Strategic planning application stage 1 referral (new powers)


The proposal

Retention of the two storey ‘gatehouse’ building fronting Wandsworth Road. Redevelopment of the remainder of the site by the erection of three new buildings; the first comprising up to 11 storeys (plus basement) both to provide 124 residential units (52 affordable and 72 units for private sale) and approximately 10,750 sq.m. of commercial floor space (B1 and B8 uses), and a stand alone restaurant (A3 use) within a public square, with 71 parking spaces, cycle and motorcycle parking.

The applicant

The applicant is Fieldingdale Ltd, and the architect is John Seifert Architects.

Strategic issues

The proposed development is not consistent with the development plan designations for this site and will harm the implementation of strategic employment and waste management policy. The scheme is poorly designed and contravenes good urban and inclusive design principles. It will create an unacceptable living environment, particularly for affordable housing occupants. Notwithstanding the in-principle objection, the housing measures are not consistent with strategic policies on density, affordable housing, housing mix and inclusive housing design. It fails to provide any notable climate change mitigation or adaptation measures to support strategic policy.

Overall the scheme will harm the implementation of the London Plan and is not acceptable in principle.

Recommendation

That Lambeth Council be advised that the application does not comply with the London Plan, for the reasons set out in paragraph 92 of this report.

Context

1. On 2 December 2008 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. Under the provisions of The Town & Country Planning (Mayor of London) Ord
Order 2008 the Mayor has until 12 January 2009 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor’s use in deciding what decision to make.

2 The application is referable under Categories 1C and 3H of the Schedule to the Order 2008: “Development which comprises or includes the erection of a building of one or more of the following descriptions — (a) the building is more than 25 metres high and is adjacent to the River Thames; (b) the building is more than 150 metres high and is in the City of London; (c) the building is more than 30 metres high and is outside the City of London.” and “Development which (a) comprises or includes the provision of houses, flats or houses and flats; (b) 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 (c) is on a site that is adjacent to land used for treating, keeping, processing, recovering or disposing of refuse or waste materials with a capacity for a throughput of more than - (i) 2,000 tonnes per annum of hazardous waste; or (ii) 20,000 tonnes per annum of waste.”

3 Once Lambeth Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

4 The Mayor of London’s statement on this case will be made available on the GLA website www.london.gov.uk.

Site description

5 The site is within the London borough of Lambeth, however, it sits on the border with the London borough of Wandsworth.

6 The site covers 0.56 hectares and sits behind several developments along Wandsworth Road, with a 4-metre wide access route from Wandsworth Road. The site is not level and drops 3.4 metres from the Wandsworth Road frontage to Pensbury Place at the rear of the site.

7 The site is bounded by Pensbury Place along the north western boundary, Pensbury Street on the south western boundary, by Wandsworth Road on the south eastern boundary and by a car pound on the north eastern boundary. Wandsworth Road forms part of the Strategic Road Network (SRN) whilst the nearest section of Transport for London Road Network (TLRN) is the A3, Clapham Road located 0.9 km south of the site. Beyond Pensbury Place on the north western boundary is a metal recycling facility and warehousing. Along Pensbury Street are two storey warehouse units and a public house. On the opposite side of Wandsworth Road are five-storey residential mansion blocks.

8 The nearest London Underground station is Clapham North (on the Northern line) located approximately 0.9 km south of the site. Clapham Common (on the Northern line) and Stockwell (on the Northern and Victoria lines) are also within walking distance from the site. Wandsworth Road Rail Station is located approximately 0.2 km east of the site, providing national rail services to London Bridge and Victoria. The site has a public transport accessibility level (PTAL) of 2 (on a scale where 1 is low and 6 is high). Bus routes 77 and 77a, run along Wandsworth Road, providing services to Waterloo and Aldwych. A further 5 routes are within walking distance of the site.

9 The site has no strategic designations, but is adjacent to the Nine Elms Strategic Industrial Location, as identified in the Central Sub-Regional Development Framework (May 2006) and the Wandsworth Core Strategy proposed Submission document (July 2008). The site is adjacent to the current boundary of the pre-consultation draft of the Vauxhall Nine Elms Battersea Opportunity Area Planning Framework, although this boundary has yet to be finalised and the Lambeth
industrial designations are likely to be considered for inclusion within the OAPF given the cross borough land use issues.

10 The site is designated for key industrial and business use in the Lambeth 2007 UDP and is adjacent to a site designated for waste and manufacturing uses. In addition to the designation, forms part of a wider Major Development Opportunity.

Details of the proposal

11 The scheme comprises three buildings linked by a single basement. The basement contains 71 parking spaces, 124 cycle spaces and refuse storage for residential uses, along with commercial storage space with associated service yard and office space. On the western part of the site is a five storey block with ground floor commercial uses and affordable housing above. On the eastern part of the site is an eleven storey building, with “starter” business units on the ground and first floor, commercial storage use on the ground to third floor, and private housing units on the remaining floors. At the Wandsworth Road frontage an existing building is being retained and refurbished for office use. In the centre of the main site, between the two main buildings, is a landscaped area approximately 1,170 sq.m. which includes a single storey restaurant building.

12 The scheme proposes a total of 124 residential units, of which 52 are proposed as affordable. The scheme will provide 10,750 sq.m. of non-residential floorspace, the majority of which will be used for commercial self-storage use.

Case history

13 There is no relevant strategic planning history for this scheme. A planning application for 100 residential units and 7,217 sq.m. of business floorspace (Use Class B1) was submitted in 2003. The Council refused planning permission on the grounds that the proposed residential development directly adjacent to existing neighboring industrial sites would prejudice the future employment-generating potential of these sites, and that residents would suffer unacceptable disturbance from these uses. The failure to provide the maximum reasonable amount of employment use, the height bulk scale and massing of the scheme, its impact on the conservation area and transport issues were also reasons for refusal.

Strategic planning issues and relevant policies and guidance

14 The relevant issues and corresponding policies are as follows:

- **Housing**
  - London Plan; PPS3; Housing SPG; Providing for Children and Young People’s Play and Informal Recreation SPG
- **Affordable housing**
  - London Plan; PPS3; Housing SPG
- **Density**
  - London Plan; PPS3; Housing SPG
- **Urban design**
  - London Plan; PPSt
- **Mix of uses**
  - London Plan
- **Transport**
  - London Plan; the Mayor’s Transport Strategy; PPG13
- **Parking**
  - London Plan; the Mayor’s Transport Strategy; PPG13
- **Employment**
  - London Plan; PPG4; draft PPS4; Industrial Capacity SPG
- **Access**
  - London Plan; PPS1; Accessible London: achieving an inclusive environment SPG; Wheelchair Accessible Housing BPG, Planning and Access for Disabled People: a good practice guide (ODPM)
• Equal opportunities  
  *London Plan; Planning for Equality and Diversity in Meeting the spatial needs of London’s diverse communities SPG; Diversity and Equality in Planning: A good practice guide (ODPM)*

• Ambient noise  
  *London Plan; the Mayor’s Ambient Noise Strategy; PPG24*

• Air quality  
  *London Plan; the Mayor’s Air Quality Strategy; The Control of dust and emissions from construction and demolition BPG; PPS23*

• Sustainable development  
  *London Plan; PPS1, PPS Planning and Climate Change Supplement to PPS1; PPS3; PPG13; PPS22; the Mayor’s Energy Strategy; Sustainable Design and Construction SPG*

• Waste/minerals  
  *London Plan; the Municipal Waste Management Strategy; PPS10*

• River Thames/flooding  
  *London Plan; Mayor’s draft Water Strategy; PPS25, RPG3B*

• Historic Environment  
  *London Plan; PPG15*

15. For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the site is the 2007 Lambeth Unitary Development Plan and the London Plan (Consolidated with Alterations since 2004).

16. The following are also relevant material considerations:

• The Lambeth LDF Core Strategy Issues and Options Stage July 2008.

• The pre-public consultation draft Opportunity Area Planning Framework for Vauxhall/Nine Elms/Battersea to the extent that the site currently lies outside the Framework Area but is on its border.

• The Wandsworth Core Strategy Submission document July 2008.

**Principle of use**

**Principle of residential use**

17. The Lambeth UDP has two relevant designations for the site. The first is as a key industrial and business area. The second is as a specific major development opportunity for an area larger than, but fully incorporating the application site. The diagram below shows the designation of the wider area. The strip of land along the north-eastern boundary is excluded from the application site.
18 This area is designated as a mixed use employment area. The UDP allows residential uses on mixed use employment areas only in appropriate locations (Policy 22). This particular designation identifies appropriate locations for residential use as southern parts of the site with a Wandsworth Road frontage. There are two separate frontages, one within the application site measuring 4 metres wide and within the conservation area, and another outside of the application site measuring approximately 13 metres wide with an existing residential block on it. The UDP designation requires the replacement of any lost affordable housing, which is assumed to mean some or all of these properties. The designation also requires a buffer between non-employment uses and the adjacent industrial sites, suggested in the form of a scrap yard.

19 The principles behind the designation have been established through the development plan process and demonstrate the sensitivity of the site and its surrounding area to residential use. The residential uses in the proposed application are not related to either frontage nor do they provide a suitable buffer. They cover the area of the site intended for employment uses. The scheme is therefore a departure from the development plan.

Employment designations

20 The site is on the boundary of the Nine Elms Strategic Industrial Location (SIL) in the London borough of Wandsworth and although not within it, the industrial and business designations are relevant to the ongoing protection and management of the SIL. Land adjacent to the application site, within Lambeth on the south-west boundary, is identified as both key industrial and business land and specifically for waste and manufacturing uses. This is relevant in terms of the reason for the application being of potential strategic importance under category 3H of the schedule to the Mayor of London Order, relating to potential conflict between waste management sites and other uses.

21 The London Plan (policy 3B.4) states that the Mayor will work with strategic partners to promote, manage and where necessary protect the varied industrial offer of the Strategic Industrial Locations. Boroughs are required to develop policies and criteria to manage locally significant and other smaller industrial sites outside the SIL. In this instance, as outlined in paragraphs 16 and 17, Lambeth Council has a policy for the site designation and a specific major development opportunity designation.

22 The London Plan Supplementary Planning Guidance on Industrial Capacity (March 2008), which supports Strategic Industrial Location policy 2A.10 in the London Plan, identifies Lambeth as a borough encouraged to restrict the release of industrial land. Release can occur where the borough has made adequate provision for industrial uses, in particular waste uses, in their DPDs.

23 The pre-public consultation draft Opportunity Area Planning Framework for Vauxhall/Nine Elms identifies the area immediately to the north of the site for retention as a Strategic Industrial Location. It also sets out two principles for any proposed housing in close proximity to Strategic Industrial Locations or waste sites. Firstly to wrap waste/industrial sites with commercial development to act as a buffer to new residential development. Secondly, if residential development is located adjacent to existing waste/industrial sites, noise and visual impacts should be mitigated through design i.e. through the use of winter gardens and ensuring habitable rooms do not front onto existing uses.

Assessment

24 The development plan policies are clear that the primary purpose of this land should be for employment use and that any release of employment use should be restricted. The UDP policy for major development makes it clear that non employment floorspace should be directed to the south of the site with Wandsworth Road frontage. Strategic policy supports the rationale for this, i.e. to
prevent conflict between land uses and ensure the continued viability of industrial and waste uses in the longer term.

25 There is no evidence or justification to support the release of employment land in this instance. Given the location of the site adjacent to Strategic Industrial Capacity, weight is attached to the application of a restrictive approach for this particular site from a strategic point of view. The applicant’s supporting information concentrates on pre-application discussions with Lambeth Council officers, a broad policy interpretation of the mixed-use employment area designation, the broader in-principle benefits of developing brownfield land and contributing to housing targets, and the benefit of increasing employment generating floorspace on the site. Although there is an increase in employment floorspace the B8 storage use is a low employment generating use. Together this is not sufficient to justify a departure from development plan policy, where account has been given through the development plan process to housing and employment provision, and through which the specific role of this site has been established.

26 The proposed development locates residential uses across the majority of the application site, adjacent to existing waste uses and industrial uses that are potentially sensitive to having residential uses as their neighbours.

27 Taking account of strategic and local development plan policy on housing and employment, the proposed development is contrary to the development plan in principle. In particular, as set out in this report, the proposed development is likely to harm the viability of SIL.

Waste

28 The London Plan waste policies relevant to this application are as follows:

- Policy 4A.22 seeks to safeguard waste sites with an existing or future potential for waste management and ensure that adjacent development is designed accordingly to minimise the potential for conflicts of use and disturbance.
- Policy 4A.24 supports the principle of safeguarding all existing waste management sites as a strategic resource, because through re-orientation these have the potential to make a significant contribution to London’s waste self-sufficiency.
- Policy 4A.25 requires boroughs in their DPDs to identify sufficient land to provide capacity to manage their apportioned tonnages of municipal solid waste and commercial/industrial waste.

29 The adjoining existing metals recycling facility within the London borough of Wandsworth and the land to the south west of the site identified in Lambeth’s UDP for waste and manufacturing use have the potential to make a significant strategic contribution to the management of Wandsworth and Lambeth’s respective apportioned commercial waste and municipal solid waste. Wandsworth Council identify this area of the SIL as a preferred location for waste management uses (Policy PL11).

30 Existing waste operations and/or future safeguarding should not be compromised by adjacent uses inappropriately sited or designed. There is little evidence to suggest that the scheme has been designed to take this into account, whilst certain elements of the design, notably the proposed south-west facing single aspect units in the affordable housing, appear to actively create the potential for conflict. There are key residential units that are at a particular disadvantage with habitable rooms located overlooking or in close proximity to industrial/waste management uses. It is likely that residents in the scheme would be subject to noise disturbance from the recycling facility. The submitted noise assessment is not comprehensive enough to be conclusive on the
scale of existing noise. Were this scheme to be implemented, residents complaints could compromise the ongoing viability of adjoining existing waste operations. Noise is covered in further detail in the design section of this report.

31 In addition, a longer term issue is the impact of residential development on the future flexibility of the designated industrial areas in the Strategic Industrial Location, and waste uses on the non-SIL land within Lambeth, adjacent to the application site. Allowing the development in the current form raises the potential for objections to proposed industrial/waste developments as outlined above and could undermine the future viability of adjoining land designed for waste use.

**Housing**

32 Notwithstanding the view that the development is not acceptable in principle the following assesses the housing elements of the scheme against London Plan policy.

**Density**

33 The London Plan aims to ensure that development proposals achieve the maximum intensity of use compatible with local context, the design principles in policy 4B.1 and with public transport capacity (policy 3A.3). As a guide, table 3A.2 sets out density ranges for central, urban and suburban locations with different characteristics. This site has a public transport accessibility level of two and can be considered as being within an urban location. No information has been provided to breakdown the number of habitable rooms, but given the predominance of one and two bedroom units, the overall range applicable to this site is 70-170 units per hectare.

34 On a plot ratio basis, where residential use accounts for approximately 40% of the total gross internal floor area, the proposed density is 539 units per hectare.

35 For such a density to be acceptable in London Plan terms it would have to demonstrate that it is compatible with the local context, consistent with the design principles in the London Plan and the public transport accessibility of the site. As set out in this report, the scheme fails on all three aspects and, notwithstanding the in-principle objection to the land use, is not consistent with London Plan policy on maximising the potential of sites.

**Affordable housing**

36 London Plan Policy 3A.10 requires borough councils to seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed-use schemes. In doing so, each council should have regard to its own overall target for the amount of affordable housing provision. Policy 3A.9 states that such targets should be based on an assessment of regional and local housing need and a realistic assessment of supply, and should take account of the London Plan strategic target that 70% of the affordable housing should be social and 30% intermediate, and of the promotion of mixed and balanced communities. In addition, Policy 3A.10 encourages councils to have regard to the need to encourage rather than restrain residential development, and to the individual circumstances of the site. Targets should be applied flexibly, taking account of individual site costs, the availability of public subsidy and other scheme requirements.

37 Policy 3A.10 is supported by paragraph 3.52, which urges borough councils to take account of economic viability when estimating the appropriate amount of affordable provision. The ‘Three Dragons’ development control toolkit is recommended for this purpose. The results of a toolkit appraisal might need to be independently verified.
38 Where borough councils have not yet set overall targets as required by Policy 3A.9, they should have regard to the overall London Plan targets. It may be appropriate to consider emerging policies, but the weight that can be attached to these will depend on the extent to which they have been consulted on or tested by public examination. The UDP does specify that where housing grant is available, a 50% provision for specific schemes will be required on a habitable room basis, otherwise 40% will be required, unless the applicant can demonstrate through independent assessment that such provision is not viable.

39 The applicant proposes 41% of housing units to be affordable, of which 29% are intermediate and 71% for social rent. The applicant states that there is a total of 323 habitable rooms within the scheme, of which 136 are affordable (42%).

40 The applicant has not specified whether social housing grant is available and no independent assessment of viability has been provided. At present the scheme does not demonstrate that it is providing the maximum reasonable amount of affordable housing and for this provision to be acceptable in strategic planning terms it will need to do so.

**Housing mix**

41 The London Plan aims to facilitate mixed and balanced communities, and developments are required to provide a range of housing types. The Supplementary Planning Guidance on Housing sets out the broad mix sought within developments to help meet London-wide net housing requirements in terms of current un-met demand and projected growth in demand. The Housing SPG to the London Plan sets targets for the size of units in order to meet estimated housing need in London. An overall mix for London is sought as follows: 32% for 1-bed units, 39% for 2/3 bed units and 30% for 4-bed plus.

42 The applicant has not provided a full breakdown of accommodation mix for affordable housing, however, the proposed mix of the scheme to the extent known is as follows:

<table>
<thead>
<tr>
<th></th>
<th>Studio</th>
<th>1-bed</th>
<th>2-bed</th>
<th>3-bed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Market housing</td>
<td>0</td>
<td>31 (43% of market)</td>
<td>38 (53%)</td>
<td>3 (4%)</td>
</tr>
<tr>
<td>Affordable housing</td>
<td>4</td>
<td>16</td>
<td>28</td>
<td>4</td>
</tr>
</tbody>
</table>

43 The scheme fails to provide a sufficient mix in line with overall housing need in London. The scheme is heavily focused on 1 and 2-bed units and is not consistent with policy 3A.5 of the London Plan.

**Lifetime Homes and wheelchair housing**

44 The applicant states that residential units will be designed as far as possible to Lifetime Homes standards, however, it does not identify the extent of, or where there are difficulties in achieving this standard. The London Plan seeks to ensure that all units are designed to this standard and the Design and Access statement should clearly show how the different units types meet the sixteen Lifetime Homes criteria as set out in appendix 4 of the Accessible London Supplementary Planning Guidance. The scheme is not consistent with London Plan policy 3A.5 on housing choice. The applicant states in the Sustainable Design and Construction statement that 100% of the residential units shall be wheelchair accessible, however, the plans demonstrate that this is not the case. This may be a misinterpretation of the policy and a minimum of 10% of units
should be provided to meet the necessary standards, with the Design and Access statement clearly demonstrating which units these are and how the standards have been achieved.

**Design**

45 Good design is central to all objectives of the London Plan and is specifically promoted by the policies contained within Chapter 4B which address both general design principles and specific design issues. London Plan Policy 4B.1 sets out a series of overarching design principles for development in London. Other design policies in this chapter and elsewhere in the London Plan include specific design requirements relating to maximising the potential of sites, the quality of new housing provision, tall and large-scale buildings, built heritage, views, and the Blue Ribbon Network.

46 In designing for a compact city, the London Plan states that the Mayor will seek to ensure that development maximises the potential of sites. The potential of this site is shaped in particular by the planning designations discussed in this report. Drawing on policy 4B.1 of the London Plan, the key strategic principles that this design must address are minimising potential conflict between land uses, creating a positive visual relationship between any proposed development and the listed buildings and conservation area, and ensuring that any design delivers the necessary internal and external measures to ensure it creates a development that is inclusive and makes the fullest contribution to tackling climate change. This site requires a high quality design to make the most intense use of the land.

47 The proposed development fails to do this on a number of levels resulting in a development that will deliver a dense poor quality housing and commercial development that has the potential to create conflict in the existing area and a poor living environment for residents.

48 The relationship between this site and the adjacent industrial uses and designations has been handled particularly poorly, if not disregarded. The scheme locates housing in the parts of the site with the greatest potential for conflict and contrary to the instructions in the UDP site designation. The affordable housing has been located closest to uses that may harm living quality and create conflict between uses. Further to that the applicant has designed single aspect dwellings approximately two metres from the boundary with the adjacent industrial site (with waste and manufacturing use designation), resulting in habitable rooms directly overlooking this site. The Design and Access statement is explicit about the purpose of the affordable housing block as a barrier. This approach is unacceptable and contrary to good design principles.

Figure showing proposed siting of buildings and public space
49 The relationship between the site and the Wandsworth Road, in particular the conservation area and listed buildings has also been handled poorly. The scale of the proposed development will impact the conservation area when viewed from Wandsworth Road. One of the urban design strengths of the listed buildings lies in the strong lines created by the building form, the arrangement of the windows, their composition and prominance on the Wandsworth Road. It’s acknowledged that there are poor, large scale buildings to the north of the site but this in itself does not justify the height, mass and bulk of the proposed buildings. When seen from angles walking along Wandsworth Road, the different forms created by the storage and residential uses along with the range of proposed materials will result in a building that detracts from the simplicity of the listed buildings. The appreciation of these buildings is currently enhanced by the predominantly open background, which gives the buildings depth and enhances their prominance. The proposed buildings will create a mass that will alter this and provide an imposing presence. Overall, the proposed design is not sympathetic to the local context, nor does it create a building that will enhance it through intelligent juxtaposition of form and scale.

Figure showing the scale of current buildings along Wandsworth Road frontage and proposed buildings to the rear.

50 Access into the scheme from Wandsworth Road is pedestrian only, with pedestrian access to the rear via steps, given the change in level of the application site. Cars and service vehicles enter the basement level at grade from Pensbury Place at the rear of the site. The applicant has sought to create a route through the scheme and a public square. The applicant’s rationale is that it is creating “a new ‘Piazza style’ urban landscape in the heart of the city, boldly reaching out to the adjoining building facades,”1. This indicates a total disregard and misunderstanding of the site and its context, located as it is on backland within a predominantly industrial area, away from the any international, major or district centres.

51 Although the internal space standards are reasonable, the residential units do not provide particularly high quality environments in terms of amenity space, orientation or outlook, with the exception of the east-facing corner units in the market housing. In terms of affordable housing,

thirteen units on each floor of the affordable housing units all face onto a single 38-metre corridor, with the core at one end. The majority (32 out of 52 – approximately 62%) of units are single aspect, and although none are north facing, the outlook from balconies for almost all properties is particularly poor, whether directly overlooking industrial or waste management uses, or 5 metres from the facade of the commercial facility. For the market housing, the quality varies. The fourth floor of the market housing block has thirteen units from a single core, 32 metre length corridor going up to five units from a shorter corridor as each floor steps back to provide terraces. There are 52 single aspects units out of the 72 market units (72%), meaning that 68% of market and affordable units combined are single aspect.

Inclusive design

52 London Plan policy 4B.5 ‘Creating an inclusive environment’ expects all future development to meet the highest standard of accessibility and inclusion. This, together with the Supplementary Planning Guidance ‘Accessible London: achieving an inclusive environment’ underpins the principles of inclusive design and the aim to achieve an accessible and inclusive environment consistently across London. Inclusive design principles if embedded into the development and design process from the outset help to ensure that all of us, including older people, disabled and Deaf people, children and young people, can use the places and spaces proposed comfortably, safely and with dignity. The aim of London Plan Policy 4B.5 is to ensure that proposals achieve the highest standards of accessibility and inclusion (not just the minimum).

53 The applicant has submitted information to explain how it has considered accessibility, however, the Design and Access statement is limited in detail particularly with regards to how the applicant has approached inclusive design and access from the outset. In addition there are instances where applicant references measures that it recognises need to be included but does not make it clear whether they are. The applicant does state that in public areas the gradient will be no greater than 1:20, which is the close to the minimum requirement under building regulations Part M, with resting places and seating provided. However, this needs to be clearly demonstrated as the majority of the space appears to be taken up by the proposed restaurant/cafe and may not be accessible to members of the public or residents not using it.

54 The steep level change in the site means that there is step-only access at the rear of the site in the public realm, with alternative access from the lifts in the basement car park or level access from the Wandsworth Road end. There are two escape routes from the affordable housing with one being staircase-only. This is a concern given the distance from some properties to the lift core.

55 The above comments should be read in conjunction with comments on Lifetime Homes and wheelchair housing in the housing section of this report, however, the scheme at present fails to demonstrate that inclusive design forms an integral part of the scheme’s overall design and is not consistent with policy 4B.5 of the London Plan.

Amenity – noise

56 The relationship between the application site, the existing industrial uses and the development plan designations is significant to the successful redevelopment of this site. The applicant has undertaken a noise assessment, however, it is not comprehensive enough to demonstrate that this relationship has been fully assessed and properly managed. Survey measurements need to be taken closer to the north eastern corner (i.e. closest to the car scrap yard) and above ground level. The noise assessment does state that the dominant noise source along the northern edge of the site (Pensbury Street) was HGVs rather than the scrap yard, however, this was based only on ground level measurements somewhat remote from the scrap yard.
57 For the road traffic noise from Wandsworth Road at the southern side, there are no apparent strategic noise concerns and closed thermal double glazing can give acceptable internal noise levels.

58 In both situations however, the proposed acoustic trickle vents would not be adequate, since windows need to be kept closed - something able to give a positive flow of air should be provided - ideally a whole-building passive stack but failing that, mechanical acoustic ventilators (acknowledged as an option in the report). This is relevant to London Plan policies on Sustainable Design and Construction as well as noise (policies 4A.1 and 3).

Amenity and children’s play space

59 There is no amenity space provided other than terraces for the majority of units. The nearest open space is an adventure playground close to the boundary of the site but accessed from Clayton Street. Policy 3D .13 of the London Plan sets out that “the Mayor will and the boroughs should ensure developments that include housing make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs.” The applicant has not established the child yield nor has it provided a full tenure breakdown for the scheme, so it is not possible to properly calculate the estimated child yield under the methodology within the Mayor’s supplementary planning guidance ‘Providing for Children and Young People’s Play and Informal Recreation’.

60 This development does not provide any specific playspace or informal recreation on site, nor provide justification otherwise. There is an adventure playground close to the site that may be suitable for 5-11 year olds however its current use level or condition is not established.

61 The scheme is not consistent with policy 3D.13 and the associated supplementary planning guidance.

Overall

62 The introduction of residential use on this site requires high quality design to deal with the particular planning designations and characteristics of the site and surrounding area. The scheme is not consistent with London Plan design principles and consequently creates the potential for conflict with adjacent industrial land, harms the setting of listed buildings and the conservation area and creates a poor residential environment.

Climate change

63 The London Plan requires development to make the fullest contribution to the mitigation of and adaptation to climate change, and to minimise its carbon dioxide emissions (policy 4A.1), in the context of the site and proposals. Chapter 4A sets out a range of policies that development should address to demonstrate that the scheme is consistent with strategic climate change objectives.

Sustainable Design and Construction

64 The applicant has submitted a sustainability assessment as required by the London Plan (policy 4A.3). The applicant states that the following will be provided:

- Permeable paving.
- A refuse and recycling / sorting area in the basement.
• Commitment to best practice construction techniques.

• Reuse of some on-site demolition material as aggregates.

65 The applicant states that no information is available to establish whether the above measures will meet the relevant essential standards in the Supplementary Planning Guidance. In addition, the applicant hasn’t set out explicitly how it will meet the water use target in the London Plan of 110 litres per person per day (policy 4A.16). No Code for Sustainable Homes target or pre-assessment report has been set/submitted.

Energy

66 The applicant has submitted a brief energy statement indicating that it would accept a planning condition to implement energy efficiency measures and could potentially incorporate any of three renewable energy technologies, namely biomass heating, ground source heat pumps or solar water heating panels. In terms of London Plan policy requirements, a number of issues have not been addressed. The applicant has not submitted an energy demand assessment, and has not sought to demonstrate in detail how it has reduced energy use through passive or active design measures. The applicant has also not indicated how the development will be powered, heated and if necessary cooled, nor demonstrated that it is able to reduce CO2 emissions by the required 20% through the use of renewable energy solutions.

67 The scheme design indicates that there is no space allocated for plant in the basement, suggesting that the scheme is not designed to accommodate a communal heating system or biomass deliveries. There is potentially around 700 sq.m. of roof space available on the affordable housing block, whilst the roof of the larger block is currently dominated by plant. However, the scheme does not appear to incorporate any amenity space or living roofs either so the ability to achieve the London Plan target for renewable energy may compromise or be compromised by other objectives.

68 The design of the scheme indicates that the applicant would not be able to satisfy the policy requirements if planning conditions were used. The high proportion of single aspect units with limited shading for the affordable housing and no apparent good design or natural ventilation measures, for example the use of dual aspect units with a winter garden, mean that there is the potential for residential units to overheat. The proximity to the existing open air waste management site, and designated waste management site further increases the potential for air conditioning units to be installed should windows have to remain closed. At the detailed planning stage it would costly to re-design and there is no guarantee that the scheme would be able to be consistent with policy in this regard. The scheme should, in principle, be able to deliver significant carbon dioxide reductions against a baseline scheme through energy efficiency measures, a communal heating system, and the use of renewable energy to meet the London Plan renewable energy target. Combined Heat and Power may not be deliverable on a scheme of this scale with the mix of uses proposed, meaning that other heat generating technologies such as solar water heating can contribute to potential savings.

69 In order to address the above issues, but notwithstanding the in-principle objection to the proposed uses, the applicant would have to undertake the following:

• An energy demand assessment in line with policy 4A.4 of the London Plan, based on building regulations compliant modelling work, to show baseline carbon dioxide emissions in line with the Target Emissions Rate for building regulations plus energy associated with uses not covered by building regulations. This should be for residential and non-residential uses.
Revise the scheme and the accompanying plans and Design and Access to incorporate passive design measures and a communal heating system, linking all uses. The size and location of the energy centre would have to be indicated on the plans, along with access arrangements if a biomass boiler is proposed.

Undertake a proper analysis of the feasibility of renewable energy technologies, including details of scale of the technology, demonstration that technologies are integrated into the design and a calculation of the carbon dioxide savings from the technologies in line with policy 4A.4, in order to achieve a 20% reduction in carbon dioxide emissions as set out in policy 4A7. If biomass is proposed, details of the fuel (source and carbon intensity), and air quality impacts should be provided.

The scheme will result in carbon emissions, which the design appears to exacerbate rather than mitigate. The scheme is not designed to provide infrastructure to supply energy efficiently and it is doubtful whether the scheme could incorporate sufficient technologies to reduce carbon dioxide emissions by 20%. At present the scheme is not consistent with policies 4A.1, 3, 4, 6 and 7 of the London Plan.

**Flood Risk**

The London Plan requires development proposals to undertake a flood risk assessment (FRA) in line with Planning Policy Statement 25. The site is within flood zone 3a (high probability) and a desk top FRA has been undertaken. This demonstrates that the site is on the edge of the 1 in 1000 year flood plain which itself is protected by tidal flood defences of the River Thames approximately 1 mile away. Whilst this means that there is little risk of flooding, the FRA does not consider how the development addresses the remaining risks, including the entrance to the basement level and how, in the unlikely event of a flood, people would access or egress from the site.

The site slopes away from Wandsworth Road, dropping by 3.4 metres, and may therefore be subject to flood risk from surface water towards the northern part of the site. The FRA does not address this and does not consider whether any particular measures should be put in place to enable the development to manage this risk.

**Surface Water Run-off**

There are no details given with regard to management of surface water discharge for the site. In order to comply with London Plan Policy 4A.14, methods to reduce surface water discharge to the combined sewer network are required.

**Climate change adaptation**

In addition to the water issues above, the London Plan requires development to take account of the climate it will experience over its lifetime, ensuring that it is designed to minimise the potential to overheat, and in particular to incorporate living roofs and walls to reduce the impact on the Urban Heat Island effect (policies 4A.10 and 11).

The scheme does not incorporate any living roofs or walls, or explicitly consider their feasibility.

**Overall**
Based on the information submitted, this scheme does not incorporate climate change measures as an integral part of the development and fails to meet a range of London Plan policies on climate change.

**Transport for London comments**

**Trip generation & highways**

In relation to highway impact appropriate analysis has been carried out and TfL concludes that there will be negligible impact on the highway network. However, there has been no analysis carried on concerning the potential impacts of this development on public transport, particularly buses. Without this analysis the scheme is not consistent with policy 3C.2 of the London Plan and TfL expects further analysis to be undertaken. This should be in line with TfL’s transport assessment best practice document (May 2006) and should also take account of committed developments within the local area.

The applicant should be aware that Lambeth Council will be reversing the one-way flow between Pensbury Place and Pensbury Street during December 2008. This should be taken into account in the transport assessment.

**Car Parking**

A total of 71 car parking spaces including 5 disabled spaces have been proposed for this development. 62 of these spaces are provided in relation to the residential element of the proposal and equates to 0.5 spaces per residential unit. This level of car parking is deemed appropriate in this location and is in compliance with London Plan Policy 3C.23 Parking Strategy (including Annex 4). Further clarity is on the proposed use of the remaining 8 car parking spaces is required.

TfL expects that residents of the development are excluded from eligibility for on-street parking permits.

**Cycle parking**

The provision of 209 secure and covered cycle parking spaces is welcomed by TfL. This should be provided in accordance with TfL’s cycle parking guidelines. The provision of shower and changing facilities for staff would be welcomed by TfL. This will ensure compliance with London Plan Policy 3C.22 Improving conditions for cycling.

**Buses & bus priority**

No trip generation assessment has been carried out and therefore TfL is unable to determine the level of impact which this development will have on local bus services. In addition, within the transport assessment details on bus routes serving the development are inconsistent and should be corrected. There is also currently a bus stand for route 452 before the entrance to Pensbury Street. This should be acknowledged and considered in any analysis.

Given that many of the bus services which run along Wandsworth Road are either at or near capacity in the peak periods TfL is likely to expect a section 106 contribution towards improving service frequency in order to support new developments.

In line with policies 3C.2 and 3C.20 these matters will need to be addressed for the scheme to be consistent with the London Plan.

**Freight and servicing**
85 To ensure consistency with London Plan Policy 3C.25 Freight Strategy the applicant should provide a Construction Logistics Plan and a Delivery and Servicing Plan. These should aim for load consolidation in order to reduce the number of road trips generated. TfL will welcome a commitment by the developer to use environmentally sustainable firms who are members of TfL’s Freight Operator Recognition Scheme.

Travel plan

86 No travel plan has been submitted as part of this application. Residential and workplace travel plans will need to be submitted and approved by TfL prior to any planning consent to be consistent with policy 3C.2 of the London Plan. Travel plans should be produced in accordance with TfL’s Guidance for residential travel planning in London and TfL’s Guidance for workplace travel planning for development.

Summary

87 The scheme is not consistent with London Plan transport policy. Further trip generation analysis is required in order to allow TfL to fully understand the impacts of this development, particularly in relation to buses. Information on car parking, construction and servicing management and a Travel Plan is required.

London Development Agency comments

88 The LDA shares concerns with the principle of this development, as raised elsewhere within this report. The site is located within close proximity to the strategically designated Nine Elms SIL and the Vauxhall / Battersea / Nine Elms Opportunity Area. The emerging Vauxhall / Battersea / Nine Elms OAPF seeks to safeguard and potentially intensify industrial operations within the nearby Stewarts Road Industrial Area (SIL). With this in mind, the LDA encourages the Council to consider the impact of the proposed development on nearby activities and ensure the implementation of the development, should Lambeth be minded to approve the application, does not adversely affect the operation of SIL activities (including the nearby scrap yard) through issues such as access or design.

Local planning authority’s position

89 The Council is still considering the application in detail.

Legal considerations

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

Financial considerations
There are no financial considerations at this stage.

**Conclusion**

London Plan policies on employment, waste management, housing, design, climate change mitigation and adaptation, and transport are relevant to this application. In general, the application does not comply with these policies, for the following reasons:

- **Employment:** The scheme is not consistent with the specific employment designations for the site, which have been drawn up through the development plan process in a manner consistent with the London Plan; there is no justification given for the release of employment land in a borough that should be taking a restrictive approach to such release, under strategic Supplementary Planning Guidance; the proposal will undermine the adjacent the Strategic Industrial Location that is further supported by emerging strategic guidance. The scheme is therefore not consistent with policies 2A.10 and 3B.4 of the London Plan.

- **Waste:** The proposal is adjacent both to a site with a waste designation and a site with an existing waste management use. These sites have significant roles in enabling Lambeth and Wandsworth Councils to meet their strategic waste apportionment targets. The proposal will harm the viability and future operation of these sites through a poorly conceived and inappropriate approach to design and siting of uses. The scheme is not consistent with policy 4A.22 and will harm the ability of strategic partners to implement policies 4A.23 and 4A.24 of the London Plan.

- **Housing:** Notwithstanding the principle of development being inconsistent with development plan policy, the proposal fails to provide a suitable mix of housing or demonstrate that it is providing the maximum reasonable amount of affordable housing. The proposed density is substantially beyond the guidelines for this site and the design is not of sufficient quality to make this density work within the local context or public transport accessibility. It is not clear whether all units are designed to Lifetime Homes standards, and it is not clear whether the scheme will deliver the appropriate wheelchair units. The scheme is not consistent with policies 3A.3, 3A.5, 3A.6 and 3A.10 of the London Plan.

- **Design:** The proposal fails to respond to the complex and sensitive context of the site. The design of the residential units, in particular the affordable housing units will result in poor living quality, with certain units being particularly unacceptable. There is no on-site communal amenity or children’s playspace provision and limited balcony space for the affordable housing units. The scheme does not demonstrate that principles of inclusive design have been fully incorporated. The scheme is not consistent with policies 3D.13, 4B.1, 4B.2, 4B.5, 4B.10 and 4B.12 of the London Plan.

- **Noise:** The scheme creates the potential for conflict between noise sensitive development and noise generating uses, exacerbated through the design of the scheme and without suitable mitigation. The scheme is not consistent with policy 4A.20 of the London Plan.

- **Climate change:** The scheme does not make the fullest contribution to the mitigation of and adaptation to climate change. The applicant has not met the requirements in particular to submit an energy demand assessment, reduce emissions through energy efficiency measures, provide heating and cooling infrastructure in line with London Plan policy or demonstrate that it will meet the 20% carbon dioxide reduction target. There are no living roofs or walls proposed, nor justification otherwise. The flood risk assessment is limited in
terms of measures to mitigate an identified risk. The scheme is not consistent with policies 4A.1, 4A.3, 4A.4, 4A.6, 4A.7, 4A.9, 4A.10, 4A.11, 4A.14 and 4A.16 of the London Plan.

- **Transport:** The scheme does not assess or seek to mitigate any potential impact on public transport, or provide a travel plan to ensure sustainable modes of transport are prioritised. The scheme is not consistent with policies 3C.2, 3C.20, 3C.22, 3C.23 and 3C.25 of the London Plan.

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