

Carlton House, 85-91 Upper Richmond Road, Putney**in the London Borough of Wandsworth****planning application no. 2015/3563****Strategic planning application stage II 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

Demolition of existing buildings. Erection of part 12-storey (39.2m), part 10-storey (32.5m), part 8-storey (25.5m), part 4-storey (13.2m) building, with basement to provide a mixed use scheme comprising of 73 residential units (including 15 affordable), retail (Class A1, A2) and/or office (Class B1) floorspace with associated parking, servicing, private and communal amenity space.

The applicant

The applicant is **A2 Dominion Developments Ltd**, and the agent is **DP9**.

Strategic issues

The proposal is broadly in accordance with strategic planning policy, and is supported. Furthermore, the issues raised at consultation stage with respect to **affordable housing, playspace provision, design, inclusive design, energy** and **transport** have been resolved, and the application now complies with the London Plan.

The Council's decision

In this instance Wandsworth Council has resolved to grant permission subject to planning conditions and conclusion of a Section 106 legal agreement.

Recommendation

That Wandsworth Council be advised that the Mayor is content for it to determine the case itself, subject to any action that the Secretary of State may take, and does not therefore wish to direct refusal or direct that he is to be the local planning authority.

Context

1 On 20 July 2015 the Mayor of London received documents from Wandsworth Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. This was referred to the Mayor under Category 1C of the Schedule to the Order 2008:

- **Category 1C:** *“Development which comprises or includes the erection of a building more than thirty metres high and outside the City of London”.*

2 On 25 August 2015 the Deputy Mayor considered planning report D&P/3186b/01, and subsequently advised Wandsworth Council that the application while the application is generally acceptable in strategic planning terms the application did not comply with the London Plan, for the reasons set out in paragraph 80 of the above-mentioned report; but that the possible remedies set out in paragraph 80 of that report could address these deficiencies.

3 A copy of the above-mentioned report is attached. The essentials of the case with regard to the proposal, the site, case history, strategic planning issues and relevant policies and guidance are as set out therein, unless otherwise stated in this report. Since then, the application has been revised in response to the Deputy Mayor’s concerns (see below). On 15 October 2015, Wandsworth Council decided that it was minded to grant planning permission, subject to conditions, and on 27 October 2015 it advised the Mayor of this decision. Under the provisions of Article 5 of the Town & Country Planning (Mayor of London) Order 2008 the Mayor may allow the draft decision to proceed unchanged, direct Council under Article 6 to refuse the application or issue a direction to Council under Article 7 that he is to act as the Local Planning Authority for the purposes of determining the application and any connected application. The Mayor has until 9 November 2015 to notify the Council of his decision and to issue any direction.

4 The decision on this case and the reasons will be made available on the GLA’s website www.london.gov.uk.

Article 7: Direction that the Mayor is to be the local planning authority

5 Under Article 7 of the Order the Mayor could take over this application provided the policy tests set out in that Article are met. In this instance the Council has resolved to grant permission with conditions and a planning obligation, which satisfactorily addresses the matters raised at stage I, therefore there is no sound planning reason for the Mayor to take over this application.

Update

6 At the consultation stage Wandsworth Council was advised that the application did not comply with the London Plan, for the reasons set out in paragraph 80 of the above-mentioned report; but that the possible remedies set out in paragraph 80 of that report could address these deficiencies:

- Principle of development (employment offer): The Council should be satisfied that the employment floorspace proposed will be viable and will deliver the appropriate standard of accommodation needed to meet identified need, given the local policy aspirations for the Upper Richmond Road.
- Housing/affordable housing: The affordable housing split needs to be specified by the applicant to determine whether the application provides the maximum reasonable amount of affordable housing, in accordance with London Plan Policies 3.11 and 3.12. Further discussion with the applicant and the Council is therefore required regarding affordable housing.
- Children’s play space: Further detail of the proposed on-site play space in accordance with London Plan Policy 3.6 is required, with the child yield calculated. The type of play equipment to be included should also be specified.

- Design: The design of the proposal accords with London Plan policies on design.
- Inclusive design: Clarification through drawings of access within the residential units, to the open/amenity public spaces and the commercial element of the site should be addressed before the case is referred back in stage 2.
- Climate change: The carbon dioxide savings exceeds the target set within Policy 5.2 of the London Plan; however, further information should be provided before compliance with London Plan energy policy can be verified. This includes information on how the demand for cooling will be minimised through passive design; sample SAP full calculation (DER and TER) and BRUKL sheets; evidence of correspondence to demonstrate that the opportunity for connection has been thoroughly investigated; a drawing showing the route of the site heat network within the development; further information on the proposed management arrangements and operation for the Combined Heat and Power system; and a roof layout drawing detailing the location of the PV panels. Given the density of the proposals, this approach is considered to be in line with London Plan Policy 5.13 and should be secured via an appropriate planning condition.
- Transport: The applicant should investigate the possibility of relocating the free standing cash machine in order to improve pedestrian movement and safety along Upper Richmond Road; investigate the possibility of allocating the remaining 3 spaces as blue badge parking for commercial uses; provide Electric Vehicle Charging Points (EVCP); and provide appropriate levels of cycle parking. The applicant was requested to enter into discussions with TfL and the Council to consider relocation the cycle hire docking station currently located on Upper Richmond Road. A construction logistics plan (CLP) and delivery and services plan (DSP) should be submitted and secured via condition.

7 Since consultation stage the applicant team has engaged in joint discussions with Wandsworth Council, GLA and TfL officers with a view to addressing the above matters. Accordingly, the responses to the various issues raised within the Deputy Mayor's representations on this application are considered under the corresponding sections below.

Principle of Development (employment offer)

8 At the consultation stage GLA officers advised Wandsworth Council that the loss of office floorspace does not in itself raise strategic concern, however given the Council's aspirations for Upper Richmond Road, the Council should satisfy itself that the loss of employment floorspace does not undermine wider planning aspirations. Wandsworth Council has acknowledged that while the development proposal does present some shortfall in terms of office re-provision for the Upper Richmond Road area, the proposal will result in a much greater benefit for the local area through redevelopment.

Housing/Affordable housing

9 At the consultation stage it was recommended that the affordable housing split be specified by the applicant so as to determine whether the application provides the maximum reasonable amount of affordable housing in accordance with London Plan Policies 3.11 and 3.12. Wandsworth Council notes that the viability assessment submitted as part of the application demonstrated viability for a 21% affordable mix of housing for the development. This equates to 15 units, of the 86 units proposed. The application proposes to split the affordable housing as 9 one-bedroom units, 3 two-bedroom units and 3 three-bedroom units. All units would be shared ownership intermediate housing.

10 The independent viability assessment of the proposal states that the affordable housing offered by the applicant can be deemed reasonable and will deliver the maximum viable amount of affordable housing. A sales program with priority is given to local residents, should be secured as part of a section 106 Agreement.

Children's play space

11 There is an expected child population of twelve for this development. As a result, the application provides 138sq.m of on-site play space. The 10sq.m per child is deemed to comply with the Mayor's 'Shaping Neighbourhoods: Play and Informal Recreation' SPG.

12 Whilst the area of on-site play space is adequate, at the consultation stage GLA officers required further clarification on the type of play equipment to be included in this area. The applicant and Council should further discuss the type of play equipment to be included in this area to ensure that this application is compliant with London Plan Policy 3.6.

Inclusive Design

13 At the consultation stage further clarification was sought regarding access within the residential units, to the open/amenity spaces and the commercial element through drawings of access. The additional drawings submitted by the applicant indicate how the pedestrian routes around the buildings are designed to ensure full and easy access for all users; how the street design ensures there is enough width to enable elderly and disabled people to reach their front doors easily; inclusive access to private and public amenity space; and how the retail/office units will be DDA compliant.

Climate change

14 The applicant has provided further information on how the demand for cooling will be reduced in both the commercial and residential units, including shading from balconies and solar control glazing. The applicant has provided a BRUKL document which shows that commercial spaces will be significantly within the Part L solar gain limit.

15 The applicant has also provided the SAP overheating assessments, which shows a 'slight' risk of overheating for the sample residential units. As the overheating assessment suggests that the units may not overheat, the applicant should consider omitting the air conditioning in order to maximise the carbon savings.

16 The applicant has provided the requested BRUKL and SAP sheets. No further information is required.

17 The applicant has provided evidence of correspondence with two neighbouring developments. The correspondence confirms the assumption that no spare capacity is available to serve the development site. No further information is required.

18 The applicant has stated that no further information on the CHP can be provided at this stage as the arrangements have not been finalised due to the limited information available. The applicant has however stated that they own, operate and manage CHPs of similar size. No further information is required.

19 A roof layout drawing has been provided. No further information is required.

Transport for London's comments

20 As requested at the initial consultation stage, the car parking provision has been reduced. TfL welcomes the condition securing 8 Blue Badge parking spaces and 1 Car Club bay. The section 106 agreement also includes two years free car club membership for first occupiers. This is all welcomed by TfL and is in accordance with London Plan Policy.

21 The applicant has committed to providing 164 cycle parking spaces, which exceeds London Plan standards and is therefore welcomed by TfL. A condition has been secured requiring further details of the cycle storage arrangements, including location and type of storage, which is welcomed.

22 TfL originally requested the applicant consider relocating the Cycle Hire Docking Station currently located on Upper Richmond Road. However, following further discussions internally and with the applicant, TfL has agreed the relocation of the docking station is not feasible. A three year Cycle Hire membership has not been secured for each residential unit as requested.

23 Contributions towards off site landscaping, including the tree provision along Upper Richmond Road, have been secured through the section 106 agreement which is welcomed. Detailed design must be agreed with TfL prior to commencement.

24 As requested, a condition requiring a Delivery and Servicing Plan (DSP) has been secured, with a Construction Logistics Plan (CLP) secured through the section 106 agreement.

25 In summary, TfL is now satisfied that the issues previously raised have been adequately dealt with and considers the development to be in accordance with the London Plan and acceptable in transport terms.

Response to consultation

26 Wandsworth publicised the application by sending notifications to 2,777 addresses in the vicinity of the site, and issuing site and press notices. The relevant statutory bodies were also consulted. The representations received in response to the local consultation process are considered in detail within the Council's committee report of 15 October 2015. Furthermore, copies of all responses to public consultation, and any other representations made on the case, have been made available to the Mayor in their original form.

Response to neighbourhood consultation

27 The council received 29 responses to the neighbourhood consultation process. In total the responses comprise 26 in objection, two comments and 1 in support.

28 In summary the points of objection relate to:

- Design: excessive scale, bulk and massing that is out of keeping with the scale of the immediate surrounds; gross overdevelopment of the site; increase in the canyon effect along Carlton Drive and Upper Richmond Road; supporting pillars along Upper Richmond Road would block free passage of pedestrians and restrict sunlight reaching to footway; any replacement building should not be larger than the existing building's footprint; harm the Oxford Road Conservation Area through overshadowing; harm the setting of the locally listed Ernshaw Place by dwarfing it and making it virtually invisible; and, does not adequately transition from lower buildings to the south.
- Impact on amenity: Carlton Drive would appear dark and gloomy; loss of daylight and sunlight to street; loss of privacy to nearby and neighbouring buildings due to balconies; the introduction of benches on Carlton Drive would encourage antisocial behaviour;

benches on Carlton Drive would be inappropriate for informal play as listed in Tall Buildings Statement; and, noise and disturbance from use of balconies.

- Transport: additional strain on the already over-capacity public transport network; further pressure on parking; inadequate Transport Assessment; opposed to the relocation of the Santander bikes into Carlton Drive; and, increased amount of traffic will add to already congested surrounding roads.
- Other: the proposal is not in line with local and national policies; insufficient provision of affordable housing; proposed public space is insufficient; insufficient office re-provision; level of community engagement was not appropriate; application is not appropriately evidence-based; tree plantings along Carlton Drive appear to encroach the pavement; increased pressure on local medical centres and schools; and, concerned about the potential impact which the proposed development may have upon the ability to service the existing supermarket operation opposite.
- General/support: pleased to see the provision of affordable residential units in this application; beautiful building at a good height; and, positive contribution to the area and general support for the proposal.

Responses from statutory bodies

English Heritage (archaeology)

29 English Heritage raised no objections to the development and suggested to safeguard the archaeological interests a condition should be attached regarding securing a programme of geo/archaeological evaluation, any necessary mitigation (with written scheme of investigation) and post investigation assessment.

Environment agency

30 The Environment agency raised no objections to the proposed development.

Thames Water

31 Thames Water raised no objections to the application, but recommended that information regarding surface water drainage; a non-return valve or other suitable device to avoid the risk of backflow at a later date should be included within the development, public sewers crossing or close to the development and minimum water pressure provision.

32 A further condition has been requested stating that no impact piling shall take place until a piling method statement has been submitted for approval to protect the underground water utility infrastructure.

Response to the public consultation – conclusion

33 The statutory and non-statutory responses to Wandsworth Council's consultation process, do not raise any material planning issues of strategic importance that have not already been considered at consultation stage, and/or in this report.

Legal considerations

34 Under the arrangements set out in Article 5 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor has the power under Article 6 to direct the local planning authority

to refuse permission for a planning application referred to him under Article 4 of the Order. He also has the power to issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application and any connected application. The Mayor may also leave the decision to the local authority. In directing refusal the Mayor must have regard to the matters set out in Article 6(2) of the Order, including the principal purposes of the Greater London Authority, the effect on health and sustainable development, national policies and international obligations, regional planning guidance, and the use of the River Thames. The Mayor may direct refusal if he considers that to grant permission would be contrary to good strategic planning in Greater London. If he decides to direct refusal, the Mayor must set out his reasons, and the local planning authority must issue these with the refusal notice. If the Mayor decides to direct that he is to be the local planning authority, he must have regard to the matters set out in Article 7(3) and set out his reasons in the direction.

Financial considerations

35 Should the Mayor direct refusal, he would be the principal party at any subsequent appeal hearing or public inquiry. Government Planning Practice Guidance emphasises that parties usually pay their own expenses arising from an appeal.

36 Following an inquiry caused by a direction to refuse, costs may be awarded against the Mayor if he has either directed refusal unreasonably; handled a referral from a planning authority unreasonably; or behaved unreasonably during the appeal. A major factor in deciding whether the Mayor has acted unreasonably will be the extent to which he has taken account of established planning policy.

37 Should the Mayor take over the application he would be responsible for holding a representation hearing and negotiating any planning obligation. He would also be responsible for determining any reserved matters applications (unless he directs the council to do so) and determining any approval of details (unless the council agrees to do so).

Conclusion

38 The proposed mixed use development is strongly supported in strategic planning terms. Furthermore, the issues raised at consultation stage with respect to affordable housing, play space provision, design, inclusive design, energy and transport have been resolved, and the application now complies with the London Plan.

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

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