

**41-59 Battersea Park Road, Nine Elms, SW8**

in the London Borough of Wandsworth

planning application no. 2015/6813

**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**

Demolition of all existing buildings and construction of new buildings of between 5 storeys and 18 storeys, containing 307 residential units, business (Class B1) floorspace and flexible retail/restaurant and cafe/business floorspace (Class A1-A5 and B1), CHP basement, vehicle and cycle parking, plant and associated works, landscaping and a new access onto Sleaford Street.

**The applicant**

The applicant is **DTZ Investors** and the architect is **Assael Architecture**.

**Strategic issues**

The principle of a **residential-led mixed use** development, with business uses in the **Vauxhall Nine Elms Opportunity Area** is in accordance with strategic objectives and is supported. The architecture, form and scale of development are acceptable, subject to review of the layout aimed at retaining protected trees.

**Affordable housing** is proposed, however the viability appraisal is still the subject of discussion in order to demonstrate compliance with the London Plan, noting the recent review of affordable housing delivery in the opportunity area. 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, including tenure split. In terms of **land use** opportunities to increase commercial floorspace should be reviewed.

The principles of the scheme in terms of **inclusive design** and the **play space** provision are acceptable, subject to further details. Further discussion regarding **energy** and **106 contributions** is also required to ensure that the scheme fully accords with London Plan.

**Recommendation**

That Wandsworth Council be advised that while the scheme is broadly acceptable in strategic planning terms, the application does not fully comply with the London Plan, with the reasons and remedies set out in paragraph 89 of this report.

## Context

1 On 18 December 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. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 28 January 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 Category 1A, 1B and 1C 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.*
- *1B: Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings— (c) outside Central London and with a total floorspace of more than 15,000 square metres.*
- *1C: Development which comprises or includes the erection of a building in respect of which one or more of the following conditions is met: a) the building is more than 30 metres high and is outside the City of London.*

3 Once the 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 application site (the Site) comprises 0.81ha and is located within the Vauxhall Nine Elms Battersea (VNEB) Opportunity Area (OA) within the London Borough of Wandsworth (LBW).

6 The northern part of the site along Nine Elms Road/Battersea Park Road is currently occupied by Booker Cash & Carry which is a retail warehouse club totalling 3,209sq.m (GIA) of Sui-Generis floorspace. Six trees are located on the forecourt of the warehouse which benefit from Tree Preservation Orders (TPO's). The southern part of the site adjacent to the railway line is occupied by a BMW service centre totalling 1,224sq.m (GIA) of Use Class Sui-Generis floorspace.

7 The site currently has a PTAL rating of between 3 and 4 (in a range of 1a to 6b, where 1a equals poor accessibility and 6b equals excellent accessibility). The Northern Line Extension to Battersea is a planned extension of the London Underground network which would create a new station at Battersea Power Station. The construction of this Underground Station will significantly improve the accessibility of the site and increase the PTAL accordingly.

8 To the west of the site is a residential development known as Viridian Apartments. Completed in 2009 it ranges in height from four to nine storeys. Additionally there are a number of adjacent development sites which inform the context to this site and have pending planning applications or approved planning permissions. Two planning permissions which will alter the immediate context to this site relate to the Dairy Crest site to the west, known as Phase 4a Battersea Power Station; and the New Covent Garden Market site to the east, both of which form immediate boundaries to the application site.

9 Phase 4a Battersea Power Station (ref: 2015/3555) was approved by Wandsworth's planning committee in October 2015 and seeks to demolish all existing buildings on site (4,673sq.m) and construct seven new buildings of up to 18 storeys. In addition the development will comprise a residential-led mixed use development containing 374 (100% affordable residential units), 2,014sq.m - 1,659sq.m GEA Health Centre (Class D1) and 715sq.m (GEA) of B1 floorspace (or 1,365sq.m if BPS choose not to use an allowance of Class A, C3 or D1 space. Phase 4a delivers 3,024sq.m of commercial floorspace (65% of the existing on site Class B1/B8 uses).

10 To the east of the site is part of the wider New Covent Garden Market site which benefits from hybrid planning permission granted in February 2015 under application reference 2014/2810.

11 The eastern boundary of the application site sits opposite the development plot known as the Entrance Site or Nine Elms Gardens. This site will be the temporary home for the relocated flower market, and then benefits from outline planning permission for residential led mixed use development. The outline approval proposes at its tallest point an 18 storey (double ground floor) building of 65.5m AOD with adjacent buildings of varying height from 6 to 13 storeys.

12 Between the application site, and Nine Elms Gardens, lies the New Covent Garden Market entrance gantry, and entrance road which comprises 5 lanes of tarmac, narrowed down to 2 as it descends under the railway line to the south. This road is owned by New Covent Garden Market and is subject to the 2014/2810 planning permission which approves its narrowing to improve localised public realm and in recognition of alternative access arrangements in the market as part of the wider regeneration.

13 Finally, to the north of the Bookers site is the Battersea Park Road / Nine Elms Lane / Kirtling Street four way road junction. This junction is subject to a Section 278 Agreement pursuant to the main Battersea Power Station planning permission reference 2009/3575 granted September 2011. Its detailed design is therefore subject to ongoing discussions between Wandsworth and TfL. There is no current detailed design, albeit this is emerging.

## **Details of the proposal**

14 Full planning permission is sought for the redevelopment of the site. The proposed development (the Development) will comprise the demolition of the existing buildings on site and the mixed use redevelopment of the site to provide 307 residential units, 1,186sq.m of Use Class B1 business floorspace and 611sq.m of flexible Use Class A1-A5 & B1 floorspace.

15 The 307 residential units comprise: 2 x studios (1%); 84 x 1 beds (27%); 194 x 2 beds (64%); 26 x 3 beds (8%); 1 x 4 bed (1%). The residential proposals include 46 affordable units (15%) which comprises 1 x studios (2%); 16 x 1 beds (35%); 25 x 2 beds (54%); 4 x 3 beds (9%).

16 The accommodation will be provided across 5 buildings (known as A, B, C, D and E) ranging from five to eighteen storeys.

17 Building A is located in the north-western part of the site on the corner of Battersea Park Road and ranges from five to nine storeys. It contains retail and business at ground and first floor with market residential accommodation above.

18 Building B is located on the norther-eastern part of the site, parallel with the New Covent Garden Market Access Road and ranges from eight to fourteen storeys. It contains retail and business at ground floor with market residential accommodation above.

19 Buildings C, D and E, located in the southern part of the site are physically connected and are fifteen, five and eighteen storeys respectively. They contain business and car parking at ground floor with residential above. Building C contains market residential on the upper floors and whilst Buildings D and E contain affordable residential accommodation.

20 The Development includes the provision of 31 car parking spaces all to be used for disabled parking. The Development also includes the provision of 528 secure cycle parking spaces for residents, 14 secure cycle parking spaces for commercial unit employees and a further 24 spaces in the public realm for visitors.

21 The Development includes the provision of 3,186sq.m of ground floor amenity and play space with a further 2,566sq.m of winter gardens, balconies and private terrace roof space at upper levels. The Development includes the removal of 5 TPO'd trees and the retention of one Category A TPO'd tree.

## Case history

22 GLA officers hosted a pre-application meeting with the applicant in October 2015, 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 further details being required on affordable housing, detailed design matters, public realm, strategic transport contributions, energy and inclusive design.

## Strategic planning issues and relevant policies and guidance

23 The relevant issues and corresponding policies are as follows:

- Land use principles *London Plan; draft CAZ SPG; the Mayor's Economic Development Strategy;*
- Housing, affordable housing *London Plan; Housing SPG; draft interim Housing SPG; Housing Strategy; Shaping Neighbourhoods: Play and Informal Recreation SPG; Shaping Neighbourhoods: Character and Context, SPG*
- Density *London Plan; Housing SPG*
- Urban design *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*
- Tall buildings/views *London Plan, London View Management Framework SPG*
- Inclusive design *London Plan; Accessible London: achieving an inclusive environment SPG;*
- Sustainable development *London Plan; Sustainable Design and Construction SPG; Mayor's Climate Change Adaptation Strategy; Mayor's Climate Change Mitigation and Energy Strategy; Mayor's Water Strategy*

- Transport and Parking *London Plan; the Mayor's Transport Strategy*
- Ambient noise *London Plan; the Mayor's Ambient Noise Strategy;*
- Air quality *London Plan; the Mayor's Air Quality Strategy; Control of dust and emissions during construction and demolition SPG*
- Equal opportunities *London Plan; Planning for Equality and Diversity in London SPG; Equal Life Chances for All (Mayor's Equalities Framework); Equalities Act 2010*
- Access *London Plan; Accessible London: achieving an inclusive environment SPG;*
- Biodiversity/Geodiversity *London Plan; the Mayor's Biodiversity Strategy; Preparing Borough Tree and Woodland Strategies;*
- CIL *London Plan; Mayoral Community Infrastructure Levy*

24 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), the 2011 London Plan (with 2013 Alterations), and the Wandsworth Unitary Development Plan 'saved policies' (2003).

25 The following are also relevant material considerations:

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

## Land use principles

26 The site is located in the Vauxhall-Nine Elms-Battersea (VNEB) opportunity area (OA). 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.

27 Development proposals within Opportunity Areas are expected to contribute towards meeting (or where appropriate exceeding) the minimum guidelines for housing and employment capacity as set in Table A1.1 of Annex 1, optimising residential and non-residential density. Wandsworth's Site Specific Allocations Document designates the site for mixed use development including residential uses.

28 This residential mixed use redevelopment with residential floor space and employment generating commercial uses, with routes and new public realm is supported in accordance with the VNEB OAPF land use strategy and Wandsworth's local plan. The provision of A Class uses will activate ground floor frontages and provide facilities for new residents and employees, it is therefore supported.

29 London Plan Policy 4.1 'Developing London's Economy' provides strategic support for the provision of employment floorspace and seeks to ensure the availability of sufficient and suitable workspaces in terms of type, size and cost. The proposed development would provide 1,186sq.m of Use Class B1 business floorspace along with 611sq.m of flexible Use Class A1-A5 & B1 floorspace. Although this is a reduction in the amount of commercial floorspace on the site, the employment density of the existing uses is relatively low. The applicant has provided an assessment of employment densities which indicates that the Development would result in an increase of jobs at the site from 70 to 141.

30 Notwithstanding the estimated increase in jobs, it is strategically important to maximise commercial floorspace as the funding of the Northern Line Extension is partly reliant on Business Rate funding. It is also noted that the Council is seeking full re-provision of the existing amount of commercial space within the Development. The applicant should explore opportunities to increase the commercial offer. One possibility would be to increase the extent of the proposed basement to accommodate car and cycle parking as well as other plant and services thus freeing up additional space at ground level. This would also assist in addressing the issue raised in paragraph 53 of this report. The effect of any significant increase in basement area on scheme viability and the flood risk assessment will need to be considered.

31 The provision of the B1 floorspace as workshops and incubator units is welcomed, in terms of providing smaller and more affordable units. Details of rent levels, service charges and terms of leases should be set out in the draft s106, which should be shared with the GLA at Stage 2.

## Housing

32 London Plan policy 3.3 identifies the pressing need for more homes in London, setting a London-wide housing delivery target of 32,210 additional homes per year up to 2021. Table 3.1: 'Annual average housing provision monitoring targets 2011 – 2021' sets out each borough's minimum 10 year target and annual monitoring target for housing supply. Wandsworth Council's annual average housing target is 1,145 units, revised under FALP to 1,812 units. The VNEB Opportunity Area, in which the site is located, is expected to deliver a minimum of 20,000 new homes as set out in FALP, a doubling of that in the 2011 London Plan. Policy 3.4 seeks to ensure that development proposals achieve the optimum intensity of use taking into account local context, the design principles of the London Plan and public transport capacity.

33 The Development would provide the following mix of residential units:

Unit Type	Affordable (Intermediate)		Market		Total	
<b>Studio</b>	1	2%	1	0.5%	<b>2</b>	<b>1%</b>
<b>1 Bed</b>	16	35%	68	26%	<b>84</b>	<b>27%</b>
<b>2 Bed</b>	25	54%	169	65%	<b>194</b>	<b>63%</b>
<b>3 Bed</b>	4	9%	22	8%	<b>26</b>	<b>8%</b>
<b>4 Bed</b>	0	0%	1	0.5%	<b>1</b>	<b>1%</b>
<b>Total</b>	<b>46</b>	<b>100%</b>	<b>261</b>	<b>100%</b>	<b>307</b>	<b>100%</b>

34 The scheme would contribute approximately 17% to Wandsworth's annual housing target of 1,812 homes, and would help meet the VNEB OAPF target of 20,000 new homes. This is strongly supported.

#### Affordable Housing

35 London Plan policy 3.12 requires borough councils to seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed-use schemes. In doing so each council should have regard to its own overall target for the amount of affordable housing provision. This target should take account of the requirements of London Plan policy 3.11, which include the strategic target that 60% of new affordable housing should be for social rent or affordable rent and 40% for intermediate rent or sale.

36 Policy 3.12 is supported by paragraph 3.71, which urges borough councils to take account of economic viability when estimating the appropriate amount of affordable provision. Paragraph 3.75 highlights the potential need for re-appraising the viability of schemes prior to implementation in order to take account of economic uncertainties and ensure that maximum public benefit is secured over the period of the development.

37 The Development is proposed to deliver 46 affordable housing units (15%), or 17% by habitable room, which are comprised entirely of intermediate units. It is noted that the VNEB OAPF original policy expectation is for a minimum of 15% on individual sites (with a commensurate higher CIL/DIF payment). However, a recent review of affordable housing delivery in the OA, prepared by BNP Paribas Real Estate (BNPPRE) on behalf of the London Boroughs of Wandsworth and Lambeth and the GLA, indicates that a higher rate should be achievable. With wider market confidence improving and regeneration gathering pace in the VNEB OA, more recent schemes are showing significant improvements in viability and can potentially provide an improved offer in comparison to the earlier schemes, despite the likelihood that these schemes will not secure any grant funding allocations.

38 The proposed affordable housing provision is low in light of the BNPPRE review and relative to provision secured on comparable sites. The applicant has submitted a viability appraisal in line with London Plan policy 3.12 in order to demonstrate that the level of affordable housing provision is the maximum reasonable amount the scheme can deliver. This is now currently being independently assessed by consultants, on behalf of Wandsworth Council. The independent assessment should be shared with GLA officers before the Mayor considers this application again, in order to assess compliance with London Plan policy 3.12, notably that the maximum reasonable amount of affordable housing is being achieved. It is also noted that lease arrangements for existing occupiers on site could lead to the delivery of the development in two phases. As such a review mechanism should be considered to ensure the maximum reasonable amount of affordable housing is secured.

39 The proposed affordable housing provision is composed entirely of intermediate units, although limited detail is provided on the form of intermediate unit proposed and whether this includes intermediate rented as well as shared ownership. Based on the information available the proposed tenure split does not comply with Policy 3.11. The assertion made by the Applicant that there is insufficient surplus within the scheme viability to support social rented accommodation on site has not been adequately demonstrated. Further details of the alternative scenarios tested, together with the Councils independent assessment of these scenarios should be shared with GLA officers prior to the Stage 2 referral.

40 Further discussion between the GLA, applicant and Council officers would be expected as the scheme moves forward, in order to address the above points regarding the amount and tenure split of the affordable housing provision.

### Housing mix

41 London Plan policy 3.8 requires new developments to offer a range of housing choices, in terms of sizes and types, taking account of the housing requirements of different groups and the challenging roles of different sectors, including the private rented sector. The proposed residential accommodation comprises a range of unit sizes from studio to four bed flats with the majority of the units across all tenures being 2 bed units.

42 It is noted that the proposed market dwelling mix would broadly comply with the Council's preferred dwelling mix with the exception that proportion of studio and 1 bed units (26.5%) exceeds the preferred maximum of 20%. It is also noted that the proposed affordable housing is comprised of 9% family accommodation which does not meet the Council's preferred minimum of 20% for intermediate (40% for social rent). The Council should however, confirm that the proposed mix reflects its own housing requirements and its understanding of local demand.

### Residential Quality

43 London Plan Policy 3.5 promotes quality in new housing provision and sets out minimum space standards at Table 3.3. As of 1 October 2015 the Government's technical housing standards came into effect. 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.

44 The layout and design of the development allows for a large proportion of dual aspect residential units. Where single aspect units are proposed they are not north facing. The majority of units meet the BRE Guidelines for internal daylight.

45 Internally, all units surpass the overall minimum unit floor area and the minimum internal room space standards. With regards to external amenity provision, all units have either a balcony of at least 5sq.m or a generously sized terrace. In addition the Development provides large communal roof terraces for residents use plus a ground floor public space at the heart of the development.

### Children's Play Space

46 Based on the Mayor's playspace SPG, 29 children are predicted to live in the development, of which 18 would be under the age of 5. This gives rise to a total child playspace requirement of 290 sq.m. The Development would provide a total of 774sq.m of playspace including ground floor (697sq.m) and on roofs/private terraces (77sq.m). This can be further broken down into formal playspace provided in a central ground floor area (224sq.m) and on roofs (77sq.m) with the remaining ground floor provision including lawns with informal equipment within the central square. The generous provision of playspace exceeds the minimum requirement by a substantial amount and is strongly supported.

### Density

47 The site currently has a PTAL rating of between 3 and 4, which is expected to significantly improve following the introduction of the Northern Line Extension. Given the expected improvement to PTAL ratings in the area and the VNEB OA objective to deliver 16,000 new homes, it is considered appropriate to base the assessment of density on the PTAL range of 4 to 6 within the London Plan density matrix. This would suggest that a range of between 650-1100 habitable rooms per hectare would be appropriate for the site. The proposed residential density is 1,063 habitable rooms per hectare is within the appropriate density range and is therefore acceptable.



## **Tall buildings and urban design**

48 The site is located within the Vauxhall Nine Elms Battersea Opportunity Area (VNEB OA), which identifies building heights of around 8-10 storeys, and up to 70 metres, noting its location in the background/protected silhouette of the Westminster World Heritage Site, and in river prospects. Good design is central to all objectives of the London Plan (2011) and is specifically promoted by the policies contained within chapter seven which address both general design principles and specific design issues.

### Strategic views and impact upon World Heritage Site

49 The application site is located within the viewing corridors for LVMF View 15: Waterloo Bridge and View 17: Golden Jubilee/Hungerford Footbridges, in which the key consideration is the “protected silhouette” of the Palace of Westminster.

50 A Townscape and visual impact assessment (TVIA) has been submitted in support of the application. The TVIA sets out the wireline of the scheme in all relevant LVMF views and indicates that it would not be visible in any strategic views or river prospects. Furthermore, it would not be visible in the backdrop to the Westminster World Heritage Site, or views from within the World Heritage Site and so would not impact upon its setting.

### Layout and public realm

51 Overall, the Development provides a good level of ground floor activity and public realm and responds well to future development surrounding the site. The provision of new routes and links across this part of the opportunity area are welcomed and help deliver the aspirations of the VNEB OAPF. The arrangement of blocks minimises overlooking and generally provides good residential outlook and levels of daylight.

52 Building B has been pulled back and chamfered to provide more space between the retained tree and better terminate the linear park, which is welcomed. However, the position of Building A conflicts with the other TPO trees and results in their removal within the current proposals. An arboricultural assessment has been submitted in support of the application. The assessment identifies the retained tree as category A whilst the remaining trees are category B and C. Notwithstanding this assessment these mature trees clearly contribute to the amenity of the area and would benefit the establishment of the new public realm. Further consideration should be given to the positioning and/or footprint of Building A and whether it can be revised to allow the retention of the protected trees. Should it be demonstrated that it is not possible to amend the scheme to retain the trees then replacement tree planting would be expected to include a number of semi-mature trees.

53 The space between Building B and C is not considered to be entirely resolved. It appears to be somewhat compromised by the vehicular access and parking spaces and an inactive frontage on Building C. Further discussion between the GLA, applicant and Council officers is encouraged to resolve this point.

### Heights and massing

54 A substantial number of other developments are underway or are consented (and are therefore likely to take place) within the area. These developments are broadly in line with the VNEB OAPF masterplan and are considered to have two main effects. Those in the vicinity of the site, notably the NCGM Entrance, Nine Elms Parkside and later phases of Battersea Power Station, will screen several views of the development to varying degrees. In addition, where other schemes appear on the skyline, the relative prominence of the development will be reduced.

With a maximum height of 18 storeys the scale of the development is mediated by variations in height, which respond to the surrounding consented developments. The resulting scale and massing of the Development would therefore be appropriate to the location within the context of the consented developments and the VNEB masterplan.

### Architecture

55 The architectural concept utilises stone cladding on three of the proposed buildings located on key frontages. The remaining two buildings are clad in brick to provide variation and reinforce the massing strategy and help mitigate scale. Gold and bronze elements throughout provide visual interest and help unify the different elements. Overall the architectural concept and use of high quality materials is welcomed. The detailed design and quality of materials should be secured through condition.

### Landscape

56 As previously discussed the Development includes a generous provision of new public realm and new routes through the site. Opportunities to retain more of the protected trees should be explored. The proposed landscaping strategy includes a substantial amount of new tree planting, which is welcomed. Appropriate replacement planting, including semi-mature trees, and tree protection works should be secured by condition.

## **Inclusive design**

57 The application is accompanied by an access statement that assesses public realm, approach routes, car parking and drop-off, communal and private entrances and residential layouts to ensure compliance with relevant legislation. However, the incubator units have been omitted from this assessment and confirmation has not been provided that all residential units will be built to Lifetime Homes standards. These points should be addressed prior to Stage 2 referral with further information including typical floorplans.

58 The site gradient gently slopes from north to south and residents will have direct and level access to the cores within all the proposed buildings. Detailed landscape design will ensure suitable surface materials and route widths. The applicant has confirmed that 31 units (10%) would be wheelchair accessible or adaptable and would be located across the development in a range of unit sizes and tenure, in accordance with the London Plan. Lift access is provided to all blocks. Typical floor plans and information setting out how the residential units would meet wheelchair housing standards have been provided, which is welcomed. Conditions should be secured in relation to these commitments.

59 In terms of Blue Badge parking, the scheme proposes that all residential bays are allocated for the wheelchair accessible units, which meets the requirements of the London Plan, which seeks 10% wheelchair parking (one space per wheelchair unit). This includes fifteen spaces within the public realm with the remainder provided within the ground floor parking area of building C, D and E. A parking management plan should be secured setting out the arrangements for allocations and leasing.

## Climate change mitigation

60 The applicant has submitted a statement, setting out its commitments to sustainable development. A BREEAM pre-assessment indicates that 'Excellent' is achievable for the commercial elements. The applicant has broadly followed the energy hierarchy. Sufficient information has been provided to understand the proposals as a whole. Further revisions and information are required before the proposals can be considered acceptable and the carbon dioxide savings verified.

61 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. Both air permeability and heat loss parameters will be improved beyond the minimum backstop values required by building regulations. Other features include low energy lighting and mechanical ventilation heat recovery.

62 The demand for cooling will be minimised through façade design, use of solar glazing and passive ventilation. The SAP analysis provided indicates a medium overheating risk in July and August for the residential units. Cooling through passive ventilation (open windows) due to the location in an urban environment (near railway and road routes) is possibly limited and therefore the applicant should carry out dynamic thermal modelling of residential and non-residential areas as set out in sections 11.5 to 11.12 of the 'GLA guidance on preparing energy assessment (April 2015)'.

63 Based on the information provided, the proposed development does not appear to achieve any carbon savings from energy efficiency alone compared to a 2013 Building Regulations compliant development. The applicant should model additional energy efficiency measures and commit to the development exceeding 2013 Building Regulations compliance through energy efficiency alone.

64 The applicant has identified that the planned Vauxhall, Nine Elms & Battersea district heating network is within the vicinity of the development and is proposing to connect to the network. Connection to the network should continue to be prioritised and evidence of correspondence with the network operator should be provided. The applicant is proposing to install a site heat network. However, the applicant should confirm 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. The site heat network will be supplied from a single energy centre in the basement of the proposed development. Further information on the floor area of the energy centre should be provided. These points should be addressed prior to Stage 2 referral.

65 The applicant is proposing to install a 70 kWe gas fired CHP unit as the lead heat source for the site heat network. The CHP is sized to provide the domestic hot water load, as well as a proportion of the space heating. A reduction in regulated CO<sub>2</sub> emissions of 132 tonnes per annum (28%) will be achieved through this second part of the energy hierarchy.

66 The applicant has investigated the feasibility of a range of renewable energy technologies and is proposing to install 100sq.m of solar photovoltaic (PV) panels on the roofs of the apartment blocks. The development seeks to maximise accessible roof space and so the relatively low provision of PV panels is considered acceptable. The applicant is encouraged to consider the benefits of combining green roofs with PV panels where these are proposed. A reduction in regulated CO<sub>2</sub> emissions of 5 tonnes per annum (1%) will be achieved through this third element of the energy hierarchy.

67 Overall a reduction of 128 tonnes of CO<sub>2</sub> per year in regulated emissions compared to a 2013 Building Regulations compliant development is expected, equivalent to an overall saving of 27%. The carbon dioxide savings fall short of the target within Policy 5.2 of the London Plan. The applicant should consider the scope for additional measures aimed at achieving further carbon reductions.

## **Flood risk and sustainable drainage**

68 The site is within Flood Zone 3a. A flood risk assessment (FRA) has been prepared, which confirms that the site is protected to a high standard by the existing tidal defences and proposed improvements to the river wall. The FRA includes an analysis of a breach scenario which shows that parts of the site would be flooded up to a depth of 0.3m in the event of a breach in the tidal defences. The FRA proposes a range of mitigation measures to reduce the impacts of any such flooding. These measures appear to be a reasonable response to the risks present at the site and the development is therefore acceptable in principle with regard to London Plan policy 5.12.

69 There are some limited areas of surface water flood risk identified at the site and more significant risks in the local vicinity of the site. In addition rainwater management has been highlighted as a significant issue for the wider Vauxhall Nine Elms Battersea Opportunity Area, such that an Integrated Water Management Strategy has been produced by Arup on behalf of the Nine Elms on the Southbank Partnership. Therefore it will be important for the proposals to comply with London Plan Policy 5:13.

70 The FRA addresses this issue and states that the development will achieve a run-off rate of 5l/s. This will be achieved by using sub-surface attenuation tanks with a capacity of 325 - 429m<sup>3</sup>. A hand annotated drawing within the FRA indicates that there will be three such tanks across the site. The FRA also recommends that options to store water on site for later use will be investigated. This is to be encouraged, including options for green roofs and landscaping to maximise their absorption/attenuation of rainwater.

71 Whilst the FRA does not appear to refer to the wider Integrated Water Management Strategy, by reducing the surface water discharge to such an extent, the site will positively contribute to the reduction of surface water management issues in the VNEB area and is therefore considered acceptable in terms of London Plan Policy 5:13.

## **Transport**

### Local cycle network proposals

72 TfL is promoting a scheme to improve cycling by providing a new route for cyclists from Clapham Common to Waterloo. This would run through the southern end of the site adjacent to the railway viaduct, which is an objective of the Nine Elms Cycle Strategy. The level change east-west across the site means that an elevated ramp is required to link with the neighbouring Battersea Power Station Phase 4A. Concept designs for a ramp were included in the application submission, and the cycle route must also be accessible to pedestrians. TfL seeks an update on discussions between the applicant and Network Rail about using some of their land adjacent to the railway viaduct for the ramp.

## Access

73 It is proposed to retain access in the same location as the current vehicle access to Booker Wholesale and BMW. This will form a standard priority junction with the New Covent Garden Market access road, and the internal road will be designed to be a shared surface with low speeds. This access will be two-way, providing access to the podium car park for the disabled spaces and servicing of the commercial uses within the podium car park. In addition, a secondary access is proposed onto Sleaford Street to the south west of the site, which is restricted to larger vehicles such as refuse, emergency services and delivery vehicles to access/egress the site in a forward gear.

74 A new pedestrian entrance is proposed at the front of the site on Battersea Park Road. A pedestrian route has been created through the site between Battersea Park Road to Sleaford Street to create a route to the amenity space and surrounding residential developments. Works to establish access with frontage to Battersea Park Road will require a S278 agreement between the applicant and TfL as the highway authority for the TLRN.

## Public realm

75 The landscaping strategy for this development must comply with the Public Realm Surface Materials Guide (TfL and Nine Elms Vauxhall Partnership Public Realm Working Group, 2013), the VNEB OA Public Realm and Highways Modelling Study (<http://legacy.london.gov.uk/mayor/planning/oapf-nine-elms/docs/vneb-public-realm-study.pdf>), and the TfL Streetscape Guidance (2009).

## Deliveries and servicing

76 Swept path analysis have been provided to demonstrate that a range of vehicle sizes and types, including refuse and emergency vehicles, would be able to safely use the access and loading areas. A full DSP should be secured by condition and approved by the Council in conjunction with TfL prior to occupation. This should follow TfL's best practice guidance (see <https://www.tfl.gov.uk/info-for/freight/planning/delivery-and-servicing-plans>).

## Car parking

77 It is proposed that this site be car free except for a total of 31 disabled parking spaces in accordance with London Plan standards, provided on site in the podium car park along the frontage of Sleaford Street. 20% would be provided with active Electric Vehicle Charging Points (EVCPs) and 20% with passive provision in accordance with London Plan policy 6.13. Blue Badge spaces and EVCPs should be secured by condition. The proposals are in accordance with the OAPF and London Plan.

## Cycle parking

78 The proposed development would provide 528 secure cycle parking spaces for the residential dwellings plus 16 long-stay spaces for the commercial units. In addition, a further 17 spaces will be provided within the public realm for visitors. Overall the level of cycle parking proposed would meet the standards in Table 6.3 of the consolidated London Plan. This should be secured by condition.

### Car club

79 TfL supports the provision of new car club spaces and free memberships for residents of new developments in line with London Plan policies 6.13 and 8.2, and this should be secured in the s106 agreement. Two car club operators provide services in the vicinity of the site on Ascalon Street, Chelsea Bridge Wharf and Havelock Terrace, as well as other development sites within VNEB.

### Trip generation

80 Trip generation figures have been supplied in a Transport Assessment (TA), which are considered satisfactory, although TfL has concerns about the cumulative traffic impacts as a result of numerous developments coming forward in the surrounding in the area, along with proposed changes to the highway network where capacity will be reduced.

### Walking

81 A Pedestrian Environment Review Survey (PERS) of pedestrian desire lines in the vicinity of the site has been undertaken as part of the TA. Overall the quality of the PERS report is poor and the findings are not supported by TfL, and a more detailed analysis has been provided to the council.

### Nine Elms Lane Highway scheme

82 TfL is currently developing a scheme along the whole of Nine Elms Lane and Battersea Park Road which will improve cycling and pedestrian facilities. We will be developing proposals further this year and the scheme will be funded by CIL, S278 and S106 contributions. This is aimed for 2019/20 implementation. Interim improvements will also be introduced within the next year to improve things in the short term.

### Construction

83 A full Construction Logistics Plan (CLP) should be secured by condition in line with London Plan Policy 6.3. The CLP must follow TfL's best practice guidance for Developers, available from <http://www.tfl.gov.uk/info-for/freight/planning/construction-logistics-plans>, and for Contractors, which TfL has emailed to the applicant. Data must be provided to TfL on request including accurate construction programme, vehicle movements and delivery origins/destinations. In particular TfL will wish to ensure that construction impacts are minimised and managed and that vulnerable road users such as cyclists and pedestrians are protected.

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## Mitigation

85 Mayoral CIL is payable at a rate of £50 per sqm (see Community Infrastructure Levy Charging Schedule – Mayor Of London, February 2012). The site is located within the Vauxhall Nine Elms Battersea (VNEB) Opportunity Area Planning Framework (OAPF) and is subject to the associated Development Infrastructure Funding Study (DIFS). The DIFS has now been incorporated into Wandsworth Council's CIL. The site is located within the area designated as 'Nine Elms Residential Area B' on LB Wandsworth's CIL Charge Zones Map. The contribution due from this development is therefore £265 per square metre for Residential floorspace, £100 per square metre for Office (B1a) or Retail (A use classes) and £0 per square metre for all other uses. The total CIL payable by the applicant for this development will be confirmed through detailed approvals upon commencement of development.

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

86 The Council is due to report the application to Planning Committee in March, and is generally supportive of the scheme, although they are seeking full re-provision of existing commercial floorspace. The Council's support is also subject to satisfactory conclusion of affordable housing discussions.

## **Legal considerations**

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

## **Financial considerations**

88 There are no financial considerations at this stage.

## **Conclusion**

89 London Plan policies on opportunity areas, housing, design, 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.

- **Principle of use:** A residential mixed use redevelopment with residential floor space and employment generating commercial and community uses, with routes and new public realm is supported in principle, in accordance with the VNEB OAPF land use strategy and Wandsworth's local plan, however, the applicant should work to increase the commercial use.

- **Housing:** The provision of 15% affordable housing is considered low in comparison to recent planning permissions granted on nearby sites and the recent review of affordable housing delivery in the opportunity area. Details of the independent assessment of the applicant's viability appraisal should be shared to demonstrate that the maximum reasonable amount of affordable housing has been achieved. 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 high quality with appropriate layout, heights and massing that responds to the surrounding context, with no impact on the World Heritage Site or strategic views. The applicant should explore amendments aimed at retaining protected trees and enhancing the space between Buildings B and C.
- **Inclusive design:** The inclusive design provisions are welcomed, subject to further details of the commercial units and confirmation that residential units will comply with Lifetime Homes.
- **Climate change:** Overall a reduction of 128 tonnes of CO<sub>2</sub> per year in regulated emissions compared to a 2013 Building Regulations compliant development is expected, equivalent to an overall saving of 27%. The carbon dioxide savings fall short of the target within Policy 5.2 of the London Plan. The applicant should consider the scope for additional measures aimed at achieving further carbon reductions.
- **Transport:** The development is in accordance with the London Plan in terms of car and cycle parking. Conditions and a s106 legal agreement will be required to secure matters raised within this report and ensure that the development fully accords with the London Plan.

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