Battersea Power Station
in the London Borough of Wandsworth
planning application no. 2016/1119

Strategic planning application stage 1 referral

The proposal
Section 73 application for minor material amendments to outline planning permission for restoration, extension, alterations and conversion of the Power Station site to provide residential, retail, business, offices, cultural, hotel and conference facilities, leisure and event space, student housing, serviced apartments and associated infrastructure and landscaping.

The amendments relate to changes to the residential mix to create additional residential units, the change of use of hotel and serviced apartments to residential, along with changes to the massing and distribution of land uses in Development Zone RS2 and other consequential changes to facilitate the redevelopment of the adjoining Cringle Dock site.

The applicant
The applicant is Battersea Project Land Company Ltd, the architects are Rafael Vinoly and JPT and the planning agent is Dp9.

Strategic issues
The principle of redevelopment of this key site within the Vauxhall Nine Elms Battersea Opportunity Area has been previously agreed. The strategic issues for consideration for this application are the proposed changes to the nature of the uses and increase in residential numbers, and any design, transport or other implications of these changes.

Recommendation
That Wandsworth Council be advised that the application is acceptable in strategic planning terms subject to further clarification and information as set out in paragraph 52.

Context
1 On 26 February 2016 the Mayor of London received documents from Wandsworth 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 7 April 2016 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 1A, 1B, 1C, 1D, 2C, 3E, 3F and 3H of the Schedule to the Order 2008:

1A: Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats.

1B: Development (other than development which only comprises the provision of houses, flats, or houses and flats), which comprises or includes the erection of a building or buildings – (b) in Central London (other than the City of London) and with a total floorspace of more than 20,000 square metres.

1C: Development which comprises or includes the erection of a building in respect of which one or more of the following conditions is met – (a) the building is more than 25 metres high and is adjacent to the River Thames.

1D: Development which comprises or includes the alteration of an existing building where - (b) the building would, on completion of the development, fall within a description set out in paragraph 1 of Category 1C.

2C: Development to provide – (i) a passenger pier on the River Thames.

3F: Development for a use, other than residential use, which includes the provision of more than 200 car parking spaces in connection with that use.

3H: 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 – (ii) 20,000 tonnes per annum of waste.

3 Once Wandsworth 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 environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 has been taken into account in the consideration of this case.

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

**Site description**

6 The application relates to Battersea Power Station and surrounding land, a 21 hectare riverside site, which benefits from planning permission for a masterplan redevelopment. The site comprises a key development site in the Vauxhall–Nine Elms–Battersea Opportunity Area. It is also within the Central Activities Zone. The power station is Grade II* listed and along with the adjacent flats to the west, is currently being redeveloped in accordance with the approved planning permission (Phases 1 and 2 presently under construction). Presently one chimney stands, having been recently re-constructed, whilst re-construction on the other three is presently underway.
The site is bounded by the River Thames to the north, railway lines in and out of Victoria station to the west, and Cringle Dock/RMC Battersea and Thames Water (Battersea works) to the east. Road access is provided from Kirtling Street and Cringle Street to the south east. The southern edge of the site is bounded by Battersea Park Road (A3205) Road/Nine Elms Lane which is part of the Transport for London Road Network (TLRN).

Battersea Park National Rail Station lies 350 metres to the south west of the site while Queenstown Road National Rail Station lies 600 metres to the south. Vauxhall transport interchange, providing mainline rail, Victoria line Underground services and numerous bus connections is over 1 km to the north east. The nearest bus stops are on Nine Elms Lane adjacent to the site and are served by routes 156 and 344. Services 44, 137 and 452 operate along Queenstown Road.

The site currently has limited access to public transport with a public transport accessibility level (PTAL) ranging from 2 (in the northern part of the site) to 4 (at the south western tip). PTAL is measured on a scale of 1 to 6 where 6 is most accessible. This PTAL is forecast to increase substantially following the delivery of the Northern Line Extension (NLE) and other accessibility improvements.

Details of the proposal

The applicant is seeking planning permission as a Section 73 amendment application for minor material changes to the approved outline planning permission for the site (2014/2387). The amendments relate to Phases 3, 4 and 6 (development zones O-1, RS-2, RS-4, RS-5), and variations to a number of conditions is required in response to the following changes:

- Amendments to the residential mix across the Masterplan, increasing the proportion of smaller units and reducing the proportion of larger units – this results in an overall increase in the number of residential units in Phases 3 and 4 by 109;
- The change of use of hotel and serviced apartments (26,379 sq.m. GEA) to residential use in Phase 4, adding a further 300 units;
- Amendments to the parameter plans for Phase 6 to align with Cringle Dock planning permission, including removal of serviced apartment block, and alterations to the office buildings (no changes to floor areas);

The above changes necessitate changes to a number of conditions, namely Condition 8 (floorspace areas), Condition 11 (maximum floorspace areas), Condition 13 (number of residential units), Condition 14 (residential mix), Condition 61 (approved drawings). The approved application documents that are affected by the amendments have been updated accordingly.

Case history

The original hybrid planning permission, granted in August 2011 was for the redevelopment of the Battersea Power Station site, with detailed planning permission granted for the Power Station and outline permission granted for the remainder of the site with matters relating to scale, appearance and landscaping reserved. Accompanying listed building consents were also granted for the Power Station, Water Pumping Station and other listed curtilage features. The original scheme was considered by the Mayor in 2010 and found to be acceptable (PDU/1732). The planning permission was subject to a number of planning obligations and conditions, and TfL are a signatory to the s106 agreement due to the delivery of the Northern Line Extension and associated stations within the development site.
There have been a series of section 73 applications for the site dating back to 2013. This has agreed changes to the land uses on the site (ref D&P/2950a), details of Phase 2 (the Power Station Site) (ref D&P/2950b) and amendments to Phase 3 (D&P/2950c). The latter planning permission (LPA ref: 2014/2387) comprises the “2014 Masterplan permission” which this current application seeks to amend.

Strategic planning issues and relevant policies and guidance

The relevant issues and corresponding policies are as follows:

- **Regeneration/uses**
  - London Plan; Town Centres SPG; CAZ SPG

- **Housing/affordable housing**
  - London Plan; Housing SPG; Housing Strategy; draft Revised Housing Strategy; Shaping Neighbourhoods: Play and Informal Recreation SPG; Shaping Neighbourhoods: Character and Context SPG

- **Urban design**
  - London Plan; Shaping Neighbourhoods: Character and Context SPG; Housing SPG; Shaping Neighbourhoods: Play and Informal Recreation SPG

- **Access**
  - London Plan; Accessible London: achieving an inclusive environment SPG;

- **Sustainable development**
  - London Plan; Sustainable Design and Construction SPG; Mayor’s Climate Change Adaptation Strategy; Mayor’s Climate Change Mitigation and Energy Strategy; Mayor’s Water Strategy

- **Transport/parking**
  - London Plan; the Mayor’s Transport Strategy;

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 Wandsworth Core Strategy (2016) Site Specific Allocations and Development Management Policies Development Plan Documents (2016) and the 2016 London Plan (consolidated with Alterations since 2011).

The following are also relevant material considerations:


Land use principles – loss of hotel

The proposed amendments in terms of land use relate specifically to the change of use of approved but unconstructed hotel and serviced apartment floorspace within Development Zone RS-5 (Phase 4) of the 2014 masterplan scheme. The applicant is proposing to convert this floor space to residential use in order to delivery more housing within the scheme. Overall the proposal would result in the loss of 15,037 sq.m. GEA of hotel floorspace and 10,442 sq.m. GEA of serviced apartments, as set out in the following table. There are no other changes to the quantum and distribution of commercial floor space within the overall approved masterplan.
In considering the London Plan, policy 4.5 (visitor infrastructure) seeks to deliver a strategic target of 40,000 net additional hotel bedrooms across London over the plan period and states that developments should not result in the loss of strategically important hotel capacity. In this instance, there are no specific requirements in the site allocation or OAPF to provide hotels within the scheme, nor is there a minimum requirement for the OA. Wandsworth’s Development Management Policies Document seeks to ensure that there is not an over-concentration of hotel accommodation, which may compromise the delivery of other objectives for the area, including housing provision.

As noted above, whilst there would be a reduction in hotel and serviced apartment floor space as a result of the proposals, two hotels are still proposed in the masterplan – a 60-bed hotel within the Power Station building itself, and a 167-bed hotel in the Phase 3 Foster + Partners block. The amount of serviced apartments (Use Class C1/C3) would half to approximately 125 units, to be provided in Phase 6.

In relation to hotel bed targets, the approved hotel floorspace within the BPS masterplan equates to approximately 480 hotel beds for assessment purposes. This would reduce to approximately 230 beds as a result of the proposed change of use. In assessing the strategic implications of this, it is important to note that there would continue to be 227 hotel beds across the masterplan site, and the applicant is committed to providing this, noting that an end user – Art’otel – has been secured for the Phase 3 scheme. As noted above, there is no strategic or local policy setting out a minimum requirement for hotel provision within this scheme specifically – the requirement being the delivery of a high quality, mixed use focal point for office, retail and housing, and contributing towards the OA housing and jobs target. The scheme continues to do so, as indicated in the above table, with over 40% of the overall floorspace remaining in commercial use.

Furthermore, across the whole of the VNEB Opportunity Area there are a number of hotel schemes approved and coming forward – equating to 2,217 hotel beds. Even factoring in the reduction currently proposed, the OA would continue to make a sizeable contribution to London’s strategic objectives for hotel provision, at approximately 5% of the overall 40,000 bed target over the life of the London Plan. This scheme would continue to make a contribution of over 10% to the overall provision within the OA, which is also sizeable.

The amount of serviced apartments would half to 125 and there are no strategic concerns regarding this reduction, with such a use not explicitly protected or required by policy. The applicant has projected that the loss of the hotel and serviced apartment floor space would
have a minimal impact upon job generation, reducing overall provision by 160 jobs to 13,730 FTE jobs. This reduction equates to approximately 1% of the overall jobs across the BPS masterplan site. It is agreed that this would have a relatively minor impact when considering the overall contribution the scheme makes and noting the other commercial use tenancies that have been secured within the development already.

23 Overall, it is concluded that the loss of hotel floorspace would have a relatively minor impact upon strategic objectives for visitor accommodation in London and that the scheme would continue to make a welcomed contribution towards increased hotel capacity for London. It also results in the delivery of much needed residential accommodation. As noted, the job generation from the scheme would remain substantial. The balance of residential and non-residential uses across the overall site would remain comparable to approved, ensuring the viable delivery of this important regeneration scheme. Whilst there would be a reduction in non-residential floor space and business rates income as a result of the hotel floorspace reduction, the overall commercial floor space would remain above the 300,000 sq.m. baseline figure agreed between TfL and the applicant as part of the NLE funding agreement.

Housing

24 The change of use of hotel and serviced apartments as detailed above, together with a change to the consented residential mix in Phases 3 and 4 results in the delivery of 409 additional residential units in the masterplan scheme overall as follows. This does not include the other approvals within the applicant’s ownership – namely Phase 4a (Sleaford Street):

<table>
<thead>
<tr>
<th></th>
<th>Studio</th>
<th>1.bed</th>
<th>2.bed</th>
<th>3.bed</th>
<th>4.bed</th>
<th>Penthouse</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current</td>
<td>446</td>
<td>574</td>
<td>1512</td>
<td>614</td>
<td>134</td>
<td>164</td>
<td>3444</td>
</tr>
<tr>
<td>Revised</td>
<td>457</td>
<td>908</td>
<td>1582</td>
<td>621</td>
<td>108</td>
<td>177</td>
<td>3863</td>
</tr>
<tr>
<td>Change</td>
<td>+11</td>
<td>+334</td>
<td>+70</td>
<td>+7</td>
<td>-26</td>
<td>+13</td>
<td>+409</td>
</tr>
</tbody>
</table>

25 Specifically, the scheme would see an increase the proportion of smaller units from 28% to 35% and reduce the proportion of larger units from 27% to 23% as follows:

<table>
<thead>
<tr>
<th></th>
<th>Studio</th>
<th>1.bed</th>
<th>2.bed</th>
<th>3.bed</th>
<th>4.bed</th>
<th>Penthouse</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current</td>
<td>12%</td>
<td>16%</td>
<td>45%</td>
<td>18%</td>
<td>4%</td>
<td>5%</td>
</tr>
<tr>
<td>Proposed</td>
<td>11%</td>
<td>24%</td>
<td>42%</td>
<td>16%</td>
<td>2%</td>
<td>5%</td>
</tr>
<tr>
<td>Change</td>
<td>-1%</td>
<td>+8%</td>
<td>-3%</td>
<td>-2%</td>
<td>-2%</td>
<td>No change</td>
</tr>
</tbody>
</table>

26 The applicant has set out its rationale for reviewing the housing mix, which is focussed on providing more homes of an appropriate size and more achievable to purchase for local, London and UK residents in particular. As noted by the applicant, the site comprises CAZ frontage, within Zone 1, immediately adjacent to a new NLE tube station. As a mixed use development to be carried out over a 15 year period, a careful balance needs to be struck between the range of uses, in order to assure viable delivery over the duration of the project. Some flexibility is also appropriate in order to reflect changing market conditions. Generally, outline schemes being carried out over a long period of time would include a range of unit types to be secured to allow for some flexibility in response to changing market conditions, as proposed by the applicant in this case.

27 The London Plan does not set out strategic targets for housing choice, it looks to encourage a mix based on local needs. In this instance, Wandsworth’s local policy DMH3 sets out criteria for housing mix, requiring a minimum of 5% family units. The scheme far exceeds this – retaining over 20% larger family units. Whilst it is acknowledged that the scheme does now propose a high proportion of studio and 1-bed units, the applicant has arrived at this
revised mix based on market evidence of demand and sales generation of the first phases of the scheme. In order to maintain this momentum of sales and reduce the presence of large, vacant units in the scheme, and to add to the vibrancy of the new town centre, it is acknowledged that revisions to the housing mix is appropriate for this particular scheme in this instance. Overall, the revised housing mix does not raise any new strategic issues and subject to Wandsworth Council satisfying itself that the housing mix is appropriate for local needs, this aspect of the scheme is acceptable.

Affordable housing

28 Through the original application and subsequent amendment, the section 106 agreement provides for a total of 581 affordable housing units, representing 15% of the overall masterplan housing numbers. The applicant is proposing that 53 of the 409 additional units be provided as affordable, taking the total provision to 634 units as follows:

<table>
<thead>
<tr>
<th>Unit Size</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>To be provided in Phase 3</td>
</tr>
<tr>
<td>1-bed</td>
<td>52</td>
</tr>
<tr>
<td>2-bed</td>
<td>46</td>
</tr>
<tr>
<td>3-bed</td>
<td>3</td>
</tr>
<tr>
<td>4-bed</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>103</td>
</tr>
</tbody>
</table>

29 The applicant confirms that the addition of 53 affordable units maintains the secured 15% affordable housing provision across the masterplan. Clarification of this figure is required and whether this is based on the masterplan itself, or includes Phase 4a for instance – at present it is not clear that 53 units would be enough to reach the 15% threshold. Furthermore, the applicant has not set out the tenure of the additional units, which requires clarification by the Council, and to be secured in the amended s106 agreement. In order to meet London Plan and local policy which requires that affordable housing provision is subject to viability assessment, Wandsworth Council has commissioned an independent appraisal by its consultant, BNPP in order to demonstrate that the scheme is delivering the maximum reasonable amount of affordable housing. The results of this and conclusions of the Council’s housing team should be set out in the Council’s report, and the details shared with GLA officers as part of the Stage 2 referral so as to ensure compliance with the London Plan and that the scheme delivers the minimum 15% requirement required by the OAPF and Local Plan.

Design and access

30 The proposed amendments to the masterplan in terms of design relate to Phase 6, where there are some amendments proposed in order to align the scheme with the adjacent Cringle Dock development. These comprise the following:

- removal of the majority of the serviced apartment block that shares the boundary with the Cringle Dock site;
- reduction in massing of the office block that sits adjacent to the Thames Water chlorination plant;
- raising the frontage of the office building at the far west of Pump House Lane by 3-storeys, with provision of an additional storey and reduction in depth of the building;
- increase in depth of the office building fronting Kirtling Street at the eastern end of Pump House Lane to accommodation commercial floor area from other areas of RS-2 where reduced.
31 These works were previously assessed as part of the Cringle Dock application (LPA ref 2015/6359; GLA ref D&P/2950e) and were accepted by the Mayor and Wandsworth Council. This remains the case and there are no design, conservation or townscape matters arising from this application.

32 The applicant has confirmed that all units will comply with the Nationally Described Space Standards and revised London Plan Housing Standards, which is welcomed and should be secured by condition by the Council. The child yield of the scheme remains largely comparable to the approved masterplan due to the reduction in larger family units – the applicant’s ES estimates an addition 9 children resulting from the changes, and these can be adequately catered for in the approved landscaping and public realm proposals.

33 Policy 3.8 ‘Housing Choice’ requires that ninety percent of new housing meets Building Regulation requirement M4(2) ‘accessible and adaptable dwellings’ and ten per cent of new housing meets Building Regulation requirement M4(3) ‘wheelchair user dwellings’, that is, designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users. The applicant should confirm that all of the units will been designed to meet Building Regulation requirement M4(2) and 10% will meet Building Regulation M4(3), and that these will spread across units sizes and includes affordable and market tenures. The Council should secure M4(2) and M4(3) requirements by condition.

Energy and sustainability

34 The energy strategy in this application is based on the site-wide energy strategy approved as part of the approved masterplan. A target emission reduction has been set based on the existing permissions for Phases 1, 2 and 3, together with the London Plan requirement for a 35% reduction in regulated emissions for Phases 4 to 7. This results in a reduction of 5,972 tonnes of carbon dioxide per year in regulated emissions compared to a 2013 Building Regulations compliant equivalent to an overall saving of 37%, exceeding the London Plan target, which is welcomed.

35 The applicant has set out its commitments in terms of minimising demand for cooling, and connection to existing and proposed district heating networks (Pimlico and VNEB), and is proposing to install a site heat network. Confirmation should be provided that all apartments and non-domestic buildings will be connected to the site heat network, with details of the route, and energy centre to be secured through condition. The CHP is sized to provide the domestic hot water load, as well as a proportion of the space heating. A potential future opportunity (carbon dioxide emissions savings linked to planned decarbonisation of UK grid electricity) to use water source heat pumps to recover heat from the River Thames has been identified. This is welcomed and further exploration of this technology is encouraged.

Transport

36 The application assumes that the demand on public transport from the proposals will be mitigated by the existing section 106 agreement as identified through the Development Infrastructure Funding (DIF) package. The section 106 agreement is to be varied to reflect the section 73 application and TfL as a party to the agreement will be closely involved in this process.

37 TfL and Battersea Power Station Development Company (BPSDC) are together party to a number of agreements relating to the construction and funding of the NLE. Any variation to the masterplan may require variations to those agreements and hence would require TfL’s consent under those agreements. Any amendments/consents required, to reflect planning changes are
being considered by TfL and the developer and will be the subject therefore of a separate commercial and legal discussions.

**Trip Generation**

38  TfL considers the trip generation methodology to be largely acceptable and that the demand associated with the development on the public transport network can be mitigated by the existing package of financial contributions and physical infrastructure. Slight changes to the trip generation in respect of setting out modal share by phase have been requested from the applicant, in order to arrive at the site wide figures and subsequent car parking ratio (which has been reduced). This will assist in verifying the trip numbers and with overall future network planning.

**Parking**

39  This application proposes to amend the level of car parking across the site, the changes compared to the existing consent are set out in Table 1 below:

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Consented Scheme (Masterplan)</th>
<th>February 2016 Proposals</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>1,507</td>
<td>1,545</td>
<td>+38</td>
</tr>
<tr>
<td>Retail</td>
<td>1,330</td>
<td>1,330</td>
<td>+0</td>
</tr>
<tr>
<td>Food and Beverage</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Hotel</td>
<td>45</td>
<td>20</td>
<td>-25</td>
</tr>
<tr>
<td>Serviced Apartments</td>
<td>26</td>
<td>13</td>
<td>-13</td>
</tr>
<tr>
<td>Office</td>
<td>68</td>
<td>68</td>
<td>0</td>
</tr>
<tr>
<td>Leisure</td>
<td>81</td>
<td>81</td>
<td>0</td>
</tr>
<tr>
<td>Culture</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Community</td>
<td>37</td>
<td>37</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>3,094</strong></td>
<td><strong>3,094</strong></td>
<td><strong>0</strong></td>
</tr>
</tbody>
</table>

40  The current scheme does not propose any changes to the overall parking levels. Previously, TfL’s concerns have related to the retail parking in particular, and it is noted that these do not change through the current proposals, nor the overall retail floorspace. As part of any reallocation of parking spaces the applicant should revise the provision of electric vehicle charging points (EVCPs), as per the standards detailed in London Plan policy 6.13.

41  The applicant’s continued agreement to prepare and implement both a site wide car parking management strategy as well as detailed car parking management plans for each phase is supported. Where possible options for reduction of the retail provision should be sought.

42  The application proposes an increase of 809 cycle parking spaces as a result of the proposed changes in floorspace and revised London Plan standards. The latest London Plan cycle parking standards (2016) should be referred to in the transport assessment but overall TfL considers the cycle provision to be compliant with London Plan policy 6.9. TfL has requested that the applicant investigates the location of these spaces through this application to ensure that they can be delivered successfully through subsequent detailed reserved matters applications.

**Highways**

43  There are no highways implications from the current proposals. It is noted that TfL is working with the applicant and the Council to develop the design for Battersea Park Road / Nine Elms Lane and its subsequent junctions, including enhanced cycling provision, improved
pedestrian crossing facilities, bus stops and high quality urban design. Detailed discussions are ongoing as part of the section 278 process to agree the development and highway boundaries past the development site. TfL is also in discussion with the applicant around the delivery of a bus route into the site.

**Servicing / Construction**

44 The applicant has agreed to prepare a delivery and servicing plan for the entire site which would be updated and agreed with the Council, in consultation with TfL, prior to the occupation of each phase. TfL supports this continued approach.

45 The applicant has agreed to prepare a detailed construction management strategy prior to each phase of development in consultation with TfL and in line with the area wide Construction Charter and framework. TfL will assess the plans in the context of the construction of the NLE and other cumulative construction impacts. The overall approach is consistent with London Plan Policies 6.3 and 6.14.

46 All construction and logistics (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. Detailed wording as part of revisions to the s106 has been proposed to the council and applicant regarding cycle safety and the wider coordination work in the OA.

**Summary**

47 In summary TfL largely considers the scheme to be acceptable in the context of the London Plan, subject to detailed discussions around trip generation, parking layouts (including electric vehicle charging) and construction mitigation.

48 From a commercial and legal perspective, agreement will be required around varying the s106 agreement and potentially the other agreements between the parties as outlined above.

**Local planning authority’s position**

49 Wandsworth Council is presently reviewing the application with view to presenting to Committee in coming weeks.

**Legal considerations**

50 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 retail use, housing, urban design, access, energy and transport are relevant to this application. The application broadly complies with the London Plan, however, further information and/or confirmation, as detailed below is required to comply fully.

- **Land use principles**: The change of use of hotel and serviced apartment floorspace is, in this instance, acceptable in strategic planning terms, with the overall hotel provision across the development and OA still making a reasonable contribution towards London Plan targets.

- **Housing**: the rationale for reviewing the unit sizes is understood and the housing mix proposed is appropriate for this central, town centre location. Details of the affordable housing offer still require clarification.

- **Design and accessibility**: The scheme raises no strategic issues in relation to design, townscape and heritage. Details of housing quality should be secured by condition.

- **Energy and sustainability**: The applicant has broadly followed the energy hierarchy to reduce carbon emissions. Sufficient information has been provided to understand the proposals as a whole, and the scheme accords with the London Plan energy targets.

- **Transport**: The scheme is acceptable in the context of the London Plan transport policies, subject to detailed discussions around trip generation, parking layouts (including electric vehicle charging) and construction mitigation. The existing s106 agreement (and potentially the other agreements) between the parties also need to be reviewed, as outlined above.

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