

18 February 2015

**Nine Elms OSD, 10 Pascal St**

in the London Borough of Lambeth

planning application no. 15/06216/FUL

**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**

Development above and surrounding the proposed Nine Elms Station comprising four buildings between 5 and 20 storeys above the station podium to contain residential, workspace/office, retail, and assembly/leisure floor space, together with associated car parking, open space, landscaping and infrastructure works.

**The applicant**

The applicant is **Transport for London** and the architect is **Grimshaws**.

**Strategic issues**

The principle of a high density, residential-led mixed use development above the new Northern Line Station is accordance with the **Vauxhall Nine Elms Opportunity Area** Planning Framework, delivering jobs and homes and new public realm. The **design**, scale, and appearance are in accordance with London Plan and OAPF tall building and view management guidance however an assessment of the impact upon the Westminster WHS should be provided.

**Affordable housing** is proposed on site however, the viability appraisal is still the subject of discussion in order to confirm that it is the maximum reasonable amount. The overall **residential quality** is in accordance with the Mayor's standards and the high **density** nature of the scheme is acceptable. 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 detailed design consideration. Further discussion regarding **energy** and **transport** impact and **mitigation** measures is also required to ensure that the scheme fully accords with London Plan.

**Recommendation**

That Lambeth Council be advised that while the application is generally acceptable in strategic planning terms the application does not fully comply with the London Plan, with the reasons and remedies set out in paragraph 78 of this report.

## Context

1 On 13 January 2016 the Mayor of London received revised documents from Lambeth 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 has until 23 February 2016 to 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 Categories 1A, 1B and 1C of the Schedule to the Order 2008:

- *Category 1A: Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats.*
- *Category 1B: Development which comprises or includes the erection of a building or buildings outside Central London and with a total floorspace of more than 15,000 square metres.*
- *Category 1C: Development which comprises or includes the erection of a building more than 30 metres high and outside the City of London*

3 Once Lambeth 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](http://www.london.gov.uk).

## Site description

5 The proposals relate to two cleared sites, that previously contained Banham (2,771 sq.m.) and CGMA Covent House (1,453 sq.m.) comprising offices, a boiler house and workshops. These were recently cleared as part of redevelopment of the Northern Line extension (NLE) and new Nine Elms station that is to be situated at ground floor and beneath the site.

6 The site is located within the Vauxhall Nine Elms Battersea Opportunity Area (VNEB OA), on the corner of Wandsworth Road and Pascal Street, both of which are under the highway authority of Lambeth Council. The site lies between A3205 Battersea Park Road approximately 350m to the west and the A203 South Lambeth Road approximately 400m to the east, both of which form part of the Transport for London Road Network (TLRN). Bus services 88, 2, 196, 77, 87, 156 and 344 are within 5 minutes walking distance. Vauxhall station to the north provides access to National Rail services and London Underground (LU) services on the Victoria line. This generates a Public Transport Accessibility Level (PTAL) of 6a (on a scale of 1 to 6b, where 6b is the most accessible).

7 Redevelopment is presently taking place on the adjoining Sainsbury's site to the north, known as Nine Elms Point. To the east is the triangular "Apex" development site within the New Covent Garden Market Site (to be developed), with Network Rail lines, viaduct and arches beyond that. To the south are existing 2 to 6 storey residential buildings.

## Details of the proposal

8 Full planning permission is sought for the residential led mixed use development above and surrounding the proposed Nine Elms Station comprising four buildings between 5 and 20 storeys above the station podium.

9 The buildings would range in height from 29 metres AOD to 92 metres AOD, and contain 332 residential units, 4,811 sq.m. of workspace/office (B1), 272 sq.m. of assembly and leisure (D2) and 580 sq.m. of retail (class A1/A3/A4).

10 A new public square, amenity space, play space, pedestrian and cycle connections, cycle parking, disabled car parking and associated works are proposed.

## Case history

11 GLA officers were involved in a series of pre-application meetings, including joint meetings with Lambeth Council, where the residential led mixed use redevelopment of the site was supported. The masterplanning principles suggested were welcomed, with suggested refinement in relation to layout and detailed design, and further details coming forward in relation to affordable housing, strategic transport contributions, energy and inclusive design.

12 Prior to this, an application was considered for redevelopment of the Banham site only, involving the erection of a part 13, part 6 and part 3 storey building to provide 3,964 sq.m. office space (Use Class B1) at ground, first and second floor levels and 63 residential units (Use Class C3) on the upper floors (GLA ref PDU/2906). General support was given for the principle of development, subject to clarification of a number of detailed aspects however, the application was withdrawn prior to Stage II consideration by the Mayor.

## Strategic planning issues and relevant policies and guidance

13 The relevant issues and corresponding policies are as follows:

- |                               |   |
|-------------------------------|---|
| • Land use principles         | <i>London Plan; draft CAZ SPG</i>   |
| • Housing, affordable housing | <i>London Plan; Housing SPG; draft interim Housing SPG; Housing Strategy; Shaping Neighbourhoods: Play and Informal Recreation SPG;</i>   |
| • Density                     | <i>London Plan; Housing SPG</i>   |
| • Urban design                | <i>London Plan; Shaping Neighbourhoods: Character and Context, draft SPG; Housing SPG; draft interim Housing SPG; London Housing Design Guide; Shaping Neighbourhoods: Play and Informal Recreation SPG</i> |
| • Tall buildings/views        | <i>London Plan, London View Management Framework SPG</i>  |
| • Historic Environment        | <i>London Plan; World Heritage Sites SPG;</i>   |
| • Inclusive design            | <i>London Plan; Accessible London: achieving an inclusive environment SPG;</i>  |
| • Sustainable development     | <i>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</i>                      |
| • Transport and Parking       | <i>London Plan; the Mayor's Transport Strategy</i>  |
| • CIL                         | <i>London Plan; Mayoral Community Infrastructure Levy</i>   |

14 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 Lambeth Council's Core Strategy (2011), the saved Unitary Development Plan (UDP) policies, Development Sites Development Plan Document (2013), and the 2015 London Plan consolidated with alterations since 2011.

15 The following are also relevant material considerations:

- National Planning Policy Framework, Technical Guide to the National Planning Policy Framework and National Planning Practice Guidance;
- The 2015 draft Minor Alterations to the London Plan (Housing and Parking standards);
- The Vauxhall Nine Elms Opportunity Area Planning Framework (March 2012);
- Lambeth Draft Local Plan;
- Vauxhall SPD (January 2013);

## **Land use principles – mix of uses**

16 The VNEB opportunity area planning framework (OAPF) land use strategy identifies the area in which the site is located as being suitable for high density mixed use housing led development. Along with Sainsbury's it is identified in Lambeth's Local Plan and SPD as within the Pascal Place Character Area, where town-centre-led development at the edge of the tall building cluster is expected, with enhanced pedestrian connectivity, new homes (3,500) and jobs (8,000) being generated by new development.

17 The scheme includes a dedicated 6-storey office building (D) on the north west of the site, adjacent to the Nine Elms Point redevelopment. This would include the 5,332 sq.m. of office space, with 612 sq.m. of retail space at ground floor level. A two-storey retail unit (342 sq.m.) is proposed on the eastern edge of Pascal Square as part of the Nine Elms station development, in addition to retail space within the station itself. A gym (290 sq.m.) and building management office are proposed at the shared podium level for Buildings B and C. The scheme is expected to generate 335 new (FTE) jobs, which combined with the proposed Nine Elms Station, would increase to 415 FTE jobs on the site. A significant number of construction jobs would also be generated by the scheme and the NLE station redevelopment.

18 The provision of residential floor space and employment generating commercial and community uses accords with the VNEB OAPF land use strategy and Lambeth's policies, contributing towards homes and jobs targets for the area. As part of the Transport and Works Act Order for the NLE, the businesses that were located on the site (Banham's and CGMA) have been relocated to new local premises and the proposed job creation is in line with the job numbers that previously existed on the Banham site.

19 Noting that the site is within Central Activities Zone (CAZ) as set out in the London Plan, some limited retail development is acceptable outside of CAZ frontages limited retail development is deemed to be appropriate in order to meet local need arising from new development and in order to create a sense of place that contributes vitality and vibrancy throughout the day, evening and weekend. The provision of active ground floor uses of the amount proposed, together with new routes and public realm is welcomed, given the likely footfall in the future and the residential population it would support.

## **Housing and affordable housing**

20 The scheme is made up of the following residential housing mix:

Building	1 Beds	2 Beds	3 Beds	4 Beds	Total
A	90	58	0	0	148
B	60	40	0	0	100
C	11	57	14	2	84
<b>Total</b>	<b>161</b>	<b>155</b>	<b>14</b>	<b>2</b>	<b>332</b>

21 The scheme would contribute approximately 21% to Lambeth's annual housing target of 1,559 homes as set out in the London Plan, and would help meet the VNEB OAPF target of 20,000 new homes. This is welcomed in principle.

### Affordable housing

22 Section 10.7 of the VNEB OAPF refers to a Development Infrastructure Fund Study that has assessed the level of viable tariff contributions based on 15% and 40% affordable housing scenarios. The VNEB OAPF states that *"in line with borough priorities, 40% affordable housing will normally be expected on sites in Lambeth, although for sites in close proximity to the proposed station at Nine Elms and those which may not be suitable for family housing, 15% affordable housing may be considered"*. Lambeth's Local Plan sets out an expectation of a minimum requirement of 40% on-site affordable housing (without subsidy) of which 70% should be affordable and social rented and 30% intermediate provision. London Plan seeks a 60:40 split between affordable rent and intermediate housing.

23 The applicant is currently suggesting that it can viably provide 25% of units as affordable housing, and has submitted a financial viability appraisal to Lambeth Council support its offer. It has not confirmed the tenure of these units or their location, although it is understood that it would be possible to allocate one of the blocks as affordable, which would assist with servicing and management costs.

24 The applicant's financial viability appraisal (FVA) is in the process of being reviewed by Lambeth's consultant and the outcome of this is awaited in order to demonstrate compliance with the London Plan that the scheme is delivering the maximum reasonable amount of affordable housing. Whilst GLA officers consider that the provision of 25% affordable housing could be acceptable in principle in this location, this is subject to the conclusions of the independent assessment, following detailed scrutiny of inputs and costs, and the build out programme. The tenure that is being proposed also needs to be confirmed. Given the build out programme, and length of time between appraisal and sale of units, a review mechanism should also be considered by the Council. The applicant has confirmed that it would be willing to consider this as part of the s106 agreement.

25 Given that the final position on affordable housing is yet to be established, GLA officers would expect further discussion following the independent review and prior to the Stage II referral. A copy of the applicant's FVA, the Council's assessment and a draft of the s106 should be made available to the GLA at Stage II, including the agreed wording of the proposed review mechanism.

### Housing choice

26 The scheme is made of a range of unit sizes, weighted towards 1-bed units (48%) and 2-bed units (47%), with five 3 and 4-bed units proposed. The breakdown relative to tenure has not yet been provided. Whilst the overall provision of family units is low, at 5%, the applicant states that the overall mix is in line with local need. It is acknowledged that due to values, larger shared ownership units would not necessarily fall within affordability criteria, and further

discussion as the tenure split is established would be appropriate. The Council should confirm that the proposed mix reflects its own housing requirements and its understanding of local demand.

### Children's play space

27 Based on the Mayor's playspace SPG, the applicant anticipates that 23 children are predicted to live in the development, of which 13 would be under the age of 5. This gives rise to a total child playspace requirement of 230 sq.m. of which 130 sq.m. is expected to be provided on-site and designed for under 5s.

28 The scheme proposes to allocate 400 sq.m. of communal residential gardens at podium level as playable space under 5's, with 500 sq.m. of space within the public realm at ground floor to cater for 5-11 year olds. Older children would be catered for in nearby local parks, most likely the new Linear Park. Given the function of the podium courtyard for all residents, a careful landscaping strategy will be required in order to ensure that it is successful playable space and a condition setting out minimum requirements for on-site provision will be necessary. Further discussion would also be appropriate once the affordable housing offer is fixed, as this may affect the child yield of the scheme.

### Density

29 The site has a public transport accessibility level (PTAL) of 6a (excellent), and the London Plan and VNEB OAPF envisages high density development for this site. The proposed residential density is 1,550 habitable rooms per hectare based on net density calculations. Whilst higher than the range in the London Plan, this is acceptable in the context of the VNEB OAPF and anticipated improvements to public transport accessibility. This is further reinforced by the quality of the public realm, amenity, public realm and residential quality of the scheme, with appropriate distances and scale, as detailed elsewhere in the report.

## **Tall buildings and urban design**

30 The site is located within the Vauxhall Nine Elms Battersea Opportunity Area (VNEB OA), which identifies the site as on the edge of the Vauxhall tall building cluster, where buildings of up to 150 metres may be acceptable. It sets out that buildings should read as individual elements on the skyline and avoid appearing as a solid wall of development. This is noting that the area is in the background/protected silhouette of the Westminster World Heritage Site (WHS), and is visible in river prospects.

### LVMF Strategic views and impact upon Westminster World Heritage Site

31 The applicant has submitted a townscape and visual impact assessment that considers a series of townscape and river prospect views, including from Westminster Bridge (LVMF 18A.1 and 18A.2) and from Albert Embankment (LVMF 18A.3). The views analysis shows a wireline of the proposed buildings in the context of the Vauxhall Cluster, indicating that the scheme would be obscured by the existing Millbank Tower on the north bank in views from Albert Embankment. From Westminster Bridge, the buildings would appear either side of the existing Vauxhall Tower, similar in scale to St Georges Wharf. The scheme would largely be obscured by future development at Market Towers and New Covent Garden Market and sits below the shoulder of proposed tall buildings around the cluster. GLA officers concur with the applicant's conclusion that the scheme would have no material impact on protected LVMF views.

32 As advised at pre-application stage, the location of the tall building cluster at Vauxhall gives rise to potential impact on the setting of the Westminster World Heritage Site and applicants are expected to provide an assessment of their scheme upon its Outstanding Universal Value, carried in accordance with the London World Heritage Sites - Guidance on Settings SPG. Given its position behind other proposed buildings in the cluster, GLA officers consider it unlikely that the scheme would be visible in the backdrop to the Westminster World Heritage Site, or in views from within the World Heritage Site, but the applicant should nevertheless provide such an assessment in accordance with section 8.2 of the VNEB OAPF and policy 7.10 of the London Plan. This should be provided to the Council and GLA to enable a conclusion to be reached on this aspect.

#### Layout and public realm

33 It has been acknowledged to date that there are a series of constraints applying to this site, in terms of the station box, which sets some limitations in terms of what can be achieved at ground floor level. This is factoring in the need to cater for large numbers of pedestrians using the station and the creation of new routes and links across this part of the Opportunity Area. The applicant has sought to maximise the amount of public realm through the layout, with over 3,000 sq.m. provided at ground floor and approximately 900 sq.m. of communal courtyards at podium level.

34 As advised at pre-application stage, the podium arrangement that contains car parking, bin and cycle storage within the undercroft enables active street frontages to be maximised. The layout of the blocks ensures a legible sequence of public realm, responding the Nine Elms Point development immediately to the north of the site, through the new square and along Pascal Street to the south. Pascal Place will be a key route and piece of public realm and the design has been developed in collaboration with TfL's Design Team and the architects for Nine Elms Point, in order to provide a pedestrian street that is animated and reflects its high usage. At the eastern end of Pascal Street, nearest the station entrance, the applicant has introduced a terraced area with seating and planting, which assists in ensuring consistent high quality of public realm for the full length of Pascal Street. This is welcomed and the details will need to be secured by condition. Key also will be ensuring a fully inclusive and safe pedestrian environment, and as such, detailed conditions will be required, linking to the Nine Elms Public Realm Surface Materials Code. The wind analysis demonstrates that there are no specific issues for pedestrian comfort or mitigation required.

#### Form/massing

35 The scheme has been through various design iterations throughout the pre-application process to arrive at the proposed approach of the tallest building at the rear of the site, stepping down to Wandsworth Road. GLA officers are satisfied that the massing and heights of blocks are appropriate and the varying scale of the blocks is appropriate - creating a gradual stepping down in scale from Nine Elms Point and CGMA developments towards the lower scale housing to the south. This is keeping in mind that building of some scale (13 storeys) has been agreed through the previous planning application for the site. Overall, the approach to height and massing is in accordance with the OAPF tall building guidance and local policy.

#### Architecture

36 As with the scale and articulation, there has been some evolution in relation to the architectural response for this scheme, and careful coordination with the station box design has been required. The approach of creating a defined and robust plinth element with point blocks above of vertical emphasis is supported. The use of brick is supported in terms of providing a robust material that contrasts with the plinth. Given the scale of development, it will be

important to secure the details of facing materials, depths of reveals and balcony details to ensure the high quality architecture expected for a development of this scale. The balcony detailing will be important in terms of addressing privacy measures, noting the proximity issues and also the role these play in articulating the towers.

37 The angled rooflines of blocks gives potential to form a distinctive roofline in wider views of the scheme, while providing distinction with emerging development within Nine Elms and a landmark for the station and this is supported. The detailing of servicing frontages at ground floor should be fully integrated into the architecture to provide a high quality appearance that does not detract from the quality of public realm.

### Residential quality

38 As discussed to date, the station box, vents, public realm requirements and servicing have led to some constraints for this scheme. However, residential cores are positioned at regular intervals along Pascal Place, providing legible points of access to each block. While the footprints of buildings A, B and C have unconventional forms, cores are located to provide acceptable core to unit ratios of no more than 8 units sharing the same core which is supported, particularly in this context of over station development. Consideration has been given to tunnel venting and draft relief from the station, and in terms of noise and vibration, with mechanical ventilation proposed for units directly above. The clearance distance between blocks B and C appears tight, but it is concluded that the angled edges of blocks and location of habitable rooms would provide sufficient mitigation to optimise privacy levels for residents. The daylight assessment confirms that units would receive adequate levels of daylight in accordance with BRE guidance. The scheme meets London Plan minimum room sizes.

39 It is acknowledged that the site layout and orientation and series of triangular towers have led to the presence of some single aspect units in Blocks A and B that face northwards towards Pascal Place and Nine Elms Point. These have been the subject of discussion between the applicant, GLA officers and the Council to date and in an effort to mitigate the impact of this, the applicant has introduced pop out elements to the 15 units in question. The inclusion of 1.5 metre deep protruding bays enables a side door that accesses the balcony and improve light entry into these flats with some limited outlook to the east and west, which is welcomed. Confirmation has been provided that floor to ceiling heights will be at least 2.5 metres, in accordance with Standard 5.4.1 of the Housing SPG, which is welcomed. All units are provided with balconies.

## **Inclusive design**

40 The application is accompanied by an access statement that assesses the residential layouts, and approaches to main entrances. There is a slight change in levels across the site, addressed through the public realm design, and level access to commercial and residential entrances. Given the high pedestrian footfall and also the function of the space for occupants of the scheme itself, the detailed design of the public realm will need to be carefully considered in due course, as noted in paragraph 34 above. This particularly applies to street furniture and planting, and tapering steps which could possibly present a trip hazard. Consideration should be given to utilising an access champion in due course, given the civic function of the site.

41 The applicant has committed to ensuring the homes meet the Lifetime Home standards and has confirmed that 10% of units would be designed to be wheelchair adaptable. Typical floor layouts demonstrating how each of the 16 Lifetime Homes criteria would be addressed and the layout of a typical adaptable unit has been provided in relation to the residential accommodation.



42 It is noted that from 1 October 2015 the Government's technical housing standards came into effect. These standards required that 90% of homes to be built to lifetime homes standards to meet building regulations M4 (2) 'accessible and adaptable dwellings' and 10% to be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users to meet building regulation M4(3) 'wheelchair user dwellings'. The Mayor intends to adopt the new technical guidance through a minor alteration to the London Plan. In advance of this the Mayor has released a policy statement setting out that from 1 October 2015 the relevant London Plan policy and associated guidance in the Housing SPG should be interpreted by reference to the nearest equivalent new national technical standard. As such Lambeth Council should include conditions to ensure the application complies with the specifications in Building Regulation standards M4(2) and M4(3). The location and tenure of the 32 units to be secured as wheelchair accessible should be identified by the applicant.

43 As detailed below, all of the parking spaces (10) are allocated as disabled spaces for residents. As noted in the Housing SPG, one space per wheelchair unit is sought, and as such the scheme falls short of expected allocation. Given the constraints of the site it is recognised that the provision of 32 bays is not feasible, and therefore a careful parking management strategy will be required to address allocation and changing demands, and how on-street bays are allocated.

## **Climate change mitigation – energy strategy**

44 In relation to energy efficiency measures, a range of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed development, with an estimated reduction of 42 tonnes per annum (9%) in regulated carbon dioxide emissions compared to a 2013 Building Regulations compliant development. Both air permeability and heat loss parameters will be improved beyond the minimum backstop values required by building regulations. Other features include mechanical ventilation with heat recovery. The applicant should indicate how the demand for cooling will be minimised by applying the Mayor's cooling hierarchy.

45 In terms of district heating, the applicant has stated that the scheme would be designed to allow future connection when it becomes available. The applicant should confirm that a site heat network is proposed and that all apartments and non-domestic building uses will be connected to it and that it would be supplied from a single energy centre. A drawing showing the route of the heat network linking all buildings on the site should be provided. Information on the floor area and location of the energy centre should be provided.

46 Through the use of CHP, applicant states that a reduction in regulated carbon dioxide emissions of 91 tonnes per annum (20%) will be achieved. In order to verify this, the applicant should state the output in kW<sub>e</sub> of the gas-fired CHP unit and confirm that it will act as the lead heat source for the site heat network. The applicant should also confirm that the proposed CHP is sized to provide the domestic hot water load, as well as a proportion of the space heating.

47 The applicant has investigated the feasibility of a range of renewable energy technologies and is proposing to install 350 sq.m. of solar photovoltaic (PV) panels on the roof of the buildings, that will lead to 5% savings. This should be secured by condition.

48 In summary, based on the energy assessment submitted, a reduction of 155 tonnes of carbon dioxide per year in regulated emissions is expected compared to a 2013 Building Regulations compliant development, equivalent to an overall saving of 35%. The carbon dioxide savings will meet the targets set within Policy 5.2 of the London Plan, however the comments above should be addressed and information provided prior to Stage II in order to verify the savings and demonstrate compliance with London Plan energy policy.

## Climate change adaptation and flooding

49 The site is located in Flood Zone 3a but is protected to a high level by the Thames tidal flood defences. The FRA has also considered the risk of a breach in the tidal defences and acknowledges that in such circumstance the site would be affected. The basement and ground floors of all buildings would be affected by flood water in these circumstances, in particular when considering the longer term likely increases in depth of flooding following such a breach. Residential uses are all located at or above first floor level, which will be above any conceivable flood level.

50 In relation to flood risk, there has been dialogue between the applicant and GLA officers in relation to sensitivities around the access route to the proposed NEL station. The applicant has confirmed that modelling of burst water mains has been used to indicate where water would flow. This shows that water would flow away from the site in a southerly direction, but acknowledged that some ground floor areas of buildings A-D would be flooded, however land uses in the ground floors of these buildings are in the “less vulnerable” uses, and therefore this level of risk is compatible with NPPF and London Plan. Furthermore the correspondence also confirms that any flooding to these application buildings will not impact on the station that lies below. Therefore the proposals are now considered to be acceptable in terms of London Plan Policy 5.12.

51 In relation to sustainable drainage, the site itself is identified as being at risk of surface water flooding and borders an extensive area of significant surface water flood risk, and further information has been sought in relation to attenuation measures. The applicant has clarified details regarding a proposed attenuation tank, subject to acceptance by Thames Water. Areas of landscaping and green roofs will also contribute to SUDS measures, but the drainage calculations have not made an allowance for these due to their uncertain performance. Given this, the proposals can be considered to comply with London Plan Policy 5.13.

52 The applicant has submitted a BREEAM pre-assessment and Code for Sustainable Homes strategy, and although it is noted that CfSH requirements have now fallen away, the proposals will be designed to achieve compliance with the equivalent CfSH Level 4, and relevant best practice guidance including Part L 2013 of the Building Regulations and a BREEAM 2014 ‘Excellent’ rating. The commitments proposed by the applicant in terms of flooding, drainage, green roofs and other sustainability measures should be secured by condition.

## Transport

### Trip Generation / Modal Split

53 Trip generation analysis has been provided, which is satisfactory and it is accepted that the local highway and public transport networks could accommodate the proposed development.

### Highways/Site Access

54 Vehicular access is proposed from Pascal Street by the ramp serving the neighbouring Nine Elms Point development. Vehicular access from Pascal Place would also be required infrequently for refuse collection, emergency services, and large removal vans. For the latter a new crossover off Wandsworth Road would be required, necessitating negotiation of a Section 278 (S278) agreement between Lambeth Council and the applicant. TfL (Borough Planning) should be consulted on the wording of the relevant condition or obligation and the delivery of the access to ensure the impact on buses can be managed and conditions for cyclists and

pedestrians can be improved. The crossover should be blocked off by retractable bollards to prevent access by motor vehicles except by prior arrangement.

55 Pedestrian access to the development is proposed from Pascal Place and 46% of the site would become public space under the proposals, which is supported.

56 Cyclists would enter and exit the blocks by the same means as pedestrians (from Pascal Place), to access the cycle parking via lifts. As requested at pre application stage, ideally cyclists should be able to use the same ramp as motor vehicles, preferably with a dedicated cycle lane, so that cyclists pass through multiple doors to reach the basement cycle parking. Further discussion on this aspect is requested.

57 The transport assessment (TA) sets out that consideration has been given to providing a cycle access ramp to the basement from Pascal Street but physical constraints mean it is not practical. The applicant should provide clarification on these exact constraints and further discussion on this matter prior to determination by Lambeth Council.

### Parking

58 The VNEB Opportunity Area Planning Framework (OAPF) recommends an average parking ratio of 0.25 spaces per residential unit across the Opportunity Area (OA). For this scheme, 10 disabled car parking spaces are proposed at basement level. With the exception of Blue Badge parking, the scheme is therefore effectively car-free, which is strongly supported and is consistent with London Plan policy. Two of the basement car parking spaces should be fitted with active electric vehicle charging points (EVCP) and 2 with passive EVCPs in accordance with London Plan policy 6.13.

59 The TA states the designation of the 12 on street parking spaces on Pascal Street has not been determined in terms of whether this would be to existing resident permit holders, disabled, or car club spaces and this aspect requires clarification before the application is determined.

60 Car club provision in line with London Plan policies 6.11 and 6.13 would be appropriate and TfL suggests two Car Club vehicles and bays should be provided with at least three years of free car club membership for each household in the development secured in the s106 agreement.

61 A car parking management plan (CPMP) should also be secured by condition and discharged in consultation with TfL due to the close proximity of the new LU station and to clarify the designation of the on street spaces, including potential car club and EVCP provision.

62 In relation to cycle parking, 639 spaces are proposed across all land uses, which is in accordance with London Plan standards. Specific details of the public realm cycle parking should be secured by condition and discharged in consultation with TfL Borough Planning due to the close proximity of the new London Underground station.

### Cycle Hire

63 The application includes a Cycle Hire docking station in the public realm. TfL Cycle Hire team should be consulted to agree the best possible location for the new docking station and land for a new docking station should be safeguarded in the s106 agreement.

## Travel Planning

64 A framework travel Plan (TP) has been submitted. Funding, monitoring and review of the TP should be secured in the s106 agreement. The TP commits to investigate the possibility of providing incentives such as discount vouchers for local bicycle retailers or pre-loaded Oyster cards following further liaison with local retailers and TfL regarding these incentives.

65 Funding is expected by the applicant of two years' free Cycle Hire membership per household at first occupation, which should form part of the S106 agreement. The TP should also offer a £500 voucher for each household to purchase bicycles and accessories and £100 of Oyster credit per household.

## Public Realm

66 The creation of Pascal Place and Nine Elms Square would increase pedestrian permeability in the local area and provide a greater choice of walking routes. TfL seeks clarification as to whether these new areas of public realm within the application site would be adopted by Lambeth Council following completion of the development or remain in the freehold ownership of TfL. Nevertheless, a public realm maintenance strategy should be secured by condition, and TfL Borough Planning should be consulted on the discharge of this condition, noting the close proximity of the new NLE station.

## Cycling

67 The trip generation analysis in the TA assumes a 10% cycling travel to work mode share amongst residents of the new development, which has been derived from 2011 Census data. Given the scale of new development and transport improvements coming forward in the VNEB OA, the level of cycling amongst residents could easily be even higher than 10% following completion and occupation of the development. Accordingly, a conditions or s106 obligation would be appropriate to help deliver a package of measures being developed by TfL to improve conditions for cycling in the area, which include:

- Signage strategy to help cyclists travelling make an informed decision about which route to take (target delivery Spring 2016);
- Interim strategy such TM methods as water barriers to create adaptable segregation for cyclists past the site (target delivery late 2016).

68 Further discussion between TfL Borough Planning Team, the Council and applicant would be appropriate to agree appropriate condition wording prior to determination.

## Legible London

69 The new NLE station will fund and deliver a Legible London signage in the public realm of the application site, which will need to be safeguarded in the s106 agreement for this scheme.

## Construction Logistics

70 A framework construction logistics plan (CLP) has been submitted, which is satisfactory. A full CLP should also be secured by pre-commencement condition in line with London Plan Policy 6.3. This should follow TfL's best practice guidance must conform with the Nine Elms Partnership CLP Framework and be implemented in partnership with the Nine Elms Construction Working Group. The CLP should include details of the expected impact of the development on

the new NLE station and tunnels during construction and operation, including the foundation locations and design, and the construction phasing.

### Deliveries and Servicing

71 A new inset loading bay is proposed on the north side of Pascal Street, immediately west of the basement car park access ramp. It will be designed such that it can serve as footway when not occupied by a delivery vehicle. A framework delivery and servicing Plan (DSP) has been submitted which is satisfactory, although a full DSP should also be submitted to and approved by the Council and TfL Borough Planning prior to occupation.

72 The main consideration for the delivery and servicing strategy for the scheme is time management of the access to Pascal Place and Street, which must ensure operational station requirements are met and that conflicts between pedestrians, cyclists, public transport passengers and vehicles are minimised.

### Mitigation

73 The site is located within the Vauxhall Nine Elms Battersea (VNEB) Opportunity Area, to which a Development Infrastructure Funding Study (DIFS) applies. Lambeth Council has adopted a borough CIL, which covers the Nine Elms Area and covers the DIF. The current CIL amounts have been estimated at £1,168,895 for the Mayor of London CIL and £7,864,695 for the Lambeth CIL. The exact CIL payments would need to be confirmed prior to commencement.

74 In addition, and to summarise, the following specific mitigation measures will also need to be secured through the s106 agreement or by appropriate condition:

- Land safeguarded for Legible London signage and Cycle Hire docking station;
- A requirement to enter into a section 278 agreement with LB Lambeth for highway and public realm works;
- Temporary and permanent cycling measures;
- Travel Plan and funded sustainable travel promotion measures including three years' free Car Club membership per household at first occupation, two years' free Cycle Hire membership, £500 cycle voucher and £100 Oyster credit;
- CPMP, CLP, DSP and public realm maintenance strategy;
- A CPMP including provision of Car Club vehicles, Blue Badge and ECVP spaces and compliance with the cycle and car parking standards of the London Plan.

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

75 The Council is due to report the application to Planning Committee in March 2016.

## **Legal considerations**

76 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. 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

77 There are no financial considerations at this stage.

## Conclusion

78 London Plan policies on opportunity areas, housing, design, tall buildings, World Heritage Sites, climate change and transport are relevant to this application. The application broadly complies with the London Plan however, further information and/or confirmation, as detailed below is required to comply fully.

- **Land use principles:** The principle of a residential-led mixed use development with offices and retail is acceptable within the Vauxhall Nine Elms Opportunity Area.
- **Housing:** The applicant is currently proposing 25% affordable housing however, this is subject to independent assessment of the applicant's viability appraisal to demonstrate that this is the maximum reasonable amount. Confirmation that the housing mix meets local needs should be provided. The principle of a high density development is acceptable. The residential quality and play space provision is in accordance with the Mayor's guidance.
- **Design:** The design is of a suitably high quality with appropriate layout, heights and massing that responds to the surrounding context, with no adverse impact upon strategic views. Further assessment of the impact upon the Westminster WHS is required.
- **Inclusive design:** The inclusive design provisions are welcomed, but given the civic function of the site, careful consideration confirmation. The 10% wheelchair flats should be secured by condition.
- **Climate change:** The scheme is proposing 35% savings however, further information is required in order to verify the carbon dioxide savings proposed and ensure compliance with the London, with conditions and planning obligations required accordingly. The approach to surface water drainage is acceptable, and appropriate sustainability measures should be secured by way of condition.
- **Transport:** The application is generally acceptable and in accordance with the transport policies of the London Plan and VNEB OAPF, in terms of trip generation, parking, travel planning and public realm. This is subject to further information and appropriately worded and conditions, s106 obligations being secured as detailed above, together with commensurate Mayoral and local CIL payments.

---

for further information, contact GLA Planning Unit (Development & Projects Team):

**Stewart Murray – Assistant Director Planning**

020 97983 4271 email [stewart.murray@london.gov.uk](mailto:stewart.murray@london.gov.uk)

**Colin Wilson, Senior Manager – Development & Projects**

020 7983 4783 email [colin.wilson@london.gov.uk](mailto:colin.wilson@london.gov.uk)

**Justin Carr, Strategic Planning Manager (Development Decisions)**

020 7983 4895 email [justin.carr@london.gov.uk](mailto:justin.carr@london.gov.uk)

**Samantha Wells, Case Officer**

020 7983 4266 email [samantha.wells@london.gov.uk](mailto:samantha.wells@london.gov.uk)

---

