

Our ref: BF/Q210322
Your ref: SGN Mitheridge
Email: [REDACTED]
Date: 21st February 2022



Planning Policy
Environment and Community Service
Wandsworth Council
The Town Hall
Wandsworth
London
SW18 2PU

By Email: planningpolicy@wandsworth.gov.uk

Dear Sir or Madam,

Consultation on the Wandsworth Publication Draft Local Plan (Regulation 19) Representations made on behalf of SGN Mitheridge The Town and Country Planning (Local Planning) (England) Regulations 2012

Quod is instructed by SGN Mitheridge to submit representations to the Wandsworth Publication Local Plan Regulation 19 (hereby the "Reg 19 Plan"). These representations are submitted within the consultation period that runs from 10th January to 28th February 2022.

SGN Mitheridge Limited are the site owner and developer of the Wandsworth Gasworks and Calor site. Common Projects are managing the project on their behalf. Where reference is made to Common Projects within these representations, Common Projects is acting on behalf of SGN Mitheridge Limited.

1 Scope of the Representations

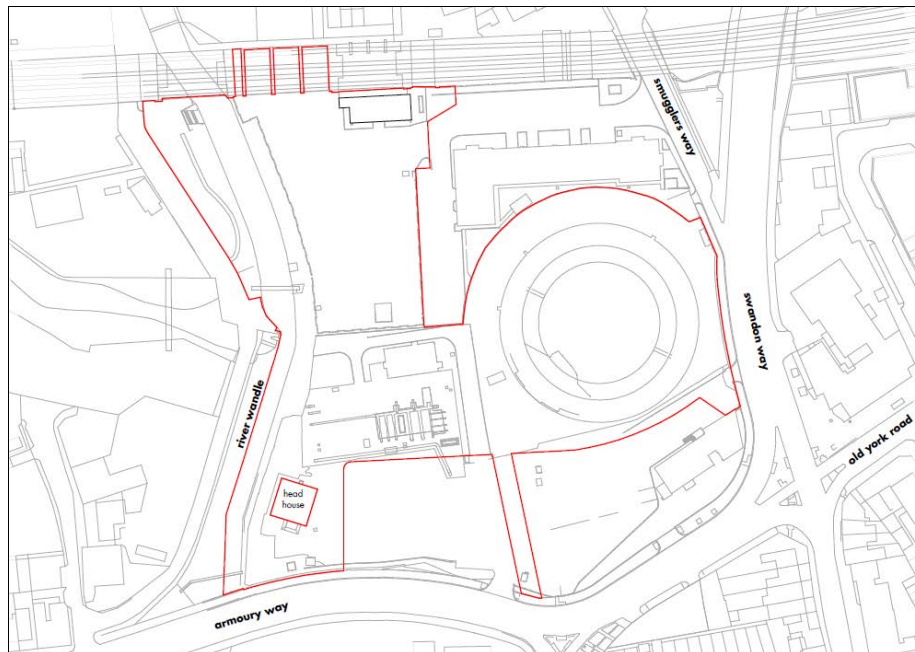
Common Projects has been in pre-application discussions with the Council, Greater London Authority and Council Design Review Panel since 2020 relating to the submission of a hybrid planning application to redevelopment the Wandsworth Gasworks site and land currently occupied by Calor.

The land which will be subject to a planning application is identified in Figure 1 below, and we refer to this site as the Gasworks site within our representations.

The representations consider the soundness of the Wandsworth Publication Draft Local Plan (Regulation 19) and specifically those policies that relate to the Gasworks site. Our comments also relate to the wider Site Allocation WT4 which includes the Gasworks site and adjacent land.



Figure 1 – The Gasworks Site



2 Executive Summary

Quod raises several concerns with the Reg 19 Plan as policies within it do not meet the tests of soundness. We have identified mitigating measures, through modifications, to make the policies sound, and would welcome the opportunity to work with Wandsworth Council (the 'Council') to address these prior to submission to the Secretary of State.

The principal concern is that the Council has taken an overly mechanistic approach to building heights across the borough without undertaking the necessary evidence-based assessment required by London Plan Policy D9. The restrictive approach that the Council is undertaking is summarised within the 2021 Whole Plan Viability Assessment ***“The revised tall buildings policy is intended to strictly apply so that proposals exceeding the appropriate height range will be refused on design grounds”***¹. This approach could render site allocations undeliverable and therefore additional flexibility to the application of policy is required.

The very detailed and intricate tall and mid-rise building zones and buildings heights proposed are not justified. Further, in respect of the proposed heights and tall building zone applied to Site Allocation WT4 Gasholder Cluster, it is apparent that the limited evidence-based assessment has

¹ Whole Plan Viability Assessment January 2022, paragraph 1.47.



not been carried across into the maps contained within Appendix 2. These maps are also inconsistent with the pre-application advice received from the Council since 2020.

Policy LP4 Tall Buildings requires forty criteria to be assessed for tall building proposals (seven storeys and above) which is not a succinct approach. It results in duplication. The policy does not recognise that there may be some circumstances, where compliance with the plan (when read as a whole) requires flexibility to be applied for building heights and zones at the determination stage of a planning application. Without modification, the approach to building heights may undermine the deliverability of the plan as a whole.

A summary of our objections is set out in Table 1 below.

Table 1: Summary of Reg 19 Plan Objections

Policy	Reason for non-conformity
Strategic Policies	We believe that Policy LP4 Tall Buildings and Appendix 2 should be included within the strategic policy schedule due to the strategic implications that this has on the plan as a whole. The deliverability of the housing capacities resulting from LP4 should be viability tested taking into account other strategic policies of the Reg 19 Plan.
Succinct Plans	The NPPF requires succinct plans which avoid duplication. The Reg 19 Plan contains duplication across several policies. It is an important planning principle that the development plan should be read as a whole and therefore duplication across policies should be avoided. Design guidance duplication occurs in Chapter 8 Placemaking – Area Strategies; Chapter 4 to 12 Area Strategies including the Site Allocations; and Chapter 14 Achieving Design Excellence. Inconsistencies also occur between the Reg 19 Plan, the Council's 2021 Arup Urban Design Guide (the 'UDS 21') and the Wandle Delta Masterplan SPD 2021.
Early and Effective Engagement	The NPPF requires plans to be shaped by early, proportionate, and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators, and statutory consultees. The Reg 19 Local Plan consultation is the first opportunity that stakeholders have been able to review and comment on the Council's proposed approach to tall buildings (LP4 and Appendix 2). The main source of engagement we have had to date is through the pre-application process, where feedback we have received from officers as well as the council's expert design panel is entirely in contradiction to the draft plan. Given the wider implications of this policy, it is considered that earlier and more effective engagement should have been undertaken.



<p>SDS1 - Spatial Development Strategy 2023 - 2038</p>	<p>The policy has not been positively prepared or justified. The housing target for the plan period should be revised to 29,250 homes to accord with Table 4.1 of the London Plan.</p> <p>There is no explanation how the Council has estimated its housing capacity for Wandsworth Town of 3,510 homes and what role Site WT4 Gasholder Cluster plays in contributing to this capacity.</p>
<p>Chapter 3 PM1</p>	<p>Whilst Common Projects support the statement at paragraph 3.11 and PM1 (B) Area Strategy and Site Allocation compliance, there is no explanation whether this policy applies to LP4 and Appendix 2. Further clarification is required.</p>
<p>PM2, Map 4.1 Spatial Area Map</p>	<p>The policy is not justified due to inconsistencies with the Council's evidence base.</p>
<p>Map 3.2 Site Allocations</p>	<p>Common Projects supports the allocation of the Gasworks Cluster as a development plan allocation.</p>
<p>Site Allocation WT4</p>	<p>Unlike the recently adopted Wandle Delta Masterplan SPD, the Reg 19 site allocation fails to recognise the significant constraints of the site which must be addressed prior to bringing the site forward. The GLA have agreed that these costs (c.£20M) are onerous and meet the policy tests of the London Plan Footnote 59.</p>
<p>LP4 - Tall Buildings and Appendix 2</p>	<p>The policy is not justified or effective. It is inconsistent with Policy D9 of the London Plan. Whilst it proposes very detailed tall and mid-rise building zone boundaries and heights which must be adhered to, it has not been subject to the analysis required by LPD9 Part (c) to justify such a restrictive approach. The zones and heights are not therefore justified by the UDS 21. Unlike the recently adopted Wandle Delta Masterplan SPD, the Reg 19 approach is inflexible as it does not permit heights beyond those prescribed or buildings at heights outside of the prescribed zones. Flexibility is necessary given the broad assumptions undertaken in the evidence base, and the overly constrained zones and heights applied in policy – particularly as a result of the Council's additional layer of control in respect of the introduction of Mid-Rise buildings which unnecessarily apply the controls of London Plan D9. Site Allocation WT4, the most significant urban site in the town centre of 2.81ha is subject to two different height parameters of 6 and 7-10 storeys. The heights and zones are based upon the high-level design analysis of the UDS21. LD4 does not allow for alternative design solutions to be considered which overly constrains the site. Common Projects has been engaged in pre-</p>



	<p>application discussions with the Council since 2020 regarding redevelopment of site WT4. The site has been subject to detailed townscape and heritage analysis; design reviews and officer reviews. It has been agreed through this analysis that heights above 6 storeys in the mid-rise zone, and heights above 7-10 storeys are acceptable at WT4. The draft Reg 19 Plan conflicts with this advice, and the site-specific analysis undertaken. It also conflicts the analysis undertaken in the Wandle Delta Masterplan SPD. The mid-rise zone should therefore be deleted and replaced with the Tall Building Zone and heights should be increased to reflect the pre-application advice of the Council.</p> <p>Common Projects has tested the effect of LP4 Appendix 2 (zone and heights) which could limit development to a residential capacity of c.370 homes across that part of the WT4 allocation that it controls. This would broadly correlate to the indicative capacity of 481 homes across 4 – 10 storeys across the whole WT4 site set out in the Wandle Delta Masterplan SPD (2021) which our client made substantial representations to.</p> <p>Common Projects has tested the deliverability of 370 homes against the Council's affordable housing policy, and the results indicate that at the heights prescribed (and the resulting residential capacity) this would raise serious questions about the deliverability of the allocation without the flexibility required, due to the existing abnormal costs. The proposal could not viably deliver any affordable housing. It is therefore necessary to modify Policy LP4 to permit flexibility in order to meet other policies within the plan.</p>
<p>Policy LP23 - Affordable Housing</p>	<p>To ensure consistency with the London Plan and National Policy.</p>
<p>Policy LP24 – Housing Mix</p>	<p>To ensure consistency with the London Plan.</p>
<p>Policy LP30 – Build to Rent</p>	<p>To ensure consistency with LP Policy H11 and National Policy NPPF paragraph 65, and NPPG Paragraph: 002 Reference ID: 60-002-20180913 and to include flexibility as required by the Council's whole plan viability statement.</p>
<p>Policy LP38 - Affordable and Open Workspace</p>	<p>To ensure consistency with the London Plan and National Policy.</p>



3 SGN Mitheridge Limited

Mitheridge and Scotia Gas Network (SGN) have formed a Joint Venture Partnership called SGN Mitheridge Ltd to bring forward the redevelopment of the Wandsworth Gasworks site on the Wandle Delta. It is an exciting opportunity and one that will help complete the transformation of the River Wandle between the Ram Brewery and the River Thames. Common Projects is managing the project on their behalf.

SGN first engaged with Wandsworth Council in 2013 to create an appropriate policy framework for decommissioning the gas works and the realisation of a new residential quarter for Wandsworth Town. SGN has subsequently taken part in Wandsworth's Local Plan review at each stage of consultation to inform the current adopted development plan policy for the site which promotes residential led mixed-use development.

The Council adopted a draft SPD for the Wandle Delta in 2021, which included the SGN Mitheridge site. Quod, on behalf of the Joint Venture Partnership, made extensive representations to this document. These representations remain relevant to the Reg 19 Local Plan as the Council did not fully take into account London Plan policy; comments with regards to the deliverability of sites and the absence of viability testing; and the evidence base which specifically related to the complex delivery of former gasworks sites for housing led regeneration. At the same time as consulting on the Wandle Delta SPD, the Council consulted on the Regulation 18 Local Plan. Quod made representations to this document.

SGN has also worked alongside National Grid to inform policies of the London Plan. Policy H1 of the adopted London Plan allocates gasworks sites as strategic sources of housing as a result of the engagement undertaken by the utility companies at the London Plan EIP.

SGN demonstrated its desire to assist Wandsworth Council in the delivery of the Wandle Delta local plan objectives by revoking its Hazardous Substances Consent in 2019. The Calor site, which is now owned by SGN Mitheridge, still benefits from a Hazardous Substances Consent, which impacts the development capacity of the Wandle Delta, but can be revoked with a successful grant of planning permission for redevelopment of the site.

Through the joint venture with Mitheridge, a partnership now exists to realise the policy requirements of the Wandsworth / London Plan for this site. The partnership is working towards the submission of a hybrid planning application in summer 2022 through its appointed partner Common Projects.

Common Projects will lead the exciting journey to finally transform this strategic, but underused, brownfield site which sits centrally within the Wandle Delta. It forms an integral link between the Ram Brewery development and the River Thames and has the potential to deliver many public benefits for Wandsworth Town.



4 Challenges

Common Projects welcomes the Council's acknowledgement that there will be challenges to delivery at the Gasworks Cluster. However, the Reg 19 Plan (unlike the Wandle Delta Masterplan) does not yet recognise the constraints associated with utilities restrictions, easements, HSE guidance, and multiple land ownerships. The Reg 19 Plan does not recognise the limitations of contaminated sites and specifically the cumulative constraints which arise specifically with the development of a Gasworks site which will have an impact on deliverability, site capacity and viability.

The exceptional nature of Wandsworth Gasworks results from years of gasworks production and gas storage. There is a need for substantial decontamination to address the contamination of the soil and groundwater. Some materials may have been buried in underground tar wells, liquor wells, pipes and purifier beds and will require removal. The major contaminants (hydrocarbon sludges, spent oxide wastes, ash and ammoniacal recovery wastes) will need to be remediated and removed from the site.

Rationalisation of the existing pressure reduction station, and underground gas mains will also be required as will removal of underground structures and obstructions, and demolition of the existing holder. The site also contains a backfilled canal which previously brought barge ships into the site.

The implications of these complex site constraints are twofold: -

- **Financial viability:** The exceptional costs associated with site remediation/ constraints, drives the need for density on a viability level.
- **Spatial / developable area:** It is also the specific spatial constraints which can drive the need for both height and the associated non-linear/orthogonal approach to massing that bring with it larger/better open spaces at ground.

The gasholder basin is a spatial constraint. If it is a fixed spatial constraint because we believe that it should be retained (on sustainability/embodied carbon/historic reference grounds). It joins the River Wandle, railway, National Grid head house, pressure reduction system, easements and offsets as an array of spatial constraints that dictate the figure ground of any future masterplan.

These constraints prevent a blanket courtyard typology approach, regardless of whether that is or is not considered to be the appropriate design response (which in itself has not been justified). This reduces/dictates developable area at ground, necessitating both the height of certain plots and the circular approach to the master planning.

5 Test of Soundness

Common Projects broadly welcomes the approach taken by Wandsworth Council to renew its local plan and add further guidance on how it seeks to transform its town centres into major assets for the Borough.



To meet the tests of soundness, the Regulation 19 Plan must remain in general conformity with the London Plan under section 24 (1)(b) of the Planning and Compulsory Purchase Act 2004. It must also meet the tests set out in paragraph 35 of the National Planning Policy Framework ('NPPF') being positively prepared; justified; effective; and consistent with national policy. The tests will be applied to non-strategic policies in a proportionate manner.

Section 38(6) of the Planning and Compulsory Purchase Act 2004, taken with Section 70(2) of the Town and Country Planning Act 1990 requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. For this reason, it is imperative that the development plan is fit for purpose and sound.

The NPPF requires plan-making to achieve the following²:-

- Succinct and up-to-date plans (paragraph 15)
- Be prepared positively, in a way that is aspirational but deliverable (paragraph 16)
- Be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees (paragraph 16)
- Serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant) (paragraph 16)

Our representations consider the soundness of the Reg 19 Plan and specifically those policies that relate to the Gasworks site, and Site Allocation WT4 as a whole.

6 Strategic Policies

Paragraph 1.12 of the Reg 19 Plan lists the strategic policies of the plan. This includes, inter alia, Policies SDS1 Spatial Development Strategy; PM1 Area Strategy and Site Allocations Compliance; and PM2 to 10 – Place-based policies for each Area Strategy.

Policy LP4 Tall Buildings is not included, which we consider is an omission. Strategic policies are subject to full weight of the soundness tests³, and set out an overall strategy for the pattern, scale and design quality of places⁴ and strategic priorities. Given the impacts on the whole plan viability, we consider that the policy (and resulting housing capacities) should be subject to viability testing when considered against other policies within the plan, including affordable housing.

² NPPF (2021) Chapter 3

³ NPPF paragraph 36

⁴ NPPF paragraph 20 and 21



7 Succinct Plans

The NPPF requires succinct plans which avoid duplication⁵. The Reg 19 Plan contains significant duplication across policies. It is a fundamental planning principle that the development plan should be read as a whole and therefore duplication across policies should be removed.

The design guidance is unnecessarily duplicated in Chapter 8 Placemaking – Area Strategies; Chapter 4 to 12 Area Strategies including the Site Allocations; and Chapter 14 Achieving Design Excellence. Inconsistencies occur where there is reference to the Council's UDS 21.

8 Early and Effective Engagement

The NPPF requires plans to be shaped by early, proportionate, and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators, and statutory consultees.

In our opinion, effective engagement has not happened. SGN has been involved in discussing the gasworks site with the Council since 2013, and Common Projects have been involved in detailed pre-application discussions since 2020. Extensive dialogue across all planning matters has taken place, including abnormal costs and site constraints. Common Projects was first informed about the approach taken in Appendix 2 (height parameter zones) in November 2021. These representations are the first opportunity to make formal comments.

The main source of engagement we have had to date is through the pre-application process, where feedback we have received from officers as well as the council's expert design panel is entirely in contradiction to the Reg 19 Plan. Given the implications of the policy approach to heights, it is considered that earlier and more effective engagement should have been undertaken.

9 Flexibility in Plan Making

The NPPG (Paragraph: 001 Reference ID: 61-001-20190315, Revision date: 15 03 2019) confirms that the plan-making framework allows flexibility in the way policies for the development and use of land are produced.

Whilst Common Projects support the statement at paragraph 3.11 of the Reg 19 Plan that when determining planning applications, consideration of principles applied to site allocations will be important, subject to an up-to-date assessment of need and the agreed viability position of the scheme to ensure that site allocations remain deliverable, there is no explanation if this statement applies to LP4. We believe that it should.

Common Projects also support PM1 (B) which states that proposals which do not comply with the relevant development plan policies, Area Strategy and Site Allocations will be resisted unless it is

⁵ NPPF paragraph 15 and 16



clearly evidenced that an alternative type of development can be justified. In such circumstances, the development must not prejudice the delivery of the Local Plan's Vision and Objectives, the Objectives of the Area Strategy or Site Allocations on neighbouring sites. There is no explanation if this policy applies to LP4 and Appendix 2. Further clarification is required.

10 Policy SDS1 (A) Spatial Development Strategy 2023 - 2038 & Table 2.2 – OBJECT

Policy SDS1 (A) sets a strategic target to provide a minimum of 20,311 new homes by 2038 (1,354 homes per annum for 15 years). We are concerned that this underestimates the housing need required by Table 4.1 of the London Plan which seeks 19,500 homes across ten years (1,950 homes per annum for 10 years). Extrapolated across the 15-year period this would require at least 29,250 homes.

Supporting text to Policy SDS1 indicates that the Council has adjusted its figures due to the oversupply of housing completions achieved and forecast to be delivered up to 2026, however as these completions are not guaranteed, the Council should be seeking to exceed its minimum targets. It is not considered appropriate to manually adjust down the annual housing target required by the London Plan.

This is particularly important as the Council has failed to deliver against the current target of 1,950 homes in the last three years (18/19 - 1,877; 19/20 – 1,359; 20/21 – 1,422)⁶ highlighting the challenges of meeting this figure.

Table 2.2 'New Homes Distribution' indicates a capacity of 24,380 homes, which would represent a short-fall against the revised 15-year target of 29,250 homes based on the London Plan annual targets for Wandsworth. We consider that the minimum housing requirement should be revised to 29,250 homes.

11 Policy SDS1 (B) Spatial Development Strategy 2023 - 2038 & Table 2.2 – OBJECT

Common Projects support the identification of Wandsworth Town within Policy SDS1 'Spatial Development Strategy' as a location with a strategic economic role and/or opportunities for regeneration. The Council's capacity for new homes in Wandsworth Town is identified as 3,510 homes. Footnote 2 states that this capacity is derived from the Council's HELAA for the period 2023/24 to 2037/38.

We have reviewed the HELAA and it is unclear how a capacity of 3,510 homes has been derived. There is no explanation if the capacity referred to in SDS1 Table 2.2 includes Site WT4, and if so what the indicative capacity of WT4 is? The Whole Plan Viability Assessment 2022 does not provide

⁶ Reg 19 Plan Table 2.3



any further clarity on this query. We would welcome further explanation from the Council on this issue.

In review of the Council's own evidence base: we note that the UDS 21 allocates Site Allocation WT4 within character Area G1, which it is identified as having low sensitivity whilst being a location with a higher probability of change, and therefore it is identified as a site with the highest probability for development capacity⁷. The supporting text states that these areas "are the most likely to have the greatest development capacity, with a high probability of change compared against a low sensitivity, including areas such as some estates in East Putney Residential, Battersea Residential and Tooting Residential; Wandsworth Town Centre; some industrial plots within the Wandle Valley; parts of Clapham Junction Town Centre and Balham Town Centre; and Nine Elms Opportunity Area".

It would be useful to understand the anticipated site capacity for Site WT4, and what gross residential density has been applied, and if this is compatible to the policy expectations for a highly accessible town centre site. As a PTAL 4-6 site, and with an urban/central character using the former London Plan (2016) density matrix (Table 3.2), a density of 240 - 405 dwellings per hectare would be deemed appropriate, equating to a housing capacity of 674 – 1,138 homes for Site WT4. The Wandle Delta Masterplan SPD indicates a density of 481 homes (177 dwellings per hectare) at 4 to 10 storeys for a comparable site (the Gasworks Cluster). A density of 177 which would not be commensurate with the site characteristics set out within the UDS 21 evidence base which identifies the site as having the highest probability for development capacity.

Please also see our objections in respect of Site Allocation WT4 and LP4 which promote an increased housing capacity for the WT4 Gasworks Cluster site.

12 Chapter 3 Placemaking – Map 3.1; Area Strategies Policy PM2 Wandsworth Town, and Map 4.1 Spatial Area Map: Wandsworth

Map 3.2 Site Allocations – Support

Common Projects supports the allocation of WT4 as a site allocation. It comprises a strategic site for Wandsworth Town. The landowners have been engaged with the Council since 2013 to bring forward an appropriate policy framework for delivery of the site. This is a deliverable site allocation, which requires flexibility within the development plan as a whole, and in particular Policy LP4 to ensure its deliverability.

PM1. Placemaking – Area Strategy and Site Allocations Compliance – Comment

Whilst Common Projects support the statement at paragraph 3.11 of the Reg 19 Plan that when determining planning applications, consideration of principles applied to site allocations will be

⁷ Arup Design Study Urban Design Study - Executive Summary Characterisation, development capacity and design guidance (December 2021) page 8, 9 and 10



important, subject to an up-to-date assessment of need and the agreed viability position of the scheme to ensure that site allocations remain deliverable, it is unclear if this statement applies to LP4. We believe that it should.

Common Projects support PM1 (B) which states that proposals which do not comply with the relevant development plan policies, Area Strategy and Site Allocations will be resisted unless it is clearly evidenced that an alternative type of development can be justified. In such circumstances, the development must not prejudice the delivery of the Local Plan's Vision and Objectives, the Objectives of the Area Strategy or Site Allocations on neighbouring sites. There is no explanation if this policy applies to LP4 and Appendix 2 and further clarification is required.

The Whole Plan Viability Assessment advocates this approach. Paragraph 8.11 states that for future developments, principally retail and other town centre use developments (excluding offices), where the Reg 19 Local Plan may raise the risk of development being unviable, there may need to be provision for some flexibility to ensure a fully deliverable plan. This may include introducing flexibility in on-site and off-site developer contributions, and leaving the market to deliver the sites.

PM2. Placemaking – Limb A1(b); A5; B2 – Object

We consider that limb A1(b), A5 and B2 should be deleted to avoid duplication.

Map 4.1 Spatial Area Map Wandsworth Town – Object

Policy PM2A.6 requires development proposals to respect and enhance the views and vistas established in the UDS 21. Appendix I 'Views and Vistas of Interest' of the UDS 21 refers to a number of views for Wandsworth (I.2.21 G1 Wandsworth Town and Riverside) but there is no explanation how these vistas and views relate to those set out on Map 4.1 "valued view and vistas". Further clarification of this is required.

Reg 19 Plan Map 4.1 Spatial Area Map: Wandsworth Town identifies 4 valued view and vistas. One of these views is located within this Gasworks site in a location inaccessible to the public. There is no explanation how this view has been derived as being valued. Further clarification of this is required.

Map 4.1 identifies seven suggested locations for new public open space in the sub-region. For site WT4 the location for new public open space is identified as the proposed new public open space and proposed new route along the River Wandle. This appears to be unnecessary duplication and the annotation should be deleted. It also conflicts with the urban analysis for the site (by Wandsworth Council and Wandsworth's Design Review Panel) which supports the location of a tall building in the northwest corner of the site.

13 Site Allocation – Gasholder Cluster, WT4 Gasholder Site, Armoury Way, SW18 – OBJECT

Reg 19 Site Allocation Gasholder Cluster WT4 Gasholder Site, Armoury Way, SW19 is the most central development site allocation for Wandsworth Town Centre, and the largest site within the



Wandsworth SPD Masterplan. Whilst Common Projects supports the principal of the allocation, and in particular explicit recognition that the gasholder itself and the supporting infrastructure should be excluded from the calculation of existing floorspace, a number of concerns are raised.

Policy Context

It is useful to set out the Government's and Mayor of London's policy for the optimisation of accessible brownfield land, in particular former gasworks site in central locations well served by public transport. We enclose this information at **Appendix 1** of this submission.

We consider that the essential objectives of this policy have not yet been achieved within the emerging Site Allocation WT4. The WT4 allocation should also be informed by the Wandsworth Delta SPD Masterplan which we discuss below.

Wandsworth Delta SPD Masterplan - 2021

Quod submitted representations to the Wandsworth Delta SPD Masterplan, and whilst a number of our specific requests to ensure consistency with the NPPF and London Plan were not incorporated into the final document by the Council, Quod were supportive of certain aspects of the SPD which recognised the constraints of delivery. The SPD also recognised that specific aspects of design could not be considered at SPD stage, and detailed analysis was required at the planning application stage.

The key aspects of the SPD which recognised these important points, and which we set out as bullet points below, are now absent from the WT4 draft allocation.

- **Para 2.2.12 – Land Use** - It is important to note that Wandsworth Gasworks presents substantial delivery challenges in relation to a long history of gas production and storage. Substantial decontamination is likely to be required in relation to soil and groundwater.
- **Para 5.6.4 – Height, Scale and Massing** - The SPD is not prescriptive in setting maximum heights or limits of what the Council consider to be appropriate height ranges. Instead, indicative appropriate height ranges are provided.
- **5.6.13/14 - Building height strategy** - There are a number of key areas which are considered to be sensitive which will necessitate the careful moderation of proposals as appropriate (inc. Bell Lane Creek and River Wandle). Applications for tall buildings will be required to demonstrate that sensitivities have been considered and adequately addressed within proposals.
- **Para 5.8.2 - Viability and delivery** - Given the industrial nature of the area a number of sites are likely to be contaminated and/or have services running through them. Further consideration will need to be given to each individual site/cluster to fully understand specific contamination and/or servicing issues, however these have been signposted in the site specific considerations section.
- **Para 5.8.10 – Gross capacity estimates** - These capacity figures are intended to be indicative estimates, and should not be treated as minimum targets or maximum quanta. It is recognised that the capacities for individual sites will evolve through a detailed design



approach on a site-by-site basis with reference to the viability and delivery considerations identified above.

- **Para 5.9.11 - Gasworks Cluster Delivery** - In addition to the landownership challenges the site contains existing utilities restrictions, easements; a Hazardous Substances Consent; a former gas holder and significant infrastructure that supported its former use, including a gas mains and gas 'governor'. This area, along with others in the cluster may be subject to substantial decontamination, enabling and remediation costs which may have an impact on deliverability and viability. A combination of these factors may have an impact on deliverability, capacity and viability.

It is recognised that the SPD applies appropriate flexibility recognising that the heights and masterplans set out in the document are illustrative only, and do not set minimums or maximums. We consider that this is an appropriate approach as the document has not been viability tested and has not considered the development economic effects of the Council's affordable housing; CIL; s.106; industrial land requirements; remediation; railway arches; and ecological policies.

In accordance with the London Plan, the SPD recognises that a number of sites within the Wandle Delta are likely to be contaminated and/or have services running through them. Further consideration will need to be given to each individual site/cluster to fully understand specific contamination and/or servicing issues. Owing to this, the capacity figures are intended to be indicative estimates. It is recognised that the capacities for individual sites will evolve through a detailed design approach on a site-by-site basis with reference to the viability and delivery considerations identified in the document. The SPD recognises that a combination of these factors could have an impact on deliverability, capacity and viability.

The Reg 19 Local Plan now adopts the indicative height parameters set out in the SPD as prescriptive height parameters, without recognising the existence of significant site constraints (c.£20M), and without providing any flexibility in respect to the implementation of the policy. This combination is overly restrictive and could lead to a failure of delivery. As discussed below, we consider that the relevant text set out at paragraph 2.2.12; 5.8.2; 5.9.11 of the SPD should be included in the site allocation context section.

Application of National Policy and the London Plan to Site Allocation WT4

The site represents one of the only major and available developable sites in Wandsworth Town Centre, and therefore represents a key allocation in supporting Wandsworth and the wider borough's housing and economic needs across the next plan period. It is therefore unusual that the site allocation does not include a minimum quantum of residential homes deemed acceptable on this Site. A minimum housing capacity for WT4 would resolve the ambiguity between SD1 and the evidence base.

We make some further detailed modifications below to ensure that the policy is sound.



Policy Reference	WT4 – Design Requirements – Context
Proposed Modification	<p>4.46 Context - Proposals should respond to constraints associated with existing utilities restrictions, easements or Health and Safety Executive (HSE) guidance. The cluster contains a former gasholder and significant infrastructure that supported its former use, including a gas mains and gas ‘governor’ which may make it subjected to substantial decontamination, enabling and remediation. Development will need to carefully consider the impact this infrastructure will have on any proposal.</p> <p>Wandsworth Gasworks presents substantial delivery challenges in relation to a long history of gas production and storage. Given the industrial nature of the area further consideration will need to be given to the cluster to fully understand specific contamination and/or servicing issues. In addition to the landownership challenges the site contains existing utilities restrictions, easements; a Hazardous Substances Consent; a former gas holder and significant infrastructure that supported its former use, including a gas mains and gas ‘governor’. The site may be subject to substantial decontamination, enabling and remediation costs. A combination of these factors may have an impact on deliverability, capacity and viability and these will need to be considered at application stage to ensure that the allocation remains deliverable and can meet the policies of the plan when read as a whole. The policies set out in this plan may be applied flexibly to ensure that the site is viable and deliverable.</p>
Justification	<p>Quod has worked with Wandsworth Council since 2013 to ensure that this site represents a deliverable site which can contribute to the Council’s housing and economic needs. The Wandle Masterplan SPD does recognise the constraints to delivery but these have been omitted from the site allocation.</p>

Policy Reference	WT4 – Design Requirements – Site Layout
Proposed Modification	<p>4.48 Site Layout - The cluster should be broken down into a number of small urban blocks to create a distinctive neighbourhood that promotes permeability and legible connections to the wider area. Proposals should incorporate lower elements allowing daylight into perimeter-block courtyards. Economic uses should be clustered together where possible in order to create a distinctive hub of businesses and to help minimise potential conflicts with residential uses. Cultural and creative industries workspace should include yard space and should be public facing where possible in order to enliven the public realm. The potential for a public-facing commercial aspect (such as communal gallery space or individual micro-sized retail units) should be explored. All new development will be required to have frontages on to the existing streets and new streets with entrances.</p>
Justification	<p>The design constraints of the site, and the land use requirements do not necessarily result in the ability to deliver prescriptive design solutions. The</p>



	extensive discussion with officers at the Council and the Design Review Panel demonstrate that alternative design solutions are acceptable and can achieve the same positive design outputs. There is no evidence to support 'micro-sized retail units', or perimeter blocks, courtyards, or any particular suggested typology.
--	---

Policy Reference	WT4 – Design Requirements – Massing
Proposed Modification	4.49 Massing - Proposals should include buildings with varied height, scale and massing with a focus on courtyard typologies. Low-rise buildings to make an inner spine route to provide a human scale, as well as low-rise buildings facing railway arches to achieve the same effect should be proposed. Massing along the Wandle riverfront should be varied.
Justification	Extensive discussion with officers at the Council and the Design Review Panel have demonstrated that there are a number of ways to bring this site forward. Low rise buildings do not reflect the development capacity of the site, or its design led optimisation; the tall building allocation; or a necessary successful design solution for the site. The Council has accepted other design solutions which do not include low rise buildings and therefore reference to these buildings should be omitted.

Policy Reference	WT4 – Design Requirements – Nature
Proposed Modification	4.50 Nature - Works to the banks of along the River Wandle will be expected to contribute to the biodiversity of the area. Consideration should be given to the special ecological and wildlife habitats and allowance for the sensitivity of these should be assessed at application stage, in particular made in the siting, height and design of the buildings and the riverside walk dimensions. Consideration should be given to historic contamination to ensure that any works undertaken to the river edge do not inadvertently create new routes for contamination to migrate to sensitive receptors.
Justification	Extensive discussion with officers at the Council and the Environment Agency have demonstrated that there are a number of options which can deliver biodiversity improvements to the site, and the revised wording reflects this. Detailed analysis of ecological effects of tall buildings along the River Wandle should be undertaken at planning application stage to robustly consider the existing ecological value, specific effects of development and proposed mitigation.

Policy Reference	WT4 – Design Requirements – Building Heights
Proposed Modification	10.24 Building Heights – In accordance with the tall building maps in Appendix 2, part of the site is located in the Wandsworth tall building zone TB-G1d-02 and should be developed in broad accordance with LP4. The maximum appropriate height range for the zone is 7 to 10 storeys, and the appropriate height range for the site must be in accordance with the tall



	<p>building maps in Appendix 2. The height of developments within that zone should not exceed the heights of, and be in accordance with, the tall building maps in Appendix 2, which set out the identified maximum appropriate heights in line with Policy LP4. Development proposals for tall buildings or mid-rise buildings will only be appropriate within the identified zone where they address the requirements of Policy LP4 (Tall and Mid-rise Buildings). In accordance with the mid-rise building maps in Appendix 2, part of the site is located in mid-rise building zone MB-G1d-03 (which acts as a transition zone to tall building zone TB-G1d-02), and the maximum appropriate height for the zone is 6 storeys. The height of developments within that zone should not exceed the heights of, and be in accordance with, the mid-rise building maps in Appendix 2, which set out the identified maximum appropriate heights in line with Policy LP4. Development proposals for mid-rise buildings will only be appropriate within the identified zone where they address the requirements of Policy LP4 (Tall and Mid-rise Buildings).</p>
<p>Justification</p>	<p>The whole of Site Allocation WT4 should fall within the Tall Building Zone TB-G1d-02. There is no evidence to support the allocation of mid-rise building zone MB-G1d-03, in particular the Wandle Delta Masterplan SPD which is cited as the justification for the allocation. The Regulation 18 Local Plan WT4 site allocation specifically referred to the “potential for towers marking prominent/ gateway locations in north-west and south-east corners of site”. This has now been removed from the Regulation 19 plan without any justification or updated evidence base. The proposed revisions are necessary to make the policy succinct, avoid duplication and sound.</p> <p>The revisions are proposed in accordance with our comments on LP4 and Appendix 2.</p>

14 Chapter 14 Achieving Design Excellence - Policy LP4 Tall Buildings / Appendix 2 Tall Building and Mid-rise Building Maps - OBJECT

Summary

The Council has taken an overly mechanistic approach to the allocation of tall building locations and heights in the Borough, supplemented by an unnecessary layer of policy which allocates mid-rise building locations and heights. The approach is overly complex, is inconsistent with national and London Plan policies, has not been viability tested and may prejudice the ability of development sites to achieve other policies in the plan such as the required affordable housing levels and tenure.

The result is a paradox. The Reg 19 Plan now comprises very prescriptive and inflexible policy and map requirements (Policy LP4 and Appendix 2), without the detailed analysis being undertaken to support such an approach. The Council’s binary position that proposals should not be permitted which conflict with the building zones and heights could undermine the deliverability of the plan.

The zones and heights prescribed in Appendix 2 fail to reflect current pre-application advice provided by Wandsworth Council over an extensive period of time which confirms the acceptability of



development at heights taller than, and in zones different to, those prescribed in the Reg 19 Plan. There is an obvious detachment between the pre-application advice provided by officers, the Design Review Panel and GLA; and the approach set out in the Reg 19 Plan. There is also an unexplained detachment from the Regulation 18 Local Plan WT4 site allocation which specifically referred to the “potential for towers marking prominent/ gateway locations in north-west and south-east corners of site”. This has now been removed from the Regulation 19 plan without any justification or updated evidence base. The proposed revisions are necessary to make the policy succinct, avoid duplication and sound. The fundamental concern is that the Reg 19 Plan does not permit alternatives to be tested through the pre-application process. This should be rectified by modification.

London Plan Policy D9 (‘LP Policy D9’)

LP Policy D9 sets a minimum requirement for tall building in London to be no less than 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey. This is the equivalent of 7 storeys in total. It applies stringent tests to tall building proposals.

There is no explanation why Policy LP4 applies LP Policy D9 to mid-rise buildings of 5 and 6 storeys, and the justification for this. This approach is onerous and is not required by the London Plan. We consider that it would be more succinct to have a single tall building policy which defines zones up to a specific storey height; the final height of which would be subject to detailed testing at the application stage in accordance with LP Policy D9 and Policy LP4. The mid-rise thresholds are unnecessary and should be omitted.

LP Policy D9(B) ‘Locations’ (1) requires boroughs to determine if there are locations where tall buildings may be an appropriate form of development, subject to meeting the other requirements of the Plan. (2) Any such locations and appropriate tall building heights should be identified on maps in Development Plans. (3) Tall buildings should only be developed in locations that are identified as suitable in Development Plans.

Notably, LP Policy D9 explicitly requires the consideration of “other requirements of the plan”; that “locations and appropriate tall building heights should be identified on map in the development plan”; and that “tall buildings should only be developed in locations that are identified as suitable in Development Plans”. Where location and heights are prescribed in the development plan these should be informed by Part C of Policy D9 (Impacts).

LP Policy D9 does not require inflexible parameter heights, nor does it require tall buildings to only be developed at the heights identified in the development plan. It does however expect a detailed sieving analysis to be undertaken to identify appropriate locations for tall buildings.

This approach was recently tested by the Planning Inspectorate at the Brent Local Plan Review. The Report on the Examination of the Brent Local Plan 2019 -2041 published 17 January 2022 stated the following: -

- The Brent Tall Building Strategy which outlined an assessment of suitable locations based on an assessment of the identified growth areas, existing building heights and townscape



considerations such as protected views as well as areas with high public transport accessibility did not undertake a level of sieve analysis as detailed as that envisaged by the London Plan.

- However, Subject to the main modifications identified, the approach to both tall buildings and the Intensification Corridors presents a sound approach which accords with both the London Plan and the Framework.

Despite the lack of detailed analysis, the Brent Council Tall Building Local Plan Policy BD2 was found by the Inspectorate to be sound. Importantly, we note that Tall Building Policy BD2 includes the necessary level of flexibility (that we are suggesting) to reflect the practical realities of the planning application process, and the need to meet other policies of the development plan. These are summarised below.

- BD2 requires heights to be consistent with the general building heights shown on the plans⁸
- BD2 recognises that the plans indicate the heights likely to be generally acceptable to the council⁹.
- BD2 states that proposals will still need to be assessed in the context of other policies to ensure that they are appropriate in that location¹⁰.
- BD2 recognises that there might be circumstances where the quality of design of a development and its impact on character is such that taller buildings in these locations could be shown by applicants to be acceptable¹¹.

We consider that the approach taken by Brent Council and its interpretation of LP Policy DP9 is correct. LP Policy D9 does not require a rigid and inflexible approach to tall buildings, and as demonstrated, can incorporate a degree of flexibility. This approach was determined to be sound by the Inspectors.

Application of Policy D9 within the Reg 19 Plan – Appendix 2

The Reg 19 Plan seeks to implement the requirements of London Plan Policy D9 at Appendix 2, and in respect of the Gasworks at the following diagrammatical parts of the Reg 19 Plan:-

- Map 14.1 Tall Buildings
- Map 23.24 Wandsworth Town and Common Tall Building Zone (page 458)
- Map 23.27 Tall Building Zone TB-G1d-02 (page 459)

⁸ Brent Local Plan Policy BD2

⁹ Brent Local Plan paragraph 6.1.15

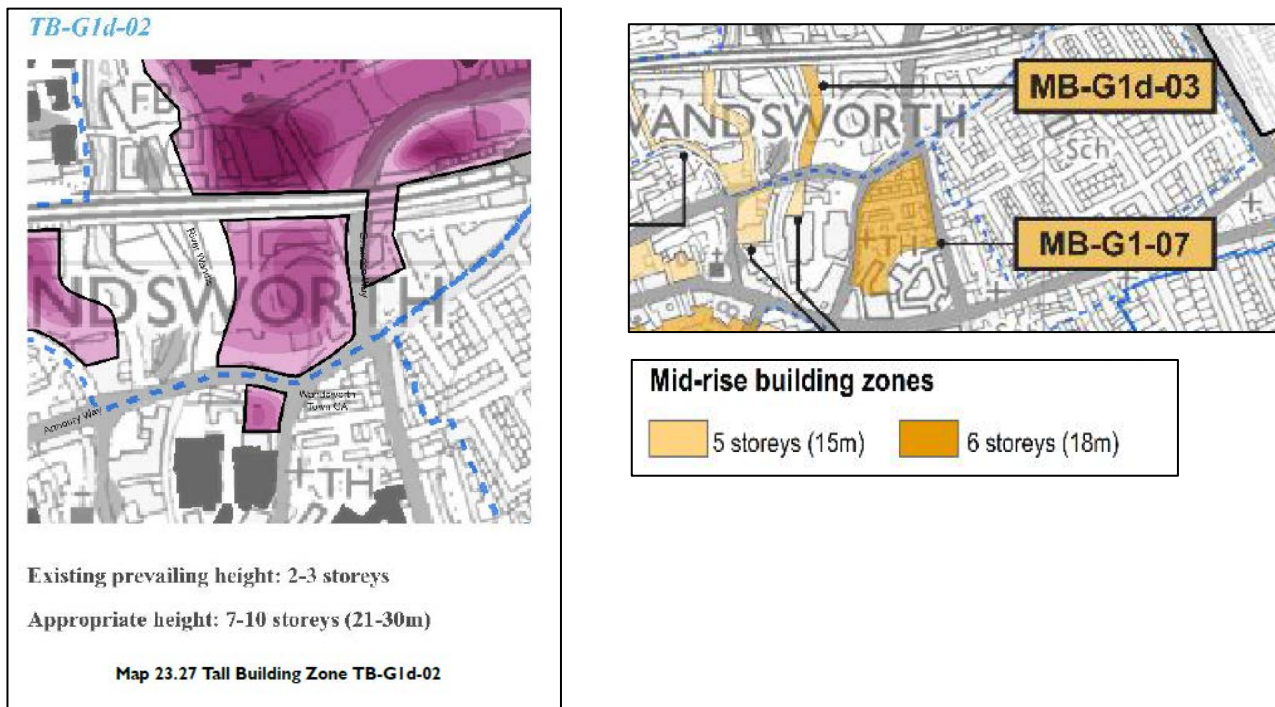
¹⁰ Brent Local Plan paragraph 6.1.15

¹¹ Brent Local Plan paragraph 6.1.15



- Map 23.36 Wandsworth Town and Common Mid-rise Building Zone (page 468), MB-G1d-03
- Map 23.27 Tall Building Zone TB-G1d-02 and Map 23.36 Mid-rise Building Zone MB-G1d-03 are enclosed at Figure 2.

Figure 2 – Reg 19 Plan Tall Building and Mid-Rise Extract



Common Projects supports the allocation of the majority of the Gasworks Cluster (Site Character G1) as an appropriate location for tall buildings under map 14.1 and Map 23.27 Tall Building Zone TB-G1d-02, as a matter of principle. This reflects the wider policies of the plan that seek to optimise the development potential of centrally located sites.

Common Projects does however object to the allocation of part of the site as a Mid-Rise Building Zone and opposes the height parameters (7 to 10 storeys) of the tall building zone. The Council's evidence base considers that site has low sensitivity; high probability of change; and high development capacity and can therefore accommodate a greater scale of development as a town centre location, along a strategic road corridor with a River Thames frontage than the Reg 19 plan suggests. It is considered that the site has low sensitivity (UDS 21, page 8 Sensitivity Plan Fig 212); high probability of change (UDS 21, page 9 Probability of Change Plan Fig 213); and high development capacity (UDS 21, page 10 Development Capacity Plan Fig 214) and can therefore accommodate a greater scale of development as a town centre location, along a strategic road corridor with a River Thames frontage. The dark green indicates the locations most suitable for growth.



Figure 3 – UDS 21 Figure 214

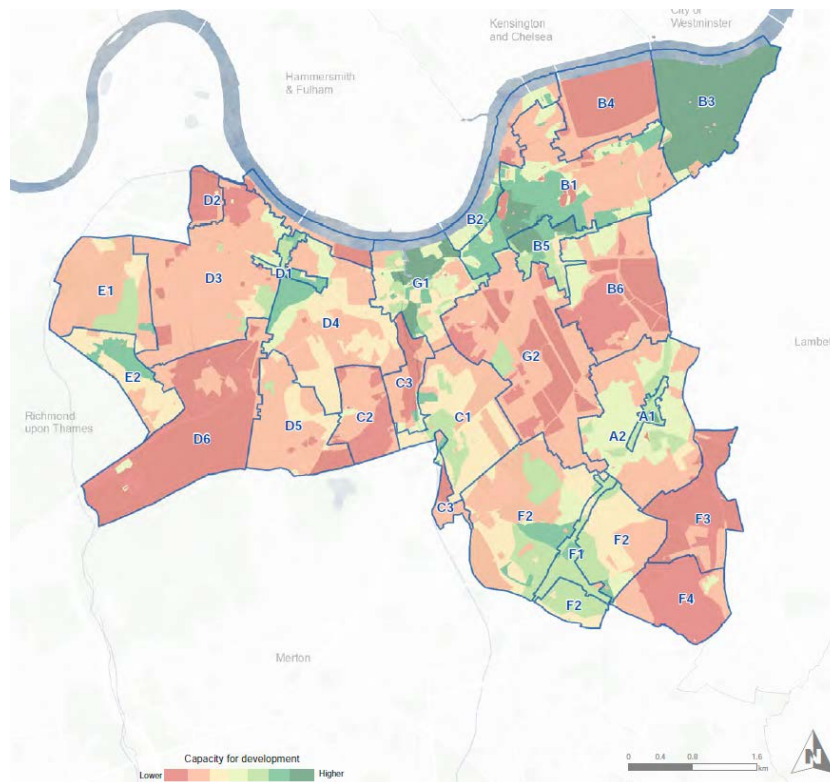


Fig 214: Development capacity plan
Contains GIS data © Crown copyright and database right 2021

The evidence base for the Council’s approach to WT4 is set out in the UDS 21 which considers the character of Wandsworth Town at Section 3 Character Area G1 Wandsworth Town and Riverside (page 150); Section 4 Capacity for Growth G Wandsworth Town (page 194 and 206); and Appendix A (A.8 Wandsworth Town page 283). We comment on these below.

UDS 21 – Section 3 Character

Section 3 makes reference to building heights ranging between 2-4 storeys and towers up to 27 storeys within Wandsworth Town Centre. It notes that towers have recently become a feature of the skyline, sometimes uncomfortably relating to adjacent residential areas. It suggests that there is a lack of clear, legible routes connecting the town centre to the River Thames and River Wandle. That new development is often poorly integrated, creating discordant juxtapositions between old and new development and that tall buildings dominate views.

It suggests that the Riverside Quarter lacks design quality. The character of the River Thames and path lacks interest, with inappropriate landscape treatments, including areas that feel private. It suggests that tall buildings by the narrow River Wandle make it feel dark and unpleasant, with cleanliness issues. Incongruous land uses exist in the town centre. We fundamentally disagree with this critique of how Wandsworth Council has planned its own town centre to date, and having been involved in a number of applications within the town over recent years, would fundamentally disagree



with this overtly negative analysis of harm. With regards WT4 the River Wandle is not dark and unpleasant.

The analysis continues that the capacity for further growth - particularly towers and tall buildings - is nearing its limit, albeit there is no explanation on what basis this judgement is made, and what the limit is. It suggests that there may be limited change for very tall buildings although recognises that growth in the right locations could enhance character. It recognises that WT4 is the area planned for change with a low sensitivity to change.

The character analysis proposes a strategy of “restore” of the “existing character” by improving maintenance of remaining characteristic features, restoring historic characteristic features that have been lost over time, and ensuring the future growth of the area reinforces existing character. Given the very varied “existing character” within the sub-region, it is difficult to determine exactly what should be restored.

UDS 21 - Section 4 Capacity for Growth G (page 194 and 206) TB-G1d-02

Whilst the UDS 21 does consider existing building heights at Fig 215, Fig 216 and proposed heights at Fig 217, it is difficult to determine, for Character G1 in particular, how these heights have informed the character study undertaken in the UDS 21.

There is very little mention of the character created by these tall buildings in the UDS 21, despite there being an acknowledgement that they form an important character to the town centre. In particular, the report fails to recognise locations where tall buildings are consented and being built out, the 36 storey Ram Brewery development is the most obvious example (TB-G1-03).

An analysis of the consented or built out tall buildings within Wandsworth Town above 10 storeys are summarised below.

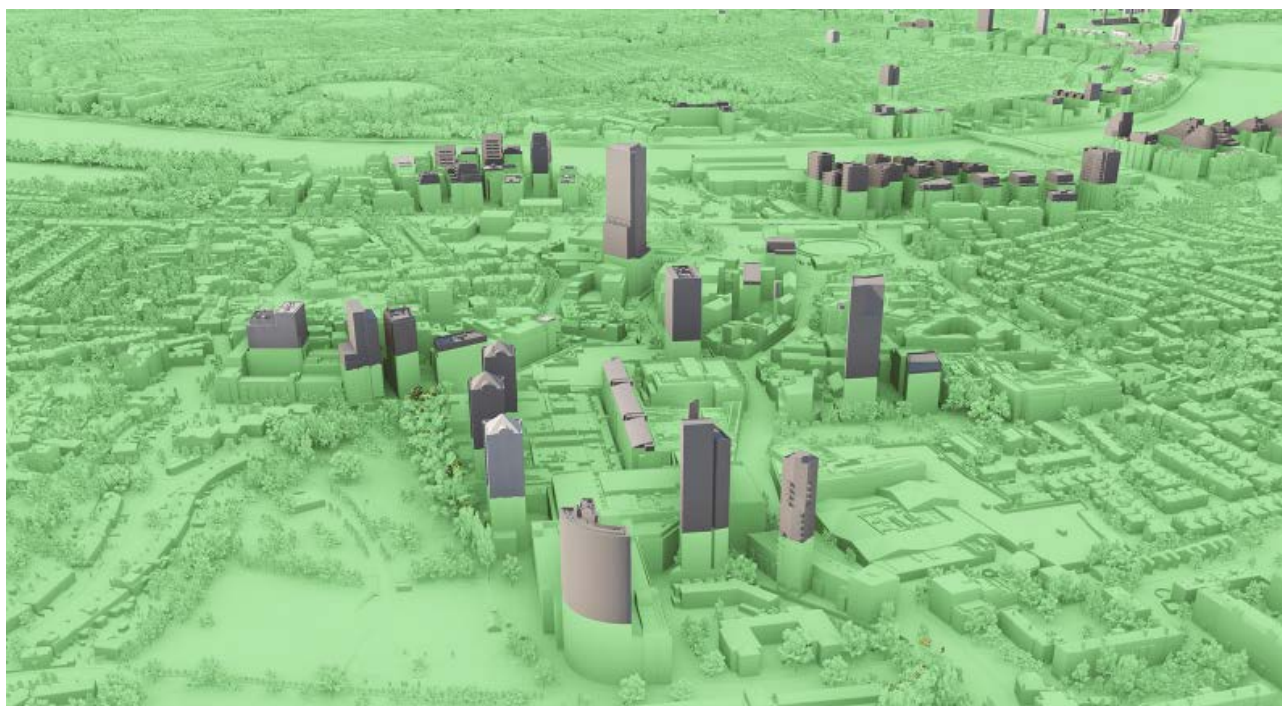
- 36 storeys (+ 12 storeys buildings) – Ram Brewery (Greenland)
- 27 storeys – Mapleton Crescent (Pocket) 2015/5777
- 26 storeys – Wandsworth Exchange (L&Q) 2014/5149
- 25 storeys - Sudbury House
- 22 storeys - Argenton Tower, Maplton Road (Barratt) 2002/3275
- 3 x 22 storeys - Neville Gill Close
- 21 storeys – Enterprise Way (Barratt) 2009/3017
- 20 storeys – The Light Bulb, Filament Walk
- 20 storeys – Pencil Tower, 86-96 Garratt Lane (Baylight Properties) 2017/0535
- 17* storeys – Buckhold Road, Wandsworth 2013/4653
- 17- 8 storeys - Former Homebase (L&G) 2020/0011



- 15 and 3 x 11 storeys - Wandsworth Riverside Quarter Phase 3 (Fraser Group)
- 15, 12, 12 storeys - Wandsworth Riverside Quarter Phase 2 (Fraser Group)
- 15 – 8 storeys - Former B&Q (L&G) 2019/4583
- 14 and 10 storeys – Former Linton Fuels, Osiers Road (Taylor Wimpey) 2016/6164
- 14 and 10 storeys - 9, 11 and 19 Osiers Road (Hollybrook Limited) 2018/3709
- 10* storeys – 29 Hardwicks Square
- 10* storeys – 4 Buckhold Road
- 3 x 10 storeys - Osiers Square, Osiers Road (Taylor Wimpey) 2014/6746

Common Projects via VuCity, has also produced an illustration of these buildings enclosed at Figure 4 below.

Figure 4 – VuCity Model of Tall Buildings in Wandsworth Town Centre over 10 storeys



There is very little mention of the character created by these tall buildings in the UDS 21, despite them forming an important character to the town centre, and in particular the River Wandle, used principally as a positive tool which is also recognised by paragraph 3.9.1 of the London Plan.

“Whilst high density does not need to imply high rise, tall buildings can form part of a plan-led approach to facilitating regeneration opportunities and managing future growth, contributing to new homes and economic growth, particularly in order to make optimal use of the capacity of sites which are well-connected by public transport and have good access to services and amenities. Tall buildings can help people navigate through the city by providing reference points and emphasising the hierarchy of a place such as its main centres of activity, and



important street junctions and transport interchanges. Tall buildings that are of exemplary architectural quality, in the right place, can make a positive contribution to London's cityscape, and many tall buildings have become a valued part of London's identity"¹².

The UDS 21 fails to recognise this and underplays the role those tall buildings contribute to the character of Wandsworth Town, in particular the consistent legible rhythm along the River Wandle to the River Thames.

The justifying commentary for the Gasholder Cluster (TB-G1d-02) only includes, for example, reference to the "Existing prevailing height: 2-3 storeys". It fails to recognise the numerous tall building proposals that have been consented and are being built out around the Gasholder Cluster including the 36 storey Ram Brewery development, and the 17 storey former B&Q development. It also fails to recognise that scale and mass of the former gasholder on site which was 45m tall (c.15 storeys). This is particularly relevant, as the UDS 21 seeks to "restore" the "existing character" by "restoring historic characteristic features that have been lost over time".

The supporting text to the UDS21 13 states that "Buildings should range in height from west to east with taller elements in the east and northeast of the zone while allowing for stepping down towards the River Wandle, Wandsworth Town Conservation Area and smaller scale buildings further to the east". There is no explanation what the justification for this approach is, and how this analysis has taken into account the requirements of LP D9 Part C. The approach also contradicts the design advice by Council officers, the Design Review Panel and the GLA who support height rising up to the tallest location in the north west of the site – as a result of the detailed analysis undertaken at pre-planning application stage.

The UDS21 suggests an "Appropriate height: 7-10 storeys (21-30m)", but again there is no explanation how this height has been derived.

There is no explanation as to how some zones such as TB-G1a-01 – up to 20 storeys; and TB-G1d-03 – up to 15 storeys (in particular Site Allocation WT14, 15 and WT17) has been defined, especially as site W17 comprises a very large listed building. For example, how is the harm at this site at 15 storeys less than at WT4, certainly give the low sensitivity of the Gasworks Cluster (TB-G1d-02). UDS 21 also identifies the site of the 36 storey Ram Brewery building as a mid-rise building zone again underplaying the significant scale of development to the south of WT4. The analysis is ambiguous and is not appropriate as the backbone for such a rigid tall building policy.

Section 4 dealing with mid-rise buildings (map MB-G1d-03) does not provide any specific commentary or justification and analysis as to why there is a 6 storey height parameter strip along the River Wandle. Section 4.6 Mid-rise buildings provides some commentary on the overall

¹² London Plan paragraph 3.9.1

¹³ UDS 21 page 196



approach to the borough allocations but there is no site specific analysis. This is not acceptable for such as rigid policy.

Appendix A – Tall Buildings Table 2 Overview of Tall Building Zones (UDS 21 page 213) confirms that the tall building height zone and justification for Tall Building Zone TB-G1d-02 of 7 to 10 storeys is based upon the “analysis of the consented masterplan”. However, the adopted Wandle Delta SPD Masterplan makes it clear that at paragraph 5.6.4 that the “SPD is not prescriptive in setting maximum heights or limits. Instead, appropriate height ranges are provided”.

Moreover, the Wandle Delta SPD Masterplan 2021 does not limit tall buildings along the River Wandle edge. It, much like the Reg 19 Plan, seeks to deliver a Wandle Trail / Riverside walk along the River Wandle bank free from development. It is the delivery of the Wandle Trail and its public accessibility that is important rather than development height along it.

Paragraph 5.6.13 and 5.6.14 of the Wandle SPD Building Height Strategy recognise that there are a number of key areas which are considered to be sensitive which will necessitate the careful moderation of proposals as appropriate (inc. Bell Lane Creek and River Wandle). It states that “Applications for tall buildings will be required to demonstrate that sensitivities have been considered and adequately addressed within proposals”. Common Projects support this approach in the SPD, and notably it does not prevent tall buildings. It is for this reason that the mid-rise building annotation at Appendix 2 (TB-G1d-02) should be deleted, and the tall building zone redrafted so that the boundary moves westwards towards the River Wandle to reflect the pre-application discussions held with the Council, the Environment Agency and the Design Review Panel.

The current drafting of the Mid-Rise Zone ((TB-G1d-02) also fails to recognise the site-specific circumstances that have resulted in Council officers, the Design Review Panel and the GLA agreeing that the northwest corner of the WT4 site is the most appropriate location for the tallest element of the development.

It is recognised that it marks the river crossing; and is in the least sensitive part of the site in respect of adjacent occupiers, and heritage assets. It also casts northern shadow across major infrastructure sites which will not come forward for development in the plan period (WT10) and the industrial sites which have now been excluded from the Reg 19 Site Allocations (Lawsons Timber Yard). Detailed analysis demonstrates that there will be limited effects on the sensitivities of the Bell Lane Creek and River Wandle which cannot be mitigated. Importantly the site sits adjacent to a significant area of open space of c.1ha comprising WT3. These site specific factors have not been taken into account in the UDS 21.

[UDS 21 - Appendix A \(A.8.4 TB-G1d-02: Wandsworth Town and Riverside page 291\).](#)

More detailed analysis appears at Appendix A (A.8.4 TB-G1d-02: Wandsworth Town and Riverside page 291). The analysis incorrectly suggests that the Wandle Delta masterplan includes blocks between 2 and 8 storeys (it illustratively indicates blocks of 4-10 storeys across the whole site).



The analysis undertaken seems to take an approach based upon limited visibility and where development will be seen from as a cue for acceptability. Whilst setting a policy to “restore the historic characteristic features that have been lost over time” it fails to remember the gasholder at WT4 which comprises a 45m (c.15 storey) structure.

It states that “the closest sensitive receptor to this zone is Wandsworth Town Conservation Area. The offset provided from the zone to Armoury Way protects the street scene which is a key part of the character of this area, while the taller parts of the zone would be viewed as stepping up towards the elevated railway and the denser, taller riverside development”. Despite the Ram Tower (36 storey) featuring in the VuCity image at figure 392 (page 293) it doesn’t form any part of the assessment.

The assessment continues “With buildings up to 10 storeys, this zone should also not give rise to adverse effects on wider sensitive receptors including Old York Road Conservation Area to the east and Wandsworth Park Registered Park & Garden to the west”. There is no explanation how this assessment has been validated, certainly given that the former Homebase development contains a 17 storey building directly adjacent to the Old York Road Conservation Area and Wandsworth Park Registered Park & Garden which will dominate this view.

The analysis concludes that “Therefore, the zone is considered to have the capacity for tall buildings between 7 and 10 storeys, provided they are set back appropriately from the River Wandle and step down towards the edges of the plot and the surrounding mid-rise building zones, including to Armoury Way. The tallest buildings should generally be located closest to the railway line and along Swandon Way provided good urban design principles are followed to create a positive experience for people travelling along the road. Additional height beyond 10 storeys would risk adverse effects on the character of Wandsworth Town Conservation Area particularly”. Again, there is no explanation how the UDS 21 has come to a conclusion that height beyond 10 storeys would risk adverse effects on the character of Wandsworth Town Conservation Area.

In its current form, the development currently being discussed with Council officers, the Council’s Design Review Panel and GLA does propose tall buildings in the proposed mid-rise building zone, and does propose (with officer support) buildings taller than 10 storeys following extensive analysis.

This development would not be supported by UDS 21 and Policy LP4 would “not permit” the proposal. This is an unsound approach and identifies the need for greater flexibility throughout the Reg 19 Plan because alternative design solutions could readily address the design ambitions of UDS 21 and meet the design criteria set out in LP4.

Application of Policy D9 within the Reg 19 Plan – LP4

Despite Policy LP4 defining very strict tall building zones and heights based upon the UDS 21, Policy LP4 still states that tall buildings in Tall Building Zones would only be appropriate where the development would not result in any adverse visual, functional, environmental and cumulative impacts.



It requires planning applications for tall buildings to be assessed against the criteria set out in Parts C and D of the London Plan Policy D9 (this comprises twenty-one criteria) and an additional nineteen local criteria set out at Policy LP4 (1 to 19). This demonstrates that the analysis undertaken to define tall building locations and heights in Wandsworth by the UDS 21 is not sufficiently detailed to support the prescriptive tall building zones and heights. If it was detailed enough there would be no need for 40 criteria to be considered.

This does not appear to be proportionate and succinct planning that avoids duplication. Despite the 40 criteria LP4 (C) states that proposals for tall buildings will not be permitted outside the identified tall building zones; and LP4 (D) states that proposals for tall buildings should not exceed the appropriate height range identified for each of the tall building zones. Further the height of tall buildings will be required to step down towards the edges of the zone (unless it can be clearly demonstrated that this would not result in any adverse impacts including on the character and appearance of the local area).

In our opinion, this approach is excessive. It would be more succinct to retain some of LP4 criteria (where they are demonstrated to be necessary) but introduce flexibility which can be tested during the planning application process, as is the case with the Brent Local Plan.

We would suggest that the following wording is introduced as a modification: -

- Heights should be consistent with the general building heights shown on the Tall Building Zone Maps.
- Maps indicate the heights likely to be generally acceptable to the council.
- Proposals will still need to be assessed in the context of other policies to ensure that they are appropriate in that location and deliverable when the plan is read as a whole.
- Where the quality of design of a development and its impact (when tested against the criteria) is such that taller buildings that exceed the general heights in these locations could be shown by applicants to be acceptable then flexibility will be applied.

This is a necessity for Site WT4 as the emerging policy does not reflect the advice received during pre-application discussions.

This would also address paragraph 14.31 which states that “Development proposals exceeding the appropriate height will not be supported on design grounds”. We suggest that the following modifications are undertaken to make Policy LP4 sound:

Policy Reference	LP4 - Tall and Mid-rise Buildings
Proposed Modification	C. Proposals for tall buildings will should not be permitted outside the identified tall building zones. D. Proposals for tall buildings should be consistent with the general not exceed the appropriate height range identified for each of the tall building



	<p>zones as set out at Appendix 2 to this Plan. The height of tall buildings may will be required to step down towards the edges of the zone as indicated on the relevant tall building map unless it can be clearly demonstrated that this would not result in any adverse impacts including on the character and appearance of the local area.</p> <p>G. Proposals for mid-rise buildings should will-not be permitted outside the identified tall and mid-rise building zones.</p>
<p>Proposed Modification to Supporting Text</p>	<p>The plans indicate the heights likely to be generally acceptable to the council. Proposals will still need to be assessed in the context of other policies to ensure that they are appropriate in that location and that the site allocation is deliverable when the plan is read as a whole.</p> <p>Paragraph 14.31 - Development proposals exceeding the appropriate height will not be supported on design grounds unless it can be demonstrated through successfully addressing the tests in LP4(B) that there are circumstances where the quality of design of a development and its impact on character is such that taller buildings in these locations could be shown by applicants to be acceptable.</p>
<p>Justification</p>	<p>The policy should allow a degree of flexibility so that tall and mid-rise building may be permitted outside of the designated zones in exceptional circumstances.</p> <p>This is particularly pertinent to mid-rise buildings, to which the Policy D9 of the London Plan makes no allowance for the identification of non-tall building zones (i.e. mid-rise buildings) through a Development Plan.</p>

Common Projects has tested the effect of LP4 Appendix 2 (zone and heights) which could limit development to a residential capacity of c.370 homes across that part of the WT4 allocation that it controls. This would broadly correlate to the indicative capacity of 481 homes across 4 – 10 storeys across the whole WT4 site set out in the Wandle Delta Masterplan SPD (2021) which our client made substantial representations to.

Common Projects has tested the deliverability of 370 homes against the Council’s affordable housing policy, and the results indicate that at the heights prescribed (and the resulting residential capacity) this would raise serious questions about the deliverability of the allocation without the flexibility required, due to the existing abnormal costs. The proposal could not viably deliver any affordable housing. It is therefore necessary to modify Policy LP4 to permit flexibility in order to meet other policies within the plan.

15 Site Allocation – Land at Causeway W10, SW18 – OBJECT

During the consultation of the Wandle Delta Masterplan, Common Projects raised concern with the allocation of undeliverable (and therefore unsound) sites within the Masterplan which resulted in (1)



an overestimation of housing sites in the Masterplan (2) the introduction of housing in locations at proposed building heights that were unrealistic.

Whilst the Council has removed the Lawsons timber yard and adjacent land from the Smugglers Way cluster as a result of the opposition to redevelopment by the landowner, the Council has maintained site WT10 (Land at Causeway) as a site allocation. We believe WT10 should be removed as an undeliverable site allocation.

The supporting text states that the Head House (to the west of Bell Lane Creek) could be developed for residential use above the ground floor. The Switch House (to the east of Bell Lane Creek) could be developed for residential if it was made redundant. The report continues that the Head House is needed for the foreseeable future and will make feasibility and viability challenging. Proposals would require further discussions with the landowner EDF Energy and UK Power Networks. Common Projects has spoken to the landowner who has confirmed that the sites will not be available during the plan period (2023 – 2038). They should therefore be removed from the site allocations.

16 Policy LP23 (Affordable Housing) – OBJECT

Common Projects support the Council’s intention to adopt the London Plan’s Fast Track Route for affordable housing. However, the Policy LP23 should define that the Fast Track Route will be available to developments that deliver a minimum of 35% affordable housing in line with Policy H5 of the London Plan. Accordingly, the following amendments are recommended:

Policy Reference	LP23 – Affordable Housing (B)
Proposed Modification	B. Development that creates 10 or more dwellings (gross) on individual sites must provide a minimum of 35% affordable housing on-site (measured by habitable room) to qualify for the Fast Track Route threshold approach set out by London Plan Policy H5.
Justification	In order to align with Policy H5, the draft policy wording should also be updated to define that the percentage of affordable housing shall be measured by habitable rooms (as detailed at Para 17.16).

Common Projects object to the Council’s proposed tenure split at 50% low-cost rent products, 25% First Homes and 25% other intermediate products as this limits flexibility within the intermediate tenure.

To remedy this, the following modification is proposed.

Policy Reference	LP23 – Affordable Housing (C)
Proposed Modification	C. The Council will require an affordable housing tenure split of 50% low-cost rent products, and 50% intermediate products, which should aim to



	provide 25% as First Homes and 25% other intermediate products. A minimum discount of 30% will be applied to First Homes.
Justification	Whilst the affordable housing mix aligns with the adopted London Plan Policy H7 (30% low cost rent, 30% intermediate and 40% to be determined by the borough) and the national policy to provide a minimum of 25% of new homes as discounted First Homes, it is considered that the proposed affordable housing mix does not provide sufficient flexibility, and may discourage developers who are unable to accommodate First Homes within their business model, which may curtail the borough's ability to deliver the affordable homes it needs.

Common Projects support the amendments to LP25 (Part G), which now allow the use of Vacant Building Credit in specific circumstances. The following amendments are proposed to streamline the policy wording.

Policy Reference	LP23 – Affordable Housing (G)
Proposed Modification	G. The application of the Vacant Building Credit (VBC) is not appropriate in Wandsworth. The use of VBC will only be considered in limited circumstances, where applicants clearly demonstrate there are exceptional reasons why it is appropriate and all of the following criteria are met: <ol style="list-style-type: none"> 1. The building is not in use at the time the application is submitted. 2. The building is not covered by an extant or recently expired permission. 3. The site is not protected for alternative land use. 4. The building has not been made vacant for the sole purpose of redevelopment.

Common Projects objection to Part H) of Policy LP23, which requires affordable housing or financial contributions to be sought on all developments delivering new dwelling. To make the policy sound, the following amendment is proposed:

Policy Reference	LP23 – Affordable Housing (H)
Proposed Modification	H. The provision of affordable housing or financial contributions will be sought from any major development creating 10 or more maCommon Peopleg provision for new dwellings (gross) or the provision of residential accommodation with shared facilities.
Justification	The Planning Obligations NPPG (2019) is clear that obligations for affordable housing should only be sought for 'major residential developments', which is defined as 10 or more homes. Affordable housing contribution should therefore not be sought on residential development providing 9 or less homes, as this conflicts with the NPPG.

17 Policy LP24 (Housing Mix) – OBJECT



Policy LP24 is not in general conformity with LP H10 Housing Site Mix which generally requires¹⁴ a higher proportion of one and two bed units in locations which are closer to a town centre or station or with higher public transport access and connectivity as these are more appropriate locations.

Policy Reference	LP23 – Affordable Housing
Proposed Modification	E. The dwelling mix will be considered on a site by site basis and in applying the preferred housing mix regard will be given to: 1. current evidence in relation to housing need; 2. the surrounding context and character; 3. the overall level of affordable housing proposed; and 4. the financial viability of the scheme. 5. generally a higher proportion of one and two bed units in locations which are closer to a town centre or station or with higher public transport access and connectivity
Justification	To be in general conformity with the London Plan Policy H10(6)

18 Policy LP30 (Build to Rent ‘B2R’) – OBJECT

Policy LP30 must be in general conformity with LP Policy H11 and must comply with National Policy NPPF paragraph 65, and NPPG Paragraph: 002 Reference ID: 60-002-20180913 to be sound.

LP Policy H11 confirms that the affordable housing offer for B2R developments can be solely Discounted Market Rent (DMR) at a genuinely affordable rent, preferably London Living Rent level where criteria are met. For non-public land and industrial sites, to follow the Fast Track Route, Build to Rent schemes must deliver at least 35 per cent affordable housing with at least 30 per cent of DMR homes to be provided at an equivalent rent to London Living Rent with the remaining 70 per cent at a range of genuinely affordable rents. The LP and supporting Affordable Housing and Viability SPG recognise the benefits of B2R, noting the additionality in housing supply, accelerated delivery and the truly integrated communities which pepper potted DMR homes enable, with every resident enjoying the same amenities and sharing the same spaces.

NPPF paragraph 65 exempts B2R homes from the national requirement of at least 10% of the total number of homes comprising affordable home ownership. NPPG states that affordable housing on build to rent schemes should be provided by default in the form of affordable private rent, a class of affordable housing specifically designed for build to rent. 20% is generally a suitable benchmark for the level of affordable private rent homes to be provided (and maintained in perpetuity) in any build to rent scheme. National affordable housing policy also requires a minimum rent discount of 20% for affordable private rent homes relative to local market rents.

¹⁴ LP Policy H10 (6)



Both national and regional guidance recognise that scale is critical to the viability of B2R and that the unified ownership of both private rent and DMR homes enables greater scale and therefore efficiency, supporting the delivery of the affordable homes. National policy and the supporting text to LP policy H11 note the challenging distinct economics of B2R and the policy flexibilities which help overcome these.

In contrast, Wandsworth Council are proposing a more onerous approach to the affordable housing requirements drawn down from a B2R proposal by seeking a tenure split of 50% low cost housing and 50% intermediate products.

The whole plan viability study identifies this as having a viability impact, noting that it is unviable in the base case (paragraph 7.14). It recognises that this would potentially risk the delivery of this type of scheme. As such flexibility within Local Plan to allow for less burdensome policies, such as the overall housing rate and/or tenure with such schemes is proposed.

Figure 5 – Whole Plan Viability Assessment Paragraph 7.14

7.14 For alternative types of residential developments covering Build to Rent (BtR) schemes, the base case results in **Table 7.3** show that the Reg 19 Local Plan policies would potentially put at risk the delivery of this type of scheme in the lower value areas and possibly in the mid value area where the ratio of units with other non-residential uses is low. As such, there may need to be some flexibility in the Local Plan to allow for less burdensome policies, such as the overall affordable housing rate and/or type of tenure within such schemes, and where there is London social rented units then there is scope for grant funding (as considered later in the scenario testing). Otherwise, such scheme would be likely to come forward in the mid and higher value areas full cumulative policy requirements of the Reg 19 Local Plan.

Table 7.3 Viability of BtR residential site typologies

ID	Typology (no. of dwelling and non-residential floorspace (sqm))	Value area	Site area (ha)	Average no. of floors	Scenario 5 (Base case: 35% Affordable Homes 50%SR, 25%LAR, 25%LLR without grant)
6	250 BtR	Zone 1 (W,S,SE)	1.76	4	
16	150 BtR + 5,000 B1a	Zone 2 (Mid,N,E)	0.72	8	
32	500 BtR + 2,500 retail + 5,500 B1a	Zone 2 (Mid,N,E)	1.42	10	
41	350 BtR + 400 retail + 1,300 B1a	Zone 3 (VNEB)	0.93	10	

We do not consider that the financial implications of the policy have been sufficiently tested to evidence a departure from the London Plan and National Policy. In addition, the policy does not recognise (the many) circumstances where registered providers are unwilling or unable to manage affordable homes in a B2R development.

To resolve our concerns, the following modifications are proposed.



Policy Reference	LP30 – Built to Rent
Proposed Modification	<p>1. Where a development has potential to include more than one residential core and/or block, applicants should may consider the use of this separate core and/or block to provide low cost rented housing to be managed by a registered provider. To follow the Fast Track Route, 50 per cent of the overall affordable housing requirement should be provided as low-cost products within this separate core and/or block, with the remaining 50 per cent at a range of genuinely affordable rents to meet priority housing need in Wandsworth. If the above requirements are not met, the scheme must follow the Viability Tested route. In these circumstances, the Council will seek from the applicant the optimum affordable housing offer for the development as a whole.</p> <p>2. Where an applicant can demonstrate to the Council's satisfaction that it is not feasible in design, viability or deliverability terms to include a separate residential core and/or block in the development proposal; or it can be evidenced that a registered provider cannot or is unable to manage the low-cost products, the Council will accept the full affordable housing requirement for the scheme as discount market rent units managed alongside the market rent units, in accordance with the requirements of London Plan policy. To follow the Fast Track Route, the Council will seek 30 per cent of the affordable provision at rents equivalent to London Living Rent level, with the remainder at a range of genuinely affordable rents to meet priority housing need in Wandsworth. If these requirements are not met, the scheme must follow the Viability Tested route.</p> <p>3. Build to Rent housing should seek to provide a mix of dwelling sizes that meets identified local housing needs, in accordance with Policy LP24 (Housing Mix).</p>
Justification	To ensure consistency with LP Policy H11 and National Policy NPPF paragraph 65, and NPPG Paragraph: 002 Reference ID: 60-002-20180913.

19 Chapter 18 Building A Strong Economy - Policy LP35 (Mixed-Use Development on Economic Land) – OBJECTION

Common Projects is concerned with the ambiguity of Policy LP35.

Policy Reference	LP35 – Mixed-Use Development on Economic Land
Proposed Modification	<p>A(2) Economic Use Intensification Areas (EUIAs): Proposals which would result in the intensification of existing economic floorspace will be supported. Where the site accommodates an existing industrial use, or where the site previously accommodated industrial uses (as the last lawful use), the proposal must provide for an increase in industrial floorspace (the existing industrial use will take precedence). It is appropriate for existing office floorspace to be replaced by industrial floorspace as part of the re-provision and intensification of the economic floorspace. Development within the</p>



	Bendon Valley EUIA is expected to provide at least a 50% increase in the amount of existing economic floorspace, and development within EUIAs in the Wandle Delta sub-area is expected to provide at least a 25% increase in the amount of existing economic floorspace. In the latter, a strategic approach for the redevelopment of the area has been set out within an area masterplan, which outlines how this ambition can be realised cumulatively across the sites. Schemes that conform with that approach will be supported. Further information is included within the relevant Site Allocations.
Justification	To remove ambiguity.

20 Chapter 18 Building A Strong Economy - Policy LP38 (Affordable and Open Workspace) – COMMENT

Common Projects object to the current policy that requires all development delivering any economic floorspace, regardless of size, to make a contribution to the provision of affordable and/or open workspace. A floorspace threshold should be set whereby only when exceeding the specified economic floorspace amount will a contribution towards affordable workspace be requested. It is a generally acknowledged principle that there should be a threshold above which affordable workspace is provided – this is 1,000sqm.

To resolve our concerns, the following modifications to Policy LP38 are proposed:

Policy Reference	LP38 – Affordable and Open Workspace
Proposed Modification	<p>A. All development that provides economic floorspace in excess of 1,000sqm (GIA) will, subject to scheme viability, be expected to contribute to the provision of affordable and/or open workspace, for a period of 30 years unless otherwise agreed in perpetuity, which will be secured by way of S106 planning obligation and/or conditions, with details provided in an Affordable Workspace Management Plan. Planning applications will be assessed in accordance with the following:</p> <p>1. Developments that would provide less than 1,000 sqm of economic floorspace will be expected to provide for a range of unit sizes, unless a specific end user has been identified and there is sufficient certainty regarding their occupation at the time of submitting the application, or if the proposed development is for a co-workspace (or similar open workspace models).</p> <p>12. Developments that would provide more than 1,000 sqm of economic floorspace will, subject to scheme viability, be expected to.</p>
Justification	The draft Policy does not provide sufficient flexibility and cannot therefore respond to changes in market conditions and demand. It should relate



	<p>specifically to proposals which provide over 1,000sqm of economic floorspace only. Policy LP38(A)(1) is ambiguous and ineffective and should be deleted. We consider it unreasonable to apply a period of perpetuity without including a mechanism for release from this restriction. There are several scenarios whereby the developer could be prejudiced through application of this policy in the long term. For example: during a recession or if the existing business was poorly management.</p> <p>As there is no flexibility to the current policy, this could also lead to the unintended consequence of workspace being vacant if neither a local business nor start-up space operator is willing, or able to take on the space. Flexibility to the wording should be added to allow for the workspace to revert to being a market unit for an agreed period of time (i.e. 1-3 years) post-practical completion, if an occupier that meets the above requirements cannot be found during a 6-month marketing period.</p>
--	--

Chapter 19 Ensuring the Vitality, Vibrancy and Uniqueness of the Borough's Centres

LP 42 Development in Centres

Common Projects welcome and support the acceptability of residential uses in designated centres as set out at Policy LP42(D) where it comprises high density, mixed use development.

21 Conclusion

On behalf of Common Projects, Quod reserves the right to add to or amend their representations. This may be required where the Council issues new guidance or there is a change in policy at a local, regional or national level.

Given the extent of our representations, and the ongoing pre-application discussions being undertaken with the Council's planning department, we would welcome a meeting with the Council's policy team to resolve some of our concerns prior to submission of the Regulation 19 Plan. We would be happy to review our comments should the council be able to produce evidence and justification for the proposals.

Yours sincerely



Ben Ford
Board Director

Appendix 1 – Gasworks Policy Assessment



Quod

**Regulation 19
Local Plan
Representations
– Appenidx 1
Planning Policy**

Town and Country
Planning Act 1990 As
Amended

FEBRUARY 2022

Q200630

Contents

1 Planning Policy _____ 2

Figure 1 - Existing Spatial Strategy for the Wandle Delta Area ____ **Error! Bookmark not defined.**

1 Planning Policy

- 1.1 In this appendix, we consider the key aspects of national policy and the London Plan that the Regulation 19 Plan should conform with.

The Government's policy of optimising housing in accessible locations

- 1.2 First, we believe it useful to explain the Government's policy for the optimisation of accessible brownfield land, in particular underutilised brownfield land, in locations well served by public transport. We consider that the essential objectives of the Government's policy have been complied with this Development.
- 1.3 In response to the Government's commitment to delivering 300,000 homes a year by the mid 2020s, the Government published its report Fixing our Broken Housing Market (2017) which sought to make more land available for homes in the right places, by maximising the contribution from brownfield and surplus public land¹. It addressed the particular scope for higher-density housing in urban locations that are well served by public transport; that provide opportunities to replace low density uses such as car parks in areas of high housing demand; or which offer scope to extend buildings upwards in urban areas by making good use of the 'airspace' above them².
- 1.4 The National Planning Policy Framework 2021³ ("NPPF") subsequently set out policies to support the Government's objective of significantly boosting the supply of homes. It seeks a sufficient amount and variety of land to come forward where it is needed; that the needs of groups with specific housing requirements are addressed; and that land with permission is developed without unnecessary delay. It also establishes a clear policy objective to optimise surplus brownfield land in accessible locations and gives substantial weight and support to the development of under-utilised land and buildings where this would meet identified needs for housing. Contaminated land is given as a specific example.
- 1.5 More recently in March 2020⁴, prior to the adoption of the London Plan, the Secretary of State wrote to the Mayor of London asking him to make modifications to the London Plan. The Secretary of State advised the Mayor that every part of the country must take responsibility to build the homes their communities need. This means build more, better and greener homes through encouraging well-planned development in urban areas, preventing unnecessary urban sprawl to protect the countryside for future generations.
- 1.6 The Secretary of State argued that this means densifying, taking advantage of opportunities around existing infrastructure and making best use of brownfield and underutilised land.
- 1.7 The Secretary of State directed the Mayor of London to optimise density. Specifically, the Secretary of State stated that it is important that development is brought forward to maximise

¹ Fixing our Broken Housing Market (2017), Step 1 (page 18)

² Fixing our Broken Housing Market (2017) (page 32)

³ NPPF Paragraph 60, 105 and 120

⁴ Correspondence from the Secretary of State to the Mayor of London, 13th March 2020

site capacity, in the spirit of and to compliment the surrounding area, not to its detriment. Sites cannot be looked at in isolation and Londoners need to be given the confidence that high density developments will be directed to the most appropriate sites, maximising density. Examples were given by the Secretary of State including gentle density around high streets and town centres, and higher density in clusters which have already taken this approach. The site is, in our opinion, an example of such an appropriate location.

- 1.8 The Secretary of State directed the Mayor of London to ensure that such developments are consented in areas that are able to accommodate them. In committing to maximise delivery in London, the Secretary of State advised the Mayor of London that this must include actively encouraging appropriate density, including optimising new capacity above and around locations with good public transport accessibility.
- 1.9 The Government's August 2020 White Paper: Planning for the Future White Paper maintains this theme by seeking to make better use of surplus land to help fix our planning system.
- 1.10 The Government has established over a long period, policy to maximise density in the right locations. As we explain in this report, we are of the view that this Application is in strong compliance with Government policy, and that the purpose of the application is in response to this policy.

Gasworks sites

- 1.11 There are genuine exceptional abnormalities of bringing Gas Works sites forward to meet housing needs and generate new employment opportunities. National planning policy and recent examinations of development plan policy (Tower Hamlets, Newham and London Plan)) have considered the specifics of delivering Gas Works sites for mixed use development.
- 1.12 Gas Works sites fall within the Sui Generis use class. The exceptional nature of Gas Works sites are the abnormal costs that exist in the ground as a result of years of Gas Works production and gas storage. The investment risk profile of Gas Works sites is very different from traditional brownfields sites, with significantly higher up front abnormal costs experienced over a longer period of time, and larger levels of cost uncertainty.
- 1.13 The abnormal costs relate to the need for substantial decontamination to address the contamination of the soil and groundwater. Some materials may have been buried in underground tar wells, liquor wells, pipes and purifier beds and will require removal. The major contaminants (hydrocarbon sludges, spent oxide wastes, ash and ammoniacal recovery wastes) will need to be remediated and removed from the site. Rationalisation of the existing pressure reduction station, and underground gas mains is required. Removal of underground structures and obstructions, and demolition of the existing holders is necessary, and costly.
- 1.14 Finance holding costs are significant due to timeframe associated with these works, including regulatory approval, and the sequential order in which they have to be undertaken delaying the commencement of construction.
- 1.15 For these reasons, National policy confirms that the Government gives substantial weight to the redevelopment and remediation of brownfield contaminated land, and the development of under-utilised land and buildings especially if this would help to meet housing needs.

- 1.16 The approach that the London Plan has recently taken to Gas Works sites provides a relevant basis from which Wandsworth Council should draw recent experience. Extensive discussions have taken place across a number of Gas Works sites and the policy direction by the Mayor of London has facilitated the successful redevelopment of challenging sites, delivering a significant number of new homes, jobs and community benefits.
- 1.17 Despite extensive submissions it is not considered that the Wandsworth Delta SPD or the Regulation 19 plan recognise the intricacy of bringing forward complex sites such as the Wandsworth Gas Works site. It is therefore necessary to set out the key considerations which are relevant to the development of a Gas Works site.
- 1.18 Gas works sites were used to make gas and store large cubic volumes of low-pressure gas. Gas Works sites vary in size but contain very limited built floorspace. They support virtually no direct jobs as the workforce is located off-site in offices. Where jobs are supported on gas works sites, these are often at a low intensity not associated with the gas works operation. Gas works sites are potential hazards and constrain office occupancy on site and development capacity around the site.
- 1.19 The exceptional nature of gas works sites are the abnormal costs which are significant and will remain unknown until planning permission has been granted and works commenced.
- 1.20 The investment risk profile of gas works sites is significantly higher than traditional brownfield sites, as much of the abnormal cost is experienced at the start of the project over a longer period of time. It is therefore important that impediments to delivery of these sites are removed to incentivise delivery as a strategic source of housing, and to maximise output to overcome viability constraints.
- 1.21 The key upfront abnormal considerations for gas works sites can be summarised below:
- The need for substantial decontamination. To improve the environmental condition of the land and make it suitable for a mixed-use development it will be necessary to address the contamination of the soil and groundwater. Whilst some of the materials from creation of gas may have been recycled on site some may have been buried in underground tar wells, liquor wells, pipes and purifier beds and will require removal.
 - The need for remediation. The major contaminants that may be included on site include tars, oils, hydrocarbon sludges, spent oxide wastes, ash and ammoniacal recovery wastes. These contaminants will need to be removed from the site.
 - Rationalisation of the existing pressure reduction station, and underground gas mains.
 - Demolition of the existing holders and associated infrastructure.
 - Removal and rationalization of underground structures and obstructions.
 - Finance holding costs (due to the need to undertake works on site in a sequential fashion, including regulatory approval, post grant of planning permission and prior to construction commencing)
- 1.22 As a result of these constraints the following development principles can be deduced.
- Gas works sites are former utilities sites which have exceptional re-development characteristics.

- The delivery of gas works sites is challenging due to high abnormal costs associated with remediation and rationalisation of existing gas apparatus, which in turn present significant development risks and complexity.
- High density, high value development is required to ensure that a viable development can be delivered when accounting for the high abnormal costs.
- Mixed use development can ensure the success of residential-led schemes, however, the exact uses and quantum of non-residential floorspace needs to be compatible with residential uses and balanced against the viability consideration and other delivery objectives.
- The requirement to achieve a policy compliant affordable housing offer is a challenge in such circumstances and can stall gas works sites coming forward for development without appropriate consideration of the site constraints.
- There are precedent examples of gas works sites across London where a policy flexibility has been applied to ensure that a successful development is brought forward.

National Planning Policy Framework

- 1.23 The NPPF sets out the Government’s planning policies for England and how these are expected to be applied. It is an important material consideration when considering how to formulate and apply planning policy to planning decisions.
- 1.24 The NPPF contains national policy on a range of topic areas including decision making, viability, affordable housing, design, open space, heritage, and the economy. The “presumption in favour of sustainable development” remains the central tenet of the NPPF.
- 1.25 Significantly, the NPPF refers specifically to the need to deliver more homes, at a greater density, on brownfield land, especially contaminated land.
- 1.26 This is, in part, a reflection of the work that gas works companies have undertaken with Government to create a policy framework which supports and promotes the delivery of heavily contaminated sites for homes. This is important due to the “Do Nothing” scenario which is a real consideration whereby the revenue generated by development is not sufficient to offset the abnormal costs. In such cases, the gas works site will remain as existing in situ, as has been evidenced across much of the UK.
- 1.27 The Government’s objective of “significantly boosting the supply of homes”⁵ is a clear national policy objective as set out in the first paragraph of Chapter 5 of the NPPF, Delivering a Sufficient Supply of Homes.
- 1.28 National policy requires strategic policy-making authorities to have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability⁶. Local planning

⁵ NPPF Paragraph 59

⁶ NPPF Paragraph 67

authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old⁷.

1.29 Chapter 11 of the NPPF sets out policies for Making Effective Use of Land. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land.

1.30 National policy sets out the Government's approach to brownfield contaminated land, giving "substantial weight" to its redevelopment and remediation at Paragraph 118 Part (c), which is set out below:-

*"(c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land"*⁸

1.31 It also promotes and supports the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively⁹.

1.32 Chapter 11 considers the objective of achieving appropriate housing densities. The Government expects planning policies and decisions to support development that makes efficient use of land, taking into account viability¹⁰. At Paragraph 123, national policy expects the optimal use of a site for housing.

"Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site".

1.33 National planning policy promotes the redevelopment of gas works site for housing, at optimal densities giving substantial weight to the value of using suitable brownfield land for homes.

London Plan

1.34 The recently adopted London Plan carries significant weight due to its conformity with the NPPF and recent testing at the examination in public. Importantly specific consideration has been applied to gas works sites, and they are referenced throughout the Plan. The reason for this is that gas utility companies were able to work with the GLA to examine the evidence base behind the challenges of delivering gas works sites. The background evidence base, as well

⁷ NPPF Paragraph 73

⁸ NPPF Paragraph 118(c)

⁹ NPPF Paragraph 120(d)

¹⁰ NPPF Paragraph 124(b)

as the determination of live planning applications considered by the GLA led to the formation of policies.

- 1.35 These policies have been subject to extensive and detailed consultation, review and examination in public. They have been found sound and are now adopted.
- 1.36 In response to the Government's commitment to delivering 300,000 homes a year by the mid-2020s, the Government published its report Fixing our Broken Housing Market (2017) which sought to make more land available for homes in the right places, by maximising the contribution from brownfield and surplus public land. It addressed the particular scope for higher-density housing in urban locations that are well served by public transport; that provide opportunities to replace low density uses such as car parks in areas of high housing demand; or which offer scope to extend buildings upwards in urban areas by making good use of the 'airspace' above them.
- 1.37 The NPPF subsequently set out policies to support the Government's objective of significantly boosting the supply of homes. It seeks a sufficient amount and variety of land to come forward where it is needed; that the needs of groups with specific housing requirements are addressed; and that land with permission is developed without unnecessary delay. It also establishes a clear policy objective to optimise surplus brownfield land in accessible locations giving substantial weight and support to the development of under-utilised land and buildings where this would meet identified needs for housing.
- 1.38 The London Plan ('LP') also recognises the importance of redeveloping surplus gasworks sites, especially those in accessible locations.
- 1.39 Policy GG2 'Making the best use of land' seeks to create successful, sustainable mixed-use places on brownfield land. The policy prioritises sites that are well-connected by existing or planned public transport and seeks to proactively explore the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling.
- 1.40 LP Policy D3 outlines that if London is to accommodate the growth identified by the Plan in an inclusive and responsible way, every new development will need to make the most efficient use of land by optimising site capacity. All development is expected to make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth. Higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure, and amenities by public transport or walking and cycling in order to achieve sustainable densities. Where these locations have existing areas of high-density buildings, expansion of these areas should be positively considered by Councils, where appropriate.
- 1.41 The principal housing policy within the LP is Policy H1. It seeks to increase housing supply having identified a need for 66,000 additional homes per year. The Mayor recognises that development of this scale will require not just an increase in the number of homes approved

but also a fundamental transformation in how new homes are delivered. Policy H1 requires Councils to optimise the potential for housing delivery and lists six sources of future supply. Two of these sources set out at Part B(2) of the policy directly relate to the characteristics of WT4. The policy refers to locations with existing or planned public transport accessibility levels (PTAL) of 3 to 6, which are located within 800m distance of a station or a town centre (Part B2(a)). Part B2(d) seeks the mixed-use redevelopment of surplus utilities.

- 1.42 LP Policy SD6 Part (D) recognises the particular suitability of town centres to accommodate a diverse range of housing to be considered and encouraged, including smaller households, Build to Rent, older people's housing and student accommodation.
- 1.43 LP Policy SD7 town centres development principles considers the strategic intensification of London's town centres. The principles of Part C6 of the policy should be applied which require Councils to identify suitable sites for higher density mixed use residential intensification capitalising on the sustainability advantages of the availability of services within walking and cycling distance and current and future public transport provision.
- 1.44 Footnote 59 recognises that some surplus utilities sites are subject to substantial decontamination, enabling and remediation costs. In these situations, if it robustly demonstrated that extraordinary decontamination, enabling or remediation costs must be incurred to bring a surplus utilities site forward for development, then a reduced affordable housing threshold can be applied, subject to detailed evidence, including viability evidence, being made available.
- 1.45 Three principal issues informed the policy debate. We consider these below and in assessing these factors conclude that the development of gas works sites can be treated as an exceptional form of development within London.

Are gas works sites subject to abnormal costs?

- 1.46 The evidence base to the London Plan recognises that remediation costs of gas works sites are significant. The London Industrial Land Demand Study 2017 explicitly recognises the limitation of land contamination at gas works sites, its cost, and the requirement to incentivise development through higher land values. It confirms the following:

“Land contamination can constrain the future of such land (e.g. for former gas holder sites): decontamination works are costly and can require the incentive of higher land values (e.g. from residential developments)”.

- 1.47 The abnormal costs will be experienced at the very start of the project, which can also result in long lead in times as the environmental planning considerations are addressed (remediation, water sampling etc).
- 1.48 Decontamination costs were considered at the Tower Hamlets Local Plan 2031 Examination in Public (September 2018). The Council's evidence base to the examination included the Tower Hamlets Local Plan Viability Assessment 2018 Paragraph 7.17. This considered three Gas holder sites within its borough concluding that “we have included an allowance of £3.2m/ha for the sites, based on our experience of the costs associated with decontamination of similar Gas Works sites in London”. This is a conservative figure as it relates only to decontamination

costs rather than other costs such as the need to relocate gas infrastructure on site to facilitate redevelopment; rationalise high pressure gas mains; the erection of new Pressure Reduction Stations; and the removal of gasholder structures on site. However, it remains a significant cost.

- 1.49 Notwithstanding this, Tower Hamlet's own viability evidence found that the three gas works sites could not deliver policy compliant levels of affordable housing (an average maximum reasonable affordable housing provision of 20% was evidenced across the three sites). To ensure deliverability for the purposes of the local plan Tower Hamlets found it necessary to identify lower levels of affordable housing (flexible tenure mix) or ensure policy flexibility through increased density and a flexible approach to housing mix to achieve policy compliant levels of affordable housing.

[Can gas works sites contribute strategically to the delivery of housing in the capital. If they can, should they be subject to affordable housing thresholds and review mechanisms which apply to industrial sites that are brought forward for housing?](#)

- 1.50 The LP categorises gas works sites as surplus utility sites, and these sites are identified as a strategic source of housing.
- 1.51 LP Policy H1 Increasing housing supply is the principal housing delivery policy of the LP. Its purpose is 'increasing housing supply'. Part B(2) states that Boroughs should "optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions, especially the following sources of capacity...".
- 1.52 The policy lists six strategic sources of housing capacity. Sub paragraph (d) is relevant to gas works sites and identifies them for redevelopment as a strategic source of housing:

"d) the redevelopment of surplus utilities and public sector owned sites."

- 1.53 Surplus utilities are distinguished from other categories of sites. For example, industrial sites planned for release under LP policies E4, E5, E6 and E7 are a separate sub-category at LP Policy H1(b)(2)(f).
- 1.54 Utility sites are also considered in the Strategic Housing Land Availability Assessment 2017 (SHLAA) which forms part of the evidence base for the LP. The SHLAA confirms that "surplus utilities sites" have been retained within the 10-year housing target where promoted for redevelopment unlike designated industrial sites.
- 1.55 To incentivise and de-risk the delivery of gas works sites, the LP exempts gas works sites from the London wide affordable housing requirement for industrial sites. Instead, it recognises that gas works sites will have a lower affordable threshold and exempts them from late-stage reviews where challenges of delivery are evidenced.
- 1.56 Footnote 59 of the new LP specifically sets out what tests surplus utility sites should undertake to demonstrate the challenges of delivery. Footnote 59 recognises the substantial costs of preparing surplus utilities sites for development. It therefore (inter alia) confirms that surplus utility sites can be subject to the 35% affordable housing fast track approach, conditional upon evidence being provided of extraordinary costs.

- 1.57 Gasworks sites are therefore capable of having a 35% threshold level of affordable housing applied and follow the Fastrack Route. The Mayor requires the demonstration of decontamination requirements, and that enabling or remediation costs must be incurred to bring surplus utility sites forward for development.
- 1.58 In accordance with the approach taken across London to date, evidence will be submitted to demonstrate substantial decontamination, enabling and remediation costs during the pre-application process.

[Can gas works sites viably contribute towards London's industrial floorspace capacity?](#)

- 1.59 The challenges of delivery of gas works sites is reflected in the economic policies of the London Plan.
- 1.60 Supporting text to LP Policy E4 (Land for Industry, Logistics and Services to Support London's Economic Function) previously confirmed that the principle of no net loss of industrial floorspace capacity does not apply to sites previously used for utilities infrastructure which are no longer required e.g., surplus utility sites, because of their delivery challenges.

"The principle of no net loss of floorspace capacity does not apply to sites used for utilities infrastructure or land for transport functions which are no longer required"¹¹.

- 1.61 The Secretary of State directed the Mayor to remove his policies which required the no net loss of industrial floorspace across the capital (LP Policy E49c). As a result, paragraph 6.4.8 was also removed, albeit the recognition that gas works should not provide industrial capacity remains a known principle.
- 1.62 The LP allocates gas works sites as a strategic sources of housing supply. The London SHLAA relies upon such sites for its 10-year housing target. Gas works sites are considered separately from industrial sites. The challenges of delivery result in their exceptional consideration within the Plan. They are expected to deliver a lower threshold of affordable housing, exempt from a late-stage review mechanism. The economic policies of the Plan recognise that gas works should not provide industrial floorspace.

¹¹ London Plan (former) paragraph 6.4.8