matters and conditions as the outline permission, and any updated legislation should be reflected in the Council's reporting.

## **Climate change mitigation**

75 For the Cringle Dock, WTS, the applicant has broadly followed the energy hierarchy and is proposing to reduce carbon emissions by approximately 38% (4% from energy efficiency and 34% from CHP), which exceeds the target set within London Plan policy 5.2. Further information is required however, to verify the carbon savings and demonstrate full London Plan compliance.

76 In relation to energy efficiency measures - both air permeability and heat loss parameters will be improved beyond the minimum backstop values required by building regulations. Other active features include mechanical heat recovery ventilation systems, and low energy lighting. The demand for cooling will be minimised through solar control glazing and passive ventilation.

77 The applicant is proposing that the development will be connected to the Battersea Power Station Masterplan Site District Heating Network. Connection to the network should continue to be prioritised and correspondence with the network operator (MUSco) should take place and be evidenced.

78 A site heat network is proposed, and confirmation should be provided that all apartments and non-domestic 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.

79 The applicant is proposing to link to the two gas fired CHP units planned as part of the Battersea Power Station Masterplan Site District Heating Network. The CHP units are to deliver 100% of heating and hot water load for both domestic and non-domestic uses. The applicant should also set out an alternative solution to achieving the required reduction in carbon dioxide emissions should a viable connection to the Battersea Power Station district heating network not be possible. Again, evidence of correspondence with the network operator (MUSco) should be provided.

80 The applicant has investigated the feasibility of a range of renewable energy technologies, with photovoltaic panels being the only viable option. None are proposed in this instance due to the constraints of the roof and demand for other plant and green roofs. This is accepted.

81 There are no energy issues arising from the temporary WTS or s73 application.

## **Climate change adaptation and flooding**

82 The applicant has submitted a sustainability statement, setting out its commitments to sustainable development and compliance with the Mayor's Sustainable Design and Construction SPG. The intention is to achieve BREEAM "Very Good" for the non-residential buildings. An inaccessible ecological deck is proposed, providing acoustic mitigation from the WTS, together

with accessible green roofs would assist with biodiversity and surface water runoff. Commitments towards water efficient fixtures, rainwater and greywater harvesting, waste recycling storage measures should be secured by way of condition.

### Flood risk

83 A Flood Risk Assessment has been undertaken, confirming that the site is located in Flood Zone 3a and benefits from a high level of flood protection. The waste transfer uses are located at ground floor level and are a less vulnerable form of development, indeed given that the waste transfer station is a river served facility, it may be considered that this wharf use is a water compatible use. The compaction area will be set at a lower level, however as the risk of flooding remains low and this is a low vulnerability use, and therefore is acceptable. There will be a Flood Evacuation Plan and a means of escape to higher levels of the building. All residential units will be located at first floor level and above, which is above any foreseeable flood level.

84 The FRA acknowledges that there are some minor surface water risks on the risk and proposes to mitigate these by ensuring that the entrance to the waste transfer station will ramp up from the highway. This approach is acceptable in terms of London Plan Policy 5.12.

### Sustainable drainage

85 The FRA states that all surface water for the permanent development will be discharged directly to the River Thames. Given that this is a riverside site this approach is acceptable in terms of London Plan Policy 5.13 and there is no requirement for attenuation. It is not currently clear what surface water attenuation measures are proposed for the temporary waste transfer building. This building should also discharge its surface water from roof areas directly to the River Thames. This should be confirmed by the applicant prior to any Stage 2 referral to the Mayor.

## **Transport**

### Access

86 Vehicular access to the temporary WTS facility will be via the BPS construction phase access road within the BPS Masterplan Site, which will connect to Cringle Street at its western end. Vehicular access to the new WTS facility will be via Cringle Street. Vehicular access to the residential element of the development will be from the BPS Masterplan Site. TfL welcomes the separation of accesses to the WTS facility and residential element of the development.

### Parking

87 In total, 10 car parking spaces are proposed, including 1 disabled space for the new WTS facility. TfL considers that the car parking provision proposed for the new WTS facility to be acceptable.

88 The residential element of the development is proposed to be car free with the exception of 12 accessible parking spaces. Whilst welcomed by TfL, the London Plan expects that 1 Blue Badge parking space is provided for every accessible unit. Assuming 10% of the units are accessible, an additional 30 Blue Badge parking spaces should in theory be provided and as noted in paragraph 72 above, further discussion is requested, including details of how future demand would be managed through a parking management plan.

89 Electric vehicle charging points (EVCP) including passive provision will be provided for the car parking provision proposed in accordance with the London Plan, which is welcomed by TfL. This should be secured by planning condition.

90 Car club spaces are provided within the BPS Masterplan Site and it is recommend that all new residents are offered 2 years car club membership, to be secured by condition and managed through the residential travel plan.

91 A car parking management plan should be produced and secured through the section 106 agreement, and should identify how the disabled parking spaces will be allocated. TfL also expects the section 106 to ensure all future residents be exempt from eligibility for car parking permits in the area.

#### Trip generation and modal split

92 The new and temporary WTS facilities are replacement facilities and will not generate any additional vehicle trips.

93 Residential trip generation and mode split has been based on the agreed trips rates and mode splits for the BPS Masterplan Site. A sense check using sites from the TRICS database indicated that the BPS total person trips are robust. The predicted net increase in peak hour vehicle trips will have a minimal impact on the operation of the Strategic Road Network. Furthermore, TfL is satisfied that there is sufficient capacity on the existing (and proposed) public transport network to accommodate any uplift in trips

#### Cycle parking

94 A total of 772 residential cycle parking spaces are proposed on site; a further 6 cycle parking spaces are proposed for the new WTS facility. The overall cycle parking provision proposed is in accordance with FALP standards.

95 TfL would advise that shower and locker facilities are also provided for the new WTS facility, for those members of staff wishing to cycle to work. Visitor parking spaces should be located in an accessible area close to building entrances. All cycle parking spaces should be safe, secure and easily accessible from cycle routes and appropriate signage, preferably using the Legible London system, should be provided.

#### Pedestrian and Cycle Access

96 Pedestrian and cycle links are being significantly improved as part of the VNEB Opportunity Area proposals between BPS and Vauxhall. In addition, allowance has been made along the site frontage (adjacent to the River Thames) to allow a public pedestrian and cycle link.

#### Section 73 Application

97 The proposed revisions to BPS Masterplan Site Phase 6, allows the development to integrate with the adjoining Cringle Dock development. The proposed revisions will not result in a change to the land use mix, floor areas, unit mix or car parking spaces as approved within the BPS Masterplan Consented Scheme. As such the minor material amendments will not impact on the operation of the Strategic Highway or Public Transport Networks.

#### Travel Plan



98 A residential travel plan has been submitted. However further details on the costs of key measures are required. A Workplace Travel Plan should also be produced for the proposed WTS. The final, detailed residential and workplace Travel Plans should be secured, enforced, funded, and monitored as part of the s106 agreement.

### Freight and Servicing

99 A construction management plan (CMP) will be provided for the redevelopment of the site, and will be based on the principles of the CMP for the BPS Masterplan Site. The CMP should be drafted in line with TfL's new guidance available at: <http://www.tfl.gov.uk/info-for/freight/planning/construction-logistics-plans?intcmp=7830> and promote road safety in line with current good practice (<http://www.clocs.org.uk/>). A delivery and servicing plan (DSP) should also be produced and secured by condition.

### Mitigation

100 The VNEB Opportunity Area is subject to a Development Infrastructure Funding Study (DIFS) tariff, which has now been incorporated into the Council's CIL, and the site is located within the area designated as 'Nine Elms Residential Area A'. The contribution due from the Cringle Dock development is therefore £575 per sq.m. for residential floorspace, £100 per sq.m. for any Office (B1a) or retail (A use classes) and £0 per sq.m. for all other uses. Mayoral CIL is payable at a rate of £50 per sq.m. (see Community Infrastructure Levy Charging Schedule – Mayor Of London, February 2012). In this situation, the Mayor's CIL charge will be treated as a credit towards the DIFS tariff.

101 TfL will need to be satisfied that all mitigation measures are secured through CIL or the conventional s106 route. The exact CIL payments would need to be confirmed prior to commencement.

## **Local planning authority's position**

102 The Council is due to report the application to Planning Committee in February 2016, and is generally supportive of the scheme, subject to some design clarification and satisfactory conclusion of affordable housing discussions and necessary mitigation measures.

## **Legal considerations**

103 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 applications, in order that the Mayor may decide whether to allow the draft decisions to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the applications, 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 applications 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**

104 There are no financial considerations at this stage.

## Conclusion

105 London Plan policies on opportunity areas, safeguarded wharves, waste, housing, urban design, strategic views, inclusive access, sustainable development and transport are relevant to these applications. The temporary waste facility and s73 application for Battersea Power Station (applications 2 and 3) do not raise any specific strategic issues however, the following is noted in relation to the Cringle Dock redevelopment (application 1) in particular:

- **Safeguarded wharves:** The introduction of sensitive (non-waterborne freight) uses as part of the proposed mixed use redevelopment runs contrary to London Plan Policy 7.26 however, subject to it being verified that the proposed mitigation measures are sufficient to reduce the impact on sensitive uses to an acceptable level, the mixed use redevelopment could be accepted and would help deliver the aspirations of the VNEB OAPF.
- **Waste:** In accordance with the existing waste management licence, the scheme would enable waste operations to continue up to maximum consented throughput of 1,195 tonnes per day, 24 hours, 7 days a week, 364 days a year, in accordance with London Plan Policy 5.17.
- **Blue Ribbon Network:** The provision of a riverside route as a continuation of the Thames Path is strongly supported in strategic planning terms, details and obligations for which should be secured through the s106 agreement.
- **Housing:** The opportunity to provide housing at this site would be welcomed in principle, subject to mitigation measures being appropriately secured. The density and amenity provision are appropriate. In accordance with London Plan Policy 3.12, the viability of the scheme should be independently appraised in order that the maximum reasonable amount of affordable housing may be secured. There are outstanding concerns about residential quality that need to be addressed in order to comply with the London Plan and Housing SPG.
- **Urban design/strategic views:** In the absence of an assessment of views from Hungerford Bridge and Waterloo Bridge, it is not possible to reach a conclusion regarding the impact upon the OUV of the Westminster WHS or upon LVMF strategic views. The overall design approach is supported in principle, subject to detailed design and refinements secured at reserved matter stage.
- **Inclusive access:** Whilst in outline, the scheme generally responds well to the access challenges presented by the site with the architectural and placemaking codes addressing how the challenges of the site would be addressed through the detailed design, in accordance with London Plan Policy 7.2. Appropriately worded conditions are required to secure the landscaping, public realm and access/wayfinding arrangements, given the complexities of the site. Further discussion about Blue Badge parking is requested.
- **Sustainable development:** The proposed energy strategy and climate change adaptation measures are broadly supported in line with London Plan policy and the Mayor's Sustainable Design and Construction SPG, subject to clarification and conditions/s106 clauses being secured.
- **Transport:** Whilst the scheme is broadly acceptable in strategic transport terms however, issues identified with respect to blue badge provision, car club membership, possible contribution towards Legible London and workplace travel plan for the WTS should be addressed to ensure accordance with London Plan transport policies.

106 On balance, the proposals do not yet fully comply with the London Plan, with the reasons and remedies set out above.

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