



LONDON BOROUGH OF WANDSWORTH

Town and Country Planning Act 1990

The Town and Country Planning (Inquiries Procedure) (England) Rules 2000

Site: Booker Cash & Carry and BMW Car Service Garage 41-49 and 49-59 Battersea Park Road London SW8 5AL

Planning Inspectorate reference: APP/H5960/W/24/3358065

LPA Reference: 2022/1835

Appellant: Watkin Jones Group

Statement of Case of the London Borough of Wandsworth

CONTENTS

	Page
1. Introduction	3
2. The Appeal Site and its surroundings	4
3. Planning History	5
4. The Development Plan and other material considerations	7
5. The Council's Case	11
6. Statement of Common Ground and Conditions	16
7. Section 106 Planning Obligation	16
8. Witnesses	16
9. Documents	16

Appendices.

Appendix SOCA: Committee Report relating to application 2022/1835.

Appendix SOCB: Late Items Paper relating to application 2022/1835.

Appendix SOCC: Minutes of Committee Meeting.

Appendix SOCD: Letter from LPA to Planning Inspectorate dated 29th January 2025.

1. Introduction.

- 1.1. This Statement of Case is prepared on behalf of the London Borough of Wandsworth, (the 'Local Planning Authority') in respect of an appeal against the non-determination of an application for Full Planning Permission for the following proposed development at 41-49 and 49-59 Battersea Park Road, London SW8 5AL ('the Appeal Site'):

Demolition of the existing building and construction of three new buildings (between 12 and 22 storeys in height), together comprising 55 residential units (Use Class C3) and Student Accommodation comprising 762 student bedrooms (Sui Generis) along with 495sqm (GIA) flexible Commercial, Business and Service (Use Class E) and/or Local Community and Learning (Class F) floorspace with associated works including hard and soft landscaping, car parking, new vehicular access/servicing, and other ancillary works (the 'Appeal Development').

- 1.2. The application was reported to the Council's Planning Applications Committee on 14 January 2025. The Committee resolved that had an appeal against non-determination not been lodged, planning permission would have been refused for the following reason:

As a result of its height and close proximity to the neighbouring buildings and the amenity space located at New Mansion Square, the proposed development would result in an overbearing impact upon the residential occupiers of the neighbouring buildings, detrimentally affecting their outlook and increasing overlooking opportunities that would reduce the residential amenity experienced by these neighbouring occupants.

Furthermore, the predominant student use as proposed is not considered to be the most appropriate use on the site given the greater demand and need for housing (including affordable housing) in the area.

For these reasons, the proposal is considered to be contrary to adopted Council policy LP2 and the Wandsworth Housing Needs Assessments dated December 2020 and December 2024.

- 1.3. Copies of the Committee Report, Late Items paper and Minutes of the Committee Meeting are appended to this Statement of Case. The letter issued to the Planning Inspectorate dated 29th January 2025 providing the reasons for which the Council would have refused permission is also appended to this Statement of Case.

- 1.4. This letter omitted in error reference to planning policies that the Council's evidence will show the appeal development conflicts with. The omitted policies are:

- Policy H6 (Housing quality and standards) of the London Plan 2021.

- Policy H15 (Purpose-built student accommodation) of the London Plan 2021.
- Policy LP28 (Purpose-Built Student Accommodation) of the Local Plan 2023.

1.5. This Statement of Case has been prepared to describe the case that the Local Planning Authority will put forward in evidence at a Public Inquiry relating to this appeal. It has been prepared with reference to the Planning Inspectorate's Guidance on preparing such documents.

2. The Appeal Site and its surroundings.

2.1. The appeal site is located in the Nine Elms ward of Wandsworth Borough. The 0.81-hectare site lies on the western end of the Vauxhall Nine Elms Opportunity Area (VNEB), within the Central Activities Zone (CAZ) and a Tall Buildings Zone. The site is located in Flood Zone 2/3a.

2.2. The site is prominently located on Battersea Park Road and is currently fronted by six mature trees (subject to a Tree Preservation Order (TPO) ref. 395/2009) and comprises a mix of trees, four London Planes and two Lime trees. The site is bounded to the northwest/ west by Sleaford Street, beyond which is a mixture of affordable and private residential development.

2.3. The A3205 Battersea Park Road which forms part of the Transport for London Road Network (TLRN) lies to the north of the site and an unnamed access serving New Covent Garden Market forms the site's eastern boundary. The recently occupied New Mansion Square development (also known as Battersea Power Station Phase 4a) and raised railway tracks lie to the south, beyond which is a mixture of industrial units associated with the New Covent Garden Market. This New Mansion Square site was purchased by the Battersea Power Station Development Company (BPSDC) and forms Phase 4A of the seven phase Battersea Power Station Development. New Mansion Square consists of one building (A1) comprising of five blocks running along the southern edge of the site and two buildings (A2 and A3) to the north of the site. The buildings are separated by areas of public realm known as the 'Garden Square' and the 'Central Square'.

2.4. The northern part of the site fronting onto Battersea Park Road is currently occupied by Booker Cash & Carry, a retail warehouse club (3,209 sqm GIA) that has a sui generis use. The warehouse is a large, corrugated orange metal building on a brick base which provides a double height space. The southern part of the site, adjacent to the railway line was previously occupied as a BMW service centre (Class B2) which has been demolished. Pedestrian and vehicular access to the site is currently via the New Covent Garden Market access road. The wider area is of a mixed character, comprising residential, commercial, cultural and leisure uses as well as a number of construction sites.

- 2.5. To the east of the site, across New Covent Road, is New Covent Garden Market (NCGM), which extends to the north and south of the railway viaduct. The NCGM site benefits from a hybrid planning permission granted under planning application reference 2014/2810 in February 2015, for the demolition of all existing buildings and structures and redevelopment to provide a new consolidated wholesale fruit, vegetable and flower market and residential-led mixed-use redevelopment. The 'Entrance Site' development zone lies to the east of the appeal site and is currently the temporary home for the relocated flower market until around 2027.
- 2.6. The Entrance Site benefits from outline planning permission for a residential-led mixed use development, proposing at its tallest point an 18 storey (double ground floor) building of 65.5m AOD with adjacent buildings of varying height from 6 to 13 storeys.
- 2.7. To the west of the site, across Sleaford Street is Viridian Apartments at 75 Battersea Park Road. This site contains a 4-9 storey block of flats and was built in 2009 on the site of the former John Milton School. It consists of 240 flats (60 affordable units) designed around courtyard, a podium deck and a basement car park (application ref. 2005/5019).
- 2.8. In respect of heritage designations, the appeal site contains no listed structures and no part of it is within a Conservation Area, however it is within an Archaeological Priority Area. To the northwest of the site is Battersea Power Station (Grade II*), and Battersea Park to the west, a Grade II* registered historic park and garden. The park and surrounding streets fall within the Battersea Park Conservation Area. The closest Locally Listed Building is the Duchess Belle Public House (formerly Duchess of York) approximately 150m to the west of the site (101 Battersea Park Road).

3. Planning History.

- 3.1. Planning history for the appeal site is summarised below:

October 2003 (2003/2257): Alterations to external elevations of existing building including recladding and construction of a single storey extension. Approved.

May 2004 (2004/1231): Continued use of site for the purposes of vehicle servicing, MoT testing, car valeting and parking including offices and reception area. Approved.
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July 2014 (2014/2158): Construction of temporary structures, comprising two marquee structures with PVC coverings erected against the existing building to provide additional workshop space and a portacabin building located on the car park opposite to provide a customer reception and administration facilities. Approved with Conditions.
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September 2015 (2015/5273): EIA Screening Opinion for demolition of existing buildings on site, and construction of a residential-led mixed-use development consisting of buildings ranging from 5 to 18 storeys, providing approximately 350 residential units and commercial floor space at ground floor level, with associated landscaping and public realm. The anticipated maximum GEA for the overall development is 34,000 sqm (EIA not required).

March 2019 (2015/6813): Demolition of all existing buildings and construction of new buildings of between 5 storeys and 18 storeys, containing 307 residential units, business (Class B1) floorspace and flexible retail/restaurant and cafe/business floorspace (Class A1- A5 and B1), CHP basement, vehicle and cycle parking, plant and associated works, landscaping and a new access onto Sleaford Street. Approved subject to Legal Agreement and CIL.

March 2022 (2022/1062): EIA Screening in accordance with requirements of Reg. 6(2) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for the redevelopment of the site for mixed-use including accommodation for up to 750 students (sui generis), 80 residential units (Class C3), 550sqm of commercial floorspace (Class E) and associated internal amenity/cultural space, service areas, car and cycle parking, together with external landscaping and public realm. EIA Not Required.

August 2023 (2022/0719): Lawful implementation of planning permission ref. 2015/6813 at Booker Cash & Carry and BMW Car Service Garage site, 41-49 and 49-59 Battersea Park Road through the carrying out of a material operation under Section 56(4) of the Town and Country Planning Act 1990 (as amended), namely any work of demolition of the former BMW service centre building before the 28 March 2022. Approved.

The Extant Planning Permission.

- 3.2. Full planning permission (ref. 2015/6813) was granted in March 2019 for the demolition of all existing buildings on the site and construction of new buildings between 5 to 18 storeys, containing 307 residential units, provision of Use Class A1-A5 and B1 (557 sqm), office floorspace and incubator space (1,104 sqm), 31 car parking spaces for the disabled and 3,186 sqm of ground floor amenity and play space.
- 3.3. The relevant pre-commencement conditions in respect of planning permission 2015/6813 have been discharged, with the permission implemented in April 2022, through the demolition of a BMW Service Centre building.

4. The Development Plan and other material considerations.

4.1. The Local Planning Authority will refer to relevant planning policy and guidance when presenting its evidence to the Inquiry.

The Development Plan.

4.2. The Development Plan for LB Wandsworth comprises:

- London Plan (2021).
- Wandsworth Local Plan (July 2023).

4.3. The Local Plan is currently the subject of a 'partial review'. The Regulation 19 version of the six Development Plan policies that are subject to this review closed on 24th February 2028. Those policies are:

- Policy LP23: Affordable Housing.
- Policy LP24: Housing Mix.
- Policy LP28: Purpose-Built Student Accommodation.
- Policy LP29: Housing with Shared Facilities.
- Policy LP30: Build to Rent.
- Policy LP31: Specialist Housing for Vulnerable People and for Older People.

4.4. The following policies in the London Plan (2021) are relevant to the determination of the appeal:

- GG1 (Building strong and inclusive communities)
- GG2 (Making the best use of land)
- GG3 (Creating a healthy city)
- GG5 (Growing a good economy)
- GG6 (Increasing efficiency and resilience)
- SD1 (Opportunity areas)
- SD4 (The Central Activities Zone (CAZ))
- SD5 (Offices, other strategic functions and residential development in the CAZ)
- SD10 (Strategic and local regeneration)
- D1 (London's form, character and capacity for growth)
- D2 (Infrastructure requirements for sustainable densities)
- D3 (Optimising site capacity through the design-led approach)
- D4 (Delivering good design)
- D5 (Inclusive design)
- D6 (High quality and standards)
- D8 (Public realm)
- D9 (Tall Buildings)
- D11 (Safety, security and resilience to emergency)
- D12 (Fire safety)

- D13 (Agent of Change)
- D14 (Noise)
- S1 (Developing London's social infrastructure)
- HC1 (Heritage conservation and growth)
- HC3 (Strategic and Local Views)
- HC4 (London View Management Framework)
- HC5 (Supporting London's culture and creative industries)
- HC6 (Supporting the night-time economy)
- G1 (Green infrastructure)
- G2 (Making the best use of land)
- G4 (Open space)
- G5 (Urban greening)
- G6 (Biodiversity and access to nature)
- G7 (Trees and woodland)
- H1 (Increasing Housing Supply)
- H4 (Delivering affordable housing)
- H6 (Affordable Housing Tenure)
- H10 (Housing size mix)
- H15 (Purpose Built Student Accommodation)
- I13 (Sustainable Drainage)
- SI1 (Improving air quality)
- SI2 (Minimising greenhouse gas emissions)
- SI3 (Energy infrastructure)
- SI4 (Managing heat risk)
- SI5 (Water infrastructure)
- SI6 (Digital connectivity infrastructure)
- SI7 (Reducing waste and supporting the circular economy)
- SI8 (Waste capacity and net waste self-sufficiency)
- SI12 (Flood risk management)
- SI13 (Sustainable drainage)
- T1 (Strategic approach to transport)
- T2 (Healthy Streets)
- T3 (Transport capacity, connectivity and safeguarding)
- T4 (Assessing and mitigating transport impacts)
- T5 (Cycling)
- T6 (Car parking)
- T6.5 (Non-residential disabled persons parking)
- T7 (Deliveries, servicing and construction)
- T9 (Funding transport infrastructure through planning)

4.5. The following policies in the Wandsworth Local Plan are relevant to the determination of the appeal:

- PM3 Nine Elms (Strategic Policy)
- SDS1 (Spatial Development Strategy 2023 – 2038)
- PM1 (Area Strategy and Site Allocations Compliance)
- PM3 (Nine Elms)
- LP1 (The design-led approach)
- LP2 (General development principles)
- LP3 (Historic environment)
- LP4 (Tall and mid-rise buildings)
- LP10 (Responding to the climate crisis)
- LP11 (Energy infrastructure)
- LP12 (Water and flooding)
- LP13 (Circular economy, recycling and waste management)
- LP14 (Air quality, pollution and managing impacts of development)
- LP15 (Health and wellbeing)
- LP17 (Social and Community Infrastructure)
- LP18 (Arts, culture and entertainment)
- LP19 (Play Space)
- LP20 (New open space)
- LP22 Utilities and digital connectivity infrastructure (Strategic Policy)
- LP23 (Affordable Housing)
- LP24 (Housing Mix)
- LP27 (Housing Standards)
- LP28 (Purpose-Built Student Accommodation)
- LP29 (Housing with Shared Facilities)
- LP33 (Promoting and protecting offices)
- LP34 (Managing land for industry and distribution)
- LP35 (Mixed-use development on economic land)
- LP37 (Requirements for new economic development)
- LP39 (Local employment and training opportunities)
- LP44 (Local Shops and Services)
- LP49 (Sustainable transport)
- LP50 (Transport and development)
- LP51 (Parking, servicing and car free development)
- LP52 (Public Transport and Infrastructure)
- LP53 Protection and enhancement of Green and Blue Infrastructure (Strategic Policy)
- LP54 (Open space, sport and recreation)
- LP55 (Biodiversity)
- LP56 (Tree management and landscaping)
- LP57 (Urban greening factor)
- LP62 (Planning obligations)

Other material considerations.

4.6. The following documents are considered relevant to the appeal:

National policy and guidance.

- National Planning Policy Framework (2024).
- National Planning Practice Guidance.
- National Design Guide (2021).
- National Model Design Guide (2021).
- Technical Housing Standards – Nationally Described Space Standards.

Regional policy and guidance.

- Context and Character SPG (2014).
- Accessible London: Achieving an Inclusive Environment (October 2014).
- Play and Informal Recreation (September 2012).
- Air Quality Neutral LPG (February 2023).
- Urban Greening Factor LPG (February 2023).
- Social Infrastructure (May 2015).
- London View Management Framework (March 2012).
- Planning for Equality and Diversity in London (October 2007).
- Public London Charter (September 2020).
- Shaping Neighbourhoods: Character and Context (June 2014).
- The Control of Dust and Emissions during Construction and Demolition (July 2014).
- Use of Planning Obligations in the Funding of Crossrail, and the Mayoral Community Infrastructure Levy (April 2013).
- Mayor of London's Housing Supplementary Planning Guidance (March 2016)
- Mayor of London Vauxhall Nine Elms Battersea (VNEB) Opportunity Area Planning Framework (2012). Circular Economy Statements LPG (March 2022).
- Sustainable Transport, Walking and Cycling LPG (November 2022).
- Accessible London: Achieving an inclusive environment SPG.
- Affordable Housing and Viability SPG (August 2017)
- 'Be Seen' Energy Monitoring Guidance LPG (September 2021).
- Public London Charter LPG (October 2021).
- Whole Life-Cycle Carbon Assessments LPG (March 2022).
- Central Activities Zone SPG (March 2016).
- Characterisation and Growth Strategy LPG (Consultation draft, February 2022)
- Fire Safety Draft LPG (Consultation draft, February 2022).
- Optimising site capacity: A design-led approach LPG (Consultation draft, February 2022).
- Purpose-built Student Accommodation (Consultation draft, October 2023).

Local policy, guidance and evidence.

- Local Views (February 2014) Planning Obligations (October 2020).
- Refuse and recyclables in developments (February 2014).
- Statement of Community Involvement (February 2019).
- Local Views SPD (2014).
- Raising the Bar: Early Community Engagement Guidance for Applicants.
- Housing Needs Assessment evidence.

5. The Council's Case.

- 5.1. The evidence of the Local Planning Authority will identify that the Council is 'pro-growth' and has taken bold action to deliver growth to meet identified need for development in the Borough. This will be demonstrated, not least, with reference to its decision to grant planning permission in 2019 for the redevelopment of the appeal site to provide a mixed-use development, including 307 new homes (including 77 affordable homes).

An appropriate mix of uses at the appeal site.

- 5.2. The Council's evidence will explain that within this context of ambitiously promoting sustainable development, including within the Opportunity Area, the Council must be able to make informed decisions about what the most appropriate type of development should be at sites in the Borough to meet identified needs. The Council will refer to the policy that supports such decision making, including Policy LP2 of the Local Plan and the policies of the Framework, in particular.

The need for student accommodation in Wandsworth.

- 5.3. The Council's evidence will describe the need for student accommodation in London and Wandsworth. It will show that the London Plan sets out an annualised figure for student accommodation across London as a whole, with a need for 3,500 student bedrooms required per annum. This figure is based on the 2017 Strategic Housing Needs Assessment, which is now 8 years old.
- 5.4. The NPPG advises local authorities 'to engage with universities and other higher educational establishments to ensure they understand their student accommodation requirements in their area' (004 Reference ID: 67-004-20190722).
- 5.5. The Council's Local Housing Needs Assessment (LHNA) (2020), which formed part of the evidence base for the recently adopted Local Plan, includes information on engagement with the University of Roehampton (UoR) and St. George's, University of London (SGUoL), which are the two largest HEP's within Wandsworth.
- 5.6. The Council's evidence will show that it understands that UoR has plans to increase the capacity of student accommodation within the Borough by an additional 700-800 bedspaces through a specialist student housing provider, and

the university is considering an additional 800 bedspaces on university owned land. SGUoL have modest plans to grow the student body over the next five years, which is unlikely to put significant pressure on the existing housing stock.

- 5.7. The LHNA concludes that 'there is no requirement to increase the overall housing need on the basis of student growth'. Based on this evidence, the Council will demonstrate that there is sufficient PBSA accommodation proposed to support the majority of student accommodation requirements from the largest HEP's within Wandsworth.
- 5.8. The Council's most recent Housing Needs Assessment (2024), which supports the Local Plan partial review, identifies that Wandsworth provides for 1% of the students and accommodates 2% of the student population, and if this was to continue, the annual level of need in Wandsworth would equate to around 70 additional bedspaces of Purpose-Built Student Accommodation per annum.
- 5.9. The 2024 HNA does not account for current pipeline or recent completions, which include:
 - Cedars Hall (141 Wedham Road) – 35 bedspaces were completed in 20/21 and 41 were completed in 22/23.
 - In Nine Elms specifically, 863 bedspaces were completed at Palmerston Court, Battersea in 2024.
 - A further 63 student bedspaces are planned on Spalding Road. Whilst planning permission has not been granted, Members of the Planning Application Committee resolved at their meeting in March 2023 to grant planning permission subject to the completion of a S106 Agreement which has yet to be finalised.
- 5.10. The Council will demonstrate that since the London Plan was adopted, 1,002 PBSA bedspaces have either been completed, commenced or permitted within the Borough. When compared with the need for student accommodation identified by the 2024 HNA of 70 bedspaces per annum, which would equate to a need for 1,050 bedspaces for PBSA over the Local Plan period (2023-2038), this would result in 95% of the student accommodation needed being either completed, commenced or permitted, only 2 years into the Local Plan being adopted.
- 5.11. In addition, these figures do not include the 800 bedspaces on university owned land planned by UoR as identified as part of the engagement with the university from the 2020 LHNA, that are not reflected in the pipeline figures.
- 5.12. The Council's evidence will show that if the appeal scheme came forward, it would increase the supply of PBSA bedspaces by 762, resulting in a significant oversupply of student housing within the Borough.

The relationship between student accommodation and higher education providers.

- 5.13. The Council's evidence will describe that Policy LP28 of the Local Plan supports the delivery of student accommodation so long as it provides for an identified need and is in close proximity of a Higher Education Provider (HEP).
- 5.14. The supporting text to Policy LP28 requires that proposals for student accommodation must either be operated by a HEP should be in place with a HEP. That policy cross-refers to the requirements of London Plan Policy H15.
- 5.15. London Plan Policy states in the amplification of policy H15 (at paragraph 4.15.3) states that 'to demonstrate that there is a need for a new PBSA development and ensure the accommodation will be supporting London's higher education providers, the student accommodation must either be operated directly by a higher education provider or the development must have an agreement in place from initial occupation with one or more higher education providers'. It follows that as this is required to demonstrate need, the connection with a HEP is necessary prior to (as opposed to following) the grant of planning permission.
- 5.16. At present, whilst the Appellant is in discussions with various HEPs, the Council does not understand that it has entered into any nomination agreement with a HEP.
- 5.17. The absence of demonstrated need for the proposed student accommodation, and the absence of an agreement with a HEP represents a conflict with those parts of policies LP28 of the Local Plan and H15 of the London Plan, which require a nomination agreement to be in place.
- 5.18. Draft Policy LP28 of the Council's Partial Local Plan Review, amongst other requirements, says that PBSA proposals will be supported where the development is proposed on a site which is not suitable for conventional housing.
- 5.19. Conversely, the Council's evidence will demonstrate that there is a pressing need to deliver new homes and affordable homes nationally, regionally and in Wandsworth. As with many built up London boroughs, there are a finite number of available sites to deliver new homes to meet that need. If this site was delivered as student accommodation (for which there is not a pressing need), it would no longer be available to provide 'traditional' homes (for which there is).
- 5.20. In that context, the Council's evidence will show that the proposed mix of uses at the appeal scheme is not the most appropriate for the site, with reference to meeting identified need for different housing types. It should therefore not be supported.

The amenity of neighbouring occupiers.

5.21. Local Plan Policy LP2 provides that development proposals must not adversely impact the amenity of existing and future neighbouring properties. The most relevant part of Policy LP2 in Part B within points 2, 3 and 4 state that proposals will be supported where the development, amongst other things:-

2. avoids unacceptable levels of overlooking (or perceived overlooking), undue sense of enclosure on to the private amenity space of neighbouring properties;
3. is not visually intrusive or has an overbearing impact as a result of its height, scale, massing or siting, including through creating a sense of enclosure; and
4. would not compromise the visual amenity of adjoining sites.

Further requirements to maintaining acceptable relationships with neighbouring occupiers are found within the Framework, London Plan and the Mayor's Housing SPG. Policy H6 of the London Plan requires that development proposals minimise overshadowing, maximise the usability of outdoor space and provides adequate privacy.

5.22. The Council recognises that there is a consented and implemented development at the site. That scheme showed a dense form of development, with close physical relationships between the proposed scheme and existing and planned development around it. Whilst some harmful impacts on neighbouring living conditions were identified in the case of the consented scheme, the development was found acceptable in the overall planning balance because its benefits were considered to outweigh those impacts.

5.23. The appeal scheme would increase the height of the nearest building ('Plot 03') to neighbouring properties at New Mansion Square, to the south, from 18-storeys to 22 storeys. Given the already ('consented') challenging relationship between the existing and proposed buildings, that additional height would result in greater impacts to the occupiers of New Mansion Square, detrimentally affecting their outlook; resulting in overlooking impacts and reducing their amenity in a manner that is not considered to be outweighed by the public benefits of the appeal scheme.

5.24. The most affected neighbouring building would be that known as 'Simper Mansions' (Building 'A3' of Phase 4A of the Battersea Power Station development).

5.25. Simper Mansions is located closest to the boundary with proposed Plot 03, with separation distances of just 10.1m at their closest point. A building of the proposed scale at such close quarters would represent an overbearing form of development when viewed from windows at Simper House and whilst attempts have been made through design to reduce direct overlooking between the existing and proposed

developments, these do not adequately address the impacts on existing residential occupiers.

- 5.26. The Council recognises that the distance between the buildings would be comparable, and in some areas, increased, when compared with the consented scheme. However, the additional height proposed, given the very close relationship, would be problematic and would cause harm to living conditions at that neighbouring property. Outlook from Simper Mansions would be worse for some residents when compared to the consented scheme because of the additional height of the proposed building.
- 5.27. The additional height proposed, given the proximity of the building, would add to an overbearing impact on the amenity space at 'Phase 4a', reducing the enjoyment of the residents who rely on it.
- 5.28. In addition, the Appellant has prepared an overshadowing assessment of the impacts of the appeal scheme on the adjacent New Covent Garden Market scheme, based on the amenity spaces identified within the outline planning permission for that development. The assessment identifies that the two podium deck amenity spaces forming part of the New Covent Garden Market scheme would fall short of the BRE target of 2 hours of direct sunlight over 50% of the amenity space during the day.
- 5.29. The Council recognises that when developing in urban areas some compromises may be required. However, in this case, those compromises were made when consent was granted for the approved scheme at the site, where the harms associated with the scheme were balanced against the benefits. In the case of the appeal development, the level of harm has increased and the level of benefit has decreased.

Other material considerations.

- 5.30. The Council recognises that pre-application advice was sought prior to the submission of the application, that the Appellant engaged with the Design Review process and that officers of the Council recommended that the Planning Applications Committee support the appeal application. However, members must exercise their own judgment as to the acceptability or otherwise of development proposals and are entitled to depart from the advice of their officers.
- 5.31. The evidence of the Local Planning Authority will recognise the benefits that would be brought forward by the appeal development and will explain the weight that should be afforded to those benefits in the planning balance. It will conclude that the harms of the appeal scheme outweigh the benefits.

5.32. The Local Planning Authority will, therefore, invite the Inspector to dismiss the appeal.

6. Statement of Common Ground and Conditions

6.1. The Council will work with the Appellant to narrow issues in dispute as far as possible through a Statement of Common Ground.

6.2. A schedule of draft planning conditions was provided as part of the Local Planning Authority's Committee Report in respect of the appeal application. The Council will seek to agree these conditions with the Appellant with a view to including these within the Statement of Common Ground.

7. Section 106 Planning Obligation

7.1. A schedule of planning obligations is provided at paragraph 24.7 of the Local Planning Authority's Committee Report. The Council will work with the Appellant to seek to agree a S.106 Agreement for issue to the Inspector in advance of the Inquiry.

7.2. The Council is satisfied that each of the proposed heads of terms set out are consistent with the policies of the Development Plan and meet the tests set out in regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended).

7.3. If it has not been possible to agree the draft planning obligations before the Public Inquiry opens, the Council will seek to agree with the Appellant a note for Inspector which sets out the parties' respective positions on areas of disagreement.

8. Witnesses

8.1. The Local Planning Authority anticipates calling one witness at the Inquiry to provide evidence on all town planning matters.

9. Documents

9.1. The Council's Statement of Case and appendices will be made available on the Council's website at:

http://www.wandsworth.gov.uk/info/1004/planning_policy

9.2. The documents will also be made available to view in the Council's offices at Wandsworth Town Hall, Wandsworth High Street, London, SW18 2PU by prior appointment by emailing planning@wandsworth.gov.uk or by telephoning 020 8871 7620.

Committee Date:	14 January 2025		
Item No.	1		
Site Address:	Booker Cash & Carry and BMW Car Service Garage 41-49 and 49-59 Battersea Park Road London SW8 5AL		
Application Number:	2022/1835	Date Validated:	26/05/2022
Ward:	Nine Elms	Officer:	Janet Ferguson
Application Type:	Application for full permission		
Proposal:	Demolition of the existing building and construction of three new buildings (between 12 and 22 storeys in height), comprising 55 residential units (Use Class C3) and Student Accommodation comprising 762 student bedrooms (Sui Generis) along with 495sqm (GIA) flexible Commercial, Business and Service (Use Class E) and/or Local Community and Learning (Class F) floorspace with associated works including hard and soft landscaping, car parking, new vehicular access/servicing, and other ancillary works.		
Recommendation Summary:	Had an appeal not been lodged against non-determination, the recommendation to the Planning Applications Committee would have been to delegate authorisation to the Head of Strategic Developments to approve the application subject to the imposition of conditions, GLA referral and the completion of a S106 Legal Agreement (CIL liable).		

1. INTRODUCTION

During the course of the consideration of the application, the applicant elected to lodge an appeal to the Planning Inspectorate on 23 December 2024 against the application's non-determination. The applicant has requested that the planning appeal is considered at a Public Inquiry, and that the duration of the Public Inquiry is anticipated to last 4 days.

As the result of an appeal being lodged, the Local Planning Authority no longer has the jurisdiction to determine the application and the responsibility for determining the planning application now lies with the Planning Inspectorate.

The Planning Applications Committee must therefore consider if they had been given the opportunity to resolve the application, whether they would have endorsed the officer recommendation and be minded to grant planning permission or state putative reasons to refuse planning permission. The Planning Applications Committee in considering the planning application will be deciding as to whether the appeal is to be contested or not which will frame the Local Planning Authority's response to the planning appeal.

2. SITE DETAILS:

Existing Site Details

The application site is located in the Nine Elms ward. The 0.81-hectare site lies on the western end of the Vauxhall Nine Elms Opportunity Area (VNEB). Critical to realising the vision of the Opportunity Area (VNEB) are a number of large-scale planning applications, which involve the intensification and densification of areas of land at the heart of Nine Elms in accordance with the aspirations of the Development Plan and London Plan. Nine Elms has undergone a period of transformation within the area which is continuing with significant redevelopment and several tall developments that have been consented, are under construction or now occupied.

The application site is prominently located on Battersea Park Road and is currently fronted by six mature trees (subject to a Tree Preservation Order (TPO) ref. 395/2009) and comprises a mix of trees, four London Planes and two Lime trees. The site is bounded to the northwest/ west by Sleaford Street, beyond which is a mixture of affordable and private residential development. The A3205 Battersea Park Road which forms part of the Transport for London Road Network (TLRN) lies to the north and an unnamed access serving New Covent Garden Market is on its eastern boundary. The recently occupied New Mansion Square development (Battersea Power Station Phase 4a) and raised railway tracks lie to the south, beyond which is a mixture of industrial units associated with the New Covent Garden Market.

The northernmost half of the site fronting onto Battersea Park Road is currently occupied by Booker Cash & Carry, a retail warehouse club (3,209 sqm (GIA) that is a sui generis use. The warehouse is a large, corrugated orange metal building on a brick base which provides a double height space. The southern part of the site, adjacent to the railway line was previously occupied as a BMW service centre (Class B2) which has been demolished. Pedestrian and vehicular access to the site is currently via the New Covent Garden Market access road. The wider area is of a mixed character, comprising residential, commercial, cultural and leisure uses as well as a number of construction sites.

In respect of heritage designations, the application site contains no listed structures and no part of it is within a Conservation Area, however it is within an Archaeological Priority Area. To the northwest of the site is Battersea Power Station (Grade II*), and Battersea Park to the west, a Grade II* registered historic park and garden. The park and surrounding streets fall within the Battersea Park Conservation Area. The closest Locally Listed Building is the Duchess Belle Public House (formerly Duchess of York) approximately 150m to the west of the site (101 Battersea Park Road).

With respect to transport, the application site has a transport accessibility level (PTAL) rating of 4-5, representing a good level of access to transport. The site is located approx. 110m from the recently opened Battersea Power Station Underground which provides regular Northern Line Underground services. The site is located in a controlled parking zone (CPZ) (Battersea B8) which operates from 08.30 to 18.30, Monday – Saturday.

The site falls within the Vauxhall Nine Elms Battersea (VNEB) Opportunity Area (OA), a Central Activities Zone (CAZ) and a Tall Buildings Zone. The site is located in Flood Zone 2/3a.

Surrounding Context

New Covent Garden Market Entrance Site

The New Covent Garden Market (NCGM) site benefits from a hybrid planning permission granted under planning application reference 2014/2810 in February 2015, for the demolition of all existing buildings and structures and redevelopment to provide a new consolidated wholesale fruit, vegetable and flower market and residential-led mixed-use redevelopment.

The permission seeks to deliver development across 5 distinct development zones. The NCGM site extends to the north and south of the railway viaduct and is divided into three sites all linked via open archways under the railway viaduct. These comprise the Flower Market Site and Entrance Site, located to the north of the railway line and the Fruit and Vegetable Market Site, located to the south of the railway line.

The 'Entrance Site' development zone lies to the east of the application site and is currently the temporary home for the relocated flower market until around 2027. It benefits from outline planning permission for residential-led mixed use development, proposing at its tallest point an 18 storey (double ground floor) building of 65.5m AOD with adjacent buildings of varying height from 6 to 13 storeys.

Viridian Apartments

Viridian Apartments is a 4-9 storey block of flats located east of the application site, at 75 Battersea Park Road between Sleaford Street and Thessaly Road. It was built in 2009 on the site of the former John Milton School. It consists of 240 flats (60 affordable units) designed around courtyard, a podium deck and a basement car park (application ref. 2005/5019).

New Mansion Square (Battersea Power Station Phase 4a)

New Mansion Square is located immediately to the south of the application site. The site was purchased by the Battersea Power Station Development Company (BPSDC) and forms Phase 4A of the seven phase Battersea Power Station Development. Planning permission was granted in December 2015 (ref 2015/3555) for the construction of new buildings to a maximum height of 18 storeys (59m AOD) to provide 374 new homes, all of which are affordable together with a health centre and other commercial uses and associated works. New Mansion Square consists of one building (A1) comprising of five blocks running along the southern edge of the site and two buildings (A2 and A3) to the north of the site. The buildings are separated by areas of public realm known as the 'Garden Square' and the 'Central Square'. At the time of writing this report, the construction of the development has largely been completed, and the residential elements of the scheme are in the process of being occupied.

3. APPLICATION DETAILS:

This application seeks full planning permission for demolition of the existing buildings and the redevelopment of the site to provide buildings ranging from 12 to 22 storeys across three plots, comprising 762 student rooms with communal terraces, 55 residential (C3) homes, flexible retail/community floorspace, associated servicing arrangements, car and cycle parking, landscaping, highway works and other associated works. Accounting for rooftop plant and overrun, the buildings would stand at 46.95 m (Plot 01), 58.85m (Plot 02) and 62.42m and 72.12m (Plot 03).



Figure 1: Proposed site layout and plot numbers



Figure 2: Artistic impression of the three proposed buildings from the opposite side of Battersea Park Road



Figure 3: Artistic impression of Plot 01 further along Battersea Park Road

The proposal can be summarised as follows:

- Demolition of the existing buildings on site (Booker Warehouse)

- Three buildings are proposed (Plot 01, Plot 02 and Plot 03) ranging from twelve to twenty-two storeys (delivery of 55 affordable residential units: 13 x 1-beds (23.63%); 26 x 2 beds (47.27%); 13 x 3 beds (23.63%); 3 x 4 bed (5.45%);
- Delivery of 762 student bedrooms (237 self-contained studio rooms and 525 cluster rooms) in Plots 02 and 03, of which 198 (25.98%) are affordable;
- Car free development, with the exception of 4 accessible car parking spaces, and delivery and servicing bays.
- Provision of 4,442 sqm of public realm including landscaping, 356 sqm of dedicated play space and a pedestrian link through to the new development at New Mansion Square;
- New vehicular servicing route between Sleaford Street and New Covent Garden Market access road.

Full details of the application, including scaled drawings and other documents are available on the online application file on the Council's website and choosing the revised drawings option via this link: [Planning comments - Wandsworth Borough Council](#)

Pre-application engagement

Prior to the planning application being submitted the applicant undertook extensive pre-application discussions with London Borough of Wandsworth (LWB) Officers and the Greater London Authority (GLA). During the course of the pre-application engagement, a number of meetings and workshops on various topic areas with the architects and their specialists took place to ensure that the proposed development for the site would be optimised but ensuring that a high-quality scheme would be delivered. The applicant made various amendments to the scheme's design and took on board encouragement from officers to provide the benefit of securing affordable housing that is not a planning policy requirement. At the end of this iterative process, the council issued formal response letters (dated 12 January 2022 and 27 January 2022). Although the letters were confidential at the time of issue, in accordance with the council's commitment to ensuring all information relevant in the determination of a planning application is made publicly available, the responses have been published on the website within the planning application records for this submission.

Design Review Panel

The NPPG Design (2014) states that 'achieving good design is about creating places, buildings, or spaces that work well for everyone, look good, last well, and will adapt to the needs of future generations.' One tool to support and foster good design early in the process is the use of a Design Review. Design review is a tried and tested method of promoting good design and is an effective way to improve quality. Local authorities should, when appropriate, refer major projects for a design review.

Design review is most effective if done at the early stages of an application. Schemes that have been through the design review process and have developed positively in response to the recommendations from the design review panel, are less likely to be refused planning permission on the grounds of poor design. The purpose of design review is to improve the

design quality of new development. In assessing applications, local planning authorities are advised to have regard to the recommendations from the design review panel.

The proposals have been subject to three separate reviews by the Wandsworth Design Review Panel, with formal responses issued on the 4 April 2022, 8 July 2022, and 20 February 2023.

The Design Review Panel (DRP) acknowledged that this site represents both a significant and challenging location within the Nine Elms and Battersea Opportunity Area. Although it is a relatively small part of the overall development, it is a critical component in realising the broader vision for the area.

From the outset, the panel appreciated the design team's overarching vision, expressing general support for the proposed height and massing. They also welcomed the use of high-quality pre-cast materials for the buildings. The first pre-application design review was held on 16 March 2022. During this review, the panel provided feedback that several fundamental issues had not been sufficiently explored or justified. As a result, they could not endorse the proposal until these concerns were addressed. The primary concerns were focused on three key areas: sustainability, landscaping, and architectural treatment. The architectural language was described as 'unrelenting' over large areas, and the proposed elevations failed to adequately respond to the site's varying environmental conditions. The landscape design, in particular, was noted to require 'a much stronger narrative' that better integrated the landscape with the architectural vision.

The DRP conducted a second review of the application on 8 June 2022. During this review, they acknowledged the progress made on the student housing blocks (Plots 02 and 03), particularly the refinements to the pre-cast concrete and variations in colour. However, they noted that insufficient progress had been made in addressing sustainability concerns, and Plot 01 remained unresolved. The panel suggested that the architects adopt a different approach for this plot. While the landscape strategy contained interesting elements, the panel questioned whether these represented the best response to the specific site conditions.

On 6 February 2023, the design team presented the updated scheme. The panel was pleased with the revised proposals for the three plots, particularly the improvements in sustainability, landscaping, and design response. Having reviewed the scheme twice before, the Panel expressed their commitment to ensuring a high-quality and sustainable design, stating their appreciation for the team's engagement in addressing the previously raised issues.

In their final comments, the panel praised the design for maintaining the overarching vision for the three blocks and the continued use of high-quality pre-cast materials. They also welcomed the appointment of new landscape architects and commended the decision to retain mature trees along Battersea Park Road. The panel stated that 'We are very pleased with how the scheme has evolved and applaud the applicant and client, through their team of consultants, for responding positively to the feedback from both the officers and the Panel.' In conclusion, the DRP affirmed that 'the revised vision and strategies presented for the landscape have transformed the scheme and promise a high-quality development.'

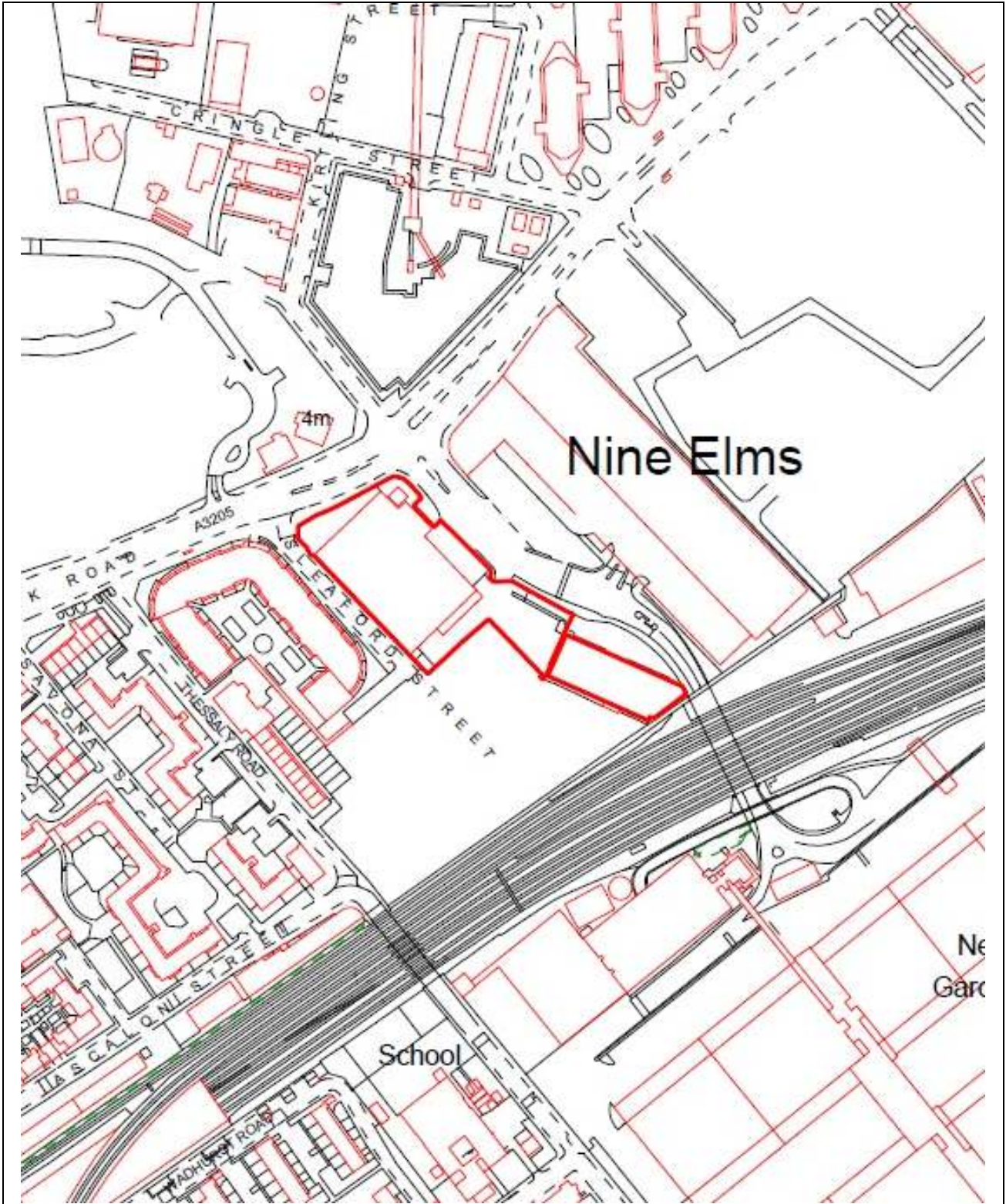
All Design Review Panel responses can be read in full on the council's website by using the following link and choosing the Background Papers option: [Planning comments - Wandsworth Borough Council](#)

Post Submission Amendments

The application was formally submitted in May 2022. Over the course of the planning application process, the applicant has made further refinements to the proposal in response to concerns raised through the consultation process and/or issues highlighted by LBW officers, statutory consultees, councillors, and stakeholders.

A revised submission was submitted to the council in May 2024 and a second round of publicity and consultation has been undertaken on the updated proposals. The changes include, but are not limited to:

- a reduction in height of Plot 01 from 14 to 12 storeys;
- reduction in footprint and rotation of Plot 01
- redesign of the building and introduction of second stair core;
- quantum of residential dwellings reduced from 81 to 55;
- a reduction in the quantum of student bedrooms from 779 to 762;
- changes to tenure, an increase in community floorspace;
- provision of improved landscaping, play space, public realm works, amendments to biodiversity net gain and the urban greening factor;
- amendments to the parking design;
- revisions to accessible residential units and student accommodation
- retention of more trees; and
- environmental improvements to the building facades design.



Wandsworth

Application No: 2022/1835

Booker Cash & Carry and BMW Car Service Garage 41-49 and 49-59 Battersea Park Road London SE8 5AL

Not to scale

N



A number of existing and proposed drawings and supporting documents were submitted in support of the application. During the course of the application revised plans and updated documents were submitted in 2024 to address comments arising from consultations. The below list refers to the revised documents and the dates received by the Council:

Received 26/04/2024

A Preliminary Ground Investigation Report For 41-49 Battersea Park Road, Nine Elms (Issue 1.3), prepared by Tier Environmental, dated 27.3.23

Air Quality Assessment prepared by Redmore Environmental, dated 17.1.24

Application Covering Letter, prepared by Montagu Evans, dated 26.4.24

Arboricultural Impact Assessment (Arbtech AIA 03, Rev C), prepared by Arbtech, dated January 2024

Arboricultural Method Statement, prepared by Arbtech, dated 22.1.24.2024

Archaeological Desk Based Assessment (Final), prepared by RPS Group, dated 7.2.24

Biodiversity Net Gain Assessment, prepared by Greengage, dated January 2024

Car Parking Management Plan (Rev 04), prepared by SLR Consulting, dated 16.1.24

CIL Additional Information Form, prepared by Montagu Evans, dated 26 April 2024

Construction Logistics Plan (Rev 04), prepared by SLR Consulting, dated 23.2.24

Construction Waste Management Plan (draft), prepared by Watkin Jones Group, dated January 2024

Cultural Strategy, prepared by Future City, dated January 2024

Daylight, Sunlight and Overshadowing Assessment prepared by Point 2 Surveyors, dated January 2024

Delivery and Servicing Management Plan (Rev 04), prepared by SLR Consulting, dated 11.1.2024

Design and Access Statement prepared by Glenn Howells Architects, dated 16.2.24

Draft Student Management Plan, prepared by Fresh, dated January 2024

Drainage Strategy (Rev 007), prepared by Apex Consulting Engineers, dated 15.1.24

Environmental Noise & Vibration Assessment, prepared by PDA Acoustic Consultants, dated 29.1.24

Flood Risk Assessment prepared (Rev 003), by Apex Consulting Engineers, dated January 2024

Heritage, Townscape and Visual Impact Assessment Part 1-3, prepared by Montagu Evans, dated January 2024

Landscape Strategy Part 1-8, prepared by Planit I.E., dated 11.4.2024

Operational Waste Management Strategy (Version C03), prepared by Equilibria Group, dated 23.1.24

Preliminary Ecological Appraisal, prepared by Greengage, dated January 2024

Purpose-built Student Accommodation Demand Report, prepared by Cushman & Wakefield, dated January 2024

Socio-Economic Statement, prepared by Montagu Evans, dated 24.1.24

Statement of Community Involvement Addendum, prepared by kanda, dated March 2024

Sustainability Statement, BREEAM and HQM Pre-Assessments (S2F), prepared by Atelier Ten, dated 22.1.24

Transport Assessment (Rev 05), prepared by SLR Consulting, dated 11.1.24

Travel Plan (Rev 05), prepared by SLR Consulting, dated 11.1.24

Tree Protection Plan (Arbtech TPP 03, Rev C), prepared by Arbtech, dated January 2024

Utilities Statement (Rev S2D), prepared by Atelier Ten, dated 22.1.23

Whole Life Cycle Carbon Assessment and Reporting: Affordable Residential (Block 1) (Rev v1.01), prepared by ADW Developments, dated 29.3.23

Whole Life Cycle Carbon Assessment and Reporting: Student Accommodation (Block 2-3)
(Rev v.1.01), prepared by ADW Developments, dated 29.3.23
Wind Microclimate Assessment prepared by GIA Chartered Surveyors, dated 17.1.24

Received 10/05/2024

Planning Statement prepared by Montagu Evans, dated April 2024

Received 02/07/2024

Fire Statement Form Block A, prepared by Atelier Ten, dated 1.7.24
Fire Statement Form Block BC, prepared by Atelier Ten, dated 1.7.24
Fire Statement Form Block DEF, prepared by Atelier Ten, dated 1.7.24
Fire Statement Form LPG Block A, prepared by Atelier Ten, dated 1.7.24
Fire Statement Form LPG Block BC, prepared by Atelier Ten, dated 1.7.24
Fire Statement Form LPG Block DEF, prepared by Atelier Ten, dated 1.7.24

Received 09/07/2024

Site Photography: 3D View, prepared by Point2, dated 8.3.23

Received 17/07/2024

Pre-Demolition BREEAM Audit Report prepared by ADW Developments, dated 17.1.24

Received 07/08/2024

Health Impact Assessment, prepared by Montagu Evans, dated 6.8.24

Received 09/08/2024

Circular Economy Statement, prepared by ADW Developments, dated 1.8.24
Supplementary Daylight and Sunlight drawings, prepared by Point 2 Surveyors, dated August 2024

- Windows Location Building A1.2 – Tweed Mansions (P2874/W/01 Rev.15)
- Windows Location Building A1.3 – Foots Row Mansions (P2874/W/02 Rev.15)
- Windows Location Building A1.4 – Billington Mansions (P2874/W/03 Rev.15)
- Windows Location Building A1.5 – Arden Mansions (P2874/W/04 Rev.15)
- Windows Location Building A2 – Matkin Mansions (P2874/W/05 Rev.15)
- Windows Location Building A3 – Simpler Mansions (P2874/W/06 Rev.15)
- Windows Location – 142-192 Thessaly Road (P2874/W/07 Rev.15)
- Windows Location – Viridian Apartments, 75 Battersea Park Road (P2874/W/08 Rev.15); and
- Windows Location – Viridian Apartments, 75 Battersea Park Road (P2874/W/09 Rev.15).

Received 18/11/24

Design and Access Statement Addendum prepared by Glen Howells Architects, dated 16.8.24
Energy Statement, prepared by Atelier Ten, dated 12.11.24
Overheating Assessment, prepared by Atelier Ten, dated 12.11.24
Supplementary Daylight and Sunlight Letter prepared by Point 2 Surveyors, dated 16.8.24

4. CONSTRAINTS:

Archaeological Priority area
Flood Zone 2: Medium flood risk zone

Flood Zone 3a: High flood risk zone – 1 in 100 or greater probability of flooding each year.
High Risk of Surface Water Flooding – Flood Risk Assessment Required
Tree Preservation Order – 4no. London Planes & 2no. Lime Trees
Nine Elms Vauxhall Opportunity Area
Central Activities Zone
New Covent Garden Market, Entrance Site, Nine Elms Lane, SW8
Site Specific Allocation (New Covent Garden Market)
Heliport planning restrictions: Developments exceeding 30m will need to be sent to the heliport for consultation. Those under 30m can proceed to planning decisions.
Modified Article 4 Direction Class E (Town Centre) to Class C3 (Residential)
Decentralised Energy Opportunity Areas
Site Specific Allocation
Take Away Restriction Zone

5. REASON FOR REFERRAL:

The Council's Constitution does not delegate powers to officers to determine the application in the way recommended and it must be determined by the Planning Applications Committee.

6. RELATED PLANNING APPLICATIONS:

October 2003 (2003/2257): Alterations to external elevations of existing building including recladding and construction of a single storey extension. Approved.

May 2004 (2004/1231): Continued use of site for the purposes of vehicle servicing, MoT testing, car valeting and parking including offices and reception area. Approved.

July 2014 (2014/2158): Construction of temporary structures, comprising two marquee structures with PVC coverings erected against the existing building to provide additional workshop space and a portacabin building located on the car park opposite to provide a customer reception and administration facilities. Approved with Conditions.

September 2015 (2015/5273): EIA Screening Opinion for demolition of existing buildings on site, and construction of a residential-led mixed-use development consisting of buildings ranging from 5 to 18 storeys, providing approximately 350 residential units and commercial floor space at ground floor level, with associated landscaping and public realm. The anticipated maximum GEA for the overall development is 34,000 sqm (EIA not required).

March 2019 (2015/6813): Demolition of all existing buildings and construction of new buildings of between 5 storeys and 18 storeys, containing 307 residential units, business (Class B1) floorspace and flexible retail/restaurant and cafe/business floorspace (Class A1-A5 and B1), CHP basement, vehicle and cycle parking, plant and associated works, landscaping and a new access onto Sleaford Street. Approved subject to Legal Agreement and CIL.

March 2022 (2022/1062): EIA Screening in accordance with requirements of Reg. 6(2) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for the redevelopment of the site for mixed-use including accommodation for up to 750 students (sui generis), 80 residential units (Class C3), 550sqm of commercial floorspace (Class E) and associated internal amenity/cultural space, service areas, car and cycle parking, together with external landscaping and public realm. EIA Not Required.

August 2023 (2022/0719): Lawful implementation of planning permission ref. 2015/6813 at Booker Cash & Carry and BMW Car Service Garage site, 41-49 and 49-59 Battersea Park Road through the carrying out of a material operation under Section 56(4) of the Town and Country Planning Act 1990 (as amended), namely any work of demolition of the former BMW service centre building before the 28 March 2022. Approved.

Extant Planning Permission

The site benefits from full planning permission (ref. 2015/6813) granted in March 2019 for the demolition of all existing buildings on the site and construction of new buildings between 5 to 18 storeys, containing 307 residential units, provision of Use Class A1-A5 and B1 (557 sqm), office floorspace and incubator space (1,104 sqm), 31 car parking spaces for the disabled and 3,186 sqm of ground floor amenity and play space.

The extant permission delivered several benefits which were secured through the S106 agreement and comprised 25% affordable housing by unit on a site-wide basis, and the provision of subsidised (fit out and rent) incubator space. The relevant pre-commencement conditions in respect of planning permission 2015/6813 have been discharged, with the permission implemented in April 2022, with the demolition of a BMW Service Centre building.

Environmental Impact Assessment

Environmental Impact Assessment is a process reserved for the types of development that by virtue of their scale or nature have the potential to generate significant environmental effects. The council was requested to issue a screening opinion as to whether the proposed development, due to its proposed size and scale, would necessitate an Environmental Impact Assessment (EIA).

Having reviewed the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and consideration of the scheme's potential for significant environmental impacts was undertaken using the criteria listed in Schedule 3 of the Regulations. It was considered unlikely that the proposed scheme would have significant adverse environmental effects and therefore did not require an EIA, or the submission of an Environmental Statement as determined in the EIA Screening decision made under application reference 2022/1062 as set out above.

7. COMMUNITY INFRASTRUCTURE LEVY

Mayoral Community Infrastructure Levy (CIL)

The estimated amount of Mayoral CIL for this development is £83,890.56 in accordance with the Mayor's CIL 2 Charging Schedule (MCIL2) that took effect on 1 April 2019.

Wandsworth Community Infrastructure Levy (CIL)

The estimated amount of Wandsworth CIL for this development is £2,547,656.70.

Community Infrastructure Levy (CIL) estimate	
Mayoral CIL	£83,890.56
Borough CIL	£2,547,656.70

The actual amount of CIL can only be confirmed once all relevant details are approved, and any relief claimed.

8. CONSULTATION:

There have been three rounds of public consultation undertaken by the LPA, all of which took place in accordance with the statutory requirements.

First Round of Consultation

The local planning authority's statutory consultations in respect of the submission are set out below:

First Consultation (2022): Summary Table	
Number of letters sent	294
Site Notice	Yes
Press Notice	Yes
Number of responses received	82
Number of neighbour objections	82
Number of neighbour support	0

A summary of all consultation responses is provided below. Neighbour representations received can be read in full on the council's website until a decision is made.

Neighbour Consultation Summary:

The material considerations raised in the objections are summarised thematically below:

OBJECTIONS (first round of consultation):

Land use, housing and affordable housing:

- Query the need / evidence for student accommodation, already provided in the area.

- The provision of student accommodation questioned considering no higher education / learning establishments in the area.
- Majority of students will be foreign national students so will this free-up student accommodation elsewhere?
- Query the gender, age, international/national mix of students & courses studied.
- Insufficient evidence for the creation of new jobs.
- Request the number of residents accommodated by the scheme be reduced.
- Affordable housing shortage, small flats and homes for families needed that will live and settle in the area for a long time.
- Query who will manage the affordable housing.
- Query whether the service charges for the affordable housing will go up.
- What leisure services are available on site for the students.
- Suggestions that the site be used for the local community for indoor exercise, library or a grocery store.
- Overdevelopment and overcrowding, too many units on a small site.

Design, height, massing and layout.

- The buildings are too tall, increased density and massing, intensive development, out of keeping/character/proportion with the surrounding townscape, the high-rise design is not visually appealing, height needs to be reduced.
- Poor detailed design, which is unpleasing, clunky design and unsympathetic.
- Increased fenestration and potential for light reflection from building and flues.
- Request the layout is changed with buildings moved away from Battersea Park Road, the student entrance and playground should be located on New Covent Garden Market side.
- The height of the building is contrary to the 2016 Local Plan and the draft local plan.

Green / open space, landscaping and trees

- Loss of existing well established frontage trees, detrimental impact on the group value of the trees and the local environment, the trees must be preserved; and the layout of the development must be re-positioned.
- Lack of green space, poor landscaping, a larger park should be proposed.
- Inadequate outside amenity space and poor courtyard designs to accommodate the number of people, their guests and staff.
- The proposed development will affect species and wildlife.

Amenity impacts

- The height and scale of the proposed buildings would cause overshadowing of neighbouring properties including amenity / courtyard space.
- The proposed development would impact on loss of daylight and sunlight to neighbouring flats, roof gardens, balconies, private patios and communal space.
- Potential for light pollution from the new square.

- Would affect Rights to Light.
- The proposed development would lead to increased overlooking and loss of privacy for neighbouring residents.
- Overheating arising from the buildings, would contribute to increasing temperatures.
- Increased air pollution/dust from construction work, smog, noise, concerns about construction management, parking for workers and compliance with hours of construction, especially for neighbouring occupiers who work from home.
- Query whether the developer will have monthly meetings with local residents to address potential noise issues and adhering to agreed hours of construction.
- Impacts for when term is due to start, query how this is managed and concerns about littering / need to clean-up the site.
- Potential noise from occupiers of the development, deliveries at 5.00am for retail shops, barking dogs and the use of the playground.
- No desire for retail use with alcohol / late night licences or 24-hour Tesco operation or night clubs.

Transport, parking and refuse storage

- Insufficient and inadequate parking facilities to accommodate the new residents and students, will increase demand for existing on-street car parking spaces.
- The access is inadequate and insufficient to accommodate the construction / operational traffic including deliveries, taxis, Uber / Bolt collections / drop offs, turning, off-loading and emergency vehicles.
- The proposed development should have their own access route Sleaford Street should not be used; access should be from New Covent Graden access road.
- Concern about an increase in road safety issues.
- Underground / more car parking should be provided to meet 75% of the proposed development population.
- Insufficient disabled parking provision.
- On site motorcycle parking needed for workers.
- Bin/waste storage provided in Sleaford Street will bring odour to the area.
- Pedestrian movements should be funnelled away from Sleaford Street.
- Ride share should have been considered.
- Will additional bus routes be provided.

Other

- Lack of engagement with local people, no events organised with model to visualise the local impact of the development.
- Views of residents have not been taken into account, further consultation with residents requested.
- Wandsworth Council have failed to consult local residents.
- Unsustainable development from an environmental perspective.
- Increased surface water flooding risk and contributing to high flood risk.

- Increase high winds and wind tunnel effect.
- Fire safety concerns arising from the proposed development.
- Increased pressure being placed on the local infrastructure e.g. GP surgeries, schools and waste collection.
- The proposed development is harmful to the health, wellbeing and would lead to reduced quality of life for existing and new residents.
- Increased burden on local taxpayers as students don't pay Council Tax, will reduce revenue available for the Local Authority.
- Students likely to be economically in-active, residents of social housing paying less tax means the development is being subsidised by Wandsworth Council.
- Increased anti-social behaviour of students, potential for littering, who will clean up the mess on Friday/Saturday and Sunday mornings.
- Increased safety concerns and how will females be protected.
- Concern about the use of CCTV's and if drones are used adjacent to Viridian apartments.
- Strict terms of use of the student accommodation needed during the holidays.
- Rental bikes & e-scooters may be left randomly in the area and block pavements.
- Impact on property values.

Ward Councillors:

Cllr Aydin Dikerdem, Cllr Sara Linton and Cllr Steve Worrall: Objection

(Objection letter on behalf of all the Shaftesbury and Queenstown ward councillors)

It's our view, re-iterated by residents from across the area, that a 22-storey student accommodation block does not address the needs of the local community. It's another step in the already accelerated project of turning this part of Battersea into an area of high churn and transient short-term residency. Only 5 minutes away on the Palmerston court site, two (15 and 20 storey) student accommodation blocks are currently being built producing 850 students flats and 10 minutes in the other direction is the 32 storey Urbanest student accommodation at the towering 5 Miles Street site in Vauxhall – this is not a product that is lacking in the area.

What is lacking in the area is social rent properties. The affordable housing being provided by this application falls short of the current Wandsworth Plan tenure mix of 60-40 social rent to other 'affordable' products (the tenure split is 52% shared ownership and 48% London Affordable Rent). With 81 affordable residential units alongside the 779 student accommodation units - that means that only 9.4% of the total current scheme are affordable residential units, of which only 4.5% are low cost rent residential units (though not social rent). Given the scale of the Borough's housing crisis, priority should be placed on building high quality social housing for the thousands of Wandsworth residents who need it. In this respect the current application does not meet this challenge.

Concerns of the Viridian residents are raised as they will be dwarfed by a high-density building that will look directly into their courtyards and communal spaces. The south-east facing apartments at Viridian will have their access to light hugely compromised (especially those on the lower floors). They have already faced this with the current Battersea Power

Station Sleaford site (of which the new residents themselves will also be faced by the huge building proposed in this application too). While height and density are often necessary to provide viability for schemes with a strong offer on affordable housing, residents do not feel this is the case at all here. Instead, it looks like this is an attempt to build high and dense student accommodation, just like at Palmerston and Miles Street, because of the profits that can be extracted from this tenure type regardless of the needs of the local area.

Other consultation responses summarised as:

Battersea Society: Object to the development owing to overdevelopment of the site, transport effects, student accommodation provision, and environmental impacts.

Peabody Trust (Delivering Phase 4a – New Mansion Square): Comments provided. Peabody note building heights have increased to 22 storeys, which is 4 storeys taller than the tallest block on Phase 4a. Peabody are not opposed to the increase in height but are concerned that Plot 03 now overpowers Block A3. The proposal has no gradual increase in height and the block is overbearing on the residents of A3. Without changing tenure, it should be possible for a change in massing to create a more staggered skyline, which would reinforce the corner marker building and the tall tower building, while allowing a 4 storey reduction to reduce the overbearing impact.

Peabody notes that while overall loss of light impact demonstrates a slight reduction some homes will have light losses which are more serious. Peabody would not want a negative impact on light levels which would materially affect the enjoyment of the homes most close to the development site. Peabody request that the podiums / private terraces is conditioned to ensure there is no negative impact.

VSM New Covent Garden Market (NCGM): Comments provided. VSM are generally supportive of the redevelopment of the site, however, have a number of queries and concerns.

Land use: No objection to the principle of PBSA, supportive of the proposed ground floor uses, providing increased activation and uses that would benefit existing and emerging residential populations.

Access and movement: General principles of the access and movement routes through the site are welcomed, including the pedestrian crossing. However, the indicative location would need to be discussed as the Entrance Site proposals for NCGM come forward.

Deliveries and servicing: VSM note the majority of deliveries will access the site at Sleaford Street, however larger vehicles, including refuse trucks, will continue in a forward gear and exit the site on to the New Covent Garden Market access road, with access restricted by bollards. The NCGM access road primarily services the Main Market site and is heavily trafficked, particularly during peak hours. It is therefore important that that this factored into the delivery / servicing proposals for the site. No objection is raised to the service bay (primarily for refuse and larger vehicles) on the NCGM access road, subject to clarification that it will not be utilised by deliveries associated with the residential use. Small delivery vehicles and mopeds should be encouraged to use Sleaford Street.

Construction logistics: VSM request details / clarifications in the Construction Logistics Plan and Construction Waste Management Plan regarding the deliveries, the NCGM access road cannot be closed, and footpath closures on the access road will need to be agreed with the CGMA. Construction and servicing vehicles should only be permitted to exit via the access road. Any related discharge of conditions of S106 obligations should be subject to consultation with CGMA.

Height and massing: The increase in the proposed height compared to the extant permission on the site is supported in principle in townscape terms.

Daylight/sunlight: Although the principle of the height is supported, it is noted that the massing compared to the extant permission will result in increased daylight/sunlight impacts to the Entrance site. The Daylight and Sunlight Assessment submitted does not appear to include an assessment of overshadowing impacts on the public amenity space within the Entrance Site / Linear Park, which will be necessary.

External consultation responses summarised as:

Greater London Authority (GLA) (Stage 1 response summary): The full report is available on the council's website.

Land use principles: The principle of redevelopment for student, residential and flexible Class E uses is considered acceptable. The associated S106 would need to secure provisions in respect of entering into a nominations agreement with a higher education provider; the provision of affordable student accommodation in accordance with policy and limiting occupation of the accommodation to students during term time. The provision of complementary commercial and community uses at ground floor is supported.

Affordable housing: A blended approach has been taken in terms of the Fast Track Route threshold by virtue of the mixed industrial and non-industrial use of the existing site, which comprises both C3 residential affordable housing and affordable student accommodation and amounts to 39.47% affordable housing by 'habitable room'. Affordability levels should be secured as appropriate and the affordable student rooms should be equivalent in size to the market. Other issues on residential mix and quality, play space, urban design, fire safety, sustainable development, environmental issues and transport also require resolution prior to the mayor's decision making stage.

Urban design, heritage and tall buildings: Comments made in respect of the height and massing need to be addressed including provision of additional visuals before the heights could be deemed acceptable noting that tall buildings above 11 storeys are not deemed appropriate by the Local Plan. The interface between the public realm, the building podium and the retaining wall remains unclear. Potential for overlooking between adjacent development should be addressed.

Inactive frontages should be reduced where possible. The need for winter gardens should be clarified. Further activation of the southernmost building at ground floor should be considered. The design and access statement lacks detail regarding the public realm and

building access strategy. Further information is required. The council should determine whether the scheme should provide 10% wheelchair accessible student accommodation.

Transport: TfL is implementing a Healthy Streets scheme for Battersea Park Road and Nine Elms Lane to improve road safety and facilities for cyclists, pedestrians, and buses along the entire corridor. The scheme is critical for promoting active travel in the Opportunity Area and accommodating transportation needs generated by the development sustainably. Land to facilitate the delivery of these works should be safeguarded in the S106 legal agreement and via a Section 38 agreement. A contribution to £458,088 towards the delivery of the works to the southern footway is requested from the development. The development should support the Nine Elms on the South Bank Cycling Strategy by facilitating a cycle route along the railway viaduct at the southern boundary of the site, by providing land and rights of access.

Highway impacts: The trip generation methodology is accepted and is comparable with other recently consented schemes in the area. The TA suggests a cycle mode share for the student accommodation of 4%, however given the planned enhancements to cycle infrastructure in this area it is expected that this would be up to around 10% in line with the cycle mode share for the proposed residential dwellings.

Car parking: The development is primarily car free, allowing for only 6 disabled parking spaces on Sleaford Street, as per the extant permission. This will include 4 spaces for residents which equates to 5% of the total dwellings proposed. Given the high PTAL, it is recommended that disabled car parking is provided for only 3% of the proposed dwellings from the outset and therefore should be reduced by at least 1 space. Infrastructure for electric vehicle charging should also be provided in line with the London Plan and secured by condition along with the Parking Management Plan.

Cycle parking: A total of 737 long-stay and 48 short-stay cycle parking spaces are proposed, which is compliant with the minimum standards. Cycle parking should be designed in accordance with Chapter 8 of the London Cycling Design Standards (LCDS). The applicant should demonstrate how proposed cycle routes within the site connect with the wider planned cycle network.

Deliveries and servicing: The servicing strategy for the development will mirror that of the extant permission, utilising bays on Sleaford Street and the New Covent Garden Market (NCGM) access road. A bollard controlled through-route for service vehicles between Sleaford Street and the NCGM would facilitate access larger vehicles, that are unable to turn at Sleaford Street. The applicant must ensure there is no conflict between servicing vehicles and pedestrians/cyclists. A detailed Delivery and Servicing Plan should be secured by condition.

Construction logistics: An outline Construction Logistics Plan (CLP) has been prepared to support the application. This suggests that construction will take place between November 2022 and August 2025. As such it is extremely likely that construction of the development will overlap with TfL's works on Battersea Park Road. Therefore, it would not be acceptable to provide construction access from Battersea Park Road at any time. It is requested that the construction programme for the development seeks to commence the works to the

north of the site at the earliest phase to ensure that TfL can gain clear access to the footway to deliver the scheme. A detailed CLP should be secured by condition

GLA – Environmental Issues: The applicant should seek to increase the UGF score for the development to 0.4. The FRA does not sufficiently address pluvial flooding and should be updated. Surface level drainage should be reduced to greenfield rates. The applicant should respond to the need to provide full digital connectivity for end users of the development.

Circular economy: The applicant has submitted a Circular Economy Statement and detailed technical comments have been sent to the applicant and the council under separate cover. The applicant should provide additional description and narrative in some areas, including exploration of measures which go beyond standard practice. The applicant has not yet set out a rationale for the demolition proposed and a Pre-Redevelopment Audit and some additional consideration of some factors with respect to Pre-Demolition Audits have been requested. There is also further information the Applicant should provide with respect to operational waste, including commitments to GLA policy. A post-completion report setting out the predicted and actual performance against all numerical targets in the relevant Circular Economy Statement should be secured via condition.

Energy: The applicant's energy strategy reports an overall reduction in regulated CO2 emissions for the domestic element of 63% overall, and a 57% reduction for the non-domestic element. In order to fully comply with Policies SI2 and SI3 of the London Plan, and associated guidance further information needed on: the Be Lean strategy; clarifications and further measures on overheating, exploring potential DHN connection with VNEB; on site networks and future DHN drawings; further information on PVs; further information on ASHP and energy system; to address the Be Seen policy.

Whole Life Carbon: The applicant should provide explanation of the third-party verification mechanisms that have been adopted to quality assure the assessment; provide more information on the retention of existing buildings / structures; expand on the key actions and opportunities to further reduce WLC emissions; more details on materials, assumptions and end of life scenarios; and full completion of the template table. These comments cut across both the PBSA and residential elements of the scheme. The applicant should update the excel spreadsheet provided accordingly. A post-construction assessment to report on the development's actual WLC emissions should be secured via condition.

Sustainable drainage: The FRA for the proposed development does not provide sufficient information regarding the risk of pluvial flooding. The surface water drainage strategy for the proposed development does not give appropriate regard to greenfield runoff rates. The green roof extents should be shown, and the inclusion of rainwater harvesting should be prioritised in line with the London Plan drainage hierarchy. No information is provided regarding water consumption targets for residential uses of the site. The applicant should consider water harvesting and reuse to reduce consumption of water across the site and can be integrated with the surface water drainage system to provide dual benefit.

Officer note: The applicant has provided further information in response to the Stage 1 report by the GLA. The GLA have confirmed that an updated Stage 1 report will not be

issued on the revised proposals, however the applicant has submitted additional information to address the above comments.

Health and Safety Executive: Comments: a Fire Statement is required as part of the application material.

Historic England Archaeology (GLAAS): No objection, subject to conditions.

Heathrow Airport: No safeguarding objections to the proposed development, informatives recommended.

Metropolitan Police/Secured by Design: No objection subject to conditions.

Thames Water: No objection, subject to conditions.

Transport for London (TfL): No objection subject to a financial contribution of £458,088 towards the delivery of TfL's Healthy Streets scheme on Battersea Park Road in addition to the land required within the site red line boundary to deliver the works.

Transport for London (TfL): (follow-up comments): No objection, subject to conditions. The recommended financial contribution of £458,088 holds firm. Further information on the design of the external cycling parking areas requested.

Internal consultation (and external consultants on behalf of the council) responses summarised as:

Biodiversity Officer: No objection, subject to conditions.

Climate Integrated Solutions (independent sustainability consultant): Comments with recommendations for the applicant to achieve BREEAM and Home Quality Mark Four Star targets.

Climate Integrated Solutions (Independent Sustainability Consultant) (follow-up comments): No objections. Overheating strategy is required to clearly demonstrate all steps of the cooling strategy have been explored to the fullest.

Cultural Lead: No objection.

Monitoring and Evaluation (Employment) Officer: Further information required around the proposed job generation from the student accommodation proposed. Employment and Skills S106 contribution required. Final contribution to be confirmed.

Housing Specialist Occupational Therapist: Objection raised to the proposals, as the scheme does not comply with all relevant parts of Building Regulations Part M. Additionally, the proposals would deliver a shortfall in student affordable housing provision 9.3% rather than the 10% required by policy. As such, the accessible units would not be fit for purpose or policy compliant.

Waste Strategy Manager: Comments: Further information / plan required on designing for three separate waste streams and the size / capacity of bins and collection arrangements.

Housing Officer: No objection, subject to a clause in the S106 legal agreement, that allows for a review of the residential (C3) affordable housing tenure split in favour of affordable rented products.

Second Round of Consultation

The revised plans included:

- a reduction in height of Plot 01 from 14 to 12 storeys;
- reduction in footprint and rotation of Plot 01
- redesign of the building and introduction of second stair core;
- quantum of residential dwellings reduced from 81 to 55;
- a reduction in the quantum of student bedrooms from 779 to 762;
- changes to tenure, an increase in community floorspace;
- provision of improved landscaping, play space, public realm works, amendments to biodiversity net gain and the urban greening factor;
- amendments to the parking design;
- revisions to accessible residential units and student accommodation
- retention of more trees; and
- environmental improvements to the building facades design.

The local planning authority's statutory consultations in respect of the submission are set out below:

Second consultation (May 2024): Summary Table	
Number of letters sent	770
Site Notice	Yes
Press Notice	Yes
Number of responses received	100
Number of neighbour objections	100
Number of neighbour support	0

A summary of all consultation responses is provided below. Neighbour representations received can be read in full on the council's website until a decision is made.

Neighbour Consultation Summary:

The material considerations raised in the objections are summarised thematically below:

OBJECTIONS (second round of consultation):

Land use, housing and affordable housing

- Query the need / evidence for student accommodation, t already provided in the area, Palmerston Court is 200m away, student cohort already catered for.

- The provision of student accommodation questioned considering no higher education / learning establishments in the area.
- The student accommodation is unlikely to be affordable will be pitched at attracting rich/international students studying not the needs of local people, PSBA only supported where its affordable with exclusive access for those studying in Wandsworth.
- Transient student population are not economically active, will not contribute / integrate into the community, will drive up local rents, displace low-income families, does not comply with London Plan policy H15 to create a mixed and inclusive neighbourhood.
- Insufficient evidence for the creation of new jobs.
- Affordable housing / residential housing required to balance explosion of student accommodation.
- Request more housing, there is a shortage of affordable housing for local residents or affordable rent for key workers.
- Proportion of affordable student units and affordable housing is not aligned to Council's ambition of 50% affordable housing.
- Suggestions that the site be used for sports and or for business facilities
- Overdevelopment and overcrowding.

Design, height, massing and layout

- The buildings are too tall, increased density and massing, intensive development, out of keeping/character/proportion with the surrounding townscape, a more staggered approach to the skyline should be followed, height and scale needs to be reduced and potentially house elderly people.
- Low design quality, the development would be an eyesore and the build quality inappropriate for the area, cosmetic changes only in the revised design.
- High rise developments can trap residents into cycles of poverty and limited opportunity.
- The boundary between the new buildings and the existing properties is too narrow.
- Request that the development is constructed in brick to match buildings in the area, the proposed new colour palette will age.
- Request that external ventilation plant does not reflect light.
- The proposed development would block the views of Battersea Power Station and have a negative impact on this grade II* listed building.

Green / open space, landscaping and trees

- Loss of existing well-established trees with TPO's on the frontage
- Lack of space, congested environment, no green areas, need more space, site could be used as open space/gardens/park or for conservation projects.
- Construction / maintenance of large student accommodation will compromise green spaces.
- No requirement for another children's play area.

- Inadequate environmental benefits
- Inadequate outside amenity space and poor courtyard designs to accommodate the number of people, their guests and staff.
- The proposed development will affect local flora and fauna and requires careful assessment of environmental impacts.

Amenity impacts

- The height and scale of the buildings causes overshadowing for flats including amenity / courtyard space and would have an overbearing / overpowering impact, a more staggered design would be more neighbourly and preserve views.
- The proposed development would impact on loss of daylight and sunlight for neighbouring flats roof gardens, balconies, private patios and communal space.
- The proposed development would lead to increased overlooking and loss of privacy for neighbouring residents.
- Would affect views from neighbouring properties.
- Overheating arising from the buildings.
- Increased overcrowding, increased noise and disturbance from the construction of the development and after construction from the student population.
- Increased air pollution (and resulting respiratory problems) from construction work, planned demolition must be booked/organised in advance to avoid impact on mental health, those with babies and people working from home.
- Any commercial units opened late should be on the Covent Garden Market side and not Sleaford Street.

Transport, parking and refuse storage

- Insufficient and inadequate parking facilities to accommodate the new residents and students, will increase demand for existing on-street car parking spaces.
- The access is inadequate, congested and insufficient to accommodate the construction / operational traffic including deliveries, taxis, Uber / Bolt collections / drop offs, turning, off-loading and emergency vehicles.
- The proposed development should have their own access route Sleaford Street should not be used; access should be from New Covent Garden access road.
- Concern about serious road safety issues.
- Underground / more car parking should be provided to meet 75% of the proposed development population, even for disabled parking, cycle parking and deliveries.
- Congestion will impact upon people visiting residents to provide essential services. Delays could have consequences for their care, health and wellbeing.
- The Northern line is already operating at capacity, and the infrastructure impacts of the proposed development must be assessed.
- The floating bus stop in Battersea Park Road is already over-congested with issues between pedestrians and cyclists that will be exacerbated.
- Ride share / pick up and drop off should be considered on Covent Garden Market side.

Other

- The developer has not taken the feedback and comments raised by residents seriously in the revised plans which shows insignificant changes.
- The plan circulated by developer was misleading as didn't show height of development compared to existing building.
- Construction / maintenance of large student accommodation will significantly impact the local environment, increasing waste and energy consumption.
- Increased surface water flooding risk and contributing to high flood risk.
- Change to wind and air circulation arising from tall buildings.
- Fire safety concerns / risks arising from the proposed development.
- Increased pressure placed on the local infrastructure e.g. GP surgeries, Police, social care, schools and waste collection, impact on disabled and vulnerable residents.
- The proposed development is harmful to the health, wellbeing and would lead to reduced quality of life for existing and new residents.
- No adequate services proposed to cater for increase in residents' population such as youth provision.
- Increased burden on local taxpayers as students don't pay Council Tax, will reduce revenue available for the Local Authority.
- Students likely to be economically in-active, residents of social housing paying less tax means the development is being subsidised by Wandsworth Council.
- Increased crime rates, anti-social behaviour of students, alcohol and drug consumption and potential for littering/broken glass.
- There is a need for dedicated cleaning contracts after Friday/Saturday nights.
- Requirement for accountability for student behaviour with onsite security and pastoral care for students.
- Request student access to roof terraces to avoid lingering in the streets.
- Strict terms of use of the student accommodation needed during the holidays.
- Increased exposure to criminal activities by isolating Sleaford Street and opportunities for youth vulnerability.
- Structural damage risk to Viridian apartments arising from construction work.
- Impact on property values.
- The project is only for the financial benefit of the developer
- Need to ensure that adequate storage is provided to prevent residents from storing unsightly things on terraces.
- The proposed development will cut off links to the regeneration area, potential for residents to feel marginalised affecting social integration and mobility, not in line with Labour's housing agenda to create inclusive communities for all including vulnerable.
- Increased rent disproportionately affects BAME and vulnerable disabled residents, worsening inequality and limiting access to housing and employment opportunities.
- Limited employment, temporary construction jobs do not provide long term employment opportunities needed by vulnerable communities.

- Research shows that segregation hinders access to educational and employment opportunities.
- Potential legal challenge and community protests if concerns not addressed.
- Comparison and comments from a case study for the Elephant and Castle Regeneration.

Other consultation responses summarised as:

Battersea Society: Objection. The Battersea Society acknowledges the minor adjustments but maintains its opposition to the proposal which minimises the effect on neighbouring properties. The Society views the project as excessive overdevelopment, with an undue focus on student accommodation, which, does not address the most urgent housing needs in the area.

The Society expressed concerns about the justification for the student housing, stating that the supporting documentation is unconvincing and lacks a comprehensive review of existing student accommodations in the vicinity.

The Battersea Society also questioned the rationale for aiming for an 'Outstanding' BREEAM rating for the student accommodation, while the rest of the development is only targeting a 'BREEAM Excellent' rating.

Further concerns raised about traffic and parking, given the site's proximity to busy roads, the Society considers the proposed use of public space for parking and deliveries as inappropriate and the traffic estimates, based on outdated surveys, fail to reflect the increased demand for deliveries in recent years.

London School of Economics and Political Science (LSE): Support.

LSE supports the application and emphasises the importance of affordable accommodation within commuting distance to its main campus for attracting top global students. The proposed development will offer a mix of affordable rooms, meeting the institutions requirements for high quality student housing. LSE highlights the positive reputation of Watkin Jones for delivering quality accommodation, noting past successful projects. Approval of the application would allow LSE to expand its accommodation offerings and ensue guaranteed housing for first year students. The location is deemed suitable, situated in a growing neighbourhood with excellent links to the LSE campus.

External consultation responses summarised as:

Environment Agency (EA): No objection subject to conditions.

Health and Safety Executive (HSE): No objection. HSE is content with the fire safety design as set out in the project description, to the extent it affects land use planning considerations.

Heathrow Airport: No safeguarding objections to the proposed development, informatives recommended.

Historic England: No comment.

Historic England Archaeology (GLAAS): No objection, subject to conditions.

London Fire Brigade (Fire Commissioner): No objection. Comment that the internal access road from Sleaford Street to New Covent Garden access road, should be able to withstand the weight of the fire appliances.

London Fire Brigade (Water team): No objection.

Metropolitan Police/Counter Terrorism Advisor: No objection, recommend that the use of blast mitigation measures such as laminated glass and/or anti-shatter film are implemented within the development.

Network Rail: No objection, subject to recommended informatives.

Thames Water: No objection, subject to conditions.

Transport for London (TfL): No change since previous comments.

Transport for London (London Underground Infrastructure Protection): No comment.

Internal consultation (and external consultants on behalf of the council) responses summarised as:

Arboricultural Officer: No objection, subject to conditions.

Biodiversity Officer: No objection, subject to conditions.

Climate Integrated Solutions (Independent Sustainability Consultant) May 2024: No objections, subject to conditions. Estimated offset financial contributions required lowered to £125,705 for the non-domestic uses proposed and £54,473 for the domestic uses proposed. To be confirmed via legal agreement.

Climate Integrated Solutions (Independent Sustainability Consultant) August 2024 (following the receipt of updated Energy and Overheating Assessments in response to GLA comments): No objections, subject to conditions. Estimated offset financial contributions required as £125,705 for the proposed non-domestic uses and reduced to £35,662 for the domestic uses proposed (totalling £161,367). To be confirmed via legal agreement.

Economic Development Officer: No objection. The site is strategically located, providing connections to Battersea Power Station, the Northern Line station and local bus services. In conjunction with the recently completed New Mansion Square, it will provide further new pedestrian connectivity between Thessaly Road and Nine Elms Lane. This will be significant in terms of links between surrounding neighbourhoods and the new Sleaford Street Health Centre that is due to open in October 2025. The scheme will also provide an important link to the Primary School located on Moat Street. The scheme's public realm and ground floor uses should reflect and celebrate these important connections, providing a safe and pleasant experience for the diverse range of pedestrians. Meanwhile uses prior to and during the construction of the scheme should also aim to contribute to this objective

The scheme will add a further significant increase in student accommodation in the Nine Elms/Battersea area. Recent research by HEPI (Higher Education Policy Institute) and Kaplan International Pathways (based on London Economics data) has calculated the value of international students to the UK. The research shows 1,160 first year international students in the Battersea constituency and estimates these generate a net economic impact (after taking into account the impact on public services) of £113m. Whilst not all occupants of the scheme would be international students, this illustrates the potential scale of economic impact. Construction activity associated with the development can provide local benefit through the S106 Employment Agreement.

The ground floor uses will provide a more limited level of economic benefit. However, the site is strategically placed on key pedestrian movement routes and the proposed commercial and community uses can add positively to place-making and a fresh identity for this part of the Opportunity Area. The applicant's Cultural Strategy alludes to innovative occupiers for these spaces that would further contribute to this. There is, however, limited information on the lettings strategy and affordability provisions that would be required in practice to secure such occupiers. Discussions with the applicant have led to agreement that Unit 2 would be let to a cultural/community occupier on a peppercorn rent but that it is not possible to provide similar conditions for other units. This is welcomed, although there remains uncertainty regarding the service charge payment which should not undermine the affordability provisions. Details of how a suitable operator will be identified and the conditions for occupying the unit including the service charge payment are to be set out in a Community Use Plan (or similar) and provisions for this included within the Section 106 agreement.

Monitoring and Evaluation (Employment) Officer: No objection, this meets the threshold for an employment and skills contribution and a local employment agreement under the 2020 planning obligations SPD. The contribution required is £130,831.25 which breaks down as £87,220.83 to be retained by the Council and £43,610.42 potentially repayable to the owner pending them demonstrating reasonable endeavours to deliver an employment and skills plan to be agreed with the Economic Development Office.

Environmental Services (Air Quality): No objection, subject to conditions.

Environmental Services (Contamination): No objection subject to conditions.

Environmental Services (Noise): No objection subject to conditions.

Lead Local Flood Authority: No objection subject to conditions to conditions to secure details of the proposed SuDs measures.

Enable (Parks): No objection, subject to securing a commuted sum financial contribution of £450 per square metre of the shortfall in the provision of 12+ youth play to secure the provision of a calisthenics station (gym infrastructure) and "make space for girls" provision at the closest off-site location managed by the Council (accessed without crossing main roads) is Heathbrook Park.

Public Health Lead: No objection. NHS may require S106 financial contributions for healthcare infrastructure.

Specialist Occupational Therapist: Objection raised to the proposals, as the scheme does not comply with all relevant parts of Building Regulations Part M. Additionally, the proposals would deliver a shortfall in student affordable housing provision 9.3% rather than the 10% required by policy. As such, the accessible units would not be fit for purpose or policy compliant.

Waste Strategy Manager: Further Comments: Further information required on designing for three separate waste streams and the size / capacity of bins and collection arrangements.

Waste Strategy (Circular Economy) Manager: No objection, following the submission of additional information.

Third Round of Consultation (following the receipt of revised plans)

The revised plans included alterations to the internal layout of plots 1, 2, and 3 in relation to the provision of wheelchair accessible and adaptable dwellings and increased the size of balconies on floor 11 of plot 1.

The local planning authority's statutory consultations in respect of the submission are set out below:

Third Consultation (September 2024): Summary Table	
Number of letters sent	294
Site Notice	Yes
Press Notice	Yes
Number of responses received	139
Number of neighbour objections	86
Number of neighbour support	53

Neighbour Consultation Summary:

The material considerations raised in the objections are summarised thematically below:

OBJECTIONS:

Land use housing and affordable housing

- The student population in the area is already well-served by existing developments.
- As no nearby universities, there is no need for additional student housing in the area.
- Increased supply of student housing in the area will have a disproportionate effect on council services, as students do not pay council tax.
- Over-supply of student accommodation.
- The proposal prioritises student accommodation over affordable housing and neglects the housing needs of local families, key workers and long-term residents.

- The community is facing a housing crisis, and the number of affordable units in the proposal is considered inadequate.
- Unsuitability of affordable housing on site, questioned whether the affordable housing tenures provided are genuinely affordable.
- Unclear what the proposed retail units will be and whether they are intended to service existing residents or the student population.
- Revised plans have not addressed previous concerns.

Design, height, massing and layout

- The buildings are too tall, increased density and massing, intensive development, out of keeping/character/proportion with the surrounding townscape.
- The proposed 22 storey block is visually intrusive and overpowering.
- The proposed development represents overdevelopment and would be far taller than neighbouring New Mansion Square, creating a dominating and imposing presence.
- The lack of a gradual height increase, and the substantial leap to 22 storeys would adversely impact the aesthetic harmony and living conditions of the surrounding residents.
- The views to the Battersea Power Station would be disproportionately affected.

Green / open space, landscaping and trees

- Concerns about the environmental impact of such a large development, particularly regarding lack of greenspace, air quality and water drainage.

Amenity impacts

- The tall buildings would block natural light to surrounding homes, including Viridian apartments and the residential blocks at New Mansion Square.
- The student block next to Arden Mansions would dwarf the residential building, remove natural sunlight in the morning, and cast the community podium garden into shadow until late evening.
- A reduction in building heights requested to preserve the character of the area and reduce the impact on light.
- The proposed development would lead to increased overlooking and loss of privacy for neighbouring residents.
- Noise pollution, both during the construction and when operational due to the student population.
- Dust from construction will have a negative impact on existing health conditions such as asthma.

Transport and parking

- Increase in traffic congestion, will exacerbate existing traffic problems due to additional residents, deliveries and construction vehicles.
- The access is inadequate and insufficient to accommodate access for healthcare workers, emergency services for visitors and construction traffic.
- Road safety issues particularly for children and elderly residents.
- Sleaford Road is already over-subscribed, the proposal does not properly consider how the increased number of deliveries, family visits, and student cars will impact the access road.
- Existing parking shortage, inadequate parking to accommodate new residents and students, illegal parking will worsen and inconvenience for current residents.
- The lack of parking would also healthcare service providers will struggle to find parking to access people who need care.
- Local buses and transport services are already at capacity and will struggle to handle the influx of new residents; the floating bus stop is already unsafe due to overcrowding and colliding cyclists.

Other

- Increased pressure placed on the local infrastructure e.g. GP surgeries, NHS dentists, hospitals, schools, local parks, libraries, community centres, waste services and other amenities.
- Overcrowding and reduced access for current residents, diminishing the overall quality of life in the community, will disrupt the close-knit, family-friendly atmosphere of the neighbourhood and the sense of community will be lost.
- The over-concentration of a single demographic can disrupt this balance.
- Environmental impact of such a large development in respect of air quality and water drainage.
- The carbon footprint of the construction project is inadequate and insufficient detail on how the development will contribute to improving air quality in the long term.
- The proposed development is harmful to the health, wellbeing and would lead to reduced quality of life for existing and new residents, could affect mental health, especially those with children and with disabilities like autism.
- The introduction of a transient student population is incompatible with long-term stability of the community, important to maintain a balanced community that includes families, working professionals, and students.
- Increase in incidents of antisocial behaviour, including late-night noise, littering, and public disturbances.
- The community will become less safe, particularly for vulnerable groups such as the elderly and children.

The material considerations raised in the supportive comments are summarised thematically below:

SUPPORT

Land use, housing and affordable housing

- Student accommodation is a strategic way to relieve pressure on the housing market; by providing purpose-built student housing, this frees up homes that might have been occupied by students, so these properties are available to local families.
- This is a balanced approach addressing needs of students to move out of overcrowded family homes into purpose-built accommodation.
- Students could live closer to their places of study.
- Urgent need for more affordable housing, the high cost of private renting referenced, which forces families/individua/ long-time residents to leave the area.
- Inclusion of affordable homes as a critical opportunity for those struggling to find suitable housing.
- The development will provide better living conditions for families living in overcrowded or substandard housing as well as those who are currently homeless / living in temporary accommodation.
- Use of underutilised / neglected land and developing on a brownfield site rather than encroaching on green spaces.
- The transformation of the area into a hub for new homes and businesses would contribute to the long-term regeneration of the area, making it a more desirable place to live and work.
- The development is viewed as a potential catalyst for economic and community revitalisation.
- The proposed development includes job creation, which could benefit residents, particularly those looking for new employment opportunities.
- The introduction of new community facilities is seen as a positive aspect of the development enhancing the vibrancy of the area and a centre that older residents could use to socialise.

Marsha de Cordova MP for Battersea: Support for the concerns raised by my constituent and several other local residents with legitimate objections to this development with regard to its scale, potential overcrowding, and the strain it may place on local services and infrastructure. The key points my constituent highlights about the development include:

- This development will significantly increase the local population, exacerbating already considerable demand on NHS services, schools, and transport infrastructure, all of which are reported to be at full capacity.
- The proposal includes buildings of up to 19 storeys, while nearby structures are substantially lower, primarily ranging from 5 to 7 storeys. Residents are concerned about the impact of reduced sunlight, increased noise, and loss of privacy.
- The development's proposed student accommodation does not meet a specific local need, as there are no universities in the immediate vicinity, potentially adding to an influx of transient residents without long-term investment in the community.
- The proposed high-rise buildings will overshadow and physically isolate affordable housing developments nearby, raising concerns about the segregation of social housing within the community.

- The height and mass of the proposed buildings would be out of character with the existing environment, altering the skyline and creating a visually imposing structure relative to the surrounding area.

Given these concerns, I strongly urge you to consider the significant potential impacts of this development on the Battersea community. I believe that this application risks damaging the character and functionality of the local area. I hope that all residents' objections will be taken into account, and that the Council will carefully assess the suitability of a development of this scale in the area.

NHS London Healthy Urban Development Unit (HUDU): No objection. HUDU advise on the impacts of and respond to development proposals on behalf of the South-West London (SWL) Integrated Care Board (ICB), which covers the London Borough of Wandsworth. HUDU have assessed the impacts of the proposed development in discussions with SWL ICB and the NHS would not require any planning obligations to mitigate the impacts of the proposed development. To assess the wider impacts of the proposed development we encourage consulting with the Borough's Public Health department if you have not done so already.

London School of Economics and Political Science (LSE): Support. It would allow their students to access a blend of affordable bedrooms and studio accommodation with amenity space that meet their requirements for high quality third-party student accommodation. LSE stated their support for the delivery partner Watkin Jones, as the company has a reputation for delivering high quality schemes such as the accommodation constructed in partnership with University of London and UPP at Eleanor Rosa House in Stratford.

Internal Consultation (and external consultants on behalf of the council) Responses summarised as:

Housing: No objection. The provision of 55 low-cost rent homes in a range of sizes that will help meet the diverse needs of Wandsworth residents and those on the access queues is noted. The scheme will also bring a mix of tenures to the site that would not have been the case for a student-only scheme.

Of the 762 student rooms, the applicant proposes that 198 (26%) will be affordable, let at lower than market rents to students attending higher educational institutions.

The 55 conventional residential will be provided in a separate block. All will be affordable comprising 27 social rent and 28 'London Living Rent' (LLR) units. Taken together with the affordable student rooms, the scheme provides 39.55% affordable accommodation by habitable room.

As the scheme proposes over 35% affordable accommodation (by habitable room) it is eligible for the GLA's Fast Track route meaning an application-stage viability assessment and late-stage review are not required. An early-stage review should be undertaken in line with the GLA's affordable housing and viability SPG, if an agreed level of progress on implementing the permission has not been made within 24 months of granting permission.

The Director of Housing Strategy, Compliance and Enablement (DHSCE) acknowledges that whilst not a requirement for a student accommodation scheme, the applicant has elected to provide 55 conventional residential units, all of which will be rented affordable homes. The affordable tenures are split 53% social rent and 47% intermediate rent (LLR) by habitable room and is therefore in alignment with the council's current adopted policies.

In this instance, the applicant proposes that the intermediate rent units will have rents set in line with the GLA's LLR benchmarks and will remain as rented in perpetuity.

The DHSCE recommends the council's intermediate affordability criteria is applied to the intermediate housing as follows:

- 50% of the intermediate units (14no.) to be affordable to applicants with gross household incomes up to £41,200 if provided as an intermediate rent product including London Living Rent.
- 50% of the intermediate units (14no.) to be affordable to applicants with gross household incomes up to £67,000 if provided as an intermediate rent product including London Living Rent.

The above criteria assume applicants will need to spend no more than 40% of their net annual income on housing costs (e.g. rent and service charges) with net income calculated as 70% of gross income.

11% of the units within the residential building, comprising three social rent (2 x 2-bed, 1 x 3-bed) and three LLR (2 x 1-bed, 1 x 2-bed), will be designed as 'wheelchair user dwellings', meeting the requirements of Building Regulations art M4(3).

The social rent units should be built as fully accessible in line with part M4(3)2b, "to meet the needs of occupants who use wheelchairs", and the intermediate units should be built as adaptable, in line with part M4(3)2a, "to allow simple adaptation of the dwellings to meet the needs of occupants who use wheelchairs".

51 of the student units will be built as wheelchair adaptable (12 units) or fully wheelchair accessible (39 units) from the outset. The applicant states a further 26 wheelchair adaptable units could be provided by converting pairs of cluster units into single adaptable units.

The council's Specialist Housing Occupational Therapist (OT) has provided feedback to the applicant on the details of the proposed adaptable and accessible units. As a result, the applicant has increased the floor areas of the wheelchair user dwellings in the residential building and re-balanced the distribution of accessible/adaptable rooms between Plots 02 and 03 (the student accommodation buildings).

Prior to commencement of development, the DHSCE recommends the applicant further discusses and agrees the design and layouts of the affordable adaptable/accessible units with the OT to ensure the designs meet with the council's requirements.

Specialist Occupational Therapist: No objection. The changes positively reflect the negotiations discussions with the applicants; and we now have the correct number, size and layout of accessible accommodation across all plots.

9. RELEVANT PLANNING POLICIES:

National Planning Policy Framework (NPPF) (2024)

Section 2. Achieving sustainable development

Section 4: Decision-making

Section 5: Delivering a sufficient supply of homes

Section 6: Building a strong, competitive economy

Section 7: Ensuring the vitality of town centres

Section 8: Promoting healthy and safe communities

Section 9: Promoting Sustainable Transport

Section 11: Making effective use of land

Section 12: Achieving well-designed places

Section 14: Meeting the challenge of climate change, flooding and coastal change

Section 15: Conserving and enhancing the natural environment

Section 16: Conserving and enhancing the historic environment

Other National Guidance

National Planning Practice Guidance (NPPG)

National Design Guide (2021)

National Model Design Code (2021)

Technical Housing Standards – Nationally Described Space Standards

London Plan (2021)

GG1 (Building strong and inclusive communities)

GG2 (Making the best use of land)

GG3 (Creating a healthy city)

GG5 (Growing a good economy)

GG6 (Increasing efficiency and resilience)

SD1 (Opportunity areas)

SD4 (The Central Activities Zone (CAZ))

SD5 (Offices, other strategic functions and residential development in the CAZ)

SD10 (Strategic and local regeneration)

D1 (London's form, character and capacity for growth)

D2 (Infrastructure requirements for sustainable densities)

D3 (Optimising site capacity through the design-led approach)

D4 (Delivering good design)

D5 (Inclusive design)

D6 (High quality and standards)

D8 (Public realm)

D9 (Tall Buildings)

D11 (Safety, security and resilience to emergency)

D12 (Fire safety)

D13 (Agent of Change)
D14 (Noise)
S1 (Developing London's social infrastructure)
HC1 (Heritage conservation and growth)
HC3 (Strategic and Local Views)
HC4 (London View Management Framework)
HC5 (Supporting London's culture and creative industries)
HC6 (Supporting the night-time economy)
G1 (Green infrastructure)
G2 (Making the best use of land)
G4 (Open space)
G5 (Urban greening)
G6 (Biodiversity and access to nature)
G7 (Trees and woodland)
H1 (Increasing Housing Supply)
H4 (Delivering affordable housing)
H6 (Affordable Housing Tenure)
H10 (Housing size mix)
H15 (Purpose Built Student Accommodation)
I13 (Sustainable Drainage)
SI1 (Improving air quality)
SI2 (Minimising greenhouse gas emissions)
SI3 (Energy infrastructure)
SI4 (Managing heat risk)
SI5 (Water infrastructure)
SI6 (Digital connectivity infrastructure)
SI7 (Reducing waste and supporting the circular economy)
SI8 (Waste capacity and net waste self-sufficiency)
SI12 (Flood risk management)
SI13 (Sustainable drainage)
T1 (Strategic approach to transport)
T2 (Healthy Streets)
T3 (Transport capacity, connectivity and safeguarding)
T4 (Assessing and mitigating transport impacts)
T5 (Cycling)
T6 (Car parking)
T6.5 (Non-residential disabled persons parking)
T7 (Deliveries, servicing and construction)
T9 (Funding transport infrastructure through planning)

Mayor of London's Supplementary Planning Guidance (Adopted SPGs)

Context and Character SPG (2014)

Accessible London: Achieving an Inclusive Environment (October 2014)

Play and Informal Recreation (September 2012)

Air Quality Neutral LPG (February 2023)

Urban Greening Factor LPG (February 2023)

Social Infrastructure (May 2015)
London View Management Framework (March 2012)
Planning for Equality and Diversity in London (October 2007)
Public London Charter (September 2020)
Shaping Neighbourhoods: Character and Context (June 2014)
The Control of Dust and Emissions during Construction and Demolition (July 2014)
Use of Planning Obligations in the Funding of Crossrail, and the Mayoral Community Infrastructure Levy (April 2013)
Housing (March 2016)
Vauxhall Nine Elms Battersea (VNEB) Opportunity Area Planning Framework (2012)
Circular Economy Statements LPG (March 2022)
Sustainable Transport, Walking and Cycling LPG (November 2022)
Accessible London: Achieving an inclusive environment SPG;
Affordable Housing and Viability SPG
'Be Seen' Energy Monitoring Guidance LPG (September 2021)
Public London Charter LPG (October 2021)
Whole Life-Cycle Carbon Assessments LPG (March 2022)
Central Activities Zone SPG (March 2016)

London Plan Draft Guidance

Characterisation and Growth Strategy LPG (Consultation draft, February 2022)
Fire Safety Draft LPG (Consultation draft, February 2022)
Optimising site capacity: A design-led approach LPG (Consultation draft, February 2022)
Purpose-built Student Accommodation (Consultation draft, October 2023)

Wandsworth Local Plan (July 2023)

PM3 Nine Elms (Strategic Policy)
SDS1 (Spatial Development Strategy 2023 – 2038)
PM1 (Area Strategy and Site Allocations Compliance)
PM3 (Nine Elms)
LP1 (The design-led approach)
LP2 (General development principles)
LP3 (Historic environment)
LP4 (Tall and mid-rise buildings)
LP10 (Responding to the climate crisis)
LP11 (Energy infrastructure)
LP12 (Water and flooding)
LP13 (Circular economy, recycling and waste management)
LP14 (Air quality, pollution and managing impacts of development)
LP15 (Health and wellbeing)
LP17 (Social and Community Infrastructure)
LP18 (Arts, culture and entertainment)
LP19 (Play Space)
LP20 (New open space)
LP22 Utilities and digital connectivity infrastructure (Strategic Policy)
LP23 (Affordable Housing)

LP24 (Housing Mix)
LP27 (Housing Standards)
LP28 (Purpose-Built Student Accommodation)
LP29 (Housing with Shared Facilities)
LP33 (Promoting and protecting offices)
LP34 (Managing land for industry and distribution)
LP35 (Mixed-use development on economic land)
LP37 (Requirements for new economic development)
LP39 (Local employment and training opportunities)
LP44 (Local Shops and Services)
LP49 (Sustainable transport)
LP50 (Transport and development)
LP51 (Parking, servicing and car free development)
LP52 (Public Transport and Infrastructure)
LP53 Protection and enhancement of Green and Blue Infrastructure (Strategic Policy)
LP54 (Open space, sport and recreation)
LP55 (Biodiversity)
LP56 (Tree management and landscaping)
LP57 (Urban greening factor)
LP62 (Planning obligations)

Local Plan Review

The Wandsworth Local Plan (2023-2038) was adopted in July 2023, and it sets out a 15-year strategic vision, objectives and spatial strategy to guide the future development in Wandsworth. It aims to ensure that growth and renewal happens in a sustainable and co-ordinated way, through a series of policies covering issues including housing, sustainability, heritage and employment.

The Local Plan is currently the subject of a 'partial review', in respect of policy LP23 (Affordable Housing) and other policies as they relate to strengthening provision of homes for social rent for local people, together with any other consequential changes necessary for consistency across the Plan.

Wandsworth Supplementary Planning Documents (SPDs)

Local Views (February 2014)
Planning Obligations (October 2020)
Refuse and recyclables in developments (February 2014)
Statement of Community Involvement (February 2019)
Housing (November 2016)
Local Views SPD (2014)
Raising the Bar: Early Community Engagement Guidance for Applicants

Relevant Policy Designations

Overarching strategic policy objectives

The National Planning Policy Framework (NPPF) was updated in December 2024. At the heart of the NPPF is a presumption in favour of sustainable development. The framework

sets out several key principles, including a focus on driving and supporting sustainable economic development. The NPPF also states that permission should be granted for proposals unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.

The Good Growth chapter of the London Plan includes GG2 “Making the Best Use of Land” and GG5 “Growing a Good Economy”, which are relevant to the proposal. To create sustainable mixed-use places that make the best use of land, objective GG2 states that those involved in planning and development must enable the development of brownfield land, particularly in Opportunity Areas and town centres, and prioritise sites that are well connected by public transport. It also encourages exploration of land use intensification 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. Objective GG5 states that to conserve and enhance London’s global economic competitiveness and ensure that economic success is shared amongst all Londoners

The site is within the Vauxhall Nine Elms Battersea Opportunity Area (OA), which was designated in 2004 and is part of the Central London Growth Corridor. Opportunity Areas are defined within the London Plan (2021) as: “London’s principal opportunities for accommodating large scale development to provide substantial numbers of new employment and housing, each typically more than 5,000 jobs and/or 2,500 homes, with a mixed and intensive use of land and assisted by good public transport accessibility.” The London Plan sets out an indicative capacity of 18,500 homes and 18,500 jobs for this Opportunity Area by 2041.

The VNEB Opportunity Area Planning Framework (OAPF, March 2012) covers land in Wandsworth and supports the transformation of the area through high-density mixed-use development to create an “exemplar and distinctive quarter of central London”.

The Central Activities Zone covers several Central London boroughs and is London’s geographic, economic, and administrative core. Planning for the Central Activities Zone (CAZ) requires striking a careful balance between its strategic functions and more local activities including housing. London Plan Policies SD4 and SD5 outline the strategic functions of the Central Activities Zone (CAZ), of which higher education is one, stating that its unique mix of uses should be promoted and enhanced.

The site is allocated within the Local Plan as ‘NE2 41-49 Nine Elms Lane, and 49-59 Battersea Park Road, SW8’.

10. PLANNING CONSIDERATIONS:

The main considerations material to the assessment of this application have been summarised as follows:

- Principle of Development and Land Uses
- Housing

- Affordable Housing Provision
- Inclusive Access
- Standard of Accommodation
- Urban Design
- La implemented pursuant to this planning permission shall not be open to customers other than between 0700 and 2330 in Landscaping, Public realm, and Play Space
- Arboricultural Impact and Trees
- Impact on Heritage Assets
- Archaeology
- Amenity Impacts on Nearby Residential Occupiers and the Surrounding Area
- Management and Maintenance of the Student Accommodation
- Noise, Vibration, and General Disturbance
- Access, Transport, Highways, Parking, Servicing, and Waste Management
- Ecology and Biodiversity
- Sustainability
- Flood Risk and Surface Water Drainage
- Environmental Impacts
- Tall Building Assessment
- Fire Safety
- Cultural Strategy
- Health and Wellbeing
- Community Involvement and Engagement
- Planning Obligations
- Planning Balance and Conclusions

1. Principle of Development and Land Uses

- 1.1. The NPPF encourages the effective use of land by reusing brownfield land (previously developed land). It supports sustainable economic growth and building a strong, competitive economy and sets out that significant weight should be given to support economic growth through the planning system.
- 1.2. The site is within the Vauxhall Nine Elms Battersea Opportunity Area (VNEB OA) identified in the Mayor's London Plan, the designation provides the basis for large-scale regeneration of this area, which has previously been largely occupied by low density employment land uses. The GLA has produced a Planning Framework for the area (VNEB OAPF) in partnership with Wandsworth and Lambeth Councils, Transport for London, the London Development Agency, English Heritage, and major landowners in the area which provides detailed guidance on the redevelopment of area. The VNEB Opportunity Area Planning Framework (OAPF) states that key sites within this area are likely to be suitable for high density development and would need to consider sensitive adjacent land uses.
- 1.3. London Plan policy SD1 encourages growth and development in Opportunity Areas where developments should create employment opportunities, deliver the growth potential of the opportunity area, and create mixed and inclusive communities. The site has the potential to contribute to the OA aspirations and the following report will

consider the merits of this scheme against planning policy as well as how the proposals accord with the wider strategy for the OA.

- 1.4. A number of letters of support have been received which support the principle of the proposed development which is considered to use under-utilised brownfield land which is considered to contribute to transformation of the area into a hub for new homes and businesses would contribute to the long-term regeneration of the neighbourhood, making it a more desirable place to live and work.

Demolition of Existing Structures

- 1.5. The site is currently occupied by a metal and brick warehouse (known as Booker Cash and Carry), on the northern half of the site. The existing building which was re-clad following permission granted in 2003 is not statutorily or locally listed, nor is it located within a conservation area. Therefore, there are no national or local policies which would prevent the principle of its demolition.
- 1.6. The existing building is considered to be of little architectural value being of a functional industrial appearance and failing to positively contribute to the character and appearance of the area or the local context. Furthermore, the demolition of the buildings will enable the comprehensive re-development of the site for the introduction of residential units and student accommodation, together with flexible retail/community uses. The acceptability of these uses is discussed later in the report. Given the above, the demolition of the existing building on the application site is considered acceptable.

Purpose Built Student Accommodation (PBSA)

- 1.7. At a national level the NPPF highlights the importance of boosting the housing supply, with paragraph 63 setting out the importance of providing for specific groups, including students. Student housing is classified as non-self-contained accommodation, and for monitoring purposes is considered as 'housing' by the council and the GLA.
- 1.8. In December 2024, the Government published an updated NPPF which introduced a new paragraph 71 as follows:

“Mixed tenure sites can provide a range of benefits, including creating diverse communities and supporting timely build out rates, and local planning authorities should support their development through their policies and decisions (although this should not preclude schemes that are mainly, or entirely, for Social Rent or other affordable housing tenures from being supported). Mixed tenure sites can include a mixture of ownership and rental tenures, including Social Rent, other rented affordable housing and build to rent, as well as housing designed for specific groups such as older people’s housing and student accommodation, and plots sold for custom or self-build”.

- 1.9. The London Plan sets out the strategic vision for the higher education sector, with Policy S3 acknowledging that universities play a vital part in ensuring Londoners have the higher order skills necessary to succeed in a changing economy, and for the capital to remain globally competitive. Section 3.9 of the Mayor of London’s Housing SPG

highlights that specialist student accommodation makes an essential contribution to the attractiveness of London as an academic centre of excellence.

- 1.10. London Plan Policy H15 states that strategic and local requirements for student housing which meet a demonstrable need are to be addressed by working closely with stakeholders in higher and further education in well-connected locations, promoting mixed and inclusive communities and without compromising capacity for the delivery of conventional homes.
- 1.11. It also sets an overall strategic requirement for purpose-built student accommodation (PBSA) of 3,500 bed spaces to be provided annually. The supporting text to the policy is clear that PBSA contributes to meeting London's overall housing need and is not in addition to this need. Paragraph 4.15.3 of policy H15 goes on to state that:

To demonstrate that there is a need for a new PBSA development and ensure the accommodation will be supporting London's higher education providers, the student accommodation must either be operated directly by a higher education provider or the development must have an agreement in place from initial occupation with one or more higher education providers, to provide housing for its students, and to commit to having such an agreement for as long as the development is used for student accommodation. This agreement is known as a nomination's agreement. A majority of the bedrooms in the development must be covered by these agreements.

- 1.12. Where this is not achieved, paragraph 4.15.5 states that the accommodation will be treated neither as PBSA nor as meeting a need for PBSA. Instead, the development proposal will "normally be considered large-scale purpose-built shared living and be assessed by the requirements of Policy H16 Large-scale purpose-built shared living".
- 1.13. Additionally, Local Plan Policy LP28 sets out a criterion by which PBSA will be supported in the Borough where it:
- Meets all requirements for student accommodation, including affordable provision through the threshold approach, as set out in London Plan Policy H15;
 - Is accompanied by a site management and maintenance plan which demonstrates that the accommodation will be managed and maintained over its lifetime so as to ensure an acceptable level of amenities, and access to facilities for its occupiers, and would not give rise to unacceptable impacts on the amenities of existing residents in the neighbourhood;
 - Has access to good levels of public transport, to shops, services and leisure facilities appropriate to the student population;
 - Would not result in an over-concentration of single-person accommodation at the neighbourhood level which may be detrimental to the balance and mix of uses in the area or place undue pressure on local infrastructure;
 - Provides a high-quality living environment, including the provision of adequate functional living spaces and layouts, well-integrated internal and external communal areas, and a high level of amenity (providing good levels of daylight and sunlight, and natural ventilation); and
 - Provides at least 10% of student rooms which are readily adaptable for occupation by wheelchair users.

Assessment

- 1.14. There is a demand for more student accommodation across London, which needs to be balanced with making sure Wandsworth has enough sites for other types of homes, including affordable and family housing. The affordable housing element of the current application is considered further in a separate section of this report.
- 1.15. In considering London Plan policy H15, it is accepted that there are several higher education institutions (HEIs) located within a 45-minute commute of the site. These include University College London, City University of London, Imperial College, The Royal Academy of Music and The Royal College of Art which are located across the River to the North of the site, commutable in under 40 minutes using public transport. Slightly further afield, but within an acceptable commuting time, are the London School of Economics (45 minutes), King's College London (41 minutes) and The University of Roehampton (42 minutes). The closest source of demand is London Southbank University (LSBU), approximately half an hour from the site on public transport.
- 1.16. The applicant has submitted their own Purpose-built Student Accommodation Demand Report dated January 2024 in support of this application and to demonstrate compliance with London Plan policy H15, which has been prepared by Cushman & Wakefield. It notes the following key points:

Demand

- 1.17. The demand pool results show a demand in excess of 134,000 students (over half the total London demand pool for accommodation). However, the universities currently only have 37,060 bed spaces available to them, which results in a student to bed ratio of 3.64:1, far higher than the national average.
- 1.18. The Northern Line extension has opened up the London Higher Education market to the Battersea area. The following institutions are now within an acceptable 45-minute public transport commute time:
 - University of Westminster
 - University College London
 - School of Oriental & African Studies
 - University of the Arts Colleges
 - Royal Veterinary College (RVC) Camden Campus
 - City University London
 - Queen Mary, University of London
 - London Metropolitan University
 - Birkbeck, University of London
- 1.19. Excluding campuses outside of the 45-minute commuting distance, the Northern Line extension potentially opens up the site to an additional 109,890 students.
- 1.20. The Student Accommodation Demand Report concludes that the demand for student accommodation is increasing in London, but the development pipeline is not sufficient to address this, particularly in areas of high demand such as those that service the key Central London HEI's.

- 1.21. The Student Accommodation Demand Report considers there to be a demonstrable need and demand for student accommodation in the area, which the proposed development would help to address. In summary, while the proposed accommodation would add to several pre-existing direct-let student housing developments in the borough, it would nevertheless contribute towards the boroughs and London's stock of PBSA, for which there is an identified need. In this respect, the application addresses the overarching aim of Part A of London Plan Policy H15.
- 1.22. Wandsworth's adopted policy position supports the principle of PBSA, with the supporting text to Local Plan Policy LP28 (para. 17.35) setting out that the council will support the provision of new student accommodation if such provision responds clearly to an identified need. Whilst it is acknowledged that there is an acute need for conventional housing, insufficient provision for university students could place additional pressure on the lower end of the private rented sector. Additionally, the principle of the student accommodation use is supported by the GLA (subject to specific requirements are met). It is considered that there is a strategic need for student housing within London that the proposals would help to address. A number of representations of support have been received which acknowledge that the provision of purpose-built student accommodation is a way to relieve pressure on the housing market as it frees homes that would be occupied by students, allowing them to move out of overcrowded family homes and living closer to their place of study.
- 1.23. An assessment of the proposals against the criteria of London Plan Policy H15 (Part A) has been undertaken to ensure the local and strategic need for PBSA is assessed and set out below:

Criterion 1: Would the student housing contribute to a mixed and inclusive neighbourhood?

- 1.24. Criterion 1 of London Plan Policy H15(A) requires student housing proposals to contribute to a mixed and inclusive neighbourhood. The area surrounding the application site is characterised by a mix of commercial and conventional residential uses. The residential uses hereabouts comprise for-sale, build to rent and affordable tenures. This proposed student-housing led scheme would sustain a mixed and inclusive community through the introduction of an alternative residential product and demographic, despite the objections raised in this regard.
- 1.25. Objections from local residents to these criteria have been received querying the need and evidence base for providing further student accommodation and some also stating that:
- local services (i.e. health services) and infrastructure would not be able to cope with the additional population;
 - together with the scheme at Palmerston Court for 868 student bedspaces (ref. 2020/2837), the proposals would result in an overconcentration of student residents locally; and
 - the transient population would not be a cohesive addition to the area.

- 1.26. It is recognised that Mayoral and Community Infrastructure Levies, payable by the developer upon implementation of this development if approved, would be channelled into the provision of coordinated new infrastructure to meet the needs of the local population. A new health care facility has been delivered (not occupied yet) on an adjacent site, accessible via Sleaford Street.
- 1.27. The scheme would contribute to the wider area by redeveloping the site to provide wider benefits in the form of new public realm, enhanced landscaping with associated play spaces, new and improved pedestrian connections and the activation of the ground floor with new commercial and community facilities.
- 1.28. With regard to the recent consent for student accommodation at Palmerston Court, given the low representation of PBSA schemes within the wider area, in the event that the current schemes was to be implemented, it is not considered that together they would negatively impact upon the neighbourhood's mix of uses and inclusivity and would not lead to an over-concentration of student accommodation, despite the objections raised in this regard.
- 1.29. For assessment and monitoring purposes, it is agreed by the government and the GLA that given the make-up of student accommodation, the number of student rooms is divided by 2.5 when comparing to standard C3 residential accommodation. In this case the 762 student rooms are considered as 305 units for monitoring and comparison purposes when this is added to the 868 rooms at Palmerston court – 347 units for comparison purposes, when considered against the approx.16,000 homes constructed so far in Nine Elms, the student accommodation would comprise just over 4% of the new housing stock and does not include the established housing across the area. Whilst there are two further student accommodation developments within the Lambeth part of the OA, a planned development at Lambeth College, Belmore Street, and the Downing development on South Lambeth Road in Vauxhall, when also considered with the new C3 residential in Lambeth this would not increase the student accommodation above 5% of the total new residential across VNEB. This does not take into account the significant existing residential stock, which would dilute the figure even further.
- 1.30. On this basis, the proposed land use is broadly in conformity with the London Plan policy, introducing a modest amount of student housing into a town centre location, where conventional residential uses of different tenures are well represented, there is therefore no evidence of to justify an over-concentration of student accommodation locally and the proposed development is considered acceptable.

Criterion 2: Would the accommodation be secured for student occupation?

- 1.31. Criterion 2 of London Plan Policy H15(A) requires the use of the accommodation to be secured for student use. The proposed development will be managed by an independent provider and secured for exclusive use by full-time students by way of an obligation in the S106 legal agreement and is therefore considered to be acceptable.

Criterion 3: Is a nominations agreement in place?

- 1.32. Criterion 3 of London Plan Policy H15(A) requires the majority of the student bedrooms, including all affordable, to be secured through a nomination's agreement with one or

more Higher Education Providers (HEP). The aim of this policy is to encourage developers to partner with established HEP, to reduce the potential for speculative development of student housing.

- 1.33. Whilst the applicant has stated that they are in discussions with various HEPs and are committed to entering into a nomination's agreement prior to occupation of the accommodation. Whilst this has not yet been finalised, the applicant's commitment to meet this part of the policy is acknowledged and is considered to address the objections raised regarding the lack of higher education establishments in the area to meet the student population demand.
- 1.34. The applicant has sought flexibility regarding the extent of the nomination's agreement. The relevant policy requires a HEP to have nomination rights for the majority of bedrooms, however the applicant seeks to secure a nomination's agreement across all of the allocated affordable student beds, with 'reasonable endeavours' used in respect of the private student housing.
- 1.35. The applicant has set out that as a result of a blended approach to affordable housing (i.e. a blend of conventional and student affordable housing) a lower percentage of affordable student bedrooms would be affordable. To meet the requirements of Policy H15 a HEP would need to commit to a greater proportion of market-led bedrooms, which is likely to represent a commercial barrier. Whilst the proposals would not fully conform to the requirements of Criterion 3 of Policy H15(A), it is noted that this would facilitate the delivery of conventional affordable housing.
- 1.36. The GLA have issued a consultation draft LPG for PBSA. Sections 3.1 and 3.2. acknowledges that HEP's are unlikely to contractually commit to a formal agreement until they are confident that planning permission is secured. GLA officers in their Stage 1 Report have accepted this approach subject to it being secured via the S106 legal agreement.
- 1.37. The application has attracted a letter of support for the proposal from the London School of Economics (LSE) stating that the quality and location of the accommodation meet their standards, and if the planning application is successful, it will provide the LSE with an opportunity to expand their student offer, their aim being to guarantee all first-year students an offer of accommodation. The letter of support also states that the proposed development would allow their students to access a blend of affordable bedrooms and studio accommodation with amenity space that meet their requirements for high quality third-party student accommodation. It is noted that LSE supports the applicant who they consider have a reputation for delivering high quality schemes such as the accommodation constructed in partnership with University of London and UPP at Eleanor Rosa House in Stratford.

Criterion 4: Has the maximum level of affordable housing been secured?

- 1.38. Criterion 4 of London Plan Policy H15(A) requires the maximum level of accommodation to be secured as affordable student accommodation. Prioritisation of conventional affordable housing delivery provides a legitimate alternative pathway for student accommodation proposals to provide maximised affordable housing. The

application has taken a blended approach to affordable housing, combining both traditional (C3) residential housing and student housing.

- 1.39. In respect of the affordable student component, 198 of the bedrooms (25.98%) would be provided as affordable. This assumes that each student bedspace equates to a habitable room. The mix of rooms allows a range of room types to meet differing needs, including 5.2% of the rooms as accessible from the outset with a mix of both accessible cluster and studio rooms.
- 1.40. Whilst local plan policy does not specify what proportion of room types should be affordable, the LPA would seek to ensure there is an even distribution of affordable accommodation across the range of unit types. It is expected that the affordable student accommodation is distributed across the development with no difference in quality or access to services pointing to the accommodation being affordable.
- 1.41. It should be noted that the adopted PBSA London Plan Guidance (2024) states that universities note that the preference is for the affordable student accommodation to be mostly (but not all) within cluster flats as this reflects the fact that this is generally allocated to first year students, who typically benefit from living with flatmates.

Criterion 5: Does the accommodation provide adequate functional living space and layout?

- 1.42. Criterion 5 of Policy H15(A) requires the accommodation to have adequate and functional living space and layout. It is considered that the proposed development would provide good quality accommodation for students, meeting the expectations of the London Plan Policy H15 (Part A). The spatial arrangement, environmental internal conditions, level of amenity within the individual units and the communal spaces, and the provision of wheelchair housing would all be adequate, as detailed in subsequent parts of this report and is considered acceptable.

Criterion 6: Is the location suitable for student accommodation?

- 1.43. National, regional and local policies are largely permissive of student accommodation where there is a demonstrable need, especially in locations with good accessibility and proximity to higher education establishments. London Plan policy H15 acknowledges the role that PBSA has in meeting housing need, supporting London's knowledge economy and in contributing more generally to regeneration. Part B of London Plan Policy H15 requires student housing scheme sites to be well connected by transport to local services.
- 1.44. The Transport Assessment accompanying the application outlines that the site has good access to public transport including Battersea Power Station Underground Station, along with access to a range of shops, services and facilities in the wider Battersea and Nine Elms area. The application site is considered to be acceptable in this respect.
- 1.45. Paragraph 3.9.3 of the Mayor's Housing SPG recognises that clustering of higher educational institutions in and around central London means that pressure has fallen on

a relatively small number of boroughs to meet the needs of students and goes on to encourage a more dispersed distribution of student accommodation.

- 1.46. In accordance with Local Plan policy LP28 development should not result in an overconcentration of single-person accommodation at the neighbourhood level, defined as within 800m radius. The applicant has undertaken an assessment of PBSA and other single person schemes within the vicinity of the site. The assessment identifies two student schemes, Palmerston Court (ref: 2020/2837) and Belmore Street Lambeth College (ref: 19/02643/OUT - London Borough of Lambeth) as well as a variety of other land uses that contribute to a mixed use and inclusive neighbourhood. Palmerston Court, currently nearing completion will provide a total of 868 student beds alongside other uses.
- 1.47. The proposed development would provide 762 student bedspaces and 55 residential dwellings, alongside ground floor retail, employment and community uses, thereby providing a mix of uses. Subject to planning permission being granted, the development would be only the second privately managed PBSA scheme in the Wandsworth VNEB OA, taking the total including Palmerston Court to 1,630 student beds. Of the major residential permissions (50 units+) consented in the Wandsworth VNEB OA within the last 10 years, this figure would equate to 4.3% of housing development granted since 2011. It is therefore not considered that the proposals would result in an overconcentration of student accommodation within the neighbourhood.
- 1.48. It should be noted that objections have made reference to the Urbanest PBSA scheme located in Vauxhall, however this falls outside of the Borough (and the 800m assessment radius) and has therefore not been included in the above assessment. It is therefore considered that the proposals would not result in an overconcentration of this use, despite the objections raised in this regard by councillors and objectors. In conclusion, the quantum of units would provide a significant contribution to addressing identified student housing need across London and the borough. As a consequence, it would also assist in meeting general housing need as the provision of this student accommodation could relieve pressure on the lower end of private rented housing, contrary to the objections received.
- 1.49. Other comments raised in the objections querying the gender, age and international / national mix of students and courses studied are not sustainable reasons to resist the proposed development.

Flexible commercial/community floorspace

- 1.50. Paragraph 91 of the NPPF states that local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then edge of centre locations and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.
- 1.51. Local Plan policy LP43 sets out that there are limited circumstances in which the provision of certain new town centre uses in out-of-centre locations are identified as

appropriate within the Local Plan. However, in the VNEB OA, in locations outside of the emerging CAZ retail clusters at Battersea Power Station (see the extract below), small scale retail uses are appropriate where these perform a local function and support residential-led mixed-use development. Units totalling less than 400 sqm (gross) will not be subject to sequential testing, as they would contribute to wider strategic initiatives. Additionally, this is applicable to cultural uses which are consistent with Wandsworth's Arts and Culture Strategy 2021-31 and other applicable culture strategies such as those for Nine Elms.



Figure 4: 1. Emerging CAZ Retail Cluster at Battersea Power Station.

- 1.52. The proposal seeks to provide 4 commercial units, with Units 1 and 3 under Class E (commercial and business services including retail, restaurants, offices, professional and health services, nurseries, research and development and light industrial), located in Plots 01 and 02, and the remaining Units 2 and 4 under flexible Class E and/or F (local community and (learning uses), located in Buildings Plots 01 and 02.
- 1.53. The Economic Development Officer acknowledges that the proposed development would encourage pedestrian connectivity between Thessaly Road and Nine Elms Lane including the new Sleaford Street Health Centre and another important link to the new Primary School fronting the Linear Park. Furthermore, the Economic Development Officer recognises that the significant increase in student accommodation would have an economic impact upon the area including employment opportunities in the construction phases which is to be secured by an Employment Agreement within the S106 Agreement, a view which is supported by some of the representations that have been received. The economic benefits are considered to outweigh the comments raised in other representations where objections have been raised stating that the occupiers of the student accommodation are likely to be economically inactive and be an increased burden on local taxpayers.

- 1.54. Following discussions with the applicant, there is agreement that one of the ground floor units (Unit 2) within Plot 01 would be let to a cultural/community occupier on a peppercorn rent but that it is not possible to provide similar conditions for other units which is welcomed. Details of how a suitable operator will be identified and the conditions for occupying the unit including the service charge payment are to be set out in a Community Use Plan (or similar) and provisions for this are to be included within the Section 106 agreement.
- 1.55. The proposal includes the provision of:
- Unit 1 – 90.9 sqm of Use Class E fronting onto Battersea Park Road (Plot 01)
 - Unit 2 – 187.2 sqm of Use Class E and/or F floorspace fronting onto public open space and accessible via Sleaford Street (Plot 01)
 - Unit 3 – 90.8 sqm of Use Class E orientated towards Battersea Park Road and accessible via the NCGM access road (Plot 02)
 - Unit 4 – 97.1 sqm of Use Class E and/or F floorspace orientated towards Plot 02 and the south of the site (Plot 02)
- 1.56. It is noted that the total floorspace proposed equates to 466 sqm. Whilst it is slightly over the threshold set out in Local Plan LP43, it is noted that two of the units have sought approval for Use Class E and/or F to build flexibility into the scheme and for community floorspace to potentially be delivered. If a community use were to come forward in either of the units as intended, this would take the proposals below the threshold and so it is therefore not considered that a sequential test and impact assessment are required in this instance.
- 1.57. The applicant seeks to deliver the commercial floor space in a flexible manner to allow the proposed commercial units to potentially accommodate a range of town centre uses. To ensure that the needs of the applicants are met in respect of flexible floor space, and it is considered that a condition restricting the total amount of floor space divided between the 4 commercial units and preventing amalgamation is recommended for inclusion on the decision letter. Subject to this condition, the level of retail floor space would be regarded as acceptable and there would be no significant harm to existing or future retail centres located within the wider VNEB and any other centre outside the VNEB. A further condition is recommended which restricts the opening hours of the commercial units to addresses some of the concerns raised on residential amenity grounds to accord with Local Plan Policy LP43.

Employment, Skills, Education and Training

- 1.58. London Plan Policy E11 requires development proposals to support employment, skills development, apprenticeships, and other education and training opportunities in both the construction and end-use phases. In accordance with Local Plan policy LP39, all new major development will be required to enter into a Local Employment and Enterprise Agreement, as part of a S106 planning obligation.
- 1.59. There would be a requirement for this development to deliver training and employment during the construction phase only and it is estimated that this development would create 280 construction jobs, (including jobs for Wandsworth residents) and the

creation of approximately 7 to 10 apprentices. The student housing element of the proposal has the potential to deliver up to 8 full-time positions, while the retail element has the potential to create between 7 to 23 full-time jobs, which is supported in some of the representations received. These employment opportunities and the material supporting the application addresses other representations raised querying the evidence that the scheme would create new jobs or longer-term employment opportunities.

- 1.60. In accordance with the Planning Obligations SPD, the applicant will be required to enter into a Local Employment Agreement (LEA) to ensure that opportunities to maximise business, employment and training for local people and businesses is secured. The applicant will be required to submit an Employment and Skills Plan (ESP), the purpose of which is to set out the detailed delivery of the Local Employment and Enterprise Agreement through agreed targets once construction programmes and end-users are more clearly identified, all of which is to be secured by the S106 Agreement.
- 1.61. The council's Employment & Skills Officer has reviewed the proposals and raises no objection to the scheme, subject to a financial contribution of £130,831.25 being secured. As such, officers are satisfied with the proposals, subject to a S106 agreement, will meet the requirements and objectives of London Plan Policy E11 and Local Plan policy LP37.
- 1.62. Paragraph 85 of the NPPF states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. London Plan policy SD1 sets out the mayor's approach to the continued growth and economic development of all parts of London. Local Plan Policy PM3 further supports development within the Nine Elms area in order to contribute to the economic development and regeneration of the VNEB OA within the CAZ and to ensure that it develops as a strategic employment hub, which provides a mix of economic and commercial floorspace typologies and sizes suitable for a range of occupiers.
- 1.63. The proposal seeks to provide 4 commercial units, with two of these under Class E (Units 1 and 3)), and another two under flexible Class E and/or F (Units 2 and 4). All four units are located on the ground floor of Plots 01 and 02. Unit 2 would be leased at a discount to market rent to provide affordable space. The Economic Development Officer has reviewed the offer and confirmed that the proposals are acceptable.
- 1.64. In regard to the quality of the commercial facilities, the unit sizes would be generous and well proportioned. The units are an important element of the proposal, as the uses would contribute to a vibrant setting that will meet with the wider aspirations of the site and surroundings but also would provide active ground floor uses to animate the public realm.
- 1.65. Several objections have been raised requesting that the site be developed for leisure or sports activities instead, but this is not something that can be considered as part of the current submission.

- 1.66. The proposed development is therefore considered to meet the NPPF objectives and would accord with London Plan policy SD1 and Local Plan policy PM3.

2. Housing

- 2.1. The NPPF states that housing applications should be considered in the context of a presumption in favour of sustainable development (para. 11 and sets out the need to deliver a wide choice of high-quality homes, widen opportunities for home ownership and create sustainable, inclusive, mixed and balanced communities. Paragraph 60 seeks to support the government's objective of significantly boosting the supply of homes, ensuring that a sufficient amount of varied land can come forward where it is needed and the needs of groups with specific housing requirements are addressed. The overall aim is to meet as much of an area's identified housing need as possible, including with an appropriate mix of housing types for the local community.
- 2.2. London Plan policy H1 states that boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions. Local Plan Policy SDSI states that in the period 2023 – 2038 the Local Plan will provide for a minimum of 20,311 new homes. This includes the provision of a minimum of 1,950 new homes per year up until 2028/2029. Local Plan policy PM3 (Nine Elms) supports development within the Nine Elms area to contribute to realising the overall housing capacity of the VNEB of 18,500 homes.
- 2.3. The proposed development seeks to deliver 55 (C3) residential dwellings in Plot 01 fronting onto Battersea Park Road, to contribute positively to the mix of uses proposed. If the 762 PBSA units are taken into consideration (equating to 304.8 conventional C3 dwellings when the London Plan assumption that 2.5 student beds equate to 1 single residential household) then the scheme would deliver the equivalent of 360 dwellings (rounded), which represents 18.46% of the Borough's current annual target, in accordance with Local Plan policy SDSI.
- 2.4. The principle of residential development has been established on this site and found to be acceptable through the granting and implementation of the extant planning permission granted in March 2019, under application ref. 2015/6813. The Local Plan has included the allocation of the site (Site Allocation NE2) supporting the provision of a mixed-use development, and the proposed residential provision would be compliant with the expectations as outlined in Site Allocation NE2. A number of objections have been received on the grounds of the overdevelopment of the site and an increase in the number of residents compared to the extant scheme, as well as overcrowding and that too many units are being provided, although the proposed development is consistent with the dense nature of construction that is expected to be delivered within the Opportunity Area (VNEB). Officers therefore consider the proposed residential provision acceptable and compliant with local, regional and national planning policy objectives.

3. Affordable Housing Provision

- 3.1. Delivering more genuinely affordable housing is a key strategic issue for London, with all schemes expected to maximise the delivery of affordable housing. Policy H4 of the

London Plan sets a strategic target of 50% of all new homes to be delivered across London to be genuinely affordable.

- 3.2. London Plan Policy H5 sets out a threshold approach, allowing the provision of a minimum of 35% affordable housing (50% if on public or industrial land, where there is a net loss in capacity). This is subject to the development adhering to the tenure mix requirements of Policy H6, compliance with other relevant policy requirements and obligations, and not receiving any public subsidy. Applications which meet the threshold and requirements can be 'Fast Tracked', meaning that they are not required to provide a viability assessment at planning application stage.
- 3.3. Where the 35% threshold cannot be met, then the development must be assessed under the Viability Tested Route. In those circumstances where the outcome of a viability review indicates that a scheme cannot viably provide more affordable housing, then a scheme can be approved with a lower level of affordable housing subject to the requirement for early and late-stage viability reviews secured by specific clauses included in the S106 legal agreement, this approach is also applicable to student accommodation schemes.
- 3.4. Whilst PBSA need should be addressed in line with policy H15, the inclusion of conventional (C3) housing is acceptable and desirable on larger sites as part of the pursuit of mixed and inclusive neighbourhood objectives. As is the preference of the Local Planning Authority, the applicant has also adopted a blended approach to affordable provision, comprising a mixture of affordable student accommodation alongside conventional (Class C3) affordable housing. It should be noted that PBSA schemes are not required by planning policy to deliver conventional housing, and this approach is broadly welcomed as it has been taken in response to local need and following discussions with Officers.
- 3.5. The proposal's hybrid approach comprises a mix of conventional (C3) residential and student affordable accommodation. Given the blended affordable offer which involves two different forms of housing, this required an equitable approach to be established before determining that the scheme can follow the Fast Track Route.
- 3.6. The site comprises of two land parcels, the first is occupied by the Booker Warehouse (Sui Generis use) which occupies 5,681 sqm of the site area. The second land parcel was occupied by a former BMW Service Centre (Class B2 use), since demolished, with an associated site area of 2,414 sqm, giving an overall total of 8,095 sqm. As a retail warehouse, the policy target set by Policy H5 of the London Plan to qualify for the affordable fast-track for the Bookers portion would be 35%. The BMW service centre parcel, as non-designated industrial land for which there is a net loss proposed would have policy target of 50%. When the site is taken as a whole the overall threshold will be a combination of both thresholds. This is calculated according to the following formula $((\text{public land site area} / \text{total site area}) \times 50) + ((\text{private land site area} / \text{total site area}) \times 35)$.

- 3.7. Rather than 35% of the student bedrooms being affordable under the fast-track policy, 25.98% of the student bedrooms would be affordable with the balance of affordable housing (18.33%) required to benefit from the fast-track policy coming forward as conventional affordable housing.
- 3.8. The proposed development delivers 198 student bedrooms as affordable student accommodation, once added to the 171 habitable rooms created by the 55 x C3 residential units, this delivers a total percentage of 39.55% affordable housing based on habitable rooms across the site. This meets the (39.47%) fast-track policy target.
- 3.9. With regards to the standard C3 residential provision, London Plan Policy H6 stipulates that the tenure mix should comprise at least 30% low-cost rent (social or London Affordable Rent) and at least 30% intermediate (with London Living Rent and shared ownership being the default tenures). The remaining 40% would be for the Local Planning Authority to determine. Local Plan policy LP23 further stipulates that the council will require an affordable housing tenure split of at least 50% low-cost rented products, with a balance of other intermediate products.
- 3.10. It should be noted that the Local Plan is currently the subject of a review, which is focusing on updates to Policy LP23 (Affordable Housing) and other policies with a view to strengthening the provision of the affordable housing tenure split 70%:30% in favour of social rent homes. Whilst it is acknowledged that this is an aspiration of the council, the emerging policy is yet to be tested at Examination and therefore carries limited material weight. The application has therefore been assessed in accordance with adopted Local Plan policy LP23 as it stands.
- 3.11. Since the application was originally submitted, revisions to the scheme have been received, which included changes to the overall quantum of development and the amount of affordable housing being provided. The amendments resulted in a decrease in the total number of the residential units from 81 to 55 together and a slight change to the affordable offer of 53% social rent and 47% intermediate rent (LLR) when measured by habitable rooms (compared to the originally submitted 52%:48% split). Whilst there was a reduction in the overall number of units, it is acknowledged that larger family sized units were incorporated into the revised scheme to now provide 13 no. x 3 and 3 x 4-bed dwellings.
- 3.12. The affordable (C3) housing offer is made up of 55 residential dwellings, based on a tenure split of 49% (27no.) Social Rent (London Affordable Rent) and 51% (28no.) Intermediate (London Living Rent) on both a unit and habitable room basis. Whilst the proposals align with the London Plan Policy H6, the proposals would represent a minor deviation from the requirements of Local Plan Policy LP23, which requires an affordable housing tenure split of at least 50% low-cost rent products. It should be noted that the current proposals deliver a preferred tenure split over the extant permission for the site. The viability tested extant permission favoured shared ownership (74%), with the remainder of the housing provision brought forward as London Affordable Rent.

- 3.13. The Director of Housing Strategy, Compliance and Enablement (DHSCE) has raised no objection to the revised scheme and acknowledges that whilst not a requirement for the student accommodation scheme, the applicant has elected to provide 55 conventional residential units, all of which will be rented affordable homes, which addresses some of the objections received regarding the shortage of affordable homes. A number of letters of support have also been received highlighting the need for affordable homes and welcoming the inclusion of affordable homes as a critical opportunity for those struggling to find suitable housing for those who are currently homeless or living in temporary accommodation. will provide better living conditions for families living in overcrowded or substandard housing as well as those who are currently homeless / living in temporary accommodation.
- 3.14. The DHSCE recommends the council's Intermediate Affordability Criteria is applied to the intermediate housing as follows:
- 50% of the intermediate units (14no.) to be affordable to applicants with gross household incomes up to £41,200 if provided as an intermediate rent product including London Living Rent.
 - 50% of the intermediate units (14no.) to be affordable to applicants with gross household incomes up to £67,000 if provided as an intermediate rent product including London Living Rent.
- 3.15. The above criteria assume applicants will need to spend no more than 40% of their net annual income on housing costs (e.g. rent and service charges) with net income calculated as 70% of gross income.
- 3.16. Following further negotiations with the council's Housing Team, the applicant has confirmed that the 28 London Living Rent (LLR) homes are to be rented in perpetuity at LLR rates (secured via S106 agreement), rather than rented for 10 years and then sold as shared ownership (SO) homes.
- 3.17. Provisions would be secured through the S106 agreement to secure the affordability of London Living Rent units in accordance with qualifying income levels as set out in the London Plan, the Affordable Housing and Viability SPG and the Annual Monitoring Report, including a range of income thresholds for different sized units. There is a further requirement within the S106 which would prevent the affordable student accommodation units being let for more than the affordable rent cap which responds to the objections raised about disproportional rent increases and stating that this accommodation is unlikely to be affordable.
- 3.18. Following further discussions with the council's Housing Team, the applicant has agreed to build a review mechanism clause into the S106 legal agreement to use 'reasonable endeavours' to try and secure grant funding to deliver additional social rent units. The development would deliver either the proposed tenure mix (27 social rent and 28 London Living Rent units in perpetuity) without grant funding or additional social rent homes up to 100% of 55 dwellings (in lieu of London Living Rent) subject to grant funding being secured.

- 3.19. Given the fact that there is no policy basis requiring the applicant to provide any affordable residential accommodation (except for the affordable student accommodation), the provision of 55 units of affordable housing as part of this development is positively welcomed by officers.

Registered Provider

- 3.20. Part F of the Local Plan policy LP23 stipulates that where a Registered Provider is required for the management of affordable housing, it should be undertaken by a preferred Partner of the council, unless otherwise agreed. The applicant has confirmed that they have engaged with several Registered Providers (RPs) of which some are a preferred partner of the council. Early engagement and feedback from these parties has informed the design, unit mix and proposed tenures of the affordable blocks which would also respond to objections received about the management of the affordable housing.

Dwelling Mix and Tenure

- 3.21. National and regional policies do not set out prescriptive dwelling size mixes for market and intermediate homes, however the NPPF does expect local planning policies to reflect the need for housing size, type and tenure (including affordable housing) for different groups in the community. Local Plan policy LP24 sets out that development proposals will be supported where affordable housing dwelling mix contributes to borough level proportions as set out below:

Dwelling Size/Tenure	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
Low-cost rent affordable housing	40-45%	30-35%	20-25%	5-10%
Intermediate affordable housing / First Homes	35-40%	40-45%	15-20%	5-10%

- 3.22. In accordance with LP24, dwelling mix will be considered on a site-by-site basis and in applying the preferred mix consideration will be given to, current evidence of housing need, the surrounding context and character of the site, the overall affordable housing provision and the financial viability of the scheme.
- 3.23. The proposed residential dwelling mix across the scheme as a whole is summarised in the table below:

Plot 01 - 12 Storey Block (C3 Self-contained Affordable Units) Housing Type and Tenure		
Unit Type	No. Units	% of Total
Private	0	0
Affordable	55	100
Total	55	100
Of the (C3) affordable units, the following tenure split is proposed:		
Affordable Tenure		

Social Rent (London Affordable Rent)	27	49
Intermediate (London Living Rent)	28	51
Total	55	100

- 3.24. The affordable housing provision would be in the form of London Affordable Rent (49%) and London Living Rent (51%) tenure units (calculated by unit).

Plot 01 - 12 Storey Block (C3 Self-contained Affordable Units) Affordable Dwelling Size by Tenure						
Unit Size	Social Rent (London Affordable Rent)		Intermediate (London Living Rent)		% of Total	
	Units	% of Total	Units	% of Total	Units	% of Total
1 bed / 2 person	5	9	6	11	11	20
1 bed / 2 person – M4 (3)	0	0	2	4	2	4
2 bed / 3 person	4	7	10	18	14	26
2 bed / 4 person	4	7	5	9	9	16
2 bed / 4 person – M4 (3)	2	4	1	2	3	5
3 bed / 5 person	8	15	4	7	12	22
3 bed / 5 person – M4 (3)	1	2	0	0	1	2
4 bed / 6 person	3	5	0	0	3	5
Total	27	49	28	51	55	100

- 3.25. The proposed mix of units is considered to be acceptable, with 76.4% of all units having two or more bedrooms. The inclusion of family sized units (i.e. 3 bedrooms or more) would amount to 29% of the total proposed. The provision of 1 bed/2 person units within the block would be low equating to 23.6 % of the total to be delivered, although there would be a larger proportion of family sized units which exceeds the policy requirement and responds to some of the objections where more family sized units were requested. No studio/single person units are proposed. The proposed split does not fully accord with the preferred borough-wide housing mix for affordable and market housing as set out in local plan policy LP24, however the mix does respond to comments provided by the Housing Team with regards to need in the Borough and is considered to be acceptable.
- 3.26. The proposal is considered to represent a positive mix that provides for a good range of dwelling sizes and would contribute towards the creation of a balanced community. The

proposals are supported by the council's Housing Team. As such, the proposed development would make a substantive contribution to Wandsworth's housing needs by providing a range of dwelling sizes, and officers attach significant planning weight to this.

Location of Affordable Housing

- 3.27. The MHCLG National Design Guide emphasises social inclusivity in the delivery of mixed housing tenures. The guidance states that where different tenures are provided, these should be well-integrated and designed to the same high quality to create tenure neutral homes and spaces, where no tenure is disadvantaged. The guidance goes on to define "Tenure Neutral" as "Housing where no group of residents is disadvantaged because of the tenure of their homes. There is no segregation or difference in quality between tenures by siting, accessibility, environmental conditions, external facade or materials. Homes of all tenures are represented in equally attractive and beneficial locations, and there is no differentiation in the positions of entrances. Shared, open or play spaces are accessible to all residents around them, regardless of tenure."
- 3.28. All of the proposed affordable (residential) units will be housed in a single building (Plot 01), prominently located to front onto Battersea Park Road. All of the units within the building will be affordable, with no segregation or difference in quality between tenures by siting, accessibility, environmental conditions, external facade or materials. Homes of all tenures are represented in equally attractive and beneficial locations, and there is no differentiation in the positions of entrances. It is not considered that there is any distinguishable difference in the design quality to the rest of the development, which is proposed to be delivered on the site, something which was commended by the DRP when the scheme was last considered.

Affordable Housing Conclusion

- 3.29. The proposed development would make a substantive contribution to Borough's housing needs, and Officers attach significant weight to this in planning terms. The development would provide a good range of dwelling sizes contributing towards the creation of a balanced community, including a mix of 1, 2, 3 and 4-bedroom units.
- 3.30. The proposed residential units would achieve a high standard of amenity for future occupiers. All units would meet the minimum internal space standards, and a significant proportion of units would exceed the minimum standards, providing generous and well-proportioned living accommodation. All units would be provided with private outdoor amenity space in the form of balconies which would either meet or exceed the minimum requirements in terms of private amenity space.
- 3.31. In terms of outlook, privacy, daylight and sunlight, an acceptable level of amenity would be provided for future occupiers, having regard to the urban context within which the development lies. Notably, the proposed development would deliver 55 affordable homes which is not a policy requirement. As such, the proposed development would make a substantial contribution to Wandsworth's affordable housing needs, and Officers attach significant weight to this in planning terms.

4. Inclusive Access

- 4.1. London Plan policy D7 and Local Plan policy LP27 requires at least 10 per cent of dwellings to comply with Building Regulation requirement M4 (3) 'wheelchair user dwellings', with all remaining dwellings meeting M4 (2) 'accessible and adaptable dwellings'.
- 4.2. During the consideration of the application, officers have negotiated with the applicant and have secured revisions resulting in 11% of the units within the residential building to accord with policy LP27 and to meet the requirements of Building Regulations art M4(3). The residential element that will be designed as 'wheelchair user dwellings' would comprise:
 - Three Social Rent units (2 x 2-bed, 1 x 3-bed) and
 - Three LLR units (2 x 1-bed, 1 x 2-bed)
- 4.3. The social rent units are to be built as fully accessible in line with part M4(3)2b, "to meet the needs of occupants who use wheelchairs", and the intermediate units should be built as adaptable, in line with part M4(3)2a, "to allow simple adaptation of the dwellings to meet the needs of occupants who use wheelchairs".
- 4.4. In terms of the student accommodation, there would be 39 wheelchair accessible student rooms, split across the floors and 12 wheelchair adaptable student rooms (1 per floor apart from Level 7). The applicant states a further 26 wheelchair adaptable units could be provided by converting pairs of cluster units into single adaptable units.
- 4.5. The council's Specialist Housing Occupational Therapist (OT) has provided important feedback to the applicant on the details and layout of the proposed adaptable and accessible units. As a result, the applicant has increased the floor areas of the wheelchair user dwellings in the residential building and re-balanced the distribution of accessible/adaptable rooms between Plots 02 and 03 (the student accommodation buildings).
- 4.6. Following the revisions and further consultation with the council's Specialist Housing Occupational Therapist officers are satisfied that the wheelchair units now accord with London Plan policy D7 and Local Plan policy LP27. A condition has been recommended to secure the relevant units as wheelchair accessible and adaptable. Additionally, it is considered necessary to add additional provisions in the S106 in respect of the compliance with the relevant design standards for accessible design including for all communal areas.

5. Standard of Accommodation

- 5.1. Paragraph 135 of the NPPF sets an expectation that new development will be designed to create places that amongst other things have a 'high standard' of amenity for existing and future users.

- 5.2. The Nationally Described Space Standards (NDSS) were published by the Department of Communities and Local Government in March 2015. It is not a Building Regulation requirement and remains solely within the planning system as a form of technical planning standard. The national housing standards are broadly in compliance with the space standards set out in the London Plan and its Housing Supplementary Planning Guidance (2016). Officers have reviewed the space standards of the proposed units and are satisfied that they meet the minimum requirements of the NDSS as set out by London Plan policy and the London Plan Guidance (2023).
- 5.3. The 12 storey (C3) residential block has been designed to provide no more than 5 residential units per floor, which accords with the best practice guidance set out within the Mayor's Housing SPG of generally no more than 8 units per core and are considered to be acceptable in this respect.

Amenity for New Residents

- 5.4. Standard 29 in the Mayor's Housing SPG identifies that developments should minimise the number of single aspect dwellings, and states that single aspect dwellings that are either north facing, exposed to significant noise levels, or contain three or more bedrooms should be avoided. London Plan Policy D6 seeks to ensure a high quality internal and external design for new housing development.
- 5.5. Development is required to achieve 'appropriate outlook, privacy and amenity', and should seek to maximise the provision of dual-aspect dwellings (i.e. with two openable windows). Local Plan policy LP27 seeks to ensure that new residential development provides a satisfactory level of privacy, outlook, direct sunlight and daylight. All new residential development will be expected to provide dual-aspect accommodation, unless it can be suitably demonstrated that a single aspect dwelling would provide for a more appropriate design solution than a dual aspect dwelling.
- 5.6. In respect of purpose-built student accommodation, development will be supported where it provides high quality living environment and a high level of amenity (good levels of daylight and sunlight), in accordance with policy LP28. Proposals should avoid unacceptable impacts on levels of daylight and sunlight for the host building or adjoining properties. All new homes should provide sufficient daylight and sunlight as required by policy LP15.
- 5.7. In reference to Plot 01, there are no single-aspect north-facing units proposed within this building. The single-aspect units have been strategically positioned to maximise westerly views. Notably, 80% of the residential units will be dual aspect, comprising a total of 44 units.
- 5.8. The architectural design of the blocks ensures that future occupants will enjoy favourable levels of outlook. The shape and positioning of the proposed buildings, in relation to one another and the surrounding development, will mitigate any significant overlooking between residential units, as any potential overlooking opportunities between windows will occur at oblique angles

- 5.9. Officers are therefore satisfied that all habitable rooms would be afforded sufficient outlook and a reasonable standard of amenity. Considering the site's location and the density of the surrounding development, the levels of outlook and privacy are deemed to be comparable and acceptable in this context. The proposal is considered to comply with Local Plan policy LP2 as the design and layout of the development would avoid overlooking opportunities.

Quality of Student Accommodation

- 5.10. London Plan policy H15 also requires purpose-built student accommodation to provide adequate functional living space for students in terms of the design and layout of bedrooms. Supporting paragraph 4.15.6 of the London Plan states that student accommodation should achieve a high residential quality in line with Policy D3, which requires, among other things, a safe, secure and inclusive environment, appropriate outlook, privacy and amenity, conveniently located open spaces, and comfortable and inviting indoor and outdoor environments.
- 5.11. Whilst there are no defined space standards (including amenity space) for student accommodation, it is the view of officers that the principles of good residential design should be applied to a proposal for student housing given that student accommodation is a primary place of residence. It is critical that the design of purpose-built accommodation is of a high quality with adequate amenity to contribute to healthy and sustainable lifestyles.
- 5.12. The submitted accommodation schedule sets out the range of unit types proposed across the two PBSA blocks which would range from 21.0sqm to 34.8sqm for studio rooms and 13.9sqm to 29.5sqm for cluster rooms. Whilst the cluster bedrooms are smaller in size residents would additionally have access to shared kitchen/living/dining rooms ranging in size from 24.5 sqm to 33.7 sqm. The student accommodation units are intended for single occupancy, with no provision for larger units to support couples or families.
- 5.13. The scheme has been developed in collaboration with a student accommodation provider and will provide 1,434 sqm internal and 665 sqm external communal amenity space for use by students across the two PBSA blocks. Whilst all the student bedrooms will be provided with all the necessary facilities such as cooking and washing facilities, communal amenity spaces will also be provided throughout the building, providing an acceptable environment for students to interact and study outside of their bedrooms. The maintenance and management of these spaces will be the responsibility of the developer, and the details will be secured by condition.
- 5.14. Despite all the units across both blocks being single aspect, the proposed student accommodation will be well lit and ventilated with all habitable rooms having acceptable levels of outlook and privacy. The bedrooms have been designed with an efficient layout to provide sufficient space for a bathroom pod, bed, desk and chair, and storage space. The studio rooms would have the addition of a kitchenette. Whilst the proportion

of single aspect north facing units would not be acceptable for a traditional housing scheme, the proposed arrangement does not raise any particular planning concerns, given the short-term nature of the student accommodation tenancies and the provision of the communal amenity spaces as set out above.

- 5.15. The remaining space at the top levels of the block is designated for PV panels, plant and ancillary uses. It is considered that the scheme provides an acceptable level of amenity space for the range of uses provided. Occupiers of both the residential and PBSA accommodation would additionally have access to a ground level soft-landscaped amenity area, to the front of the buildings. Officers are satisfied that the proposed student accommodation would comply with the aims of policies H15 and D3 of the London Plan.

6. Urban Design

- 6.1. The NPPF states that planning decisions should ensure that developments 'optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development'. The NPPF also attaches great importance to the design of the built environment and good design is a key aspect of sustainable development. New developments are encouraged to respond to local character and history and reflect the identity of local surroundings and materials.
- 6.2. Chapter 3 of the London Plan sets out key urban design principles to guide development in London. Policies D1-D4 and D8 of the London Plan apply to the design and layout of development and sets out a range of urban design principles relating to the quality of public realm, the provision of convenient, welcoming and legible movement routes and the importance of designing out crime by optimising the permeability of sites, maximising the provision of active frontages and minimising inactive frontages.
- 6.3. Local Plan policies seek to ensure that the layout, form and design of new buildings and the spaces around them should contribute positively to the local environment, creating places, streets and spaces which meet the needs of people, are visually attractive, safe, accessible to all, sustainable, functional, adaptable, durable, inclusive, and while having their own distinctive identity to maintain and reinforce local character.
- 6.4. Local Plan policy LP1 (The Design-led Approach) states that development must ensure the scale, massing and appearance of the development provides a high-quality, sustainable design and layout that enhances and relates positively to the prevailing local character and the emerging character. Proposals should ensure that the urban grain and site layout take account of, and improve existing patterns of development and movement, permeability and street widths in order contribute positively to well-being and enhance active travel. Local Plan Policy LP2 also sets out a number of general development principles.
- 6.5. The proposed layout of the site and the arrangement of three buildings is informed by the constraints of bordering street edges, a sewer easement which runs diagonally

through the site from the northeast corner to the south and the orientation of buildings to mitigate potential impacts on neighbouring development and existing trees. The proposed layout allows for the delivery of new shared public space, landscaping, a dedicated play area, improved pedestrian connections to adjoining developments and a restricted through-road to facilitate servicing and deliveries.

- 6.6. The proposed development consists of three buildings that share a cohesive contemporary architectural style. The design has undergone several pre-application workshops focussed on refining the layout, massing, and overall architectural response, and has been presented to three Design Review Panels. Key changes made during the pre-application process include a reduction in building heights, the reorientation of Plot 01, and a more varied architectural expression to reflect the internal uses and break up the massing. These changes help distinguish between the residential units and the student accommodation. Additionally, the landscape design has been completely reworked to better integrate with the built form and establish a clear hierarchy of spaces.
- 6.7. The proposed buildings are divided into a lower and upper massing volume. The lower volume relates to the surrounding streets and neighbourhood by creating a continuous datum. The heights of these bases range from 4 storeys on Plot 01 to 7 storeys on Plots 02 and 03. The top massing volumes of the buildings consists of slimer and more refined towers, each with their own individual expression, albeit sharing the same contemporary architectural language. The building height ranges from 43.05m on Plot 01, 55.25m on Plot 02 and 68.52m on Plot 03 (to the top of the plant enclosure) adjacent to the railway line. The buildings have been designed to be outward facing at ground floor level, assisting in activating the prevailing streets and the proposed public realm.

Plot 01

- 6.8. Plot 01 consists of a 12-storey residential block, setback from Battersea Park Road, which will deliver 55 affordable units. A range of unit sizes will be provided consisting of 1, 2, 3 and 4-bed residential self-contained units.
- 6.9. Throughout the application process, in response to Officers comments revisions have been made to Plot 01, which include a reduction in the building's height from 14 to 12 storeys, the building footprint has been angled and rotated away from Sleaford Street towards The Glade to reduce overlooking and overshadowing impacts on the residents of Viridian Apartments. After the fourth storey, the building steps inward and reduces in size as it rises an additional eight storeys, reaching a total of 12 storeys. The revised design helps to reduce the overall massing and allows the building to step down towards The Glade to improve views across the site. The building has also been set back from Battersea Park Road to enable the retention of existing mature trees, which has addressed objections raised on visual amenity grounds.
- 6.10. The ground floor of the building will feature a residential lobby with two entrances, accessible from the new park setting or Sleaford Street. Two flexible

commercial/community units will be located on the northern and southern elevations, with one fronting Battersea Park Road and the other facing the Glade and wrapping around to Sleaford Street. These commercial and community spaces are positioned to activate and enliven the public realm which is considered a community benefit of the scheme in some of the representations of support. Additionally, the ground floor will house dedicated cycle storage, a bin store with bulk waste storage, and two circulation cores.

- 6.11. The building façades have been carefully designed to respond to and adapt to varying climatic conditions. This approach results in façades that enhance internal comfort while maintaining a consistent architectural order and language. Living spaces on the north and east elevations will feature larger openings than those on the south and west, optimising light and views. The residential units will have a mix of projecting and inset balconies, strategically placed based on orientation, streetscape, and views, as well as to reduce the risk of overheating in living areas. The positioning of these balconies further contributes to the architectural integrity of the building.
- 6.12. Plot 01 now features two fire-separated cores, each containing its own lift and stairwell. These cores are strategically positioned to maximise natural daylight within the apartments. The western core, accessible from Sleaford Street, serves as the designated firefighting shaft and includes a firefighting lift, while the second core is equipped with an evacuation lift. The lower three floors (L1-3) will be designated for social rent housing, providing larger family units on the lower storeys. Above the fourth storey, the building's footprint steps inward, reducing in size over an additional eight storeys (totalling 12 storeys) The roofscape of the building will accommodate photovoltaic panels, lift overruns and a dedicated plant compound.

Plot 02

- 6.13. Plot 02 consists of a 17-storey block setback from Battersea Park Road, located on the eastern edge of the site. The first of two-purpose built student accommodation (PBSA) buildings and would comprise of 237 studio student units (21 per floor). Of the 21 studio bedrooms.
- 6.14. The typical studio bedrooms have an area of approximately 21 sqm, and are paired back-to-back, each with a private bathroom pod, desk space, and its own kitchenette. The studio rooms layout has been rearranged throughout the design process, with the kitchenette moved further down the room, away from the escape route in case of a fire emergency.
- 6.15. Each room has a fixed centralised window that has been reduced in size where necessary to avoid overheating, with an openable side vent panel for natural ventilation. These vent panels sit behind vertical metal fins that provide shading to the rooms and protect against falling. A mechanical purge vent system is installed and relies on an exposed soffit that assists in the cooling of the building overnight.

- 6.16. As part of the revisions made to the scheme the building now has two fire-separated cores, with the firefighting shaft, which contains both a fire fighting and evacuation lift, to the eastern side of the building off the NCGM access road. The corridors are fire separated with a cross-corridor door and have an openable window at each end which brings in natural light and ventilates the spaces.
- 6.17. In respect of the design of the internal layout, the ground floor will have a student entrance lobby with reception, a dedicated cycle store, telecoms/switch room, student and commercial bin stores and will be bookended by commercial/community units. A commercial unit has been located to front onto Battersea Park Road with the second unit at the southern end of the building, which can be used as either commercial or community space.
- 6.18. Building entrances and shop fronts have been designed with generous glazing to create an increased sense of security, visual connection, and active frontage between interior and exterior. The back of house on the ground floor has been reduced and rationalised to allow for more active frontages. Additionally, a dedicated cycle store is provided on the ground floor which has increased in size to accommodate the required number of bikes. Much like Plot 01, the block has a defined base consisting of 7 storeys, with a further inset tower of 10 storeys.
- 6.19. Level 7 of the building provides a shared amenity floor which offers a range of activities and facilities to students residing in the building. The amenity space extends outwards onto a communal roof terrace that looks onto views of Battersea and Nine Elms. Bi-folding doors open up onto the terrace, extending the study and dining space to the outside when the weather permits, and can be controlled centrally by staff. The building has additional shared lounge spaces on ground floor and the top floor. Facilities on level 7 include a gym, study rooms, a screening room, games room, laundry room, and a communal dining space that spills out onto the terrace. These communal facilities at Level 7 provide an opportunity to express a “break” in the massing, separating a more solid base below from a lighter frame above it. This level stands out from the rest of the building as a band of continuous glazing that runs across the building. The ark projecting windows wrapping around level 7 sit in between green piers that successfully tie the base to the top of the building.

Plot 03

- 6.20. The tallest of the three buildings, Plot 03 is located to the rear of the site (nearest the railway line) and adjacent to the New Mansion Square development, fronting onto the NCGM access road. Plot 03, the second of the purpose-built student accommodation buildings will deliver 525 cluster student bedrooms each fitted with its own bathroom pod. With 36 cluster bedrooms per floor, every 5-7 bedrooms share a communal living, kitchen, and dining space. Each bedroom has a fixed window with an openable side vent panel for natural ventilation. The vent panels sit behind vertical metal fins that provide shading to the rooms and protect against inhabitants falling.

- 6.21. Plot 03 is composed of two towers atop a base, each of these 3 components has been given its own architectural language, tied together by a unifying architectural treatment. The building will have a defined 7-storey base and will be bookended by two towers. The first tower to the north of the building would extend a further 12 storeys (to 19 storeys in total) and rear tower would extend a further 15 storeys (to 22 storeys in total) with the two towers separated by an external amenity roof terrace.
- 6.22. The building's base, aligned in height with the neighbouring Peabody Phase 4A Scheme, features grit-blasted, dark red precast concrete panels with exposed aggregates. The main entrance has been reconfigured from the original colonnade, incorporating both combination of both external and internal spaces. This redesign creates a more defined corner at the NCGM access road. The entrance is double-height, well-lit, and features large glass windows that offer views into the student reception area.
- 6.23. The ground floor of Plot 03 would accommodate a spacious double height entrance lobby, with reception, post room and staff welfare facilities. The remainder of the ground floor comprises a dedicated cycle store, bin store, bulky waste store, switch room and a substation would be provided. In addition to operational facilities, welfare facilities for occupants would be provided in the form of laundry rooms, a dedicated games room and study room.
- 6.24. The building would have two main cores, each with two lifts and two fire separated stair cores, with windows that bring in natural light through to the lobbies. The firefighting shaft, which contains both a fire fighting and evacuation lift, accessed off NCGM access road.
- 6.25. An additional external amenity roof terrace would be provided at the first-floor podium level. The size and arrangement of this external space has been reduced and reconfigured to ensure that the privacy and amenity of adjacent residents of the New Mansion Square development would not be negatively impacted. The entirety of the seventh floor would provide a combination of quality internal and external amenity space. The roofscapes of both towers would accommodate photovoltaic panels and a plant compound.
- 6.26. The proposed layout maximises the efficient and effective use of the site. With refined architectural treatments across all three buildings, significant revisions to Plot 01, and notable improvements to the landscaping and public realm, the development will create a distinctive identity within the neighbourhood. A number of objections have been received on design grounds including around the internal layout, the amount of fenestration and that the proposed buildings are too tall and that their height and massing are out of keeping and character with the surroundings. However, it is considered that the detailed design treatment, internal layout and the form of the proposed development is acceptable and would not be incongruous when appreciated within the wider setting amongst a number of nearby tall buildings that are located within the Opportunity Area (VNEB).

6.27. Overall, officers are supportive of the detailed design treatment of the proposed development, a view that is also endorsed by the Principal Urban Design Officer. The proposals have undergone three reviews by the council's Design Review Panel throughout the design process. In the final review, the Panel commended the development team for revising the scheme to address previous concerns and expressed their support for the application. Consequently, officers believe that the proposed development will have an acceptable impact on the site and its surrounding area, notwithstanding the objections raised on design and layout grounds. Given the above assessment and subject to the recommended conditions and legal agreement, the site layout is considered acceptable in design terms and would contribute positively to the surrounding area and therefore complies with the NPPF, the London Plan and Local Plan policies LP1, LP2 and LP4.

Materials

- 6.28. Local Plan policy LP1 sets out that development must ensure that the proposed finishing materials and façade design can demonstrate an appreciation and understanding of vernacular, local character and architectural precedents in the local area, while not preventing or discouraging appropriate innovation.
- 6.29. The sites adjacent to the proposed development are primarily constructed in brick, with precast concrete detailing. In response, the development will feature a restrained and refined materials palette, drawing inspiration from the surrounding architectural context and historic character while establishing a distinct identity for the development.
- 6.30. The buildings are planned to feature precast concrete façade panels, a material that has experienced a significant resurgence due to its lower embodied carbon compared to traditional brickwork. Precast panels can be manufactured off-site, allowing for just-in-time deliveries. This approach reduces waste, minimises the number of deliveries, and enhances construction speed and efficiency. Advances in technology now enable the use of various natural pigments and exposed aggregates, offering creative and refined applications of the material to add visual interest.
- 6.31. The proposed materials palette across the site takes reference from both the historic colour mill along the Thames and the Colour Fields painting movement of the 1950s of abstract compositions of bold colours, the scheme blends these ideas with the proposed pre-cast concrete façades to form a series of crafted and collaged buildings.
- 6.32. The proposed buildings utilise a consistent design language and materials palette to create a family of buildings, however the application of colour, texture and detailing is used to give each building an individual identity. Each block would be afforded its own colour to help establish separate identities. Plot 01 utilises a grit blasted grey precast concrete, with accompanying windowsills and courses in grey acid etched precast concrete, windows, doors, balustrade and plant screen are a bronze-coloured aluminium.

- 6.33. Plot 02 utilises a grit blasted green precast concrete with exposed aggregates, with accompanying windowsills and courses in acid etched dark green precast concrete. Plot 03 utilises a grit blasted dark red precast concrete with exposed aggregates, with accompanying windowsills and courses in acid etched dark red precast concrete. Both the Principal Urban Design officer and the Design Review Panel are supportive of the proposed materials palette and requests in the objections for the development to be constructed in brick are not considered justifiable.
- 6.34. Whilst the proposed materials palette is supported in principle, a condition is recommended requiring further details of materials (to include a mock-up panel) and detailing to be submitted for approval, which would address some concerns raised about materials and the potential for light reflection. Additionally, to ensure the retention of design quality post planning, a requirement will be imposed to retain the architectural and landscape team through to the construction phase.

Crime and Public safety

- 6.35. Paragraph 96 of the NPPF establishes that planning decisions should aim to achieve healthy, inclusive and safe places and that developments are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.
- 6.36. Policy D11 of the London Plan (2021) states that developments should include measures to design out crime, with these measures considered at the start of the design process to ensure they are inclusive and aesthetically integrated into the development and the wider area. Local Plan policy LP1 seeks to minimise opportunities for crime and antisocial behaviour in a site-specific manner, based on an understanding of the locality and the potential for crime and public safety issues.
- 6.37. The Designing Out Crime Unit of the Metropolitan Police Service (DoC) has been consulted on the application and the comments received state that that much of the crime in the area has been opportunistic in nature and that there have been instances where vehicles and scooters have used pedestrian footpaths to bypass TFL cameras on Battersea Park Road. It is recommended that CCTV cameras are secured by condition to be installed within the public realm and within the building as well as appropriate lighting, which goes some way to addressing the objections raised about an increase in crime rates resulting from the development. However, a further concern has been expressed about the use and location of CCTV cameras, but the benefits of the use of CCTV cameras are considered to outweigh this concern and the exact details of the cameras / lighting and their location are to be agreed by way of planning condition.
- 6.38. The Designing Out Crime Unit of the Metropolitan Police Service raises no objection to the scheme, this is subject to the imposition of a condition requiring the development to achieve a Secured by Design Silver accreditation on completion. This condition together with the adherence to the student management plan is considered to address a number of objections that have been raised on crime and safety grounds in accordance with the objectives of London Plan policy D11 and Local Plan policy LP1.

Residential Private Amenity Space

- 6.39. In respect of private amenity space for residential properties, London Plan policy D6 states that 'where there are no higher local standards in the Boroughs Development Plan Document, a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant'. Where communal open space is provided, it should be well overlooked, accessible to those who require level access and wheelchair users, designed to take advantage of direct sunlight, and have suitable management arrangements in place. Local Plan policy LP27 stipulates a higher provision of private amenity space, to a minimum of 10 sqm for 1 and 2-bedroom dwellings and 15sqm for dwellings with 3 or more bedrooms (excluding footpaths, parking areas, access ways, side, or front gardens).
- 6.40. All units across Plot 01 would be afforded private outdoor amenity space in the form of balconies which would either meet or exceed the size requirements set out in London Plan policy D6. In accordance with Local Plan policy LP27, 650sqm of private communal amenity space would be required, however, 379sqm is provided representing a shortfall of 251sqm.
- 6.41. The residential block would not have private communal amenity space solely for residents of the block and would instead be reliant on the public realm provided at ground floor level. As a result of the plant provision, it is not possible to provide community amenity space at roof level and therefore the only option would be to rely on the public realm available at ground floor level. Discussions with the Principal Urban Design Officer and the Design Review Panel (DRP) outlined the desire to prioritise the public realm at ground floor level, to provide a meaningful place for residents of the site and the surrounding areas to use, spend time and improve connections and to reinforce the north to south pedestrian routes. As such, the scheme has been developed to maximise the provision of a high-quality public realm space, rather than provide a segregated private amenity space for Plot 01 at ground floor level which addresses the objection raised about the size of the courtyard space.
- 6.42. The proposed private balconies provided for residents, exceed the minimum requirements of London Plan Policy D6. The balconies are deemed to be of a size to offer acceptable outdoor amenity space to residents in addition to the high-quality landscaping and public realm at ground floor level. As such, considering the overarching public realm strategy and the quantum and quality of the public space that is to be created, combined with the range of amenity provision for residents, Officers are comfortable that this would compensate for the under provision of the private communal amenity space and is therefore considered acceptable, especially given the compliance with the standard required in policy D6 of the London Plan.

7. Landscaping, Public Realm, and Play Space

- 7.1. Paragraph 131 of the NPPF and policies G5, G6 and G7 of the London Plan all recognise the importance of green infrastructure in the enhancement of biodiversity, sustainable urban drainage, responding to climate change, and enhancing both the character and amenity of places, collectively delivering sustainable development. Policy G6 of the London Plan requires development proposals to manage impacts on biodiversity and aims to secure net biodiversity gain.
- 7.2. London Plan policy D8 states that development proposals should explore opportunities to create new public realm where appropriate. Proposals should also ensure the public realm is well-designed, safe, accessible, inclusive, attractive, well-connected, related to the local and historic context, and easy to understand, service and maintain. Landscape treatment, planting, street furniture and surface materials should be of good quality, fit-for-purpose, durable and sustainable.
- 7.3. In respect of tall buildings, Local Plan policy LP4 sets out that where ground floor non-residential uses are proposed, the public realm should be enhanced through the incorporation of public spaces such as their plazas at their entrance. This is further reinforced by policy LP20 which sets out that major developments will be required to provide new public open space on the site and make improvements to public realm.
- 7.4. Nine Elms Park is integral element of the Nine Elms OAPF and is a significant piece of green infrastructure of the regeneration area. The application site straddles the link between the final phase of the park at its western boundary and the crossing to Battersea Power Station. A core objective of the landscape proposals is to carry the quality and character of Nine Elms Park through the site's northern boundary and to the east, ensuring a seamless, high-quality streetscape and verdant landscape that enhance both the aesthetic and functionality of the area.
- 7.5. The broader landscape strategy provides opportunities for both passive and active recreation, while strengthening pedestrian connections between nearby green spaces and local destinations, as well as improving pedestrian and cycling networks. The design concept takes inspiration from the surrounding evolving landscape and public realm, in terms of appearance, character, and materials, creating a unique space where residents and visitors can pause and enjoy, contributing to the overall placemaking efforts within Nine Elms. Pedestrian connectivity across the site is currently severed by various heavy road and rail infrastructure including Battersea Park Road to the north, New Covent Garden Market access road to the east and railway lines to the south. With the regeneration of the area, new desire lines are beginning to form, including much needed connections to the recently occupied New Mansion Square development to the south. Creating a parkland setting for residents to traverse the site to reach the tube station and town centre to the north or Nine Elms Park to the east.
- 7.6. A Landscape Strategy and detailed landscaping plans have been provided as part of the application which outlines a strategy for the hard and soft landscaping to be provided in the public realm. Officers and the DRP Panel have provided considerable

input into the landscape design, ensuring the space is safe, welcoming, and meets the needs of all users. The Landscape Strategy seeks to deliver an attractive, greener and more inclusive environment that caters to residents and the wider community, as well as those visiting the area. The Landscape Strategy seeks to offer opportunities for walking, resting, and play for passers-by, adults, and children alike, with shaded and open spaces, spill out seating and integrated play spaces. These activities would be facilitated through the creation of three interconnected, but distinctive character areas which are set out below:

Battersea Park Road

- 7.7. The key objective of this area is the enhancement of the tree lined streetscape, with the retention of existing well established mature trees and additional tree planting used to create a 'tree curtain' softening the impact of the road. The retention of the mature trees serves as a gateway to the site, inviting visitors to explore. These trees also function as a green visual and acoustic buffer between the site and the busy street, while providing shaded areas and new seating providing outdoor spill-over space for adjacent commercial activities. The revised scheme preserves the trees along Battersea Park Road, with the public realm on this site playing a key role in connecting to the final phase of the Linear Park. This phase, to be developed on the New Covent Garden Market site, will link Battersea Power Station to the north and the Linear Park to the east. Both officers and the Design Review Panel (DRP) fully supported this approach.
- 7.8. This character area provides clear connections along and across Battersea Park Road with the creation of areas of planting and seating facing onto active frontages. The space offers an alternative route for pedestrians which doesn't require them to navigate Battersea Park Road directly adjacent to traffic.

The Glade

- 7.9. The Glade is envisaged as a soft, intimate, and sheltered central space, activated by ground floor internal and external uses. This character area lies at the centre of the scheme and seeks to provide an intimate oasis, with edible, scented and sensory planting. Its design is informed by key movement corridors and edge treatments, with meandering paths around a central route to promote discovery. Soft landscaping and active spaces are used to anchor the buildings into the landscape, allowing activities to spill outside. The landscape creates a green frame to residential entrances by bringing landscaping closer to the façade, whilst creating pocket places to dwell, sit and spill out between the building uses.
- 7.10. A series of green islands are created to house both active and passive uses, such as play on the way features, discovery paths and artwork. The main pedestrian route meanders gently through green islands consisting of lawns vegetation and tree planting. Sustainable Urban Drainage opportunities have been incorporated within planting areas where possible.

The Streets

- 7.11. The Streets character area will provide opportunities for localised planting, through the use of continuous connected tree pits and planted boundaries along Sleaford Street and the New Covent Garden Market (NCGM) access road, softening the interface between the roads and the landscape. The proposals seek to encourage low traffic through materiality and sensitively integrate parking. The key objectives of this area are to provide a robust and hardwearing landscape surface in line with the wider Nine Elms materials strategy.
- 7.12. A one-way 4m wide service route from Sleaford Street to the NCGM access road is proposed through the centre of the site, between Plots 02 and 03. The access route has been sized to suit deliveries, servicing and fire access. Whilst functional in nature, the route would be lined with vegetation to ensure that it is integrated into the wider landscape strategy.
- 7.13. As part of the servicing strategy for the wider site, the existing loading bay on the New Covent Garden Market access road will be retained and would be used to service Plot 02. It should be noted that this bay falls outside the redline of the application site. Additionally, NCGM access road would benefit from enhanced tree planting, this will require agreement from NCGM as the street is privately owned. As the above falls outside the redline boundary of the site, these would be secured within the S106 legal agreement.
- 7.14. Existing retaining walls have been removed and terraced vegetated buffers have instead been created on the edges of the site. Tree planting will be used as gateway markers to the heart of the site, with vegetation and street furniture creating a moment to pause at the arrival space. Whilst the vision for the 'the Street' character area is supported it should be noted that 5 of the trees proposed along the NCGM access road fall outside of the redline boundary of the application site and would be delivered on land not in the ownership of the applicant. Its delivery will be secured via the S106 legal agreement.
- 7.15. The council's Arboricultural Officer has reviewed the proposals and welcomes the proposed planting and landscaping, in particular the tree planting along Sleaford Street, and along the New Covent Garden access road. The feature tree planting in the open area off Sleaford Street is also considered to be a positive addition. Objections have been received on grounds of insufficient and poor landscaping as well as requests to increase the size of the park area. However, the landscaping proposals are considered to be of a high quality and has maximised the potential for providing the park and public realm which would align with the aspirations for the wider Nine Elms area and therefore accord with London Plan policy D8, in addition to Local Plan policies LP4 and LP20.

Communal Terraces/Spaces and Green Roofs

- 7.16. London Plan Policy G1 states that development proposals should incorporate appropriate elements of green infrastructure that are integrated into London's wider green infrastructure network. Local Plan policy LP10 sets out that development will be required to achieve high standard of sustainable design and construction to mitigate the

effects of climate change through a number of measures including the use of green roofs. Across the development green and bio-solar roofs will be implemented and will utilise native and climate resilient species, a biodiverse range of species for pollinators, bug hotels and ecological piles. Lower green roofs will provide visual amenity and will be integrated with photovoltaic panels where appropriate.

- 7.17. Each of the student accommodation buildings will have a dedicated semi-private amenity terrace available to inhabitants of that block. The spaces seek to provide amenities for students use, including outdoor working, socialising, break-out space and resting.
- 7.18. The Plot 03 building is proposed to have a first-floor podium terrace which would provide a pocket space for student activities. These active spaces are set within the backdrop of large, raised planters housing multi-stem trees and resilient terrace appropriate planting. The active uses are designed for provision within the façade of Plot 03, with a large green roof providing a buffer between the adjoining New Mansion Square terrace. A secondary terrace is proposed on level 7 of Plot 03, offering an additional outdoor amenity for the student residents, with open views available from the terrace edges to the north and south. A condition is recommended restricting the hours of use of these terraces, to ensure that the amenity of the adjacent residential development is not compromised by use during anti-social hours.
- 7.19. To the rear of Plot 03 is a semi-private outdoor space is proposed that hosts vegetation, outdoor seating facilities for students and visitor bike parking and uses a level change between the building and existing site context to provide additional and greening and biodiversity benefits. It should be noted that the land along the southern boundary is safeguarded as a future potential cycle link, which will be secured via the S106 legal agreement. The provision of the communal amenity spaces has been designed as attractive place to meet the needs of the users of the development contrary to the comments raised in the representations.
- 7.20. Several landscape typologies are proposed across the different roofscapes including intensive green roofs, with planting and access for residents, biodiversity benefits and bio-solar green roofs, combining biodiversity with energy production. All three plots will adopt bio-solar roofs.

Children's Play space

- 7.21. Policy S4 of the London Plan (2021) states that residential development should incorporate good-quality, accessible play provision for all ages, and that at least 10 square metres of play space should be provided per child. The play space should provide a stimulating environment, be easily accessible by children and young people independently, incorporate trees and or other forms of greenery, is overlooked to enable passive surveillance and not be segregated by tenure.
- 7.22. Local Plan Policy LP19 (Play Space) states that development proposals for schemes that are likely to be used by children and young people should satisfy all requirements

set out in London Plan Policy S4. Where it has been clearly demonstrated that the provision of on-site play space would not be feasible or appropriate, the Local Planning Authority will require a financial contribution towards the provision of new facilities or the enhancement of existing facilities in the locality which have, or are capable of having, sufficient capacity to accommodate the needs of the proposed development. Well located and properly designed play space also plays an important role in placemaking and adding to the character of an area.

- 7.23. The play strategy seeks to integrate natural features, including mounding and landforms. The location of the play space in the centre of the development provides for good levels of surveillance from surrounding residential units. Play equipment is arranged to be both incidental and formal whilst blending into the background vegetation. The proposed play space is unfenced and sensitively integrated into the proposed landscape with play elements formed from natural materials such as rope, timber and rock. Exact details of the play space, including materials, play facilities providing increasing levels of challenge and associated landscaping, is to be secured by condition to ensure the play space provision is high quality and engaging for its target audience. One of the objections refers to noise concerns arising from the use of the play area and seeking some screening to absorb some of the noise. An informative is included on the decision letter requesting the applicant to consider this issue and the hours of opening when discharging the play space details.
- 7.24. The GLA's Population Yield Calculator estimates that the development is likely to generate circa 44.5 children across a range of ages. The child yield equates to a need for 444.8 m² of play space across all age groups. The application provides 4,442 sqm of public realm, of which 356 sqm would be play provision for children aged 0-4 and 5-11 years inside the site boundary. In addition to the formal play area, 150.4m² of informal play has been provided, consisting of discovery paths and lawns with sensory features, to create a challenging play circuit. The play offer currently falls short of the provision that is required for children aged 12 + as an additional amount of 120 m² would be required for a development of this size in line with London Plan Policy S4.
- 7.25. As highlighted above, play provision for the 12+ age group have not been provided for on site. The Mayor's Play and Informal Recreation SPG states that for 12+ years, facilities can be provided off-site, providing they are within 800m of the site. In lieu of the shortfall on-site a contribution will be secured via the S106 legal agreement towards the improvement and enhancement of 12+ play provision in a nearby location. The applicant has identified a number of alternative play facilities within a 15-minute walking distance of the site including but not limited to, Battersea Park, Battersea Power Station, Prospect Park Playground, Riverlight and Embassy Gardens. Overall, Officers are satisfied that the proposed development would make satisfactory provision for children's play space in accordance with policy, and suitable alternative mitigation where appropriate, in accordance with Policy LP19 of the Local Plan and Policy S4 of the London Plan (2021).

8. Arboricultural Impact and Trees

- 8.1. Local Plan policy LP56 sets out that the council will require the retention and protection of existing trees and landscape features, including veteran trees. The application is supported by an Arboricultural Survey, Impact Assessment, Method Statement and Tree Protection Plan which describes the extent and effect of the proposed development at the site on individual trees and groups of trees within the adjacent site.
- 8.2. In total six trees were surveyed, these included 4no. London Plane and 2no. Common Lime Trees to the north of the site fronting onto Battersea Park Road. The original plans proposed for the site sought to removal these established and mature trees to allow for development to come forward. However following discussions with officers, revisions to the scheme have been received which includes the rotation of Plot 01 and the retention of all these front boundary trees which has also responded to a number of strong objections received regarding the loss of existing well established trees on the frontage.
- 8.3. The councils Arboricultural Officer has reviewed the proposals and raises no objection, subject to protection measures specified in the submission being followed. The primary concern is regarding the potential damage to trees during the demolition phase of the development. A condition has therefore been recommended to ensure that the demolition of the existing substructure is undertaken under the supervision of an arboricultural specialist. The structures are to be taken down so that all debris and materials are to fall outside of root protection areas and away from the canopies of all of the retained trees. It is considered that subject to the imposition of this condition and a tree protection condition, the proposed development would comply with the requirements of Local Plan policy LP56.

9. Impact on Heritage Assets

- 9.1. In assessing the impact of the development on heritage assets the council has considered the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990 as well as the relevant policies in the development plan and the National Planning Policy Framework. Section 72(1) of the 1990 Act requires that, with respect to any buildings or other land in a conservation area, when considering whether planning permission should be granted special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. In this context 'preserving' means causing no harm.
- 9.2. The NPPF is a material considerations and paragraphs 202 to 221 relate to conserving and enhancing the historic environment. London Plan policy HC1 states that development proposals affecting heritage assets, and their settings should conserve their significance by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed.
- 9.3. Local Plan policy LP3 sets out that development proposals will be supported where they sustain, preserve and, wherever possible, enhance the significance, appearance, character, function and setting of any heritage asset (both designated and non-

designated), and the historic environment. The more important the asset the greater the weight that will be given to its conservation. Part G of the policy goes on to state that proposals affecting non-designated heritage assets (including locally listed buildings) will be assessed on the scale of the harm relative to the significance of the asset, in accordance with national policy and guidance.

- 9.4. The application is accompanied by a Heritage, Townscape and Visual Impact Assessment (HTVIA) which considers the significance of heritage assets and the impact of the proposed development upon their setting. The site is not within a conservation area and there are no other heritage designations within the site such as listed and locally listed buildings. The site is allocated for re-development in the Local Plan. The application site benefits from an extant consent which was implemented in 2022 (due to the demolition works which have taken place) for comprehensive residential led redevelopment (ref. 2015/6813), with buildings ranging between 5 and 18 storeys.
- 9.5. The submitted HTVIA has considered the potential impact of the proposed development upon the setting of heritage assets in the wider area within 500m from the application site. Their locations and distance to the application site are outlined below: -
- Grade II* listed Battersea Power Station(385m)
 - Grade II Listed Whittington Lodge, Battersea Dogs and Cats Home (435m)
 - Battersea Park Conservation Area (500m)
 - Locally listed sub-station at the Intersection of Kirtling Road and Battersea Park Road (120m)
 - Locally listed the Dutchess Belle Public House (formerly Duchess of York Public House) at 101 Battersea Park Road) (245m)
 - Locally listed Police Station at 147 Battersea Park Road (490m)
 - Locally listed Storage Centre at 15-17 Ingate Place (515m)

Assessment of Significance

- 9.6. Paragraph 212 of the NPPF advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation and that the more important the asset, the greater that weight should be. Significance can be harmed or lost through the alteration or destruction of those assets or from development within their setting and that this should have a clear and convincing justification (paragraph 206). In such circumstances, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use, where appropriate.
- 9.7. Paragraph 207 of the NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. The HTVIA which

accompanies the submission identifies the heritage assets which could be affected by the proposals in light of the proposed increased height of the development when compared with the extant permission.

Grade II Listed Battersea Power Station*

- 9.8. The heritage value of this Grade II* listed Battersea Power Station building lies in its architectural interest as an important inter-war utility building. The building has local historical interest by virtue of its association with the historic development of Battersea and is visible from the rail network, the wider riverscape and from bridges that cross the Thames. Whilst the application site forms part of the building's wider setting, it makes no contribution to an appreciation of the special interest of the power station.
- 9.9. The setting of the building has considerably altered over time through the regeneration of the area and once the future phases of the power station is complete, principal views of the power station will be restricted to the riverside. It is therefore considered that the objection raised that the development would block views of the power station are not sustainable.

Grade II Listed Whittington Lodge, Battersea Dogs and Cats Home

- 9.10. Whittington Lodge is Grade II listed and historically built as a cattery in 1906-7 for Battersea Dogs and Cats Home. The setting of the building has been considerably altered over time by the regeneration of Nine Elms and the site makes no contribution to an appreciation of the special interest of Battersea Dogs and Cats Home.

Battersea Park Conservation Area

- 9.11. The Conservation Area is characterised by Battersea Park together with areas of surrounding residential development to the south and west. The heritage value of conservation area derives from its high historical interest as one of the earliest Victorian public parks in London and its architectural interest as a planned area of open space. The site is some distance away from the Conservation Area with intervening development in between and is considered to make a neutral contribution to the heritage value of the Conservation Area.

Locally Listed Sub-station at the Intersection of Kirtling Road and Battersea Park Road

- 9.12. The substation is believed to date from the interwar period and is formed of rectangular iron box with doors to both sides. The setting of the structure has been considerably altered due to the regeneration of Nine Elms and whilst the site forms part of the building's immediate setting, it makes no particular contribution to an appreciation of its special interest

Locally Listed Duchess Belle Public House (formerly Duchess of York Public House)

- 9.13. The locally listed public house was rebuilt in 1883, and the heritage value of the building lies in its survival as a late Victorian public house and forms a surviving element of the earlier streetscape. The setting of the building has been considerably altered over time through the regeneration of Nine Elms and the building itself is currently being extended following permission that was granted in 2022 (under planning

application reference 2022/0561). Although the application site forms part of the building's wider setting, it makes no particular contribution to an appreciation of its special interest.

Locally Listed Police Station - 147 Battersea Park Road

- 9.14. The former Nine Elms Police Station police station was built in 1925, and its heritage value lies in its survival as early twentieth century police station. Whilst the site forms part of the building's wider setting, it makes no contribution to an appreciation of its special interest.

Locally Listed Storage Centre (15-17 Ingate Place)

- 9.15. The storage centre was built between 1900-03 and historically formed a furniture store and workshops for furniture makers and its heritage value is due to its survival as a late Edwardian warehouse. Whilst the site forms part of the building's wider setting, it makes no contribution to an appreciation of its special interest.

Impact of the Proposed Development

- 9.16. The proposed development would increase the height and massing on the application site compared to the existing situation, primarily in local views including from Battersea Park Road. The HTVIA submitted by the applicant states that no harm has been identified to the setting of the nearby listed buildings and Battersea Park conservation areas and registered park and garden set out above.
- 9.17. The council's Principal Conservation Officer has reviewed the application and notes that as the revised submission involves a reduction in height (Plot 01) and, on the basis the HTVIA, particularly the views, some of the impacts on these heritage assets would be reduced.
- 9.18. Initial comments from the council's Conservation Officer raised concerns regarding the impact of the development on the locally listed Duchess Belle Public House. The public house is situated within an evolving context with future development coming forward within the immediate and wider setting. When comparing this view to that of the extant consent, there was a noticeable change in scale of the development which rises above the roofline of the public house. The prominence of the locally listed building would be diminished, resulting in a minor degree of less than substantial harm to its setting. However following revisions to the scheme, whilst Plot 01 would still just break the roofline of the public house, it would appear less visually prominent and therefore is not likely cause harm to the setting of the local listed building.
- 9.19. Officers consider, that combined with the cumulative scenario, with all the proposed and consented developments, there would be no significant harm to the setting of any conservation area or designated heritage assets. The site is not located within a conservation area the closest heritage asset being Battersea Power Station, and the proposed development would not affect views of and is sufficiently far enough away from the grade II* listed structure so as not to affect its setting. The HTVIA which accompanies the submission identifies the heritage assets which could be affected by

the proposals in light of the proposed increased height of the development. The council's Principal Conservation Officer has reviewed the application and notes that as the revised submission involves a reduction in height and, on the basis of the HTVIA, particularly the views, some of the impacts on these heritage assets would be reduced. Overall, in terms of designated heritage assets, it is considered that the proposals accord with the statutory duties of the 1990 Act, NPPF paragraphs 212 and 213 and Local Plan policy LP3.

Strategic Views and Impact on World Heritage Site

- 9.20. The London View Management Framework (LVMF) sets out a strategy for important views across London, with emphasis on protecting the setting of the Westminster World Heritage Site (WHS) from key viewing points. The applicant's TVIA (Townscape and Visual Impact Assessment) has considered the heritage, townscape and visual effects impact of the construction of the tall buildings on existing long, medium and short-range views including viewpoints of Waterloo Bridge and the Golden Jubilee/Hungerford footbridges.
- 9.21. It is accepted that the proposed development is located some considerable distance from Waterloo Bridge and the Golden Jubilee/Hungerford footbridges, and the TVIA demonstrates that the proposals would be entirely obscured from view by interposing development. It is noted that Historic England have raised no objection to the development in this respect.
- 9.22. The TVIA also considers views from Thames North Bank (the junction of Deeley Road with Thessaly Road, Riverlight , the Junction of Nine Elms and Cringle Street, Kirtling Street, Battersea Park Road and Battersea Power Station and concludes that:
- The proposed development will not change the appreciation of the Thames North Bank (view 1), the focus will remain on the river and the Grade II* Battersea Power Station.
 - The proposed development will be partially visible from Thames North Bank (view 2): but the majority would be obscured by the Riverlight Quay development.
 - The proposed development would be obstructed from the Junction of Deeley Road with Thessaly Road due to future tall and large development including the New Covent Garden Market redevelopment.
 - Plot 01 of the proposed development would be partially visible from Riverlight Quay, with the remainder of the development obstructed.
 - Views of the upper half Plot 02 alongside Plot 01 will be visible from the junction of Nine Elms and Cringle Street, whilst Plot 03 would remain obstructed.
 - The proposed development would be readily visible from Kirtling Street, Battersea Park Road and would introduce several tall and large buildings into the view.
 - From Battersea Park Road, the proposed development will be visible in the middle ground and will introduce several new tall buildings into this view, although lower halves of buildings would be obscured by interposing development.

- The proposed development would be partially visible within the foreground with the view of the northern elevation of Plot 01 and the upper storeys to Plot 02 when viewed from Battersea Power Station Tube Station.

9.23. The proposed development would not be visible from the LVMF views on the River Thames and the Westminster WHS, and it would have no significant effect on the setting of any heritage asset. It is accepted that the proposed development site would be visible within its setting and the densely built-up context of the opportunity area, but it is not considered that there would be any noticeable change to the appreciation of the views analysed, especially given existing buildings and proposed development that is planned for the area. As a result, it is considered that the proposed development would accord with policy HC3 of the London Plan and Local Plan policies LP3 and LP4.

10. Archaeology

- 10.1. The NPPF in paragraph 207 and London Plan policy HC1 both emphasise that the conservation of archaeological interests is a material consideration in the planning process. Local Plan policy LP3 states that proposals for development involving ground disturbance in Archaeological Priority Areas (as identified on the Policies Map), or heritage assets of archaeological interest will need to be supported by a desk based archaeological assessment and may also require appropriately supervised field evaluation. The recording and publication of results will be required and in appropriate cases, the Local Planning Authority may also require preservation of assets in situ, or excavation.
- 10.2. The Greater London Archaeological Advisory Service (GLAAS) has reviewed the application and has confirmed that the application site lies in an area of archaeological interest (Archaeological Priority Area, as identified in the Local Plan (Battersea Channel)). As a result, a pre-commencement condition has been requested, requiring a Stage 1 Written Scheme of Investigation (WSI) be submitted to and approved by the Local Planning Authority. The scheme of investigation shall include the implementation of a programme of geo/archaeological evaluation site work and a post-investigation assessment. Subject to this safeguarding condition, it is considered that the proposal is acceptable in respect of archaeology and would be in general accordance with Local Plan policy LP3, London Plan Policy HC1 and the NPPF.

11. Amenity Impacts on Nearby Residential Occupiers and the Surrounding Area

- 11.1. The NPPF requires sustainable development to minimise adverse effects on the local environment, which includes that of neighbouring properties. The NPPF at paragraph 135 states that decisions should ensure that developments 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. London Plan policy D6 on Housing Quality and Standards relates mainly to new residential development but states that the design of development should provide sufficient daylight and sunlight to surrounding housing that is appropriate for its context.

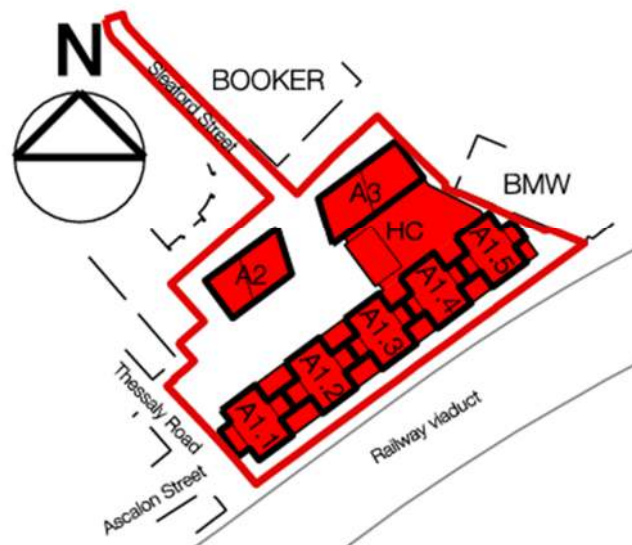
11.2. Paragraph 135 of the NPPF states that decisions should ensure that development creates places which promote health and well-being, with a high standard of amenity for existing and future users. There is an expectation that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside space in accordance with London Plan Policy D6. Local Plan policy LP2 sets out that development proposals must not adversely impact the amenity of existing and future occupiers or that neighbouring properties or prevent the proper operation of neighbouring uses. Development should avoid unacceptable impacts on levels of daylight and sunlight of the host building or adjoining properties including their gardens and outdoor spaces.

11.3. The properties in closest proximity to the application site boundary and with the potential to be affected by the proposed development in terms of outlook and privacy are detailed below:

- Battersea Power Station Phase 4A (Building A1.1 – Higgs Mansions)
- Battersea Power Station Phase 4A (Building A1.2 – Tweed Mansions)
- Battersea Power Station Phase 4A (Building A1.3 – Foots Row Mansions)
- Battersea Power Station Phase 4A (Building A1.4 – Billington Mansions)
- Battersea Power Station Phase 4A (Building A1.5 – Arden Mansions)
- Battersea Power Station Phase 4A (Building A2 – Matkin Mansions)
- Battersea Power Station Phase 4A (Building A3 – Simper Mansions)
- Viridian Apartments, 75, Battersea Park Road

11.4. The location of the Battersea Power Station Phase 4A buildings are shown by the following diagram:

KEY PLAN - PHASE 4a



The impact of the proposed development upon the residential amenity of the occupiers of the properties outlined above are set out in the following paragraphs.

Overlooking & Privacy

- 11.5. In assessing issues of outlook and privacy, consideration of the advice contained in the Mayor's Housing SPG has been considered. The advice in respect of outlook and privacy is not to restrict development to standards applied in the past, whilst useful yardsticks, adhering rigidly to these measures can limit the variety of urban spaces and housing types in the city and can sometimes unnecessarily restrict density.
- 11.6. The council's adopted Housing SPG, sets out guidance at local level to inform good quality design. Paragraph 2.34 of the SPG states that "visual privacy, outlook and amenity space are important to the overall quality and "liveability" of homes. In respect of new development, it makes the point at paragraph 4.24 that in dense urban areas there is always going to be a degree of mutual overlooking. No numerical standard has been formulated in respect of acceptable separation distances (between habitable rooms windows) in the guidance and the SPG states that each case should be assessed on its merits and upon specific site circumstances.
- 11.7. Given the location, distance and the presence of intervening buildings between the proposed development and Phase 4A buildings A1.1, A1.2, A1.3 and A1.4 (Higgs, Tweed, Foots Row and Billington Mansions), it is not considered that there would be any issues around privacy, overlooking or outlook that would be experienced by these residential occupiers. The main impact of the proposed development would be upon the closest residential properties located at Arden Mansions and Simper Mansions.
- 11.8. **Block A1.5 - Arden Mansions.** This residential block faces towards the southern elevation of Plot 02 and the western elevation of Plot 03, which contain windows serving habitable rooms. Owing to the oblique views towards Plot 02 and the substantial distance in-between buildings, it is not considered there would be a detrimental impact on living conditions. The western flank elevation of Plot 03 would face the elevation at a distance of between 16m and 21m and whilst windows serving habitable accommodation exist in this elevation, the distance between buildings is considered satisfactory for the density of buildings located within an urban environment within the VNEB Opportunity Area
- 11.9. **Block A3 - Simper Mansions.** Simper Mansions is sited closest to the boundary with Plot 03 and the separation distance would at its closest be 10.1m although it is accepted that this distance is further increased given the orientation of the building with its angled and splayed design. Whilst the student bedroom windows would face towards the eastern flank of this building the proposed windows are secondary and have been specifically designed to have oblique views and it is not considered that there would be direct overlooking opportunities
- 11.10. The applicant has also provided a study comparing the proposed separation distances with those approved under the extant consent. Whilst the closest separation distance of 10.1m as highlighted above is not ideal, it would represent a small increase in separation distance, when compared with the extant consent, which accepted a separation distance of 6m at its closest point.

11.11. In addition, it is worth noting that the PAC report for Phase 4A development explicitly addressed the impact of this development on adjoining sites which included the application site. The committee report states at paragraph 8.2 that:

"In order to not prejudice the redevelopment of the neighbouring BMW site to the east, the elevational treatment to the eastern elevation of Building A3 has been amended, so as to reduce the potential for overlooking and to increase residential outlook and privacy. The balconies from the first floor to the seventh floor have been removed from the eastern façade, with a consequential enlargement of the balconies on the southern and northern elevations of the affected residential units. There has also been a reduction and re-positioning of windows along the eastern façade with new projecting angled windows with privacy glazing on one side, and clear glazing angled to look out towards the north and south, rather than east".

11.12. Taking the above comments into account, it is considered that the proposed scheme has been designed in a manner which has a mutually acceptable form of development to ensure that the living conditions of both the existing occupiers located at Phase 4A and the future occupiers are of an acceptable standard.

11.13. **Viridian Apartments.** The apartments in this development are located immediately to the west of the site, with the closest separation distance between the site (Plot 01) and Viridian being 18m. To minimise the potential for any overlooking to these neighbouring properties, the footprint and shape of the building has been revised, and the internal layout of the proposed residential accommodation has been designed to direct views away from the nearest residential windows buildings, rather than providing direct views into this neighbouring accommodation. This has been achieved by angling the building away from Sleaford Street and has resulted in an acceptable relationship between Viridian Apartments and the residential accommodation provided in Plot 01. It should be noted that the extant permission approved a separation distance of 18.6m between the proposed development and Viridian apartments, although the footprint of the proposed building was of a linear form of 46.4m in length which was stretched along this boundary.

11.14. A number of objections have been received with specific regards to the loss of privacy and overlooking to nearby residential buildings at Viridian Apartments, Simper Mansions and Arden Mansions. However, as mentioned above, the applicant has reduced the potential for overlooking opportunities by designing direct views from the student bedrooms away from these buildings, rather than providing direct views towards these neighbouring properties. Whilst it is acknowledged that the proposal would have some impact on the residential occupiers of Simper Mansions, officers consider that the potential impacts have been minimised when compared to the closer separation distance approved as part of the extant consent. It is therefore considered that the relationship between the proposed new buildings and neighbouring buildings is acceptable, despite the objections raised in these regards.

Daylight, Sunlight & Overshadowing

- 11.15. The mayor published a Supplementary Planning Guidance on Housing in March 2016 (HSPG) which provides updated guidance on sunlight and daylight issues for London Boroughs. The SPG can be interpreted as moving away from the rigid application of the numerical values in the BRE guidelines, which was published in 2011.
- 11.16. The HSPG states at Para 1.3.45 that "an appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time".
- 11.17. London Plan policy D9 requires new development proposals to have an appropriate transition in scale between the tall buildings and their surrounding context in order to protect residential amenity and privacy. Wandsworth Local Plan policy LP2 General Development Principles (Strategic Policy) sets out the general development principles for all new development. Part B of the policy states that:
- "Development proposals must not adversely impact the amenity of existing and future occupiers or that of neighbouring properties or prevent the proper operation of the uses proposed or of neighbouring uses. Proposals will be supported where the development avoids unacceptable impacts on levels of daylight and sunlight for the host building or adjoining properties (including their gardens or outdoor spaces)".*
- 11.18. The revised daylight, sunlight and overshadowing assessment dated January 2024 considers the daylight impacts for adjoining occupiers and is based upon the methodology as set out in the BRE guidelines. The daylight assessment uses the Vertical Sky Component (VSC) method and the 'no skyline' (NSL) method. Each one is useful in assessing different aspects of daylight impacts with the VSC being most useful in assessing the degree of change and NSL illustrating the distribution of daylight in a room.
- 11.19. Using these methods of assessment, the BRE guidelines state that if reductions in daylight as a result of the development are greater than 20% then this is likely to be significant and noticeable to residents of neighbouring properties. It should be noted that the BRE guidelines are a guide (not policy) which is intended to inform decision making and assist with development rather than constrain it.
- 11.20. The guidelines are to be interpreted flexibly taking into account the patterns of development within the wider area. The guidelines note that in higher density locations a greater degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings. In addition, the revised daylight, sunlight and overshadowing assessment identifies a method to quantify daylight and

sunlight impacts. To assist in the understanding of the magnitude of the impacts the following terms are used which varies from negligible (reduction but still satisfies the BRE guidelines), to low (21-30% reduction), to medium (31-40% reduction), and to high (more than 40%). In order for the BRE guidelines on impact on daylight to a neighbouring property to be satisfied, both the VSC and NSL criteria should be met.

11.21. It should be noted that there are instances where the existing VSC and NSL levels within a property are already low. Therefore, any alteration may result in a disproportionate percentage change compared to the actual or relative change in daylight or sunlight experienced by the occupiers which may not be so noticeable as the results suggest. In these instances, further consideration has been given to the proportion of the rooms / windows affected and or other mitigating factors such as the existence of overhanging balconies or other design features within the building.

Sunlight (Annual Probable Sunlight Hours)

11.22. The submitted sunlight assessment considers the sunlight impacts for adjoining occupiers by using the Annual Probable Sunlight Hours (APSH) methodology over the whole year and in the winter months. This measures the proportion of sunlight that is available at each window. BRE guidance recognises that sunlight is heavily influenced by orientation and so only windows with an orientation within 90 degrees of south need be assessed. The BRE guide also advises that effects on bedrooms and kitchens are of reduced significance compared to sunlight reaching main living rooms and conservatories. Paragraph 3.2.13 of the BRE Guide states that the sun light of an existing dwelling may be adversely affected where the centre of the window:

- receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours between 21 September and 21 March and
- receives less than 0.8 times its former sunlight hours during either period, and;
- has a reduction in sunlight received over the whole year > 4% of annual probable sunlight hours.”

11.23. Other factors are also relevant in the assessment, such as the presence of overhanging balconies or other structures that limit the available light and make the windows beneath more susceptible to larger relative losses.

Daylight Impacts

11.24. The LPA appointed daylighting consultants Delva Patman Redler (DPR) to review the revised daylight, sunlight and overshadowing assessment to assist in understanding the potential effects of the proposed development upon the neighbouring land users when compared to the extant permission. DPR is generally satisfied that with the submitted revised daylight, sunlight and overshadowing assessment and that the methodology adopted by the applicant's daylight consultants was considered appropriate and in accordance with the guidelines.

11.25. The analysis of the daylight, sunlight and overshadowing effects focused on the review of the applicant's daylight assessment took into account the impact of the development upon the neighbouring buildings at Viridian Apartments, Battersea Power Station Phase

4A (Buildings A1.1 – A5, A2 and A3) where 1,374 windows serving 849 rooms were tested for daylight and 250 rooms were tested for sunlight.

11.26. The summary of the daylight impacts of the proposed compared with the extant approved scheme in respect of the neighbouring residential properties are explained in the paragraphs below.

11.27. The results of the assessment of the *proposed* scheme confirmed that:

- 861 windows of the 1,374 windows tested (63%) for VSC and 685 rooms of the 849 rooms (81%) tested for NSL would meet BRE criteria for daylight.
- For sunlight, 209 of the 250 rooms (84%) tested meet BRE criteria.

The results of the assessment of the *consented* scheme confirmed that:

- 907 windows of the 1,374 windows tested (66%) for VSC and 637 rooms of the 799 rooms (80%) tested for NSL would meet BRE criteria for daylight.
- For sunlight, 207 of the 248 rooms (83%) tested meet BRE criteria.

11.28. It is evident from the summary as outlined above that the lighting results for the proposed scheme compared with the consented scheme are broadly similar. Whilst the proposed scheme would experience a marginal reduction in BRE compliance when using the VSC measure for daylighting, the proposed scheme would have a marginal improvement compared with the extant scheme when using the NSL measure for daylight and with the sunlight results.

11.29. DPR have further analysed the results data to look at the number of main living rooms and kitchens in the existing surrounding properties that would experience a medium or high daylight impacts (either VSC or NSL). This is consistent with the BRE Guidelines which accepts that bedrooms have a lower requirement for daylight than main living rooms and kitchens. The results provided by DPR are provided below:

Building	No. of living rooms or kitchens with medium or high daylight impacts	
	Proposed scheme	Consented scheme
Viridian Apartments	38	50 (+12)
BPS Phase 4A, Buildings A1.1 - 1.5	58	40 (-18)
BPS Ph4A, Building A2	3	3 (=)
BPS Ph4A, Building A3	34	33 (-1)
142-192 Thessaly Road	8	8 (=)
Total	141	134 (-7)

The above table shows the number of main living rooms in existing neighbouring properties with medium or high daylight impacts

11.30. As can be seen from the above results, there would only be 7 rooms in total that would have greater daylight impacts than the consented scheme. There would be 18 more rooms affected within BPS Phase 4A, Buildings A1.1 to A1.5 and 1 room in building A3. However, this is offset by daylight improvements experienced to living rooms / kitchens for Viridian apartments.

Viridian Apartments

11.31. These residential units are provided in building which comprises a ground floor plus a variety of floors (8 storeys at its highest) that is located on the southern side of Battersea Park Road and to the west of the application site. The revised daylight, sunlight and overshadowing assessment has assessed 221 windows which serve 157 rooms. It should be noted that the proposed scheme would have an improved adherence to the VSC and NSL guidelines when compared with the consented scheme as highlighted below:

- *Proposed* scheme compliance with VSC and NSL: 74 windows (33%) and 88 rooms (56%)
- *Consented* scheme compliance with VSC and NSL: 51 windows (23%) and 73 rooms (46%)

11.32. The breaches of the BRE Guidelines, where reductions in the Vertical Sky Component or No Skyline are experienced at a *medium* or *high adverse* impact are compared between the proposed and consented scheme below.

Proposed scheme:

- VSC: with *medium* or *high adverse* impacts total 113 windows out of 221 windows (51%)
- NSL: with *medium* or *high adverse* impacts total 49 rooms out of 157 rooms (33%)
- 38 main living rooms or kitchens with *medium* or *high impacts*

Consented scheme:

- VSC: with *medium* or *high adverse* impacts total 146 windows out of 221 windows (66%)
- NSL: with *medium* or *high adverse* impacts total 74 rooms out of 157 rooms (47%)
- 50 main living rooms or kitchens with *medium* or *high impacts*

11.33. Whilst the non-compliance with the BRE Guidelines for the proposed scheme is acknowledged, it would be materially better than for the consented scheme, with adverse impacts that are fewer in number and lower in magnitude. It is accepted that the retained lighting levels would generally be slightly better with the proposed scheme than the consented scheme, and that the relative loss of daylight would generally be lower for the proposed scheme than the consented scheme.

11.34. However, it is important to note that the windows which are most affected are recessed behind inset balconies where the amount of light reaching these rooms is already reduced as existing. This explains the number and magnitude of some of the larger relative losses of daylight as the windows have a restricted view of the sky because of projecting balconies above them and due to the design of the building. This is shown by the following photograph:



BPS Phase 4A, Buildings A1.1-A1.5 (Higgs/Tweed/Foots Row/Billington/Arden Mansions)

11.35. Residential units have been provided within a number of buildings of varying heights now known as the New Mansion Square development that are located to the south of the application site. The revised daylight, sunlight and overshadowing assessment has assessed 692 windows which serve 396 rooms in Buildings A1.1-A1.5. It should be noted that the proposed scheme would have a slight reduction in the adherence to the VSC and NSL guidelines when compared with the consented scheme as highlighted below:

- *Proposed* scheme compliance with VSC and NSL: 523 windows (76%) and 359 rooms (91%)
- *Consented* scheme compliance with VSC and NSL: 570 windows (82%) and 376 rooms (95%)

11.36. The breaches of the BRE Guidelines, where reductions in the Vertical Sky Component or No Skyline are experienced at a *medium* or *high adverse impact* are compared between the proposed and consented scheme below:

Proposed scheme:

- VSC: with *medium* or *high adverse impacts* total 134 windows out of 692 windows (19%)
- NSL: with *medium* or *high adverse impacts* total 28 rooms out of 396 rooms (7%)
- 58 main living rooms or kitchens with *medium* or *high impacts*

Consented scheme:

- VSC: with *medium* or *high adverse impacts* total 92 windows out of 692 windows (13%)
- NSL: with *medium* or *high adverse impacts* total 13 rooms out of 396 rooms (3%)
- 40 main living rooms or kitchens with *medium* or *high impacts*

11.37. It is noted that the level of compliance with the BRE Guidelines at 76% for VSC and 91% for NSL is reasonably high for Buildings A1.1 to A1.5, although it is accepted that this would be slightly lower than the consented scheme.

11.38. It is recognised that the medium and high adverse impacts would be greater in number and magnitude and there would be lower retained levels of light for the proposed scheme when compared with the consented scheme. However, it is important to note that the differences in light experienced would be less than 1% VSC worse on average across all windows on each floor level which it is considered would be imperceptible to the occupiers of the neighbouring buildings. The exception to this would be the facing elevation of Building A1.5 (Arden Mansions) where the difference in light experienced would be greater, at around 4% VSC worse on average across all windows on each of the 13th and 14th floor levels. However, at these levels the main living rooms and kitchens would mostly retain VSC values of around 20% VSC or more which is considered acceptable.

11.39. BPS Phase 4A, Building A2 (Matkin Mansions)

The revised daylight, sunlight and overshadowing assessment has assessed 140 windows which serve 72 rooms in Building A2. It should be noted that the proposed scheme would have a very marginal reduction in the adherence to the VSC and NSL guidelines when compared with the consented scheme as highlighted below:

- *Proposed* scheme compliance with VSC and NSL: 127 windows (91%) and 69 rooms (96%)
- *Consented* scheme compliance with VSC and NSL: 131 windows (94%) and 71 rooms (99%)

11.40. The breaches of the BRE Guidelines, where reductions in the Vertical Sky Component or No Skyline are experienced at a *medium* or *high adverse impact* are compared between the proposed and consented scheme below:

Proposed scheme:

- VSC: with *medium* or *high adverse impact* total 3 windows out of 140 windows (2%)
- NSL: no *medium* or *high adverse impact*
- 3 main living rooms or kitchens with medium or high impacts

Consented scheme:

- VSC: with *medium* or *high adverse impact* total 3 windows out of 140 (2%)
- NSL: no *medium* or *high adverse impact*
- 3 main living rooms or kitchens with *medium* or *high adverse impact*

11.41. The level of adherence of the proposed scheme to the VSC and NSL BRE guidelines is extremely high, with a few of medium/high magnitude of daylight impacts outside of the guidelines and the impacts match the consented scheme.

BPS Phase 4A, Building A3 (Simper Mansions)

11.42. The revised daylight, sunlight and overshadowing assessment has assessed 269 windows which serve 174 rooms in Building A3. It should be noted that the proposed

scheme would have broadly similar results in the adherence to the VSC and NSL guidelines when compared with the consented scheme as highlighted below:

- *Proposed* scheme compliance with VSC and NSL: 100 windows (37%) and 123 rooms (71%)
- *Consented* scheme compliance with VSC and NSL: 118 windows (44%) and 117 rooms (67%)

11.43. The following daylight impacts would be outside the VSC and NSL guidelines respectively:

Proposed scheme:

- VSC: with *medium* or *high* adverse impacts total 133 windows out of 269 windows (49%)
- NSL: 31 rooms with *medium* or *high* adverse impact (18%)
- 34 main living rooms or kitchens with *medium* or *high* adverse impact

Consented scheme:

- VSC: with *medium* or *high* adverse impact total 129 windows out of 269 windows (48%)
- NSL: 42 rooms with *medium* or *high* adverse impact (24%)
- 34 main living rooms or kitchens with *medium* or *high* adverse impact

11.44. Whilst the level of adherence of the proposed scheme for Building A3 to the VSC and NSL guidelines at 37% when measured using VSC is relatively low, this is marginally lower than the consented scheme VSC value at 44%. However, it should be recognised that the number of rooms experiencing medium or high adverse impacts would be 18% compared with the consented scheme which is 24%.

142-192 Thessaly Road

11.45. The revised daylight, sunlight and overshadowing assessment has assessed 52 windows which serve 50 rooms. It should be noted that the proposed scheme would have broadly similar results in the adherence to the VSC and NSL guidelines when compared with the consented scheme as highlighted below:

- *Proposed* scheme compliance with VSC and NSL: 37 windows (71%) and 46 rooms (92%)
- *Consented* scheme compliance with VSC and NSL: 37 windows (71%) and rooms not tested for NSL.

11.46. The following daylight impacts would be outside the VSC and NSL guidelines respectively:

Proposed scheme:

- VSC: with *medium* or *high* adverse impact total 8 windows out of 52 windows (15%)

- NSL: 1 room with *medium adverse* impact (2%)
- 8 main living rooms or kitchens with *medium* or *high adverse* impact

Consented scheme:

- VSC: with *medium* or *high adverse impact* total 8 windows out of 52 windows (15%)
- NSL: rooms not tested for NSL
- 8 main living rooms or kitchens with *medium* or *high adverse* impact

11.47. The level of adherence of the proposed scheme to the VSC and NSL guidelines is not unreasonable for 142-192 Thessaly Road and is the same for the proposed and consented schemes.

11.48. It is worth also noting that a number of the residential flats located within the buildings provided as part of the BPS Phase 4A development have balconies which restrict the amount of daylight reaching the accommodation. The analysis provided in the above sections highlights the worst-case scenario and if the impact of the existence of balconies were taken into account the daylight impacts would be much improved and there would be greater adherence to the BRE Guidelines.

Sunlight Impacts upon existing neighbouring properties and amenity space

11.49. The only building with sunlight impacts outside of the BRE guidelines would be Building A3 - Simper Mansions. Of the 96 rooms tested, 55 (57%) would be inside the guidelines. Whilst the remainder of the rooms would experience high adverse impacts 52 of these rooms are bedrooms or kitchens, where it is generally accepted there is a lower requirement for sunlight. The revised daylight, sunlight and overshadowing assessment confirms that more than 50% of the amenity space at Battersea 4A development area would receive at least two hours of sunlight on 21 March, which satisfies the BRE guidelines.

Daylight and sunlight impact to outline consented neighbouring developments

11.50. DPR have confirmed that the VSC façade analysis for Battersea Power Station Phase 3 indicates that the buildings fronting Battersea Park Road would retain in excess of 20% following implementation of the proposed development.

11.51. The New Covent Garden Market scheme is in closer proximity to the site and the daylight availability would be lower. Whilst in some areas VSC would be below the mid-teens on the lower levels of some elevations closest to the site, they are in keeping with daylight levels to other facades, and most floors should retain VSC in excess of 15% which is considered reasonable for dense, modern development in opportunity areas.

11.52. The APSH façade analysis for Battersea Power Station Phase 3 and the New Covent Garden Market scheme indicate that both would enjoy levels of sunlight in excess of the BRE numerical guidelines in respect of the facades facing the proposed development.

11.53. An overshadowing assessment has been carried out in respect of the New Covent Garden Market scheme based on the amenity spaces identified within the outline planning permission, which include two podium deck amenity spaces and part of the Linear Park. The assessment confirms that the Linear Park will exceed the BRE guideline recommendations with 77.3% of the park achieving a minimum of 2 hours of direct sunlight during the day, but that the two podium deck amenity spaces would fall short of the BRE 50% target. However, it is acknowledged that both amenity areas have been designed with limitations on the amount of sunlight reaching these spaces meaning it would be more difficult to accord with the BRE guidelines, which is similar to the impact of the consented scheme.

11.54. Given the results for the sunlight reaching the Linear Park and the fact that the two podium deck amenity spaces would achieve the recommended 2 hours of direct sunlight to 50% of their areas by 21st April and 8th May respectively (some 4 to 6 weeks later), it is not considered that the overshadowing concerns raised by the neighbouring developer could be sustained.

Conclusion

11.55. The proposed development would result in some impacts upon the daylight and sunlight levels experienced by the existing occupiers of neighbouring properties. The impact on the north-east elevation of Arden Mansions in particular would be higher when compared to the extant consent, although this is offset by the impacts on Viridian Apartments which would be less than the impacts of the consented scheme. The balconies which exist in the neighbouring buildings at the Mansion Square development are a further reason to explain the magnitude of the relative light loss. The level of adherence to the BRE guidelines would be greater if the balconies were taken into account as they limit the view of sky and the amount of light reaching the rooms they serve.

11.56. However, it is considered that the impacts of the proposed development in lighting terms in respect of impact upon neighbouring residential buildings is considered proportionate to the form of development and its location within a densely built-up setting with the Opportunity Area (VNEB) that does not depart significantly from the extant scheme approved on the site. For these reasons, the objections raised on loss of light and overshadowing grounds are not therefore considered sustainable. Other objections refer to 'Rights to Light' which together with the potential impacts of the proposed development on property values are not valid grounds to raise a planning objection.

Internal daylight and sunlight within the proposed development

11.57. Local Plan Policy LP27 (Housing Standards) requires all new residential development to comply with the Nationally Described Space Standards and policies of the London Plan. All residential development is expected to provide dual-aspect accommodation, unless it can be suitably demonstrated that a single aspect dwelling would provide for a more appropriate design solution than a dual aspect dwelling. Where such circumstances are demonstrated, all single aspect units should:

- 1) provide for an acceptable level of daylight for each habitable room, and optimise the opportunity for enabling direct sunlight;
- 2) ensure that the aspect is not predominantly north facing;
- 3) not face onto significant sources of air pollution and/or noise and vibration, and/or odours which would preclude opening windows;
- 4) provide a good level of natural ventilation throughout the dwelling via passive/non-mechanical design measures; and
- 5) ensure that future occupiers have a good level of privacy and do not experience adverse impacts from overlooking.”

11.58. Local Plan Policy LP28 (Purpose Built Student Accommodation) outlines that proposals should provide a high-quality living environment, including the provision of adequate functional living spaces and layouts, well-integrated internal and external communal areas, and a high level of amenity (providing good levels of daylight and sunlight, and natural ventilation).

11.59. DPR has assessed the daylight and sunlight to the proposed dwellings in Plot 01 and the student accommodation provided in Plot 02 and Plot 03, plus sunlight to the proposed amenity spaces. DPR reviewed the revised daylight, sunlight and overshadowing assessment which analysed a total of 1,024 rooms across Buildings 1, 2 and 3 as follows:

Plot 01 Residential	Plot 02 Student Accommodation	Plot 03 Student Accommodation
55 Living/Kitchen/Diner	231 Studios	525 Cluster Study Bedrooms
116 Bedrooms	2 Dining/Studies	85 Cluster Living Rooms
	4 Student Amenity	4 Dining Rooms / Studies
		2 Lounges

11.60. When considering the amount of daylight reaching new development, the BRE guide recommends that the following minimum daylight targets are achieved for dwellings:

- Bedrooms – 100 lux
- Living rooms – 150 lux
- Kitchens – 150 lux

11.61. For rooms with shared uses, the BRE guide advises that:

“Where a room has a shared use, the highest target should apply. For example, in a bed sitting room in student accommodation, the value for a living room should be used if students would often spend time in their rooms during the day. Local authorities could use discretion here. For example, the target for a living room could be used for a combined living/dining/kitchen area if the kitchens are not treated as habitable spaces, as it may avoid small separate kitchens in a design. The kitchen space would still need to be included in the assessment area.”

11.62. In addition to this, the Mayor of London's 'Housing Design Standards LPG' (June 2023) states "it does not provide guidance on other specialist forms of housing such as shared living, temporary accommodation and student accommodation".

11.63. As a result of the above, it has been considered appropriate to exercise a greater degree of flexibility when applying the BRE numerical guidelines to the daylight and sunlight analysis for the student accommodation provided in Plot 02 and Plot 03 and DPR has set out the flexible application in the table provided below:

Use / room type	Daylight target		Justification for flexible application of a lower daylight target (BRE paragraph C17)
	Default application	Flexible application	
Residential			
LKD	200 lux	150 lux	Kitchen not treated as habitable space.
Bedroom	100 lux	-	-
Student accom.			
Studio	200 lux	150 lux	Median of targets for kitchen, living and bedroom uses.
Dining/study	150 lux	-	-
Amenity	150 lux	-	-
Cluster study-bedroom	150 lux	100 lux	Bedroom is primary use. Students can access other study spaces.
Cluster living room	150 lux	-	-

11.64. Daylight to Plot 01 (residential)

Plot 01 would achieve 74% compliance with the application of higher targets, or 78% compliance with flexible application of lower targets.

11.65. Daylight to Plot 02 (student accommodation)

Plot 02 would achieve 53% compliance with the application of higher targets, or 72% compliance with flexible application of lower targets.

11.66. Daylight to Plot 03 (student accommodation)

Plot 03 would achieve 79% compliance with the application of higher targets, or 92% compliance with flexible application of lower targets.

11.67. It is considered that the proposed residential dwellings and the student accommodation would receive an acceptable amount of daylight as there would be a reasonable level of adherence to the BRE daylight guidelines.

Sunlight amenity to accommodation

11.68. The BRE guide recommends that in dwellings, at least one habitable room, preferably a main living room, should be able to receive a minimum of 1.5 hours of direct sunlight on 21 March. The sunlight analysis for the residential accommodation for Building 1 confirms that 80% (44 out of 55 units) would meet the BRE target.

11.69. Whilst the sunlight guidelines would not apply to student accommodation, when measured 78% of the 237 rooms in Building 2 would meet the BRE target and 51% of the 616 rooms in Building 3 would meet the BRE target. It should be noted that the

lower rate of adherence in Building 3 is on account of a larger proportion of north-facing rooms.

11.70. The amount of sunlight in the ground floor public realm and the rooftop/podium amenity gardens within Plot 01, Plot 02 and Plot 03 have all been assessed and all comfortably exceed the BRE recommendations and benefit from good levels of sunlight.

11.71. Overall, the proposed development appears to provide a reasonable level of adherence to sunlight guidelines for a dense housing and student accommodation development.

12. Management and Maintenance of the Student Accommodation

12.1. As required by Local Plan policy LP28 applications for PBSA should be accompanied by a site management and maintenance plan, that demonstrates that the accommodation will be managed and maintained over its lifetime and would not give rise to unacceptable impacts on the amenities of existing residents in the neighbourhood.

12.2. The application is accompanied by a draft Student Management Plan (January 2024) prepared by Fresh, which sets out the principles by which the proposed PBSA element of the scheme will be managed and maintained. The draft Plan makes the following provisions:

Staffing:

12.3. An onsite team would deal with the day to day running of the site and will also have responsibility for marketing, tenancy management, rent collection, health and safety and maintaining stakeholder relationships and building maintenance.

12.4. The main reception will generally be open Monday to Friday 9am till 5.30pm, providing a point of contact for reporting repairs, delivery and collection of parcels, resident disputes and complaints, customer support, guidance and information. An out of hours service will be in operation which is to provide an on-site presence and will be first response for emergencies.

Safety:

12.5. The Fire Alarm system will be monitored by a remote monitoring centre the management company will invite local fire service personnel to attend resident induction meetings to provide guidance on fire safety. Termly evacuation tests will also be undertaken.

Security:

12.6. The management plan aims to provide visible but unobtrusive security measures, through a combination of CCTV provision, access control and security personnel. All entrances will be secure and require fob or a card to gain access to the buildings... The Management Company will work closely with the local police and community support officers, whilst encouraging active participation in any Resident Watch Schemes and other initiatives to reduce crime and improve security for residents.

Maintenance:

- 12.7. The site will utilise an approved list of small local contractors, to address minor maintenance issues and for larger and more specialist jobs, approved regional or national contractors will be used.

Operation:

- 12.8. The regular post-person will have fob access to the site to make regular deliveries. If residents are not available, deliveries will be taken in by the Residents' Team and a dedicated post room will be provided on the ground floor of Plot 02, which is considered to be of a sufficient size to accommodate the post and parcels that are expected.

Noise & Anti-social Behaviour Management:

- 12.9. Residents will be made aware of the behaviours expected of them in the Terms and Conditions of the Tenancy Agreement, Resident Handbook, online induction and welcome meeting. These include provisions restricting noisy activities (playing music, television or musical instruments) that may be a nuisance or disturb neighbours within or beyond the building between the hours of 11pm and 9am. Prior written approval will be required from the management company for any parties or gatherings of more than 10 people.
- 12.10. Should any issues arise residents/neighbours are encouraged to raise any complaints/grievances in person to a member of the onsite team or via a telephone number provided at the main entrance of the building.

Parking:

- 12.11. The tenancy agreement and resident handbook will specify that the location is car free and that residents are not to bring their own cars to the accommodation as there is nowhere to park locally and residents will be prevented from applying for a residents parking permit.

Start and End of Term Management

- 12.12. The management company have a well organised procedure for the arrival and departure of residents at the beginning and end of the academic year, whereby residents will be encouraged to spread their arrival as access to the facility is allowed to three days prior to the tenancy start date at no additional cost. Prior to the move in date, residents will be required to book their arrival online through a resident portal, with timeslots limited to avoid congestion during peak arrival periods. Move-out periods will be managed in a similar fashion to the move-in process. Sub

Waste & Recycling Plan

- 12.13. Residents will be responsible for putting their waste in the dedicated bin stores on the ground floor of each Block. Waste and recycling levels will be actively monitored, allowing trends to be identified and corrective actions to be taken as and when required.

- 12.14. The management plan has been carefully considered by the Local Planning Authority and is considered to be satisfactory and would help to reduce noise disturbance to surrounding residents and address the concerns around the potential for anti-social activities and about the students' behaviour as set out in detail in a number of the objections raised. There is a requirement within the S106 Agreement which requires the proposed development to be operated in accordance with the submitted Student Accommodation Management Plan to alleviate some of the objections raised on amenity grounds. On this basis, officers consider that the proposed development would not be harmful to the residential amenity of neighbouring residential occupiers and would have sufficient security and management measures in place.
- 12.15. In accordance with Local Plan Policy LP28, to ensure conformity with the London Plan, proposals for Purpose-Built Student Accommodation the applicant will be required to enter into a S106 planning obligation to secure a student management plan to guarantee the protection of residential amenity for neighbours and for the occupiers of the accommodation and to also include limitations on the use of the accommodation during the holidays to address concerns raised on this in the representations received.

13. Noise, Vibration and General Disturbance

- 13.1. The NPPF at paragraph 196 states that planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should mitigate and reduce to a minimum the potential adverse impacts resulting from noise from new development and also avoid noise giving rise to significant adverse impacts on health and the quality of life.
- 13.2. A noise and vibration assessment has been submitted in support of the application. Surveys were undertaken which show that noise and vibration levels at the site were perceived to be dominated by road traffic noise from Battersea Park Road (A3205) throughout the day and nighttime. Rail noise dominates the south of the site with regular train movements throughout the day, although less at night-time.
- 13.3. Noise calculations have been undertaken for the bedrooms and living spaces to evaluate the internal noise levels. The noise assessment makes recommendations for glazing, ventilation and building façade elements to meet internal noise level requirements which follows good practice guidance as set out under separate British Standards. Noise calculations have also been carried out to assess the noise conditions for the external amenity spaces, where it was noted that slightly raised noise levels were predicted, although it is accepted that this is expected to a certain degree given the site's location in a developed urban area in close proximity to Battersea Park Road. However, it is understood that the presence of boundary walls enclosing these amenity areas would assist in minimising the noise experienced in these locations.

- 13.4. A vibration survey has been undertaken running concurrently with the noise measurements. and the predicted vibration levels are well below the standards for both day and nighttime periods and as such adverse impacts are not expected.
- 13.5. The council's Environmental Services Officer has reviewed the submitted material and is satisfied that the development would not result in any unacceptable impacts upon the amenity of neighbouring residential occupiers arising from noise and vibration. Several conditions are recommended relating to restrictions on noise levels from the building's services / plant, to ensure the building structure is constructed to provide the necessary sound attenuation and requiring details of sound insulation between the commercial and residential properties which addresses some of the objections which have been received. Further representations have raised concerns about noise nuisance arising from dogs barking who might occupy the proposed development and querying whether fines will be issued should noise nuisance occur. These are matters that cannot be considered as part of the current submission and would be dealt with separately by Environmental Health should noise nuisance occur.
- 13.6. Other recommended conditions are proposed to ensure that the impacts of the construction works are appropriately managed and mitigated which is consistent with other large scale developments within the vicinity of the site in order to protect residential amenity. For these reasons, the proposed development is not considered to have a harmful impact on the amenity of neighbouring residential occupiers and the scheme is considered to be in accordance with Local Plan policy LP2, despite the objections raised

14. Access, Transport, Highways, Parking, Servicing and Waste Management

- 14.1. A Transport Assessment has been prepared in accordance with the NPPF requirement for all developments that generate a significant amount of movement to be supported by a transport statement. Decisions should consider whether opportunities for sustainable transport have been taken into account, whether safe and suitable access to the site can be achieved and improvements can be made to the transport network to limit any significant impacts of the development.
- 14.2. The London Plan sets several requirements to manage the transport impacts of new development. London Plan policy T1 states that development should facilitate the delivery of the mayor's target that by 2041, 80% of all trips be made on foot or by bicycle or public transport. Developments should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycle routes. Continuing these principles, London Plan policy T2 states that development proposals should demonstrate that they will deliver improvements that support the Mayor's Healthy Streets approach to improve health and reduce health inequalities; reduce car dominance, severance, vehicle emissions and noise; increase walking, cycling and public transport use; and improve street safety, comfort, convenience and amenity.

- 14.3. Local Plan policy LP49 states that the Local Planning Authority will support proposals that reduce the need to travel and will work to promote safe, sustainable and accessible transport solutions which minimise the impacts of development including congestion, air pollution and carbon dioxide emissions, and maximise opportunities for health benefits. This is further supported by Local Plan policy LP50 which sets out that developments that will generate large volume of trips must have a good public transport access, be in an area with sufficient public transport capacity, be safe and avoid harm to the highway and ensure improvements can be undertaken within the transport network that cost-effectively limit the significant impacts of the development.
- 14.4. The site is in a well-connected urban location with an approximate 200m walking distance from the entrance to Battersea Power Station underground station and 650m from Battersea Park train station (to west of the site). The site lies within 100m walking distance of the nearest bus stops serviced by the 156, 344 and 436 TFL bus services.

Public Transport Accessibility Level (PTAL)

- 14.5. The Public Transport Accessibility Level (PTAL) is a theoretical measure of the accessibility of a given point to the surrounding public transport network, taking into account the walk access time and service availability. The PTAL score extends along a scale of 0 to 6b where 6b is the highest and represents excellent access by public transport. TFL's public transport accessibility tool indicates that the site currently has a PTAL of '3', with a section of the site ranked at PTAL '4' which corresponds to 'moderate' accessibility on the scale.
- 14.6. It is noted that the current PTAL score for the site does not take into account the opening of Battersea Power Station Underground Station (September 2021) which is a 200m walking distance from the site, providing access to the northern line, offering 6 services per hour, substantially improving the public transport accessibility of the site, contrary to objections raised about capacity. Within the Transport Assessment, the applicant has undertaken a manual PTAL calculation taking account of the Underground Station, which increases the sites PTAL score to '5'. The council's Highways officer has reviewed the proposals and raises no objection to the revised PTAL score.

Trip Generation

- 14.7. The transport Assessment includes a trip generation assessment has been undertaken using comparable sites from the TRICS database and journey to work data from the 2011 census to establish the expected modal split of the trips.

Residential

- 14.8. Given that the proposed development has been designed to be car-free, the modal split findings estimate that the following modes of transport would be predicted:
- 0% of journeys will be undertaken by car/van (driving);
 - 16% by train;
 - 32% by bus/minibus or coach;
 - 2% by motorcycle/scooter;

- 0% by taxi;
- 23% by London Underground;
- 10% by bicycle;
- 13% on foot; and
- 2% other.

Student Accommodation

- 14.9. The findings indicate 46% of users of the site are expected to make trips on foot, 23% by the underground or rail service, and 21% using the local bus service, 4% by bicycle and 2% by taxi, motorcycle and van/car passenger journeys respectively.
- 14.10. When compared to the extant consent, the proposed development has an overall net decrease in person trips across peak hours, this in part due to the change in the proposed use from solely residential, to predominantly student accommodation. It is understood that the change reflects a shift in movements outside of the typical peak hours due to the differing lecture schedules and study times of the students.
- 14.11. Given the high mode share on foot applied to student-related trips, the pedestrian movements are the only mode to have a net increase when compared to the extant consent in the peak hours. The Transport Assessment confirms that there would be a net addition of 17 pedestrian movements in the AM peak hour between 08:00 – 09:00, and an increase of 21 pedestrian movements in the PM peak hour of 18:00 – 19:00. However, this increase is considered to be minimal once these movements are distributed across the wider footway networks in the area. In addition, it is acknowledged that the increase in pedestrian movements can be mitigated through the significant public realm improvements that are proposed and will be delivered along Battersea Park Road and Sleaford Street (secured by the S106 Agreement) which will open up and widen the footway provision. Therefore, the objections raised around the need to re-direct pedestrian movements away from Sleaford Street are not considered to be sustainable. Local Plan policy LP51

TfL Healthy Street Improvements

- 14.12. Local Plan policy LP49 supports proposals that reduce the need to travel and will work to promote safe, sustainable and accessible transport solutions for all users which minimise the impacts of development. Local Plan policy LP15 which seeks to help residents to lead healthy and active lifestyles, by providing access to sustainable modes of travel and meeting the Healthy Street objectives including safe cycle routes and attractive walking routes.
- 14.13. As part of the Nine Elms Healthy Streets Corridor Improvement Scheme, TfL are transforming a 2.5km stretch of Nine Elms Lane and Battersea Park Road, which will support the regeneration of the area. The proposals comprise a series of updates to Battersea Park Road to make it more suitable for those wishing to cycle, walk or use public transport in the area.
- 14.14. Given that the Nine Elms Corridor is along the northern boundary of the site at Battersea Park Road, residents and users of the proposed development will have direct

benefit from the improvements. TfL have therefore requested a financial contribution of £458,088 towards the delivery of footway works on the existing public highway which is to be secured through the S106 legal agreement, this addresses the objections raised regarding Battersea Park Road being over congested. The Highway's Officer has reviewed the proposals and has raised no objection to the scheme, subject to the necessary highway improvements being secured.

Car Parking

- 14.15. London Plan Policy T6 sets out that car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity. It also states that car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport. Local Plan policy LP51, supports car-free development where the public transport access level (PTAL) is 4 or higher, is located in an Opportunity Area and the appropriate minimum number of disability friendly parking spaces are provided.
- 14.16. The application as originally submitted has been designed to be car-free with the exception of 4 on-street Blue Badge disabled car parking spaces (2 x resident, 1 x student and 1 x commercial) and 1 car club space that are to be provided on Sleaford Street. The Blue Badge bays will be provided from the outset, in accordance with Policy T6.5 (Non-Residential Disabled Persons Parking) of the London Plan which requires 3% of residential dwellings to have at least 1 bay per dwelling. The appointed Management Company for the site will oversee the allocation of blue badge spaces.
- 14.17. During the course of the application, the council's Specialist Occupational Therapist (OT) advised that whilst a total of 4 blue badge parking spaces were proposed, this would include 1 space for the student accommodation and another for the commercial element which would only leave 2 blue badge spaces for the 55 residents. This would mean that the 2 blue badge parking spaces would be allocated for the social rent flats, leaving the London Living Rent (LLR) accommodation without a blue badge parking bay. Whilst it is accepted that Local Plan policy LP51 requires Car club parking and memberships to be provided in all residential developments, in this particular case officers have agreed that a further disabled space be provided for the LLR accommodation in the lieu of the car club space which has been accepted by the Highway Officer and addresses representations made on the quantum of disabled parking spaces.
- 14.18. A number of objections have been received from local residents concerned about the lack of car parking proposed as part of the development and for healthcare workers needing to visit local residents, existing illegal parking together with requests for ride share and the provision of an underground car park to alleviate congestion and on-street car parking on surrounding streets. However, the proposed development is considered to be in accordance with the objectives of London Plan Policy T6 and Local Plan policy LP51 which both focus on encouraging car free developments.

14.19. To discourage occupants of the proposed development from car usage a clause is to be secured in the S106 legal agreement that excludes all of the occupants of the proposed development from obtaining vehicular parking permits for both on-street parking and parking within council managed car parks. Additionally, a condition is recommended to secure a final travel plan to ensure that appropriate measures are taken to maximise travel by sustainable modes of transport.

Cycle Parking

14.20. London Plan policy T5 sets out several requirements for new developments including minimum standards for the provision of secure, integrated and accessible cycle parking facilities. This is further reinforced by Local Plan policy LP51 which states that cycle parking should be easily accessible, secure and well-located to the unit it is associated with. The provision of cycle parking is a crucial factor in encouraging more sustainable travel to and from developments. Cycle parking should be in sufficient supply to cater for demand and also encourage further use over time. Minimum cycle parking standards will be applied to achieve this.

14.21. Pedestrian and cycle access to the site will be gained via the site frontages onto Battersea Park Road, New Covent Garden Market access road, and Sleaford Street. A landscaped central spine route is proposed to run through the site in a north-south alignment providing pedestrian and cycle access to each of the blocks, and associated cycle storage areas, within the development.

14.22. The updated Transport Assessment confirms that 680 long-stay cycle parking spaces would be provided of which 572 are required for the student accommodation, 104 for the residential, and 4 for the commercial units. A total of 50 short-stay cycle parking spaces are required to meet the minimum parking standards set out in London Plan policy T5, consisting of 19 spaces associated with the student accommodation, 3 associated with the residential and 28 for the commercial uses. There are no objections to the proposed long-stay cycle parking provision for these plots.

14.23. The long-stay cycle parking will be provided in secure cycle stores on the ground floor level of each of the respective buildings. The short-stay spaces will be distributed throughout the public realm in the form of 25 Sheffield stands (50 spaces).

14.24. As far as the short stay cycle parking is concerned, the plans indicate a total of 50 cycle parking spaces which complies with the minimum standard as set out in the London Plan. This cycle parking is proposed to be installed in the public realm in the form of Sheffield cycle stands which are to be installed within the landscaping and on the highway on Sleaford Street will need to form part of the S278 highway works.

14.25. The Highways officer raises no objection to the proposals subject to a condition to secure final details of the proposed cycle stores and stands and to ensure that the correct number of bicycle parking spaces are provided and that it has been designed and planned in line with the London Cycle Design Standards (LCDS). Subject to this

condition, the cycle parking provision is considered acceptable and would accord with London Plan policy T5 and Local Plan policy LP51.

Servicing including Refuse Collection and Deliveries

- 14.26. London Plan Policy T7 states that development proposals should facilitate safe and efficient deliveries and servicing through the provision of adequate off-street servicing space, with on-street loading bays only used where this is not possible. Policy T4 of the London Plan requires that development proposals should not increase the potential for road danger. Local Plan Policy LP2 sets out that development must include sufficient waste and recycling storage facilities on-site.
- 14.27. The Transport Assessment and the draft Delivery and Servicing Plan submitted with the application considers the different types of deliveries that are expected to take place throughout the day relating to the uses within the buildings and how they will be managed.
- 14.28. Vehicular access to the site will be gained along Sleaford Street, New Covent Garden Market access road and an internal link road. The through-route allows for larger vehicles to access/egress the site in a forward gear as it is not possible for large vehicles to turn at the end of Sleaford Street. The route will only be used by a small number of vehicles delivering large goods. As per the extant permission, the applicant proposes that the route is to be controlled by bollards to restrict general through traffic. As the site is predominantly car-free, the only vehicles expected to be accessing the site (via the through-route) will be delivery and servicing vehicles, vehicles associated with the move in/out days for the student blocks, and emergency vehicles. Additional inset loading bays are to be provided on the NCGM access road and on Sleaford Street to facilitate servicing and refuse collection.
- 14.29. The Highways Officer has raised concerns about the inclusion of barriers/bollards on the through route to ensure all but refuse vehicles and other HGVs must service the development from either Sleaford Street or the privately maintained NCGM access road and not via the site. This would result in large vans having to turn on the carriageway on Sleaford Street to egress it on to Nine Elms Lane. Sleaford Street only has a usable carriageway width of 5.5m so turning a 6m long van in this street would not be ideal. However, the Highways Officer has recommended a condition requiring the applicant to submit a detailed servicing and delivery management plan before the commencement of development which would also respond to the objections made querying the adequacy of the access.
- 14.30. The residential element of the scheme is forecast to attract 12 delivery and servicing vehicles per day, of which 2 are expected to be HGVs requiring access along the through route. The student element of the scheme is forecast to attract 20 delivery and servicing vehicles per day, of which none on a typical day are expected to be HGVs., Given the limited scale of the commercial element of the scheme, 3 servicing and delivery vehicles are expected, with no more than 1 of the 2 daily movements requiring HGV access. The Highways officer is satisfied that the proposed development including

the commercial and community uses can be serviced safely without any significant detrimental impact on the highway, despite the objections raised on these grounds.

- 14.31. An Operational Waste Management Strategy was submitted with the application and has since been revised to address comments made by officers and the GLA. This replacement report provides information on the amount of waste that is expected to be generated by the amended application scheme once operational and proposed arrangements for the internal transfer, storage and collection of waste. The waste strategy works on the basis that from the residential and student accommodation will be divided into two fractions of dry mixed recyclables and general refuse.
- 14.32. The communal bin stores for Plots 01, 02 and 03 are all sized to hold the total projected weekly household waste from the building with spare bins available for use by residents on collection days as well as separate bulky waste stores. The residential bin store and bulky waste store are located within 10m distance of the inset loading bay on Sleaford Street to comply with the SPD for waste collection and on-site management will monitor the communal bin store during the week and ensuring that bins are returned to their correct position following collection.
- 14.33. The residential bin store for Plot 02 is located within 10m of the refuse loading bay so that it can be collected direct from the store and an external area is provided within the public realm in respect of Plot 03. The waste strategy assumes that the waste generated by the student accommodation and ancillary uses will be collected by a private waste contractor on a twice weekly basis.
- 14.34. Following the receipt of further information, the Waste Strategy Manager has raised no objection to the application despite the objections raised on grounds of odour from bin storage. This is subject to a condition requiring details of the size and layout of the refuse stores as well as the collection arrangements for the student accommodation to ensure sufficient servicing of the building is provided in accordance with London Plan policy T4 and local plan policy LP2.
- 14.35. A Grampian condition relating to the provision of an inset loading bay on the southern side of the New Covent Garden Market access road is recommended, to ensure that the student accommodation can be adequately serviced. The S106 would secure the construction of a further inset loading bay on the adopted highway on the northern side of Sleaford Street.

Emergency Access

- 14.36. Emergency access will be taken from Sleaford Street, along the through-route and out through New Covent Garden Market access road. This will allow fire tenders to reach the cores of each building within an acceptable distance. The London Fire Brigade (LFB) has been consulted has commented that the internal access road from Sleaford Street to New Covent Garden access road would be able to withstand the weight of the fire appliances and an informative to this effect is included on the decision letter. As a

result, the objections raised regarding access by emergency services are not considered to be sustainable.

Construction Traffic

- 14.37. Local Plan policy LP2 requires development proposals to ensure that they would not lead to detrimental effects on the amenity of existing and new occupiers, through disturbance during construction and demolition. The council will require that environmental disturbances be managed to acceptable levels, supported through the submission of a Construction Management Statement in accordance with Local Plan policy LP14.
- 14.38. An outline Construction Logistics Plan (CLP) has been submitted with the planning application which sets out the arrangements for the demolition and construction phases, including their predicted durations. The demolition works are forecast to span a period of approximately 4 months, with the construction works forecast to occur over a period of approximately 38 months.
- 14.39. The CLP states that any noisy building works would be undertaken between the hours of 08:00 to 18:00 on weekdays, 08:00 to 13:00 on Saturdays and not at all on Sundays and Bank Holidays. Any exceptional circumstances requiring work outside of those hours would require prior approval from the London Borough of Wandsworth and TfL. The Site Manager will be responsible for developing and implementing a Site Traffic Management Plan and this will include consultation to confirm the preferred access and egress routes to and from the site. It is anticipated that construction vehicles will use the strategic road network where possible, with the route utilising a number of Transport for London Road Network's (TLRN's).
- 14.40. All construction traffic will access the site via the A3205 Battersea Park Road and with entry via Sleaford Street and exit via New Covent Garden Market access road. All parking, loading and unloading is expected to be accommodated within the site. If any construction deliveries need to be made on the public highway, this will be agreed in advance with the local highway authority. The CLP confirms that no construction laybys would be located along New Covent Garden Market access road, and no servicing vehicles would enter the site from this road.
- 14.41. A number of objections have been received from local people raising concerns about the impact of the construction activities generating noise, dust, traffic and associated pollution. As highlighted above, the applicant has submitted an outline Construction Logistics and Management Plan setting out how construction activities will be managed to minimise the environmental, highway and residential amenity impacts. The Construction Management Plan has been reviewed by Highways and Environmental Services Officers who consider the arrangements to be satisfactory. Other objections about the potential for structural damage to neighbouring properties arising from construction work would not represent a valid planning objection.

14.42. To ensure that increases in traffic, noise and dust associated with the demolition and construction phases of the development are minimised, a final Construction Environmental Management Plan and a Construction Logistics Plan which encompasses an updated Site Traffic Management Plan are to be required by condition prior to commencement of development. As such and despite the objections raised the proposed development during its construction phases is considered to be acceptable and would comply with Local Plan policies LP2 and LP14.

15. Ecology and Biodiversity

15.1. Chapter 15 of the NPPF focuses on the conservation and enhancement of the natural environment, stating plans should 'identify and pursue opportunities for securing measurable net gains for biodiversity'. London Plan policy GG2 encourages the creation of new green infrastructure, and policy G4 encourages the provision of publicly accessible open space.

15.2. Local Plan policy LP53 seeks to enhance and extend green and blue infrastructure and policy LP55 sets out that the council will protect, and where appropriate secure the enhancement of the Boroughs priority species, priority habitats and protected sites as well as connectivity between the sites. Similar requirements for urban greening are set out in Local Plan Policy LP57.

15.3. The application is supported by a Preliminary Ecological Appraisal and a Biodiversity Impact Assessment was undertaken to establish the ecological value of the site, to assess the predicted change, the potential presence of legally protected species, as well as measures of appropriate mitigation and compensatory measures, and enhancement actions for the development.

Urban Greening Factor

15.4. London Plan policy G5 sets out that major development proposals should contribute to the greening of London by including urban greening as a fundamental element of the site and building design, by incorporating measures such as high-quality landscaping, green roofs, green walls and nature based sustainable drainage. This is further reinforced by Local Plan policy LP57 which states that all development should contribute to the greening of the Borough of Wandsworth. A target Urban Greening Factor of 0.4 is required for predominantly residential developments.

15.5. Part B of the policy sets out that development proposals will be required to follow London Plan guidance on urban greening, incorporate as much landscaping and permeable surfaces as possible into proposals and take into consideration the vulnerability and importance of local ecological resources when applying the principles. An Urban Greening Factor Assessment has been undertaken in support of the current application, and this demonstrates that the application would meet the target score of 0.4. This would ensure a substantial net gain based on the existing site circumstances, therefore complying with the above strategic and local plan policies.

Biodiversity

- 15.6. London Plan Policy G6 states that development proposals should aim to secure net biodiversity gain. A similar requirement is set out which also states that new habitats and biodiversity features should consider native and priority species and consider their adaptability to climate change. New development should avoid causing ecological damage and propose full mitigation and compensatory measures for ecological impacts that do occur.
- 15.7. Habitats on site are predominately urban in nature, composed of developed land, sealed surfaces (hardstanding and buildings), small areas of modified grassland lawns and scattered trees. The submitted Preliminary Ecological Appraisal (PEA) found the site to possess low potential for nesting birds, and negligible potential for all other notable and or protected species. Despite bat records existing within 1km of the site, the surroundings are heavily disturbed and in a well-lit urban environment, offering limited foraging and commuting habitat. The PEA therefore concludes that the site is of negligible potential for foraging and commuting bats.
- 15.8. The site offers low suitability for nesting birds in the form of mature trees; however, it is noted that the mature trees on the site are to be retained. The limited habitats and isolated nature of the site is considered to offer a negligible for all other and/or protected species, beyond species.
- 15.9. Whilst there is minimal vegetation on the site, the PEA recorded the presence of two invasive species Buddleia and Green Alkanet, for which mitigation recommendations have been provided. Key enhancement recommendations have also been identified, aiming to achieve net gains in biodiversity for the site.
- 15.10. The PEA's data search identified records of one Local Nature Reserve (LNR) (Battersea Park Nature Areas), within a 2km search radius of the site boundary, in addition to 21 non-statutory Sites of Importance for Nature Conservation (SINC's), recognised by the Local Planning Authority as important wildlife sites. Although limited to a degree by existing development which acts as a buffer, demolition and construction activities could potentially impact the closest SINC's due to noise, dust vibration etc. However, it is considered that potential impacts on these nearby non-statutory designated sites could be mitigated through the imposition of a condition requiring a Construction Environmental Plan (CEMP) detailing the control measures that will be implemented.
- 15.11. The proposed development would present an opportunity to improve the ecological value of the site and the PEA sets out a number of features that are recommended to be incorporated where possible, this includes habitat enhancement measures such as the installation of bird and bat boxes integrated into the elevations of new buildings, a variety of new tree species integrated into the landscape design, wildlife friendly planting, biodiverse green roofs and green walls. The council's Biodiversity officer has reviewed the proposals and has raised no objection subject to the necessary safeguarding conditions and habitat enhancements being secured. The proposals are

therefore considered to accord with London Plan policy G8 despite the objections raised that the proposed development would affect species and wildlife.

Biodiversity Net Gain

- 15.12. In accordance with the NPPF, local policy drivers and recent legislative changes, proposals are expected to provide measurable net gains in biodiversity. These should aspire to a minimum of 10% net gain in biodiversity which should be evidenced through a Biodiversity Impact Assessment. The assessment aims to quantify the predicted change in ecological value of the site in light of the proposed developments to assess compliance against local and national policy. The BNG mandate set out in the Environment Act 2021, states that a target of 10% net gain in biodiversity should be reached, and biodiversity value maximised on site.
- 15.13. Proposed habitat creation includes planting a variety of habitat types at ground and terrace level, biodiverse roofs, new trees and new native hedgerow. Under these proposals, and in the absence of additional enhancement measures and habitat creation, the development stands to result in a net gain of 1.99 biodiversity units associated with area-based habitats from predevelopment levels, and an additional net gain of 0.07 hedge units. This corresponds to an increase of 147.56% in ecological value associated with area-based habitats. Further indicative details of the compensatory planting are given in the biodiversity impact assessment which states that there would be 100% biodiversity net gain as a result of the proposed development.
- 15.14. The council's Ecologist is satisfied with the findings of the BNG assessment and has recommended that a condition be imposed to secure a Biodiversity Gain Plan is imposed. This is considered both reasonable and necessary to ensure that Biodiversity Net Gain is achieved and sustained on site in line with the statutory requirements of The Environment Act 2021.
- 15.15. It is considered that the proposed development presents a well-considered approach to integrating green infrastructure and urban greening and does provide substantial environmental benefits despite the objections raised. The proposal is unlikely to have an impact on any protected species or habitats, however it is nevertheless recommended to secure by condition mitigation measures to reduce the impact of artificial lighting upon foraging bats. In line with the recommendations set out in the PEA, a condition is recommended to secure a Construction Environmental Management Plan (CEMP) to minimise the risk of impact during the construction phase. The above approach has been agreed by the council's Ecologist who have reviewed the submission. Subject to the inclusion of these conditions the proposed development is considered to be in accordance with the objectives set out in the NPPF and the relevant parts of London Plan policy G6.

16. Sustainability

- 16.1. London Plan Policy SI2 requires major development to be net zero-carbon. This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the energy hierarchy. London Plan Policy SI3 relates to energy infrastructure, and states major development proposals within Heat Network Priority Areas should have a communal low temperature heating system with the heat source for the communal heating system selected in accordance with the heating hierarchy.
- 16.2. Local Plan Policy LP10 requires developments to mitigate the effects of climate change and to aid the council in the ambition to become zero carbon by 2050. Part C of the Policy expects development to incorporate measures which improve energy conservation and efficiency, as well as contribute to renewable and low carbon energy generation. All non-residential development should achieve at least a 15% reduction through the use of energy efficiency measures. Policy LP11 expects new development to connect to an existing decentralised energy network, or any alternative strategies that can be demonstrated as being more efficient, clean and decarbonised.
- 16.3. The application is supported by an Energy Statement and Sustainability Statement which has been revised since the application was originally submitted to respond to the comments raised by the GLA at Stage 1. The Energy Statement explains that the proposed development has been designed with high standards of thermal performance and passive design to minimise the building's primary energy demands. The heating and domestic hot water strategy is based on the installation of communal heat pumps with provision in the design for these to include the installation of a district heat network exchanger to enable the future connection to the DHN.
- 16.4. Through the use of heat recovery ventilation systems, low energy lighting controls, a waste-water heat recovery system and renewable on-site energy generation the proposed development at 53% exceeds the required 35% reduction in CO2 emissions over Part L 2021 Building Regulations.
- 16.5. The non-residential element of the proposed development achieves a 33% which is marginally below the 35% reduction in CO2 emissions under Part L 2021, although it would achieve 54% if measured against the part L 2013 version. Whilst not ideal, even the GLA acknowledges that non-residential developments may find it more challenging to achieve significant on-site carbon reductions to meet the 35% minimum improvement required under Part L 2021.
- 16.6. A revised Whole Life Carbon Assessment for Plots 01, 02 and 03 were submitted during the course of the application. The Whole Life Carbon Assessment seeks to quantify the embodied carbon performance of the proposed development which is a key priority in the sustainable design of the proposals to meet part F of London Policy SI2. The Assessment for all of the Plots confirm that the embodied carbon is within the GLA's aspirational benchmark and the application states that design opportunities will be explored to further reduce embodied carbon.

- 16.7. Both the residential and the non-residential uses will also achieve a standard of zero carbon throughout with carbon offsetting contributions that are to be secured via a S106 Agreement. The carbon offsetting payment in respect of the proposed development was estimated in July as totalling £161,367, although the Energy Statement and the Overheating Assessment has been updated by the Applicant in November 2024. The updated reports add more detail, and the carbon offsetting payment has been marginally reduced to £159,127 which is regarded as acceptable and has been agreed by the applicant.
- 16.8. To address comments raised as a result of the first round of consultations, a revised Circular Economy Statement was submitted to demonstrate the sustainable foundation of the proposals and to adhere to policy S17 of the London Plan. This has been undertaken in accordance with the London Plan Guidance 'Circular Economy Statements' (March 2022), setting out the approach to each principle. The Circular Economy Statement sets out the strategic approaches and commitments regarding materials being retained, reused and recycled and the key circular economy commitments, targets and opportunities for the scheme set out in the application are:
- To divert 95% of non-hazardous demolition waste from landfill, with retention onsite where possible and reuse.
 - To divert 95% of non-hazardous excavation waste from landfill, with retention onsite where possible.
 - To divert 95% of construction (new build) waste from landfill with an emphasis on reuse and high value recycling where possible.
 - Proportion of materials with a reused or recycled content to be at least 20%.
 - Other materials to be responsibly sourced as per the Sustainable Procurement Policy.
 - To maximise the recycling of operational waste from the student accommodation and commercial spaces.
 - Municipal waste recycling target of 65% by 2030 (by tonnage).
 - Business waste recycling target of 75% by 2030 (by tonnage).
 - There is also a requirement to achieve BREEAM Outstanding for the 2018
 - New Construction scheme and Home Quality Mark Rating 4*. This includes achieving several material and waste credits.

The commitments as identified above are welcomed and compliance with the revised Circular Economy Statement is to be secured by condition.

- 16.9. The revised BREEAM 'pre-assessment' was submitted during the course of the application which indicates that the proposed development is targeting a BREEAM 'Outstanding' rating for the student accommodation, the retail units, office and community spaces against the BREEAM New Construction 2018 scheme. The BREEAM pre-assessment provided for the student accommodation, the retail units, office spaces and the community space detail the credits that have been targeted to

achieve the rating. It has been demonstrated that a BREEAM Outstanding rating is achievable (85% is required for Outstanding) as set out below:

- 90.5% for student accommodation
- 86.2% for retail units
- 88% for office spaces
- 88.5% for community space.

16.10. Also, the proposed development is targeting a Home Quality Mark 4-star rating for the residential units. This confirms that the proposed development will be in compliance with adopted Policy LP10, and a condition is recommended requiring adherence to the BREEAM rating.

16.11. The application has been reviewed by the council's Sustainability consultant, Climate Integrated Solutions (CIS) who are supportive of the proposed Energy Strategy in principle, noting the shortfall in CO₂ emissions to achieve net zero should be secured as a carbon offset contribution which also addresses the objections raised about the carbon footprint of the application not being adequately addressed. As a result, the approach to circular economy and whole life carbon principles is welcomed and supported, with a recommendation that a condition to monitor the performance post-construction against these targets be included.

16.12. During the consideration of the application, CIS encouraged the applicants to secure the BREEAM rating of 'Outstanding' compared with the original rating of 'Excellent' as outlined in the original Energy Statement. CIS have not raised any objection to the non-residential element achieving 33% which is marginally below the 35% reduction in CO₂ emissions under Part L 2021, given the challenges facing non-residential elements in meeting this requirement.

16.13. It is recommended that conditions to secure the targets set out in the pre-assessment at design and post-construction stage to ensure the highest levels of sustainability are achieved on site.

16.14. In conclusion it is considered that the proposed would achieve a high standard of sustainability and would maximise the energy savings on site with an off-site contribution to ensure the development achieves the net-zero target. The proposals would therefore generally accord with London Plan policies SI1, SI4, SI5 and SI7 and Local Plan policies LP10 and LP11.

17. Flood Risk and Surface Water Drainage

17.1. Paragraph 170 of the NPPF sets out that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

- 17.2. London Plan policy SI12 seeks to ensure that flood risk is minimised and mitigated, and that residual risk is addressed. Local Plan Policy LP12 expects planning applications to demonstrate that proposals avoid or reduce contributing to all sources of flooding.
- 17.3. The application site is located within flood zone 3a in an area which benefits from the presence of flood defences. A site-specific flood risk assessment has been submitted in accordance with the requirement set out in Local Plan policy LP12. It is considered that the sequential test is met in relation to this site as it forms part of an allocation in the Development Plan (site NE2 41-49 Nine Elms Lane, and 49-59 Battersea Park Road, SW8) and being located in the Vauxhall Nine Elms Battersea Opportunity Area and the Strategic Flood Risk Assessments produced by the Local Planning Authority. Additionally, the site has previously been granted planning permission for a mixed-use development including residential uses under application ref: 2015/6813.
- 17.4. For more vulnerable development located in flood zone 3a, the NPPF also requires the 'exceptions test' to be met, to demonstrate that the development will be safe for its lifetime without increasing flood risk elsewhere. For the exceptions test to be passed it should be demonstrated that:
- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
 - b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 17.5. The proposal includes the introduction of purpose-built student accommodation, residential units and commercial/community floorspace which will help the growth of the local economy and will provide direct and indirect employment opportunities and would therefore provide wider benefits to the community by virtue of increased housing stock, affordable housing provision and commercial/community provision which would be of use to the immediate community in Wandsworth. The development proposal sufficiently provides wider sustainability benefits INSERT to the community, including university students, residents and business owners within the vicinity of the site, as well as the wider community, that outweigh the potential flood risk and is therefore considered to accord with (part a) of the exceptions test.
- 17.6. The planning application is also accompanied by a Flood Risk Assessment (FRA) which addresses the risk of flooding to the development and the areas within the vicinity of the site. The proposed scheme will provide flood mitigation measures in line with Environment Agency guidance and the London Borough of Wandsworth's Strategic Flood Risk Assessment (SFRA). The FRA shows that the development is safe from flooding and does not increase flood risk elsewhere. Additionally, it details safe access, and egress routes and provides a drainage strategy which aims to manage and minimise future surface water runoff from the site.
- 17.7. The most vulnerable elements of the development have been located in the lowest risk areas, with student and residential accommodation located at first floor and above at a

minimum of 8.00m AOD, therefore the residential accommodation would not be inundated with floodwater due to a breach in flood defences.

- 17.8. The non-residential units on the ground floor will have a finished floor level of 4.00m AOD. It is recognised that due to limited headroom constraints, massing, planning policy and Building Regulations it is considered impractical to raise the finished floor levels further. To mitigate against this, it is recommended that the occupants of the proposed properties are encouraged to sign up to receive flood warnings from the Environment Agency.
- 17.9. Additional flood protection measures are proposed within the building design to reduce the overall risk to occupants, including but not limited to the provision of 'safe havens' above floodwater levels, resistance to seepage (e.g. sealant around doors and windows and windows located above ground levels) as well as the registration to the EA's Flood Warning Service.
- 17.10. In terms of safe access and egress, the submitted FRA includes information on how the development would respond based on the likely flood risk and associated warning time. The proposed evacuation procedure states that should all the relevant authorities deem there to be a serious risk of flooding to an area, the advance warning should ensure that all occupants will evacuate the site in sufficient time. The details of the evacuation plan are to be secured by planning condition.
- 17.11. The site is protected by flood defences up to the 1 in 1000 (0.1%) year event, the actual flood risk posed to the site is therefore considered very low. However, if a breach in the defences was to occur the site and Sleaford Street may be inundated with floodwater, the closest designated emergency rest centre for this site is R.O.S.E. (Residents of Savona Estate), Ascalon Street, to the south of the Site.
- 17.12. As discussed, the submitted FRA contains several measures that would comply with the above elements required by national policy and in response to the objections raised on flooding and drainage grounds. In respect of residual risk, the mitigation measures detailed show that the flood risk can be effectively managed. As such residual risk is deemed to be acceptable for the lifetime of the development. The proposal is considered to achieve the aims of the Exception Test (part a and b). It is considered that the FRA complies with London Plan policy SI12, Local Plan policy LP12, subject to a flood warning and evacuation plan being secured by condition.

Sustainable Drainage

- 17.13. Paragraph 182 of the NPPF further establishes that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:
- a) take account of advice from the lead local flood authority;
 - b) have appropriate proposed minimum operational standards;
 - c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and

d) where possible, provide multifunctional benefits.

17.14. London Plan Policy SI13 reiterates the expectations relating to the drainage hierarchy and emphasises the need to achieve greenfield run-off rates and ensure that surface run-off is managed as close to its source as possible. All new development should seek to incorporate sustainable drainage systems (SuDS) or demonstrate alternative sustainable approaches to the management of surface water. To address this a drainage strategy has been submitted that sets out the approach taken with regards to the surface and foul water for the development, in accordance with London Plan policy SI13 and Local Plan policy LP12.

17.15. In terms of sustainable drainage systems, the development proposes the use of green roofs, raingardens and tree pits, which is supported in principle with the exact details being secured by condition.

17.16. Subject to conditions it is considered that the proposed development's flood risk and drainage is acceptable in terms of flood risk and drainage, in accordance with the NPPF, London Plan policies SI12 and SI13 and Local Plan policy LP12.

18. Environmental Impacts

Contamination - Ground Conditions

18.1. The NPPF at paragraph 196 states that planning policies and decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation).

18.2. Local Plan policy LP14 provides the policy context for this matter and states that where development is proposed on contaminated or potentially contaminated land, a desk study and site investigation in line with up-to-date guidance will be required. Remediation of any identified contamination will need to be agreed with the council before development proceeds.

18.3. The application is accompanied by a Preliminary Ground Investigation Report to determine the nature and extent of soil and groundwater beneath the site for the purpose of environmental and geotechnical assessment. The report makes a series of recommendations following the findings of the preliminary site investigation, which ensure that the proposals would be acceptable from a contamination perspective. During the course of the application, colleagues in Environmental Services (Contamination) have been consulted who have raised no objection to the proposed development and the proposed recommendations, subject to the imposition of conditions.

Air Quality

- 18.4. The NPPF at paragraph 199 requires planning decisions to sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. London Plan policy S11 requires development proposals to identify and deliver further improvement to air quality and promote sustainable design and construction to reduce emissions from the demolition and construction of buildings following best practice guidance. Local Plan Policy LP2 sets out that development must not lead to detrimental effects on health, safety and amenity of nearby properties because of unacceptable air pollution.
- 18.5. The site lies within the Wandsworth Air Quality Management Area (AQMA) declared by the council which means that the borough is in exceedance of the legal limits in relation to two key pollutants, including nitrogen dioxide (NO₂) and fine particulate matter (PM₁₀) which requires improvement. At Local Plan level, Policy LP14 states that the Local Planning Authority will support developments which incorporate 'air quality positive' design and use of new technologies. To assess the appropriateness of new development in areas already subject to poor air quality, applications should be accompanied by air quality impact assessment and mitigation measures, which are demonstrated to be effective in reducing the developments impact on air quality. Additionally, developments should incorporate measures and appropriate design solutions to protect occupiers and users.
- 18.6. In accordance with the policy requirement, an Air Quality Assessment (AQA) including an Air Quality Neutral Assessment has been submitted with the application. The assessment identifies the potential air quality impacts arising from the construction and operational stages of the proposed development, taking into account all relevant local and national guidance and regulations.
- 18.7. The assessment has looked at potential construction phase air quality impacts from fugitive dust emissions (mechanical disturbance of granular material) because of demolition, earthworks, construction and track out activities. The potential risk of dust soiling is high from the construction, demolition, and earth works and the potential risk upon human health impacts is low. The assessment concludes that the use of good practice control measures would provide suitable mitigation for a development of this size and nature and would reduce potential impacts to an acceptable level.
- 18.8. The AQA analysed the operational phase of the development, and notes that there is the potential for future occupants to be exposed to elevated pollution levels and dispersion and so modelling was undertaken to predict the concentrations expected across the site as a result of emissions from the highway network. The results of the assessment demonstrate that the predicted pollutant levels were below the relevant criteria across the development and as such, the site is considered suitable for the proposed end-use from an air quality perspective without the inclusion of mitigation.
- 18.9. The AQA also looked at the potential for air quality impacts because of traffic exhaust emissions associated with vehicles travelling to and from the site once the development

has been constructed. As the proposals are classified as 'car-free', the potential air quality impacts associated with the operational phase road vehicle exhaust emissions are predicted to be insignificant, in accordance with the screening criteria.

- 18.10. The council's Environmental Service Officer has raised no objection to the proposed development, however, a number of conditions are recommended which include the submission and approval of a Dust Management Plan (DMP), restrictions on all non-road mobile machinery (NRMM) used during the development to comply with GLA emission requirements and parameters for real-time dust and air quality pollutant (including PM10) monitoring across the site during construction sub-phases.

Air Quality Neutral

- 18.11. The London Plan policy SI 1 and Local Plan policy LP14 (C) requires proposed development to be at least 'Air Quality Neutral' and that it should not contribute to the worsening of air quality or contribute to the worsening of air quality during the construction or operation stage. An Air Quality Neutral Assessment has been provided that confirms the building's energy strategy will involve either the inclusion of Air Source Heat Pumps (ASHP) or connection to the local District Heating Network, the latter is intended to be secured in the S106 agreement. Neither of these options will produce additional emissions to the atmosphere and as the scheme is classified as 'car-free', the proposed development is considered air quality neutral.
- 18.12. Environmental Services has raised no objection with respect to air quality and based on the recommended mitigation measures being secured by condition as well as a further condition requiring the compliance with the Energy Strategy and the submission and approval of the ASHP details. It is therefore considered that the proposed development is acceptable despite the objections raised on air quality and would accord with the relevant parts of London Plan policy SI1, Local Plan policy LP14.

Wind

- 18.13. In accordance with London Plan policy D9, development proposals should address environmental impacts including wind. The application is accompanied by a Wind Microclimate Assessment. Wind microclimate conditions for the proposed development were assessed using wind tunnel testing, with no regions of potentially unsuitable or unsafe conditions at ground level have been identified. The assessment confirms that conditions for the proposed balconies on Plot 01 are suitable for the intended use and not subject to any potential safety risks. Additionally, the assessment confirms that conditions for the proposed roof terrace on Plot 02 and the proposed podium level terrace and roof terrace on Plot 03 are suitable for the intended use and not subject to any potential safety risks.
- 18.14. Strong winds exceeding 15m/s for more than 2.2 hours per year are considered a safety issue for more vulnerable pedestrians and would require mitigation. The assessment confirms that there would be no locations with instances of strong winds that have the potential to be a safety concern to pedestrians or cyclist. Overall, all ground level locations would have suitable wind conditions for the intended uses,

despite the objection raised on this ground. The proposals are therefore considered to accord with London Plan policy D9.

Overheating

- 18.15. Policy SI4 of the London Plan provides the policy basis for considering development proposals, with a focus on energy efficient design, elevational design, passive ventilation, mechanical ventilation (where essential) and other measures. Local Plan policy LP10 sets out that new development should, through its layout, design, construction, materials, landscaping, and operation, minimise the effects of overheating, mitigate the urban heat island effect, and minimise energy consumption in accordance with the cooling hierarchy.
- 18.16. Overheating within the development will be minimised by implementing passive cooling measures such as natural ventilation and solar controls through glazing specification and optimised shading. To avoid overheating, MVHR ventilation with separate purge fans will be implemented to aid in cooling the exposed concrete ceiling at night. Natural ventilation openings are provided throughout but are not relied on for overheating mitigation in the bedrooms and studios (due to Building Regulations Part O acoustic constraints) but are used for overheating mitigation in living/kitchen areas. All of the above measures are considered to respond to the objections raised on the potential of the buildings to overheat and the corresponding result on the environment.

19. Tall Building Assessment

- 19.1. London Plan policy D3 encourages the design-led optimisation of sites, having regard to a site's context and capacity for growth, and existing and planned supporting infrastructure capacity including transport. Higher density developments should generally be promoted in locations that are well connected by public transport, walking and cycling, in accordance with policy D2. Where these locations have existing areas of high-density buildings, expansion of the areas should be positively considered where appropriate, including within Opportunity Areas. The higher the density of a development, the greater the level of design scrutiny that is required, particularly in terms of qualitative aspects of the design as described in policy D4 of the London Plan.
- 19.2. Policy D9 of the London Plan states that tall buildings should only be developed in locations identified as potentially suitable in Development Plans. The policy sets out a list of criteria against which to assess the impact of a proposed tall building – namely locational, visual, functional, environmental and cumulative. London Plan Policy D4 requires all proposals exceeding 30 metres in height to have undergone at least one design review or demonstrate that they have undergone a local borough process of design scrutiny.
- 19.3. In accordance with London Plan policy D9, policy LP4 of the Local Plan, sets out the council's criteria for tall buildings. Part B of the policy establishes that tall buildings may only be an appropriate form of development in tall building zones and Part C establishes that tall buildings will not be permitted outside the identified tall building

zone. Part D of the policy emphasis that proposals for tall buildings should not exceed the appropriate height ranges identified for each of the tall building zones.

- 19.4. In accordance with the tall building maps provided in the Local Plan, the site is located within tall building zone TB-B3-01 which identifies an existing prevailing height ranging between 6-40+ storeys, and appropriate heights for the zone where the site is located as ranging between 8-25 storeys (24-75m). The proposed development would span 22-storeys and must therefore be considered further under a number of qualitative design criteria before it is considered suitable in principle. It should be noted that the extant permission where the development was permitted up to 18 storeys (considered a tall building) in this location, has established the principle for a height and massing response on this site.
- 19.5. Notwithstanding the site's potential for the location of a tall building, its visual, functional, environmental, and cumulative impacts must be assessed in line with London Plan policy D9 and Local Plan policy LP4. Policy LP4 requires detailed visual assessments to be submitted with applications for tall buildings to demonstrate compliance with policy. Additionally, applications for tall buildings will need to justify themselves in terms of the public benefits they may bring in respect of regeneration, townscape and public realm and be of high architectural quality, respect local context and the historic environment.
- 19.6. An assessment of the criterion set out in Parts C and D of London Plan Policy D9 and Local Plan policy LP4 are considered in further detail below.

Visual Impacts

- 19.7. *Criterion i) the proposal respects and responds to key views and their associated corridors towards and from strategic landmarks and heritage assets across both the borough and neighbouring boroughs;*
- 19.8. The application is accompanied by a Heritage, Townscape and Visual Impact Assessment (HTVIA) which assesses the immediate, mid-range and long-range views. The assessment includes CGIs and wireline views of how the buildings would appear in views surrounding the site. It is considered that the proposed building would have a modest cumulative impact on the skyline given the number of existing buildings of scale that are in proximity to the application site. It is not considered that the proposal would harm strategic or locally protected views. The proposals are therefore considered to have addressed criterion i) of policy LP4
- 19.9. *Criterion ii) The proposed location of the tall building(s) must avoid creating substantial visual interruptions in areas with otherwise very consistent building heights and/or roof lines;*
- 19.10. Whilst it is recognised that the site, neighbours' residential development of a more modest size, it should be recognised that the wider area is undergoing transformational change in accordance with the aspirations of the development plan and affirmed by the

identification of the Opportunity Area. There are several tall and large developments in the surrounding area that have been consented but are yet to be constructed (including proposals for the adjacent site at New Covent Garden Market) and the newly completed development to the south of the site which includes development of up to 18 storeys (New Mansion Square). The proposals are therefore considered to have addressed criterion ii) of policy LP4.

- 19.11. *Criterion iii) Proposals should be designed to reflect and respond to an analysis of relevant key view corridors towards the site to ensure the location, form, detailing and prominence of the tall building(s) are appropriate within the wider context;*
- 19.12. The Townscape, Heritage and Visual Assessment submitted with the application demonstrates that a comprehensive townscape and visual impact assessment has been carried out. The assessment includes visualisations to show what the tall buildings would look like from several key viewpoints in the surrounding area. These show that the proposals would make a positive contribution to both the existing and emerging townscape and would sit comfortably within its local context when viewed from closer and further viewpoints. The proposals are therefore considered to have addressed criterion iii) of policy LP4.
- 19.13. *Criterion iv) The design of the lower, middle and upper parts of any tall building should result in the creation of a visually coherent scheme both in terms of the building itself, how it relates to the surrounding area and how it would appear in any mid-range and long-range views;*
- 19.14. The quality of architectural design is readily perceptible, with the buildings divided into a top, middle and base that has a balanced composition. The buildings are read as several distinct elements, each with their own individual expression, albeit sharing the same contemporary architectural language. The architectural treatment to each of the buildings, further breaks down the massing of the proposals, creating a series of elegant, connected forms, which complement the neighbouring developments. The design approach for the buildings is considered to be coherent and in keeping with the surrounding context. The proposals are therefore considered to have addressed criterion iv) of policy LP4.
- 19.15. *Criterion v) Planning applications should be supported by graphic 3D modelling. The 3D modelling must incorporate any existing tall buildings or those where an extant planning permission is in place to ensure that the individual and cumulative impact of the proposal is fully assessed including in relation to its impact on the existing skyline.*
- 19.16. The application is accompanied by Vucity 3D modelling demonstrating the individual and cumulative impacts of the proposal, including in relation to the existing skyline, which is deemed to be acceptable. The proposals are therefore considered to have addressed criterion v) of policy LP4.

- 19.17. *Criterion vi) Development proposals affecting the setting and approaches of the Westminster World Heritage Site, will be required to address all criteria set out in Part B of Policy LP3.*
- 19.18. The proposed scale of the building within the Westminster World Heritage Site (WHS) and the dense nature of development between the WHS and the site would be such that the proposed development would not be visible at ground level from within the WHS and would not be visible in views towards the WHS from Golden Jubilee/Hungerford Bridges. There would be no effect on the townscape and visual setting of the WHS. The Local Planning Authority's Principal Conservation officer and Historic England have raised no objection to the development in this respect. The proposals are therefore considered to have addressed criterion vi) of policy LP4.
- 19.19. *Spatial Hierarchy - Criterion vii) The massing of any proposed tall buildings should be proportionate to the local environment, including when taking into consideration the width of publicly accessible areas adjacent to the proposed building(s) as well as the proximity to public open spaces, parks and watercourses, and should be designed so as not to create an overbearing impact having regard to its context.*
- 19.20. The application has been revised in response to concerns raised by consultees and local residents around the scale and massing of the buildings. Plot 01 has been reduced in both height (by two storeys) as well as its footprint which has been rotated away from Sleaford Street and set back from Battersea Park Road. The proposed changes have enabled the inclusion of a green buffer including the retention of mature established trees between Battersea Park Road and the buildings, whilst improving the streetscape and creating a greater sense of openness. Both residents and the local community would benefit from a generous amount of high-quality landscaping around the buildings. It should be noted that the Design Review Panel were very supportive of the height and massing proposed. The proposals are therefore considered to have addressed criterion vii) of policy LP4.
- 19.21. *Criterion viii) Where tall buildings are proposed to be located in close proximity to publicly accessible areas, measures should be incorporated to soften their edges and create high-quality public spaces including through the use of generously sized, safe and attractive walkways and the introduction of soft landscaping, including trees of an appropriate scale for the space to which it relates.*
- 19.22. New desire lines in the Opportunity Area have emerged and have been reinforced by the much-needed connections to New Mansion Square to the south of the site, as well as the future planned connections through to Nine Elms Park to the east offering an alternative to the busy Battersea Park Road and connecting different parts of the Nine Elms Masterplan. The proposed development seeks to soften the interface between the edges of the site and the adjoining roads through the inclusion of street trees along Sleaford Street and the New Covent Garden Market access road. Additionally, a generous green buffer would be provided between the development and Battersea Park Road now with the retention of a number of mature trees and enhancements to street

tree planting following revisions to the scheme. The proposals are therefore considered to have addressed criterion viii) of policy LP4.

19.23. *Tall Buildings Near the River Thames Frontage. Criterion ix) Tall buildings should not result in the creation of development which would impede the outlook and/or amenity of occupiers of existing buildings or users of public spaces having regard to their relationship with the river frontage.*

19.24. The proposed development is located some distance away and does not directly front onto the River Thames. However, the scheme is intended to open up desire lines and both pedestrian and cycle connections to Battersea Park Road that would therefore facilitate ease of movement to the river frontage. The proposal is therefore considered to have addressed criterion ix) of policy LP4.

19.25. *Criterion x) Where appropriate, the massing of proposed tall buildings should take into account their landward facing orientation and provide sufficient articulation, including through devices such as a 'step down,' in order to provide an appropriate transition between the proposed building(s) and those of a lower height.*

19.26. The proposed buildings, with their slender form along Battersea Park Road and a 'step-down' design approach, align with these criteria. The spatial planning accommodates the tallest building (Plot C) positioned at the southern end of the site, adjacent to the New Mansion Square development and the railway. The building heights decrease to 12 storeys at Plot A, which is oriented towards Plots B and C, respecting the lower-scale development near the Viridian Apartments addresses criterion x) of policy LP4.

19.27. *Criterion xi) Where relevant any proposed tall building(s) should be set back from the Thames Path to ensure that it continues to provide a welcoming public route or where it would provide an opportunity to enhance its attractiveness and usability.*

19.28. The proposals are not located in the immediate vicinity of the Thames Path. The proposals are therefore considered to have addressed criterion xi) of policy LP4.

19.29. *Microclimate and Lighting. Criterion xii) The design of any tall building should avoid including lighting features which adversely impact on the occupiers of surrounding buildings (particularly those in residential use), as well as on night-time vistas and panoramas and fauna.*

19.30. A lighting condition has been recommended to ensure that details of proposed lighting across the development is secured and adequately mitigated prior to occupation of the development. The proposals are therefore considered to have addressed criterion xii) of policy LP4.

19.31. *Criterion xiii) The design and glazing of any proposed tall building should take into account its use at night, minimise light spill that would result in light pollution and avoid*

creating unacceptable solar glare onto any publicly accessible areas or where it would have an adverse effect on the amenity of occupiers of adjoining buildings.

- 19.32. The fenestration for all three buildings has been redesigned following a thorough review by the Design Review Panel (DRP). The proposal avoids excessive glazing on the façades in response to climatic conditions. Solar glare has been evaluated during the design development process and is not deemed to be a concern, despite the objections raised in this regard. Consequently, the proposals are considered to meet criterion xiii) of policy LP4.
- 19.33. *Criterion xiv) Building materials should be capable of ensuring that the proposals would not contribute to the urban heat island effect as a result of thermal radiation or the release of anthropogenic (waste) heat. Regard should be had to Policy LP10 (Responding to the Climate Crisis).*
- 19.34. An assessment of the sustainability attributes of the development have been set out in earlier sections of the report. The findings of the report conclude that the proposals would not contribute to the urban heat island effect. The proposals are therefore considered to have addressed criterion xiv) of policy LP4.
- 19.35. *Criterion xv) Planning applications should be supported by a shade analysis that clearly demonstrates that any shadow created by a proposed tall building(s) would not give rise to solar gain such as to cause thermal discomfort for users of publicly accessible and private spaces. Ground Floor Uses and Public Realm*
- 19.36. The proposals are accompanied by a Daylight, Sunlight and Overshadowing Assessment which considers sun lighting proposed in respect of amenity areas and open spaces. This includes the ground floor public realm as well as rooftop and podium amenity gardens across all the buildings. The results confirm that all of the public and private amenity areas would comfortably exceed BRE guideline recommendations, with virtually all areas receiving 2 hours of direct sunlight. The proposals are therefore considered to have addressed criterion xv) of policy LP4.
- 19.37. *Ground Floor Uses and Public Realm. Criterion xvi) Proposals for tall buildings should incorporate active frontages at ground floor. The main access to any proposed tall building should be located within a frontage facing a main street or publicly accessible area and should provide a safe, welcoming and clearly defined entrance.*
- 19.38. The ground floors of Plots 01 and 02 will feature commercial and community frontages that enhance the emerging townscape. These elements will create active frontages along Battersea Park Road, Sleaford Street, and the NCGA access road, encouraging pedestrian activity and enhancing the vitality of the streetscape. The landscape has been thoughtfully designed to complement the building entrances, fostering a welcoming, legible and safe environment.

- 19.39. The siting of the buildings and their entrances should provide clear and accessible routes for residential, student, and commercial uses, promoting effective surveillance of these entry points. As a result, the proposals are considered to meet criterion xvi) of policy LP4.
- 19.40. *Criterion xvii) The lower sections of any tall building should provide for pedestrian weather protection (such as colonnades) along the main frontages of the building and should incorporate the use of high-quality materials and human-scale detailing that encourages social interaction and animates the ground floor external environment.*
- 19.41. Whilst no colonnade, canopies of weather protection form part of the design treatment, it is considered that the use of high-quality materials and the creation of active and engaging frontages would exist along street facing elevations as well as areas of open space. This arrangement would allow for activities to spill out from the buildings to provide opportunities for social interaction to take place and would animate the ground floor spaces. The proposals are therefore considered to have addressed criterion xvii) of policy LP4.
- 19.42. *Criterion xviii) Where ground floor non-residential uses are proposed, the public realm should be enhanced through the incorporation of public spaces such as plazas at their entrance unless it can be clearly demonstrated that such an approach would not be appropriate.*
- 19.43. The proposed development would provide a significant contribution to the public realm due to the shared landscaped space between the buildings due to specific access and permeability decisions that would enable people to move through the site. The landscaping and the introduction of informal play features has been developed as an integral and central part of the scheme's design. The landscape design incorporates a hierarchy of spaces in high quality materials with high quality soft landscaping, tree planting in a central public space which aims to activate and create visual connections between the buildings and the outside space. The proposals are therefore considered to have addressed criterion xviii) of policy LP4.
- 19.44. *Criterion xviii) Sites which have existing through routes or are capable of accommodating through routes must ensure that such routes are maintained or provided to support ease of movement and connectivity.*
- 19.45. Due to the site's proximity to Battersea Power Station and the Tube Station, the site creates a physical and visual connection into Battersea and the wider VNEB area. The scheme has been designed to link directly into the New Mansion Square development and to allow for the potential for a proposed cycle link bridge that is proposed along the railway to establish a new east to west connection. In addition, this site is pivotal in linking Battersea Power Station to Nine Elms Park. The site currently offers minimal permeability and is not publicly accessible. The proposals have considered current and emerging desire lines to maximise connectivity to surrounding uses and to align with the wider masterplan aspirations of the Opportunity Area. The proposed massing,

landscape and spatial planning of the site responds to the adjacent developments and encourages connectivity through the scheme and into neighbouring areas. The New Mansion Square development to the southwest of the site, has opened up new pedestrian connections from Thessaly Road towards Battersea Park Road Nine Elms Park and in the future to the new primary school. The proposed development offers well-lit pedestrian routes along a desire line to these destinations, featuring natural surveillance and set within a high-quality public realm. The proposals are therefore considered to have addressed criterion xviii) of policy LP4.

19.46. A number of objections have been received regarding the height of the proposed development with requests to reduce the height or adopt a more staggered approach for the proposed buildings as they are out of keeping and character with the surroundings. However, as outlined above in the tall buildings assessment, it is considered that the proposal complies with policy LP4, and the objections cannot be sustained.

20. Fire Safety

- 20.1. Paragraph 3.12.1 of the Mayor's London Plan states that fire safety of developments should be considered from the outset. Although such matters are covered by Part B of the Building Regulations, it is necessary that development proposals achieve the highest standards of fire safety, to reduce risk to life, minimise risk of fire spread, and provide suitable and convenient means of escape that building users can have confidence in. In essence, the fire safety should be integral to the design process of development, before it has obtained planning permission.
- 20.2. Policy D12 of the London Plan states that major applications should be accompanied by a Fire Statement that has been prepared by a suitably qualified third-party assessor, demonstrating how the development proposals would achieve the highest standards of fire safety, including details of construction methods and materials; means of escape; fire safety features and means of access for fire service personnel. Policy D5 of the London Plan seeks to ensure that developments incorporate safe and dignified emergency evacuation for all building users, with fire evacuation lifts suitable to be used to evacuate people who require level access from the buildings. The above is further supported by Local Plan policy LP27, which seeks to achieve the highest standards of fire safety, having regard to the requirements of London Plan Policy D12.
- 20.3. The application is supported by a Fire Statement which has been undertaken by a suitably qualified professional and outlines how the proposed development would incorporate fire safety measures, including fire detection and alarm systems, and means of access and escape.
- 20.4. To address concerns raised by the Local Planning Authority's appointed fire safety consultant, Fire Compliance Management Services (FCMS), the Fire Statement has since been amended accordingly and is considered to meet the relevant criteria in the London Plan. The statement confirms that Plot 01 is served by two stairs, one evacuation stair and one firefighting stair which is part of the firefighting shaft. The

firefighting shaft contains a firefighting lift, a protected ventilated lobby, and a dry riser. Plot 02 is served by two stairs, one evacuation stair and one firefighting stair which is part of the firefighting shaft. The firefighting shaft contains a firefighting lift, a protected ventilated lobby, and a dry riser. Plot 03 is served by four stairs, two evacuation stairs and two firefighting stairs which are part of the firefighting shafts. The firefighting shafts contain a firefighting lift, a protected ventilated lobby, and a wet riser.

- 20.5. The GLA and the Health and Safety Executive have both reviewed the Fire Statement and both have raised no objection, and the application is considered acceptable in fire safety terms despite the objections received. Conditions are recommended requiring the development to be implemented in accordance with the submitted Fire Statement and for details of the Fire Safety and Evacuation Strategy to be submitted for approval.

21. Cultural Strategy

- 21.1. London Plan policy HC5 (Supporting London's culture and creative industries) supports the continued growth and evolution of London's diverse cultural facilities and creative industries. Local Plan Policy LP18 Arts, Culture and Entertainment (Strategic Policy) Part D requires applicants to produce and realise an Arts and Culture Action Plan to enhance the range of arts and cultural opportunities in the area in accordance with the council's adopted Planning Obligation SPD.
- 21.2. The application is supported by a Cultural Strategy which is concerned with integrating culture and creative enterprise as part of the proposed development that would benefit residents and employees living and working in the surrounding area. The Cultural Strategy sets out the vision and principles that are to be followed and refers to the commitment and delivery of cultural projects expected to focus on the ground floor uses and public realm. These cultural projects are to be implemented through a Cultural Implementation Plan which will be secured by S106 Agreement.
- 21.3. Officers consider that the Cultural Strategy as submitted is acceptable as an approach and will deliver public benefits that would comply with the objectives of London Plan Policy HC5 and Local Plan Policy LP18.

22. Health and Wellbeing

- 22.1. London Plan policy GG3 (Part D) sets out that in the interests of improving Londoners' health and reducing health inequalities, those involved in planning and development must assess the potential impacts of development proposals on the mental and physical health and wellbeing of communities. This is further reinforced by Local Plan Policy LP15 which requires planning applications to demonstrate that any potential negative health and well-being impacts have been addressed and health benefits have been maximised through the submission of a Health Impact Assessment (HIA) for all developments including 50 or more units.
- 22.2. A HIA accompanies the application which concludes that the proposed development would not result in any negative impacts on the health of the existing and future population of the immediate and local areas. This is despite the representations received concerning that the proposal would affect well-being, quality of life and

enjoyment of people's homes. Whilst it is accepted that the proposed development would have an impact on healthcare services, a review of current provision has shown, however, that existing facilities have sufficient capacity to accommodate the population growth associated with the proposed development, despite the objections raised about the impact on local infrastructure. In addition, CIL contributions will further help to mitigate any additional pressure from the proposed development on local provision.

- 22.3. The HIA report identifies that there is unused GP capacity locally, with the three nearest GP practices (within a 1km radius of the site) being undersubscribed. The HIA notes that students are typically encouraged to register with GP Practices aligned to their universities, meaning that only the affordable housing element of the scheme is likely to generate new patient registrations locally.
- 22.4. The proposals have been designed with the provision of private and semi-private outdoor amenity space and landscaped public realm with safe places for active play. These spaces have been designed to provide a multifunctional public realm facilitating opportunities for a range of activities from fitness, relaxation, to spaces for socialising which would be available for people of all age ranges. The proposed development is considered to deliver a high-quality design, which is inclusive, promotes health and wellbeing as well as community cohesion with all communal amenity areas being equally accessible to all tenures.
- 22.5. For these reasons, it is not considered that the objections raised that the proposed development would disrupt community cohesion, cut off links to the wider regeneration area, or that residents would feel marginalised and that connections fostering social integration and mobility would be severed. As a result, the proposed development is considered to be in accordance with London Plan policy GG3 and Local Plan policy LP15.

23. Community Involvement & Engagement

- 23.1. The NPPF at paragraph 41 states that local planning authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage. The Local Planning Authority has published a Statement of Community Involvement (SCI) which sets out the requirements for early public engagement and explains how residents and businesses and other key organisations and stakeholders can get involved in the determination of planning applications.
- 23.2. The Local Planning Authority has more recently produced guidance in 'Raising the Bar: Early Community Engagement Guidance for Applicants', published May 2024. The document sets out guidance for applicants to engage with the community on development schemes. The aim is to avoid a tick box approach, whilst ensuring effective engagement and collaboration happens early on in the process, is consistent and supports the delivery of high-quality places across the Borough by connecting to the design and decision-making process.

- 23.3. The planning application is accompanied by a Statement of Community Involvement (SCI) and an addendum dated March 2024; which sets out the methods used for consultation and engagement, consisting of a combination of in person, digital activities and mailouts. The applicant appointed Kanda Consulting, a specific public consultation company to undertake a programme of community consultation.
- 23.4. In the summer of 2022, a resident's newsletter (dated May 2022) was issued to homes at Viridian Apartments to update them on the formal scheme adjustments that were being considered. The delivery area was determined from the receipt of the vast majority of community comments from the applicant's pre-application community consultation.
- 23.5. A total of 2,719 local homes and businesses were invited to an update event hosted at the R.O.S.E Community Clubroom on Ascalon Street on Wednesday 30 November 2023. The venue was selected for its proximity to the site and Viridian Apartments and ran from 4-8pm, with a stakeholder preview, from 3-4pm. The stakeholder event targeted:
- The Nine Elms ward councillors
 - The Shaftesbury and Queenstown ward councillors
 - The Battersea Society
 - The representatives of Bookers Wholesale
 - St Modwen as the operators of New Covent Garden Market
 - Battersea Power Station
 - Peabody, as the owner of Battersea Power Station's Phase 4a development
 - The Wandsworth Chamber of Commerce
 - The Viridian Apartments Residents Management Board
- 23.6. Across the sessions, members of the project team were present to answer questions on the adjusted plans and collected written feedback. In total, 20 people attended the session. Four pieces of feedback were received from residents living in Viridian Apartments and two more general queries from people imminently moving into New Mansion Square.
- 23.7. On 27 February 2024, 626 local residents in Viridian Apartments and New Mansion Square were informed of the upcoming submission of amendments to the existing planning application via letter and were invited to discuss the amendments with the project team. Throughout the consultation process, consultees were able to send questions or queries through to the project team via the dedicated consultation email address or via a phone number.
- 23.8. A total of eleven consultees contacted the project team, of which nine used the consultation email address, with the remaining two phoning the consultation number. The following topics were discussed:
- Questions regarding the history and context of the planning application.
 - Height and massing
 - Land use

- Affordability levels for both the residential and student accommodation units
- Planning and construction timeline

23.9. It is considered that the details of the engagement carried out by the Applicant team as outlined above is considered acceptable and addresses the objections raised by local people concerned about the lack of consultation and involvement regarding the proposed development.

24. Planning Obligations

24.1. Under S106 of the Town and Country Planning Act 1990 (as amended), local planning authorities have the power to enter into planning obligations with any person interested in land in their area, for the purpose of restricting or regulating the development or use of the land.

24.2. Paragraph 56 of the NPPF supports that planning obligations should only be used where it is not possible to address unacceptable impacts through a condition. Policy 8.2 of the LP considers the requirement to seek planning obligations on a site-by-site basis to secure provision of affordable student housing and ensure proposals fund local improvements to mitigate the impact of the development. The above policies have been taken into consideration together with the council's SPG on Planning Obligations (2020), and the CIL payments which the proposed development would be liable for.

24.3. It is considered that the obligations and the contributions set out below, meet the tests as set out in the Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 which states obligations should be:

- (i) necessary to make the development acceptable in planning terms;
- (ii) directly related to the development; and
- (iii) fairly and reasonably related in scale and kind to the development.

24.4. The following matters have been discussed and agreed between officers and the applicant to form the basis (subject to approval of the Committee), for obligations under S106 of the Town and Country Planning Act 1990. Negotiations on the detail of those obligations are to be progressed in the event that the Planning Applications Committee resolve to grant planning permission. The applicants have made the following offer associated with the development in relation to affordable student housing, other policy requirements, site specific mitigation and off-site highway improvements.

24.5. In accordance with the Planning Obligations SPD, and subject to a resolution to grant permission by the Planning Applications Committee, several matters are to be secured under a legal agreement to be entered into under Section 106 of the Town and Country Planning Act 1990.

24.6. In accordance with Local Plan Policy LP62 and the Planning Obligations SPD, and subject to a resolution to grant by Planning Committee, a Carbon Offset Contribution is required to be secured under a legal agreement to be entered into under S106 of the Town and Country Planning Act 1990. The following Heads of Terms are proposed:

24.7. The following Heads of Terms are proposed:

<p>1. Affordable Housing</p>	<p>The Owner will provide 55 Class C3 residential units (27 x social rent and 28 x intermediate) and 198 affordable student units.</p> <p>The affordability of London Living Rent units to be in accordance with qualifying income levels as set out in the London Plan, the Affordable Housing and Viability SPG and the Annual Monitoring Report, including a range of income thresholds for different sized units.</p> <p>A clause to be included that 28 London Living Rent (LLR) homes are to be rented in perpetuity at LLR rates.</p> <p>A review mechanism clause to be included in the S106 legal agreement to use 'reasonable endeavours' to try and secure grant funding to deliver additional social rent units.</p>
<p>2. Arts & Culture</p>	<p>A cultural strategy and action plan shall be prepared and submitted for approval.</p>
<p>4. Travel Plan</p>	<p>Owner to submit Travel Plans for the residential and commercial uses for approval by the council, in accordance with submitted Framework TPs.</p>
<p>5. CPZ</p>	<p>Exclude all occupants of all the proposed land uses within the proposed development from obtaining a permit to park within any controlled parking zone (CPZ) or any council-controlled car park in the Borough of Wandsworth.</p>
<p>6. Highway Works</p>	<p>The council successfully making an order under S247 of the Town and Country Planning Act 1990 to stop up land that is currently highway maintainable at public expense and is outlined and hatched in black on Plan No. 216199/PD04 Rev. G. to aid development by enabling the applicant to provide disabled parking bays for occupants and a car club bay that will be within the control of the applicant if the order is made.</p> <p>The applicant entering into an agreement with LBW under S38 and S278 of the Highways Act 1980 to offer land for adoption as highway maintainable at public expense, and do the following works on the current adopted highway to the satisfaction of the Borough Engineer before the development is first occupied:</p> <p>The dedication of land within the red-line boundary of the site to the north of the back edges of the proposed perpendicular parking bays and loading bay on the northern side of Sleaford Street, as highway maintainable at public expense, to enable the provision of a footway over which the general public have a right to pass and repass.</p>

	<p>If the above-mentioned stopping up order cannot be made, the construction of five inset parallel vehicular parking bays within the highway on the northern side of Sleaford Street. The provision of a new vehicular crossover ramped access on the eastern side of Sleaford Street to the south-western part of the site</p> <p>The construction of one inset loading bay on the adopted highway on the northern side of Sleaford Street.</p> <p>The provision of a Traffic Management Order under the Road Traffic Regulation Act 1984 to enable the council, as Local Highway Authority, to regulate the use of the loading bay.</p> <p>The provision of trees and Sheffield cycle stands in the adopted highway on the northern side of Sleaford Street (to be discussed with the Borough Engineer).</p> <p>All of the works completed under S38, and S278 of the Highways Act 1980 must be designed and completed using the Vauxhall, Nine Elms and Battersea Opportunity Area Public Realm (VNEB) Materials Palette. More information about this can be found at: https://nineelmslondon.s3.eu-west-2.amazonaws.com/wp-content/uploads/2021/09/01123955/Nine-Elms-on-the-South-Bank-Surface-Materials-Code.pdf</p> <p>Because the above highway works will be completed using premium materials, the applicant will need to pay a commuted sum to the council when they sign the agreement. This will fund the additional cost to the council of maintaining the premium materials over their lifespan which is 30 years. This sum will be calculated by the Borough Engineer and based on the detailed design drawings the council receives. Please see the link below for more information about the council's commuted sums policy and about S38 and 278 agreements in general: https://www.wandsworth.gov.uk/roads-and-transport/transport/highways-agreements/</p>
<p>7. Student Accommodation Nominations Agreement</p>	<p>The applicant to enter into a nominations agreement with a higher education provider (HEP) prior to occupation (affordable student accommodation only).</p> <p>The applicant to use 'reasonable endeavours' to enter into a nominations agreement in respect of the majority of (remaining) student accommodation rooms.</p>
<p>8. Student Accommodation Limited to Term Time</p>	<p>Use of PBSA accommodation restricted to occupation by full time students at HEPs during term time only.</p>
<p>9. Carbon Offset Contribution</p>	<p>Owner to pay a Carbon Offsetting Financial Contribution of £159,127 prior to the commencement of development.</p>

10. Children's Play Contribution	Owner to pay a Children's Play space Contribution of £27,940 prior to the commencement of development.
11. Local Employment Agreement	<p>The Owner shall enter into a Local Employment Agreement (LEA) to be agreed between the Applicant, LPA and EDO which would include provisions to ensure that the Owner will work with the council to maximise business, employment and training opportunities for local people and businesses. This will be in line with the council's Planning Obligations SPD. Owner to pay an Employment Contribution of £130,831.25 prior to the commencement of development.</p> <p>The Owner will work with the LPA and EDO to agree a Community Use Plan (or similar) based upon the submitted Cultural Strategy setting out the terms for the successful occupation of the Unit 2 (Plot 01) and details of how a suitable operator will be identified. The terms shall include how occupation costs will be kept at a minimum to meet the provisions of the Cultural Strategy, including fit out costs, a peppercorn rent and affordable service charges.</p>
12. PBSA Management Plan	PBSA Management Plan to be secured.
13. Pedestrian Routes and Vehicular/Cycle Routes	Pedestrian, vehicular and cycle routes shall be available for use by the public at all times following completion of the whole development and prior to residential occupation. Routes to be opened to vehicular use by public/service vehicles as appropriate. A Management Plan for these routes should be submitted for approval prior to the commencement of occupation of the development.
14. Connection to District Heating Network (DHN)	<p>Owner to covenant with the council that the development will be designed to provide a point of connection to the future District Heat Network (DHN).</p> <p>Owner to submit a DHN Statement to the LPA for approval, to set out how the development will connect to the DHN and how energy demands would be met prior to any connection to the DHN.</p>
15. Cycle Link	Safeguarding the rear of the site for future cycle infrastructure.
16. CCTV	Submission and approval by LBW of a scheme for the provision of CCTV onsite and adjacent to the boundary of the site, prior to occupation of the development.
17. TFL Healthy Streets Contribution/Land	<p>The applicant paying a sum of £458,088 to the London Borough of Wandsworth (LBW) prior to the commencement of development to help finance TfL's Healthy Streets Nine Elms Corridor Improvement Scheme.</p> <p>TfL will need to adopt land from the applicant that is within the red line boundary of their site.</p>

18. Third Party Land	Provisions to secure the delivery of street trees, parking and access arrangements on the NCGM access road prior to development being brought into use.
19. Accessibility	Provisions to ensure that all wheelchair accessible and adaptable units, in addition to communal areas conform to relevant design standards.
20. General	<p>Include but not limited to:</p> <ul style="list-style-type: none"> (i) Index linking of payments to appropriate index (as agreed by the council); interest charging for late payments; (ii) parties to act reasonably; administration and repayment of unspent contributions when and where appropriate having regard to the OA governance structure and the need to achieve new and improved infrastructure in the OA; (iii) bar to fettering council's discretion; registration at Land Registry; dispute resolution; (iv) Monitoring fee in line with the requirements of the council's Planning Obligations SPD; (v) Owner to notify council of any change in ownership; S278 agreement and highways Inspection Fee. (vi) S278 agreement and highways inspection fee.
21. Councils Legal Costs	Owner to meet council's reasonable legal costs associated with the Section 106 Deed in accordance with undertakings agreed between the parties. All fees to be agreed in advance and payment made prior to completion of 106

25. Planning Balance and Conclusions

- 25.1. The application should be determined in accordance with the Development Plan taken as a whole unless material considerations indicate otherwise. The assessment of this application considers the development plan policies referred to throughout this report and notes where the proposal is considered to comply with those policies, or not, including whether that assessment is on balance. A number of representations have been received in relation to the application, and these have been considered in the assessment of the application.
- 25.2. The proposal has been subject to extensive pre-application advice and before the application was finalised the scheme was fully reviewed by officers, Wandsworth Design Review Panel and the GLA. Since the original submission, the proposed development has been revised in response to comments received during the consultation process.
- 25.3. The proposed development would result in some public benefits and some harm has been identified. It has been necessary to ensure that the impacts of the development can be mitigated through the imposition of appropriate planning conditions or through requirements contained in the S106 Agreement.

- 25.4. The principle of development is considered acceptable taking account of national, strategic and local planning policies. The principle of the demolition of the existing building has already been established by the extant consent issued under application reference 2015/6813. The demolition of the previous BMW Service Centre building on the site has already taken place as permitted by the extant consent and a number of pre-commencement conditions have been discharged.
- 25.5. The application proposes the provision of 762 student rooms, of which 198 would be affordable. The quantum of this affordable accommodation would provide a significant contribution to addressing an identified housing need across London and within the borough and weighs in favour of the development. It is considered that the proposed development would contribute to the Council's housing targets and would meet general housing needs as set out in London Plan policy H1; and would also help to alleviate pressure on traditional rented accommodation. The development would further diversify the range of uses by introducing an element of affordable student accommodation to the area. As such, the development would contribute to a mixed and inclusive neighbourhood which is supported.
- 25.6. The site is considered a suitable location for student accommodation on the basis of its close proximity to local services, all of which are accessible by walking, cycling and public transport. The proposal would provide high quality accommodation for students in an accessible and sustainable area to meet local need and demand. The site is considered to be appropriate for student accommodation, meeting a demonstrable need and achieving compliance with the requirements of London Plan Policy H15.
- 25.7. The applicant is committed to entering into a nomination's agreement with a HEP prior to occupation of the accommodation and has outlined a management and maintenance plan demonstrating how the use would operate as required by Local Plan Policy LP28.
- 25.8. The applicant has elected to provide 55 conventional residential units, all of which will be rented affordable homes, which weighs heavily in favour of the development as there is no planning requirement for housing to be provided as part of the PSBA scheme. The provision of 55 low-cost rent homes in a range of sizes will help to meet the diverse needs of Wandsworth residents and will also bring a mix of tenures to the site that would not have been the case for a wholly student accommodation scheme.
- 25.9. The significant increase in student accommodation would have an economic impact upon the area including employment opportunities in the construction phases which is to be secured by an Employment Agreement as well as an employment contribution of £130,831.25. It is estimated that the development would create 280 construction jobs and 7-10 apprentices, and the student housing element could deliver up to 8 full-time jobs with a further 7-23 full-time jobs related to the retail units. One of the ground floor units (Unit 2) within Plot 01 would be let to a cultural/community occupier on a peppercorn rent with the provisions agreed in the S106 agreement. These economic and job opportunities are considered to weigh strongly in favour of the development.

- 25.10. It is considered that the proposed development accords with a number of urban design principles as set out in London Plan Policies D1-D4 and D8 as well as Local Plan Policy LP1 and officers are supportive of the proposed detailed design treatment and the use of high-quality pre-cast materials for the buildings.
- 25.11. The family of buildings would be of a contemporary appearance which complement the surrounding townscape, whilst also creating their own distinct character. The scheme includes a generous amount of space creating an attractive and welcoming public realm which is a substantial benefit of the scheme. It is accepted that there is a shortfall in the provision of communal amenity space that weighs against the scheme, but it is considered that this is compensated by the plans to provide a high quality and landscaped public realm at ground floor level. An integrated approach linking the new public realm with the landscaping and play and ecological features as well as the provision of private amenity space is supported. In addition, the applicant has agreed to an off-site play space contribution of £27,940 to offset the shortfall in the proposed play space provision which is supported. The revisions to the scheme involving the retention of the mature trees fronting Battersea Park Road are welcomed and weigh in favour of the scheme.
- 25.12. It is considered important to ensure the quality and integrity of the architecture and landscape is maintained and conditions are recommended to ensure that the use of high-quality materials are secured in the construction of the development.
- 25.13. The site is not within a conservation area and there are no listed buildings within the site or immediate vicinity, however, there are designated and non-designated heritage assets in the wider area as set out earlier in the report. With regards to non-designated heritage assets, paragraph 216 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be considered in determining the application.
- 25.14. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the asset. It is acknowledged that a minor degree of less than substantial harm has been identified to the setting of the Duchess Belle Public House (formerly Duchess of York Public House). However, in this instance, it is considered that the benefits around the provision of 55 units of residential accommodation, the improved public realm, the design and the sustainability credentials of the development, the highway benefits and the creation of a significant number of jobs, outweighs the less than substantial harm identified.
- 25.15. In accordance with London Plan standards, the proposed development will be car-free with the provision of four disabled parking space provided on-street outside the site and fully complies with the cycle parking provision. The proposed development will be excluded from any CPZ to mitigate the risk of unsafe on-street parking arising from additional parking stress and a financial contribution £458,088 will be secured towards

Transport for London's Healthy Streets scheme. Highway improvement works and associated operational infrastructure have been developed in consultation with Transport for London, the GLA, and Borough Highway officers and will be provided in the proposal and secured in perpetuity by way of S278 and S106 legal agreement.

- 25.16. The proposed development seeks to reduce on-site carbon emissions towards net-zero carbon through energy efficiency and renewable energy technologies and to achieve a site-wide net gain in biodiversity. An urban greening factor (UGF) 0.4 has been calculated based on the proposed landscaping within the red line boundary of the site. This meets the UGF target of 0.4 and is noted to be a significant improvement compared to the existing development. Further ecological enhancements are proposed and include the integration of bat roosting features and bird nesting opportunities which will help create a more biodiverse environment. An intensive green roof is proposed which will provide on-site renewable energy in the form of photovoltaic panels.
- 25.17. The energy statement demonstrates a sitewide betterment over Approved Document Part L 2021, which exceeds the minimum 35% on-site carbon reduction over Part L 2021 outlined within Policy SI 2 of the London Plan and Policy LP10 of the Wandsworth Local Plan. A carbon offset contribution of £159,127 is required to meet the zero-carbon target. The energy and sustainability statement demonstrates that the development has the potential to achieve a BREEAM rating of outstanding for the non-residential development in accordance with policy requirements. All of the above weighs in favour of the proposed development.
- 25.18. Objections have been raised by and on behalf of residents of properties adjoining the application site on due to loss of daylight and sunlight. The impacts of the proposed development have been measured in comparison with the extant scheme permitted for the site and it is acknowledged in the report that the proposed development would cause some harm to residential amenity in terms of the impact on daylight and sunlight that would be enjoyed by the occupiers of neighbouring properties which weighs against the development. The impact on the north-east elevation of Arden Mansions in particular would be higher when compared to the extant consent, this is offset by the impacts on Viridian Apartments which would be less than the impacts of the consented scheme.
- 25.19. In terms of privacy and the potential for overlooking, the proposed buildings are located close to some existing buildings and has been designed with consideration towards proposed future development at New Covent Garden Market to limit impacts as much as possible between these sites. It is considered that amenity impacts that would arise would be proportionate and consistent with tall building and high-density development in a location where such development is supported by planning policies.
- 25.20. It is considered that the proposal represents an appropriate and sustainable response to the planning framework for the site and will bring substantial environmental and social benefits to the area as well as economic improvements from the delivery of a purpose-built student accommodation development within the VNEB OA. An objection

refers to the potential for a legal challenge and community protests if concerns raised to the planning application are not addressed, but it is considered that the objections have been addressed by the revised plans that have been received and in the consideration and assessment of the proposed development.

25.21. For the reasons set out above and having regard to national, regional and local policy, the representations received in response to this planning application and other material considerations, it is considered that the proposal is in general conformity with the NPPF and the Development Plan when taken as a whole. No other material considerations have been identified which indicate a different decision should be made. In accordance with Section 38(6) of the Town and Country Planning Act and had an appeal against non-determination been lodged, the application would have been recommended for approval.

11. RECOMMENDATION: Appeal Against Non-Determination (minded to approve)

Had an appeal not been lodged against non-determination, the recommendation to the Planning Applications Committee would have been to delegate authorisation to the Head of Strategic Developments to approve the application subject to the following:

- 1) the completion at the cost to the Applicant of a Legal Agreement under the Town and Country Planning Act 1990 in a form accepted by the Head of Service as securing the provisions detailed in the report;
- 2) the Stage 2 referral of the application to the GLA; and
- 3) the conditions listed below.

12. CONDITIONS:

1 Time constraint

The development hereby permitted shall be begun within 3 years from the date of this permission.

Reason: To prevent the accumulation of unimplemented planning permissions and to comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to meet the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004 and to meet the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

2 Approved plans and documents

The development shall be carried out in accordance with the reports, specifications and drawings detailed:

Documents:

Received 26/05/2022

- Application Form prepared by Montagu Evans, dated 26 May 2022
- Tree Survey, prepared by arbtech, dated 9 October 2021

Received 26/04/2024

- A Preliminary Ground Investigation Report For 41-49 Battersea Park Road, Nine Elms (Issue 1.3), prepared by Tier Environmental, dated 27 March 2023
- Air Quality Assessment prepared by Redmore Environmental, dated 17 January 2024
- Application Covering Letter, prepared by Montagu Evans, dated 26 April 2024
- Arboricultural Impact Assessment (Arbtech AIA 03, Rev C), prepared by Arbtech, dated January 2024
- Arboricultural Method Statement, prepared by Arbtech, dated 22 January 2024
- Archaeological Desk Based Assessment (Final), prepared by RPS Group, dated 7 February 2024
- Biodiversity Net Gain Assessment, prepared by Greengage, dated January 2024
- Car Parking Management Plan (Rev 04), prepared by SLR Consulting, dated 16 January 2024
- CIL Additional Information Form, prepared by Montagu Evans, dated 26 April 2024
- Construction Logistics Plan (Rev 04), prepared by SLR Consulting, dated 23 February 2024
- Construction Waste Management Plan (draft), prepared by Watkin Jones Group, dated January 2024
- Cultural Strategy, prepared by Future City, dated January 2024

- Daylight, Sunlight and Overshadowing Assessment prepared by Point 2 Surveyors, dated January 2024
- Delivery and Servicing Management Plan (Rev 04), prepared by SLR Consulting, dated 11 January 2024
- Design and Access Statement prepared by Glenn Howells Architects, dated 16 February 2024
- Draft Student Management Plan, prepared by Fresh, dated January 2024
- Drainage Strategy (Rev 007), prepared by Apex Consulting Engineers, dated 15 January 2024
- Environmental Noise & Vibration Assessment, prepared by PDA Acoustic Consultants, dated 29 January 2024
- Flood Risk Assessment prepared (Rev 003), by Apex Consulting Engineers, dated January 2024
- Heritage, Townscape and Visual Impact Assessment Part 1-3, prepared by Montagu Evans, dated January 2024
- Landscape Strategy Part 1-8, prepared by Planit I.E., dated 11 April 2024
- Operational Waste Management Strategy (Version C03), prepared by Equilibria Group, dated 23 January 2024
- Preliminary Ecological Appraisal, prepared by Greengage, dated January 2024
- Purpose-built Student Accommodation Demand Report, prepared by Cushman & Wakefield, dated January 2024
- Socio-Economic Statement, prepared by Montagu Evans, dated 24 January 2024
- Statement of Community Involvement Addendum, prepared by kanda, dated March 2024
- Sustainability Statement, BREEAM and HQM Pre-Assessments (S2F), prepared by Atelier Ten, dated 22 January 2024
- Transport Assessment (Rev 05), prepared by SLR Consulting, dated 11 January 2024
- Travel Plan (Rev 05), prepared by SLR Consulting, dated 11 January 2024
- Tree Protection Plan (Arbtech TPP 03, Rev C), prepared by Arbtech, dated January 2024
- Utilities Statement (Rev S2D), prepared by Atelier Ten, dated 22 March 2023
- Whole Life Cycle Carbon Assessment and Reporting: Affordable Residential (Block 1) (Rev v1.01), prepared by ADW Developments, dated 29 March 2023
- Whole Life Cycle Carbon Assessment and Reporting: Student Accommodation (Block 2-3) (Rev v.1.01), prepared by ADW Developments, dated 29 March 2023
- Wind Microclimate Assessment prepared by GIA Chartered Surveyors, dated 17 January 2024

Received 10/05/2024

- Planning Statement prepared by Montagu Evans, dated April 2024

Received 02/07/2024

- Fire Statement Form Block A, prepared by Atelier Ten, dated 1 July 2024
- Fire Statement Form Block BC, prepared by Atelier Ten, dated 1 July 2024
- Fire Statement Form Block DEF, prepared by Atelier Ten, dated 1 July 2024
- Fire Statement Form LPG Block A, prepared by Atelier Ten, dated 1 July 2024
- Fire Statement Form LPG Block BC, prepared by Atelier Ten, dated 1 July 2024
- Fire Statement Form LPG Block DEF, prepared by Atelier Ten, dated 1 July 2024

Received 09/07/2024

- Site Photography: 3D View, prepared by Point2, dated 8 March 2023

Received 17/07/2024

- Pre-Demolition BREEAM Audit Report prepared by ADW Developments, dated 17 July 2024

Received 07/08/2024

- Health Impact Assessment, prepared by Montagu Evans, dated 6 August 2024

Received 09/08/2024

- Circular Economy Statement, prepared by ADW Developments, dated 1 August 2024, received 9 August 2024;
- Supplementary Daylight and Sunlight drawings, prepared by Point 2 Surveyors, dated August 2024
 - o Windows Location Building A1.2 – Tweed Mansions (P2874/W/01 Rev. 15);
 - o Windows Location Building A1.3 – Foots Row Mansions (P2874/W/02 Rev. 15);
 - o Windows Location Building A1.4 – Billington Mansions (P2874/W/03 Rev. 15);
 - o Windows Location Building A1.5 – Arden Mansions (P2874/W/04 Rev. 15);
 - o Windows Location Building A2 – Matkin Mansions (P2874/W/05 Rev. 15);
 - o Windows Location Building A3 – Simpler Mansions (P2874/W/06 Rev. 15);
 - o Windows Location – 142-192 Thessaly Road (P2874/W/07 Rev. 15);
 - o Windows Location – Viridian Apartments, 75 Battersea Park Road (P2874/W/08 Rev. 15); and

- Windows Location – Viridian Apartments, 75 Battersea Park Road (P2874/W/09 Rev. 15).

Received 18/11/24

- Design and Access Statement Addendum prepared by Glen Howells Architects, dated 16 August 2024
- Energy Statement, prepared by Atelier Ten, dated 12 November 2024
- Overheating Assessment, prepared by Atelier Ten, dated 12 November 2024
- Supplementary Daylight and Sunlight Letter prepared by Point 2 Surveyors, dated 16 August 2024

Drawings:

- Cycle store markup
- Existing Site Plan (5890397-2278-GHA-ZZ-ZZ-DR-A-05010_P02)
- General Arrangement Plan (5892084-08. 3082-PLA-XX-XX-DR-L00-0001)
- Ground floor Furniture Plan (Sheet 01 of 02) (3082-PLA-XX-XX-DR-L00-3000_S1_P01)
- Ground floor Furniture Plan Sheet 02 of 02 (5892111-08. 3082-PLA-XX-XX-DR-L00-3001)
- Ground floor General Arrangement Plan (Sheet 01 of 02) (3082-PLA-XX-XX-DR-L00-0002_S1_P01)
- Ground Floor General Arrangement Plan Sheet 02 of 02 (5892091-08. 3082-PLA-XX-XX-DR-L00-0003)
- Ground Floor Hardworks Plan Sheet 01 of 02 (5892093-08. 3082-PLA-XX-XX-DR-L00-1001)
- Ground Floor Hardworks Plan Sheet 02 of 02 (5892096-08. 3082-PLA-XX-XX-DR-L00-1002)
- Ground Floor Softworks Planting Plan Sheet 01 of 02 (5892099-08. 3082-PLA-XX-XX-DR-L00-2001)
- Ground Floor Softworks Planting Plan Sheet 02 of 02 (5892100-08. 3082-PLA-XX-XX-DR-L00-2002)
- Ground Floor Tree Planting Plan Sheet 01 of 02 (5892104-08. 3082-PLA-XX-XX-DR-L00-2003)
- Ground Floor Tree Planting Plan Sheet 02 of 02 (5892108-08. 3082-PLA-XX-XX-DR-L00-2004)
- L00 GA Ground Floor Plan (5933959-2278-GHA-ZZ-00-DR-A-05100_P03)
- L00 Mezzanine GA Floor Plan (5933945-2278-GHA-ZZ-M1-DR-A-05100M_P02)
- L01 GA Floor Plan (5933958-2278-GHA-ZZ-01-DR-A-05101_P03)
- L02-L03 GA Floor Plan (5933957-2278-GHA-ZZ-02-DR-A-05102_P03)
- L04 GA Floor Plan (5933956-2278-GHA-ZZ-04-DR-A-05104_P02)
- L05-L06 GA Floor Plan (5933955-2278-GHA-ZZ-05-DR-A-05105_P02)
- L07 GA Floor Plan (5933954-2278-GHA-ZZ-07-DR-A-05107_P03)
- L08-L10 GA Floor Plan (5933953-2278-GHA-ZZ-08-DR-A-05108_P03)

- L11 GA Floor Plan (5933952-2278-GHA-ZZ-11-DR-A-05111_P02)
- L12 GA Floor Plan (5933949-2278-GHA-ZZ-12-DR-A-05112_P02)
- L13-L16 GA Floor Plan (5933948-2278-GHA-ZZ-13-DR-A-05113_P03)
- L17-L18 GA Floor Plan (5933947-2278-GHA-ZZ-17-DR-A-05117_P03)
- L19-L21 GA Floor Plan (5933946-2278-GHA-ZZ-19-DR-A-05119_P03)
- Planting Schedules (5890686-2278-GHA-01-ZZ-DR-A-05550_P02)
- PLOT 01 - L00 Ground Floor Plan (2278-GHA-01-00-DR-A-05500_P03)
- Plot 01 - Section A-A (5890405-2278-GHA-01-ZZ-DR-A-05560_P01)
- Plot 01 -Bay Study (Sheet 2 of 2) (5933976-2278-GHA-01-ZZ-DR-A-21101_P03)
- Plot 01 -L01 Floor Plan (5933997-2278-GHA-01-01-DR-A-05501_P03)
- Plot 01 -L02 Floor Plan (5933996-2278-GHA-01-02-DR-A-05502_P03)
- Plot 01 -L03 Floor Plan (5933995-2278-GHA-01-03-DR-A-05503_P03)
- Plot 01 -L04 Floor Plan (5933992-2278-GHA-01-04-DR-A-05504_P02)
- Plot 01 -L05-L10 Floor Plan (5933990-2278-GHA-01-05-DR-A-05505_P02)
- Plot 01 -L11 Floor Plan (5933988-2278-GHA-01-11-DR-A-05511_P02)
- Plot 01 -M1 Mezzanine Floor Plan (5933985-2278-GHA-01-M1-DR-A-05500M_P03)
- Plot 01 North East & North West Elevations (Sheet 1 of 2) (5933978-2278-GHA-01-ZZ-DR-A-05550_P03)
- Plot 01 -Proposed Accessible Apartment Layouts -1B2P (5933984-2278-GHA-01-XX-DR-A-70550_P02)
- Plot 01 -Proposed Accessible Apartment Layouts -2B4P (5933983-2278-GHA-01-XX-DR-A-70551_P02)
- Plot 01 -Proposed Accessible Apartment Layouts -3B5P (5933982-2278-GHA-01-XX-DR-A-70552_P02)
- Plot 01 -RL Roof Plan (5933987-2278-GHA-01-15-DR-A-05512_P02)
- Plot 01 -South East & South West Elevations (Sheet 2 of 2) (5933977-2278-GHA-01-ZZ-DR-A-05551_P03)
- PLOT 02 - Bay study (sheet 1 of 3) (2278-GHA-02-ZZ-DR-A-21105_P03)
- PLOT 02 - Bay study (sheet 2 of 3) (2278-GHA-02-ZZ-DR-A-21106_P03)
- PLOT 02 - Bay study (sheet 3 of 3) (2278-GHA-02-ZZ-DR-A-21107_P03)
- PLOT 02 - L00 Ground Flood Plan (2278-GHA-02-00-DR-A-05600_P03)
- Plot 02 - L07 Floor Plan (5890616-2278-GHA-02-07-DR-A-05607_P02)
- Plot 02 - L16 Floor Plan (5933966-2278-GHA-02-16-DR-A-05616_P02)
- Plot 02 - North East & North West Elevations (Sheet 1 of 2) (5890696-2278-GHA-02-ZZ-DR-A-05650_P02)
- Plot 02 - Section A-A (5890407-2278-GHA-02-ZZ-DR-A-05660_P01)
- Plot 02 - South East & South West Elevations (Sheet 2 of 2) (5890699-2278-GHA-02-ZZ-DR-A-05651_P02)
- Plot 02 -L01 Floor Plan (5933975-2278-GHA-02-01-DR-A-05601_P03)
- Plot 02 -L02-L03 Floor Plan (5933974-2278-GHA-02-02-DR-A-05602_P02)
- Plot 02 -L04-L06 Floor Plan (5933973-2278-GHA-02-04-DR-A-05604_P01)

- Plot 02 -L08-L13 Floor Plan (5934023-2278-GHA-02-08-DR-A-05608_P03)
- Plot 02 -L14-L15 Floor Plan (5933969-2278-GHA-02-14-DR-A-05614_P01)
- PLOT 03 - Bay study (sheet 1 of 4) (2278-GHA-03-ZZ-DR-A-21110_P03)
- PLOT 03 - Bay study (sheet 2 of 4) (2278-GHA-03-ZZ-DR-A-2111_P03)
- PLOT 03 - Bay study (sheet 3 of 4) (2278-GHA-03-ZZ-DR-A-21112_P03)
- PLOT 03 - Bay study (sheet 4 of 4) (2278-GHA-03-ZZ-DR-A-21113_P02)
- PLOT 03 - L00 Ground Flood Plan (2278-GHA-03-00-DR-A-05700_P03)
- Plot 03 - L07 Floor Plan (5890650-2278-GHA-03-07-DR-A-05707_P02)
- Plot 03 - L19-L21 Floor Plan (5890660-2278-GHA-03-19-DR-A-05719_P02)
- Plot 03 – North East & North West Elevations (Sheet 1 of 3) (5890707-2278-GHA-03-ZZ-DR-A-05750_P02)
- Plot 03 – North West & South East Internal Elevations (Sheet 3 of 3) (5890725-2278-GHA-03-ZZ-DR-A-05752_P01)
- Plot 03 – RL Floor Plan (2278-GHA-02-17-DR-A-05617_P02)
- Plot 03 - RL Floor Plan (5890661-2278-GHA-03-22-DR-A-05722_P02)
- Plot 03 - Section A-A & B-B (5890408-2278-GHA-03-ZZ-DR-A-05760_P01)
- Plot 03 - South East & South West Elevations (Sheet 2 of 3) (5890722-2278-GHA-03-ZZ-DR-A-05751_P02)
- Plot 03 -L01 Floor Plan (5933963-2278-GHA-03-01-DR-A-05701_P03)
- Plot 03 -L02 -L06 Floor Plan (5933962-2278-GHA-03-02-DR-A-05702_P03)
- Plot 03 -L08-L17 Floor Plan (5933961-2278-GHA-03-08-DR-A-05708_P03)
- Plot 03 -L18 Floor Plan (5933960-2278-GHA-03-18-DR-A-05718_P01)
- Proposed Site Plan (5890399-2278-GHA-ZZ-ZZ-DR-A-05011_P02)
- RL GA Roof Plan (5933944-2278-GHA-ZZ-RL-DR-A-05122_P03)
- Roof General Arrangement Plan Sheet 01 of 02 (5892121-08. 3082-PLA-XX-XX-DR-ZZ-0001)
- Roof General Arrangement Plan Sheet 02 of 02 (5892122-08. 3082-PLA-XX-XX-DR-ZZ-0002)
- Roof Terrace General Arrangement Plan Level 01 (5892117-08. 3082-PLA-XX-XX-DR-L01-0001)
- Roof Terrace General Arrangement Plan Level 07 (5892119-08. 3082-PLA-XX-XX-DR-L07-0001)
- Roof Terrace General Planting Plan Level 01+ 07 (5892123-08. 3082-PLA-XX-XX-DR-ZZ-2001)
- Roof Terrace Tree Planting Plan Level 01+ 07 (5892124-08. 3082-PLA-XX-XX-DR-ZZ-2002)
- Section 38 + Section 247 plan (5893463-216199_PD04 Rev G)
- Section 38 + Section 247 plan Site Plan background (5893464-216199_PD05 Rev G)
- Site Context Sections - Existing (Sheet 1 of 2) (5890411-2278-GHA-ZZ-ZZ-DR-A-05025_P02)
- Site Context Sections - Existing (Sheet 2 of 2) (5890413-2278-GHA-ZZ-ZZ-DR-A-05026_P02)

- Site Context Sections - Proposed (Sheet 1 of 2) (5890414-2278-GHA-ZZ-ZZ-DR-A-05400_P02)
- Site Context Sections - Proposed (Sheet 2 of 2) (5890421-2278-GHA-ZZ-ZZ-DR-A-05401_P02)
- Site Location Plan (5890392-2278-GHA-ZZ-ZZ-DR-A-05001_P02)
- Site sections Sheet 1 of 3 (5892113-08. 3082-PLA-XX-XX-DR-L00-4000)
- Site sections Sheet 2 of 3 (5892114-08. 3082-PLA-XX-XX-DR-L00-4001)
- Site sections Sheet 3 of 3 (5892116-08. 3082-PLA-XX-XX-DR-L00-4002)

Reason: To ensure a satisfactory standard of development and to allow the local planning authority to review any potential changes to the scheme.

3 Phasing

Prior to commencement of development, a plan showing the full demolition and construction phasing for the development must be submitted and approved in writing by the Local Planning Authority. The development must be carried out in accordance with the approved phasing plans unless otherwise approved in writing by the Local Planning Authority

Reason: To ensure that the development is consistent with the principles of good planning in accordance with the requirements of the NPPF and Local Plan policies LP1 and LP2.

4 Contaminated Land

No development shall occur until:

- a) a preliminary risk-assessment has been submitted to and approved in writing by the local planning authority.
- b) a site-investigation shall be conducted to consider the potential for contaminated-land and shall be submitted to and approved in writing by the local planning authority.
- c) a remediation method statement, described to make the site suitable for, intended use by removing unacceptable risks to sensitive receptors, shall be submitted to and approved in writing by the local planning authority.

Prior to first occupation:

The remediation shall be completed and a verification report, produced on completion of the remediation, shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors, having regard to paragraph 187 of the NPPF and Local Plan policy LP14.

5 Contamination verification

Within 3 months of occupation of each phase of the development, a verification report demonstrating the completion of the works set out in the approved remediation statement and the effectiveness of the remediation shall be submitted to and approved in writing by the local planning authority. The report shall include results of sampling and monitoring completed to demonstrate that the site remediation criteria for the approved uses have been met.

Reason: To ensure that remedial measures have been undertaken and the environmental risks have been satisfactorily managed so that the site is deemed suitable for use to accord with Local Plan policies LP2 and LP14 coupled with the requirements of the NPPF.

6 Contaminated Land (EA)

No development shall take place until a strategy to deal with the potential risks associated with any contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following:

- a) a preliminary risk assessment which has identified:
 - i. all previous uses;
 - ii. potential contaminants associated with those uses;
 - iii. a conceptual model of the site indicating sources, pathways and receptors; and
 - iv. potentially unacceptable risks arising from contamination at the site.
- b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- c) The results of the site investigation and the detailed risk assessment referred to in (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The development shall thereafter be carried out in accordance with these approved details.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with paragraph 187 of the NPPF and Local Plan policy LP14.

7 Verification report (EA)

Prior to any part of the permitted development being occupied a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling

and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 187 of the NPPF and Local Plan policy LP14.

8 Contamination not previously identified (EA)

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted and obtained written approval from the local planning authority for a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the local planning authority.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 187 of the NPPF and Local Plan policy LP14.

9 Piling risk assessment (EA)

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated by a piling risk assessment that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with these approved details.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 187 of the NPPF and Local Plan policy LP14.

10 SuDS (EA)

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph of the NPPF and Local Plan policy LP14.

11 Sustainable drainage

Prior to the commencement of development on each phase (excluding demolition and site clearance), details of the sustainable drainage features, including blue roofs,

rain garden and other attenuation features, shall be submitted to and approved in writing by the local planning authority. The submitted details shall:

- a) provide information about the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- b) include a timetable for its implementation; and
- c) provide a management and maintenance plan for the lifetime of the development including any other arrangements to secure the operation of the scheme throughout the lifetime of the development.

The sustainable drainage features shall be implemented in accordance with the approved details and thereafter be maintained for the lifetime of the development, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the development is in accordance with London Plan policy SI12 and SI13 and Local Plan policy LP12.

12 Flood risk assessment

The development hereby approved shall be built in accordance with the substituted Flood Risk Assessment dated January 2024 (including the implementation of the mitigation measures) and the Substituted Drainage Strategy dated January 2024 both produced by Apex Consulting Engineers and approved by the local planning authority. The mitigation measures shall be fully implemented prior to occupation of each building and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may be agreed, in writing, by the Local Planning Authority.

Reason: To ensure that the development is in accordance with the Flood and Water Management Act 2010, London Plan policy SI12 and Local Plan policy LP12.

13 Flood Warning and Evacuation Plan (GLA)

Prior to the first occupation of any part of the development hereby consented, a Flood Warning and Evacuation Plan shall be submitted to and approved in writing by the Local Planning Authority.

The Flood Warning and Evacuation Plan shall:

- a) State how occupants will be made aware that they can sign up to the Environment Agency Flood Warning services;
- b) State how occupants will be made aware the plan itself;
- c) Provide details of how occupants should respond in the event that they receive a flood warning, or become aware of a flood
- d) Details of how occupants should respond in the event that they receive a flood warning, or become aware of a flood
- e) State the measures that will be implemented to provide appropriate refuge, as well as safe and efficient evacuation for occupiers, in a flood event;
- (f) Provide details of any flood mitigation and resilience measures designed into the scheme post-permission additional to those secured at planning application approval stage.

The approved Flood Warning and Evacuation Plan shall be implemented prior to the first occupation of the buildings hereby approved and shall be carried out in accordance with the approved details and remain in place for the lifetime of the development.

Reason: To ensure that a strategy is in place that will reduce the risk to occupiers in the event of a flood, given that part of the site is at risk of surface water flooring, in accordance with the requirements of the NPPF and Local Plan policy LP12.

14 Flood safety

Notwithstanding the details provided within the Flood Risk Assessment dated January 2024 and the Substituted Drainage Strategy dated January 2024 both produced by Apex Consulting Engineers, a detailed Flood Warning and Evacuation Plan (FWEP) shall be submitted to and approved in writing by the local planning authority prior to the occupation of each phase of the development. The FWEP shall include:

- a) A commitment and methodology to ensure that building occupiers sign up and respond to Environment Agency flood warnings, including details of Flood Alert/Warning levels, flood alert notices and a site-specific escalation plan.
- b) A detailed evacuation procedure (including post-evacuation actions) and relevant maps to highlight evacuation routes. Details of temporary refuge sites should be included and also displayed on a map.
- c) Key contact details for emergency services and other relevant organisations who may be involved in the emergency management of the site if a flooding event were to occur.
- d) A commitment from the owner to ensure that the plan is reviewed every year and kept up to date.

The development shall be carried out in accordance with the approved FWEP and these measures shall be retained in perpetuity for the lifetime of the development unless alternative details are approved by the local planning authority.

Reason: To ensure that the development is in accordance with the Flood and Water Management Act 2010, London Plan policy SI12 and Local Plan policy LP12.

15 Water network capacity

Prior to the occupation of the development, details shall be submitted and confirmed in writing by the local planning authority in consultation with Thames Water that either:

- a) all water network upgrades required to accommodate the additional demand to serve the development have been completed; or
- b) a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied.

Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: The development may lead to no or low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

16 Thames Water (waste-water upgrade / development infrastructure plan)

The development hereby approved shall not be occupied beyond a peak discharge of 6.8 l/s until confirmation has been provided to the Local Planning Authority and Thames Water that either:

- a) All combined wastewater network upgrades required to accommodate the additional flows from the development have been completed; or
- b) A development and infrastructure phasing plan has been agreed with Thames Water to allow additional development to be occupied.

Where a development and infrastructure phasing plan is agreed, no occupation of those additional dwellings shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents.

17 Thames Water (surface water network upgrades / development infrastructure plan)

The development hereby approved shall not be occupied until confirmation has been provided that either:-

- a) All surface water network upgrades required to accommodate the additional flows from the development have been completed; or
- b) A development and infrastructure phasing plan has been agreed with Thames Water to allow additional development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation of those additional dwellings shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid flooding and/or potential pollution incidents.

18 Thames Water (Piling)

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure.

19 Thames Water (All water network upgrades / development and infrastructure phasing plan)

The development hereby approved shall not be occupied until confirmation has been provided that either:-

- a) All water network upgrades required to accommodate the additional demand to serve the development have been completed; or
- b) A development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

20 Thames Water (construction within 5m of the water main)

No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure.

21 Thames Water (Source Protection Strategy)

No development (excluding demolition and site clearance) shall take place until a Source Protection Strategy detailing, how the developer intends to ensure the water abstraction source is not detrimentally affected by the proposed development both during and after its construction has been submitted to and approved by the local planning authority in consultation with the water undertaker. The development shall be constructed in line with the recommendations of the strategy.

Reason: To ensure that the water resource is not detrimentally affected by the development.

22 Archaeology

No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the

programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works. If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

- a) Where appropriate, details of a programme for delivering related positive public benefits
- b) The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Reason: In order to safeguard the archaeological interest of this site, in accordance with NPPF paragraph 206 and Local Plan policy LP3.

23 Digital connectivity infrastructure strategy

No development shall take place until (except for demolition and site clearance), detailed plans demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure within the development has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved plans and maintained as such in perpetuity.

Reason: To provide high quality digital connectivity infrastructure to contribute to London's global competitiveness, in accordance with the requirements of the NPPF, London Plan policy SI 6 and Local Plan policy LP22 Utilities.

24 PM10 Monitoring Condition

During each four construction sub-phases of the proposed development (demolition, earthworks, construction, and trackout), PM10 continuous monitoring shall be carried out on site. Parameters to be monitored, duration, locations and monitoring techniques must be approved in writing by Wandsworth Council prior to commencement of monitoring.

Reason: To manage and prevent further deterioration of existing low-quality air across London and to ensure safe and suitable access to the development and the surrounding road network in accordance with the NPPF, London Plan policy SI1 and Local Plan policy LP14.

25 Details of site levels

Full details of existing and proposed site levels shall be submitted to and approved by the Local Planning Authority before the development hereby approved is

commenced (excluding demolition and site clearance). The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure the development relates satisfactorily to its surroundings, and in accordance with Local Plan policies LP1 and LP2.

26 Demolition, construction environmental management plan

Prior to the commencement of any development, including demolition, a detailed Demolition and Construction Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the Local Planning Authority. The DCEMP shall be written in accordance with the Control of Dust and Emissions during Construction and Demolition SPG 2014 and shall identify the steps and procedures that will be implemented to minimise the creation and impact of noise, vibration, dust and other air emissions resulting from the site preparation, demolition, and groundwork and construction phases of the development. It shall include a Dust Management Plan (DMP), based on an Air Quality and Dust Risk Assessment and a Construction Logistics Plan (CLP), shall be submitted to and approved, in writing, by the local planning authority. The DMP and the CLP will need to detail the measures to reduce the impacts during the construction phase and include the following:

- a) A description of the types of vehicle to be used;
- b) An estimate of how many vehicle trips the construction will generate per working day
- c) Time of vehicle arrival and departure
- d) Details of traffic management proposals to keep all road users safe throughout the construction period
- e) Construction traffic routing through the area and the development site and an enforcement system for breach of its provisions
- f) Vehicle tracking which show how the largest vehicle needing access during demolition and construction can gain safe access and egress from the site without having an impact on other road users or access to adjoining premises
- g) Details of wheel washing facilities to be provided
- h) Confirmation that employees will be able to travel to the site by sustainable modes
- i) Piling or other penetrative methods of foundation design in relation to risks to underlying groundwater
- j) Measures to monitor, control and mitigate dust and air quality impacts
- k) Measure to protect controlled waters
- l) Measures to deal with unexpected contamination on site
- m) Details of security of the construction site in relation to adjacent sites
- n) A construction waste and material management, transportation and disposal strategy
- o) The construction delivery booking and construction vehicle holding arrangements
- p) The construction phasing and agreed routes and timings and
- q) A travel plan for staff/personnel involved in construction

The development shall not be implemented other than in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To manage and prevent further deterioration of existing low-quality air across London and to ensure safe and suitable access to the development and the surrounding road network in accordance with the NPPF, London Plan policy S11 and Local Plan policy LP14.

27 Construction Environmental Management Biodiversity Plan

Prior to the commencement of development, a Construction Environment Management Biodiversity Plan shall be submitted to and be approved in writing by the local planning authority. The CEMBP shall include measures to mitigate the construction effects as part of a coordinated and collaborative approach with surrounding developments and shall include, but not be limited to, the following details:

- a) If any works are to take place during the nesting season (February-September) a site walk over is required to be carried out at least 48 hours prior to commencement by a named CIEEM accredited ecologist with experience working in London, to assess for evidence of use of the site (including all buildings, any construction materials onsite and any trees) by any nesting birds. In the event that a nest is found, an appropriate exclusion zone should be implemented around it until the young have fully fledged (Wildlife and Countryside Act 1981 (as amended)). The law protects all wild bird species, their eggs and nests.
- b) Details of measures to be taken to ensure that retained and adjacent habitats, will not be used for storage or impacted negatively by the works (including, but not limited to vehicle movement, lighting, dust, litter, noise etc.);
- c) A construction lighting plan outlining how lighting will be prevented from negatively impacting any protected and priority species during construction, in particular commuting bats, as well as the nearby railway lines. This construction lighting plan should follow best practice industry guidance outlined in the Bat Conservation Trust (BCT) and Institute of Lighting Professionals (ILP) Guidance Note (2018).
- d) Details of measures to prevent mammal, amphibian or reptile entrapment or harm on site, including in excavations and construction and waste materials left on site
- e) An Invasive Non-Native Species (INNS) plan detailing the measures to be taken to manage any INNS discovered onsite (including species on the London Invasive Species Initiative (LISI) list), including but not limited to buddleia (*Buddleja davidii*), in line with best practice for London, including details of the appropriate waste disposal for arising materials and measures to prevent recurrence.

The development shall then be carried out in accordance with the approved details.

Reason: To ensure construction works and traffic impacts are minimised, to protect amenities of neighbouring occupiers and biodiversity and to mitigate the impacts of development on protected species, in accordance with Local Plan policy LP55 and London Plan policy G6. The details are required prior to the start of the works so that the necessary precautions and mitigation measures can be implemented prior to construction works commencing.

28 Hard and soft landscaping

Notwithstanding the details shown on the approved drawings and documents, prior to commencement of above ground works of each phase, a hard and soft landscaping

scheme, to include landscaping and treatment of parts of the site not covered by buildings (including external roof terraces) shall be submitted to and approved in writing by the local planning authority. These details shall include:

- a) Vehicle and pedestrian access and circulation areas;
- b) Hard surfacing materials;
- c) Soft landscaping including the species and height of tree planting and root volumes, shrubs, hedges, and any species included as part of the biodiverse roofs and rain gardens, with priority given to native and wildlife friendly species, including night scented species;
- d) A detailed specification (with annotated dimensions) of play equipment and associated safety features;
- e) Minor artefacts and structures including furniture, equipment, refuse and other storage units, wayfinding, signage and ecology sensitive lighting in accordance with the Bat Conservation Trust and ILP 2023 Guidance).
- f) Boundary treatments including gates and bollards controlling vehicular access, and
- g) Existing/proposed functional services above and below ground (e.g. drainage power; communications cables, pipelines, indicating lines, manholes, supports).

The landscaping scheme shall be carried out in accordance with the approved details and completed prior to the occupation of the development, or in accordance with any other scheme agreed in writing by the Local Planning Authority.

All planting must be completed within the next planting season after first occupation. Any trees or shrubs planted (including any such replacements) which die within five years from the date of planting shall be replaced in the next planting season with others of similar size, species and maturity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance, provide tree planting and biodiversity improvements, in accordance with the requirements of the NPPF, London Plan policies G5 and G6 and Local Plan policies LP1 and LP55.

29 Tree Protection and Pre-Commencement Site Visit

No development shall take place within each phase until the tree protection measures as detailed in the Arboricultural Method Statement produced by Arbtech dated 22 January 2024 have been installed and these shall be retained as approved throughout the duration of works required to implement the approved development. The applicant shall arrange a pre-commencement meeting with the Local Planning Authority and the applicant's project arboriculturist to allow inspection of the protection measures once in situ. All arboricultural protection information and plans submitted as part of the application and listed in the approved drawings condition, shall be implemented and adhered to at all times during the construction process unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the existing trees in the interest of the amenity of the area in accordance with the requirements of the NPPF, London Plan policies G5 and G6 and Local Plan policies LP1 and LP55.

30 Landscape ecological enhancement management plan

Notwithstanding the details shown on the approved drawings and documents, prior to any above ground works, a Landscape and Ecological Enhancement Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of all measures to provide biodiversity gain onsite and offsite, including (but not limited to):

- a) Details of native and wildlife friendly planting, including mixed native species hedging and border and night scented species. The species list should indicate which species are native the wildlife value;
- b) Details of all biodiverse roofs (including any Biosolar roofs) including details of extensive substrate base, features to be included within the substrate (including logs, rope coils, sand, gravel) and details of any seeding/plug plant choice with an emphasis on wildlife friendly planting (in accordance with The Gro Green Roof Code 2021);
- c) Orientation, target species and location for at least twelve integrated swift bricks/boxes and at least six bat boxes to be integrated with the new buildings;
- d) A bat sensitive post-construction lighting plan, including lux spill diagrams, to ensure that any lighting will be of a specification that minimises its impacts on bats, onsite habitats and the adjacent Wimbledon Common and Putney Heath SINC in accordance with the BCT and ILP 2023 Guidance Note (including having a colour temperature of <2700k and no uplighters).
- e) Details on the management to be implemented post-construction shall also be submitted, which shall include management responsibilities and maintenance schedules for all hard and soft landscaped areas as well as the above-mentioned measures to provide biodiversity gain.

The Ecological Enhancement Management Plan shall also include a management plan to be implemented, which shall include long-term design objectives; management responsibilities and maintenance schedules for all hard and soft landscaped areas as well as the above-mentioned measures to provide biodiversity gain. The approved details shall be implemented prior to the first occupation of the development and maintained thereafter.

Reason: To ensure a satisfactory appearance, provide tree planting and biodiversity improvements, in accordance with the requirements of the NPPF, London Plan policies G5 and G6 and Local Plan policies LP1 and LP55.

31 Biodiversity net gain

Notwithstanding the details shown on the approved plans and set out in the supporting information, details of all Biodiversity Net Gain shall be submitted to and approved in writing by the local planning authority prior to above ground works. Details shall include:

- a) Completed Biodiversity Net Gain Plan
- b) Completed statutory metric with the Pre-development and post-development habitat values.

The development shall then be carried out in accordance with these approved details.

Reason: In the interest of ensuring there is no net loss of habitats, no harm to species populations and to ensure the provision of biodiversity gain in accordance with the requirements of the NPPF, London Plan policy G6 and Local Plan policy LP55.

32 Details of lighting

Prior to the commencement of the above ground works, details of the illumination of the building, including the lighting levels and times of illumination and position and design of methods of illumination, shall be submitted to and approved in writing by the local planning authority. This shall include details of the any lighting being proposed in relation to existing biodiversity features and proposed biodiversity enhancements, including (but not limited to):

- a) Locations of external lighting fixtures;
- b) details of the type of lighting to be used;
- c) colour coded lux levels plan (showing lux levels in relation to the biodiversity enhancements and the adjacent railway, railway arches and any green roofs); and
- d) details of how light spill will be prevented from falling onto any biodiversity enhancements such as planting, biodiverse roofs and bat and bird boxes/bricks. (This should include light spill from windows). Along with biodiversity enhancements onsite, light spill on the adjacent railway line and railway arches also needs to be avoided.

This lighting plan must follow best practice industry guidance produced by the Bat Conservation Trust and Institute of Lighting Professionals ('Bats and artificial lighting in the UK (Guidance note 08/18)' (2018) and 'Landscape and Urban Design for bats and biodiversity.' (2012)) See also Annex 3 of the Ecological Appraisal Report (page 30) for further guidance. Light levels around any biodiversity features must be less than 1 lux. The development shall be carried out in accordance with the approved details and retained/managed thereafter.

Reason: To ensure a satisfactory appearance, residential amenity, and to prevent harm to protected and priority species, and to provide biodiversity gain, in accordance with the requirements of the NPPF and Local Plan policy LP4.

33 Landscape works

The landscape works and planting (including all street furniture and other minor artefacts) shown on the approved drawings shall be carried out prior to the occupation of the development, or in accordance with a programme agreed in writing with the local planning authority submitted pursuant to this condition. Should any planting die or become diseased within 5 years, this shall be replaced with a similar species/size.

Reason: To ensure a satisfactory appearance and to provide biodiversity interest, in accordance with the requirements of the NPPF and Local Plan policies LP1, LP2, LP55 and LP56.

34 Landscape management

Notwithstanding the details shown on the approved plans and set out in the supporting information, a Landscape Maintenance and Management Plan shall be submitted to and approved in writing by the local planning authority prior to the commencement of any above ground works. The Plan shall include details of all measures to provide biodiversity gain, including but not limited to:

- a) Details of planting including species (including pollinator friendly plant species where appropriate);
- b) Details of the green wall including the type of system and species to be planted;
- c) Details of all biodiverse roofs (including any Biosolar roofs) including details of extensive substrate base, features to be included within the substrate e.g. rope coils, sand, gravel, etc., and details of any seeding/plug plant choice (in accordance with The Gro Green Roof Code 2021);
- d) Details on the management to be implemented post-construction shall also be submitted, which shall include management responsibilities and maintenance schedules for all hard and soft landscaped areas as well as the above-mentioned measures to provide biodiversity gain.

The approved details shall be implemented prior to first occupation of the development and maintained thereafter.

Reason: To protect the biodiversity of the area in accordance with the requirements of the NPPF and Local Plan policies LP1, LP2 and LP55.

35 Fire Safety Statement Compliance

The development hereby approved shall be built out in accordance with the approved Fire Safety Statement dated 1 July 2024 and produced by Scott Hall and approved by the local planning authority.

Reason: To minimise the risk to life and minimise building damage in the event of a fire, in accordance with the NPPF; and policies D11 and D12 of the London Plan 2021 and Local Plan policy LP27.

36 Fire Safety and Evacuation Strategy

Prior to occupation of each phase, a Fire Safety and Evacuation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall only be carried out in accordance with these approved details.

Reason: To minimise the risk to life and minimise building damage in the event of a fire, in accordance with the NPPF; and policies D11 and D12 of the London Plan 2021 and Local Plan policy LP27.

37 Secured by Design

The development hereby permitted shall achieve a minimum silver award of the Secure by Design for Homes (March 2019) and Commercial (2015 Guide Version 2) or any equivalent document superseding the guidance. A certificated Post Construction Review, or other verification process agreed with the Local Planning Authority, shall be provided upon completion, confirming that the agreed standards have been met, unless otherwise agreed in writing by the local planning authority.

Reason: In pursuance of the Local Planning Authority's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions and to improve community safety and crime prevention, in accordance with the NPPF.

37 External lighting and security surveillance equipment strategy

Prior to the occupation of each phase, an External Lighting and Security Surveillance Equipment Strategy shall be submitted to and approved in writing by the local planning authority. The Strategy shall provide details of all external lighting (including design, power and position of luminaries, and any dim-down and turn-off times); and the security surveillance equipment to be installed on the buildings and within all external areas at all levels of the building.

All the external lighting proposed by the External Lighting and Security Surveillance Equipment Strategy shall demonstrate compliance with the Institute of Lighting Professionals Guidance Note 01/20 'Guidance notes for the reduction of obtrusive light'. The development shall not be carried out other than in accordance with the approved Final External Lighting and Security Surveillance Equipment Strategy.

Reason: In order that the local planning authority may be satisfied as to the details of the development in the interest of the visual amenity of the area, the safety and security of persons using the area and the amenity and privacy of adjoining occupiers in accordance with the requirements of the NPPF and Local Plan policy LP4.

38 Details of materials

Notwithstanding any material specified in the application documents hereby approved, prior to the commencement of above ground works of each phase, details and samples of materials (to include on-site 'mock-up panels' minimum size 2m x 2m) proposed to be used on all external surfaces of each building and the associated hard surfacing materials shall be submitted to and approved in writing by the Local Planning Authority. This shall include detailed drawings of key areas (including, but not limited to, entrances, typical window detail, bay studies and key interfaces at a scale of at least 1:20). The development shall be carried out in accordance with these approved details and be retained thereafter unless otherwise approved by the local planning authority.

Reason: In order to assess the suitability of the proposed materials in the interest of the appearance of the locality in accordance with the requirements of the NPPF and Local Plan policies LP1 and LP4.

39 Detailed Drawings (including sections)

Notwithstanding the details shown on the approved plans and set out in the supporting information, prior to the commencement of any above ground works (except for demolition works and site clearance) of each phase, detailed cross sectional drawings at a scale of 1:5 together with 1:50 scale contextual drawings of each building shall be submitted to and approved by the local planning authority of the following elements:

- a) Facades (reveals etc.) including:

- i. All façade treatments;
 - ii. Junctions of exposed structural elements (columns, beams and floors);
 - iii. Head, cills and jambs of openings;
 - iv. Parapets and roof edges;
 - v. Rooftop balustrades;
- b) Entrances (including any access sashes, security gates, entrance portals and awnings);
 - c) Typical windows;
 - d) Plant screening/ enclosure; and
 - e) Shopfront of the retail/service and the student accommodation foyer; and

The development shall then be carried out in accordance with these approved details.

Reason: In order that the Local Planning Authority may be satisfied that these samples will make an acceptable contextual response in material terms, will achieve a high quality of design and detailing, and are consistent with the consented scheme, in accordance with the requirements of the NPPF and Local Plan policies LP1 and LP4.

40 Boundary Treatment

Details of proposed boundary treatment(s) including bollards controlling vehicular access shall be submitted to and approved by the Local Planning Authority prior to their installation on site. Such details to include the siting, height, appearance and material(s). The boundary treatment(s) shall be installed in accordance with the approved details prior to the occupation of each phase of the development and retained as such.

Reason: In order to ensure the suitability of the boundary treatment in the interest of the appearance of the locality in accordance with the requirements of the NPPF and Local Plan policies LP1 and LP4.

41 Details of bird friendly glazing

Prior to commencement of above ground works of each phase, details of any large transparent windows, glazed balustrades or parapets to be made bird friendly to reduce the chances of collisions through the use of products such as bird-friendly fritted glass, patterned glass, parachute chords, netting, etc. shall be submitted to and approved in writing by the local planning authority.

The development shall then be implemented, retained and maintained in accordance with these details unless otherwise approved in writing by the local planning authority.

Reason: To prevent harm to protected and priority species, and to provide biodiversity gain, in accordance with Local Plan policy LP4.

42 Wind mitigation

Prior to the first occupation of any part of the development hereby approved, details of the proposed wind mitigation screens to be installed on the level 7 terraces for buildings 1 and 2 shall be submitted to and approved in writing by the Local Planning

Authority. The development shall be carried out in accordance with the approved details. All of the measures integrated shall be retained thereafter, unless otherwise agreed in writing by the local planning authority.

Reason: To comply with the mitigation measures to achieve an acceptable wind climate within the public realm in accordance with Local Plan policy LP14.

43 Energy strategy

The development shall be built in accordance with the approved Energy Statement dated July 2024 dated produced by Atelier Ten and the Sustainability Statement and BREEAM & HQM Pre-assessments dated January 2024 produced by Atelier Ten. Prior to occupation of each phase of the development, further details shall be submitted to and approved by the local planning authority to demonstrate how the 'Be seen' policy requirements will be met by the development and to include provisions to monitor, verify and report on the energy performance of the development. Evidence (e.g. photographs, copies of installation contracts and as-built worksheets prepared under SAP or the National Calculation Method) shall be submitted to and approved in writing by the local planning authority to demonstrate that the development has been carried out in accordance with the approved Energy and Sustainability Statement.

The installed measures shall be retained in accordance with the approved details unless otherwise agreed by the local planning authority.

Reason: To ensure the implementation of sustainable design, low carbon development and renewable energy in line with London Plan policy SI2 and Local Plan policy LP10.

44 Post construction circular economy monitoring report

Within 3 months of occupation, a post-construction circular economy monitoring report shall be completed in line with the GLA's Circular Economy Statement Guidance and shall be submitted to, and approved in writing by, the local planning authority (in consultation with the GLA).

Reason: In the interests of sustainable waste management and in order to maximise the re-use of materials in accordance with London Plan policy SI7 and Local Plan policy LP13.

45 Whole life cycle carbon monitoring

Within three months of occupation, a post-construction whole life-cycle carbon monitoring report shall be submitted to, and approved in writing by, the local planning authority (in consultation with the GLA). The development shall then be maintained in accordance with these approved details.

Reason: In the interests of sustainable waste management and in order to maximise the re-use of materials in accordance with London Plan policy SI7 and Local Plan policy LP13.

46 Details of photovoltaic panels

Notwithstanding the details set out in the Energy Statement, prior to occupation of each relevant building, details of the location, layout and specification of the photovoltaic panels to be installed on the roof of the building shall be submitted to and approved in writing by the local planning authority.

The approved details shall then be installed prior to the occupation of the development.

Reason: To ensure the implementation of sustainable design, low carbon development and renewable energy in accordance with London Plan policy SI2, and Local Plan policy LP10.

47 BREEAM

To achieve appropriate sustainability standards, unless otherwise agreed in writing by the local planning authority:

- a) Within 9 months of commencement of the development, a BREEAM Interim (Design Stage) Certificate, issued by the Building Research Establishment (BRE) or an equivalent accredited body, shall be submitted to and approved in writing by the local planning authority demonstrating that an 'Outstanding' rating will be achieved for the PBSA development, unless otherwise agreed in writing by the Local Planning Authority.
- b) Within 9 months of first occupation of the development, a BREEAM Final (Post Construction) Certificate, issued by the BRE or an equivalent accredited body, shall be submitted to and approved in writing by the local planning authority demonstrating that an 'Outstanding' rating has been achieved for the development, unless otherwise agreed in writing by the Local Planning Authority.

All of the measures integrated shall be retained for as long as the development is in existence, unless otherwise agreed in writing by the local planning authority.

Reason: To achieve appropriate sustainability standards in accordance with Local Plan policy LP10.

48 BREEAM Commercial Space

Prior to occupation of any commercial space within each building, a refurbishment and fit-out certificate demonstrating that an 'Excellent' BREEAM Level has been achieved for all of the commercial uses or if it can be demonstrated that 'Excellent' rating is not technically feasible then a minimum 'Very Good' rating has been achieved through the Building Regulations or other legislation, shall be submitted to and approved in writing by the Local Planning Authority. All of the BREEAM measures introduced in the development shall be retained in the development thereafter.

Reason: To ensure the implementation of sustainable design, low carbon development and renewable energy in line with Local Plan policy LP10.

49 Provision of refuse and recycling storage

Prior to first occupation of each phase, details/layout of the waste and recycling storage provision and collection arrangements for the student accommodation shall be submitted to and approved in writing by the Local Planning Authority. The

development shall thereafter be implemented in accordance with these approved details and the waste and recycling storage shall be retained for waste and recycling facilities throughout the lifetime of the development.

Reason: To ensure adequate provision is made for waste storage in accordance with the requirements of the NPPF and Local Plan policies LP1 and LP2.

50 Electric vehicle charging point

Before the first occupation of any part of the development hereby approved, details of the installation (including location and type) of the one electric vehicle charging point to serve the on-street Blue Badge parking space shall be submitted to and approved in writing by the Local Planning Authority.

The approved electric vehicle charger point shall be installed prior to occupation of any part of the development and shall not be carried out other than in accordance with these approved details.

Reason: To encourage more sustainable travel, in accordance with the requirements of the NPPF and Local Plan policy LP51.

51 Car Parking Management Plan

Notwithstanding the details shown in the draft Car Parking Management Plan, prior to the occupation of each building, a Final Car Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Car Parking Management Plan shall include the following:

- a) Details of the car park layout;
- b) Details of the proposed allocation of and arrangements for the management of parking spaces including disabled parking bays;
- c) Details of the provision of Electric Vehicle Charging Point (EVCP);
- d) The provision of a cargo bike bay;
- e) Details of the Management of controlled entry; and
- f) (Details of the safety and security measures to be incorporated within the development to ensure the safety of the car parking areas.

The car parking shall be provided, retained and managed in accordance with the approved Final Car Parking Management Plan thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not lead to the obstruction of adjacent streets, in accordance with policies of the development plan in particular London Plan policy T6 and Local Plan policy LP51.

52 Cycle parking

Notwithstanding the details shown on the approved plans, details of the long and short stay cycle parking spaces shall be submitted to and approved in writing by the local planning authority prior to occupation of each phase of the development. At least 5% of the cycle parking spaces should be larger spaces able to accommodate larger and adapted cycles. All cycle parking should be designed in accordance with the guidance in Chapter 8 of the London Cycling Design Standards. The details

hereby approved shall be provided prior to first occupation of the development and retained thereafter for use at all times and shall not be obstructed.

Reason: To ensure adequate provision is made for cycle parking in accordance with the requirements of the NPPF, policy T5 of the London Plan and Local Plan policy LP51

53 Travel plan

Notwithstanding the details in the substituted Travel Plan dated 11 January 2024 produced by SLR, detailed Travel Plans for the residential, commercial and student accommodation shall be submitted to and approved by the Council prior to the occupation each use within of the development. The Travel Plans should include targets for a reduction in car mode share and an increase in sustainable transport modes within the first 5 years and measures to achieve this and should be implemented in accordance with the approved documents which will include arrangements for monitoring and review. This shall demonstrate how employee trips can be made by sustainable modes of transport from year one of the operation of the travel plan. The transport modes shall include details of nearby riverbus services and related walking routes.

Reason: To encourage the use of alternative means of travel to the private car and encourage greater use of public transport, cycling and walking as an alternative, and to ensure that the development does not cause highway safety issues by increasing pressure on on-street parking. This is in accordance with the requirements of the NPPF and Local Plan policy LP51.

54 Highways works

Prior to above ground works, details of works and the ability of the applicant to control necessary (third party) land to construct the proposed inset loading bay and vehicular crossover egress on the New Covent Garden Market access road have been submitted to and approved in writing by the Local Planning Authority.

The approved details shall be implemented and thereafter retained prior to first occupation of the site.

Reason: To ensure sufficient access and servicing of the site, as compliance with the requirements of the condition at a later time would result in acceptable harm contrary to the requirements of the NPPF and Local Plan policy LP51.

55 Delivery and servicing

Notwithstanding the detail shown on the approved drawings and documents, a Final Delivery and Servicing Management Plan shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of each phase of the development. The submitted details must include (but not limited to) the following:

- a) The frequency of deliveries to the site;
- b) The frequency of other servicing vehicles such as refuse collections;
- c) The dimensions of delivery and servicing vehicles;
- d) The proposed loading and delivery locations;

- e) A strategy to manage vehicles servicing the site; and
- f) The hours/days of deliveries for vehicles and the precautions and measure to be taken to mitigate noise impacts.
- g) Provision to make use of electric vehicles or vehicles powered by biofuels.

The Delivery and Servicing Management Plan shall thereafter be implemented as approved and retained and maintained thereafter for the lifetime of the development, unless otherwise approved in writing by the local planning authority.

Reason: In the interests of providing safe and suitable access to the development and to the surrounding road network and to protect the amenity of existing and future occupiers in accordance with the requirements of the NPPF and Local Plan policy LP51.

56 Construction hours

No construction work shall take place on site except between the hours of 8am to 6pm Mondays to Friday and 8am to 4pm on Saturdays and not at all on Sundays and Public Holidays.

Reason: In order to safeguard the amenities of neighbouring residents and the amenities of the locality in accordance with Local Plan policies LP2 and LP14.

57 Noise Control

Prior to first occupation of each phase of the development hereby approved a noise control scheme for external building services plant that will form part of the development shall be submitted to and approved in writing by the local planning authority which demonstrates that the following noise design requirements can be complied with and shall thereafter be retained as approved.

The cumulative measured or calculated rating level of noise emitted from the building services plant, shall be 10dB(A) below the existing background noise level, at all times that the mechanical system etc. operates.

The measured or calculated noise levels shall be determined at the boundary of the nearest ground floor noise sensitive premises or 1 metre from the facade of the nearest first floor (or higher) noise sensitive premises, and in accordance to the latest British Standard 4142;

An alternative position for assessment /measurement may be used to allow ease of access, this must be shown on a map and noise propagation calculations detailed to show how the design criteria is achieved.

The development shall then be implemented, retained and maintained in accordance with these details unless otherwise approved in writing by the local planning authority.

Reason: To mitigate impacts from potential noise and other nuisance generating activities or uses and to safeguard the amenities of the residential occupiers, in accordance with Local Plan policies LP2 and LP14.

58 Sound Attenuation

The building envelope of the development to which the application refers shall be constructed so as to provide sound attenuation against externally generated noise sources including road, rail, and aircraft, so as to achieve the internal ambient noise levels which do not exceed the guideline values contained in Table 4 of British Standard BS 8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings.

The measured or calculated noise levels shall be determined in accordance with British Standard 8233:2014. Any works which form part of the scheme shall be completed in accordance with the approved details before each phase is occupied and shall thereafter be retained as approved. Internal noise levels should be achieved with windows open for rapid ventilation purposes. Where this cannot be achieved alternative means of ventilation and cooling will be required. Where whole house ventilation is provided then acoustically treated inlets and outlets should ideally be located away from the façade(s) most exposed to noise.

The development shall then be implemented, retained and maintained in accordance with these details unless otherwise approved in writing by the local planning authority

Reason: To mitigate impacts from existing noise and other nuisance generating activities or uses on the development and to safeguard the amenities of the occupiers, in accordance with Local Plan policies LP2 and LP14.

59 Sound Insulation

Prior to first occupation of each phase of the development, a scheme for the sound insulation of the separating floor/ceiling between the ground floor commercial units and the proposed residential units shall be submitted to and approved in writing by the local planning authority. The scheme will reduce the transmission of noise from the use of the commercial units at ground floor and the proposed residential units.

The development shall then be implemented, retained and maintained in accordance with these details unless otherwise approved in writing by the local planning authority.

Reason: To mitigate impacts from potential noise and other nuisance generating activities or uses and to safeguard the amenities of the residential occupiers, in accordance with Local Plan policies LP2 and LP14.

60 External ventilation equipment

Notwithstanding the details shown on the approved plans, detailed drawings and specifications of the proposed heating and mechanical ventilation system including any internal/external air conditioning units, or any other external plant and equipment, shall be submitted to and approved in writing by the local planning authority prior to installation. Any exhaust flues shall be located at least 10m horizontal distance away from any openable windows and air intakes to ensure that the internal air quality is protected.

The proposed plant shall be designed to ensure that noise emanating from it is at least 10dB below the background noise levels when measured from the nearest sensitive receptors.

The development shall be carried out in accordance with these approved drawings and specifications and retained and maintained thereafter.

Reason: In order to assess the suitability of the proposed air conditioning units and in the interest of local visual amenity and to safeguard the amenities of adjoining occupiers, in accordance with Local Plan policies LP2 and LP14.

61 Noise mitigation measures

Notwithstanding the details shown on the approved plans details of screening, sound proofing, and other acoustic design measures shall be submitted to and approved by the local planning authority prior to installation. The details shall thereafter be retained and maintained as approved.

Reason: To mitigate impacts from existing noise and other nuisance generating activities or uses on the development in accordance with Local Plan policies LP2 and LP14.

62 Restricted opening hours

The Class E and F premises which are implemented pursuant to this planning permission shall not be open to customers other than between 0700 and 2330 in respect of any individually defined unit pursuant to this condition.

Reason: In order to safeguard the amenities of neighbouring residents and the amenities of the locality in accordance with Local Plan policies LP2 and LP14.

63 Retention of Design Team

The existing Design Team (including the architects and landscape designers) shall be retained to assist in the detailed design of the external appearance of the project including the landscaping unless otherwise approved in writing by the Local Planning Authority.

Reason: To maintain the design quality of the development through to the completion of the development, in the interest of the visual amenity of the area, in accordance with London Plan policy D4.

64 Access to roof terrace

The communal roof terrace shall be available for all occupants of the building for the lifetime of the development. The use of the external roof terraces shall not be permitted after the hours of 10.00pm or before 7.00am Monday-Sunday unless otherwise approved in writing by the local planning authority.

Reason: To safeguard the amenities of the neighbourhood and local residents, in accordance with Local Plan policies LP2 and LP14.

65 Wheelchair user student accommodation

Prior to the commencement of any above ground works the applicant shall submit written confirmation from the appointed building control body that the standards in BS8300 2:2018 (Design of an Accessible and Inclusive Built Environment) would be met in respect of the student accommodation units listed below. These student bedrooms shall be constructed as 'wheelchair adaptable' in accordance with BS8300 2:2018 and shall be provided prior to occupation and retained thereafter unless otherwise agreed in writing with the Local Planning Authority. The 'wheelchair adaptable' units are to be provided in the following locations:

Plot 02

Level 01: 1no studio
Level 02: 1no studio
Level 03: 1no studio
Level 04: 1no studio
Level 05: 1no studio
Level 06: 1no studio
Level 07: n/a
Level 08: 1no studio
Level 09: 1no studio
Level 10: 1no studio
Level 11: 1no studio
Level 12: 1no studio
Level 13: 1no studio

Plot 02

Level 01: 1no studio
Level 02: 1no studio
Level 03: 1no studio
Level 04: 1no studio
Level 05: 1no studio
Level 06: 1no studio
Level 07: n/a
Level 08: 1no studio
Level 09: 1no studio
Level 10: 1no studio
Level 11: 1no studio
Level 12: 1no studio
Level 13: 1no studio

Plot 03

Level 01: 2no cluster beds
Level 02: 3no cluster beds
Level 03: 3no cluster beds

Level 04: 3no cluster beds
Level 05: 3no cluster beds
Level 06: 3no cluster beds
Level 07: n/a
Level 08: 1no cluster bed
Level 09: 1no cluster bed
Level 10: 1no cluster bed
Level 11: 1no cluster bed
Level 12: 1no cluster bed
Level 13: 1no cluster bed
Level 14: 1no cluster bed
Level 15: 1no cluster bed
Level 16: 1no cluster bed
Level 17: 1no cluster bed

Reason: To ensure the development complies with the requirements of the NPPF, policy D7 of the London Plan and Local Plan policy LP28.

66 Wheelchair user residential accommodation

Prior to the commencement of any above ground works the applicant shall submit written confirmation from the appointed building control body that the standards in the Approved Document M of the Building Regulations 2015 (as amended) would be met in respect of the residential accommodation units listed below. The residential unit constructed as M4(3)(2)(a) 'wheelchair adaptable' shall be provided prior to occupation and retained thereafter unless otherwise agreed in writing with the Local Planning Authority. The 'wheelchair adaptable' units are to be provided in the following location:

Plot 01

Level 11: 2no 1B2P + 1no 2B4P

The residential units constructed as M4(3)(2)(b) 'wheelchair accessible' equivalent shall be provided prior to occupation and retained thereafter unless otherwise agreed in writing with the Local Planning Authority. The 'wheelchair adaptable' units are to be provided in the following locations:

Plot 01

Level 01: 1no 2B4P

Level 02: 1no 2B4P

Level 03: 1no 3B5P

The development shall be carried out in accordance with these approved details.

Reason: In order to ensure the development complies with the NPPF, policy D7 of the London Plan and Local Plan policy LP31.

66 Community use agreement

Use of the community unit shall not commence until a Community Use Agreement has been submitted to and approved in writing by the Local Planning Authority. The submitted Community Use Agreement shall set out (but not be limited to) measures to ensure the provision of the following:

- a) Details of how internal and external spaces will be used by the community;
- b) Details of management arrangements (including a programme of activities, pricing policy, hours of opening, operation and a mechanism for review)

The development shall be managed and maintained in accordance with the approved details for the lifetime of the development unless otherwise approved in writing by the local planning authority.

Reason: To secure a well-managed community facility which will meet the needs of existing and new residents in accordance with London Plan policy S1 and Local Plan policy LP17.

67 Commercial uses and floorspace

The units labelled 'Unit 1' and 'Unit 3' on drawing 2278-GHA-ZZ-00-DR-A-05100 Rev.P02 (Ground Floor Plan) shall be used only for purposes within Use Class E with a total gross internal floorspace of 182 sqm and shall not be amalgamated. Those units labelled 'Unit 2' and 'Unit 4' on the same plan shall be used for purposes within Use Classes E and/or F, and for no other purpose and the total gross internal floorspace of these flexible commercial/community units shall not exceed 284 sqm and shall not be amalgamated, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To prevent a large commercial unit being provided and to limit internal alterations and ensure that larger units are not implemented without prior consideration by the Local Planning Authority in accordance with Local Plan policies LP42 and LP44.

68 Restriction: Use of the flexible retail/service/dining floorspace

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 and any associated provisions of the Town and Country Planning General Permitted Development Order (including any future amendment of enactment of those Orders), and notwithstanding the other uses within Class E: - the flexible retail/service/dining floorspace hereby approved shall be used for Use Class E[a], E[b] and/or E[c] (retail, professional services and/or dining) purposes only; - the ancillary floorspace hereby approved shall be used for ancillary purposes to the above uses only; unless otherwise agreed by the Local Planning Authority.

Reason: To ensure the commercial space activates on this site are implemented as assessed in the application and to ensure a suitable mix of uses within the development and to safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity and/or parking pressures do not commence without prior approval in accordance with Local Plan policies LP42 and LP44.

69 Commercial Forecourt/Outdoor Space

Prior to occupation of any commercial unit within each building, details of any outside forecourt/outdoor space associated with any of those units shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the location, hours of use, any boundary treatment (temporary or permanent). The outdoor spaces shall be implemented in accordance with the details approved prior to first occupation of the relevant commercial unit within each building.

Reason: In the interests of the appearance of the development, the amenity of neighbouring residential properties and to ensure there is no street clutter in accordance with the requirements as set out within Local Plan policy LP8 and to ensure there is no impact on pedestrian/cycle movement required by Local Plan policy LP50.

70 NRMM

All Non-Road Mobile Machinery (NRMM) used during the course of the development that is within the scope of the Greater London Authority 'Control of Dust and Emissions during Construction and Demolition' Supplementary Planning Guidance (SPG) dated July 2014, or any subsequent amendment or guidance, shall comply with the emission requirements therein.

Reason: To manage and prevent further deterioration of existing low-quality air across London in accordance with London Plan policy SI1 and Local Plan policy LP14.

71 Roof paraphernalia

No water tanks, plant, lift rooms or other permanent structures, satellite dishes, telecommunications masts or equipment or associated structures (unless otherwise shown on the approved plans) shall be erected upon the roof of the approved building unless otherwise agreed in writing with the local planning authority.

Reason: To control the appearance of the building and safeguard the appearance of the area, in accordance with the requirements of the NPPF and Local Plan policy LP2.

72 Satellite dishes (PD restriction)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking, amending or re-enacting that Order) no satellite dishes, telecommunications masts, antennas or equipment or associated structures, shall be installed on the building hereby approved.

Reason: To protect the appearance of the building and accord with Local Plan policy LP2.

INFORMATIVES:

NPPF

In dealing with this application the council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive manner and the council has, as far as practicable, sought solutions to problems arising in relation to dealing with the planning application. We have made available detailed advice in the form of our statutory policies in the Local Plan and Supplementary Planning Documents and where appropriate the Site-Specific Allocations Document as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant during the processing of the application.

CIL – Community Infrastructure Levy

Community Infrastructure Levy (CIL): From the information available, it appears that the development permitted is subject to a Community Infrastructure Levy charge in accordance with the Community Infrastructure Levy Regulations 2010 (as amended). You or the relevant interested parties are required to provide the council with the information set out in the Regulations.

The process for the collection of CIL includes:

- the requirement to complete an "Assumption of Liability" form as soon as possible
- to claim charitable exemption, social housing relief, self-build exemption or residential annex/extension exemption you or the relevant interested party must complete the correct claim form
- The council will issue a Liability Notice(s) which details the charges due.
- As soon as the developer, landowner or other interested party(ies) is aware of the date when development is going to start they must also submit a "Commencement Notice".

Failure to comply with the Regulations, including failure to complete the forms when required or providing inaccurate information can lead to surcharges, invalidate claims for relief or exemption from the charge, or other penalties as set out in the Regulations.

General information on the Community Infrastructure Levy, including the forms mentioned above can be found on the Planning Portal (www.planningportal.gov.uk).

Details of the Mayoral CIL can be found on the GLA and TfL websites (www.london.gov.uk and www.tfl.gov.uk).

The Assumption of Liability Form, Claiming of Exemption or Relief Forms and Commencement Notice must be sent to:

Community Infrastructure Levy Environment and Community Services Wandsworth Council
Town Hall London SW182PU

cil@wandsworth.gov.uk

Fax: 020 8871 6003 (marked FAO CIL)

Any assessment of CIL liability by the council has been based on the information provided. Where the calculation of CIL liability includes taking account of the existing use of a building, CIL liability may change if the information provided in relation to the existing use(s) of buildings is not still current at the time of the decision which first permits development. This date will be the latest date of either: the date of this permission; the approval of the last pre-commencement condition associated with a phase of a phased planning permission; or for a phase of an outline permission granted in phases the date of permission of the last reserved matter or pre-commencement condition associated with that phase.

Thames Water

A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes toilets, showers, washbasins, baths, private swimming pools and canteens). Typical trade effluent processes include: Laundrette/laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc may be required before the Company can give its consent. Applications should be made at www.thameswater.co.uk or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.

The applicant is reminded that as per Building regulations part H paragraph 2.21, Drainage serving kitchens in commercial hot food premises should be fitted with a grease separator complying with BS EN 1825-2:2004 and designed in accordance with BS EN 1825-2:2002 or other effective means of grease removal. Thames Water further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Please refer to Thames Water's website for further information: www.thameswater.co.uk.

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water expects the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read their guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you are considering working above or near Thames Water's pipes or other structures.

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your->

[development/working-near-our-pipes](#) Should you require further information please contact Thames Water, email: developer.services@thameswater.co.uk.

Cranes

The applicant is advised that if cranes are required as part of the development, the applicant will need to liaise directly with the Heliport in accordance with current Civil Aviation Authority guidelines (<https://www.caa.co.uk/commercial-industry/airspace/event-and-obstacle-notification/crane-notification/>) and CAP1096 (<https://caa.co.uk/cap1096>). The applicant is also advised to contact the London Heliport at safeguarding@londonheliport.co.uk if technical safeguarding is required.

EA Advice - Groundwater and Contaminated Land Piling

With respect to any proposals for piling through made ground, we would refer you to the EA guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected By Contamination: Guidance on Pollution Prevention". NGWCL Centre Project NC/99/73. A Piling Risk Assessment (PRA) is required to demonstrate that the chosen piling method does not result in deformation of the ground that may lead to an increase in the risk of near-surface pollutants migrating to underlying aquifers. The risk assessment must investigate whether the water environment source-pathway-receptor linkages exist. Further guidance is available on the .gov web site.

Drainage: To protect vulnerable groundwater, there must be no discharge into land impacted by contamination or land previously identified as being contaminated and no direct discharge to groundwater, a controlled water. There must be no discharge to made ground.

Waste on-site: The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works is waste or has ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project
- some naturally occurring clean material can be transferred directly between sites

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

We recommend that developers should refer to:

- the position statement on the Definition of Waste: Development Industry Code of Practice
- The waste management page on GOV.UK

Waste off-site: Contaminated soil that is (or must be) disposed of as waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If you receive (or reject) any hazardous waste, you must send a report to the Environment Agency. These are known as 'returns'. If you dispose of hazardous waste at the premises where it's produced, you may also need to send returns. You should follow the guidance provided here: [Hazardous waste: consignee returns guidance](#).

Biodiversity Net Gain

The applicant is advised that the effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in

England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless:

- a) a Biodiversity Gain Plan has been submitted to the local planning authority, and;
- b) the local planning authority has approved the plan.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

Based on the information available this permission is considered to be one which will require the approval of a Biodiversity Gain Plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

Retention of the Design Team

The applicant is requested to make provision for the ongoing involvement of the original design team to monitor the design quality of the development through to completion.

Counter Terrorism Advice

The applicant is advised to use blast mitigation measures such as laminated glass and/or anti-shatter film within the buildings forming the proposed development.

PLANNING APPLICATIONS COMMITTEE – 14TH JANUARY 2025

LATE ITEMS OF CORRESPONDENCE

As of midday 14th January, the cut off for late submissions.

TO VIEW ON THE ONLINE APPLICATION FILE.

The link to this can be found on the 'Index of Applications' sheet of Paper
25/02

LOCAL PLAN UPDATE

The Council published its Regulation 19 draft Local Plan for consultation on 13th January. The Regulation 19 draft proposes updates to the wording of Policies LP23 (Affordable Housing), LP24 (Housing Mix), LP28 (Purpose-Built Student Accommodation), LP29 (Housing with Shared Facilities), LP30 (Build to Rent) and LP31 (Specialist Housing for Older and Vulnerable People).

Paragraph 49 of the NPPF identifies that local planning authorities may give weight to policies in emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to that plan, and the degree of consistency of the relevant policies between the emerging plan and the NPPF.

The Regulation 19 draft policies are material considerations in the determination of planning applications and applications which seek to meet the Council's draft policies prior to them being adopted should be supported and encouraged where possible. Until the point that the draft policies are adopted into the development plan, they cannot be given full weight however the amount of weight that can be given to them as material considerations will increase as the Local Plan Partial Review progresses.

As the Regulation 19 consultation is the first time the Council has published its draft policies in full, it is recognised there will be currently live applications that have been developed under the adopted Local Plan. At this stage of plan-making, we would recommend that limited weight is given to the draft policies in decision-making until such time that the responses to the current consultation have been analysed and the extent to which there are unresolved objections to each policy has been established. Following the conclusion of the consultation in late February, we would anticipate being able to provide further advice on the weight that can be given to individual policies and will update members in due course.

**Item 1 Booker Cash & Carry and BMW Car Service Garage 41-49 and 49-59
Battersea Park Road London SW8 5AL
Page 7-180 (2022/1835)**

An undated letter from the Applicant has been circulated to Members of the Planning Applications Committee which has been copied to officers.

Planning Application reference 2015/6813 was reported to the meeting of the Planning Applications Committee on **19th October 2016**, not March 2019 as referenced on **p.18, p.19** and **p.59**

First Round of Consultation p.22

2 letters of support from UCL and the City, University of London were received and should have been referred to in the committee report.

Climate Integrated Solutions (Independent Sustainability Consultant) January 2025: No further comment on the revised Energy Statement and Overheating Assessment, the findings are agreed.

London Plan Draft Guidance p.44

The London Plan Draft Guidance refers to the consultation draft of the Purpose-Built Student Accommodation (PSBA) dated October 2023. Members are advised that this London Plan Guidance was adopted in November 2024.

Heads of Terms p.135

Affordable Housing

Following advice from Housing Officers, a clause is to be included that 27 Social Rent (SR) homes are to be rented in perpetuity and not just the 28 London Living Rent (LLR) homes.

Highways

Reference to the provision of a car club bay is to be deleted from the Highways Heads of Terms as this has been superseded as part of the revised plans.

Children's Play Contribution

The Children's Play Contribution of £27,840 referenced in the draft Heads of Terms on p.137 is being specifically directed to provide a calisthenics station and "make space for girls" seating / feature in Heathbrook Park.

Biodiversity Informative p.180

The application benefits from transitional arrangements having been submitted before 12 February 2024. Therefore, the Biodiversity Informative is to be updated as highlighted below:

Biodiversity Net Gain The applicant is advised that the effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- a) a Biodiversity Gain Plan has been submitted to the local planning authority, and;
- b) the local planning authority has approved the plan.

~~There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.~~

~~Based on the information available this permission is considered to be one which will require the approval of a Biodiversity Gain Plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.~~

Item 2 Page 181
20 Lydden Road SW18 (2024/0574)

Representation received on behalf of the Applicant setting out the details of the proposed development and the reason officer recommendation to approve should be supported. This document was circulated to all Members in advance of the meeting.

Corrections to officers' report

Page 183, under Related Planning Applications section of the report, the status of the application for 17 Lydden Road (2023/1539) has now changed to APPROVED following the resolution taken on 12 December 2024 by PAC to grant planning permission for the proposed development.

CIL Estimate Update

Community Infrastructure Levy (CIL) estimate	
Mayoral CIL	£310,961.12
Borough CIL	£0.00

The actual amount of CIL can only be confirmed once all relevant details are approved and any relief claimed.

Item 3 Page 217
St George's Hospital, Blackshaw Road SW17 0QT (2024/2673)

Clarification/amendment to the trigger of the below conditions:

4. Condition AC21 - Detail of specific items

Prior to the commencement of the above ground works (**excluding demolition**), detailed drawings at a minimum scale of [1:20] (or other scale to be agreed in advance by the local planning authority) shall be submitted to and approved by the local planning authority. Such details shall include;

- bricks detailing; window reveals; window frames; projecting front canopy; door frames; junctions between changes in materials, fenestration detailing, roof/eaves detailing.

The development shall be constructed in accordance with the approved details and retained as such.

Reason: To ensure a high quality of development and to accord with policy LP1 of the Local Plan coupled with the requirements of the National Planning Policy Framework.

21. Condition AC68 - Landscaping scheme

~~Prior to completion of building superstructure, Prior to commencement of the above ground works~~ a landscaping scheme, to include landscaping and treatment of parts of the site not covered by buildings, shall be submitted to and approved in writing by the local planning authority. These details shall include hard landscaping works including proposed finished levels and contours; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; the lighting column design, height and material(s);; soft landscaping including the species, height and root volume of trees (including any replacement trees), shrubs, hedges, biodiverse roofs and all other planting with priority given to native and wildlife friendly species, including night scented species; minor artefacts and structures (e.g. furniture equipment, refuse or other storage units, ecologically sensitive lighting (in accordance with the Bat Conservation Trust and ILP Artificial Lighting Guidance); proposed and existing functional services above and below ground (e.g. drainage power; communications cables, pipelines, indicating lines, manholes, supports). The landscaping scheme shall be carried out in accordance with the approved details and completed prior to the occupation of the development, or in accordance with a programme agreed in writing with the local planning authority.

Reason: To ensure a satisfactory appearance, provide tree planting and biodiversity improvements, in accordance with Council policies LP1, LP55 and LP56 of the Local Plan and London Plan Policies G5 and G6. 22.

22. Condition AC11 - Landscape and Ecological Management Plan

Notwithstanding the details shown on the approved plans and set out in the supporting information, Landscape and Ecological Enhancement and Management Plans shall be submitted to and approved in writing by the local planning authority **prior to completion of building superstructure** ~~prior to the commencement of any above ground works~~. The Plan shall include details of all measures to provide biodiversity gain, including but not limited to: - details of wildlife friendly planting, including night scented species; - details of biodiverse roofs (including Biosolar roofs), including details of extensive substrate base, planting, with priority given to native wildflower species and features to be included within the substrate e.g. rope coils, sand, gravel, etc., and any seeding/plug plant choice (in accordance with The Gro Green Roof Code 2021); - orientation, target species and location for at least 10x swift boxes/bricks, 6x bee bricks and 5x bat box/ brick to be integrated with the building; - if lighting is required, a bat sensitive post-construction lighting plan (including a lux spill plan) to ensure that any lighting will be of a specification that minimises its impacts on bats and any onsite habitats as well as neighbouring gardens in accordance with the BCT and ILP 2023 Guidance Note (including having a colour temperature of The approved details shall be implemented prior to first occupation of the development and maintained thereafter.

Reason: To enhance the ecological interest of the site and to ensure that the ecological features are provided and maintained in a satisfactory manner in accordance with Council policy LP55 of the Local Plan and London Plan Policy G6.

25. Condition AC11 – Significant BNG

Notwithstanding the details shown on the approved plans and set out in the supporting information, details of the significant Biodiversity Net Gain, including onsite and offsite units, shall be submitted to and approved in writing by the local

planning authority **prior to the commencement of any above ground works (excluding demolition)** prior to the commencement of development. Details shall include:

- a) Completed Biodiversity Net Gain Plan
- b) Completed statutory metric with the Pre-development and post-development habitat values.

The development shall then be carried out in accordance with these approved details.

Reason: To enhance the ecological interest of the site and to ensure that the ecological features are provided and maintained in a satisfactory manner in accordance with Council policy LP55 of the Local Plan and London Plan Policy G6.

26. Condition AC11 - Habitat Management and Monitoring Plan

Notwithstanding the details shown on the approved plans and set out in the supporting information, the Habitat Management and Monitoring Plan shall be submitted to and approved in writing by the local planning authority prior to the commencement of any above ground works **(excluding demolition)**. The Plan shall include:

- The baseline biodiversity assessment against which an uplift in biodiversity value will be monitored;
- The project's biodiversity targets;
- A detailed adaptive management plan setting out how habitats will be created or enhanced and describing the proposed ongoing management for any significant enhancements (including the biodiverse roof, other neutral grassland, and urban trees) for a minimum of 30 years;
- The details of when target condition will be achieved and how they will be maintained;
- A detailed monitoring plan that will be used to inform ongoing management and assess the progress towards achieving target condition. This should outline the surveys that will be used to inform condition monitoring reports;
- Monitoring reports will be provided to Wandsworth Local Planning Authority in years 1, 3, 5, 10, 15, 20, 25 and 30;
- The roles, responsibilities and professional competencies of the people involved in implementing and monitoring the Biodiversity Net Gain delivery;
- Evidence that the necessary resources are available to deliver the proposed biodiversity net gain plan and the ongoing management;
- GIS files showing the baseline biodiversity values and all proposed target biodiversity values for any created or enhanced habitats both on and off site.

Reason: To enhance the ecological interest of the site and to ensure that the ecological features are provided and maintained in a satisfactory manner in accordance with Council policy LP55 of the Local Plan and London Plan Policy G6.

32. Condition AC11 – NO2 monitoring

Prior to the commencement of the above ground works (excluding demolition), ~~Prior to the commencement of development,~~ a report following a 6-month baseline monitoring period through NO2 diffusion tubes shall be submitted to and approved, in writing, by the local planning authority. Locations and methodology of monitoring

shall be agreed by the Wandsworth Council prior to commencement of monitoring. The baseline monitoring report will establish whether a scheme of proposed air quality mitigation measures to protect the future occupiers from air pollution exposure shall be submitted to the local planning authority.

Reason: To manage and prevent further deterioration of existing low quality air across London in accordance with Council policy LP14 of the Local Plan, London Plan policy S11 coupled with the requirements of the National Planning Policy Framework

Minutes of a meeting of the Planning Applications Committee held at the Town Hall, Wandsworth, SW18 2PU on Tuesday, 14th January, 2025 at 7.30 p.m.

PRESENT

Councillor Belton (Chair); Councillor Ayres (Deputy Chair); Councillors Apps, S. Boswell, Colclough, Govindia, Humphries, Justin, Owens and White.

The Committee proceeded to consider the business set out on the agenda for their meeting (a copy of which is interleaved, together with a copy of each of the supporting papers).

1. Minutes - 12th December 2024

The minutes of the Planning Applications Committee meeting held on 12th December 2024 were confirmed as a correct record.

2. Declarations of Interest

In respect of Application 1 (2022/1835), Booker Cash & Carry and BMW Car Service Garage, 41-49 and 49-59 Battersea Park Road, SW8 5AL, Councillor Apps declared that she would not be participating in this item as she had previously raised an objection in relation to it.

3. Applications (Paper No. 25-02)

The Head of Development Management referred to the Local Plan update that was included in the late items of correspondence circulated before the meeting. The Local Plan was published for a six-week consultation period, which included six policies proposed to be updated. The draft policies were at an early stage, and at this stage, officers recommended that limited weight be given to the draft policies in decision making for applications that come forward in the next couple of months. Following the conclusion of the consultation, it was anticipated that further advice would be provided on the weight that could be given to individual policies.

i. Application 1 ([2022/1835](#)) - Booker Cash & Carry and BMW Car Service Garage, 41-49 and 49-59 Battersea Park Road, SW8 5AL

The Planning Manager, Strategic Development Team, gave a presentation on the application. The Committee was told that the applicant had lodged an appeal for non-determination of the application, so the proposal was before them to consider whether they would have been minded to approve the application had an appeal not been lodged. The Legal Advisor to the Committee also noted that if the Committee took a different view, then it would be useful for officers to

take forward the reasons for refusal to the appeal, where the inspector would make their own considerations. If the Council did not take a view on the application then it was at risk of having costs made against it.

In response to a question on how the situation had arisen, the Head of Strategic Development referred to the various discussions officers held with the applicant and suggested amendments, noting that officers had been thorough with considering the application and it had been delayed in coming to the Committee as officers sought for standards to be met. Officers had been made aware of the applicant's intention to appeal for non-determination. It was questioned whether the planning obligations and conditions included in the report would be upheld if the appeal was successful. The Head of Strategic Development noted that they would be put forward but the inspector could change the obligations and conditions should they be minded to.

The late items of correspondence circulated before the meeting set out some additional information, including a correction to the reference to a previous planning application 2015/6813 that was determined on 19th October 2016, not March 2019 as set out in the report on page 18. This application had been implemented and the BMW garage on the site had been demolished.

It was noted that page 23 of the agenda reports pack referred to the application being in the Shaftesbury and Queenstown Ward, which was correct at the time of submission, but the application site was now situated in the Nine Elms Ward.

The impact on the Peabody site was raised, in particular due to the loss of light. The Planning Manager referred to page 93 of the agenda pack that summarised the daylight impacts, noting that there would only be 7 rooms that would have greater daylight impacts than the consented scheme and there would be 18 more rooms affected in Phase 4A. The Head of Strategic Development commented that the daylight guidance sets out that in regeneration areas in the city there would invariably be some impact, and he noted that to balance the different ambitions of maximising site potential and increasing housing then there would be some impact, but not so severe as to be refused in officers' opinions. An independent sunlight and daylight assessor had considered the impact on the Council's behalf.

Councillor Justin, Ward Councillor for Nine Elms, reported that he had spent a lot of time in the new development meeting a lot of residents, and noted that they did not need student accommodation but needed family friendly housing. He commented that the student accommodation would only be taken up by foreign students as there was no university or higher education facilities in the immediate area. He referred to the student accommodation already situated in Vauxhall that was empty and questioned why a third block of student accommodation was needed in the area, commenting that the scheme was not in keeping with the area and residential accommodation was needed. He also commented that the proposal was now four stories higher than the first application.

The amount of student accommodation in Nine Elms, not just in Wandsworth but also Lambeth, was questioned, as 800 units on Albert Embankment had recently been given permission by Lambeth Council, and there were blocks for King's College in Vauxhall and Palmerston Court in Wandsworth. The Head of Strategic Development noted that policies in the Local Plan were led by the Greater London Authority, and in respect of student accommodation it looked at the need across London, and the role higher education institutes in London had on the economy. It had been identified that there was a significant demand and undersupply of student accommodation in London and particularly within half an hour's commute of the main institutions, such as Imperial King's College and the London School of Economics (LSE). The LSE had expressed interest particularly in this site; no institutions had yet signed up to the development but would not likely to until planning permission was granted. In response to a question, the Committee was told that there was potential for the buildings to be adapted to residential accommodation if there was no demand from the institutions.

One Member suggested that there could be an informative proposed that the affordable student accommodation was given as a priority to UK students. The Head of Strategic Development commented that if proposed this could be passed onto the inspector, and noted that the GLA sets the guidance on affordable housing.

In respect of the scale of the development, the Head of Strategic Development commented that the height of the buildings was below the maximum permitted. He noted that in terms of policy the neighbourhood area was specified as 800 metres from the site, and within 800 metres walking distance there was three institutions. Belmont Street, that was just over the borough boundary, had 250 student beds, Palmerston Court had 867, and the amount for this proposed site was 765. If this application was approved, it would total 4.3% of the Wandsworth housing delivery, which the Head of Strategic Development noted was not over concentrated.

Councillor Ayres expressed concern over the scale of the development, and that the proposed space for bicycles was in a large basement area that was probably ill-lit and not suitable for young people.

The 800 internal bathrooms on the site was referred to, and concerns were raised over the sustainability of the development, with the number of extraction fans proposed and the bathrooms being unnaturally lit and could lead to mould. It was noted that half of the bathrooms could have had natural ventilation if they were differently positioned.

Questions were also raised over the definition of affordable student accommodation. Councillor Govindia questioned the amount of construction jobs the development would generate given the construction method of the units off-site, and the Committee was told that the number of jobs were based on the predicted construction of the development. In respect of the economy generated by students, a Member commented that this amount was London wide and not in the borough. The Head of Strategic Development noted that some of this would be generated in the borough, and there would be secondary employment

generated from local shops and businesses.

In response to a question about the amount of disabled car parking spaces, the Committee told there would be 5 spaces.

Councillor White felt there was a need for student accommodation in London but expressed concerns over the amount of student accommodation on this development which would be overbearing. The lack of outdoor amenity spaces was referred to. The distance from Mansion Square of 10.1 metres was questioned whether there should be a minimum of 18 metres. The Planning Manager commented that there was not a distance set in the Local Plan, and the 18 metres distance was for developments outside of densely built urban areas, and the distance to Mansion Square was further away in the proposed scheme than what had been consented. Pages 88 to 89 of the agenda pack sets out the distances, which were not direct but at an angle and windows faced away.

In response to a question about the layout of the corridors, the Committee was told that this was due to fire regulations for means of fire escape and also to help reduce any noise.

Concerns were expressed over the reduction in housing accommodation, with the change of use of the development from being wholly residential to student accommodation, with some residential. Councillor Humphries expressed concern over the intensification of use of the site which would be greater in this application than the current one. There would be an impact on deliveries and servicing which he felt would be more intensive and an increase of delivery mopeds for the number of students on the site. The Head of Transport Strategy noted that the number of trips done by students in terms of road traffic would be less than residential, so the number of trips would be reduced in peak hours, as there would be more walking trips. In relation to servicing on the site, the application had been accompanied by a detailed transport assessment, and the assessment generally demonstrated that the servicing needs of the development could be accommodated by the proposed arrangements. Two conditions in the report covered access to the servicing bays and also a delivery and servicing plan. The Head of Transport Strategy's view was that the development was acceptable in terms of traffic and servicing subject to the delivery of the conditions. Councillor Humphries felt that the impact would be greater than estimated, and there would be more of an impact by the amount of delivery bikes on the site.

Following the discussion, the Committee voted on the recommendation in the report, and by 4 votes to 5, the recommendation was lost.

It was then moved by Councillor Govindia, seconded by Councillor Humphries, that the Committee be minded to refuse planning permission due to the following reasons:

- The quantum height, and of the increased height of the proposal was excessive compared to the extant scheme.
- As a consequence of the increase in height and close proximity there would be an impact on the adjoining properties, in particular the Peabody site. There would be a loss of amenity and outlook for the adjoining blocks, with an

impact of overlooking the existing gardens as well in the amenity space on the Peabody site. There would be an overbearing impact on the neighbouring sites, particularly the homes in the Peabody site.

- Due to the change of use from being wholly residential to being overwhelmingly for student use with some residential. There was a balance between need and demand, and this was the wrong balance for land use, and for this site, given the demand and need for housing, and affordable housing in particular, was greater here.

By 5 votes for refusal, 1 against refusal, and 3 abstentions, the recommendation for refusal was agreed.

RESOLVED - *(5 for refusal, 1 against refusal, and 3 abstentions)* that had an appeal not been lodged against non-determination, the Committee was minded to refuse planning permission, for the following reasons:

- The quantum height, and of the increased height of the proposal was excessive compared to the extant scheme.
- As a consequence of the increase in height and close proximity there would be an impact on the adjoining properties, in particular the Peabody site. There would be a loss of amenity and outlook for the adjoining blocks, with an impact of overlooking the existing gardens as well in the amenity space on the Peabody site. There would be an overbearing impact on the neighbouring sites, particularly the homes in the Peabody site.
- Due to the change of use from being wholly residential to being overwhelmingly for student use with some residential. There was a balance between need and demand and this was the wrong balance for land use, and for this site, given the demand and need for housing, and affordable housing in particular, was greater here.

(Councillor Apps did not participate in the above item).

ii. **Application 2 (2024/0574) - 20 Lydden Road, SW18 4LR**

In response to a question about meeting affordable workspace, the Area Team Manager (West Team), noted that the policies sought for affordable workspace first to be secured on site, but if that was not viable then it would allow for a contribution to be made.

Concern was raised over the distance of the disabled parking space as it was furthest away from the entrance of the building.

In response to questions about the colour scheme of the development and delivery times, the Committee was told that there were conditions covering these. The Head of Transport Strategy expected contractors to be members of the freight operators recognition scheme and to have cycling safety standards as well, and when the construction management plans came in, this would be checked.

There was also a condition on noise management and further information on that would be submitted for approval at a later date.

A Member referred to a complaint made about lack of community engagement and that some residents suggested that it would be good to have a local input into the sort of jobs and training potentially offered as a result of the financial contribution. The Area Team Manager (West Team) commented that the Economic Development Officer worked closely with developers on employment opportunities and training, ensuring as many apprenticeships were secured. Based on the size of the site, there might be between 15 to 20 apprenticeship places.

One Member commented on an intensification in the area and a change in the employment in that area. It was questioned whether any obligations in the Section 106 agreement would be imposed on the developer or the tenant of the site in relation to the apprenticeships. The Area Team Manager (West Team) responded that in the Section 106 agreement, the heads of terms set out that the obligations in it would go with the land.

A member referred to the intensification of more vehicles using the site and suggested there be a restriction on vehicles during school times, due to there being a school at the end of the road and there being a lot of pedestrian traffic at school times. The Head of Transport Strategy noted that it was standard that the construction would avoid school arrival and pick up times.

RESOLVED - *(9 for, 1 abstention)* that planning permission be granted as set out in the report, noting the additional information as set out in the late items of correspondence paper, subject to legal agreement, CIL liable.

iii. **Application 3 (2024/2673) - St George's Hospital, Blackshaw Road, SW17 0QT**

A Member praised the design of this application, particularly as it would be visible from Blackshaw Road.

In response to a question, the Head of Transport Strategy explained the two-way vehicle movements referred to in the report, giving an example of in most cases somebody will go into the hospital and come back out, so that was a two-way trip, however the staff would go in the morning and leave later in their shift which was one trip.

A Member referred to the biodiversity net gain (BNG) score of 4.6% which would be reached on site and the provision of off-site units to make up the mandatory 10%, and asked how this would be achieved. The Area Team Manager (East Team) noted that off-site credits could be bought, and there were conditions where evidence base had to be provided, and whilst a desire for the credits to be as close as possible to the borough could be expressed, the legislation did not specify where it should be located.

The 26 trees that were proposed to be removed were discussed and the categories of the trees were set out in page 249 of the agenda pack.

Replacement trees were included in the proposal, and officers felt that the removal of the trees was outweighed by the public benefit of the proposal.

A Member questioned if there were plans to capture the heat produced by the hospital. The Area Team Manager (East Team) commented that the buildings had to be highly thermally insulated and the proposal was exceeding the 35% minimum carbon savings required at 43%, and was one of the highest performing BREEAM Outstanding score officers had seen for some time. To achieve this score a range of areas would be looked at, such as the thermal capacity of the building, the machinery used, what recovery was used, how the building would be heated, etc.

The Committee asked that the signage at the hospital be considered for improvements.

RESOLVED - (*unanimous*) that planning permission be granted as set out in the report, noting the additional information as set out in the late items of correspondence paper, subject to legal agreement, CIL liable.

4. Enforcement (Paper No. 25-03)

2024/0401/ENF - 60 Fairfield Street, SW18 1DY

RESOLVED – To authorise issue of an enforcement notice and any other legal or direct action that may be necessary in order to secure the removal of the extract system from the property.

5. Tree Preservation Orders (Paper No. 25-04)

RESOLVED – That the following Tree Preservation Order be confirmed:

- (i) TPO 495/2024 – 12 Baskerville Road, SW18 3RJ (Wandsworth Common)

6. Decisions (Paper No. 25-05)

RESOLVED – That the report be received for information.

7. Closure of Investigation Files (Paper No. 25-06)

RESOLVED – That the report be received for information.

8. Closed Appeals (Paper No. 25-07)

RESOLVED – That the report be received for information.

The meeting ended at 9.30 p.m.



FAO Alison Dyson
The Planning Inspectorate
Temple Quay House
2 The Square Bristol
BS1 6PN

Wandsworth Council

Place Division, Chief Executive's Group
Town Hall, Wandsworth High Street
London SW18 2PU

Please ask for/reply to: Mark Hunter
Telephone: 020 8871 6000
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www.wandsworth.gov.uk

Our ref: MH/JF 2022/1835
Your ref: APP/H5960/W/24/3358065
Date: 29 January 2025

Dear Madam,

Re: Appeal by: Watkin Jones Group
Site Address: Booker Cash & Carry, 41-49 Battersea Park Road, London

I refer to the planning appeal that has been lodged under reference number APP/H5960/W/24/3358065 in respect of the above mentioned site.

I am writing to confirm that following the Appellant's decision to appeal against the non-determination of the planning application submitted under the Local Planning Authority's application reference number 2022/1835, the application was reported to the meeting of the Planning Applications Committee on 14th January 2025. At this meeting, the Planning Applications meeting resolved that they would have been minded to refuse planning permission had the appeal against non-determination not already been lodged. Members of the Planning Applications Committee decided that that they would have resolved to refuse planning permission on the following grounds:-

As a result of its height and close proximity to the neighbouring buildings and the amenity space located at New Mansion Square, the proposed development would result in an overbearing impact upon the residential occupiers of the neighbouring buildings, detrimentally affecting their outlook and increasing overlooking opportunities that would reduce the residential amenity experienced by these neighbouring occupants. Furthermore, the predominant student use as proposed is not considered to be the most appropriate use on the site given the greater demand and need for housing (including affordable housing) in the area. For these reasons, the proposal is considered to be contrary to adopted Council policy LP2 and the Wandsworth Housing Needs Assessments dated December 2020 and December 2024.

If you have any queries or require any clarification on the above, please do not hesitate to contact me,

Yours faithfully,

Mr Mark Hunter
Head of Strategic Development