

16 March 2020

8 Albert Embankment, Vauxhall

in the London Borough of Lambeth

planning application no. 19/01304/EIAFUL

Strategic planning application stage II referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

The proposal

Demolition of existing buildings, other than conversion of the Grade II listed former London Fire Brigade Headquarters and Drill Tower, and phased mixed-use development in buildings of up to 26 storeys, including 443 residential units, a new fire station, a new London Fire Brigade museum, a hotel of up to 200 rooms, 10,766 sq.m. of business floorspace, retail space, and associated public realm.

The applicant

The applicants are **U+I** and the **London Fire Commissioner**, and the architect is **Pilbrow**.

Key dates

Stage One report: 10 June 2019

Planning Committee: 3 December 2019

Strategic issues summary

Principle of development: The redevelopment of this long vacant/under-used Opportunity Area/Central Activities Zone site will contribute significantly to Council and GLA's aspirations for the site, particularly residential uses, significant employment space (including 10% affordable), and emergency services facilities. The principle of development is supported.

Affordable housing: 40% affordable housing (34% at Stage 1), made up of 62% affordable/social rent (one/two bed unit rents at Local Housing Allowance, three bed units at Target Rent), and 38% shared ownership. The applicant's financial viability assessment has been reviewed and the Council's advisers and GLA officers agree this is the maximum amount of affordable housing that can be provided. Early/late stage viability reviews are secured.

Urban design: The proposals are of a high design and residential quality and are supported.

Historic environment: The proposals will cause 'less than substantial' harm to the listed buildings on the site and the Albert Embankment Conservation Area; however, this is outweighed by the considerable public benefits arising from the proposals. No harm will be caused to the Westminster World Heritage Site or strategic views.

Transport: The amount of car parking has been significantly reduced, and service bays and taxi arrangements revised. Discussions are ongoing to address an alternative route for fire service vehicles returning to the site, due to TfL's planned improvements to Lambeth Bridge south as part of the Safer Junctions Programme.

Climate change: Further information has been provided on the strategies for energy, flood risk, sustainable drainage, and urban greening; which are supported.

The Council's decision

Lambeth Council has resolved to grant permission subject to planning conditions and a section 106 agreement.

Recommendation

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

Context

1 On 9 May 2019, the Mayor of London received documents from Lambeth Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. The application was referred to the Mayor under Categories 1A, 1B(c), 1C(a), 1C(c), and 3E of the Schedule to the Order 2008:

- 1A *“Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats.”*
- 1B(c) *“Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings (c) outside Central London and with a total floorspace of more than 15,000 square metres.”*
- 1C(a) *“Development which comprises or includes the erection of a building of more than 25 metres high and is adjacent to the River Thames.”*
- 1C(c) *“Development which comprises or includes the erection of a building of more than 30 metres high and is outside the City of London.”*
- 3E *“Development (a) which does not accord with one or more provisions of the development plan in force in the area in which the application site is situated; and (b) comprises or includes the provision of more than 2,500 square metres of floorspace for a use falling within any of the following classes in the Use Classes Order (i) class A1 (retail); (ii) class A2 (financial and professional); (iii) class A3 (food and drink); (iv) class A4 (drinking establishments); (v) class A5 (hot food takeaways); (vi) class B1 (business); (vii) class B2 (general industrial); (viii) class B8 (storage and distribution); (ix) class C1 (hotels); (x) class C2 (residential institutions); (xi) class D1 (non-residential institutions); (xii) class D2 (assembly and leisure).”*

2 On 10 June 2019, the Deputy Mayor (acting under delegated powers) considered planning report GLA/1414c/01, and subsequently advised Lambeth Council that the application did not yet comply with the London Plan, for the reasons set out in paragraph 103 of the above-mentioned report; but that the possible remedies set out in that paragraph could address these deficiencies.

3 A copy of the above-mentioned report is attached. The essentials of the case with regard to the proposal, the site, case history, strategic planning issues and relevant policies and guidance are as set out therein, unless otherwise stated in this report. On 3 December 2019, Lambeth Council decided that it was minded to grant permission, and on 6 March 2020 full documentation was provided advising the Mayor of this decision. Under the provisions of Article 5 of the Town & Country Planning (Mayor of London) Order 2008, the Mayor may allow the draft decision to proceed unchanged, direct Lambeth Council under Article 6 to refuse the application, or issue a direction to the Council under Article 7 that he is to act as the Local Planning Authority for the purposes of determining the application. The Mayor has until 19 March 2020 to notify the Council of his decision and to issue any direction.

4 The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 has been taken into account in the consideration of this case.

5 On 13 March 2020, the Secretary of State issued a set of Directions under Section 337 of the Greater London Authority Act 1999 (as amended) and, to the extent that they are relevant to this particular application, have been taken into account by the Mayor as a material consideration when considering this report and the officer's recommendation.

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

Consultation stage issues summary

7 At consultation stage, Lambeth Council was advised that the application did not comply with the London Plan, for the reasons set out in paragraph 103 of the above-mentioned report; but that the possible remedies set out in that paragraph could address these deficiencies:

- **Principle of development:** The redevelopment of this long vacant/under-used site in an Opportunity Area and the Central Activities Zone will contribute significantly to Council and GLA's aspirations for the site, particularly residential uses, significant employment space (including affordable), and emergency facilities. The principle of the uses proposed is supported in line with the London Plan, draft London Plan, and VNEB OAPF.
- **Affordable housing:** 34% (hab room) affordable housing, made up of 71% affordable/social rent, and 29% shared ownership. Although the proposals are subject to abnormal costs, including the provision of Lambeth Fire Station, the Fire Brigade Museum, and the conversion and restoration of listed buildings; as the threshold for publicly owned sites is 50%, the offer does not meet the requirements for the fast-track route and a financial viability assessment has been provided, which is undergoing assessment by the Council's advisers and GLA officers. Affordability thresholds and early/late stage viability reviews must be secured.
- **Urban design:** The proposals are of a high design quality, and subject to further information and amendments to improve residential quality, are supported.
- **Historic environment:** The proposals will cause 'less than substantial' harm to the listed buildings on the site and the Albert Embankment Conservation Area; however, this is outweighed by the considerable public benefits arising from the proposals. No harm will be caused to the Westminster World Heritage Site or strategic views.
- **Transport:** The amount of car parking should be reduced, and the vehicle access arrangements revised in agreement with TfL. Financial contributions towards pedestrian and cyclist enhancements should be secured, and a review of the trip generation is requested to confirm public transport impacts.
- **Climate change:** Further information has been requested on the energy strategy, Flood Risk Assessment, sustainable drainage, and urban greening.

Strategic planning policy and guidance update

8 The following policies and guidance are now material considerations:

- The draft London Plan (Intend to Publish Version, December 2019), which should be taken into account on the basis explained in paragraph 48 of the NPPF.

- On 13 March 2020, the Secretary of State issued a set of Directions under Section 337 of the Greater London Authority Act 1999 (as amended) and, to the extent that they are relevant to this particular application, have been taken into account by the Mayor as a material consideration when considering this report and the officer's recommendation
- The draft Revised Lambeth Local Plan (Proposed Submission Version, January 2020).

Application update

9 Since consultation stage, GLA officers have engaged in joint discussions with the applicant, the Council and its advisers, and TfL officers, with a view to addressing the above matters. The following amendments were also submitted:

- Removal of general residential car parking from the basement (36 spaces);
- Increase in the basement gym from 2,053 sq.m. to 2,849 sq.m.;
- Increase in residential units from 417 to 443, with changes in unit sizes and tenures;
- Associated changes in cycle parking, play and amenity space, and Blue Badge parking;
- Incorporation of ground floor floodproof doors and small-scale internal layout changes to the Whitgift Street Terrace;
- Alteration to the phasing plan to include sub-phases;
- Changes to the position of service bays within the public highway, and removal of the taxi-rank;
- Increased landscaping, including larger areas of green wall and green roofs;
- Additional water attenuation at roof level;
- Removal of drop-off/set-down point associated with the fire station.

10 Furthermore, as part of Lambeth Council's draft decision on the case, various planning conditions and obligations have been secured to address the above concerns and ensure that the development is acceptable in planning terms. An update of issues raised at consultation stage is set out below.

Principle of development

11 At consultation stage, the principle of development was supported, recognising that the redevelopment of this long vacant/under-used site in an Opportunity Area and the Central Activities Zone (CAZ) will contribute significantly to Council and GLA's aspirations for the site, particularly residential uses, significant employment space (including affordable workspace), and emergency services facilities.

12 As discussed at consultation stage, the Central and East parcels of the site are within a Local Plan Key Industrial Business Area (KIBA). It is noted that a number of objectors cited that the proposed residential uses are contrary to KIBA policy; however, as noted at consultation stage, the Council's site allocation identifies that, exceptionally, configuration of the site to include residential use within the KIBA boundary may be acceptable if it can be demonstrated that this is necessary to achieve an acceptable scheme. As discussed in the Mayor's Stage 1 report, the application materials assess a range of alternatives for employment-only uses within the KIBA part of the site in response to the site allocation aim to maximise employment space. Some of these would result in greater employment floorspace/jobs; however, the constrained nature of the site would result in a

significantly compromised design outcome, which would be likely to be undeliverable in viability terms, would result in far fewer homes and affordable homes, and negatively impact neighbouring residential amenity. Furthermore, the site contains no existing industrial use and has been in Sui Generis use for many years, and the proximity of existing housing, and the heritage context of the site, limit options for industrial use. It is also noted that the Inspector for the Appeal scheme (which had less employment space) considered that the introduction of residential uses in the KIBA were justified, taking account of the amount of employment floorspace; the employment and wider economic benefits of the proposal; and the contribution of the proposals to regeneration and vitality in the local area. Consequently, GLA officers accept that the applicant has demonstrated that the incorporation of residential uses is necessary to achieve an acceptable scheme, which is also the view of the Council.

13 The draft Revised Lambeth Local Plan seeks that developments in Waterloo and Vauxhall proposing over 1,000 sq.m. of B1(a) office floorspace should provide 10% of that floorspace at 50% of market rents for a period of 15 years. Of the 'medium' sized workspace (Use Class B1(a)-(c)), 685 sq.m. is secured by section 106 agreement at no more than 50% of the corporate office space for 15 years, while all of the 134 sq.m. 'micro' workspace is secured at an improved rate of £15 per year (indexed). This equates to 10% of the total Use Class B1 floorspace, which actually goes beyond the Council's policy requirement, which only requires 10% of B1(a) floorspace. The affordable workspace provision is supported.

14 GLA officers agree that the mixed-use approach blending residential and employment uses across the three parcels delivers greater planning benefits, including a range of employment space (and affordable workspace); more housing and affordable housing; enhanced public realm; additional heritage benefits; while also providing updated emergency services facilities and a new home for London Fire Brigade Museum. The proposals are supported in line with London Plan and intend to publish London Plan policies.

Affordable housing

15 At consultation stage, 34% (by habitable room) affordable housing was proposed, made up of 79% affordable/social rent, 29% shared ownership. It was noted that considering that the site is in public ownership, it is subject to the 50% threshold (without grant) to follow the fast-track route as set out in Intend to Publish London Plan Policy H6. Consequently, a financial viability assessment was provided, which has undergone rigorous assessment by the Council's advisers and GLA officers. It was also noted that the proposals are subject to abnormal costs, including the re-provision of Lambeth Fire Station, the London Fire Brigade Museum, and the conversion and restoration of the site's heritage assets, which impact the level of affordable housing.

16 As a result of further negotiations, the offer has now been increased to 40% (by habitable room), split 62% affordable/social rent, 38% shared ownership, as set out below. This represents a significant increase on the 7% affordable housing that the Inspector for the Appeal scheme considered acceptable. The offer includes Marginal Viability Funding through the Government's Housing Infrastructure Fund (HIF). The Council's advisers and GLA officers agree that this is the maximum amount of affordable housing that can be provided by the scheme.

	Affordable/ social rent	Shared ownership	Market	Total
Studio	0	21	26	47
1 bed	30	46	152	228
2 bed	52	15	82	149
3 bed	8	0	11	19
Total	90	82	271	443
40% (hab rm) (62:38 split)				

17 The applicant is required to deliver the new fire station at the earliest opportunity; and in order to allow the operation of this facility, all of the west site (which contains no affordable housing and 35% of the market housing) will come forward as the first phase. Consequently, the section 106 agreement secures that no more than 35% of the market housing can be occupied prior to delivery of affordable housing units.

18 The affordable housing provision has been developed in discussion with Notting Hill Genesis. The affordable/social rent units are secured by section 106 agreement in line with Lambeth's Tenancy Strategy, which means that one/two bedroom units would have rents capped at Local Housing Allowance, whilst three bedroom units would be offered at Target (social) Rent levels. The affordability of intermediate shared ownership units is secured by section 106 agreement with a range household affordability thresholds between £60,000 and £90,000, in accordance with the Mayor's qualifying income levels as set out in the Affordable Housing and Viability SPG and the London Plan Annual Monitoring Report.

19 The section 106 agreement secures that an early stage viability review will be triggered if substantial implementation is not made within two years of the permission being granted, and a late stage viability review when 75% of the homes are sold, in accordance with the Mayor's Affordable Housing and Viability SPG.

Housing

20 The proposed mix of units was supported at consultation stage, noting that Notting Hill Genesis had highlighted the need for one and two bedroom affordable rented units in Lambeth; and that the emphasis on one and two bedroom units for the market and shared ownership units would allow greater affordability. The revised mix retains the social/affordable units as previously proposed, and provides more one and two bedroom shared ownership and market units, which is supported in line with consultation stage comments.

21 At consultation stage, the GLA child yield calculator estimated a child yield of 100, requiring 1,000 sq.m, of play space. Since consultation stage, the GLA has introduced a new population yield calculator, which results in a slightly increased play space requirement of 1,043 sq.m. The proposal includes 571 sq.m. of formal play space for under-fives within upper level residential amenity areas, with additional areas providing opportunities for informal play for older children. It is accepted that the restricted nature of the site limits further on-site provision, and the shortfall is

therefore offset by a contribution of £35,640 for the enhancement of play facilities in existing nearby play spaces, secured by section 106 agreement. Full details of the design and landscape specification of on-site play space is secured by condition. The play space proposals are supported.

22 A planning condition secures that at least 10% of the units will meet Building Regulation requirement M4(3) 'wheelchair user dwellings' (designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users); and all other new build dwellings will meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings', in accordance with London Plan Policy 7.2 and Policy D7 of the intend to publish London Plan.

Urban design

23 At consultation stage, it was noted that the applicant had responded positively to design matters raised over several years of pre-application meetings; and the design of the proposals was considered to be of a high quality, and a significant improvement on the Appeal scheme. A fire safety strategy has informed the design of the scheme, in line with intend to publish London Plan Policy D12

24 The Mayor's Stage 1 report made some suggestions to further improve the residential quality of the scheme, which the applicant has responded to positively. For the Whitgift Street block, the design of the bay windows and floor layouts have been amended to improve daylight penetration and function. Further information has been provided to demonstrate the good residential quality of the units that do not have external amenity space due to the heritage restrictions of the listed building; and to justify open balconies rather than winter gardens near to the railway viaduct, which are accepted.

25 A number of the objections to the scheme cite daylight and sunlight impacts on neighbouring residential properties. As discussed in the Mayor's Stage 1 report, the Inspector for the 2010 Appeal scheme concluded that the loss of daylight and sunlight to Whitgift House and 2 Whitgift Street represented a shortcoming in achieving a fully sustainable development, which outweighed the benefits of the scheme and warranted dismissal of the appeal. Daylight and sunlight impacts are therefore an important material consideration.

26 The applicant's Environmental Statement concludes that the proposed development is likely to have minor to moderate negative residual effects on daylight, sunlight, and overshadowing. Daylight amenity to neighbouring residential units is assessed as being commensurate with a dense urban location and is not considered to have an unacceptable impact on amenity. The applicant also commissioned a report to consider and compare the daylight/sunlight impacts of the proposal to the Appeal scheme, which shows significant improvements to key windows and rooms surrounding the development site, with the most noticeable improvements at Whitgift House and 2 Whitgift Street, largely as a result of the positioning and slender diamond-plan of the tall buildings, which allows greater sunlight and daylight penetration compared to the 'slab' blocks of the Appeal scheme.

27 The Council also commissioned an independent review of the assessment, finding that the proposed scheme results in some major adverse reductions in daylight to neighbouring properties. This relates to Whitgift House, 2 Whitgift Street, 9 Albert Embankment (Building A, East), 71 Black Prince Road, and 73-79 Black

Prince Road. However, the review emphasises the importance of retained daylight values, which were, in part, a consideration in the Planning Inspectorate report for the Appeal scheme. In terms of sunlight, the review finds that for reductions to neighbouring properties, the proposal adheres closely to BRE Guidance with minimal departure. The Council's Committee Report notes that consideration should also be given to the physical characteristics of the properties affected, in particular the impact of balconies; and the fairly minimal existing massing on the application site, which is unusual in a central urban context; as well as the planning merits of the scheme overall. It concludes that the many planning benefits that the scheme would deliver are sufficient to outweigh the identified impacts on neighbouring residential amenity.

28 It is noted that the Whitgift Estate Tenant Residents Association commissioned its own review (by BRE) of the Council's independent review, as well as the application documentation. Although this considers some statements relating to daylight in the Council-commissioned review to be misleading, and places little emphasis on retained values; the findings on the extent of major adverse impacts are not significantly different. The review appears to agree that the impact on Whitgift House and 2 Whitgift Street would be reduced compared to the Appeal scheme.

29 It is noted that since the Mayor's Stage 1 report, in July 2019 Planning Practice Guidance on daylight and sunlight was updated to include the following advice, which is relevant in this location with high-density historic buildings and tall buildings:

- *'All developments should maintain acceptable living standards. What this means in practice, in relation to assessing appropriate levels of sunlight and daylight, will depend to some extent on the context for the development as well as its detailed design. For example, in areas of high-density historic buildings, or city centre locations where tall modern buildings predominate, lower daylight and sunlight levels at some windows may be unavoidable if new developments are to be in keeping with the general form of their surroundings.'*

30 GLA officers acknowledge some major adverse daylight reductions to adjoining properties; however, it is considered that these impacts will not cause unacceptable harm to amenity or result in unacceptable living conditions, in accordance with London Plan and intend to publish London Plan policies. In particular, GLA officers emphasise the reduced loss of daylight to Whitgift House and 2 Whitgift Street compared to the Appeal scheme, and the retained daylight values. Given the context of dense historic and tall buildings, and the highly accessible location within central London, an appropriate balance needs to be struck between loss of daylight and the benefits provided by the scheme, as acknowledged in the Mayor's Housing SPG and Building Research Establishment (BRE) guidance. The benefits provided by the scheme (as set out in detail below) are significant and are considered to outweigh this issue.

Historic environment, World Heritage Site, and strategic views

31 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the statutory duties for dealing with heritage assets in planning decisions. In relation to listed buildings, all planning decisions should "*have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*", and in relation to conservation areas, special attention must be paid to "*the desirability of preserving or enhancing the character or appearance of that area*". The NPPF states that when considering the impact of the

proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation; and significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Where a development will lead to 'less than substantial harm', the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. London Plan Policy 7.8 and Policy HC1 'Heritage conservation and growth' of the draft London Plan state that development should conserve heritage assets and avoid harm. London Plan Policy 7.7, and intend to publish London Plan D8 'Tall buildings' set out the Mayor's requirements for tall buildings.

32 As discussed at consultation stage, the proposed additions, changes, and demolitions within the site are considered to be sensitive to the historic environment; however, some limited harm will be caused by alterations to the rear elevation of the listed Former Headquarters Building, the hotel extension to the rear, and the addition of a double-height glazed extension (retaining the central watchtower). The Drill Tower will be restored; however, some harm will be caused by the insertion of new window openings. The proposed buildings to the rear of the site will impact on the setting of the listed buildings, chiefly through the introduction of tall buildings. Although it is acknowledged that the proposed tall buildings are of high quality, they will appear above the listed buildings when viewed from the north, west, and south, causing some harm. GLA officers consider that this harm is 'less than substantial', which is also the view of the Council and Historic England.

33 As stated at consultation stage, this harm is considered to be outweighed by the considerable public benefits arising from the proposals, which is also the view of the Council. These include heritage benefits comprising works to the Former Headquarters Building to restore the main riverside elevation; restore the notable interiors; bring the building back into viable use, and partially its historic fire station use; and demolish the 1980s CMC Building, identified in the listing description as not of special interest. This demolition would also be beneficial to the setting of the listed buildings within the site, as well as the adjacent listed Southbank House. GLA officers also consider that the proposals provide a heritage benefit in securing the optimum viable use of the heritage asset in support of its long-term conservation. The quality of the works is secured through rigorous conditions relating to detailed drawings and materials, which is welcomed.

34 Other public benefits include the creation of an up-to-date firefighting and emergency services base; the creation of a permanent home for the London Fire Brigade museum, with associated educational, cultural, and tourism benefits; new homes, including affordable housing; the creation of a range of employment spaces (including affordable workspace), potentially providing 1,264 jobs, plus additional business rates; economic benefits during construction and operation; improvements to the public realm; the creation of hotel space, providing tourism benefits; and financial contributions towards the delivery of infrastructure.

35 Concerning the proposed roof-top extension to the listed Former Headquarters Building, the Mayor's Stage 1 report concluded that if carefully designed, the extension could be a high quality contemporary element, and any harm caused would be less than substantial. However, the applicant was asked to provide justification for the need for the extension to be double-height. It is also noted that a number of the objections received to the application are on grounds of harm caused by the roof-top extension. The applicant has demonstrated that a single storey extension would require the link bridge to connect directly to the rear elevation of the Watchtower,

conflicting with its profile, as well as the silhouette of the building when viewed from across the river, which would cause greater harm to the significance of the building. The larger extension also gives the building greater prominence in views from across the river, in the context of taller buildings (existing and proposed) along Albert Embankment. Historic England noted that the Appeal scheme established the principle of a rooftop extension and that the robust architecture of the existing building is capable of accommodating this. It noted that the extension retains the central architectural 'crest' of the building and is set back from the cornice line; and it would be a notable intervention, it could form a high quality contemporary element to the listed building, much like the extensions at Tate Modern, the Oxo Tower, and Battersea Power Station, providing public benefits that could outweigh the harm caused. Historic England concluded that that the extension amounted to less than substantial harm to the significance of the building.

36 A number of the objections submitted include grounds relating to the heritage impacts of the proposed tall buildings, and cite the Council's site allocation, which identifies that the 'heritage sensitivity of the site makes it inappropriate for tall building development' and requires that 'any proposed development respects the silhouette of the headquarters building as viewed from across the river'. However, there is general support for tall buildings in the London Plan and intend to publish London Plan within the CAZ, Opportunity Areas and areas that have good access to public transport; and the Vauxhall SPD and the VNEB OAPF both recognise the potential for tall buildings on the site, with the latter identifying Albert Embankment as suitable for buildings of up to 80-90 metres, which both of the taller buildings proposed would be below. The character of the area now includes a number of tall buildings of similar height to those proposed, and the design of the two taller buildings has been given careful consideration in discussions with Historic England, the Council and the GLA. As stated at consultation stage, GLA officers consider the proposals to be a significant improvement on the Appeal scheme. It is also noted that the tall slender massing is a response to the requirement to minimise daylight/sunlight impacts on neighbouring properties, while also minimising harmful heritage impacts.

37 Westminster City Council has objected to the application, citing harm to the World Heritage Site (WHS) and strategic views. The applicant's HTVIA contains an analysis of the proposals from 34 verified viewpoints, including 4 LVMF Assessment Points. All of the affected LVMF views analysed relate to the WHS, although other heritage assets are seen within the views.

38 As stated at consultation stage, for 'London Panorama: Parliament Hill' from Assessment Point 2B.1, the LVMF states that "*small scale incremental change in the background of the three towers of the Palace of Westminster might be appropriate if it does not dominate the individual towers or diminish the spatial relationship between them*". The proposed 26 storey building would exceed the Protected Vistas Extension threshold height and would appear in the background to the left of the Elizabeth Tower of the Palace of Westminster, although it is noted that it would largely be screened by a prominent tree on Parliament Hill, even when not in leaf. The building would appear as a recessive background element, below the treeline of distant hills and below the top of the spire of the Elizabeth Tower. During pre-application discussions, the applicant investigated various material colours and muted tones have been selected, which match the background trees/hills, in contrast with the stone of the Palace of Westminster. The proposed buildings would be consistent in scale with the wider skyline and would not dominate the Elizabeth Tower. The

proposals would not be visible in the background of 'London Panorama: Parliament Hill' from Assessment Point 2A.2.

39 For 'London Panorama: Primrose Hill' from Assessment Point 4A.2, the LVMF states that *“development in the background of the Palace of Westminster should preserve or enhance the viewer’s ability to recognise and appreciate the Strategically Important Landmark”* and *“the form and materials of new development should help improve the clarity with which the silhouette of the towers of the Palace of Westminster can be distinguished from their surroundings”*. The proposed 26 and 24 storey buildings would exceed the Protected Vistas Extension threshold height and would appear in the background to the left of the Victoria Tower of the Palace of Westminster. However, the proposed buildings would appear as a recessive element in the background, below the treeline of distant hills and below the turrets and finials of the Victoria Tower. The proposed buildings would be consistent in scale with the wider skyline and the silhouette of the Victoria Tower would be retained.

40 As stated at consultation stage, GLA officers consider that the proposed buildings would cause no harm to the significance of the WHS and no harm to LVMF views. The proposals would conserve the Outstanding Universal Value of the WHS.

41 As stated at consultation stage, the site is within the Albert Embankment Conservation Area, and similar benefits and harm to the listed buildings within the site will impact the Conservation Area. The harm caused would be less than substantial and outweighed by public benefits set out above. Historic England also identified less than substantial harm to the significance of the Albert Embankment Conservation Area as a result of the proposed tall buildings.

42 Taking account of the existing and emerging context of tall and large-scale buildings; GLA officers consider that the proposed buildings would cause no harm to the significance of other heritage assets in the vicinity (Conservation Areas, listed buildings, and locally listed buildings), including heritage assets associated with Lambeth Palace.

43 In coming to these conclusions, GLA officers have given the harm caused to heritage assets considerable weight; had special regard to the desirability of preserving the setting of listed buildings; the desirability of preserving the character or appearance of Conservation Areas; and the relevant national and local policies identified above.

Transport

44 As requested at the consultation stage, the number of car parking spaces has been reduced, leaving only 44 Blue Badge car parking spaces in the basement for residents. A further 5 Blue Badge parking bays are located at surface level for non-residential uses. Vehicle electric charging is proposed in line with the intend to publish London Plan. A restriction on future occupiers from parking permits is secured in the section 106 agreement.

45 The provision of cycle parking for all uses is in line with intend to publish London Plan Policy T5, and details are secured by condition.

46 Although the financial contributions requested towards improvements for pedestrians and cyclists on Albert Embankment and at Lambeth Bridge South have

not been secured; a £164,000 contribution has been secured towards the Council's Low Traffic Neighbourhood measures on local streets, and public realm improvements will be provided as part of the development, including the removal of the existing vehicle crossover and repaving the footway on Albert Embankment on the site boundary. It is agreed that these works will incorporate planned improvements to Albert Embankment, should a scheme be brought forward by TfL. Servicing and taxi rank arrangements have also been amended as requested. A £10,000 contribution towards Legible London wayfinding has also been secured. As such, the proposals are considered to accord with the Healthy Streets approach.

47 Discussions are ongoing with TfL to identify an alternative route for fire service vehicles returning to the site, due to TfL's planned improvements to Lambeth Bridge south as part of the Safer Junctions Programme. TfL's current scheme would remove the roundabout and would require a restriction on vehicles turning left from Lambeth Palace Road into Lambeth Road to ensure the safety of cyclists.

48 Further information on the trip generation has been provided and the proposals are supported in line with the intend to publish London Plan Policy T4.

49 A draft Delivery and Servicing Plan (DSP) has been prepared, and a full DSP secured by condition. An outline Construction Logistics Plan (CLP) has also been submitted and a detailed CLP secured by condition, supported by a commitment to the Nine Elms Construction Charter in the section 106 agreement. The DSP and CLP should be discharged in consultation with TfL.

50 Based on the above, the proposals are supported in line with the London Plan and the intend to publish London Plan.

Climate change

51 As requested at consultation stage, detailed information and clarifications have been provided by the applicant regarding carbon emissions for the new-build and refurbished elements, building fabric energy efficiency, cooling and overheating, district heating, photovoltaics, and heat pumps; in addition to appropriate planning conditions securing the measures set out in the supporting energy strategy, which addresses comments made at consultation stage.

52 Overall, a 52.5% carbon reduction is achieved over the Building Regulations Part L 2013 baseline utilising SAP 10.0 carbon factors. As well as the development as a whole exceeding the minimum carbon reduction target of 35%, the residential element meets the target for zero carbon homes, including an offset payment of £336,960; and the non-residential meets the 35% target. On this basis, the proposal now complies with London Plan and intend to publish London Plan energy policy.

53 The approach to flood risk management has been clarified as requested at consultation stage, and is acceptable in line with London Plan Policy 5.12 and intend to publish London Plan Policy SI.12.

54 Since consultation stage, the applicant has revised the scheme to include extensive green roofs and green walls. Although the proposals fall short of the intend to publish London Plan Urban Greening Factor target, it is accepted that opportunities for greening have been maximised, and further measures are restricted by the

constrained nature of the site. The proposals are supported in line with London Plan Policy 5.10 and intend to publish London Plan Policies G1 and G5.

Response to consultation

55 In addition to inviting comments from statutory consultees and publishing all relevant documents on the Council's planning register, Lambeth Council carried out a public consultation with local residents, businesses and institutions. The Council publicised the application by notifying 1,195 neighbouring properties, placing site notices, and publishing notices in the local press. As a result of amendments, a further consultation was undertaken. A total of 699 representations were received, of which 355 were in objection and 344 in support.

56 Grounds for objection from individuals included:

- Departure from KIBA policy and the design principles and key development considerations of the site allocation.
- Overprovision of hotels within the local area.
- Loss of industrial employment land.
- Loss of plant nursery.
- Lack of thought to existing small businesses and traders.
- Impact on already stretched health, education and other services.
- Inadequate affordable housing provision with a lack of truly affordable homes.
- Overdevelopment.
- Density much greater than existing local area.
- Visually oppressive.
- Height and scale out of context with surroundings.
- Out of keeping with the listed properties around Lambeth Palace, Old Paradise Gardens, the Conservation Area, and Black Prince Road; and will remove the clear silhouette of the Fire Brigade Headquarters Building, which is protected by planning policy
- Unsympathetic glass extension to the roof of the Fire Brigade Headquarters.
- Overlooking and loss of privacy to neighbouring properties.
- Loss of sunlight/daylight to neighbouring properties and public space.
- Proposed public realm areas will be overshadowed.
- Insufficient jobs for local people during construction and operation.
- Lack of greenery and public realm.
- Noise pollution.
- Air pollution.
- Unsafe wind impacts on pedestrians.
- Increase in waste and smell nuisance.
- Negative impact on nature and local spaces.
- Negative impact on physical and mental health of neighbouring residents.
- Increase in traffic.
- Inadequate provisions for delivery, parking and traffic.
- Prejudicial to highway safety with local roads being too narrow for delivery lorries, taxis and coaches.
- Negative impact on bus routes during construction.
- Lack of community space.
- Blight the Garden Museum's community work.
- Poor community consultation.

- Misrepresentation of Historic England's comments in the Committee Report.

57 Responses in support from individuals included:

- Community and economic benefit to the local area.
- New offices and retail welcomed.
- New businesses and regeneration to the area.
- Support for start-ups, innovation and small businesses.
- Good mix of affordable houses.
- Hotel attracting visitors to the area.
- Workspaces, cafes and eateries, and other local amenities, bringing economic activity and vibrancy to an area that typically feels 'dead'.
- New jobs.
- Improved public realm.
- Purpose built home for the London Fire Brigade Museum, which is a major cultural asset and delivers fire safety education work and family activities.
- Provides public access for the first time to an important listed building, including the previously inaccessible Memorial Hall.

58 A on-line petition of objection was submitted, with 3,902 signatures (as at 10 March 2020), on grounds that the planned development would damage the integrity of a Grade-II listed building; ruin a historic village and its daily functioning; block residents' access to light; blight the Garden Museum's community work; overshadow the community's park; and defy local planning policy by building residential tower blocks in a KIBA.

59 A petition of objection from 'Lambeth Village' with 100 signatures was received, on grounds of the towers in an area of significant heritage and in close proximity to Lambeth Palace; no stepping down from Albert Embankment to the heritage area and approach to Lambeth Palace; impacts of overlooking and enclosure on Old Paradise Park, part of the Lambeth Palace Conservation Area; loss of sun and daylight to Old Paradise Park; loss of sun and daylight to local homes; and loss of local character.

60 A petition of objection was also received with 43 signatures from local residents on grounds that the 24 and 26 storey buildings will be damaging to the historic area next to Lambeth Palace, removing the clear silhouette of the Fire Brigade Headquarters; reduces light to social housing neighbours and the green space at Old Paradise Gardens; excessive density with 2,500 people using the site, disruptive hotel uses when there is a concentration on Albert Embankment; inadequate provision for deliveries, parking and traffic; and blocks views of the skyline from neighbouring properties.

61 The following organisations also issued responses to the consultations:

- **Historic England:** No objection. Less than substantial harm to the significance of the Albert Embankment Conservation Area and the Grade II listed Former Headquarters Building. Advice focused on the principal proposed alterations to the exterior of the Grade II listed former London Fire Brigade headquarters, and on the new development on the wider application site; concentrating in particular on the proposed rooftop extension to the fire station building and new buildings to the rear.

- **Historic England (Archaeology):** No objection, subject to conditions, which have been secured.
- **Twentieth Century Society:** Objection on grounds that the proposed rooftop extension will destroy the character and form of the fire station building, resulting in substantial harm to the building's significance and harm to the character of the Albert Embankment Conservation Area.
- **London Borough of Westminster:** Objection on grounds that the proposed towers on the Central Site will cause harm to the setting of the World Heritage Site, specifically the Grade I listed Palace of Westminster; harm to the setting of the listed fire station; harm to the setting of Conservation Areas where visible; and harm to Strategic Views. The glass box extensions to the roof of the listed fire station are incongruous and will compromise the building's integrity.
- **London Borough of Camden:** No objection.
- **Environment Agency:** No objection, subject to conditions and informatives, which have been secured.
- **Thames Water:** No objection, subject to conditions and informatives, which have been applied.
- **Museum of London:** Supports the proposals.
- **Migration Museum:** Supports the proposals.
- **Lambeth Village:** Objection on grounds that Lambeth's planning policies state that the site is not suitable for tall buildings; a "major adverse" impact on light to Council homes; "great damage" to the setting of the Grade II listed Fire Brigade Headquarters; negative impact from the proposed two-storey glass box roof extension; and residential uses on land principally protected for employment.
- **Whitgift Estate Tenant Residents Association:** Objection on grounds of insufficient engagement by the applicant; density and massing does not reflect the local character or protect the heritage of listed buildings, Lambeth Palace, Westminster World Heritage Site and Conservation Area; loss of KIBA land; unacceptable loss of sun and daylight across our estate and Old Paradise Gardens; the potential addition of around 800-1,000 new residents, potentially 2500 additional people, is not catered for by new amenities; additional traffic and parking for coaches and on congested junctions. Further correspondence was received attaching a review of the Council-commissioned daylight and sunlight review.
- **9 Albert Embankment Residents Association:** Objection on grounds that the application includes tall buildings contrary to local planning policy; will lead to significant loss of light and amenity to properties in Whitgift Street; will adversely impact a Grade II listed building; and will result in a major increase in traffic on the small junction between Black Prince Road and Lambeth High Street, resulting in gridlock.
- **Primrose Hill Conservation Area Advisory Committee:** Objection on grounds that the application would significantly harm the protected views designated in the LVMF view (4A) from Primrose Hill which includes the setting of the Victoria Tower of the Palace of Westminster.

- **Vauxhall One Business Improvement District (BID):** Supports the low-cost rental spaces for new micro, small and medium sized enterprises, which will help to spread the benefits of growth in the local area, as well as provide new amenities for local residents; over £1.7 million a year for the Council through business rates; and new and improved public spaces that can be enjoyed by all.
- **Beaconsfield Gallery:** Objection on grounds of lack of consultation; restricting views of the historic Gallery building; impact on the Conservation Area and on a site designated not to have tall buildings; and loss of sun and daylight to all the surrounding communities and businesses and particularly the Gallery.

62 Florence Eshalomi, London Assembly Member for Lambeth & Southwark (now Member of Parliament for Vauxhall), objected to the proposals on grounds of loss of daylight and sunlight to neighbouring residents, Beaconsfield Gallery, and Old Paradise Gardens; tall buildings on a site deemed inappropriate for tall buildings; and insufficient consultation and engagement.

63 Councillor Davies objected to the proposals on grounds of tall building on a site deemed inappropriate for tall buildings; severe loss of daylight and sunlight to neighbouring properties; unacceptable negative impacts on two Conservation Areas and a range of listed buildings; net loss of employment generating space; and inappropriate residential use in a KIBA.

64 Councillor Simpson objected to the proposals on grounds of inappropriate residential and Use Class D1 in a KIBA; lack of affordable rent family-sized homes; insufficient affordable housing; over supply of hotels in the area; insufficient demand for office space in the area; tall buildings on a site deemed inappropriate for tall buildings; damage to the Grade II listed Former Fire Headquarters; poor quality public realm; unacceptable daylight and sunlight impacts on neighbouring properties; insufficient consideration of the impact on Beaconsfield Gallery; insufficient dual aspect units; insufficient play space; traffic impacts, and resulting air quality impacts, arising from the hotel.

65 The Mayor has received 50 direct representations in objection to the application, many requesting that the application be taken over by the Mayor for his own determination and/or refused, with grounds reflecting those set out above. This includes a letter from Ward Councillors Jon Davies, David Amos, and Joanne Simpson, expressing support for the development of the site, but raising concerns about the impact on a KIBA site, with the risk of losing suitable local employment opportunities; the massing of the scheme in an area that is not suitable for such tall buildings; and the reduction of the amount of affordable housing through the provision of the museum.

66 Greater London Assembly Member Sian Berry has also requested that the application be taken over by the Mayor for his own determination, on grounds of non-compliance with affordable housing policies, daylight and sunlight impacts, and heritage impacts; or alternatively refuse the application on grounds that the application is not compliant with affordable housing policies, the site is identified as not suitable for tall buildings, and the loss of a Key Industrial Business Area.

67 Issues raised by objectors have been considered in this report, the Mayor's Stage I report, and the Council's Committee Report and two Update Reports. The Council has proposed various planning obligations and conditions in response. Having had regard to these, GLA officers are satisfied that the statutory and non-statutory responses to the public consultation process do not raise any material planning issues of strategic importance that have not already been considered in this report, or consultation stage report GLA/1414c/01.

Draft section 106 agreement

68 Further to the heads of terms set out within Lambeth Council's Committee Report, the draft section 106 agreement secures the following key provisions:

- Affordable housing as set out above, comprising 40% (by habitable room), split 62% affordable rent (one/two beds at Local Housing Allowance, three-beds at Target Rent levels), 38% shared ownership, with early and late review mechanisms;
- A contribution of £658,112 towards employment, skills, training and enterprise;
- A contribution of £336,960 towards carbon offsetting;
- A contribution of £164,000 for implementation of Low Traffic Neighbourhood measures on local streets;
- A contribution of £120,000 for Council monitoring costs;
- A contribution of £35,640 towards off-site children's play space;
- A contribution of £10,000 towards Legible London signage;
- A contribution of £5,000 towards travel plan monitoring.

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

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

Legal considerations

70 Under the arrangements set out in Article 5 of the Town and Country Planning (Mayor of London) Order 2008, the Mayor has the power under Article 6 to direct the local planning authority to refuse permission for a planning application referred to him under Article 4 of the Order. He also has the power to issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application. The Mayor may also leave the decision to the local authority. In directing refusal, the Mayor must have regard to the matters set out in Article 6(2) of the Order, including the principal purposes of the Greater London Authority, the effect on health and sustainable development, national policies and international obligations, regional planning guidance, and the use of the River Thames. The Mayor may direct refusal if he considers that to grant permission would be contrary to good strategic planning in Greater London. If he decides to direct refusal, the Mayor must set out his reasons, and the local planning authority must issue these with the refusal notice. If the Mayor decides to direct that he is to be the local planning authority, he must have regard to the matters set out in Article 7(3) and set out his reasons in the direction.

Financial considerations

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

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

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

Conclusion

74 The strategic issues raised at consultation stage with respect to the principle of development; urban design; historic environment; transport; and climate change have been addressed. Having regard to the details of the application, the matters set out in the Committee Report, two Update Reports, and draft decision; the application complies with the London Plan and the intend to publish London Plan, and there are no sound planning reasons for the Mayor to intervene in this case.

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