

**22-29 Albert Embankment, London, SE1 7TJ**

**in the London Borough of Lambeth**

**planning application no. 14/04757/FUL**

**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 and redevelopment to provide a mixed-use development comprising 141 residential units and flexible commercial uses (A3, D1 and B1) together with associated access, car and cycle parking, refuse storage and landscaping.

**The applicant**

The applicant is **St. James (Berkeley Group)** and the architect is **David Walker Architects**.

**Strategic issues**

The **principle** of a residential-led mixed use development within the **Central Activities Zone** and **Vauxhall Nine Elms Battersea Opportunity Area** is supported. The **design, layout** and contribution to the **public realm** is also supported. Whilst the **height** slightly exceeds the guideline in the VNEB OAPF, the impact is acceptable when viewed in the context of the emerging cluster. The impact on the **World Heritage Site** and **strategic views** is acceptable. The **residential quality** is good and whilst the **density** is high and exceeds the upper range of the matrix, it is appropriate in this location.

Strategic issues raised at consultation stage in relation to **affordable housing, viability** and the on-site/off-site provision have been addressed to demonstrate that the **maximum reasonable** amount is being delivered. Other matters raised in relation to **children's playspace, energy** and **transport** have been addressed, sufficient for the scheme to comply with the policies of the London Plan.

**The Council's decision**

In this instance Lambeth Council has resolved to grant planning permission subject to 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 15 October 2014 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. This was referred to the Mayor under the following Categories of the Schedule to the Order 2008:

Category 1C: *“Development which comprises or includes the erection of a building of one or more of the following descriptions ... (c) the building is more than 30 metres high and is outside the City of London.”*

2 On 25 November 2014 the Mayor considered planning report D&P/3384/01, and subsequently advised Lambeth Council that whilst the land use principles, the design, height and housing quality of the scheme were supported, some further information was required on matters of affordable housing and viability, energy and transport to ensure full compliance with the relevant policies of the London Plan. These issues were summarised in paragraph 101 of that report.

3 A copy of the above-mentioned report is attached. The essentials of the case with regard to the proposal, the site and its history, strategic planning issues and relevant policies and guidance are as set out therein, unless otherwise stated in this report. On 10 March 2015 Lambeth Council decided that it was minded to grant planning permission and on 13 March 2015 it notified the Mayor of this decision.

4 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 the 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 31 March 2015 to notify the Council of his decision and to issue any direction.

5 The decision on this case, and the reasons will be made available on the GLA’s website [www.london.gov.uk](http://www.london.gov.uk).

## Update

6 At the consultation stage, the land use principles of the development were supported, together with the design, layout, height, density and contributions to the public realm. Matters of housing quality were acceptable and playspace and inclusive access principles were broadly acceptable subject to conditions. Further information was however required in order to justify the indicative affordable housing offer including the on-site/off-site split offer, and the viability appraisal needed to be independently assessed. The proposals for climate change mitigation did not meet the London Plan target and required some further work and some transport matters required further discussion, to ensure full compliance with the relevant policies of the London Plan. These outstanding issues are addressed in turn below:

### Affordable housing

7 The consultation report noted that the proposals include a mix of on-site and off-site affordable housing, in the form of studio and one bedroom shared ownership units provided on-site with the intention to provide social rented units on a donor site elsewhere within the VNEB Opportunity Area. In line with the requirements set out in the VNEB OAPF, whilst the applicant committed to meeting the 40% affordable housing requirement, at that time further work was being carried out to arrive at the most optimum affordable housing solution between tenures and the on-site/off-site split, so numbers were indicative at that stage. Nonetheless, GLA officers understood that due to design constraints, values in the area and the GLA income thresholds it would be challenging to provide social rent or larger shared ownership units on-site, and

recognised that the overall offer could be maximised through an off-site provision. Nonetheless, GLA officers requested the applicant's viability appraisal to be independently verified by the Council's independent consultant to verify what affordable housing solution would be the optimum to maximise delivery.

8 The viability appraisals confirm that the maximum reasonable amount of affordable housing could be delivered purely on-site is 28 units or 20%, comprising 20 affordable rent and eight intermediate units. This would comprise smaller units only with the affordable rent units required to be at the upper rent level (80% of market value) in order to achieve viability. This also constrained the design by requiring a second core for the rented units and subsequently reduced the employment floorspace and the total number of units overall. The Council accept that this was not an efficient way of maximising the offer or meeting local housing needs, as upper rent levels are unaffordable for Lambeth residents requiring an affordable home and there is a greater local need for family units. GLA officers concur with this view.

9 At consultation stage, GLA officers welcomed further information on the on/off site split and in particular the off-site proposal, which at the time of the consultation report, was a site on Harleyford Road near St Anne's school about 600 metres south-east of the application site. This had the indicative potential to provide about 50 social rented units together with a reprovided nursery.

10 Due to issues relating to sunlight/daylight assessments and impacts on residential amenity, the parties agreed that pursuing a scheme at Harleyford Road would not achieve the quantum of affordable housing required by the Council in order to meet the 40% overall offer. Together with Council officers, the applicant explored numerous other sites (approximately 20 in total) including vacant sites, Council owned sites and privately owned sites with planning permission. It was agreed that the most efficient solution would be to work with the Council's estate regeneration team to deliver a standalone building with social rent units as part of a wider estate renewal scheme. A number of estates close to the site were considered, and due to issues around timing and local support/appetite for regeneration, the Westbury Estate on Wandsworth Road was deemed most appropriate. Whilst the estate is 1.6 miles away from the application site, it is still within the VNEB Opportunity Area which is acceptable to GLA officers

11 The viability appraisal shows that a figure of around £8.65m is available for the off-site affordable housing, although the feasibility work showed that to deliver the quantum of units to make up the 40% offer, a further £4m would be needed. Whilst the viability consultant confirmed that this would make the development unviable, the applicant has agreed to cover this additional cost and accept the risk on future values.

12 Whilst the off-site proposals need to be worked up in greater detail and achieve a planning consent, the 40% affordable housing offer overall would comprise 64 social rented units off-site (Westbury) and 18 shared ownership units on-site (a tenure split of 78:22) which is acceptable to GLA officers. Early consultation work has begun with residents of the Westbury Estate to explore masterplan options. The applicant's off-site proposals would be for a standalone building providing family sized social rent units, that would come forward as phase one of the masterplan, fitting within its timescales whilst avoiding unnecessary delay in delivery.

13 There is currently no application by the applicant for the off-site scheme which will be secured through the section 106 agreement. A cascade arrangement is included in the draft agreement requiring the applicant to secure planning consent for the off-site scheme and build out the units on behalf of the Council, who will retain ownership and continue to rent the new units to Westbury residents. Should issues arise, the cascade requires the applicant to submit a report for the Council's approval detailing why the scheme is undeliverable and then seek an alternative site for delivery. These requirements would need to be in place prior to full occupation of the main application site so the applicant is tied-in to delivering the off-site units in a timely fashion.

14 GLA officers are satisfied that the split of on and off-site affordable housing is the optimum solution that ensures a mixed community is created on the application site, whilst maximising overall delivery of affordable family homes at target rents, and contributing to a high priority estate renewal. There are no outstanding issues relating to affordable housing.

#### Children's playspace

15 At consultation stage, due to uncertainty over the final unit numbers and tenures on-site, the applicant was unable to confirm the child yield and corresponding playspace requirements. GLA officers nonetheless recognised that it is practical to provide extensive children's playspace on site of this nature that is heavily constrained at ground level.

16 Based on the final unit schedule, the child yield and playspace requirement remain as set out in the consultation report (19 children requiring 190 sq.m of playspace). Whilst the public realm and landscaped areas have been designed to be child-friendly, inclusive and playable for under-five's, the site cannot meet these needs entirely, and an in-lieu payment of £22,401 has been secured in the draft section 106 agreement towards local park improvements. Conditions have also been included on the draft decision to secure finer detail of landscaping and public realm materials. There are no outstanding issues relating to children's playspace.

#### Energy

17 The consultation report noted that the development was expected to achieve carbon savings of 29%, which fell short of the target in London Plan Policy 5.2. GLA officers therefore requested the applicant to consider the scope for additional efficiency measures to meet Part L 2013 by efficiencies alone and maximise savings from district heating before considering a cash in-lieu sum. Further information was also requested including modelling outputs/dynamic thermal modelling showing how active cooling demand has been minimised, sample DER/TER/BRUKL sheets and detail on the Corniche energy centre to verify the expected savings.

18 The applicant has confirmed that the energy centre at the Corniche will provide heat demand for the development and all proposed uses will be connected to it. An energy centre schematic and a plan showing the connections has also been provided, which is acceptable. It has also been confirmed that there is enough capacity in the Corniche energy centre, which is scheduled for completion on before the proposed development, thereby ensuring that it will be operational from day one. The applicant has not carried out any further work on the building fabric to improve efficiency savings as requested at consultation stage. As the total savings fall short of the 35% target, an additional condition has been agreed with the applicant and the Council to require the development to achieve Part 2013 by efficiency measures alone.

19 There are no outstanding issues relating to energy.

#### Transport

20 At consultation stage, TfL requested public realm and construction information together with a commitment to install electric vehicle charging points (EVCPs). Construction logistics, delivery and servicing, and travel plans were requested to be secured by condition or through the section 106 agreement. TfL also requested contributions of £80,000 to fund 16 additional cycle hire docking points at an existing cycle hire station adjacent to the site on Albert Embankment, and £15,000 to update Legible London signs around the Vauxhall Interchange.

21 Residents will be excluded from applying for local parking permits, which has been secured by condition. The car parking provision for the residential units is 56 spaces which equates to 0.4 spaces per unit, and 10% of the spaces will be blue badge disabled spaces. Whilst the provision of car parking conforms with Table 6.2 of the London Plan, it also advises that developments should be car free on sites with the highest public transport accessibility levels (PTAL). In this case the

site has the highest PTAL of 6a. In addition, the VNEB OAPF recommends a maximum of 0.25 spaces per unit. TfL therefore retain the view that there is an over-provision of car parking in this development considering its location.

22 The excessive level of parking for this development will however be mitigated as the heads of terms for the section 106 agreement include penalty payments to be incurred by the developer if the combined surveyed trip rate (i.e.: the sum of the AM and PM peak hour periods) exceed those predicted in the transport assessment. This approach has been applied by Lambeth Council to the neighbouring Hampton House development, where the potential maximum payment payable over the travel plan monitoring period is over two million pounds. Any penalty incurred by the development must be spent by the Council on sustainable transport measures in the local area.

23 The provision of cycle parking for the residential units will exceed the requirements of Table 6.3 of the London Plan, and cycle access and parking for the commercial units will conform with London Plan Policy 6.9. Detailed design of the public realm has been conditioned for approval by TfL which will enable further discussion with the applicant to ensure the landscaping strategy complies with various VNEB opportunity area and TfL guidance documents. TfL will negotiate a section 278 agreement with the applicant for works to Albert Embankment, and the Council has confirmed this will be secured through the section 106 agreement and either completed or funded prior to occupation depending on which is more appropriate.

24 Residents will be offered three years free membership of a local car club as part of the travel plan. Funding for all travel plan measures and a monitoring fee have been secured through the section 106 agreement in accordance with London Plan Policy 6.3. A delivery and servicing plan and construction management plan have been secured by condition. 20% passive and 20% active provision of EVCPs, which equates to 11 active and 11 passive EVCP car parking bays, have also been secured by condition in accordance with London Plan standards. TfL requests consultation on the discharge of these conditions to ensure consistency with the Nine Elms Construction Coordination Charter.

25 The DIFS has now been incorporated into Lambeth Council's Community Infrastructure Levy (CIL), generating a Council CIL payment of £4,442,997 and a Mayoral CIL payment of £636,512. However, section 106 contributions of £80,000 for cycle hire and £15,000 for Legible London requested by TfL at consultation stage, have not been included in the heads of terms agreed by the Council's planning committee, as it was not considered that they were reasonable or directly related to the development. Whilst TfL is disappointed that these contributions have been omitted, the majority of transport issues raised at consultation stage have been addressed satisfactorily, with mitigation packages secured. On balance the application is considered to be in accordance with the London Plan and is acceptable in strategic transport terms.

## Response to consultation

26 Lambeth Council's committee report confirms that the application was advertised by way of 717 letters sent to adjoining and neighbouring properties, together with a notice in the local press and three notices erected near the site. The applicant also held two public exhibitions on 11 and 12 June 2014 where residents were invited to view illustrated details of the proposals and discuss the scheme – approximately 1200 flyers were delivered in the local area advising of the events. As a result of statutory consultation, the Council's committee report confirms that no representations were received from local people.

27 Other statutory consultees responded as follows:

- **English Heritage:** No objection but have noted that future development within VNEB OAPF should avoid tall buildings appearing collectively as a solid wall of development.

- **Environment Agency:** No objections subject to conditions, which have been included on the draft decision notice.
- **Port of London Authority:** No objections. Suggestion made that the development could make use of the River Thames for construction deliveries.
- **Thames Water:** No objection subject to conditions, which have been included.
- **National Air Traffic Safeguarding Office:** No objection.

Adjoining boroughs:

- **Camden, Southwark, Wandsworth, City of Westminster:** No objections.

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

28 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 planning obligations, which satisfactorily addresses the matters raised at stage one, therefore there is no sound planning reason for the Mayor to take over this application.

### **Legal considerations**

29 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 and any connected 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**

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

31 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.

32 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

33 Having regard to the details of the application, the matters set out in the Council's committee report, draft heads of terms for the section 106 legal agreement, and draft decision notice, the scheme is acceptable in strategic planning terms. It will deliver a high-quality mixed use development with affordable homes on-site and further units on a suitable donor site to maximise overall delivery. The height, design and public realm are high quality and the heritage impact is acceptable.

34 Strategic planning matters raised at stage one in relation to affordable housing, viability, tenure and unit mix, playspace, energy and transport have been addressed and the scheme is in accordance with the London Plan.

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**22-29 Albert Embankment, London, SE1 7TJ**

**in the London Borough of Lambeth**

**planning application no. 14/04757/FUL**

**Strategic planning application stage 1 referral**

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

**The proposal**

Demolition of existing buildings and redevelopment to provide a mixed-use development comprising 141 residential units and flexible commercial uses (A3, D1 and B1) together with associated access, car and cycle parking, refuse storage and landscaping.

**The applicant**

The applicant is **St. James (Berkeley Group)** and the architect is **David Walker Architects**.

**Strategic issues**

The **principle** of a residential-led mixed use development on this site within the **Central Activities Zone** and the **Vauxhall Nine Elms Battersea Opportunity Area** is strongly supported. The **design, layout** and contribution to the **public realm** is also supported. Whilst the **height** slightly exceeds the guideline in the VNEB OAPF, the impact is acceptable when viewed in the context of the emerging cluster. The impact on the **World Heritage Site** and **strategic views** is acceptable. The **residential quality** is good and whilst the **density** is high and exceeds the upper range of the matrix, it is appropriate in this location. Matters of **children’s playspace** and **inclusive access** are broadly acceptable subject to conditions.

The indicative **affordable housing** offer complies with the tariff in the VNEB OAPF, although a **viability appraisal** needs to be independently assessed to confirm that it is the maximum reasonable amount. The on-site/off-site split provision is broadly acceptable subject to viability evidence and further information on the off-site scheme. The **energy strategy** needs further attention in order to meet the carbon reduction target in the London Plan. **Transport** matters are broadly acceptable subject to further discussion on car and cycle parking provision, proposals for pit lane and integration with TfL’s urban design strategy. Conditions and s106 obligations are also required to secure a number of transport matters.

**Recommendation**

That Lambeth Council be advised that the application broadly complies with the London Plan but that the issues set out in paragraph 101 of this report should be addressed before the scheme is referred back to the Mayor.



## Context

1 On 15 October 2014 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) Order 2008 the Mayor has until 25 November 2014 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

2 The application is referable under Category 1C of the Schedule to the Order 2008:

*Category 1C: "Development which comprises or includes the erection of a building of more than 25 metres high adjacent to the River Thames, and; more than 30 metres high outside the City of London."*

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](http://www.london.gov.uk).

## Site description

5 The application site comprises Prince Consort House (no.29) and 22-26 Albert Embankment, a collection of partly vacant 1960's office buildings. The site's main frontage faces onto the Albert Embankment (A3036) which runs along the western boundary; across Albert Embankment road lies Albert Embankment Gardens and the River Thames. As a result the site has open views across the River Thames.

6 The site is bounded by railway lines running on a viaduct to the east and two development sites directly to the south and north, formally occupied by Eastbury House and Hampton House respectively, until their recent demolition. Both of these sites formerly contained 1960's office buildings similar to those on the application site, which have planning permission for residential-led mixed use redevelopments including a number of tall buildings. Construction work has now commenced on site for both of these schemes.

7 Albert Embankment forms part of the Transport for London Road Network (TLRN). The Vauxhall interchange is about a seven minute walk, providing access to Vauxhall underground station and a number of bus and regional rail services. The site is also directly served by bus routes 360, 344, and 77. Pimlico Underground station on the Victoria Line is also within walking distance. The public transport accessibility level (PTAL) of this site is 6a, from a scale of 1-6 where one is low and six is high. This equates to an excellent level of accessibility to public transport.

8 The site is located within the Vauxhall Nine Elms Battersea (VNEB) Opportunity Area as set out in London Plan Policy 2.13 and Map 2.4. The site also falls within the boundary of the Central Activities Zone (CAZ) as shown on Map 2.3 of the London Plan, is adjacent to the locally designated Albert Embankment conservation area, and is close to the Westminster World Heritage Site.

## Relevant history

9 As mentioned above, planning permission was granted in 2012 for a comprehensive redevelopment of Eastbury House to provide a mixed use development, including ground floor commercial uses, and 46 residential units in a part 14, part 21 and part 28 storey building. In 2013, planning permission was also granted for a redevelopment of Hampton House comprising ground floor cafe/restaurant uses (A3); office (B1); resident's gym and members lounge; and 248 residential units within a building ranging from 15 to 27 storeys. As noted above, construction has commenced on site for both of these schemes.

10 Both applications were referred to the Mayor under stage one, and whilst the principle of both proposals was broadly supported, similar strategic issues were raised and reported to Lambeth Council on matters of affordable housing, housing quality and unit mix, urban design and views/heritage impact, inclusive access, energy and transport, to ensure full compliance with the London Plan (report references PDU/01721b/01 - Hampton and PDU/2874/01 - Eastbury). Following the submission of more information in both cases, at stage two, the Mayor advised Lambeth Council that the issues raised at stage one had broadly been addressed, and the Mayor was content for Lambeth to determine both cases itself.

11 A pre-application meeting and follow-up meeting were held on 1 May 2014 and 9 June 2014 to discuss the scheme now the subject of this planning application. Advice reports were issued on 16 May 2014 and 23 July 2014 respectively.

## Details of the proposal

12 Full planning permission is sought for a development proposing the demolition of all existing buildings on the site and redevelopment to provide a mixed-use development comprising:

- 141 residential units;
- Approximately 380 sq.m cafe/restaurant use (A3) at ground level;
- Approximately 715 sq.m of flexible gallery space (D1) or office use (B1);
- 58 car parking spaces, 190 cycle spaces and plant located in a three-level basement accessed via an existing vehicle access from the neighbouring site;

13 The development proposals are accommodated within a building that ranges in height with 18, 24 and 30 storey elements. Public realm works are proposed at ground level including alterations to the spaces surrounding the adjoining sites to knit the sites together.

## Strategic planning issues and relevant policies and guidance

14 The relevant issues and corresponding policies are as follows:

- Land use principles *London Plan; Vauxhall Nine Elms Battersea (VNEB) Opportunity Area Planning Framework*
- Central Activities Zone *London Plan;*
- Housing *London Plan; Housing SPG; Draft Revised Housing Strategy; Shaping Neighbourhoods: Play and Informal Recreation SPG;*
- Affordable housing *London Plan; Housing SPG, Draft Revised Housing Strategy;*
- Density *London Plan; Housing SPG;*
- Urban design *London Plan; Shaping Neighbourhoods: Character and Context Draft SPG;*

- Heritage/strategic views *London Plan: London View Management Framework SPG; London's World Heritage Sites Guidance on Setting SPG*
- Inclusive access *London Plan; Accessible London SPG;*
- Sustainable development *London Plan; Sustainable Design and Construction SPG; Mayor's Climate Change Adaptation Strategy; Mayor's Climate Change and Energy Strategy; Mayor's Water Strategy;*
- Transport and parking *London Plan; the Mayor's Transport Strategy;*
- Crossrail *London Plan; Mayoral Community Infrastructure Levy.*

15 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the Lambeth Core Strategy Development Plan Document (January 2011), the 'saved' policies of the Unitary Development Plan (originally adopted in 2007, and saved in 2010), and; the 2011 London Plan.

16 The following are also relevant material considerations:

- Vauxhall Nine Elms Battersea (VNEB) Opportunity Area Planning Framework (March 2012).
- Revised Lambeth Local Plan Proposed Submission (submitted for examination in March 2014).
- Lambeth's Vauxhall Area Supplementary Planning Document (SPD) (January 2013).
- The Further Alterations to the London Plan (January 2014 consultation draft)
- The National Planning Policy Framework and Technical Guide to the National Planning Policy Framework.

## **Land use principles**

17 As set out in paragraph eight, the site is located within the Central Activities Zone (CAZ) and within the Vauxhall Nine Elms Battersea (VNEB) Opportunity Area as designated on London Plan Map 2.4 and Annex 1.

18 London Plan Policy 2.10 sets out the strategic priorities for the CAZ, which include developing and implementing frameworks for opportunity areas within the CAZ to realise the opportunities for high density development capacity. Whilst this Policy and Policy 4.2 encourage the renewal and modernisation of existing office floorspace in the CAZ, it is important to note that the London Plan does not seek to protect existing office space and indeed promotes mixed uses within the CAZ area.

19 London Plan policy 2.13 states that development in opportunity areas is expected to maximise residential and non-residential densities and to contain a mix of uses. In land use terms, the OAPF for the VNEB area indicates the potential for significant intensification for housing and commercial activity, identifying an indicative capacity of 15,000 new jobs and a minimum of 10,000 new homes over the plan period to 2031. The OAPF's land use strategy for Albert Embankment, within which the site is located, is for high density mixed use housing led intensification.

20 London Plan Policy 3.3 seeks to increase London's supply of housing and in doing so sets borough housing targets. The Further Alterations to the London Plan (consultation draft, January 2014) proposes to set Lambeth's target at 1,559 additional homes per year between 2015 and 2025, which the proposals will contribute to.

## Reduction in office floorspace

21 The former office use has no protection in the London Plan, and is not within a Key Industrial or Business Area (KIBA) in Lambeth Council’s Core Strategy. Whilst the Core Strategy and saved UDP contain policies offering a degree of protection to existing employment sites, this is on the basis of continued viability. They do not seek to support long term vacancies. The Council has previously indicated that a reduction in office floorspace would be acceptable in new developments that deliver the mixed land use and regeneration objectives set out in the VNEB OAPF, which these proposals would deliver.

22 The proposals will provide a residential-led mixed use development in the CAZ and VNEB opportunity area, which is welcomed and in line with London Plan Policies. The mix and balance of land uses proposed are in accordance with the land use strategy set out in the OAPF. Whilst the reduction in office floorspace on this site does not raise any strategic concern, the Council should satisfy itself that the reduction does not undermine the wider employment capacity in the borough and regeneration objectives of Core Strategy Policy PN2 relating to the Vauxhall area. At the pre-application meeting, the Council indicated that a 25% re-provision of office floorspace such as incubator space in the development could be acceptable. The planning statement submitted confirms that the proportion of non-residential floorspace will be less than 25% at approximately 17%, and permission is sought for flexibility between D1 gallery space and B1 office. Various design changes have resulted in a reduced amount of non-residential floorspace, such as the provision of double-height space and a reduced ground and first floor footprint to improve the public realm with greater visibility and permeability. The potential provision of D1 gallery space in the development responds to the emerging cultural activities in this area, with the fallback position of providing B1 office floorspace if a D1 end-user cannot be secured, and this is supported by GLA officers. The submitted employment study conducted by Peter Brett Associates, also confirms that this location is outperformed by other more competitive office markets at Kings Cross and Waterloo, and considering the office floorspace to be delivered on the adjoining sites, the land uses proposed are acceptable.

## **Housing**

23 The proposals include the provision of 141 residential units and the table below provides an indicative breakdown of unit types and tenures:

<b>Unit type</b>	<b>Private</b>	<b>Intermediate</b>	<b>TOTAL</b>
<b>Studio</b>	3	12	15
<b>One bed</b>	19	12	31
<b>Two bed</b>	53	0	53
<b>Three bed</b>	41	0	41
<b>Five bed</b>	1	0	1
<b>TOTAL</b>	<b>117</b>	<b>24</b>	<b>141</b>

**Table 2: Unit schedule**

## Affordable housing

24 London Plan policies 3.11 and 3.12 require the maximum reasonable amount of affordable housing to be delivered in all residential developments above ten units, taking into account; the need to encourage rather than restrain development; the housing needs in particular locations; mixed and balanced communities, and; the specific circumstances of individual sites. The tenure

split suggested by the London Plan is 60% social/affordable rent and 40% shared ownership. The NPPF, the Mayor's Housing SPG and the London Plan clearly state that to maximise affordable housing in London and provide a more diverse offer for the range of people requiring an affordable home, the affordable rent product should be utilised in the affordable housing offer in residential developments.

25 A development infrastructure funding study (DIFS) was completed for the VNEB OAPF, which considers the infrastructure required to deliver the development objectives for the area and the costs of providing them. It also examines the ability of development to contribute to these infrastructure needs based on an assessment of viability, and compares the potential contributions and other funding sources with the costs of providing the infrastructure. As a result, the study recommends tariff based charges per residential unit and per square metre of non-residential floorspace based on what developments should reasonably be able to afford, subject to alternative affordable housing scenarios. Based on the proposed tariff levels, the alternative scenarios of 15% and 40% affordable housing provision are set. In the Albert Embankment area, the OAPF expects the higher proportion of 40% affordable housing to be delivered, together with a contribution in line with the charging tariff set out in Table 10.1 of the Framework.

26 A viability appraisal has not yet been submitted to either the Council or the GLA as work on the development's finances continue. The planning statement however states that the scheme currently includes a mix of studio and one-bed shared ownership units provided on-site, and it is intended to provide social rented units off-site. As indicated at pre-application stage, the planning statement confirms that it will not possible to provide any of the larger units on site as shared ownership, due to the high values in the area making these units too expensive and outside of the GLA's income thresholds. It is expected therefore that a good proportion of affordable family units are provided on the donor site.

27 St. James has acquired a site near St. Anne's school, Harleyford Road about 600 metres south-east of the application site and intend to submit an application for social rented units together with a re-provided nursery. It should be noted that the donor site falls outside of the boundaries of both the VNEB OA and the CAZ. The applicant states that collectively, the on and off-site affordable units will equate to a 40% affordable housing offer, which complies with the target set out in the VNEB OAPF. The applicant is still in fairly early stages of developing up the off-site scheme, and as such, does not have final detail of the quantum and mix of units and tenures on either the application site or donor site. The figures expressed at this stage are indicative, although the applicant has confirmed that regardless of the mix and split between on/off site, the applicant is committed to providing 40% overall affordable quantum.

28 The planning statement currently states that it is intended to provide 27 shared ownership units on site, although the floor plans within the design and access statement only show 24 units (12 studios and 12 one-bed units). This proportion equates to approximately 17-19%, and so it is expected that the off-site development will provide between 30-33 social rent units in order to deliver the overall 40% provision.

29 GLA officers will need to see the applicant's viability appraisal in order to assess whether the maximum reasonable amount of affordable housing is being delivered, and whether the affordable offer is the optimum that can be achieved through the on/off site mix, also taking account of the costs of re-providing the nursery. The appraisal should include details of rent levels and a policy complaint scenario test to demonstrate how the offer has been maximised. In addition, GLA officers will also require further details on the scheme for the donor site, including plans showing the layout and mix of the affordable units, and further detail on timescales for delivery in the context of the phasing for the development on the application site.

30 GLA officers expect the Council or their independent consultant, to scrutinise the development finances to understand the constraints inputted into the toolkit and how this has impacted on affordable housing provision. The Council should also confirm that the affordable offer, tenures and rent levels, meet local housing needs. Both reports will need to be supplied to the GLA.

31 Policy 3.12 of the revised London Plan expects affordable housing to be provided on-site, and the Mayor's Housing SPG reiterates this point, noting that on-site provision generally gives the greatest certainty of actual provision as well as meeting the Plan's policies on mixed and balanced communities. However, in order to maximise affordable housing delivery, it is recognised that in exceptional circumstances and where it would have demonstrable benefits, it may be provided off-site or through a cash in-lieu contribution ring fenced and if appropriate 'pooled', to secure efficient delivery of new affordable housing. The Policy lists a number of exceptional circumstances, where off-site options may be able to:

- Secure a higher level of provision.
- Better address priority needs, especially for family housing.
- Secure a more balanced community.
- Better sustain strategically important clusters of economic activities, especially in parts of the CAZ (land swap/housing credit).

32 It is acknowledged that site's central location, with high property values, rent levels and service charges could potentially make the scheme an unattractive investment for local registered providers, and that a higher number of larger, family homes could be provided off-site.

33 GLA officers expect a review mechanism to be included in the section 106 agreement, to secure a viability re-appraisal prior to implementation given the length of time that may pass from initial toolkit appraisal to actual build out. This should be designed to allow any additional financial surplus to be captured prior to implementation/between phases, that may be generated by uplift in residential sales values or more accurate inputs. Such a mechanism would need to be designed so as to ensure an appropriate proportion of any financial surplus would be allocated to the Council, and ring-fenced for the delivery of additional affordable housing units.

#### Mixed and balanced communities

34 London Plan policy 3.11 accords priority to affordable family housing in residential development. In addition, London Plan Policy 3.8 and the Mayor's Housing SPG promote housing choice and seek a balanced mix of unit sizes in new developments. London Plan Policy 3.9 promotes mixed and balanced communities which can be achieved by providing a mix of tenures across the development and ensuring that the scheme is tenure blind.

35 The scheme includes a generous proportion of family units (those with three or more bedrooms), at just less than 30% (42 units). Whilst it is disappointing that all of these units are for private sale, in this instance it is accepted that the values in this central area dictates that family sized units could not be delivered within the GLA's income thresholds.

36 The shared ownership units are located on the second to fifth floors on the eastern side of the building facing the railway and the building layout has a single core. GLA officers are satisfied that the layout will promote the creation of a mixed and balanced community.

#### Residential quality

37 London Plan policy 3.5, Table 3.3 and Annex One of the Housing SPG set out requirements for the quality and design of housing developments, including minimum space standards for new

development. The application documents demonstrate that all of the units would meet, or in most cases, exceed this standard which is welcomed. The design and access statement also demonstrates compliance with the 'Lifetime Homes' standard, and outlines how the scheme complies with the design guidance in Annex 1 of the Housing SPG.

38 The layout of the development generally provides no more than eight units per core, in accordance with the Housing SPG. The exception to this is on floors two to five where the unit per core ratio increases to ten, due to the inclusion of three studio units per floor. Whilst this is disappointing, it is accepted in this case that the provision of the studio units on these levels is inherently linked to the schemes viability, and is therefore accepted in this case.

39 Whilst the layout includes single aspect units, none of these would be north-facing. In order to maximum daylight penetration into units, the applicant should confirm the floor-to-ceiling height in the units, and is encouraged to maximum unit heights to 2.6m.

40 The vast majority of the units include private balconies, of varying sizes depending on the unit size. Whilst some of the unit do not have balconies, these are generally the smaller studio unit, which is generally accepted in high density developments in central locations such as this. Nonetheless, the scheme includes a good proportion of new landscaped public realm at ground level, linked into the other new areas of public realm being delivered on the two adjoining sites, which residents can use informally as communal amenity spaces.

41 The noise impact of the railway on the east facing residential units has been considered, and the planning statement confirms that the measures recommended in the report for sound insulation will be employed, which the Council should secure by condition.

#### Density

42 London Plan policy 3.4 requires development to optimise housing output for different locations taking into account local context and character, design principles set out in London Plan Chapter 7 and public transport capacity. Table 3.2 provides the density matrix in support of this policy. Based on the characteristics of the location set out in paragraphs 4-5, the site can be regarded as having a 'central' setting with a very high PTAL rating. For this setting, the matrix suggests a residential density in the region of 650-1,100 habitable rooms per hectare.

43 As pre-application stage, it was noted that given the high PTAL rating and the site's location within the VNEB OAPF, a high density scheme would be appropriate for this central location, subject to compliance with other policies, particularly those relating to the quality of the public realm, amenity and residential quality of the units.

**44** The planning statement confirms that the density of the scheme is 3,390 habitable rooms per hectare. The density is high and exceeds the highest range of the density matrix in London Plan Policy 3.4. However, the Housing SPG makes it clear that the matrix should not be applied prescriptively as other factors such as design, residential quality, townscape and public realm will also determine whether a schemes density is appropriate. In this case, the development does not display any of the usual characteristics of overdevelopment; it has good residential quality, an exemplary design and generous contributions to the public realm. The density is purely a symptom of the building's height, which is appropriate within the VNEB opportunity area and within the CAZ.

**45** The applicant should however confirm that the density figure quoted has been generated using the appropriate calculation based on the net residential site area in accordance with paragraph 1.3.47 of the Mayor's Housing SPG. As with all high density development, the applicant

should take note of paragraph 1.3.41 of the Mayor's Housing SPG regarding the impacts of high densities on local services and infrastructure.

### Children's play space

46 Children and young people need free, inclusive, accessible and safe spaces offering high-quality play and informal recreation opportunities in child-friendly neighbourhood environments. Policy 3.6 of the London Plan states that development proposals that include housing should 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 should apply the methodology within the Mayor's Play and Informal Recreation SPG (2012), and based on the unit types and tenures, calculate the expected child population for the development and level of play and informal recreation space required.

47 As work on the unit mix, tenures and on/off site affordable provision continues, the applicant has not confirmed the child yield from the development at this stage.

48 Applying the methodology within the Mayor's Play and Informal Recreation SPG (2012), and based on the indicative unit schedule outlined in table one (which is subject to change), the child population from the development could be 19, requiring a total of 193 sq.m of children's playspace on-site, of which about 108 sq.m is required on-site for the 0-5 age group. GLA officers acknowledge that, given the site's constraints, it is impractical to provide extensive children's playspace on site. Nonetheless, the applicant intends to design the public realm to be child-friendly, inclusive and playable for the under-five age group. In addition, the planning statement confirms that the section 106 agreement will include a financial contribution for local parks reflecting the quantum provided on site. Lambeth Council's CIL Regulation 123 list, however, includes the improvement and maintenance of existing parks and open space. The applicant and the Council should therefore confirm whether this contribution will be sought through a section 106 agreement or captured through the local CIL charge.

49 The applicant needs to confirm the child yield and quantum of playspace to be provided on site before the application is referred back at stage two. The Council must secure any necessary section 106 contribution for off-site play improvements, and attach conditions to secure final details of the landscaping and playspace equipment to be provided on-site.

## **Urban design**

50 The design of the scheme has been commented on extensively at pre-application stage, where following amendments, overall the design was supported.

51 In the initial pre-application meeting report, the single entity form of the building was broadly supported, as opposed to two separate building as per an earlier scheme. It was noted, however, that the shoulder heights of the wings add further bulk and width to the building detracting from its potential elegance, and it was recommended that the shoulder heights be reduced.

52 The development would have five separate height datum's; 12, 18, 24 and 30 storeys in height creating a varied and interesting skyline with the adjacent developments either side. As a result of reducing the shoulder height of the 'wing' elements, the maximum height of the 30 storey, tallest element exceeds the 90 metre height guidance set out in the VNEB OAPF by approximately seven metres. A visual impact assessment has been carried out looking at what impact this height has on both strategic and local views. These demonstrate that this slight transgression is not noticeable given the general height of buildings emerging in the area and as such does not present any strategic concern. GLA officers also consider that having a slightly taller



central building between the two either side will form a more attractive and varied cluster, thereby achieving the aim in the OAPF which states that *“tall buildings should...avoid appearing as a solid wall of development...”* (Section 8: Tall buildings strategy).

53 In addition, given that the two adjacent sites have developments which are currently being implemented by the same developer, GLA officers noted that the slight increase in height is unlikely to set a precedent for the adjacent developments to also increase beyond the 90 metre guideline height recommended in the OAPF.

54 At pre-application stage, GLA officers welcomed the consolidation of public realm between the adjoining sites but questioned the necessity of public routes to the railway arches, due to conflict with back-of-house servicing areas, and requested the architect to revisit the public access and public realm strategy for the site and those adjoining. Further work was also required on residential quality, in particular single aspect units and the number of units sharing the same landing.

55 The plans and design and access statement demonstrate how the ground floor and public realm has been re-shaped between the building and the railway line, and now creates a better defined and more generous public open space which will be animated and overlooked by the adjacent commercial units. Care needs to be taken to ensure that the areas of the commercial units facing this space will be well activated and provide direct public access to the space. The quality and use of the space would be severely compromised if these areas were used for storage or other back of house uses that do not provide overlooking or generate activity on to it.

#### Strategic views and World Heritage Site

56 The development site will be seen in contextual views of Westminster World Heritage Site. London Plan Policies 7.10 and 7.11 seek to avoid adverse impacts on World Heritage Sites or their settings (including any buffer zone) and on London’s designated views, panoramas and river prospects as identified in the London View Management Framework (LVMF) SPG (2012). In particular, development should not compromise a viewer’s ability to appreciate the Outstanding Universal Value, integrity, authenticity or significance of these sites, or the landmarks identified in the LVMF view. The Mayor’s London World Heritage Sites SPG (2011) gives guidance on the interpretation of setting and understanding of World Heritage Sites importance in contributing to an appreciation of Outstanding Universal Value and helps support consistency in decision making.

57 The site itself is not located within any of the key strategic viewing corridors or protected vistas identified in Policy 7.11 or the LVMF. It will however be seen from some LVMF viewpoint, such as River Prospects 17A and 18A and London Panorama’s 4a, 2a and 2b as set out in the LVMF.

58 As noted in paragraphs 50-51 above, the maximum height of the building will exceed the guideline limit of 90 metres in the VNEB OAPF. However, the proportions of the building with the reduced wings will create a better silhouette against the two adjoining buildings, avoiding a wall of development, and creating a more attractive cluster. The visual impact assessment carried out and the submitted verified views demonstrate that given the emerging character in the VNEB opportunity area, and the high quality design, there would be a positive visual impact on the LVMF views noted above, and no harm caused to the Outstanding Universal Value of the Westminster World Heritage Site.

## **Inclusive design**

59 The aim of London Plan Policy 7.2 is to ensure that proposals achieve the highest standards of accessibility and inclusion. 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.

### Residential units

60 The design and access statement demonstrates that all residential units have been designed to the Lifetime Homes standard, and 10% of the units have been designed to be wheelchair accessible or adaptable. This is welcomed and in line with London Plan Policy 3.8. The design and access statement includes typical floorplans showing that the design of the residential units meet the sixteen Lifetime Home standards and showing the layout of the wheelchair accessible homes. The plans indicate where the wheelchair accessible homes are located, which are suitably located within the building close to service cores and accessible parking spaces.

### Marketing

61 The future marketing of the private wheelchair accessible homes should ensure that prospective purchasers are aware of the accessibility and adaptability of these units. Specific marketing to the disabled community and to older people's organisations can help to ensure that the people who will benefit from their accessible design are made aware of their existence.

### Commercial and public realm

62 Extending the Lifetime Homes concept to the public realm can help to ensure that the parking areas, the routes to the site and links to adjacent public transport and local services and facilities are also designed to be accessible, safe and convenient for everyone, particularly disabled and older people.

63 The design and access statement includes details showing how disabled people access each of the entrances safely, and includes details of levels, gradients, widths and surface materials of the paths and how they are segregated from traffic and turning vehicles etc, and how any level changes on the routes will be addressed. These features should be secured by condition by the Council.

### Parking

64 The design and access statement confirms that accessible parking bays will be provided and shows that they will be provided close to the service cores in the basement. Space for accessible cycles/tricycles and mobility scooters will also be provided, which is supported. The transport assessment confirms that there would be six blue badge holder parking spaces, which equates to 10% of the residential units. Whilst this is in line with policy, the applicant should confirm that a car parking management plan will be provided and that it will identify how bays will be allocated to residents of the wheelchair accessible units across all tenures. It should include a mechanism to ensure that the supply and demand of the blue badge bays are regularly monitored and provision reviewed.

65 The provision and future management of the blue badge parking bays for the residents should be in line with the advice in the Lifetime Homes standards and the Wheelchair Housing Design Guide. A parking management plan should identify how bays will be allocated to residents of the wheelchair accessible units and should include a mechanism to ensure that the supply and

demand of the blue badge bays are regularly monitored and the provision reviewed. This ensures that the provision going forward equates to the demand from disabled residents and visitors, and also ensures that the bays are effectively enforced.

## **Climate change mitigation and adaptation**

66 The applicant has broadly followed the energy hierarchy, and submitted sufficient information to understand the proposals, although further revisions and information are required before the proposals can be considered acceptable and the carbon dioxide savings verified.

### Energy efficiency standards

67 A range of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed development. Both air permeability and heat loss parameters will be improved beyond the minimum backstop values required by building regulations, and other features such as low energy lighting, variable speed pumps and mechanical ventilation with heat recovery are proposed. The demand for cooling will be minimised through balcony overhangs which is acceptable.

68 Based on the information provided, the proposed development does not meet Part L 2013 by efficiency measures alone. The applicant should model additional energy efficiency measures and reconsider the design of the dwellings (including glazing ratios and glazing specifications) in order for the development to exceed 2013 Building Regulations through energy efficiency alone. If meeting Part L 2013 by efficiency alone is not possible, the reasons should be clearly explained.

69 The applicant should also provide evidence (including modelling outputs) that cooling demand has been minimised following the cooling hierarchy in London Plan Policy 5.9. Cooling demand should be quantified and evidence provided to demonstrate how it has been reduced, with priority for passive design measures. On a development of this nature with a high density and high glazing ratios, dynamic thermal modelling would be expected to demonstrate that the envelope does not result in the dwellings being at risk of overheating, irrespective of the provision of active cooling.

70 Sample DER and TER and BRUKL sheets including efficiency measures alone should also be provided to support any carbon savings claimed.

### District heating

71 The applicant is proposing to connect to the nearby Hampton House development (Corniche energy centre), which is supported. Information should be provided on the nature and location of the scheme, as well as status of developments build. Evidence of correspondence should also be provided to demonstrate that enough installed capacity is available to serve both sites and that delivery timescales allow immediate connection.

72 The applicant is proposing to install a site heat network, and should confirm that all apartments and non-domestic building uses will be connected to it. An illustration showing how the two sites link into the Hampton House energy centre should be provided to explain the proposals (this does not have to be a technical drawing).

73 Further information should also be provided on why connection to the Corniche energy centre would only be able to meet the domestic hot water demand of the application site rather than also at least some of the space heating. If only a proportion of the heat load from the application site can be provided by the energy centre, information should be provided on how the remaining demand will be met.

74 A reduction in regulated carbon dioxide emissions of 127 tonnes per annum (34%) is claimed through this second part of the energy hierarchy.

#### Renewable energy technologies

75 The applicant has investigated the feasibility of a range of renewable energy technologies but is not proposing to install any renewable energy technology for the development. A roof plan has been provided confirming that there is no suitable area available for PV, which is acceptable.

#### Overall carbon savings

76 A reduction of 100 tonnes of carbon dioxide per year in regulated emissions compared to a 2013 Building Regulations compliant development is expected, equivalent to an overall saving of 29%.

77 The carbon dioxide savings fall short of the target within Policy 5.2 of the London Plan. The applicant should consider the scope for additional measures aimed at achieving further carbon reductions via efficiency improvements and maximising savings from the district heating connection before considering a cash-in-lieu contribution.

## **Transport for London**

#### Trip generation and site access

78 A new vehicular access is proposed from the Albert Embankment service road through the basement of Hampton House (The Corniche), which, together with the proposal to link the basements of Hampton House (The Corniche), Eastbury House (Merano Residences) and the application site, is welcomed thereby reducing the number of accesses onto the TLRN.

79 Discussions are ongoing between TfL and the applicant to finalise an agreed design for the new access, which would also be used for construction. This will require a section 278 agreement between TfL and the applicant to be entered into prior to commencement.

80 TfL broadly accepts that the local highway and public transport networks could accommodate the proposed development in terms of trip generation and modal split.

#### Parking

81 The VNEB OAPF recommends an average parking ratio of 0.25 spaces per residential unit across the opportunity area. However, the car parking provision for the residential element of the scheme is proposed at a ratio of 0.4 spaces per unit. TfL requires further discussion with the applicant to resolve this matter.

82 The amount of blue badge car parking proposed is acceptable at this location, although a car parking management plan must be secured by condition and should demonstrate how the blue badge spaces will be provided to ensure compliance with London Plan Policy 6.13. Further clarification is also required in respect of the number and location of electric vehicle charging points.

83 The amount of cycle parking proposed is in accordance with minimum London Plan standards. However cycling trips in the VNEB opportunity area are forecast to more than triple by 2030. TfL strongly recommends therefore that the applicant commits to providing additional cycling parking spaces, closer to those set out in the draft Further Alterations to the London Plan

(FALP). TfL requests that compliance with the cycle parking standards of the draft FALP is secured by condition for this application.

#### Car club

84 TfL requests that the applicant provides a car club vehicle on-site, which should be secured in the S106 agreement, together with at least one year of free car club membership for all residents of the development.

#### Cycle hire

85 The 24 point cycle hire docking station opposite the site on Albert Embankment is not sufficient to meet the new demand generated by this development. A minimum of 16 additional docking points would be required, the estimated cost of which is £80,000 including assets, construction, surveys, planning, design and maintenance. TfL therefore seeks £80,000 of section 106 funding from the applicant for this infrastructure.

#### Travel planning

86 A framework travel plan has been submitted which is satisfactory, although matters of funding, monitoring and review of the plan should be secured in the section 106 agreement. The plan includes funding by the applicant for two years' free cycle hire membership for residents, which TfL can arrange, and which should form part of the section 106 agreement. The travel plan also offers a £500 voucher for each household to purchase bicycles and accessories. This is welcomed and should also form part of the section 106 agreement.

#### Public realm

87 TfL's urban design team is currently designing a scheme to improve the public realm of the entire Albert Embankment corridor. The applicant must therefore ensure that the landscaping strategy for this development complies with the Public Realm Surface Materials Guide (2013), the VNEB OA Public Realm and Highways Modelling Study (2010) and TfL Streetscape Guidance (2009). TfL has sought clarification from the applicant as to where street furniture will be located, materials that would be used for hard landscaping and planting species proposed.

88 Detailed design of the public realm should be conditioned for approval by TfL and may require a section 278 agreement. TfL wishes to integrate the proposals for 22–29 Albert Embankment with its own and has requested a meeting with the applicant to discuss this.

#### Legible London

89 TfL seeks a section 106 contribution of £15,000 to update Legible London signs around the Vauxhall Interchange, which would directly benefit residents of the development.

#### Construction logistics, deliveries and servicing

90 TfL is in negotiations with the applicant to agree provision and operation of a construction pit lane instead of using the bus lane on Albert Embankment. This would need to be secured by condition or section 278 and agreed prior to the commencement of the development. Financial mitigation to compensate TfL for the impact of the pit lane on the TLRN may need to be agreed and paid to TfL by the applicant, in particular to mitigate any delay to bus services.

91 A construction logistics plan should also be secured by condition in line with London Plan Policy 6.3. This should follow TfL's best practice guidance and include measures to protect

cyclists. All CLP measures proposed must conform with the Nine Elms Partnership CLP Framework and be implemented in partnership with the Nine Elms Construction Logistics Coordination Team.

92 TfL wishes to ensure that construction vehicles are fitted with cycle specific safety equipment, including side-bars, blind spot mirrors and detection equipment to reduce the risk of collisions on the capital's roads. These requirements should be secured in the section 106 agreement and should be included in the final CLP to be submitted for approval by the Council prior to commencement.

93 The application proposes the introduction of an off-street lay-by to replace an existing on-street loading bay along the site frontage on Albert Embankment. Works on the TLRN would require a section 278 agreement between TfL and the applicant. TfL may support this approach, although the applicant must provide more information on the off-street lay-by and refuse collection strategy. TfL is not currently satisfied that the on-street servicing arrangements proposed are workable and further discussion is necessary.

94 A delivery and servicing plan should be secured by condition and should subsequently be submitted to and approved by the Council and TfL prior to occupation.

### Mitigation

95 A development infrastructure funding study was conducted to support the VNEB OAPF which sets out a tariff rate for the OA that will be used to calculate the total contribution required for this development. The total contribution is estimated to be £6,234,150 and this will be confirmed by the Council.

96 The site is within the area where section 106 contributions for Crossrail will be sought in accordance with London Plan Policy 6.5 and the associated SPG 'Use of planning obligations in the funding of Crossrail and the Mayoral Community Infrastructure Levy'. However the SPG made specific reference to an exception being made for the VNEB areas which has its own DIFS tariff for strategic infrastructure. In this situation, the Mayor's CIL charge will be treated as a credit towards the DIFS tariff. The Mayoral CIL rate for Lambeth is £35 per square metre.

97 In summary, the following specific mitigation measures will need to be secured through the section 106 agreement or by appropriate condition:

- £80,000 contribution towards a Cycle Hire docking station.
- £15,000 contribution towards a Legible London sign.
- A requirement to enter into a section 278 agreement for highway and public realm works on Albert Embankment.
- Travel plan and travel demand measures including a car club space, CLP and DSP.
- A car parking management plan including blue badge and ECVP spaces.
- Compliance with the cycle parking standards of the draft FALP.
- A contribution to mitigate the impact of the proposed pit lane on bus services.

## Local planning authority's position

98 The applicant has had a number of pre-application meetings with Lambeth Council officers, although the Council's position on the formal planning application is unknown at this stage.

## Legal considerations

99 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

100 There are no financial considerations at this stage.

## Conclusion

101 London Plan policies on **land use principles, housing, urban design, inclusive access, sustainable development and transport** are relevant to this application. The application complies with the majority of these policies and is broadly supported but some further information is needed in order to fully comply with the London Plan. The potential remedies to issues of non-compliance are set out below:

- **Land use principles:** There is no strategic concern to the reduction in office floorspace. The delivery of a high density residential led mixed use development within the CAZ and VNEB opportunity area is strongly supported.
- **Housing:** The indicative affordable housing offer of 40% overall complies with the charging tariff set out in the VNEB OAPF. The difficulties of providing rented unit on site are acknowledged and using a split on-site/off-site mix to maximise the offer and secure affordable family units is broadly supported. However, this needs to be fully evidenced in the viability appraisal which needs to be independently assessed by the Council or their consultant to confirm that the offer is the maximum reasonable amount. Further details are also required on the off-site scheme. The residential quality is generally high, and whilst the density exceeds the maximum range in the matrix, it is acceptable in this location. The children's playspace strategy is broadly acceptable, subject to confirmation of child yield and conditions.
- **Urban design:** The design and layout of the proposal is well thought-out and includes a good proportion of public realm in this central location. The massing, height and material strategy is also supported and the visual impact on LVMF views and the WHS are acceptable.

- **Inclusive access:** Overall the scheme responds well to the principles of inclusive design subject to conditions.
- **Climate change:** A reduction of 100 tonnes of carbon dioxide per year in regulated emissions compared to a 2013 Building Regulations compliant development is expected, equivalent to an overall saving of 29%, which fall short of the London Plan target. The applicant should consider the scope for additional measures aimed at achieving further carbon reductions via efficiency improvements and maximising savings from the district heating connection before considering a cash-in-lieu contribution.
- **Transport:** The scheme broadly complies with the transport policies of the London Plan, although further discussion is required on: car and cycle parking provision, the proposed pit lane and integration with TfL's public realm strategy for Albert Embankment. Conditions or section 106 obligations are required to secure: Legible London signage, additional cycle hire infrastructure, travel plan and travel demand measures, car parking management plan, DSP, CLP, blue badge spaces and ELVP's.

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