

Homebase, Swandon Way, Wandsworth

in the London Borough of Wandsworth

planning application no. 2016/7356

Planning application

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008 (“the Order”) and Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

The proposal

Demolition of existing retail warehouse building and erection of three buildings ranging from 8 to 17 storeys with basement to provide a mixed use scheme including 385 residential units (Class C3), 563 sq.m. GIA of retail units (Class A1 and/or A2 and/or A3 uses) 165 sq.m. of leisure use (Class D1) and 1,620 sq.m. GIA of studio/offices (Class B1), with associated cycle parking spaces and 89 car parking spaces, playspace, landscaping and public realm improvements (including contribution towards the new entrance to Wandsworth Town Station).

The applicant

The applicant is **National Grid UK Pension Scheme** and the architect is **Allies and Morrison**.

Recommendation summary

The Mayor, acting as Local Planning Authority for the purpose of determining this application;

- i. grants conditional planning permission in respect of application 2016/7356 for the reasons set out in the reasons for approval section below, and subject to the prior completion of a section 106 legal agreement;
- ii. delegates authority to the Assistant Director - Planning and the Executive Director of Development, Enterprise and Environment to issue the planning permission and agree, add, delete or vary, the final detailed wording of the conditions and informatives as required, and authority to negotiate, agree the final wording, and sign and execute, the section 106 legal agreement;
- iii. delegates authority to the Assistant Director – Planning and the Executive Director of Development, Enterprise and Environment to agree any variations to the proposed heads of terms for the section 106 legal agreement;
- iv. delegates authority to the Assistant Director - Planning and Executive Director of

Development, Enterprise and Environment to refuse planning permission, if by 17 December 2017, the section 106 legal agreement has not been completed;

- v. notes that approval of details pursuant to conditions imposed on the planning permission will be submitted to, and determined by, Wandsworth Council;
- vi. notes that Wandsworth Council will be responsible for the enforcement of the conditions attached to the planning permission;

Drawing numbers and documents

Existing plans	Proposed site plans
970_02_07_001 P1 Site Location plan	970_02_07_050 P2 Application site proposed
970_02_07_010 P1 Existing / demolition plan	970_02_07_051 P2 Roof level landscaping
970_02_07_020 P1 Existing elevations	970_02_07_052 P2 HSE consultation zone
Proposed drawings	
<i>Floor plans</i>	
970_02_07_098 P2 Basement lower level	970_02_07_109 P2 Level 09
970_02_07_099 P2 Basement	970_02_07_110 P2 Level 10
970_02_07_100 P2 Level 00 ground floor	970_02_07_111 P2 Level 11
970_02_07_101 P3 Level 01 podium	970_02_07_112 P2 Level 12
970_02_07_102 P4 Level 02	970_02_07_113 P2 Level 13
970_02_07_103 P4 Level 03	970_02_07_114 P2 Level 14
970_02_07_104 P4 Level 04	970_02_07_115 P1 Level 15
970_02_07_105 P4 Level 05	970_02_07_116 P1 Level 16
970_02_07_106 P4 Level 06	970_02_07_117 P1 Roof
970_02_07_107 P4 Level 07	970_02_07_125 P2 Roof
970_02_07_108 P2 Level 08	
<i>Elevations and sections</i>	
970_02_00_07_200 P4 Site wide elevations	970_02_02_07_201 P3 Garden building E-W
970_02_00_07_300 P2 Long section	970_02_02_07_300 P2 Garden building section
970_02_01_07_200 P3 Station building E-S	970_02_03_07_200 P3 Crescent building
970_02_01_07_201 P1 Station building N-W	970_02_03_07_300 P2 Crescent building section
970_02_01_07_300 P2 Station building section	970_02_07_301 P2 Short section BB
970_02_02_07_200 P3 Garden building N-S	970_02_07_302 P2 Short section CC
<i>Bay study details</i>	
970_02_01_07_500 P3 Station building	970_02_03_07_500 P3 Crescent building
970_02_02_07_500 P3 Garden building	

<i>Unit detail plans</i>	
970_02_07_900 P2 Typical 1B2P M4(2)	970_02_07_907 P2 Typical 1B2P M4(3)
970_02_07_901 P2 Typical 2B4P M4(2)	970_02_07_908 P2 Typical 2B4P M4(3)
970_02_07_902 P2 Typical 3B5P M4(2)	970_02_07_909 P2 Typical 2B4P M4(3)
970_02_07_903 P2 Typical 3B6P M4(2)	970_02_07_910 P2 Typical 1B2P M4(3)
970_02_07_904 P2 Typical 1B2P M4(3)	970_02_07_911 P2 Typical 2B4P M4(3)
970_02_07_905 P2 Typical 2B4P M4(3)	970_02_07_912 P2 Typical 2B4P M4(3)
970_02_07_906 P2 Typical 1B2P M4(3)	970_02_07_913 P1 Typical 2B4P M4(3)
<i>Landscape drawings</i>	
D2303 L.110 Landscape masterplan	D2303 L.310 General arrangement
D2303 L.111 General arrangement – ground level	D2303 L.311 General arrangement
D2303 L.112 General arrangement – ground level	D2303 L.411 Illustrative sections
D2303 L.113 General arrangement – level 1	D2303 L.412 Illustrative sections
D2303 L.114 General arrangement – level 1	D2303 L.413 Illustrative sections
D2303 L.115 General arrangement – level 8 / roof	D2303 L.414 Illustrative sections
D2303 L.116 General arrangement – level 8 / roof	D2303 L.415 Illustrative sections
Supporting documents	
Planning application form and certificates	Energy Strategy & Addendum (August 2017)
Cover letter (August 2017)	Arboricultural Impact Assessment
CIL Additional Information Form	Waste Management Strategy
Design & Access Statement and Addendum (September 2017)	Sequential Site Assessment
Planning Statement	Landscape Statement
Statement of Community Involvement	Pre-Construction Advice Statement
Affordable Housing Viability Assessment (August 2017)	
Environmental Statement: Non-Technical Summary, Volume 1 – Main Text and Addendum (August 2017), Volume 2 – Townscape and Visual Impact Assessment and Addendum (August 2017), Volume 3 – Technical Appendices including: Flood Risk Assessment; Air Quality; Noise and Vibration; Ecology; Daylight, Sunlight and Overshadowing; Lighting; Wind Microclimate; Transport Assessment; Sustainability; Socio-economics and Cumulative Effects.; Addendum to Technical Appendices (August 2017).	

Introduction

1 Having assumed authority to determine this planning application, this report sets out the matters that the Mayor must consider in forming a view over whether to grant or refuse planning permission and to guide his decision making at the upcoming representation hearing. This report includes a recommendation from GLA officers, as set out below.

Officer recommendation - reasons for approval

2 The Mayor, acting as the local planning authority, has considered the particular circumstances of this application against national, strategic and local planning policy, relevant supplementary planning guidance and all material planning considerations. He has also had regard to Wandsworth Council's planning committee report dated 26 April 2017, the draft decision notice setting out one reason for refusal and all consultation responses and representations made on the case. The below reasons set out why this application is acceptable in planning policy terms:

- I. The principle of a residential led, mixed use development is strongly supported by both strategic and local planning policy. The development site holds a site allocation for residential development within adopted local policy. The proposed development would conform with the land use principles set out in this adopted policy designation and would provide much needed housing for which there is an identified and well-documented need. The proposals make provision for viable employment within business and retail floorspace which is compatible with the proposed residential uses and suitable for SMEs. The proposal optimises the development density, taking into account the highly accessible location and opportunities created by the proposed improved entrance to Wandsworth Town Station. The proposal is therefore supported in land use terms in accordance with the NPPF, London Plan Policies 3.3, 3.16, 4.1, 4.2, 4.7, 4.8, 4.10, 4.12, 5.22 and 7.1; Wandsworth Core Strategy Policies PL6, PL9, PL12 and IS1; Wandsworth Development Management Policies DMI3, DMI4 and DMTS2; and Wandsworth's Site Specific Allocations Document (2016).
- II. The scheme would provide 385 residential units, of which 136 would be affordable (35%). The housing proposed is of a high quality, and of an appropriate density and mix for the location. Overall, the scheme would make a significant contribution to housing delivery targets for the borough. The proposed offer of affordable housing meets the requirements of the Mayor's Affordable Housing & Viability SPG. An early implementation viability review mechanism will be triggered, should an agreed level of progress not be made within 24 months of planning permission being granted, and would secure up to 50% affordable housing if viable. On this basis, the application accords with London Plan Policies 3.3, 3.4, 3.5, 3.8, 3.9, 3.11 and 3.12; the Mayor's Housing SPG (2016) and the Mayor's Affordable Housing & Viability SPG (2017); Wandsworth Core Strategy Policies PL5 and IS5; Wandsworth Development Management Policies DMH3, DMH4, DMH6, DMH7 and DMH8; and Wandsworth's Housing SPD (2016).
- III. The design and layout principles are well-considered and the scheme achieves a high quality of placemaking, with well-defined new public routes and spaces, enhanced by high quality landscaping and enhancements to off-site public open space. The massing strategy responds to the site characteristics and the existing and emerging context. The 17 storey Station Building is appropriately located and commensurate with the height of other buildings in the area. The quality of design, architecture and materials will ensure a distinctive and high quality development which will contribute positively to the regeneration of this part of Wandsworth. The setting and significance of nearby designated and non-designated heritage assets would remain unharmed. The proposals adhere to the principles of designing out crime. As such the proposal complies with Policies 3.5, 3.6, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7

and 7.8 of the London Plan; Wandsworth Core Strategy Policies PL4, IS1, IS2 and IS3; Wandsworth Development Management DPD Policies DMS1, DMS2, DMS4 and DMO3; and Wandsworth's Site Specific Allocations Document (2016) and Historic Environment SPD (2016).

- IV. The proposed development has embedded the principles of inclusive access, and will comply with the relevant inclusive design housing standards. As such, the scheme complies with London Plan Policies 3.8, 7.1, 7.2, 7.5 and 7.6; and Wandsworth Development Management Policies DMS1 and DMH6.
- V. The proposed development has demonstrated that a high standard of sustainable design and construction would be achieved, minimising carbon dioxide emissions, using energy efficiently and including renewable energy in accordance with the energy hierarchy. The development would deliver sustainable urban drainage, ecology and urban greening benefits over the existing situation at the site. The environmental impacts of the development, in terms of wind microclimate, minimising exposure to poor air quality, addressing contaminated land and waste management, are acceptable taking into account the proposed mitigation measures. As such the scheme complies with the policies contained with Chapter 5 and Policies 7.7, 7.14 and 7.19 of the London Plan; Wandsworth Core Strategy Policies PL2, IS1, IS2 and IS4; Wandsworth Development Management Policies DMS3, DMS4, DMS5, DMS6, DMO4 and DMO5; and Wandsworth's Refuse & Recyclables SPD (2014).
- VI. The development proposals would have an acceptable impact on neighbourhood amenity. Few neighbouring residential properties would experience any noticeable reductions to their daylight and sunlight and where losses occur, the impacts would not have an unacceptable impact on residential amenity. The proposals would not unacceptably reduce privacy to neighbouring residential properties and issues of noise and disturbance would be adequately mitigated through planning conditions. As such the proposed development complies with London Plan Policies 7.6, 7.7, 7.14 and 7.15; and Wandsworth Development Management Policies DMS1 and DMS4.
- VII. The proposal for a mixed use development in a highly accessible location would represent a pattern of development that would reduce the need to travel, particularly by car, and this is reflected in the low parking ratio of the scheme which is supported by strategic and local planning policy. The quantum of proposed car parking is acceptable subject to a suitable framework of controls including a car parking management plan, provisions for restricting resident parking permits for new residents, electric vehicle charging points, travel plan and car club spaces/membership. The proposal strikes an appropriate balance between promoting new development and encouraging cycling, walking and public transport use, providing appropriate mitigation as required. As such the proposed development complies with the policies contained with Chapter 6 of the London Plan; Wandsworth Core Strategy Policy PL3; and Wandsworth Development Management Policies and DMT2.
- VIII. The Environmental Statement (ES) and addendum provides an assessment of the likely significant effects of the proposal during the construction and operational phases. The documents comply with the relevant regulations in terms of their scope and methodology for assessment and reporting. They also appropriately respond to Development Plan policy, supplementary planning guidance and the representations made. As is usual for a major development of this nature there are potential environmental impacts and, where appropriate, mitigation has been identified to address adverse impacts. The general residual impact of the development with mitigation is considered to range from negligible to minor beneficial throughout most of the site. Given the context of the site, the environmental impact of the development is acceptable given the general compliance with relevant British Standards, London Plan and local policy standards.

- IX. Appropriate, reasonable and necessary planning conditions and planning obligations are proposed to ensure that the development is acceptable in planning terms and the environmental, socio-economic and arts and cultural impacts are mitigated, in line with adopted policy and Wandsworth's Planning Obligations SPD (2015). Accordingly there are no, or insufficient, grounds to withhold planning consent on the basis of the policies considered and other material planning considerations.

Recommendation

3 That the Mayor acting as Local Planning Authority, grants planning permission in respect of application 2016/7356, subject to prior completion of a section 106 legal agreement, and the inclusion of planning conditions and informatives, as summarised below. The detailed wording of conditions and informatives are set out in the draft decision notice appended to this report.

4 That the Mayor delegates authority to the Assistant Director – Planning and the Director of Development, Enterprise and Environment to issue the planning permission and agree, add, delete or vary the final wording of the conditions and informatives as required.

5 That the Mayor agrees that the Assistant Director – Planning and the Director of Development, Enterprise and Environment, be given delegated authority to negotiate and complete the section 106 legal agreement, the principles of which have been agreed with the applicant as set out in the heads of terms detailed below.

6 That the Mayor delegates authority to the Assistant Director – Planning and the Director of Development, Enterprise and Environment to refuse planning permission if, by 17 December 2017, the section 106 legal agreement has not been completed

7 That the Mayor notes the approval of details pursuant to conditions imposed on the planning permission will be submitted to, and determined by, Wandsworth Council (the "Council").

8 That the Mayor notes that the Council will be responsible for the enforcement of the conditions attached to the permission.

Section 106 Legal agreement

- Affordable housing: 136 units (35% of units and habitable rooms) to be affordable, 60% of which to be affordable rent and 40% to be shared ownership. Details of affordability (as below) and nominations will be secured. An early implementation review mechanism, triggered in the event that development has not been substantially implemented within 2 years of the grant of permission, will secure the delivery of more affordable housing (up to 50% of the scheme or the level of grant funding) should it be viable.
 - Affordable rent levels: 50% of units at 'capped rents' (£202pw for 1 bed, £220pw for 2 bed, £228pw for 3 bed) and 50% at 'discounted rents' (£242pw for 1 bed, £276pw for 2 bed, £288pw for 3 bed).
 - Shared ownership affordability: 50% of 1 bed units at annual incomes at or below £47,000 and 50% at £90,000. 50% of 2 bed units at annual incomes at or below £57,000 and 50% at £90,000. 50% of 3 bed units at annual incomes at or below £63,000 and 50% at £90,000.
- Wandsworth Town Station improvements: A £2.5 million contribution and land to enable a new station entrance;

- Cycle hire docking station: A £110,000 contribution and land to deliver a 28 dock cycle hire station;
- York Road Roundabout works: A £100,000 contribution towards the road safety improvement scheme at the York Road roundabout;
- Other transport: Submission and implementation of an approved travel plan and parking management plan (including EVCP charging points to be provided and details of car park operation; provisions relating to blue badge parking), one car club space and residents' car club membership for two years, resident parking permit restriction, s.278 agreement to be entered into for altered access to the site and associated works;
- Open space and landscaping: Provision of public realm within the scheme as publicly accessible, including maintenance and management arrangements, £60,000 towards maintenance and improvement of Bramford Gardens, £400 for 2 year maintenance of replacement trees, details of off-site tree planting along Swandon Way, in consultation with TfL;
- Local employment agreement and use of local suppliers;
- Energy strategy: Future proofing for connection to district heating network and applicant to prioritise connection, carbon off-setting payment of £311,610;
- Arts and cultural contribution of £385,000; and
- Monitoring contribution.

Conditions to be secured ¹

- 1. Commencement – 7 years
- 2. Compliance with approved drawings
- 3. Occupation restriction for Crescent Building
- 4. Restriction of use of residents' facilities
- 5. Residential management plan
- 6. Opening hours (A1-A3 uses)
- 7. Ventilation (A1-A3 uses)
- 8. Shop fronts
- 9. Detailed drawings, external materials and balcony screens (building)
- 10. Landscaping, public realm, play space and boundary treatments
- 11. Site levels
- 12. Open space management and maintenance plan
- 13. Flood risk and finished floor levels
- 14. Flood warning and evacuation plan
- 15. Delivery and servicing plan
- 16. Cycle parking
- 17. Electric vehicle charging points
- 18. Noise fixed plant
- 19. Noise, vibration and air quality - internal residential environment
- 20. External lighting
- 21. Sustainability (BREEAM) standards for non-residential elements
- 22. Compliance with energy strategy and DHN connection
- 23. Accessible and adaptable dwellings
- 24. Wheelchair user dwellings
- 25. Secured by Design

¹ Draft conditions have been prepared and will be published as an appendix to this report; this list provides a summary of the draft notice condition headings

- 26. Air quality - boilers
- 27. Air quality – CHP
- 28. Surface water drainage and no infiltration to groundwater
- 29. Restriction on site clearance Feb-Aug
- 30. Biodiversity enhancement plan
- 31. Contaminated land strategy
- 32. Contaminated land verification
- 33. Piling Method Statement / foundation design
- 34. Groundwater protection
- 35. Water contamination not previously identified
- 36. Construction Environment Management Plan
- 37. Construction logistics plan
- 38. Protection of trees
- 39. Site waste management plan
- 40. Operational waste management and recycling strategy
- 41. Wind mitigation measures
- 42. Archaeology
- 43. Water efficiency measures
- 44. Water supply and wastewater capacity study
- 45. Rooftop TV equipment details
- 46. Restriction on rooftop plant structures
- 47. Retention of scheme architects during construction phases

Informatives

- 1. Co-operation
- 2. CIL liable
- 3. Hours of construction
- 4. Thames water – location of water mains

Publication protocol

9 This report has been published seven days prior to the Representation Hearing, in accordance with the GLA procedure for Representation Hearings. Where necessary, an addendum to this report will be published on the day of the Representation Hearing. This report, any addendum, draft decision notices and the Mayor of London’s decision on this case will be made available on the GLA website:

<https://www.london.gov.uk/what-we-do/planning/planning-applications-and-decisions/public-hearings/swandon-way>.

Site description

10 The application site, identified in figure 1 below, comprises 0.99 hectares of land, to the south of Swandon Way (A217) and to the north of Wandsworth Town Station (National Rail) and the raised railway line. The site is approximately 200 metres long and 50 metres wide, although it tapers at its western end due to the curve of Swandon Way. The site is occupied by a large single storey, double height Homebase retail store with associated surface car parking, yard areas and landscaping. A car wash facility also operates in the car park with an associated shipping container office, and a portable cafe.

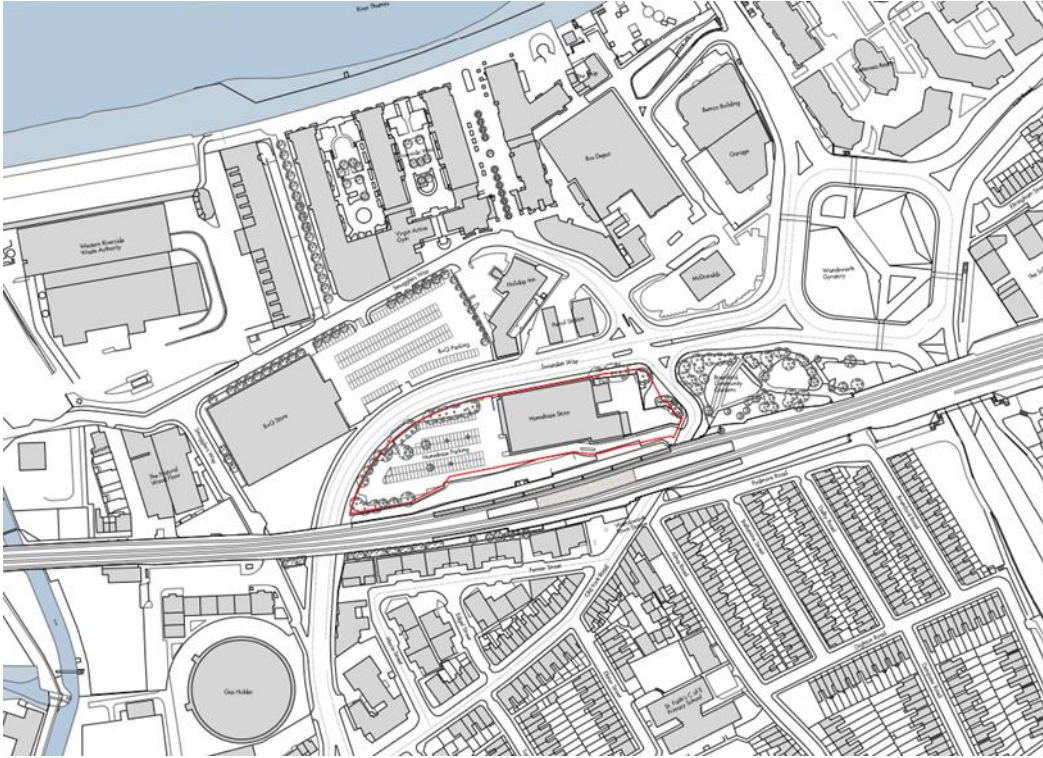


Figure 1: Site location plan (970_02_07_001)

11 The site is bounded by and takes vehicle access from Old York Road to the east, with locally designated open space known as Bramford Community Gardens beyond. To the north of Swandon Way is a petrol station, a Holiday Inn hotel and a B&Q retail store with surface car parking, which is the subject of a current planning application for residential-led mixed-use redevelopment (Council reference 2017/0580, GLA reference D&P/4110).

12 Beyond the immediate context, the River Thames is approximately 300 metres to the north and there are a number of recently constructed residential developments fronting the River, either side of Wandsworth Bridge. The Western Riverside Waste Authority Recycling Facility and the Smugglers Way Waste Transfer Station (designated as a safeguarded wharf) is located to the north-west of the B&Q site. The site is within the Thames Policy Area and is within Flood Zone 3a. Approximately 100 metres to the east is the York Road Roundabout. On the southern side of the railway is a low rise industrial estate, designated as a Locally Significant Industrial Area. To the south of this is Old York Road, which comprises a number of shops, restaurants and public houses with residential above, and provides a link to Wandsworth Major Town Centre to the south-west.

13 The site is identified in the Council's Site Specific Allocations Document (March 2016) as suitable for residential development with improved access to Wandsworth Town Station, subject to the outcome of a flood risk assessment. A gasholder is located to the south-west and the site is within the middle zone of the Health & Safety Executive's Consultation Distance. There are 40 existing trees on the site and a Tree Preservation Order (TPO) has been made on four trees in the south-western part of the site.

14 In terms of heritage, the site is within an archaeological priority area but not in a conservation area. The closest conservation area is Wandsworth Town Conservation Area, some 200 metres to the south. There are a number of listed buildings in the vicinity of the site, including Wandsworth Garage Bus Depot (Grade II), located on Jews Row, some 50 metres away. The site does not lie within any strategic views as identified within the Mayor's London View Management Framework SPG.

15 In addition to being adjacent to Wandsworth Town National Rail station, there are also thirteen bus routes within an acceptable walking distance of the site, with stops located on Swandon Way, Bridgend Road and Ram Street. As a result, the site has a varying public transport accessibility level (PTAL) ranging from 3 in the west to 6a in the eastern corner, on a scale of one to 6b where 6b is the most accessible.

16 The A217 Swandon Way forms part of the Transport for London Road Network (TLRN). Cycle Superhighway 8 also runs past the site along Old York Road. TfL are currently developing a scheme with Wandsworth Council to remove the Wandsworth Town Centre gyratory. Changes are proposed at the Swandon Way and Wandsworth Bridge Roundabout and include junction and public realm improvements. Work to introduce the scheme to Wandsworth town centre is likely to start in the next 2-3 years.

Details of the proposal

17 The application as originally submitted to the Council in January 2017 sought full planning permission for the demolition of the existing buildings, and redevelopment of the site to provide a residential-led mixed use development of 343 residential units, retail units totaling 597 sq.m. (Use Class A1-A3), a leisure space of 164 sq.m. (Use Class D1) and SME workspace of 1,647 sq.m. (Use Class B1), together with with associated cycle parking, car parking, playspace, landscaping and public realm. The heights of buildings ranged from 7 to 15 storeys and 79 of the units were offered as intermediate affordable housing (25% by habitable room).

18 During the course of the Council's consideration of the application, some changes were made to the residential unit mix and the number of residential units was increased to 348. The number of affordable intermediate units was increased to 84, although with a rebalancing of the unit mix the proportion of habitable rooms was reduced to 23%.

19 Following the Mayor's take-over of the application, acting as local planning authority for the purposes of determining it, the applicant has made the following amendments to the scheme. These amendments were subject to public consultation between 29 August and 22 September.

- An increase in the number of units to 385 (37 additional units);
- An increased provision of 35% affordable housing, comprising 51 intermediate and 85 affordable rent units (from 23%);
- Re-distribution of the location of affordable units within the Crescent and Garden Buildings;
- Increase in height of the Station Building by two storeys to 17 storeys;
- Increase in height of the Garden Building by one storey to maximum of 11 storeys;
- Amendments to facade detailing of the Station Building to address increase in height; and
- Increase in cycle parking spaces to 628 to address increase in unit numbers.

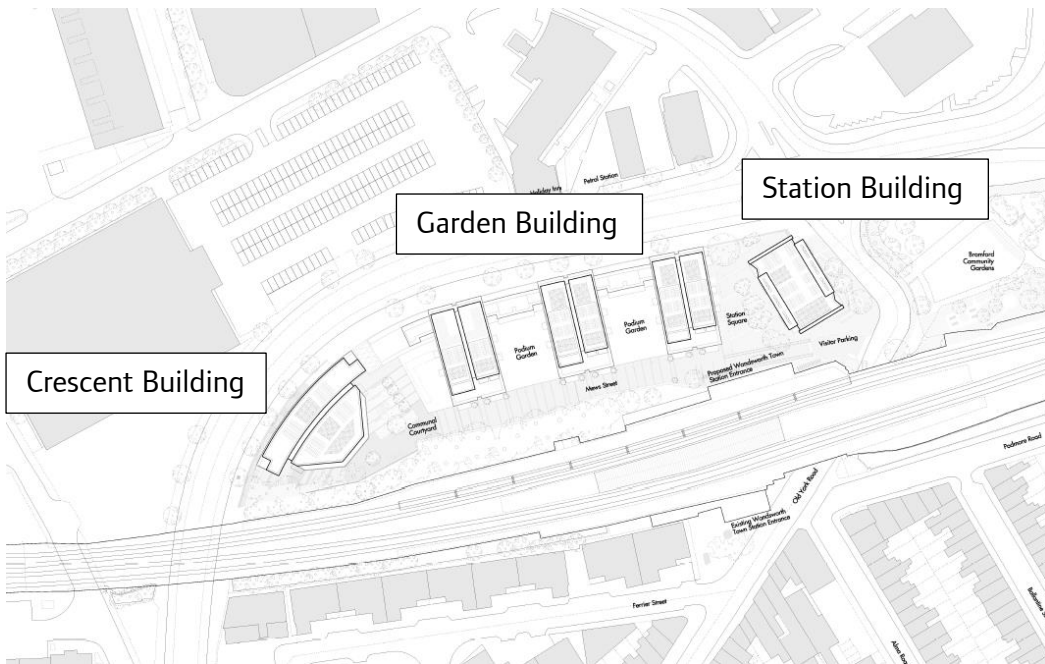


Figure 2: proposed site block plan (970_02_07_051)

20 As shown in Figure 2, above, the development would comprise three buildings. The Station Building is located at the eastern end of the site, adjacent to the proposed new station entrance. It would be 17 storeys in height, comprising retail at the ground floor and residential units above. Refuse storage and plant areas would be located at basement level. It would be separated from the Garden Building by a new public square. The Garden Building would be a part 8, part 11 storey linear block fronting Swandon Way, with three rear projecting wings enclosing podium courtyard amenity spaces. There would be SME workspace, a retail unit fronting the public square and servicing space at the ground floor, as well as internal car parking, cycle parking and plant space, which also extends to basement level. Residential units would be located on the upper floors, along with a resident's gym and lounge. The 10 storey Crescent Building is located at the western end of the site and would have a curved frontage to address the line of Swandon Way, with a rear wing. At ground floor would be SME workspace and a leisure space, along with refuse storage and plant rooms, with residential units on the upper floors. The Station Building and Garden Building comprise Phase 1 of the development, with the Crescent Building comprising Phase 2.



Figure 3: site wide elevation (970_02_00_07-200)

21 As well as the public square adjacent to the new entrance to Wandsworth Town Station, the scheme would also deliver a new pedestrian route along the back of the Garden Building, known as the Mews Street. This would link up to Swandon Way through a courtyard between the Garden Building and the Crescent Building, where a pedestrian crossing is envisaged to improve pedestrian links to the north. New tree planting is also proposed across the site and along the Swandon Way frontage in line with the Council's site allocation requirements, within the TfL adopted footway, and it is proposed to provide a shared surface link across Old York Road to Bramford Gardens. Resident's amenity space would be provided in the form of private balconies or terraces for each flat and communal podium amenity spaces in the Garden Building.

22 As part of the redevelopment proposals, the applicant would contribute towards a new station entrance on the north side of Wandsworth Town Station, to improve access to the station. This will entail the transfer of land necessary to undertake these works, along with a financial contribution, to be secured through the S106 agreement.

23 The scheme proposes 89 car parking spaces, 9 of which would be for Blue Badge users. A car club parking bay is also proposed within the Mews Street. Vehicle access to the car parking and servicing area would be along the Mews Street, with access from Old York Road over the public realm through a shared surface. A total of 610 residential and 18 commercial cycle parking spaces are proposed, as well as visitor cycle stands in the public realm and space for a cycle hire docking station. A total of 18 motorcycle spaces are also proposed.

Relevant planning history

24 There is a lengthy planning history relating to the retail use of the site, including a 1992 permission for the construction of the existing Homebase store and further applications in 1993 and 1994 for alterations to the store building. Between 2000-06, various applications were submitted for alterations to vehicle accesses.

Previous application

25 In December 2015, an application was submitted by the applicant for redevelopment of the site to provide a mixed use scheme including 321 residential units, 580 sq.m. of retail space, 244 sq.m. day nursery and 1,636 sq.m. of studio/office space with associated car and cycle parking, play space, landscaping and public realm, including a contribution towards a new northern entrance to Wandsworth Town Station (Council reference 2015/6608, GLA reference D&P/3537).

26 On 28 January 2016, the former Mayor of London considered a report on this case (known as a Stage 1), with a reference D&P/3537/01. Wandsworth Council was advised that, whilst the principle of the proposed residential-led, mixed-use development was supported in strategic planning terms, the application did not comply with the London Plan; issues were raised relating to housing, affordable housing, play space, urban design, inclusive design, sustainable development and transport.

27 On 23 March 2016 the application was deferred from Wandsworth Council's Planning Applications Committee to allow the applicant to address concerns over the appearance of the Station Building and quality of materials. Following amendments made to the scheme design, the application was reported back to Committee on 27 June 2016, where the Council resolved, against officer recommendation, to refuse planning permission for the following reason:

The proposal, by reason of the height, scale and massing of the Station Building, would result in an inappropriate form of development for the site which would fail to respond to, or integrate with the surrounding townscape to the detriment of the visual amenity of the immediate area and as viewed from the wider context of the historic environment including that of the nearby Wandsworth Town Conservation Area. The proposal is considered contrary to the Council's Development Plan policies, in particular, policies IS3, DMS1, DMS2 and DMS4 notably parts 4, 5, 7 and 8.

28 On 6 July 2016, the Council advised the Mayor of this decision. On 18 July 2016, the Mayor considered a report on this case (known as a Stage 2), with a reference D&P/3537/02. The Mayor concluded, having regard to the details of the application, the matters set out in the committee report and the Council's draft decision notice, there were no sound planning reasons for the Mayor to intervene, and allowed the Council to determine the application. The application was subsequently refused by the Council on 22 July 2016 for the above reason.

Current application

29 Stage 1: On 9 January 2017, Wandsworth Council notified the Mayor of London that a planning application of potential strategic importance had been submitted, referring it under Categories 1A, 1B, and 1C of the Schedule to the Order:

- 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 (c) outside Central London and with a total floorspace of more than 15,000 square metres."*
- 1C(a) *"Development which comprises or includes the erection of a building that is more than 25 metres high and is adjacent to the River Thames."*

30 On 15 February 2017 the Mayor considered a GLA planning report with a reference D&P/3537a/01. This report advised Wandsworth Council that the principle of a mixed-use, residential-led development at the site was supported, subject to further information on the status of the hazardous substance consent for the nearby gas holder. The quantum of affordable housing (which was then proposed to be 25% of the scheme) needed to be verified as the maximum reasonable amount through viability work. The design and the positioning of tall buildings on the site was supported in line with strategic policy. The development was also in accordance with London Plan transport policies, subject to conditions and S106 obligations.

31 On 26 April 2017, Wandsworth Council's Planning Applications Committee resolved to refuse planning permission for the application, against officers' recommendation, and on 13 June 2017 the Council advised the Mayor of this decision. The Council's draft decision notice proposes the following reason for refusal:

1. The proposal, by reason of the height, scale and massing of the Station Building, would result in an inappropriate form of development for the site which would fail to respond to or integrate with the surrounding townscape to the detriment of the visual amenity of the immediate area and as viewed from the wider context of the historic environment including that of the nearby Wandsworth Town Conservation area. The proposal is considered contrary to the Council's Development Plan policies, in particular policies IS3, DMS1, DMS2 and DMS4 notably parts 4,5,7 and 8.

32 Stage 2: On 26 June 2017, the Mayor considered a GLA planning report reference D&P/3537a/02. The report concluded that having regard to the details of the application, the development was of such a nature and scale that it would have a significant impact on the implementation of the London Plan, and there were sound planning reasons for the Mayor to intervene in this case and issue a direction under Article 7 of the Order that he would act as the Local Planning Authority for the purpose of determining the application. The report identified that there were outstanding matters that needed to be resolved, namely that a further viability assessment should be undertaken and robustly interrogated with the aim of further increasing affordable housing provision. The Mayor agreed this recommendation and on 26 June 2017 issued a direction that he act as local planning authority for the purpose of determining the application.

33 Since the Mayor issued this direction, GLA officers have worked with the applicant to resolve the outstanding issues on this case, notably securing revisions to the scheme to optimise the housing delivery on the site and improve the affordable housing offer. Revised plans were submitted by the applicant on 23 August 2017 and are set out in detail in paragraph 19, above. The implications of these amendments are discussed in the relevant appraisal sections in this report. In addition to revised plans, an increase in affordable housing to 35% by habitable room has been secured.

34 Re-consultation on amended plans: A 21-day re-consultation was carried out by the Mayor on 29 August 2017, notifying interested parties on proposed amendments by the applicant to plans and documents in relation to the increase in height of the Station Building and Garden Building.

35 Site visit: The Mayor will undertake an accompanied site visit with GLA and TfL officers, representatives from the Council, and the applicant team.

Relevant legislation, policies and guidance

36 This application for planning permission must be determined by the Mayor in accordance with the requirement of s.70(2) of the Town and Country Planning Act 1990 and s.38(6) of the Planning and Compulsory Purchase Act 2004. In particular the Mayor is required to determine the application in accordance with the development plan unless material considerations indicate otherwise. The development plan for this purpose comprises the 2016 London Plan (consolidated with alterations since 2011), Wandsworth Council's Core Strategy (March 2016), Development Management Policies Document (March 2016) and Site Specific Allocations Document (March 2016).

37 The Mayor is also required to have regard to national planning policy in the form of the NPPF and NPPG, as well as supplementary planning documents and, depending on their state of advancement, emerging elements of the development plan and other planning policies.

38 The principal material planning considerations relevant to this current application are: land use principles (including mixed use development, employment, town centre uses, residential uses and the HSE consultation zone); housing (including delivery of affordable housing, tenure, mix, density, quality); design (including urban design, public realm, play space, views, heritage); inclusive design; residential amenity (including daylight and sunlight, overshadowing, privacy/overlooking and noise/disturbance); sustainable development (including climate change mitigation and adaptation, microclimate, ecology, trees and urban greening, flood risk and sustainable urban drainage); transport and car parking provision; other environmental issues (including air quality, contaminated land and waste management); socio-economic (including arts and culture); and, mitigating the impact of development through planning obligations. The relevant planning policies and guidance at the national, regional and local levels are as follows:

National planning policy and guidance

39 The National Planning Policy Framework (NPPF) provides the Government's overarching planning policy, key to which, is a presumption in favour of sustainable development. The NPPF defines three dimensions to sustainable development: an economic role contributing to building a strong, responsive and competitive economy; a social role supporting strong, vibrant and healthy communities; and, an environmental role contributing to protecting and enhancing our natural, built and historic environment. The relevant components of the NPPF are:

- 1. Building a strong, competitive economy;
- 2. Ensuring the vitality of town centres;
- 4. Promoting sustainable transport;
- 6. Delivering a wide choice of high quality homes;
- 7. Requiring good design;
- 8. Promoting healthy communities;
- 10. Meeting the challenge of climate change, flooding and coastal change;
- 11. Conserving and enhancing the natural environment; and
- 12. Conserving and enhancing the historic environment.

40 The Technical Guide to the National Planning Policy Framework and National Planning Practice Guidance are also material considerations.

Regional planning policy and guidance

41 The London Plan 2016 is the Spatial Development Strategy for Greater London. The relevant policies within the London Plan are:

- Policy 1.1 Delivering the strategic vision and objectives for London;
- Policy 2.9 Inner London;
- Policy 2.15 Town centres;
- Policy 2.18 Green infrastructure;
- Policy 3.3 Increasing housing supply;
- Policy 3.4 Optimising housing potential;
- Policy 3.5 Quality and design of housing developments;
- Policy 3.6 Children and young people's play and informal recreation facilities;
- Policy 3.7 Large residential developments;
- Policy 3.8 Housing choice;
- Policy 3.9 Mixed and balanced communities;
- Policy 3.10 Definition of affordable housing;
- Policy 3.11 Affordable housing targets;
- Policy 3.12 Negotiating affordable housing;
- Policy 3.13 Affordable housing thresholds;
- Policy 3.16 Protection and enhancement of social infrastructure;
- Policy 4.1 Developing London's economy;
- Policy 4.2 Offices;
- Policy 4.3 Mixed use development and offices;
- Policy 4.7 Retail and town centre development;
- Policy 4.8 Supporting a successful and diverse retail sector;
- Policy 4.9 Small shops;
- Policy 4.10 New and emerging economic sectors;

- Policy 4.12 Improving opportunities for all;
- Policy 5.1 Climate change mitigation;
- Policy 5.2 Minimising carbon dioxide emissions;
- Policy 5.3 Sustainable design and construction;
- Policy 5.4A Electricity and gas supply;
- Policy 5.5 Decentralised energy networks;
- Policy 5.6 Decentralised energy in development proposals;
- Policy 5.7 Renewable energy;
- Policy 5.9 Overheating and cooling;
- Policy 5.10 Urban greening;
- Policy 5.11 Green roofs and development site environs;
- Policy 5.12 Flood risk management;
- Policy 5.13 Sustainable drainage;
- Policy 5.14 Water quality and wastewater infrastructure;
- Policy 5.15 Water use and supplies;
- Policy 5.17 Waste capacity;
- Policy 5.18 Construction, excavation and demolition waste;
- Policy 5.21 Contaminated land;
- Policy 5.22 Hazardous substances and installations;
- Policy 6.1 Strategic approach;
- Policy 6.2 Providing public transport capacity and safeguarding land for transport;
- Policy 6.3 Assessing the effects of development on transport capacity;
- Policy 6.5 Funding Crossrail and other strategically important transport infrastructure;
- Policy 6.7 Better streets and surface transport;
- Policy 6.9 Cycling;
- Policy 6.10 Walking;
- Policy 6.12 Road network capacity;
- Policy 6.13 Parking;
- Policy 6.14 Freight;
- Policy 7.1 Lifetime neighbourhoods;
- Policy 7.2 An inclusive environment;
- Policy 7.3 Designing out crime;
- Policy 7.4 Local character;
- Policy 7.5 Public realm;
- Policy 7.6 Architecture;
- Policy 7.7 Location and design of tall and large buildings;
- Policy 7.8 Heritage assets and archaeology;
- Policy 7.13 Safety, security and resilience to emergency;
- Policy 7.14 Improving air quality;
- Policy 7.15 Reducing noise and enhancing soundscapes;
- Policy 7.19 Biodiversity and access to nature;
- Policy 7.21 Trees and woodlands;
- Policy 7.29 The River Thames;
- Policy 8.2 Planning obligations; and
- Policy 8.3 Community Infrastructure Levy.

42 The following published supplementary planning guidance (SPG), strategies and other documents are also relevant:

- Affordable Housing and Viability SPG (August 2017).
- Housing SPG (March 2016);
- Crossrail Funding SPG (March 2016).
- Social Infrastructure SPG (May 2015);
- Accessible London: achieving an inclusive environment SPG (October 2014);
- The control of dust and emissions during construction and demolition SPG (July 2014);
- Town Centres SPG (July 2014);
- Shaping Neighbourhoods: character and context SPG (June 2014);
- Sustainable Design and Construction SPG (April 2014);
- Shaping Neighbourhoods: play and informal recreation SPG (September 2012);
- All London Green Grid SPG (March 2012);
- Draft Culture and Night Time Economy SPG (April 2017);
- Draft Mayor's Transport Strategy (June 2017);
- Draft Mayor's Environment Strategy (August 2017); and
- Draft Mayor's Housing Strategy (September 2017).

Local planning policy and guidance

43 Wandsworth Council's Core Strategy (March 2016), Development Management Policies Document (March 2016) and Site Specific Allocations Document (March 2016) provide the local policy approach for the Borough. The relevant policies are:

Wandsworth Core Strategy

- Policy SSAD1 Identified sites;
- Policy PL1 Attractive and distinctive neighbourhoods and regeneration initiatives;
- Policy PL2 Flood risk;
- Policy PL3 Transport;
- Policy PL4 Open space and the natural environment;
- Policy PL5 Provision of new homes;
- Policy PL6 Meeting the needs of the local economy;
- Policy PL8 Town and local centres;
- Policy PL9 River Thames and the riverside;
- Policy PL12 Central Wandsworth and the Wandle Delta;
- Policy IS1 Sustainable development;
- Policy IS2 Sustainable design, low carbon development and renewable energy;
- Policy IS3 Good quality design and townscape;
- Policy IS4 Protecting and enhancing environmental quality;
- Policy IS5 Achieving a mix of housing including affordable housing;
- Policy IS6 Community services and the provision of infrastructure; and
- Policy IS7 Planning obligations.

Wandsworth Development Management Policies Document

- Policy DMS1 General development principles;
- Policy DMS2 Managing the historic environment;
- Policy DMS3 Sustainable design and low carbon energy;
- Policy DMS4 Tall buildings;
- Policy DMS5 Flood risk management;
- Policy DMS6 Sustainable drainage systems;
- Policy DMS7 Consultation with the Environment Agency;
- Policy DMH3 Unit mix in new housing;
- Policy DMH4 Residential development including conversions;
- Policy DMH6 Residential space standards;
- Policy DMH7 Residential gardens and amenity space;
- Policy DMH8 Implementation of affordable housing;
- Policy DMTS1 Town centre uses;
- Policy DMTS2 Out of centre development;
- Policy DMTS12 Arts, culture and entertainment;
- Policy DMI3 Thames Policy Area;
- Policy DMI4 Provision of flexible employment floorspace;
- Policy DMO1 Protection and enhancement of open spaces;
- Policy DMO3 Open spaces in new development;
- Policy DMO4 Nature conservation;
- Policy DMO5 Trees;
- Policy DMC2 Provision of new and improved community facilities;
- Policy DMT1 Transport impacts of development; and
- Policy DMT2 Parking and servicing.

44 Schedule 3.6 of Wandsworth's Site Specific Allocations Document designates the site as suitable for residential development with improved access to Wandsworth Town Station, subject to the outcome of a flood risk assessment. The allocation sets out design objectives including provision of active frontages to Swandon Way and Old York Road, layout to support improved access to the station, tree planting along Swandon Way and achievement of a high standard of amenity for future residents. The allocation states that buildings of up to 9 storeys would be appropriate.

Supplementary planning guidance (SPG) and supplementary planning documents (SPD)

45 The following adopted SPDs are also relevant to the proposal:

- Wandsworth Housing SPD (November 2016);
- Wandsworth Historic Environment SPD (November 2016);
- Wandsworth Planning Obligations SPD (March 2015 and consultation draft July 2016);
- Wandsworth Town Centre Uses SPD (March 2015);
- Wandsworth Refuse & Recyclables SPD (February 2014);
- Wandsworth Local Views SPD (February 2014);
- Draft Wandsworth Town Conservation Area Appraisal;

Other relevant plans and strategies

46 The Council is reviewing the policies in the Local Plan that relate to employment land. The Local Plan Employment and Industry Document was published for consultation in March 2017. The Council is currently reviewing comments received and is intending to submit to the Secretary of State for public examination later this year

Wandsworth Community Infrastructure Levy

47 London borough councils are able to introduce Community Infrastructure Levy (CIL) charges which are payable in addition to the Mayor's CIL. Wandsworth Council's draft CIL examination hearing took place on 3 and 4 April 2012. The Inspector's report on the Council's proposed charging schedule was published on 23 May 2012, and was found to be sound. Wandsworth Council's CIL came into effect on 1 November 2012. The Wandsworth CIL charging schedule for "all other areas" of the borough (where the application proposal is located) sets a rate of £250 per sq.m. for housing and a nil charge for offices, retail and all other development.

Response to consultation

48 As part of the planning process Wandsworth Council has carried out statutory consultation on the application. The application was publicised by sending notifications to approximately 2,814 addresses in the vicinity of the site, as well as posting site notices close to the site and press notices. The consultation also included all relevant statutory bodies. All consultation responses received in response to Wandsworth Council's local consultation process, and any other representations received by Wandsworth and/or the Mayor of London in respect of this application at the time of writing this report, are summarised below, and have been taken into account in this report. The Mayor has been briefed on the amount and content of all consultation responses and has copies of these made available to him in either electronic or hard copy for consideration.

49 In addition, Mayor has carried out consultation on revised plans submitted subsequent to him taking over the application, and comments received are outlined below.

Statutory consultee responses to Wandsworth Council

50 Greater London Authority (including Transport for London): The Mayor's consultation stage comments (GLA report ref: D&P/3537a/01) and the Mayor's stage II decision (GLA report ref: D&P/3537a/02) are set out in those reports and summarised in the 'Relevant case history' section above.

51 Transport for London: Commented as part of the Mayor's stage 1 and 2 reporting above, and also provided a separate detailed response to Wandsworth Council, setting out issues in relation to car parking and access, walking and cycling, cycle hire, buses, travel planning, Crossrail and CIL. Specific issues relating to pedestrian and cycling access and infrastructure and car parking were set out, along with a number of suggested conditions and s106 obligations. The detailed consideration of these points is set out in the Transport section below.

52 Health & Safety Executive: Will not advise against approving the application, subject to a Grampian condition restricting occupation of the Crescent Building until the Hazardous Substances Consent for the nearby gasholder is revoked.

53 Network Rail: The developer should ensure that construction works do not impact on railway infrastructure and consider impacts on railway operations once built, including glare.

54 Historic England: The application should be considered in line with local specialist conservation advice.

55 Historic England (Greater London Archaeological Advisory Service): No objection, subject to a condition requiring geotechnical work to be subject to archaeological monitoring.

56 Natural England: No objection in principle. Expect proposals of this scale to contribute to a strong network of green infrastructure, and would encourage space within the development for residents that can be linked to Bramford Gardens. Supportive of the inclusion of living roofs but some living roofs such as sedum matting can have limited biodiversity value. Would encourage the use of bespoke solutions based on the needs of the wildlife specific to the site and adjacent area. Opportunities should be taken throughout the development to include biodiversity enhancements. Would not expect additional impacts on the Thames Path from this development.

57 Environment Agency: No objection subject to conditions ensuring the development is carried out in accordance with the measures contained with the Flood Risk Assessment, a scheme to deal with the risks of contamination and associated remediation strategy and no infiltration of surface water drainage and piling or any other foundation design to be permitted without express consent of the Local Planning Authority.

58 Neighbouring borough (LB Hammersmith & Fulham): No objection.

Individual neighbourhood responses

59 At the time of reporting the application to its planning committee, Wandsworth Council reports that it had received 357 responses from local residents, of which 355 were objections and 2 were in support, in addition to a petition containing 303 signatures objecting to the proposed density, height, cumulative impact on local infrastructure, impact on the character of the area and the loss of trees. All responses were provided to the GLA subsequent to the decision to take over the application and have been made available to the Mayor in advance of the hearing.

60 The main concerns and issues raised in objection to the proposals can be summarised as follows:

Principle of development

- The revisions to the previous application are minimal and still represent overdevelopment of the site at a scale and density that is above guidance in the Local Plan; will result in loss of quiet village character and create a soulless environment; cumulative impact with other developments in vicinity including Ram Brewery, Old School Yard, Battersea Reach; no consideration of the impact of development on policing, waste management and additional crowding in an already densely populated area; the area is at maximum capacity for residential development; already 70,000 flats for sale along the Thames; the area needs family houses, more schools, housing for elderly and better transport; more office space needed in the development; more educational space and playgrounds for children away from roads needed; permission would set dangerous precedent for the adjacent B&Q site.

Design

- Is out of character with Old York Road and the Tonsleys; does not respect local context, scale and proportions, or street pattern; should be maximum height of 6-7 storeys; scale of development at Old School Yard provides sensible precedent; eyesore, unattractive, unsympathetic; looks like a prison with no style or character; looks cheap; lacks architectural merit; loss of openness, just one continuous block; properties along Smugglers Way are typically characterised by large plots and large spacing between buildings and vegetation;

scale will dominate skyline and surrounding area; will be detrimental to wider historic environment; architectural details are misleading, buildings not inspired by the adjacent, established area; construction materials do not respect the Victorian brick construction of the surrounding houses; more consideration should be given between the old and the new; developers should consider building terraced housing in the Victorian style that once occupied the site; replicating mistakes of the 1950/60s.

Public realm

- Removal of 23 good quality, mature trees in order to create room for an excessively dense development; lack of play space, outdoor gym, recreational area; Bramford Gardens is the only area of greenery and is too small to facilitate the number of inhabitants of such a large development; no green space resulting in loss of habitats; no commitment to any meaningful planting; buildings tightly packed together with no sense of spacious and public squares; public realm is an afterthought; the Council should be encouraging pedestrianisation.

Transport impact

- Not clear whether TfL or the Council responsible for assessment of impact on train station; incorrect transport and train capacity information in the environment statement; transport modelling should not include underground station as not practical; sensitivity testing should accommodate train cancellations/delays; Wandsworth Town Station is already at capacity with severe overcrowding on platform and trains at peak times; need to increase frequency; access to the station is not the issue, the trains, platforms and lack of wheelchair access is; current station not safe; development will dramatically increase traffic in the area; insufficient parking; extra cars would use Old York Road as a cut through; CPZ exemptions should be applied to residents and extend CPZ to include weekends; dangerous access/egress; deliveries will cut across the Cycle Superhighway and pedestrian access to the station; the development will receive many more deliveries than stated; impact on local bus capacity; congestion is an increasing danger to young children; too much parking; Smugglers Way already completely jammed at weekends; junction between Old York Road and Swandon Way is not fit to accept increased traffic movements; people walk from Putney (Zone 3) to Wandsworth Town Station (Zone 2) to save money on travel; people use McDonalds, B&Q, Homebase to park for the Virgin gym and local workforce; lack of parking will result in more people using the station; cycle docks on Smugglers Way already resulted in loss of parking spaces; 3,000 new homes have/currently under construction in the local area over the last 5 years, 4,000 new homes at Battersea Power Station was enough to trigger new underground station.

Amenity impacts

- Visually overbearing, will block sunlight, decrease privacy, and will overshadow and block views to the river for many residents in the Tonsleys; overshadow Bramford Gardens and overlook private gardens; increased light, noise and air pollution, less air circulation; impact on the Thames; Riverside West will be in the shade from November to February.

Affordable housing

- Apartments not affordable to local residents, prices above what low paid, key workers can afford; does not address the issue of overpriced rental accommodation; require additional low rise family accommodation; does not provide the required level of affordable housing; will be bought by foreign investors.

Construction

- Works to Old York Road will disrupt local businesses with little compensation; construction hours should be restricted by the Council; construction access should be considered so as not to cause a highway hazard or inconvenience to neighbours; York Road/Swandon Way traffic light sequence is not sufficient to manoeuvre large HGVs and increasing the interval will increase length of traffic queues on Swandon Way and Wandsworth roundabout preventing site access and increasing safety risk; developer must seek an alternative point of access directly from Swandon Way to avoid chaotic and dangerous levels of congestion.

Impact of local and social infrastructure

- No benefit to local community; amount of D1 floorspace is inadequate for a community facility or for use by the NHS; impact of two out of town centre developments adjacent to each other should be considered and assessed; overloading of local services including medical services, school and dentists, insufficient number of GPs; negative impact on local shopkeepers.

Other issues

- Homebase employs many local staff; loss of three homeware stores within the Borough, need DIY stores; will cause more vagrants to inhabit the area; increased crime; sewage system particularly around Old York Road is already overloaded; increased level of footfall on Old York Road will impact on rates and rents; impact on human rights; EIA should be undertaken by an independent organisation with no interests/ties to developer or Council; submission of application just before Christmas, question the authenticity of the consultation exercise; if approved, look to make legal proceedings; impact on property values; should invest in road infrastructure before more development; CIL should not be an incentive to allow development; existing empty units within the borough should be occupied first; impact on the stability of existing structures including station and bridge over Old York Road and Wandsworth Station; post Brexit, the Council will be seeking to attract business investment and commercial projects, the site would be more suitable for this purpose; not sustainable development.

61 The responses in support outlined the need to build more homes and the presence of the railway between the development and the Tonsleys prevents any invasion of privacy.

Other responses to the Council, including residents' groups and elected members

62 Jane Ellison MP: Raised concerns on behalf of herself and her constituents who are concerned about the density and height of the proposed development, as well as the dominant effect that it would have on the Tonsleys, where housing is low rise. There are also concerns about the effect that the development would have on Wandsworth Town station where congestion and overcrowding are already considered pressing issues. The same concerns apply to pressure on other local infrastructure and services. Commented that it is essential that any application is sympathetic to the local area and takes full account of these important points.

63 Tonsley Residents Association (TRA): While they support the overall development of the site in principle, the TRA strongly urged the Planning Committee to reject the proposals in its current form for the following reasons; 37% higher density than maximum guidance for this site; height exceeds nine storey guidance and will significantly change the skyline; the railway will not act as a buffer zone; committee should seek to reduce height to meet the Council's own recommendations and lessen impact on the views from the Victorian Tonsleys; the cumulative transport impact assessment in the environmental statement is factually incorrect; a smaller development with increased set back would remove the need to remove and replace the existing, good quality trees on Swandon Way; replacement trees will take 20 years to reach same maturity as existing; the

development will increase traffic noise and emissions; a reduction in scale would mitigate all of the above issues.

64 Wandsworth Society: The revised scheme does not respond or integrate with the surrounding townscape and is contrary to the Council's development plan policies, the reduction in height of 15.7% is minimal and insufficient to make the development appropriate for the site. Objections were also raised with regards to the proposed height which fails to meet policy, is not appropriate in this location and will dominate the area to the south in the Tonsleys, parts of which are in the Wandsworth Town Conservation Area; the massing, density and design creates a cliff face to Swandon Way and will overwhelm the two open spaces proposed; will create a canyon with proposed B&Q development; would resemble a 1970s office development and landscaping lacks interest; would result in loss of 23 mature trees; new scheme fails to meet the criticisms of previous application; low level of affordable housing with no off-site contribution; proposed housing will not meet local housing need; rapid expansion in and around Wandsworth is increasing pressure on local services; proposed scheme will not contribute towards meeting local social infrastructure needs; increase impact on already congested public transport and road network; no special merits for this scheme which justify departure from Local Plan.

65 Battersea Society: Objects to the proposals which breach Council's own development policies; height, scale, massing of the buildings are an inappropriate form of development which fail to respond to or integrate with the surrounding townscape and if built, would be to the detriment of the visual amenity both in relation to the immediate area and as viewed from the wider context of the historic environment; design echoes that of the Embassy Garden buildings in Nine Elms which has been subject to considerable criticism; affordable housing wholly inadequate, fails to take note of the need for affordable rented housing rather than expensive flats; neither Wandsworth Council nor TfL are prepared to consider the cumulative impact on public transport and road capacity of the developments already consented in the immediate area; concerned at the request for any planning permission to remain in force for seven years, no adequate reason given, raises speculation about the longer term plans of the site owners; find it hard to understand how planning officers can continue to recommend to committee proposals which have no basis in the approved Local Plan. Battersea Society has in the past actively engaged with the consultation process but feel there is little point in doing so given the Council, its officers and developers appear to see approved policies as merely hurdles to be negotiated or ignored.

66 Riverside West Residents Association: The proposal does not respect local context and street pattern, scale and proportions of surrounding buildings and is out of character to the detriment of the local environment; development incorporates residential, retail and office putting struggling businesses in even more of a dilemma; will reduce air quality, less circulation of air, more cars, more enclosed spaces and delivery trucks out of hours; provides little space for landscaping, gross overdevelopment of the site, no commitment to meaningful planting; loss of sunlight, privacy and increased overlooking; impact on ecology; impact on stability of existing structures; insufficient parking; impact on Human Rights; housing not affordable; construction hours and access needs to be controlled; increased overcrowding of station; no plans for noise and pollution abatement; need to conduct studies on current traffic volumes, infrastructure, capacity, pollution levels, noise levels and light pollution which currently exceed European levels; EIA should be undertaken by an independent organisation; lack of transparency.

67 Homebase (Bunnings trading as Homebase): Owners remain fully committed to the store which performs an important retail role within Wandsworth and will be seeking to renew the lease which ends 18 April 2018. Since the previous application the Homebase business has been sold to Bunnings (part of Wesfarmers). No reference made to the implications arising from the loss of this store, in particular the impact on the comparison offer within Wandsworth and the local jobs that the store supports. These issues remain material considerations to which the Council should attach weight. Homebase store is already popular and the B&Q opposite is likely to be subject of a similar

application for residential development meaning there would be no other large home improvement stores serving this part of Wandsworth and customers are then likely to travel considerable distances by car to access the other branches adding to congestion and CO2 emissions. Proposals offer no mitigation offered for loss of jobs currently provided by existing operation. There is clear demand to retain the Homebase store, which the application fails to address or even comment on. No provision has been made in the residential allocation to relocate the store and there is nothing to indicate in the development plan how the future home improvement needs of Wandsworth will be met as a consequence of the loss of this store and potentially the B&Q opposite. The development plan does not support a building over 9 storeys in this location. Even though the height of the tallest building has been reduced at 15 storeys, it still exceeds this established limit and will continue to impact on a number of significant views. Accept that in some situations a longer time limit for planning permission may be justified, however, in this particular case, no such justification is provided.

68 Internal consultees: Borough officers have provided comments in relation to environmental health, noise, air quality, drainage, transport, housing, sustainability, trees, arts and waste. The points raised have been considered in the body of the report and are reflected in the suggested conditions.

Representations made to the Mayor of London

Re-consultation exercise

69 The Mayor took over the planning application for his own determination on 26 June 2017. A re-consultation exercise took place on 29 August 2017 for 21 days in relation to revisions to the scheme that had been updated since the original consultation exercise. Letters were sent to all those consulted by the Council when the application was first submitted, in addition to all those who had responded to the planning application thus far. This consultation exercise was undertaken by the Council on behalf of the Mayor. A press notice was posted in the Wandsworth Local Guardian on 31 August 2017 and site notices were erected.

70 Responses: At the time of this report, the Mayor and/or GLA officers have received 200 emails or letters (199 responses in objection and 1 general response) as a result of the re-consultation exercise. The majority of the objections reiterate concerns raised with the Council at the initial consultation stage, as detailed above, as well as raising concerns over the call-in procedure. These responses have been made available to the Mayor, and have been taken into account in this report. Responses have been received from the following individuals and groups, reiterating the comments and objections to the application that have been raised previously:

- Riverside West Residents Association (including petition of 212 signatures);
- Tonsley Residents Association;
- Wandsworth Society;
- Homebase (Bunnings);
- Marsha de Cordova MP;
- Lord Hain of Neath (in capacity as local resident);
- Cllr William Sweet (including online petition of 306 signatures).

71 In summary, the issues raised in objection are:

- Height, scale, density and visual impact;
- Impact on train capacity;
- Overshadowing, loss of light and loss of privacy;
- Poor appearance and design;
- Lack of affordable housing and family housing, affordability;
- Council and residents should be listened to;
- Impact on car parking nearby and increased traffic;
- Impact on infrastructure, open space and ecology;
- Loss of Homebase store;
- No need for housing in Wandsworth and not a justification for increase in height;
- Sustainability concerns and impact of construction activity;
- Noise pollution;
- Flats will be for investment and will not address housing shortage;
- Loss of trees;
- Inadequate EIA;
- Fly tipping; and
- Air quality impact.

72 The one general response received is supportive of the development, subject to improved train frequency and the provision of lifts to station platforms.

73 The Environment Agency, HSE and Historic England responded reiterating previous comments. Thames Water requested conditions regarding piling strategy and drainage strategy.

Representations summary

74 All the representations received in respect of this application have been made available to the Mayor in printed form; however, in the interests of conciseness, and for ease of reference, the issues raised have been summarised in this report as detailed above.

75 The main issues raised by the consultation responses, and the various other representations received, are addressed within the material planning considerations section of this report, and, where appropriate, through the proposed planning conditions, planning obligations and/or informatives outlined in the recommendation section of this report.

Environmental Impact Assessment

76 Planning applications for development that are covered by the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 are termed "EIA applications". The requirement for an EIA is based on the likelihood of environmental effects arising from the development. The proposed development is considered to be Schedule 2 development likely to have significant effects on the environment by virtue of factors such as nature, size or location. Consequently, the application is considered to form an application for EIA and it has been necessary that an Environmental Statement be prepared in accordance with EIA Regulations.

77 The applicants submitted a Scoping Report (submitted 23 June 2015) outlining the scope of the Environmental Statement (ES) prior to the submission of the previous application. Following consultation with the relevant consultation bodies, Wandsworth Council issued a Scoping Opinion on 27 July 2015. This confirmed that the scheme constituted EIA development and set out advice and instructions in relation to the methodology of the assessment. It identified a range of potential

effects that would need to be included in the ES that was required to be submitted with the application.

78 The submitted ES is divided into four volumes covering the 1) main assessment text; 2) the townscape, heritage and visual impact assessment; 3) technical appendices (including sunlight, daylight and overshadowing, archaeology, transport, air quality, wind, contamination, noise and vibration, ecology and biodiversity and socio-economic effects); and 4) non-technical summary. The statement included qualitative, quantitative and technical analysis of the impacts of the development on its surrounding environment in physical, social and economic terms. The impacts of the planning application are assessed individually and cumulatively with other consented applications in the vicinity of the application site.

79 Under the various subject headings, this report refers to the content and analyses contained with the ES and comments upon its findings and conclusions.

80 An addendum to the ES was submitted by the applicant on 23 August 2017 to accompany the revised plans. The addendum confirms that the revisions do not cause any additional impacts that were not previously assessed, and revision to the ES is not therefore necessary.

Material planning considerations

81 Having regard to the site and the details of the proposed development, relevant planning policy at the local, regional and national levels; and, the consultation responses and representations received, the principal planning issues raised by the application that the Mayor must consider are:

- Land use principles (including mixed use development, employment, town centre uses, residential uses and the HSE consultation zone);
- Housing (including delivery of affordable housing, tenure, mix, density, quality);
- Design (including urban design, public realm, play space, historic environment, views);
- Inclusive design;
- Residential amenity (including daylight and sunlight, overshadowing, privacy/overlooking; noise/disturbance);
- Sustainable development (including climate change mitigation and adaption, microclimate, ecology, trees and urban greening, flood risk and sustainable urban drainage);
- Other environmental issues (including air quality, contaminated land and waste management);
- Transport, including parking provision;
- Socio-economic issues (including arts and culture); and
- Mitigating the impact of development through planning obligations and conditions.

82 These issues are considered within the following sections of the report.

Land use principles

83 The principle of redevelopment must be considered in the context of the London Plan and borough policies, as well as the NPPF, together with other policies relating to mixed-use development, housing, employment and retail uses. The NPPF identifies a set of core land-use planning principles which should underpin both plan-making and decision-taking. Those of particular relevance to the application site are that planning should:

- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs;
- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
- promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas; and
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

84 The site is not within an Opportunity Area, but it does comprise previously developed land in an accessible and sustainable location, adjacent to a train station and bus interchange. It comprises a large DIY retail store, currently occupied by Homebase, which is restricted to the sale of non-clothing and non-food goods. In line with the NPPF and the London Plan, which promote a town centre first approach to retail provision, there is no concern over the loss of this bulky goods retail unit with extensive surface car parking, which represents an inefficient use of this highly accessible site. As confirmed by the Council in its assessment of the application, there is no conflict with Local Plan Policy DMTS7 regarding the loss of this retail unit outside of a town or local centre, as there are alternative shopping facilities within a reasonable walking distance (400 metres) along Old York Road.

85 Wandsworth Core Strategy Policy IS1 seeks to maximise the use of previously developed land on sites that are located close to public transport links. The site is allocated for residential development, with improved access to Wandsworth Town Station, in the Council's Site Specific Allocations Document (SSAD). Whilst the SSAD does not specifically allocate the site as suitable for commercial development, Core Strategy Policy PL9 promotes mixed use development within the Thames Policy Area. The employment, retail and leisure space proposed also assists in mitigating the flood risk impacts of the scheme, which restricts housing at ground level, and provides animation to the public realm areas within the scheme. These aspects are discussed in more detail in the flood risk and urban design sections of this report.

86 As such, a residential-led, mixed use development on the site is consistent with the aims of strategic and local planning policy. Specific land use considerations are outlined further below.

Housing

87 London Plan Policy 3.3 provides explicit strategic support for the provision of housing within London, and sets a target for the Council to deliver a minimum of 18,123 homes in the Plan period 2015-2025. Wandsworth Council's Core Strategy Policy PL12 states that development in central Wandsworth and the Wandle Delta should provide at least 1,363 new homes by 2029-2030, and SSAD site allocation is reflective of the local policy support for residential redevelopment of this site.

88 Therefore, in line with the principles of encouraging the re-use of previously developed land and in light of the Council's local policy designations and site allocation, the principle of the housing-led redevelopment of this site, to include 385 new homes, which equates to 21% of the Council's annual housing target, is supported and in line with both London Plan and local planning policy.

89 The housing element of the proposals is discussed in further detail in paragraphs 105-143 of this report.

Employment

90 The application site is within the Wandsworth Council Thames Policy Area. Wandsworth's Local Plan Policies PL6, PL9 and DMI3 resist the loss of employment floorspace (specifically B1, B2, B8 and related Sui Generis) and promote employment floorspace as part of mixed use development, particularly in accessible locations. The current use of the site is A1 retail and there is therefore no B Use Class employment floorspace to be replaced. However, in response to the Thames Policy Area designation and flood risk constraints, the development will provide 1,620 sq.m. of flexible B1 office accommodation suitable for small to medium sized enterprises (SMEs). This will help improve Londoners' access to new employment opportunities in accordance with London Plan Policy 4.2. Furthermore, the quantum of space proposed would not undermine the Wandsworth Local Plan objective of focussing the majority of new employment provision in Nine Elms and existing town centres.

91 Wandsworth DMPD Policy DMI4 sets out a number of criteria for the design of flexible employment space. The scheme design responds well to this policy and is supported by the Council. The SME workspace has been designed to enable flexible occupation with high floor to ceiling heights (circa 4-5 metres) and good servicing arrangements. The space is suitable for subdivision and/or consolidation of the units depending on the individual business needs. This flexibility would attract modern office and related B1 occupiers and allow SME firms to 'grow on' within Wandsworth.

92 Furthermore, a local employment agreement would be secured as part of the S106 agreement, which would seek to promote local employment throughout both the construction phase and within the completed development, in accordance with the Council's Planning Obligations SPD.

93 It is noted that Homebase has said it is committed to renewing the lease on the site beyond the current expiry of April 2018 and making continued investment in the 3,700 sq.m. store. They have raised concern that the store closure would result in the loss of 65 local jobs, as well as further indirect job losses. As set out above, there is no planning policy objection to the loss of this out-of-centre retail store and the private lease arrangements are not a material planning consideration. The applicant's Environmental Statement estimates that the new SME workspace could generate 181 full time equivalent jobs. As such, the development would result in a significant increase and intensification of employment on the site, which would replace the existing jobs in the Homebase retail store and car wash facility.

94 In summary, the proposals comply with the Wandsworth Local Plan policies noted above, which encourage new employment floorspace as part of mixed use development in the Thames Policy Area. The scheme is expected to result in a significant increase in the number of jobs and the type of workspace proposed would be suitable for local small businesses, in accordance with DMPD Policy DMI4.

Retail and leisure uses

95 The application proposes two retail units totalling 563 sq.m. (a reduction in floorspace of 3,137 sq.m.), which would front onto the new public square adjacent to the proposed new station entrance. A leisure space of 165 sq.m. is also proposed, which could be used for Use Class D1 purposes, likely to be a gym or fitness studio. The NPPF, London Plan Policy 4.7 and Local Plan Policy DMTS2 all set out a town centre first approach to the provision of new town centre uses. In accordance with Policy DMTS2 and at the request of the Council, the applicant has carried out a sequential assessment, which considers potential sequentially preferable sites within and around Wandsworth Town Centre. This assessment has concluded that none of the sites identified were suitable or available and these conclusions are accepted by both Wandsworth and GLA officers.

96 In summary, the proposed retail and leisure floorspace would be acceptable in principle as part of this mixed use development and would assist in animating the proposed public realm adjacent to Wandsworth Town Station. Given the modest size of the retail units, it is not considered necessary to limit the net sales floorspace or control the type of goods sold.

Station entrance

97 As noted above, the site allocation in the Council's SSAD requires the redevelopment of this site to support access improvements to the northern side of Wandsworth Town Station, along with a significant upgrade to the public realm along this part of Old York Road. The scheme provides land and a £2.5 million S106 contribution towards a new northern entrance to the station, which will be used to deliver the new entrance with Network Rail. This entrance would open onto the new public square within the scheme and the public realm would be upgraded around the site through a S278 agreement, including the extension of a shared surface across Old York Road linking the scheme to Bramford Gardens open space. As discussed in more detail in the urban design section of this report, the design of the new station entrance and associated public realm would be of the highest quality and the contribution the scheme makes to the public transport interchange is a significant public benefit, and accords fully with the Council's site allocation. The scheme therefore complies with the requirements of the Local Plan site allocation, London Plan Policy 6.2 (Providing public transport capacity and safeguarding land for transport) and Local Plan Policy DMT1 (Transport impacts of development).

HSE consultation zone

98 The site is within the Health and Safety Executive (HSE) Plan consultation zones, as set out in Figure 4 below. Whilst the gas holder is not currently operational, the Hazardous Substances Consent remains in place and the gas holder is classified as a Major Hazard Installation whereby land use planning controls seek to ensure that the consequences of an accident are appropriately limited. HSE's involvement in land use planning issues of this nature dates back to the 1970s, but was formalised by the Seveso II Directive (an EU Directive), the aim of which is to manage population growth close to such sites. London Plan Policy 5.22 states that "when assessing developments near hazardous installations, site specific circumstances and proposed mitigation measures should be taken into account when applying the HSE's Planning Advice Development near Hazardous Installations (PADHI) methodology". Wandsworth Local Plan Policy IS4 seeks to ensure development is safe when located close to hazardous installations.

99 HSE sets a consultation distance around major hazard sites based on a site specific assessment of the risks and likely effects of a major accident. Depending on the level of risk and the nature of development proposed, HSE respond either to "advise against" or "don't advise against" a development in line with the PADHI matrix. Part of the site is within the middle zone (denoted by a green line in Figure 4) and the remainder is within the outer zone (blue line) and as such HSE has been consulted. They advise that, subject to the Crescent Building remaining physically separated from the Garden Building and the occupation of the Crescent Building restricted by a Grampian-style planning condition until the Hazardous Substances Consent is revoked, they have no objection to the development.

100 Subject to this condition, the proposal would therefore comply with London Plan Policy 5.22 and would ensure that the safety of future residents of the development from a major accident is not compromised. The implications of this occupation restriction on the delivery of affordable housing on site is discussed in paragraphs 121-122 of this report.

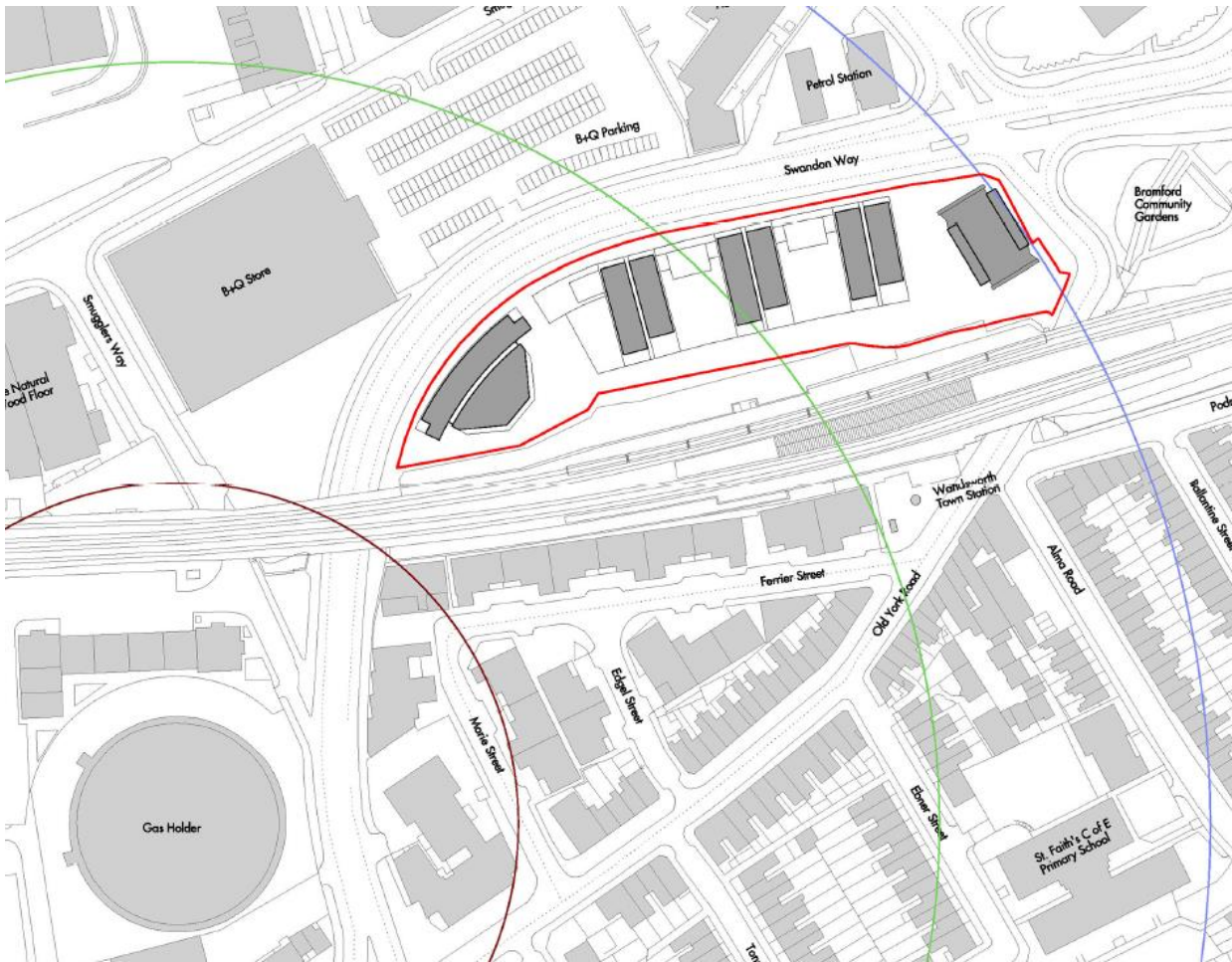


Figure 4: proposed site plan – HSE consultation zone (970_02_07_052)

Social infrastructure and funding

101 London Plan Policy 3.16 requires boroughs to ensure that adequate social infrastructure provision is made to support new developments. Since the introduction of the borough’s community infrastructure levy (CIL), CIL receipts from new development are expected to take the place of traditional individual S106 contributions towards the provision of necessary additional social infrastructure such as school places, healthcare facilities and leisure facilities. The Borough CIL receipt from this development is expected to be up to £8,585,971. Site specific works, such as highway infrastructure, landscaping, public realm and improvements to Wandsworth Town Station to mitigate the impacts of the development, are recoverable via the S106 agreement, as set out in paragraphs 318-331 below.

Principle of development conclusion

102 As set out above, given the site’s context as a previously developed site in a highly accessible location, its allocation for housing in Wandsworth Council’s Local Plan, and the strategic priority afforded to housing in the London Plan, the principle of the housing-led redevelopment of this site is strongly supported. In accordance with the site allocation, the scheme will also deliver improvements to Wandsworth Town Station and Old York Road. The application includes the provision for new employment space for SMEs in accordance with the Thames Policy Area designation and small scale retail and community space to provide activity to the public realm. Subject to a Grampian-style condition limiting occupation of the Crescent Building, there is no

objection on health and safety grounds. No reasons for refusal are cited by Wandsworth Council in relation to land use principles.

103 Having regard to the above, the proposal would make a significant contribution towards the wider policy and regeneration objectives of Wandsworth's Local Plan, including housing and employment, and will deliver a number of public benefits, including an improved public transport interchange and new high quality public realm. The principle of the proposed development therefore accords with the NPPF, London Plan and Council policy.

104 The applicant is seeking 7 years to commence the development, which significantly exceeds the 3 years normally permitted. National Planning Practice Guidance supports variations to the usual time limit if this can assist in the delivery of development and states that extending the time period may be justified in the case of very complex projects where there is evidence that 3 years is not long enough to allow all the necessary preparations to be completed before development can start. Section 91 of the Town and Country Planning Act 1990 requires that regard is had to the provisions of the development plan and to any other material considerations when deciding what time period is appropriate. In this case, given the potential for delay due to the delivery of infrastructure, and to give more time for the revocation of the Hazardous Substances Consent, it is considered appropriate to permit a longer time period. It is therefore recommended that a planning condition requiring implementation within 7 years is imposed. This accords with the recommendation of Wandsworth Council officers.

Housing

Affordable housing and financial viability

105 London Plan Policy 3.11 (Affordable housing targets) states that the Mayor will, and boroughs and other relevant agencies and partners should, seek to maximise affordable housing provision and ensure an average of at least 17,000 more affordable homes per year in London up to 2031. In order to give impetus to a strong and diverse intermediate housing sector, 60% of the affordable housing provision should be for social and affordable rent and 40% for intermediate rent or sale.

106 London Plan Policy 3.12 (Negotiating affordable housing on individual sites) requires that the maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed use schemes. Negotiations on sites should take account of their individual circumstances including development viability, resources available from registered providers (including public subsidy), the implications of phased development including provisions for re-appraising the viability of schemes prior to implementation ('contingent obligations'), and other scheme requirements.

107 In August 2017 the Mayor published his Affordable Housing and Viability Supplementary Planning Guidance (SPG) which sets out his preferred approach to the delivery of affordable housing, introducing a Fast Track Route for applications that deliver at least 35% affordable housing on site, subject to tenure and increasing this further through the use of grant funding. The document also sets out detailed guidance to the form, content and transparency of viability assessments and the requirements for review mechanisms. The Mayor also launched in November 2016 a new Affordable Homes Funding Programme for the period of 2016-21, which introduced new affordable products, rent benchmarks and grant rates.

108 Wandsworth Core Strategy Policy IS5 seeks the maximum provision of affordable housing with a target of at least 4,402 new affordable dwellings to be delivered during the plan period, 60% of which should be for social or affordable rent and 40% intermediate tenure in line with the strategic target set out in the London Plan. For individual planning applications, at least 33% of homes should be affordable and a financial viability assessment should be submitted where schemes propose less than 50% affordable housing.

109 When the Mayor considered the application at Stage 1, the application proposed 79 shared ownership units, equating to 25% of the scheme on a habitable room basis. The Mayor noted at the time that the tenure did not comply with London Plan Policy 3.11, the Mayor’s preferred tenure split set out in the (then draft) Affordable Housing & Viability SPG or the Council’s preferred tenure split. The affordable offer was considered to be unacceptable and the applicant was requested to explore alternative scenarios incorporating affordable/social rented units, utilising grant funding if required.

110 Following independent review of the applicant’s viability assessment by consultants appointed by the Council (GL Hearn), the Council concluded that the offer of 79 shared ownership units was the maximum reasonable contribution. Following advice from housing officers with regard to the high number of two bed units proposed and issues around affordability of these units, the unit mix was subsequently revised to propose 84 shared ownership units, with rebalancing of the one and two bed units. This equated to 24% affordable housing by unit and 23% by habitable room and the application was reported to Wandsworth Council’s planning committee in April 2017 on this basis.

111 At Stage 2, the Mayor made clear that all options for increasing on-site affordable housing must be explored. Since the Mayor’s decision to take over the application in June 2017, GLA officers have therefore reviewed the scheme viability and worked with the applicant to secure additional affordable housing. As a result of robust interrogation of the applicant’s Financial Viability Assessment (FVA), GLA officers raised concerns with the outcome of the earlier appraisal, particularly with regard to build costs and efficiency of design. The low existing use value of the site, combined with the high value location and proximity to Wandsworth Town Station led GLA officers to conclude that this scheme can viably support 35% affordable housing with a London Plan and Wandsworth Local Plan compliant tenure split of 60:40 in favour of affordable rent. The evolution of the affordable housing offer from the initial submission to date is summarised in Table 1 (below).

	Initial submission (January 2017)	Revised offer (April 2017)	Revised offer (August 2017)	Current proposal (October 2017)
Affordable Rent	0	0	27	85
Intermediate Shared Ownership	79	84	109	51
Total	79 (25% by habitable room)	84 (23% by habitable room)	136 (35% by unit or and by habitable room)	136 (35% by unit or and by habitable room)
<i>Notes:</i>	<i>Considered by the Mayor at Stage 1 (February 2017)</i>	<i>Considered at Wandsworth Planning Committee (April 2017)</i>	<i>Following Mayor’s call-in of planning application (August 2017)</i>	<i>Current proposal</i>

Table 1: affordable housing history

112 The proposed affordable housing meets the threshold target of 35% by habitable room as set out within the Mayor’s Affordable Housing & Viability SPG and exceeds Wandsworth Council’s Local Plan requirement for individual sites to deliver at least 33% affordable housing. The Affordable Housing & Viability SPG (para 2.40) sets out the Mayor’s preferred tenure split as follows:

- at least 30 per cent low cost rent (social rent or affordable rent). London Affordable Rent should be the default level of rent, and should be assumed by applicants in the absence of alternative guidance from LPAs on the rent levels that they consider to be genuinely affordable.
- at least 30 per cent as intermediate products, with London Living Rent and/ or shared ownership being the default tenures assumed in this category.
- the remaining 40 per cent to be determined by the LPA taking account of the relevant Local Plan policy. Applicants should consider local policies and consult with LPAs to determine the relevant approach.

113 The proposal accords fully with the Mayor’s SPG tenure split requirement and complies with the Council’s target split in Core Strategy Policy IS5. This affordable housing commitment will be secured in the S106 agreement and comprises the following:

affordable units	number of units	% by unit	% by habitable room
intermediate	51	13%	14%
affordable rent	85	22%	21%
total (% of scheme)	136	35%	35%

Table 2: affordable housing breakdown

114 In accordance with the Mayor’s SPG ‘Fast Track Route’ the applicant has also investigated increasing the affordable offer up to 40% by utilising grant funding at £28,000 per unit, in line with the Mayor’s 2016-21 funding programme. This demonstrates that the inclusion of grant funding does not viably increase the provision of affordable housing and as such, grant funded scenarios are not recommended for inclusion in the S106 agreement.

Affordability

115 The Mayor’s Affordable Housing & Viability SPG makes clear that in determining tenure, homes are to be genuinely affordable. For the low cost rent element, whilst a local planning authority may specify rental levels they consider to be genuinely affordable, the Mayor expects this to be significantly less than 80% of market rent. For intermediate products for purchase, these should be shared ownership and accord with the London Plan Annual Monitoring Report (AMR) affordability criteria with a clear expectation that a full range is secured below the upper limit.

116 In line with Wandsworth Council’s affordability criteria, 50% of the affordable rented housing would be let on the basis of ‘capped rents’ and the remaining 50% let on the basis of ‘discounted’ rents. These rents are set out in the below table, with the relevant Local Housing Allowance (LHA) cap and market rents provided for comparison. The capped rents would be between 44% (3 beds) and 65% (1 beds) of market rent, whilst the discounted rents would be between 55% (3 beds) and 77% (1 beds) of market rent. Whilst the rents would not be as low as

London Affordable Rent, they do accord with the Council’s affordability criteria and are significantly less than 80% market rent. The affordable rented homes are therefore considered to be genuinely affordable and accord with the Mayor’s SPG.

unit type	capped rents	discounted rents	LHA caps	London Affordable Rent	market rents (London Rents Map)
	50% of units	50% of units			
1 bed	£202pw	£242pw	£254pw	£144	£312pw
2 bed	£220pw	£276pw	£302pw	£153	£386pw
3 bed	£228pw	£288pw	£354pw	£161	£522pw

Table 3: affordable rent levels

117 The income thresholds for the shared ownership units will be capped as follows, in line with Wandsworth Council’s affordability criteria and based on discussions with Registered Providers:

- 50% of one bedroom units affordable to those on incomes at or below £47,000pa and 50% at or below £90,000pa;
- 50% of two bedroom units affordable to those on incomes at or below £57,000pa and 50% at or below £90,000pa; and
- 50% of three bedroom units affordable to those on incomes at or below £63,000pa and 50% at or below £90,000pa.

118 A range of affordability has been secured, with maximum housing costs at 40% of net household income in line with the latest London Plan Annual Monitoring Report (April 2017). This will therefore ensure that housing is provided at a range of income thresholds below the upper limit to ensure the housing is genuinely affordable, in accordance with the Mayor’s Affordable Housing & Viability SPG.

Conclusion on affordable housing and financial viability

119 In response to concerns raised by the Mayor at both consultation stage and Stage 2, GLA officers have robustly interrogated the applicant’s affordable housing offer, with a view to increasing affordable housing provision in accordance with the Mayor’s Affordable Housing & Viability SPG. The increased affordable housing offer, up from 23% at Stage 2, meets the Fast Track Route threshold target of 35% as set out within the Mayor’s SPG, and represents a 52% proportionate increase since the Council determined the application. The rents and income levels specified within the S106 agreement accord with local guidance on affordability and will ensure that the affordable homes are genuinely affordable. On this basis, the affordable housing provision complies with NPPF policy, as well as London Plan and Wandsworth Council’s local policies, which require the maximum reasonable amount of affordable housing to be delivered.

120 Details of the affordable housing will be secured in the section 106 agreement, should permission be granted. This will include details of affordable housing definitions, fit out, transfer/lease to a Registered Provider, the income thresholds for the intermediate accommodation and rent levels for the affordable rented units.

Phasing

121 The proposed Grampian condition restricting occupation of the Crescent Building (Phase 2 of the development) required as a result of the HSE consultation zone could affect the timely delivery and occupation of affordable housing within the scheme. GLA officers have therefore secured 74 affordable homes within Phase 1, comprising 45 affordable rented units in addition to 29 shared ownership. This is in contrast to the original submission and the scheme mix considered at Wandsworth Council's committee in April, whereby all the affordable housing was located within the Crescent Building and potentially subject to the occupation restriction.

122 This intervention by GLA officers will ensure that 25% of Phase 1 will be affordable, with a policy compliant 60:40 tenure split, with 55% of the total affordable offer delivered in the first phase. In this context, it is noted that the gasholder site has a site allocation for industrial and business development and it is likely that the Hazardous Substances Consent will be revoked in the time allowed for construction of the development. As such, on balance the proposed phasing of affordable housing is considered to be acceptable.

Review mechanisms

123 The Mayor's Affordable Housing & Viability SPG clearly sets out the requirements for review mechanisms which are necessary to secure the maximum public benefit from schemes and to encourage build out.

124 As noted above, the scheme meets the requirements of the Fast Track Route, established in the Mayor's SPG. As such, in line with the Mayor's SPG an early implementation review will be secured. This would be triggered if the development has not been substantially implemented within two years of the date of consent. A forward-looking review will take place which will analyse the development costs and values at that time, capturing any uplift in viability towards the provision of additional affordable housing on the site up to a level of 50% of the scheme or the level of grant funding.

125 Officers are satisfied that this review mechanism is required to incentivise delivery and accords with the Mayor's Affordable Housing & Viability SPG.

Housing mix and tenure

126 The application, as amended, would provide 385 residential units, 51 of which would be shared ownership and 85 of which would be affordable rented. The housing mix would be as follows:

unit type	market sale	shared ownership	affordable rent	total	percentage
one-bed	117	16	47	180	47
two-bed	119	35	34	188	49
three-bed	13	0	4	17	4
total	249	51	85	385	

Table 4, housing mix

127 London Plan Policy 3.8 and the Housing SPG promote housing choice in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups and the changing roles of different sectors in meeting these. London Plan Policy 3.11 states that priority should be accorded to the provision of affordable family housing. Wandsworth Core Strategy Policy IS5 requires new developments to include a mix of types and sizes of dwellings, having regard to the particular location and nature of individual sites. DMPD Policy DMH3 sets out indicative borough level proportions for affordable housing tenures and an expectation that market one bed and studio units will not exceed 20% of the units.

128 The shared ownership mix responds well to the indicative percentages set out in Local Plan Policy, which prioritises 1 and 2 bed units. Whilst the mix within the rented element does not accord fully with Local Plan Policy indicative mix, four 3 bed units have been secured, which is 24% of the total number of family units. In terms of the market housing, the provision of 1 bed units exceeds the indicative target of 20% as set out in Local Plan Policy DMH3. However, more generally Local Plan Policy is clear that housing mix should be informed by the particular characteristics of individual sites. In this instance, the site is considered more suited to high density development with predominantly small units, in view of the public transport accessibility and constrained environment between Swandon Way and the railway tracks. It is also noted that the Council considered the mix to be acceptable.

129 As such, having regard to the local indicative mix within Policy DMH3, and the particular characteristics of this site, notably its highly accessible location, the appropriateness of high density development and the site's constrained environment (discussed in more detail in paragraphs 130-131), the housing mix is acceptable and in accordance with London Plan and local policy.

Housing quality and residential standards

Density

130 London Plan Policy 3.4 (Optimising housing potential) requires development to optimise housing output for different locations taking into account local context and character, the design principles in Chapter 7 and public transport capacity. Table 3.2 within the London Plan provides net residential density ranges to guide development. This approach is reinforced in the Council's Local Plan and Housing SPD. The public transport accessibility level (PTAL) of the site ranges from 3 in the west to 6a in the eastern corner, (6b being the highest on the density range). The site lies in a "central" setting, as defined by the London Plan. Consequently, Table 3.2 of the London Plan sets out an indicative density range of 140-405 units or 650-1,100 habitable rooms per hectare.

131 Based on the net residential site area of 0.92 hectares and the proposed units (385) and number of habitable rooms (992), the residential density would be 418 units per hectare and 1,078 habitable rooms per hectare. This is within the indicative density range in the London Plan, albeit at the top end of the range. The site is suitable for high density development; it is highly accessible to public transport, with the highest density part of the scheme located directly adjacent to the proposed new station entrance; the standard of design and residential quality is also high and provides an appropriate mix of housing, with affordable housing maximised, and appropriate levels of play and amenity secured. Accordingly, the proposed density is acceptable.

Standard of accommodation

132 Policy 3.5 within the London Plan seeks to ensure that housing developments are of the highest quality internally, externally, and in relation to their context and to the wider environment. Table 3.3, which supports this policy, sets out minimum space standards for dwellings. The Mayor's Housing SPG builds on this approach, and provides further detailed guidance on key residential design standards including unit to core ratios, and the need for developments to minimise north facing single aspect dwellings.

133 Wandsworth Local Plan Policies DMH6 (residential space standards) and DMH7 (residential gardens and amenity space) set out minimum standards for new residential development and also refer to the Mayor's Housing SPG standards. The Council's Housing SPG provides further guidance on the implementation of Local Plan policy on housing standards.

134 Internal and external space standards: All units will meet the London Plan, Mayor's Housing SPG and Local Plan internal space standards, and 2.5 metre floor-to-ceiling heights will be achieved. All units would have access to private outdoor amenity areas in the form of terraces or projecting balconies, which meet the Mayor's SPG external space standards. In addition, south facing communal roof terraces and internal facilities (resident's lounge and gym) are also proposed and overall the amenity space provision meets the requirements of Local Plan Policy DMH7.

135 Layout, aspect and daylight: There are no single aspect predominantly north facing units and 60% of the total units are dual aspect. Single aspect units are proposed in each block facing east and west (13-18 units on floors 1-8 across the scheme). The applicant's internal daylight and sunlight assessment demonstrates that 92% of the bedrooms and living rooms/kitchens meet the minimum Average Daylight Factor (ADF) recommended by the Building Research Establishment's guidelines (which form the industry standard for assessing appropriate natural lighting levels). The rooms which fall below the standards are all affected by the overshadowing effect of the projecting balconies to flats above or recessed balconies of the units themselves. It should be noted that the proposals do not include non-daylit internal kitchens and the calculations are therefore based on the combined area of the open plan living/kitchen space which provides a deeper than usual floorplate. There are a small number of one bed units, four in total, where both habitable rooms fail to meet the recommended ADF. These are located in the most enclosed part of the Garden Building and are as a result of projecting balconies above. It is therefore considered that the proposals generally provide satisfactory levels of daylight to all units. The Council's assessment of the scheme agreed with this conclusion.

136 The scheme would provide 3-10 units per core, with dual lifts and natural light/ventilation for each core. Whilst some floors in the Crescent Building would exceed the Mayor's SPG standard, which aims for a maximum of eight units per core, given the marginal breach of the standard and the generally high quality of the accommodation overall it is not considered that this would compromise the living environment for future residents.

137 Noise: London Plan Policy 7.15 and Local Plan Policy DMH4 seeks to ensure an acceptable environment in new residential developments with regard to noise. There is potential for the proposed development to be exposed to noise and vibration from nearby transportation on Swandon Way and the railway to the south. The applicant has carried out a noise assessment which has identified that with suitable mitigation measures, including acoustically specified facade materials, an acceptable internal level of noise can be achieved. A condition is imposed requiring the applicant to submit for approval detailed design for the noise insulation of the building facades, and to incorporate these measures into the final build. In terms of vibration, the applicant's assessment concludes that the impact of passing trains would not adversely impact on future occupiers. The plant and machinery and ground floor uses proposed as part of the scheme are also unlikely to unduly impact on residential amenity, subject to conditions requiring detailed

specification of equipment and internal sound insulation measures between ground and first floors to be approved.

138 Outlook and privacy: The Council's Local Plan Policy DMH4 requires a satisfactory environment for housing to be provided, and the Council's Housing SPG seeks to ensure that the visual privacy and personal security is safeguarded, particularly from undue overlooking of ground floor accommodation. No specific building separation distance is established. The Mayor's Housing SPG notes that "in the past, planning guidance for privacy has been concerned with achieving visual separation between dwellings by setting a minimum distance of 18- 21 metres between habitable rooms. Whilst these can still be useful yardsticks for visual privacy, adhering rigidly to these measures can limit the variety of urban spaces and housing types in the city, and can sometimes unnecessarily restrict density."

139 The scheme proposes 'back to back' distances of approximately 20 metres between the wings of the Garden Building, which in the context of the above guidance is considered acceptable. There would be a tighter relationship of 15 metres between the Garden Building and Station Building, but in an urban context officers consider this to be acceptable, particularly given that the opposing units on each floor are both dual aspect and angled away from each other. Furthermore, across the scheme the design of the blocks would limit the extent of single-aspect units facing one another. The privacy of residents whose flats face out onto the communal gardens would be adequately safeguarded by hedge planting, the details of which would be secured through the landscaping condition.

140 In summary, the scheme would deliver high quality residential accommodation, and the standard of the units is in broad compliance with London Plan policy and guidance, and Local Plan policies. The Council's assessment of the application concluded that an acceptable residential environment would be created and GLA officers concur with this assessment.

Open space and play space

141 London Plan Policy 3.5 sets out expectations in relation to quality and design of housing development, to include public, communal and open spaces. Policy 3.6 requires developments that include housing to make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs. Guidance on the application of this policy is set out in the 'Shaping Neighbourhoods: Children and Young People's Play and Informal Recreation SPG'. This sets a benchmark of 10 square metres of useable child play space to be provided per child, with under-five's play space provided on-site as a minimum (within 100 metres walking distance from a residential unit). Provision for 5-11 year olds should be provided within 400 metres of residential units and provision for over-12s should be provided within 800 metres. Wandsworth Local Plan Policy DMO3 and Planning Obligations SPD requires new developments to provide new public open space, or make enhancements to existing areas of open space, particularly in areas of deficiency. No figure or quantum of space is however specified for sites such as this, that are not in areas of open space deficiency.

142 The development proposes a number of amenity spaces, including private communal podium gardens serving the Garden Building totalling 733 sq.m., and public amenity spaces at ground level of approximately 4,000 sq.m.. The total play space provision would be 411 sq.m.. Subject to a condition requiring the details of this space to be approved, the scheme would make satisfactory on-site provision for the under-fives. On the opposite side of Old York Road is Bramford Community Gardens, which contains green space and a large play area. In recognition that this space will likely be heavily used by residents of the development, a contribution of £60,000 has been secured through the S106 agreement towards the future maintenance of this space.

143 As such the proposal makes acceptable provision for play space and open space in accordance with strategic and local policy. Further discussion on the landscaping proposals is contained in the urban design section below.

Urban design and heritage

144 The NPPF (at paragraph 56) states that good design is a key aspect of sustainable development and is indivisible from good planning. Paragraph 63 states that, in determining applications, great weight should be given to outstanding designs which help raise the standard of design more generally in the area. In achieving the Mayor's vision and objectives relating to neighbourhoods and architecture, Chapter 7 of the London Plan sets out a series of policies about the places and spaces in which Londoners live, work and visit. Policy 7.1 (Lifetime neighbourhoods) sets some overarching design principles for development in London. Other relevant design policies in this chapter include specific design requirements relating to: inclusive design (Policy 7.2); designing out crime (Policy 7.3); local character (Policy 7.4); public realm (Policy 7.5); architecture (Policy 7.6); tall and large scale buildings (Policy 7.7) and heritage assets (Policy 7.8). These are discussed more specifically below.

145 Wandsworth Council's Core Strategy Policy IS3 (Good quality design and townscape) sets out a number of criteria in relation to layout, heritage, building scale and visual impact. Development Management Policies Document (DMPD) Policy DMS1 (General development principles) seeks to ensure that new developments, amongst other things, integrate and are in keeping with their surroundings, are designed to minimise car use, provide a safe and inclusive environment and deliver high quality public realm.

146 The Council's DMPD Policy DMS4 sets out locations where tall buildings are likely to be inappropriate, as well as the building heights (number of storeys) that are considered tall in these areas. For the Thames Policy Area, the policy sets out that buildings over 9 storeys are likely to be inappropriate and this is reinforced in the site allocation for this site. Policy DMS4 also sets out criteria that proposals for tall buildings will need to address. The Council has also adopted a Local Views SPD, although it is noted that this development will not impact on any of the designated views identified. In relation to heritage, DMPD Policy DMS2 requires proposals to be in accordance with the NPPF and only be granted where they sustain, conserve and, where appropriate, enhance the significance, appearance, character and setting of the heritage asset itself, and the surrounding historic environment.

147 This scheme was considered in detail at pre-application stage, during the initial Stage 1 considerations by the Mayor, and by the Council in reporting the application to Committee. The scheme was presented to Wandsworth's Design Review Panel (DRP) in March 2017. The response from the DRP commended the overall vision for the site, but raised some concerns over the balance of the top of the Garden Building, the architectural treatment of the Station Building, the potential to link the Garden and Crescent Buildings, and pedestrian safety in the Mews Street shared surface. DRP also requested an additional view from Wandsworth roundabout.

Layout

148 The existing site layout has a poor relationship with Swandon Way, Old York Road and the station, and is dominated by the blank frontages of the Homebase store and the enclosed surface car park. The proposed layout would improve the permeability of the site for pedestrians through the introduction of the Mews Street providing access to Swandon Way between the Garden and Crescent Buildings and connecting to the location for a potential future pedestrian crossing linking to the B&Q site to the north and the River Thames Path beyond. There would also be an improved pedestrian environment along Swandon Way and Old York Road with wider footways and active

frontages, as well as a new northern entrance to Wandsworth Town Station with a public square. All the new public spaces and routes would be of the highest quality and well animated by active ground floor uses and residential core entrances, which will provide good levels of activity throughout the day.

149 Following the Mayor's decision to call the application in for his own determination, the applicant submitted amended plans to increase the height of the Station Building by two storeys and the Garden Building by one storey. As now proposed, the Station Building would be the tallest of the three, at 17 storeys, and would landmark the proposed new station entrance. The Garden and Crescent Buildings would be lower, linear blocks at a maximum of 10-11 storeys. The visual impact of the proposal and its response to policy on tall buildings is discussed in more detail in the relevant section below; however the proposal to locate the tallest building adjacent to the station, and the establishment of a consistent building line to provide enclosure along Swandon Way, is considered to be an appropriate design response by both GLA and Council officers and provides a rational and well-considered layout to the development.

150 Vehicle access would be provided from Old York Road, close to the existing access point, through a shared surface across the public square and along the Mews Street. This design, coupled with the low number of vehicle trips expected, would ensure that the public realm prioritises pedestrians and cyclists. The Mews Street will be wide enough to ensure that there would be adequate space for pedestrians and cyclists to use the route safely, and the landscape design for the public square will ensure that vehicles pass slowly across this key pedestrian link to the proposed new station entrance.

Landscaping

151 The scheme provides a good level of planting for an urban development in line with the objectives of London Plan Policy 5.10, including tree planting and raised planters within the public spaces. Existing mature trees have been identified for retention, with an uplift of 12 as part of the landscaping proposals, and a feature planted wall is proposed along the southern boundary with the railway line. Appropriate provision is also made for street furniture, including lighting, seating and visitor's cycle storage. Subject to details of planting, hard surface treatments and street furniture, this would ensure a high quality setting for the buildings proposed. Owing to TfL's ownership of the footway along Swandon Way, the proposed tree planting and footway surfacing in this area will require TfL's agreement and the S106 agreement will secure a scheme for tree planting along this edge. The planting here will help to address air quality and urban greening objectives, and is a requirement of the site allocation. The impact of the development on trees is addressed in more detail in paragraphs 261-264 below.

Summary of layout

152 The proposed building layout and landscaping proposals optimise the development capacity of the site whilst responding well to its constraints and the aspirations and objectives outlined in Wandsworth Council's site allocation, notably providing active frontage, urban greening and improving access to the station. The proposed site layout is therefore supported in line with the policy context set out above.

Height and massing

Tall buildings policy

153 The site is identified in Wandsworth's Local Plan as a location where tall buildings are likely to be inappropriate. A tall building is defined in this location by Policy DMS4 as 9 storeys and over. As discussed above, the massing strategy positions the tallest building (17 storey Station Building) at the eastern end of the site, adjacent to Wandsworth Town Station. The heights then drop down to the Garden Building at 8-11 storeys and the Crescent Building at 10 storeys. All of the buildings are therefore considered to be tall buildings.

154 London Plan Policy 7.7 (Location and design of tall and large buildings) sets out the strategic policy with regard to tall buildings and establishes that the Mayor will promote the development of tall buildings where they create attractive landmarks enhancing London's character and help to provide a catalyst for regeneration where they are acceptable in terms of design and impact on their surroundings. Suitable locations for tall buildings may include the Central Activities Zone and Opportunity Areas, and areas of good access to public transport.

155 The Council's Core Strategy Policy IS3 requires applications for tall buildings to be justified in terms of the benefits they may bring for regeneration, townscape and public realm and be of high architectural quality, respect local context and the historic environment. DMPD Policy DMS4 requires applications for tall buildings to address 15 criteria in order to demonstrate compliance with policy. These criteria include providing improved access to public transport, ensuring an acceptable visual impact, integrating the massing into the surrounding context and streetscape and providing high quality public space.

156 The Council's site allocation specifies buildings of up to 9 storeys as being appropriate for this site.

Tall building and massing analysis

157 A detailed assessment against the criteria set out in DMPD Policy DMS4 is set out below. The Council's reason for refusal cited criteria (iv), (v), (vii) and (viii) as being particularly relevant. It is noted that the Council made its assessment based on a lower scheme prior to the most recent amendments, with the Station Building being 15 storeys and the Garden Building being a maximum of 10 storeys.

158 Criteria (i): the contribution to social inclusion, environmental health and economic viability: The scheme would provide new employment floorspace with a net increase in over 110 jobs, together with new and improved public realm and play space for residents. New planting and urban greening would be provided to enhance the streetside environment. New housing would be delivered, 35% of which would be affordable at a strategic and local policy compliant tenure split, which would help to achieve a mixed and balanced community. The Council considered that this criteria was satisfied, albeit at a lower height to what is now being considered. GLA officers have secured an additional 52 affordable homes including on-site affordable rented units, which is a significant additional benefit for social inclusion. GLA officers consider this criteria to be satisfied.

159 Criteria (ii): a sustainable approach towards transport: The parking ratio of 0.23 would minimise car trips and encourage the use of sustainable transport modes. The site is located adjacent to Wandsworth Town Station and as such is considered suitable for high density residential development. A new northern station entrance is proposed, which would enhance the attractiveness of the station in accordance with the Council's site allocation. Other measures will be secured to encourage sustainable transport, including resident permit restrictions, cycle parking, a car club bay,

provision of a cycle hire dock and travel planning initiatives. The Council considered that this criteria was satisfied, and GLA officers agree with this assessment.

160 Criteria (iii): microclimatic effects: A daylight and sunlight report, an air quality assessment, a flood risk assessment, a wind microclimate study, and a noise and vibration assessment report have been undertaken, and are discussed in more detail in the relevant sections of this report. These demonstrate that while the development would have some impact compared to the existing situation due to the increase in scale and mass of development on the site, there would be no substantial adverse climatic effects as a result of the proposal. The Council concurred with this assessment, albeit as part of the assessment of the lower scheme. The additional storeys proposed through subsequent amendments do not result in materially greater microclimate impacts than the previous iteration. GLA officers consider this criteria to be satisfied.

161 Criteria (iv): an acceptable visual impact: The Council's reason for refusal, made against the 15 storey proposal, cites concerns over the visual impact of the Station Building when viewed from surrounding areas and specifically references this criteria. Since Wandsworth Council's consideration of the application at its planning committee, the height of the Station Building has been increased by two storeys and the Garden Building by one storey. An updated Townscape, Heritage & Visual Assessment (THVA) with verified and cumulative views accompanies these amendments. GLA officers are satisfied that the THVA has presented accurate views from all relevant vantage points to enable a full assessment of the proposals and their impact. The development would be taller than the majority of its immediate context and noticeable in some local views, particularly from the south in THVA views 8, 9, 10 and 11; however, the new buildings would be seen in the context of other large and tall buildings in the surrounding area, including other residential developments along the River Thames. The Station Building will help to mark the station as a key transport node within the local area and provides for a well-designed local landmark on the skyline. The stepped and varied massing of the proposal mitigates its visual impact, which is further improved by the addition of two storeys on the Station Building, resulting in a more slender profile in views. Furthermore, the quality of architecture is very high and responds sensitively to the surrounding context through the use of brick and reconstituted stone.

162 As part of its assessment of the 15 storey scheme, Council officers considered that, whilst the proposal would be a noticeable addition to the street scene, the layout, massing and architectural design are of a high quality and the visual impact was acceptable. It is also noted that Council officers made the same assessment and conclusion in relation to the previous 17 storey application which was also recommended for approval.

163 As such, the visual impact on the surrounding area is considered to be acceptable and GLA officers consider this criteria to be satisfied.

164 Criteria (v): impact on the historic environment: The Council's reason for refusal, made against the 15 storey proposal, cites this criteria, and impact on Wandsworth Town Conservation Area. The THVA includes a number of views from within nearby conservation areas and registered parks, and showing the setting of listed buildings. A full assessment of the impact on all nearby heritage assets is undertaken in paragraphs 185-202 of this report. Whilst the height of the Station Building and Garden Building has been increased, the scheme would not be overly dominant when viewed from the streets within Wandsworth Town Conservation Area, in the setting of the Grade II listed Wandsworth Garage or any other heritage assets. The visual impact on Conservation Areas and listed buildings would be negligible and would not be harmful to these designated heritage assets. The proposals would therefore not have an adverse impact on the setting or historic interest of heritage assets. Council officers concurred with this view, albeit in their assessment of the 15 storey scheme. The impact of the additional two storeys is not considered to be significant and GLA officers consider this criteria to be satisfied.

165 Criteria (vi): the land use mix: A range of appropriate uses are proposed, which respond to the location adjacent to the station and the site allocation. Flexible commercial units would be provided to meet the needs of local businesses, along with small scale retail units to complement the local shopping provision on Old York Road. Council officers considered this criteria satisfied, and the additional residential accommodation provided through the additional height, together with an increase in affordable housing, is considered by GLA officers to optimise the development potential of this brownfield site in accordance with the land use mix set out in the Council's site allocation. GLA officers consider this criteria to be satisfied.

166 Criteria (vii): massing and scale that is well integrated into surrounding development: The Council's reason for refusal, made against the 15 storey proposal, cites this criteria, and impact on the visual amenity of the wider area. The Station Building would mark the station entrance and aid wayfinding, whilst the lower blocks would establish a consistent scale and level of enclosure along Swandon Way. The increase in height of the Station Building to 17 storeys has resulted in a more slender building and does not result in a significant additional impact. The overall height and massing of the Garden and Crescent Buildings is broadly consistent with the nearby Riverside West development and the additional storey on these buildings does not have a significant visual impact. The variation in height across the blocks would further break down the massing of the buildings and references the mansion block typology that is common across Wandsworth.

167 As part of its assessment of the lower scheme, Council officers considered that the Crescent and Garden Buildings would define the street edges and embrace the curvature of Swandon Way, with set backs to break down the massing. GLA officers considered that the Station Building, at 15 storeys, would create a focal point that is in keeping with its existing and emerging context. Wandsworth's Design Review Panel (DRP) also considered that the scheme would integrate well into its surroundings. GLA officers do not consider the impact of the additional storeys to be significant, and consider this criteria to be satisfied.

168 Criteria (viii): how the proposal sits within the existing townscape and landform: The Council's reason for refusal, made against the 15 storey proposal, cites this criteria. The application is accompanied by a number of verified views and CGIs illustrating its appearance in the context of neighbouring buildings, streets and spaces, which have been updated following the amendments to building heights. These demonstrate that the scheme would not have a detrimental impact on the existing townscape and landscape, despite the increase in height now proposed. The new public routes and spaces would complement and enhance the connectivity of the wider neighbourhood.

169 Council officers considered that the proposed 15 storey scheme would not have a significant impact on townscape and would enhance the network of public routes and spaces in the area. GLA officers do not consider the additional storeys to adversely impact on the existing townscape and landform, and consider this criteria to be satisfied.

170 Criteria (ix): positive contribution to the streetscape including active frontage: As discussed in paragraph 148, the proposals will significantly improve the quality of the streetscape around the site, including wider footways of 5-7 metres along Swandon Way and the introduction of clear street frontages with active ground floor uses and residential entrances. New routes and public spaces, also well animated by active uses and enhanced with new trees and planting, would be provided to enhance the public realm network. GLA officers therefore consider this criteria to be satisfied.

171 Criteria (x): positive response to characteristic alignment and set back in the area: Given the fragmented pattern of development to the north of the railway line, this site has the potential to establish a new building alignment along a more pedestrian-friendly Swandon Way. The building set backs of 5-7 metres along Swandon Way are generous, enhancing the footway conditions and enabling street tree planting. The space around the Station Building would ensure a generous

setting for this building on all sides, reflecting its height and position adjacent to the station entrance. GLA officers therefore consider this criteria to be satisfied.

172 Criteria (xi): provision of high quality public space: As set out above, the scheme makes a significant contribution to the network of public routes in the area, including the Mews Street, public square, courtyard space and enhanced footways, totalling over 5,000 sq.m.. These spaces would all be clearly defined and of the highest quality, receiving good levels of light and acceptable wind conditions. GLA officers therefore consider this criteria to be satisfied.

173 Criteria (xii): provision of public access: The public accessibility of the site would be significantly enhanced, with the proposed new station entrance, streets, spaces and ground level play spaces. Whilst the upper floor podium gardens and roof terraces would not be publicly accessible, this is to ensure an acceptable level of amenity for residents and is acceptable. GLA officers therefore consider this criteria to be satisfied.

174 Criteria (xiii): long term maintenance and management of public spaces: All public spaces and landscaping within the curtilage of the application site would be maintained by an appointed management company funded by the service charges shared by residents and tenants. A programme of monitoring and upkeep of the public space will be secured by Section 106 agreement. GLA officers therefore consider this criteria to be satisfied.

175 Criteria (xiv): management plan for the residential element: A management company will be employed to maintain service, manage and secure the buildings. On-site concierge would be available to respond to needs of residents and workers. This management plan will be secured by planning condition and GLA officers therefore consider this criteria to be satisfied.

176 Criteria (xv): financial and technical credibility of the design: A viability assessment has been submitted to demonstrate financial credibility and this has been verified by GLA officers, as well as the Council's appointed viability consultant. The construction of the scheme would be conventional and therefore, there is no reason to believe that the proposals would not be technically credible. GLA officers therefore consider this criteria to be satisfied.

177 The tall buildings are also consistent with the criteria set out in London Plan Policy 7.7. The site is well located for public transport (Criteria C(a)) and the buildings would have an acceptable massing and relationship to the surroundings (Criteria C(b) and (c)). The Station Building would serve as a landmark for the station, aid wayfinding and enhance the skyline through high quality architecture and use of materials (Criteria C(d) and (e)). A good level of active frontage will be provided on the ground floor, as well as new routes and spaces to enhance the permeability of the site (Criteria C(f) and (g)). Given the location and residential nature of the proposals, it is not considered appropriate to provide publicly accessible areas on the upper floors (Criteria C(h)). The scheme would provide new employment space, retail and housing, as well as public realm and a new station entrance, for the benefit of existing and new residents (Criteria C(i)). In accordance with the technical assessments discussed in the relevant sections of this report and subject to mitigation recommended through conditions, the development would not impact adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation or telecommunication interference (Criteria D(a)). The development would not impact on local or strategic views (Criteria D(b)).

Summary of height and massing

178 In summary, in terms of the visual impact of the height and massing on the identified townscape and visual receptors, the proposals would have a noticeable impact on certain views within the local townscape. However, the significance of the degree of change does not necessarily indicate that the proposals are harmful. In this case, the proposals would involve the redevelopment of an underused out of town centre retail site for a scheme of high quality architecture, which will improve the quality of the townscape, provide new public realm of a high quality, and will complement the wider regeneration of this part of Wandsworth.

179 The Station Building would act as a landmark, aiding wayfinding to Wandsworth Town Station with a distinctive, slender, high quality design. In more distant views, it would appear in the context of other tall and large buildings along the River Thames and in Wandsworth Town Centre. The form of the buildings would respond positively to the emerging townscape and landscape features and would have a positive effect on the skyline. The addition of two storeys onto the Station Building increases its slender appearance in views and does not cause significant adverse harm; noting that Council officers and the Council's DRP concluded that the 15 storey building was acceptable. The 17 storey scheme would deliver a number of public benefits, including affordable housing, which has been significantly increased since the Council's committee, new public realm and pedestrian routes, a new station entrance and an appropriate mix of uses, including new employment and retail space.

180 To conclude, the height and massing of the scheme is considered appropriate on this highly accessible site. The high quality of the architecture and the distinctive form of the tall buildings would create a landmark residential-led development, and this combined with the new public realm and permeability created by the proposals will contribute positively towards place making and regeneration. Whilst a taller building than the site allocation considers appropriate, Council officers concluded that the lower height proposal (15 storeys) was acceptable, having previously also assessed a taller application (17 storeys) and found that also acceptable. GLA officers concur with this assessment.

181 Subject to detailed design and architectural quality, which is considered below and will be secured by condition, the principle of height and massing is acceptable in line with the policy context set out above. The impact on heritage is considered separately in paragraphs 185-202 below.

Detailed design and architecture

182 Three distinct architectural treatments are proposed to each building and the design rationale remains the same following the recent amendments to increase the height of the buildings. The Station Building incorporates a robust brick frame and stone banding to the north and south elevations, with white reconstituted stone frames to the east and west. The brick frame would be broken up by deep window reveals, whilst the east and west elevations would be lighter, incorporating balconies and taller windows. The framing would extend above the top floor to accentuate the verticality of the design and add interest to the skyline.

183 The Garden Building is designed based on the proportions of a historic mansion block typology, which is prevalent across many areas of Wandsworth. The taller bay features and rear wings are emphasised with a darker red brick, in contrast to the slender stone frame structure on the rest of the block. Contrasting upper storeys would be recessed and incorporate a metal frame. The Crescent Building follows the curve of Swandon Way at the western end of the site and again adopts a mansion block design. It comprises brick banded piers of alternating dark and light brickwork, with a white reconstituted stone horizontal course running in between, highlighting the curvature of the building. The upper two storeys are treated with contrasting stone.

184 The architectural design and choice of materials responds well to the low rise Victorian housing to the south, as well as more recent modern developments nearby. The Station Building will be a robust, attractive feature building that will complement the established skyline in Wandsworth. The contemporary take on the recognisable mansion block typology results in a simple yet distinctive appearance, which is an appropriate response to the site and sets a high standard for future development on adjacent sites. It is noted that the applicant has responded positively to the recommendations of Wandsworth Council's Design Review Panel, particularly in terms of the balance of the elevations and the design of the shared surface space. Planning conditions will ensure that a high quality of detailing and materials will be used in the completed development and retention of the scheme architects in the construction process. Council officers concluded that the design and architecture of the proposal, which has not materially changed with the amendments submitted, was acceptable, and GLA officers concur with this assessment.

Heritage

185 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. In relation to listed buildings section 66 of the Act states that all planning decisions should *"have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses"*.

186 The NPPF states that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be.

187 Pursuant to section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, planning decisions must also give special attention to the desirability of preserving or enhancing the character or appearance of the conservation areas which may be affected by the proposed development.

188 The Barnwell Manor Wind Farm Energy Limited v East Northamptonshire District Council case tells us that "Parliament in enacting section 66(1) did intend that the desirability of preserving listed buildings should not simply be given careful consideration by the decision-maker for the purpose of deciding whether there would be some harm, but should be given *"considerable importance and weight"* when the decision-maker carries out the balancing exercise."

189 Criterion D of Policy 7.8 of the London Plan states *"Development affecting heritage assets and their setting should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail"*. The supportive text explains that development that affects the setting of heritage assets should be of the highest quality of architecture and design, and respond positively to local context and character. Criterion E states that new development should make provision for the protection of archaeological resources, landscapes and significant memorials.

190 Wandsworth Local Plan Policy DMS2 (Managing the historic environment) requires applications affecting a heritage asset or its setting to be in accordance with the NPPF, the London Plan, Historic England guidance and local Conservation Area Appraisals and Management Strategies.

191 The site is not in a Conservation Area. There are three Conservation Areas within 500 metres of the site and four statutorily listed buildings within 250 metres. The figures below show the locations of the nearest Conservation Areas and listed buildings. Wandsworth Park is a Grade II listed Registered Park and Garden and is located some 750 metres to the west. The site is also within an Archaeological Priority Area.



Figure 5 – conservation areas (named) within 500 metres of the site (shown bound in red).



Figure 6 – listed buildings within 250 metre radius (site shown bound in red):

Listed buildings (Grade II):

1. Wandsworth Garage Bus Depot
2. The Grapes Public House
3. Stables at Ram Brewery Complex
4. Wentworth House with forecourt wall, gate and gate piers

Conservation areas

192 Wandsworth Town Conservation Area is the closest to the site, but there would be some views of the scheme from Wandsworth Common Conservation Area and Sands End Conservation Area (within LB Hammersmith & Fulham).

193 The applicant has carried out an assessment of the impacts of the proposals on heritage assets as part of the Townscape, Heritage and Visual Assessment (THVA) within the Environmental Statement (ES), and has assessed the impacts on each heritage asset which could be affected. Officers are satisfied that these assessment points form a comprehensive basis from which to assess the proposal's impact on heritage assets.

194 The special character of Wandsworth Town Conservation Area is derived from its surviving street pattern, historic buildings and townscape, which reflect the history of Wandsworth as one of the oldest and most important settlements in the borough. The development would be visible in some views out from the Conservation Area, although these glimpses would be limited owing to the separation distance from most of the Conservation Area and the alignment of streets and topography. Views 1, 8 and 17 in the THVA demonstrate that the scheme will be visible, however in

view 1 it would be a distant feature on the skyline, with marginal visibility above existing buildings, and in view 17 it would be indistinguishable above the terraced houses on Dempster Road. In view 8 the Station Building and Garden Building would be clearly visible looking down Alma Road, although the rendered visual demonstrates that the high quality of architecture and choice of materials responds appropriately to the Victorian buildings in the foreground. This view also demonstrates the effectiveness of the Station Building for wayfinding. Furthermore, the break between the two buildings reduces the overall mass of the scheme and allows glimpses through to the Riverside West development beyond. The proposals are therefore considered to preserve the character and appearance of Wandsworth Town Conservation Area.

195 View 7 is the only point within Wandsworth Common Conservation Area where the scheme would be visible. The Station Building would be visible above the tree line across the Trinity Road underpass, but would be seen in the context of other large buildings in the foreground and tall riverside developments, so in this context and having regard to the limited heritage value of this view, the scheme would preserve the character and appearance of Wandsworth Common Conservation Area. Views 4 and 5 are from two positions within Sands End Conservation Area, looking across the River Thames. Again, in these views the scheme would be seen in the context of tall riverside developments and other emerging schemes in Wandsworth Town Centre. As such, officers consider that the character and appearance of Sands End Conservation Area would be preserved.

196 In summary, the visual impact on the Conservation Areas would be negligible and would not be harmful to these designated heritage assets. It is noted that the Council in its reason for refusal cited detrimental visual impact as viewed from Wandsworth Town Conservation Area. Council officers concluded that the scheme would not significantly detract from the Victorian character of nearby Conservation Areas, and whilst this assessment was based on the lower scheme, GLA officers do not consider that the additional storeys result in a materially greater impact on the setting of Conservation Areas. Furthermore, Council officers reached a similar conclusion in their consideration of the previously submitted taller proposal.

Listed buildings

197 The Grade II listed Wandsworth Garage Bus Depot, a former tramway depot dating from 1906-8, is approximately 100 metres to the north east of the site boundary. The immediate setting of this heritage asset is however defined by the historic street pattern along Jews Row and the locally listed Ship Inn. Owing to the tight urban grain to the north and east of the building, views of the development in its setting would be limited. The Bus Depot would be seen in the foreground of view 5 in the THVA (from Wandsworth Bridge); however the setting of this listed building is already impacted on by the Riverside West development behind it and the aggregates facility on the bank of the River Thames in front. The introduction of further, well designed, taller buildings in this urban backdrop would not adversely affect the wider setting or appreciation of this heritage asset.

198 The proposals would not impact on the setting of the three other listed buildings due to their distance from the application site and the fact that the proposed buildings would not be seen together in any significant views of these buildings.

Locally listed buildings and Registered Parks and Gardens

199 Wandsworth Park is a Registered Park and Garden (Grade II). It was laid out as a public park between 1897-1903 and includes areas of formal planting, including a tree-lined riverside walk and a lime avenue. Views 2 (from within the park) and 3 (from Putney Railway Bridge) in the THVA show that the scheme would be largely obscured by existing and emerging developments. These are ultimately kinetic views and where it would be visible, the buildings would be seen in the context of other large scale development and would not adversely affect the setting or appreciation of this heritage asset.

200 Officers are satisfied that there would be no adverse impact on the setting of any locally listed buildings as a result of the proposals.

Archaeology

201 Historic England (Archaeology) recommends a programme of archaeological works is undertaken to mitigate any impact of the proposals on archaeological heritage assets, given the site's location within an Archaeological Priority Area, and this will be secured by condition.

Conclusion on heritage assets

202 GLA officers conclude that the proposals would not have an adverse impact on the setting or historic interest of heritage assets and the amendments made to the height of the scheme following the Mayor's decision to call the application in do not cause any harm. The proposals would not harm the significance of the identified heritage assets. In coming to these conclusions, GLA officers have taken account of the statutory duties contained in the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposals comply with London Plan Policies 7.8 and Wandsworth Local Plan Policies IS3 and DMS2.

Designing out crime

203 Policy 7.3 of the London Plan seeks to ensure that measures to design out crime are integral to development proposals and considered early in the design process. A number of criteria are set out in this policy regarding reducing opportunities for criminal behaviour and contributing to a sense of security without being overbearing or intimidating. Wandsworth Local Plan Policy DMS1 requires proposals to provide a safe and inclusive environment which maximises personal safety and minimises opportunities for crime and antisocial behaviour.

204 The scheme design has carefully considered the interaction of the buildings with the public realm, ensuring that public open spaces are overlooked by active uses at ground and upper floors on all elevations. Residential core entrances would be well distributed and whilst there are some areas of servicing, cycle and refuse storage on the ground floor, these would be minimised and broken up by residential entrances and commercial uses to ensure that the public realm feels safe to use. Notwithstanding the overall support for the design in this regard, there remains a concern regarding the area of public realm to the south of the Crescent Building, which is currently a dead-end route and lacks proper active frontage. Owing to levels changes, this space does not have the potential to be a convenient pedestrian route from the Mews Street to Swandon Way. In order to ensure that this does not become an unsafe area, it should be gated off from the public realm, the details of which can be approved through the boundary treatment condition. A condition is also recommended to secure details of Secured by Design principles, including the design of rainwater goods to prevent climbing aids, street lighting and technical specifications of doors, windows and letterboxes.

205 As such, the proposals are acceptable with respect to designing out crime and comply with London Plan Policy 7.3 and Wandsworth Local Plan Policy DMS1.

Conclusion on urban design and heritage

206 The Council resolved to refuse the application on the grounds of excessive height, scale and massing, with resultant adverse impact on the surrounding townscape, visual amenity and the historic environment. This decision was reached contrary to officer recommendation. It is also noted that Council officers have previously recommended approval of a 17 storey scheme. As such and having regard to the above assessment, the additional visual impact of the increase in height since the Council's resolution to refuse the application is not considered to result in harm to the surrounding townscape, visual amenity or historic environment. Furthermore, the public benefits of the scheme previously put forward remain, with the affordable housing offer having been significantly increased with on-site provision of affordable rented homes, which further weighs in favour of approving the application.

207 GLA officers consider that the design of the scheme is well-considered, responds to the development principles outlined in the site allocation and achieves a high quality of place making. The massing strategy responds to the site characteristics and the existing and emerging context. The tall buildings, whilst higher than Local Plan Policy and those specified in the site allocation, are well designed and justified in the context of the relevant criteria set out in the Local Plan and the London Plan. The quality of the design, architecture and materials will ensure a distinctive and high quality development which will contribute positively to the regeneration of this part of Wandsworth. The development would not have an adverse impact on heritage assets. The development will thus comply with the relevant development plan policies set out in paragraphs 144-146 above.

Inclusive design

208 London Plan Policy 7.2 (An inclusive environment) requires that all future development meets the highest standards of accessibility and inclusion, and that the design process has considered how everyone, including those with disabilities, older people, children and young people, will be able to use the places and spaces that are proposed. London Plan Policy 7.6 (Architecture) requires that buildings and structures meet the principles of inclusive design, and 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 Mayor's SPG "Accessible London: Achieving an Inclusive Environment" provides guidance on the implementation of these policies.

209 Wandsworth Council's Local Plan Policies IS3 (Good quality design and townscape) and DMS1 (General development principles) also promote accessible and inclusive design.

210 Details of accessible and inclusive design have been provided within the Design & Access Statement which focuses on the inclusive design measures within the public realm and buildings. The application drawings and landscape drawings also show how key inclusive design features would be incorporated.

Accessible homes

211 All residential units in would meet Building Regulation requirement M4(2). A total of 42 units would meet Building Regulation M4(3), representing over 10% of the units. These are split proportionally by tenure and unit sizes. Detailed layouts for the M4(3) units are included as part of the submitted drawings and will ensure that the scheme delivers accessible homes of an acceptable standard in accordance with London Plan and Local Plan policy. A condition is recommended to ensure that the units meet the relevant Building Regulations requirement.

Public realm

212 The submitted drawings and landscape drawings demonstrate that appropriate levels and gradients can be provided across the site to ensure an inclusive environment throughout. Whilst the vehicle route into the site would be a shared surface, there would be corduroy tactile paving running alongside which would alert blind or partially-sighted people. Furthermore, the low vehicle movements and low speeds associated with the access would not give rise to an unacceptable conflict between pedestrians and vehicles. The wider public realm has been designed to be inclusive to all users, including adequate illumination and tactile and visual aids for navigation. Level access would be provided to all commercial uses.

Car parking

213 The overall development would include 89 car parking spaces, of which 9 would be reserved as Blue Badge accessible parking spaces for residential units, equating to 0.21 spaces per M4(3) unit, consistent with the overall parking ratio for the scheme. There would also be 1 Blue Badge visitor parking space provided within the public realm. Whilst the accessible car parking provision falls short of London Plan policy requirements, the car parking management plan, secured through the S106 agreement, will set out measures to monitor and increase this provision, if necessary. This will be secured within the S106 agreement.

Neighbouring amenity impacts

214 A core principle of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. London Plan Policy 7.6 (Architecture) states that the design of new buildings should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings in relation to privacy, overshadowing, wind and microclimate. London Plan Policy 7.7 (Location and design of tall buildings) states that tall buildings should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference. London Plan Policy 7.15 (Noise) seeks to reduce and manage noise associated with development.

215 Wandsworth Council's Local Plan Policy DMS1 (General development principles) seeks to ensure that development does not harm the amenity of nearby properties through unacceptable noise, vibration, traffic congestion, air pollution, overshadowing, overbearing, poor outlook, privacy or daylight and sunlight. This policy also requires development to take into account the operational needs of existing businesses and not impact on existing uses and their operations. Policy DMS4 (Tall buildings) specifically addresses the impacts of tall buildings, including their impact on microclimate.

216 Owing to the commercial character of its location, the site is relatively isolated from existing residential properties. The closest existing permanent residential properties to the site are in the Riverside West development on the other side of Smugglers Way to the north, and the Victorian terraced housing and flats above shops on the other side of the railway line to the south. The nearest block of Riverside West is approximately 60 metres from the site boundary and the nearest properties to the south approximately 60 metres away from the proposed buildings.

217 Residential redevelopment of the adjacent B&Q site on the north side of Swandon Way is also proposed and is the subject of a planning application, currently being considered by Wandsworth Council.

218 Additionally, to the north is a Holiday Inn Express Hotel, a petrol station and a McDonalds restaurant. To the south, beyond the railway line, is a single storey industrial estate.

Daylight and sunlight assessment

219 The applicant has submitted a full daylight/sunlight assessment within the Environmental Statement (ES), which considers the impact of the proposal upon existing nearby properties and also the resultant daylight and sunlight levels within the proposed residential units and public spaces. The ES has been updated to reflect amendments made to the scheme. The analysis is based on Building Research Establishment (BRE) Guidelines with specific reference to Vertical Sky Component for assessing daylight and Annual Probable Sunlight Hours (APSH) for assessing sunlight. It also assesses average daylight factor (ADF) for the proposed properties on the B&Q site.

220 Vertical Sky Component (VSC): This method of assessment is a “spot” measurement of daylight, taken at the mid-point of a window. It represents the amount of visible sky that can be seen from that reference point from over and around the obstruction in front of the window. That area of visible sky is expressed as a percentage of an unobstructed hemisphere of sky and therefore represents the amount of daylight available for that particular window. The maximum VSC value is almost 40% for a completely unobstructed vertical wall or window. A window may be adversely affected if its VSC measured at the centre of the window is less than 27% and less than 0.8 times is former value.

221 It should also be noted however that the 27% VSC recommended guideline is based on a low density suburban housing model and in an urban environment it is recognised that VSC values in excess of 20% are considered as reasonably good, and that VSC values in the mid-teens are deemed acceptable.

222 Average Probable Sunlight Hours (APSH): In relation to sunlight and overshadowing, the ES sets out an analysis of APSH of windows which face the site and are located within 90° of due south (as per the application of the BRE Guidelines). A window may be adversely affected if a point at the centre of the window receives for the whole year less than 25% of the APSH, including at least 5% of the APSH during the winter months (September 21 to March 21) and less than 0.8 times its former sunlight hours during either period, and for existing neighbouring buildings, if there is a reduction in total APSH which is greater than 4%.

223 To confirm, the BRE Guidance is intended for building designers, developers, consultants and local planning authorities. The advice it gives is not mandatory and should not be used as an instrument of planning policy. Of particular relevance, the Guidance states: *“This guide is a comprehensive revision of the 1991 edition of Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice. It is purely advisory and the numerical target values within it may be varied to meet the needs of the development and its location.”* As stated above, the Guidance is based on a suburban model, and in urban areas such as this one, VSC values of less than 27% would be considered to maintain reasonable daylight conditions.

224 Given the location and surroundings, the residential properties with the potential to be most impacted as a result of the proposal are listed below:

- Upper floor flats, north and south side of Old York Road;
- Upper floor flats, south side of Old York Road;
- Terraced properties on Alma Road;
- Blenheim House and terraced properties on south side of Podmore Road; and
- Parts of Omega Building, Anchor House, Bluewater House and Compass House, Smugglers Way.

225 Daylight: The ES sets out an analysis of 374 windows in the residential properties referred to above, using the VSC criteria. The assessment concludes that all windows analysed would either retain a VSC of at least 27% or retain a VSC which is at least 0.8 times its former value, thereby meeting BRE Guidance criteria in regards to VSC. Within the proposed B&Q development, 92% of the rooms assessed achieve the BRE Average Daylight Factor levels. The remaining two rooms are living spaces whereby daylight is already limited by overhanging balconies. As such, the impact is considered to be acceptable.

226 Sunlight: The applicant's study analyses 171 windows in the above mentioned properties which face within 90 degrees of due south. In terms of APSH, it was found that all would meet the relevant BRE Guidance. The applicant has also assessed 10 rooms within the proposed B&Q scheme. Two of these rooms fall below the BRE APSH criteria, but again these are living spaces already impacted by overhanging balconies and as such the impact on sunlight will be acceptable.

227 The Council's planning officers confirmed in their committee report that they considered the impact on neighbouring properties in terms of daylight and sunlight to be acceptable, and GLA officers concur with this view. There would be no material increase in the level of impact as a result of the increase in height of the proposal. The limited and very minor losses of daylight and sunlight that would occur to certain windows in adjacent residential properties are within the levels of acceptability in an urban environment and the scheme achieves a very good level of compliance with relevant BRE Guidance. The impact on commercial properties is also acceptable.

228 The internal daylighting for units within the propose scheme has been considered in paragraphs 135-136.

Overshadowing

229 The applicant's ES also looks at the impact of the scheme in terms of overshadowing to amenity and public spaces. The BRE Guidance suggests that where large buildings are proposed, it is useful and illustrative to plot a shadow plan to show the location of shadows at different times of the day and year. The path of the sun is tracked to determine where the sun would reach the ground and where ground would be overshadowed. BRE Guidance recommends that at least 50% of a garden or amenity area should receive at least 2 hours of sunlight at the Spring Equinox (21 March) to appear adequately sunlit, or else the area which receives 2 hours of direct sunlight on 21 March should not be reduced to less than 0.8 times its former value (i.e. reduced by more than 20%).

230 The applicant identifies Bramford Gardens as the only sensitive receptor and GLA officers agree with this assessment. The ES considers the overshadowing impacts to this public space. Whilst the park would experience some loss of sunlight towards the end of the day, the majority of its area retains in excess of 2 hours direct sunlight and therefore fully complies with the BRE guidelines.

Light pollution and solar glare

231 In terms of light pollution, the ES has considered the effect of external lighting on sensitive residential and wildlife/habitat receptors. The ES recommends that light spill during construction should be limited and this can be mitigated through a construction environmental management plan, which will be required by condition. An appropriate lighting scheme should also be approved and implemented, to minimise light spill, in line with best practice methods. A condition is recommended requiring a detailed lighting scheme to be approved.

232 With regard to light spill and glare the design of the building, which incorporates extensive masonry surfaces, is expected to mitigate potential impact so that there would be a negligible impact on residential, public and wildlife receptors during both the construction and operational phases. There could be some solar glare impact to the public realm and roads surrounding the site, but this is unlikely to adversely affect public safety or driving conditions and no mitigation is considered necessary.

233 Officers are satisfied that the impacts of light pollution from the permanent development on nearby sensitive residential properties would be limited, given the distance to the nearest properties and the mitigation measures, discussed above, that would be put in place to avoid adverse impacts from lighting. As outlined in paragraph 268, the impact on wildlife, with the suggested mitigation measures in place, is also acceptable.

Privacy

234 Wandsworth Council's policies do not specify minimum privacy distances between existing and proposed units, but require developments to avoid overlooking and loss of privacy. The Mayor's Housing SPG (March 2016) notes that commonly used minimum separation distances between habitable rooms of 18-21 metres are yardsticks, but advocates a more flexible approach to managing privacy.

235 In this case, all of the nearby existing residential buildings are at least 60 metres from the proposed buildings. The proposed homes within the B&Q development are approximately 30-35 metres from the proposed buildings. This is significantly in excess of the yardstick distances of 18-21 metres referred to in the Mayor's Housing SPG, and the development would have no demonstrable harmful impact on privacy to existing or proposed homes in the vicinity of the site.

236 The impact on privacy to the proposed units within the scheme itself has been addressed at paragraphs 138-139 above.

Noise

237 The applicant's ES reports on the findings of the likely noise and vibration effects of the proposed development during both the construction and operational phases.

238 During the construction phase, there will inevitably be some abnormal noise caused to nearby residential properties caused by construction activities and vehicles. These impacts will be temporary, confined to normal working hours (8am to 6pm) and can be controlled through the implementation of mitigation measures outlined in a construction environmental management plan (CEMP) (covering hours of works, use of Best Practicable Means, "quiet piling" techniques, erection of hoardings etc). The submission and implementation of the CEMP will be secured by condition.

239 During the operational phase, potential noise impacts from the development on existing neighbouring properties are likely to be confined to noise from plant and services, as there are no inherently noisy activities proposed. A condition is imposed requiring details of plant and machinery

associated with the development to be approved. This will ensure that noise from plant will be at least 5dB below background noise level, measured at the nearest residential premises, along with other mitigation such as screening.

240 Whilst the ES has not specifically considered the impact on the future residents from noise from commercial uses on the site, officers note that the proposed small scale commercial uses are compatible with residential uses and consider that any noise impacts can be adequately controlled via the imposition of conditions limiting the opening hours for any Class A3 (cafe/restaurant) uses. As mentioned in paragraph 137 above, conditions are also attached to ensure that the building envelope of the buildings are adequately sound insulated to protect future residents against adverse noise conditions from road traffic.

Neighbouring amenity impacts conclusion

241 The assessment above has been based on the information provided by the applicant and analysis by borough officers and GLA officers. It is concluded that on balance and having regard to the increase in scale proposed following amendments to the scheme, given the context and scale of impact, the proposal would not result in a level of sunlight or daylight loss to neighbouring residential properties to warrant alteration to or rejection of the scheme. Furthermore, the overshadowing impacts associated with this development are acceptable; the development would not cause loss of privacy; and issues of noise and disturbance would be adequately mitigated through planning conditions. The impact of the proposals on the residential amenity of existing residents close to the site would be acceptable, and the proposals therefore comply with London Plan Policies 7.6, 7.7 and 7.15, and Wandsworth Policies DMS1 and DMS4.

Sustainability and climate change

242 London Plan climate change policies, set out in Chapter Five, collectively require developments to make the fullest contribution to the mitigation of, and adaptation to, climate change, and to minimise carbon dioxide emissions. London Plan Policy 5.1 (Climate change mitigation) sets out the strategic approach to reducing carbon emissions in London, and Policy 5.2 (Minimising carbon dioxide emissions) sets out an energy hierarchy for assessing applications. Policy 5.2 sets a minimum target for carbon dioxide emissions reduction in new buildings of 35% beyond Part L of the Building Regulations (as amended 2013) for commercial buildings and zero-carbon for residential buildings. London Plan Policy 5.3 (Sustainable design and construction) requires future developments to meet the highest standards of sustainable design and construction, and London Plan Policies 5.9-5.15 promote and support the most effective climate change adaptation measures including passive thermal regulation, urban greening, and water management. The Mayor's Sustainable Design & Construction SPG sets out how these policies should be implemented.

243 Wandsworth Council's Local Plan Policies IS2, DMS3, DMS5 and DMS6 set out the borough's approach to climate change and requires developments to meet the highest standards of sustainable design, including sustainable drainage and the conservation of energy and water and meeting London Plan carbon reduction standards.

Energy

Energy strategy

244 The applicant has submitted an energy strategy for the site. This sets out measures to reduce carbon dioxide emissions beyond the 2013 Building Regulations in excess of 35%, in compliance with the London Plan target. In reporting the application at Stage 1, it was observed that the scheme broadly followed the London Plan energy hierarchy, with a range of passive design features and demand reduction measures proposed, together with district heating, combined heat and power (CHP) and renewable energy sources, and that the carbon savings were in excess of the London Plan's targets. There did remain outstanding issues that required resolution before it could be confirmed that the scheme was fully in accordance with the London Plan and since that time further discussion has taken place. This related to details of measures to reduce overheating and clarification of CHP performance.

245 Energy efficiency (Be Lean): 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. Other features include low energy lighting and mechanical ventilation with heat recovery. The demand for cooling will be minimised through solar control glazing and shading by balconies. Active cooling is proposed to enable occupiers to control their thermal environment more closely and achieve improved comfort, which is acceptable on this site given the location close to noise sources.

246 District heating (Be Clean): The site is within a district heating opportunity area, as set out in Wandsworth's Local Plan. The applicant is proposing to install a site heat network connecting all the proposed uses, served by an energy centre at basement level. This system would enable future connection to an area wide network and the applicant will be required to continue to prioritise connection through a S106 obligation. The applicant is proposing to install a gas fired CHP unit as the lead heat source.

247 Renewable technology (Be Green): The applicant has investigated the feasibility of a range of renewable energy technologies and has identified photovoltaics (PV) as the most suitable renewable technology. A total of 200 sq.m. of PV panels is proposed.

248 Overall savings: Based on the energy assessment submitted, a reduction of 238 tonnes of carbon dioxide per year in regulated emissions is expected, compared to a 2013 Building Regulations compliant development for the residential element, equivalent to an overall saving of 57%. For the non-residential element, the savings would be 27 tonnes per annum, or 35%. The carbon dioxide savings exceed the target set within Policy 5.2 of the London Plan for the commercial element of the scheme, but not for the residential zero-carbon requirement. A contribution is therefore required to make up for this deficit, which has been estimated at £311,610 and will be paid into Wandsworth's carbon offset fund, to be secured in the S106 agreement.

249 A condition is also recommended requiring an updated energy strategy to be submitted and approved prior to occupation. This will enable a more accurate assessment of the carbon dioxide savings to be made at that time. In this respect, the proposals are in compliance with London Plan and borough policies on energy efficiency and carbon savings.

Flood risk and drainage

250 London Plan Policy 5.12 (Flood risk) seeks to ensure that developments address flood risk and incorporate flood resilient design. Policy 5.13 (Sustainable drainage) states that developments should use sustainable urban drainage systems (SUDS), and should ensure that surface water run-off is managed as close to its source as possible in line with the London Plan drainage hierarchy.

251 Wandsworth Local Plan Policy DMS5 (Flood risk management) requires applicants to demonstrate that schemes will be unaffected by all forms of flood risk, having regard to the provisions in the NPPF. Policy DMS6 requires all new developments to incorporate Sustainable Urban Drainage Systems (SUDS).

Flood risk

252 The application is supported by a Flood Risk Assessment (FRA) as part of the ES which assesses any likely significant effects of flooding and drainage. Part of the site at the western end and a smaller part at the eastern end are within Flood Zones 2 and 3. The site is also within a critical drainage area and the eastern end is an area that benefits from flood defences. Housing is usually considered inappropriate in Flood Zone 3, but the site is allocated for residential development, so the Sequential Test is passed in line with the NPPF.

253 In order to pass the Exceptions Test, the FRA proposes finished floor levels of the “more vulnerable” uses (the residential uses) at 13.15 metres AOD, significantly above the modelled flood levels of the River Thames (5.85 metres AOD) and River Wandle (5.5 metres AOD). The “less vulnerable” uses (retail, community and SME space) would be set at 5.5 metres AOD. Whilst this would be less than the flood level of the River Wandle, these uses would have stair access to a higher level area, which would provide a dry means of escape.

254 The Environment Agency and Wandsworth Council’s flood officer have reviewed the FRA and have no objections, subject to the floor levels being set in accordance with its recommendations, as well as a flood warning and refuge/evacuation plan being secured by condition. GLA officers have assessed the submitted FRA and available Environment Agency flood risk data, and concur that the development would be at low risk from flooding and that the development is appropriate. The development thus complies with London Plan Policy 5.12 and Wandsworth’s Policy DMS5.

Drainage

255 The site is currently largely impermeable, and the development would introduce a range of sustainable drainage and water attenuation measures such as infiltration in soft landscaping areas, porous hardstanding, green roofs and beneath ground water storage tanks to improve the existing surface water run off levels. These measures would restrict peak surface water flows to the public sewer network, for the 1 in 100 year flood event plus climate change, to three-times greenfield rates in line with London Plan policy.

256 GLA officers recommend that a detailed drainage strategy is submitted by condition and discharged in consultation with the Lead Local Flood Officer. This condition has been recommended.

Sustainability strategy

257 The applicant has submitted a Sustainability Statement for the site, which sets out a number of climate change adaptation measures proposed in the design and construction process. Where appropriate, the themes within the Sustainability Statement have been considered separately in this report under sections addressing energy, flood risk and drainage, transport, ecology and biodiversity, waste management, landscape, amenity and playspace, heritage and archaeology, contaminated land and air, noise and light pollution. The remaining themes are considered as follows:

258 BREEAM: The applicant is targeting a BREEAM “excellent” rating for the non-residential floorspace. It is recommended that the commitment relating to BREEAM is secured by way of planning condition, in line with the requirements of Wandsworth Local Plan Policy DMS3.

259 Water use demand: The applicant has set out the measures that would be incorporated into the scheme to reduce the water demand of the development, including water metering and use of water efficient appliances and fittings. This is welcomed in accordance with London Plan Policy 5.15 (Water use and supplies), Wandsworth Local Plan Policy DMS3. The implementation of these measures will be secured by condition.

260 Materials and construction waste recycling: The applicant has set out commitments to using FSC certified timber for both temporary and permanent construction, and to using local sources for materials where possible. A site waste management plan would be implemented, with targets to be agreed for recycling waste and reduced waste to landfill. The commitments within the site waste management plan would be secured by condition.

Trees and urban greening

261 London Plan Policies 5.10 and 7.21 seek to retain existing trees of value, or mitigate their loss, and require developments to incorporate urban greening measures. Wandsworth Local Plan Policy DMO5 aims to protect trees from harm as the result of a development and states that the loss of trees with amenity value can only be acceptable if their removal would be in the 'interests of good arboriculture practice' or adequate replacement planting is proposed.

262 A Tree Preservation Order (TPO) has been placed on four of the London Plane trees which are located within the south west part of the site. Three of these would remain as a result of the proposal with one identified for removal. In total, 36 trees would be removed to facilitate the development, including a number of Category B trees with high amenity value. To mitigate this loss, the Landscape Strategy secures the planting of 48 new trees, which would result in a net uplift of 12. Given the amount of development on the site, which significantly increases the proportion of built form, a net gain in tree provision of 12 trees is acceptable in this urban context. Furthermore, there would be an additional 17 trees planted at podium amenity level.

263 It will be important to ensure that the quality and maturity of the replacement specimens is of the highest standards, and that the tree pit design and maintenance regime is suitable. Semi-mature trees at between 40-45 centimetre girth to replace the existing mature car park trees will be secured, which is broadly welcomed. The detailed landscape strategy will secure a full audit of existing tree sizes, with details of the proposed species for comparison, to ensure that the replacements appropriately compensate for the losses in size and maturity.

264 Conditions are therefore recommended to require a full landscaping and maintenance scheme to be submitted and approved. It is also necessary to impose a condition requiring tree protection measures for the retained TPO trees during construction to be approved. Section 106 obligations are also agreed requiring off-site provision of street trees on TfL and Council land.

Subject to this, the proposals are compliant with London Plan and Local Plan policy on trees and urban greening. Council officers, in their assessment of the scheme, considered that the impact on trees was acceptable, and given the overall increase in trees proposed, and the quality and maturity of replacement provision secured, GLA officers concur with this assessment.

Ecology and biodiversity

265 London Plan Policy 7.19 requires developments to make a positive contribution to the protection, enhancement and creation of biodiversity. Local Plan Policy DMO4 seeks to ensure all developments provide net gains for biodiversity.

266 The site does not fall within the boundaries of any statutory or non-statutory sites of nature conservation and is not designated for any nature conservation purposes. A preliminary ecological assessment has been carried out and forms part of the applicant's ES. This concluded that the habitats within the site are of value to wildlife within the immediate vicinity only, as having the potential for providing suitable breeding habitats for a range of bird species.

267 As such, it is recommended that a condition requiring site clearance to be undertaken outside the bird nesting season (February-August) is imposed. Where this is not possible, an appropriately qualified ecologist should assess any vegetation and built structures for active signs of nesting and in the event a nest is found an appropriate exclusion zone should be implemented around it until the young have fledged.

268 Ecological enhancements are also proposed, including bird and bat boxes as well as soft landscaping and green and brown roofs. A lighting strategy will also ensure that the proposed lighting does not unduly impact on protected species. Details of these measures will be approved by condition and accordingly it is considered the scheme would be in accordance with strategic and local policy on ecology and biodiversity.

Conclusion on climate change and sustainability

269 The proposed development would minimise carbon dioxide emissions to meet London Plan targets and local policy regarding climate change. The development would not increase flood risk and would deliver sustainable urban drainage benefits over the existing situation at the site. The development has committed to achieve high standards in sustainable design and construction. In these respects, the development is in compliance with relevant planning policies regarding sustainability and adapting to climate change.

Other environmental issues

Air quality and odour

270 London Plan Policy 7.14 (Improving air quality) seeks to ensure that new development minimises increased exposure to existing poor air quality and makes provision to address local problems of air quality (particularly within Air Quality Management Areas (AQMAs)) and be at least "air quality neutral". Wandsworth Local Plan Policy IS4 requires measures to be taken to improve air quality and ensure major developments are air quality neutral. Policy DMS1 seeks to ensure that the amenity of occupiers and neighbours is not harmed by air pollution.

271 The whole of Wandsworth, including the application site, is within an AQMA. The applicant has submitted an assessment of the proposal's impact on air quality, set out in the Environmental Statement. This looks at the impacts of demolition and construction, and traffic generated by the scheme, as well as the impact of traffic pollution and odour from the nearby waste transfer facility

on the health and comfort of future occupiers of the development. An Air Quality Neutral Assessment has been submitted.

272 *Construction Phase.* Whilst the risk to air quality from dust and vehicle emissions during demolition and construction would be high if not mitigated, with proposed mitigation measures, including following best practice to reduce dust emissions from works, the likely effects would be reduced so as not to be significant. As such a planning condition is recommended that requires the approval and implementation of an Air Quality and Dust Management Plan (AQDMP). Subject to this condition, the likely temporary effects on air quality during the construction period are acceptable.

273 *Operational Phase.* The main polluting operations associated with the proposed development once built include emissions from traffic movements and the CHP plant. The number of parking spaces and associated vehicle movements, are however proposed to be reduced and the energy centre flue would discharge at the top of the 17 storey Station Building, minimising emissions close to sensitive receptors. Owing to the location adjacent to busy Swandon Way, there are expected to be exceedances of the air quality standard at the facades of street level buildings on the northern and eastern site edges. However, at first floor and above the impact would be reduced to acceptable levels. Proposed design interventions to secure this include sealed windows and mechanical ventilation for ground floor and basement accommodation and these will be secured by condition.

274 An odour test has been carried out, which has confirmed that household waste odours from the Western Riverside Waste Transfer Station (WTS) are only detected approximately 90 metres from the boundary of the WTS. As the development is located over 100 metres from the WTS, there would not be a significant odour impact, and there have also been very few reported odour issues with the WTS. This could change depending on wind direction, although it is noted that the site is downwind of the WTS, having regard to prevailing wind conditions and this is therefore unlikely.

275 Having reviewed the applicant's air quality study, it is considered that impacts can be suitably mitigated via the proposed design interventions and AQDMP, which will be secured by condition. Council officers concurred with this assessment.

Wind

276 London Plan Policy 7.7 (Location and design of tall and large buildings) states that tall buildings should not affect their surrounding adversely in terms of (amongst other things) microclimate and wind turbulence. The Mayor's Sustainable Design and Construction SPG identifies the Lawson Criteria as a means for identifying suitability of wind conditions. Wandsworth Local Plan Policy DMS4 requires tall buildings to address climatic effects on their surroundings, including wind conditions.

277 The applicant's ES reports on an assessment on wind microclimate, based on wind tunnel testing without landscaping in place, in order to create a 'worst case' set of results under the Lawson Criteria. Sensitive receptors that were assessed include locations at ground floor around the site, including surrounding footways, public spaces and train station platforms. Within the scheme itself, proposed open spaces and a significant number of proposed private amenity spaces (balconies) were tested.

278 Wind conditions at all points modelled in pedestrian thoroughfares and building entrances are acceptable for their intended use, with no mitigation required. The ground level public realm areas are generally acceptable for sitting, although the public square between the Garden Building and the Station Building has some instances of 'standing' conditions to the east of the Garden Building. However, the landscaping has been carefully designed to position seating areas in the

calmer part of the space. The private balconies are classified as acceptable for sitting use during the summer season, when they are likely to be in use. Most of the terrace spaces are expected to be suitable for sitting use during the summer, with the exception of the western roof terrace on the Crescent Building and the southern roof terrace on the Station Building, which are acceptable for standing use. Mitigation measures are proposed in the form of raised balustrades and planters, and a condition is imposed requiring details to be approved.

279 Following submission of the application for the redevelopment of the adjacent B&Q site, a cumulative assessment of both schemes has been undertaken. This concludes that strong winds occur at thoroughfare locations, but are not likely to cause a significant nuisance to pedestrians.

280 As such, with the mitigation measures in place, the proposals are not likely to have an adverse impact on wind conditions for people on the site, or using surrounding areas.

Waste

281 London Plan Policy 5.17 (Waste capacity) requires adequate provision for waste and recycling storage and collection and Policy 5.18 (Construction, Excavation and Demolition Waste) requires applicants to produce site waste management plans to arrange for the efficient handling of construction, excavation and demolition waste and materials.

282 Wandsworth Local Plan Policy DMS1 requires development proposals to make appropriate provision for waste management. Policy DMS3 requires developments to consider re-using waste from the demolition process and to use recycled materials where possible.

283 Construction waste: As outlined under paragraph 260 above, the applicant has submitted an outline site waste management plan which will encourage resource efficiency and material management during construction, including targets for directing construction waste away from landfill, and planning conditions are recommended to ensure that contractors adhere to this plan.

284 Operational waste: The applicant has prepared an operational waste strategy for the site. This has the following key themes:

- Each residential unit will be provided with adequate space to allow segregation of waste;
- Each residential block would be provided with a dedicated bin store at ground floor or basement level accommodating communal bin storage for each waste stream;
- The stores would be located adjacent to cores, so in a convenient location for all residents, and would be of an appropriate size for required bins;
- An estate management company would transport the bins from the respective stores to a holding area adjacent to the Mews Street, so that they can be presented to the collection vehicle on collection day, which would reverse down the Mews Street into the service yard; and
- Adequate provision is made for commercial waste, with separate bin stores distributed across the scheme and access for collection vehicles via the vehicle access and Mews Street.

285 The Council's waste officer commented on the previous scheme design, which has since been amended to increase the capacity of bin stores commensurate with the increase in unit numbers. The Council advised that the type of bins required to meet the capacity requirements of the development (1,280 litre) within the design capacity of the bin stores cannot be purchased by them. It is also proposed to use electric tugs to transport the bins to the holding area on collection day and the Council bins may not be compatible with this process. Further information is therefore required to ensure that adequate waste management facilities are provided and it is necessary to impose a condition requiring an amended waste strategy to be submitted and approved by the

Council. It is noted that Council officers proposed this approach in their assessment of the application at committee stage.

Contaminated land

286 London Plan Policy 5.21 (Contaminated land) supports the remediation of contaminated sites and bringing contaminated land back into beneficial use. Wandsworth Local Plan Policies IS4 and DMS1 requires measures to be taken to ensure that development is safe regarding the re-use of land.

287 The applicant's ES reports on the findings of an assessment of ground conditions and likely significant contamination effects. As with most previously developed sites with a history of gas and chemical use, some land contamination is likely. The contaminated land report has identified the potential for the presence of contaminants such as polyaromatic hydrocarbons, phenols, creosotes, total petroleum hydrocarbons, sulphates, cyanides, heavy metals and metalloids in soil and groundwater from the previous site uses. In addition, a more recent and still current potential contamination source is the petrol station to the north of the site, which could have leakages or spillages of petrol enter the underlying ground, which may then migrate beneath the site.

288 The presence of contamination will require further investigation to identify a suitable remediation strategy for the construction and operational phases. It is therefore recommended that planning conditions are used requiring investigative work and assessment, and a piling impact study. Subject to these, and a condition requiring the approval and implementation of an appropriate construction environmental management plan, the potential contaminated land will not cause a significant risk.

Transport

289 The NPPF states that *"Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives... The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel."* London Plan Policy 6.1 applies these principles within the strategic approach for transport in London. Other relevant strategic transport policies in this case include: Providing public transport capacity and safeguarding land for transport (Policy 6.2); Assessing effects of development on transport capacity (Policy 6.3); Enhancing London's transport connectivity (Policy 6.4); Funding Crossrail and other strategically important transport infrastructure (Policy 6.5); Better streets and surface transport (Policy 6.7); Cycling (Policy 6.9); Walking (Policy 6.10); Smoothing traffic flow and tackling congestion (Policy 6.11); Road network capacity (Policy 6.12); Parking (Policy 6.13); The Mayor's priorities for planning obligations (Policy 8.2); and, Mayoral Community Infrastructure Levy (Policy 8.3).

290 The draft Mayor's Transport Strategy (2017) (MTS) looks to put people's health and quality of life at the very heart of planning the city's transport with an aim that by 2041, 80% of all Londoners' trips will be made on foot, by cycle or by public transport. Proposal 76 of the MTS seeks to impose high expectations on developers to deliver transport solutions that will promote sustainable mode shift, reduce road congestion, improve air quality and assist in the development of attractive, healthy and active places. It will also seek to restrict car parking provision within new developments, with those locations more accessible to public transport expected to be car free or car-lite. Provision for car parking should be minimised and designed for alternative uses in the future as car dependency decreases.

291 Wandsworth Council's Site Specific Allocations Document (SSAD) allocates the application site for: "*Residential development and improved access to the northern part of Wandsworth Town Station*" and also states "*The Council will seek to secure access to the northern part of station as part of any development.*" Wandsworth Core Strategy Policy PL3 (Transport) states "Sustainable development, as referred to in Policy IS1, will be supported through the management of freight, servicing and parking, and the use of transport assessments, travel plans and the use of the river." The Council's Development Management Policies Document (DMPD) policies DMT1 (Transport impacts of development) and DMT2 (Parking and servicing) are also relevant.

292 Issues with respect to transport were considered by the Council as having been satisfactorily addressed, subject to agreement of appropriate planning conditions and section 106 obligations to secure necessary mitigation measures. Transport does not feature in the Council's proposed reason for refusal. The Mayor's Stage 1 comments concluded that some further work was required on disabled car parking, capacity on the public transport network, impacts on the local and strategic highway network, walking and cycling routes, public realm and arrangements for access and servicing as well as the adequacy of supporting measures including the travel plan.

293 These matters have been satisfactorily resolved subject to planning conditions and section 106 obligations.

Trip generation

294 The Transport Addendum dated August 2017 estimates that the development will generate 730 two-way person trips in the AM peak and 604 in the PM peak across all modes of transport. Of those trips, 113 two way vehicles trips are predicted in the AM peak hour and 88 in the PM peak hour. The existing use on site currently generates 54 and 99 two-way vehicle trips in the AM and PM peak hours respectively. Therefore the total net change in vehicle trips generated by the development is 59 in the AM peak hour and -11 in the PM peak hour. As such, it is concluded that the proposals would not materially impact on traffic flow on the Transport for London Road Network (TLRN) or the wider highway network.

295 The Transport Assessment also predicts that the majority of trips will be made by public transport, walking and cycling. It is estimated that the proposal will generate 617 combined public transport/walk/cycle trips in the AM peak hour and 516 in the PM peak hour. This level of trips emphasises the need to ensure a high quality pedestrian and cycle network within the immediate area.

Car parking

296 The proposed development includes the provision of 89 car parking spaces for the residential element of the development only, which equates to a car parking ratio of 1 space per 0.25 units. The commercial element of the development is car free. Whilst the public transport accessibility of the site presents an opportunity for a car free residential development (with the exception of Blue Badge provision), the level of parking proposed is considered acceptable in accordance with strategic and local policy.

297 In line with the draft MTS, the proposed development is car-lite and supported by the provision of a car club space and electric vehicle charging points, along with high quality walking and cycling provision to encourage mode shift away from the private car.

298 A total of 9 Blue Badge car parking spaces are proposed. Whilst this is 10% of the total number of car parking spaces, it is 25 short of the London Plan requirement. The car parking management plan to be secured via S106 agreement will be required to include a mechanism whereby demand for disabled parking is monitored and should demand arise the provision will need

to be increased. In line with London Plan parking standards, 18 of the parking spaces will be provided with electric vehicle charging points (EVCP) and a further 18 spaces with passive provision, this will be secured by planning condition.

299 In order to prevent parking overspill and to encourage the use of sustainable modes, the development will be subject to an appropriate legal planning restriction whereby occupiers will be exempt from accessing parking permits for the surrounding Controlled Parking Zones (CPZs).

300 A car parking management plan along with the provision of one car club space and two years free car club membership will be secured through the S106 agreement.

Cycling

301 The application proposes 628 cycle parking spaces; a total of 532 spaces are proposed in the basement, 78 within the ground floor and 18 spaces within the public realm. Cyclist changing facilities with showers and lockers would also be provided within the commercial part of the development in accordance with London Plan Policy 6.9B. The overall level of cycle parking proposed is acceptable and would meet the minimum standards set by London Plan Policy 6.13 and Table 6.3. The details of the cycle parking provision will be secured by condition.

302 The development will increase demand for hire bicycles in the area requiring 28 new cycle hire docking points. An appropriate area of land to accommodate a 28 point docking station has been safeguarded and secured through the S106 agreement along with a contribution of £110,000 to part fund the assets, construction, surveys, planning, design and maintenance of the hire facility.

Public transport

303 Bus routes 28 and 44 are closest to the development site and would therefore be most affected by new demand. Both routes are busy in the peaks but not at capacity in the Wandsworth Town area. The development is expected to generate 197 two way bus trips in the AM peak hour and 155 in the PM. Whilst this is significant, it can be accommodated within the existing bus network capacity. Therefore mitigation for bus service improvements has not been sought for this development.

304 Wandsworth Town Station and the trains which serve it are operated by South Western Railway. During the peak hours there are a total of 16 services per hour. The development is expected to generate 197 two way rail trips in the AM peak hour and 187 in the PM peak hour. Whilst the Council considered that the number of rail journeys had been under estimated, the applicant has undertaken further detailed analysis of the capacity of the trains and existing loads which demonstrates that there is sufficient capacity to accommodate demand. Furthermore, planned rail improvements which include the rolling out of new trains will increase the capacity of the routes serving Wandsworth Town by approximately 16%. In addition, Network Rail will be realigning platforms at Waterloo, including bringing the old International platforms into use, to enable all 24 platforms to be used for the first time for SWT services from December 2018, which would allow an increase in services and reliability.

305 The provision of a second entrance at Wandsworth Town Station would improve the overall site PTAL and would meet one of the strategic aims of the SSAD. Accordingly, the financial contribution and land offered by the application scheme is considered a key planning benefit.

306 Given the range of public transport options in this area and having regard to the predicted demand from these proposals, the development would not have a site specific effect on public transport capacity that will require mitigation.

Highway access and public realm works

307 It is proposed to use the existing vehicular access off Old York Road, located in the south east corner of the site. Only minor highway improvements are proposed to this priority junction. However, given the accesses' proximity to Cycle Superhighway 8, the applicant is required to engage with TfL and the Council on the detailed designs of the site access, through a S278 agreement for highway works associated with the development, including the site access and tree planting, which will be secured through the S106 agreement.

Pedestrian and cycle routes

308 The proposed development will see an increase in pedestrian and cycle trips to / from the site and the local area. Public realm improvements are proposed along the entire site boundary on Old York Road and Swandon Way. This includes an extended raised pedestrian crossing on Old York Road from the railway bridge to its junction with Swandon Way and connecting with Bamford Gardens. A future pedestrian entrance to Wandsworth Town Station is also proposed from the site, and the land safeguarded through the s106 agreement along with a contribution of £2.5 million which will go towards implementing the new northern access.

309 To further improve local conditions for walking, a £100,000 contribution has been secured towards a road safety improvement scheme at the A3205 York Road Roundabout. This scheme has been designed to improve safety for all road users at and on the approach to the roundabout and will significantly improve pedestrian and cycle links in the area for new residents of the development.

310 The high quality pedestrian and cycle environment proposed, along with the planned improvements at York Road Roundabout and new station entrance, will contribute to the Mayor's "Healthy Streets" agenda for encouraging active travel and mode shift away from the private vehicle.

Delivery, servicing, construction and travel planning

311 Servicing will take place within the site with sufficient space for vehicles to manoeuvre. Delivery vehicles will enter and egress the site from the vehicular access on Old York Road. The development is predicted to generate 14 one-way trips or 28 two way trips daily by service vehicles. The scale of the predicted service trips is not a concern given that they are spread throughout the day and noting the predicted net increase in peak hour vehicle trips generated by the development and quantum of vehicle trips generated by the existing use on site. Both the Council and TfL agree that the deliveries and servicing arrangement proposed are acceptable and accord with London Plan Policies 6.3, 6.13D, 6.14 and 2.15C. The proposals are also in accordance with Wandsworth Local Plan Policy DMT2. Furthermore, a Deliveries and Servicing Plan (DSP) is secured by condition. The DSP would set out how delivery and servicing movements will be controlled, managed and adhered to by all occupiers.

312 London Plan Policy 6.14B promotes the uptake of construction logistics plans (CLP) and the TfL Fleet Operators Recognition Scheme (FORS), to minimise the impact and safety risks of construction activities on people and the transport network. This will be secured by condition.

313 A site wide framework Travel Plan has been submitted as part of the application, which will be used as the basis for a full Travel Plan prepared for the development prior to occupation. This will be secured, monitored, reviewed and enforced through the S106 agreement.

Conclusion on transport

314 The proposals for a high density residential led mixed use scheme in a very accessible location accords with the London Plan policy of encouraging such development in locations that give rise to patterns of development that minimise the need to travel, particularly by car. The development will make acceptable alterations to the public realm around the site in order to accommodate the expected pedestrian and cycle demand and will encourage sustainable travel. The provision of the new station entrance would enhance the attractiveness of the station, in accordance with the site allocation.

315 Subject to a suitable framework of controls and mitigation as identified above being secured through the S106 agreement and use of appropriate planning conditions, the transport impacts of this development are in accordance with strategic and local transport policies in the London Plan (Policies 6.1, 6.3, 6.5, 6.9, 6.10, 6.12, 6.13, 6.14, 8.2 and 8.3); Wandsworth Core Strategy Policy PL3 (Transport); and Wandsworth Development Management Policies Document (DMPD) Policies DMT1 (Transport impacts of development) and DMT2 (Parking and servicing).

Socio-economic

316 The applicant's ES has modelled the impact of the development on social infrastructure in the area, including schools and healthcare facilities. The development is expected to generate 628 residents, including 44 school age children. The ES concludes that there is adequate capacity within local schools to cater for the expected child population of the development. Furthermore, the additional population of the development would not necessitate the need for a new GP. The development would also make a substantial Community Infrastructure Levy (CIL) contribution, which could be used to fund new infrastructure in the area. As such the development would have an acceptable socio-economic impact.

Arts and culture

317 In accordance with the Council's Planning Obligations SPD, a sum of £385,000 has been secured towards arts and cultural provision within the borough through the S106 agreement. The Council have advised that this could be used to fund studio space or other cultural infrastructure within the borough.

Mitigating the impact of development through planning obligations

318 The NPPF states that *"Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition."* At the regional level, London Plan Policy 8.2 sets out the Mayor's priorities for planning obligations, and states: *"Affordable housing; supporting the funding of Crossrail where this is appropriate (see Policy 6.5); and other public transport improvements should be given the highest importance"*. At the local level Wandsworth Council's Planning Obligations SPD (2015) provides the basis for determining planning obligations when considering planning applications for development in the borough.

319 Pursuant to the consideration within the previous sections of this report, and in line with the policy context set out above, GLA officers propose to secure a number of planning obligations required to appropriately mitigate the impact of this development. A full list of the obligations is provided under paragraph 8 above, and where appropriate there is detailed consideration given in the relevant topic section of the report. Where appropriate, GLA officers have provided an

additional commentary below to support the consideration within this report and to inform the detailed drafting of a section 106 legal agreement.

Affordable housing

320 As discussed in the housing section of this report, 136 affordable units will be secured, comprising 51 shared ownership units and 85 affordable rent units. Details of affordable housing definitions, fit out, transfer/lease to a Registered Provider, the income thresholds for the intermediate accommodation, rent levels for the affordable rented units and the retention of the affordable units at the proposed rent levels, would be set out in the section 106 agreement, as set out in this report.

321 GLA officers propose an early implementation review is secured. This would be triggered if the development has not been substantially implemented within two years of the date of consent. A forward-looking review will take place which will analyse the development costs and values at that time, capturing any uplift in viability towards the provision of additional affordable housing on the site up to a level of 50% of the scheme or the level of grant funding.

Wandsworth Town Station improvements

322 An important requirement of the site allocation is for this scheme to contribute towards a new northern entrance to the station. A financial contribution of £2.5 million will be secured, in addition to a land contribution, in order to facilitate this. The legal agreement will ensure that this payment is received at an appropriate time to tie in with Network Rail's design programme. The land will be set aside and soft landscaped until such time as it is required.

Other transport infrastructure

323 A number of other obligations have been secured to mitigate the transport impacts of the development.

324 A contribution of £110,000 will fund a new cycle hire docking station for the Mayor's cycle hire network, along with a piece of land near the public square to provide a 28 dock station. The section 106 agreement will ensure that the land is safeguarded for this purpose.

325 A contribution of £100,000 would also be payable to the Council towards a road safety improvement scheme at the nearby York Road roundabout, to mitigate the impact of vehicle trips associated with the development.

326 Other obligations include the submission and implementation of an approved travel plan and parking management plan to promote sustainable travel choices and manage the limited amount of car parking provided by the scheme. One car club space is proposed within the Mews Street and this would be secured, along with residents' car club membership for two years, to encourage the use of this service as an alternative to car ownership. A resident parking permit restriction will be secured to ensure that residents of the development do not disenfranchise existing residents by parking in the surrounding roads. Finally, a section 278 agreement will be entered into for altered access to the site and associated works, in consultation with the Council and TfL.

Open space and landscaping

327 Provision of public realm within the scheme as publicly accessible, including maintenance and management arrangements, will be secured. Obligations will secure £60,000 towards maintenance and improvement of Bramford Gardens and £400 for 2 year maintenance of replacement trees off-site, in order to mitigate the impact on open spaces and trees. A scheme for off-site tree planting along Swandon Way will also be secured in consultation with TfL.

Employment and training

328 A local employment agreement will be secured to promote local labour and apprenticeships during construction and operation, in accordance with the Council's Planning Obligations SPD. A commitment to the use of local suppliers for 20% of supplies and services associated with the development has also been secured.

Sustainability

329 As discussed in the energy section of this report, the development will be future proofed to enable future connection to a district heating network and a planning obligation will require the applicant to continue to prioritise connection. A carbon off-set payment will also be payable into the Council's fund. This is estimated to be £311,610, but could change depending on the final energy strategy, to be approved by condition.

Arts and culture

330 In accordance with the Council's Planning Obligations SPD, an arts and cultural contribution of £385,000 has been secured. The Council have advised that this could be used to fund studio space or other cultural infrastructure.

Council's costs

331 The costs to the Council of monitoring and enforcing the section 106 legal agreement will be secured, amounting to up to 2% of total contributions.

Legal considerations

332 Under the arrangements set out in Article 7 of the Order and the powers conferred by Section 2A of the Town and Country Planning Act 1990 the Mayor is the Local Planning Authority (LPA) for the purposes of determining this planning application ref: 2016/7356.

333 Section 35 of the Greater London Authority Act 2007 inserts section 2F into the Town and Country Planning Act 1990 a requirement that for applications the Mayor takes over, the Mayor must give the applicants and the LPA the opportunity to make oral representations at a hearing. He is also required to publish a document setting out:

- who else may make oral representations;
- the procedures to be followed at the hearing; and,
- arrangements for identifying information, which must be agreed by persons making representations.

334 The details of the above are set out in the Mayor's Procedure for Representation Hearings which reflects, as far as is practicable, current best practice for speaking at planning committee amongst borough councils.

335 In carrying out his duties in relation to the determination of this application, the Mayor must have regard to a number of statutory provisions. Listed below are some of the most important provisions for this application.

336 Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that in dealing with such an application the authority shall have regard to:

- a) The provisions of the development plan, so far as material to the application;
- b) Any local finance considerations, so far as material to the application; and
- c) Any other material consideration.

337 Section 70(4) defines “local finance consideration” as:

- a) A grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
- b) Sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.

338 In this context “grants” might include the Government’s “New Homes Bonus” - a grant paid by Central Government to local councils for increasing the number of homes and their use.

339 These issues are material planning considerations when determining planning applications or planning appeals.

340 Furthermore in determining any planning application and connected application, the Mayor is required by section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine the application in accordance with the Development Plan (i.e. the London Plan and the adopted Local Plan) unless material considerations indicate otherwise.

341 Other guidance, which has been formally adopted by Wandsworth Council and the GLA (e.g. Supplementary Planning Documents and Supplementary Planning Guidance), will also be material considerations of some weight (where relevant). Those that are relevant to this application are detailed in this Representation Hearing report.

342 Officers are satisfied that the current report to the Mayor has had regard to the relevant provision of the Development Plan. The proposed section 106 package has been set out and complies with the relevant statutory tests, adequately mitigates the impact of the development and provides necessary infrastructure improvements.

343 As regards Community Infrastructure Levy (CIL) considerations, the Mayoral CIL payment associated with this development is estimated to be up to £1,925,524, whilst the Wandsworth CIL payment is estimated to be £8,585,971. Both figures take into account the expected relief from the affordable housing floorspace.

344 In accordance with his statutory duty in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 the Mayor shall have special regard to the desirability of preserving Listed Buildings, their settings and any features of special architectural or historic interest which they possess. The Mayor is also required to give special attention to the desirability of preserving or enhancing the character or appearance of the conservation areas which may be affected by the proposed development (section 72 of the of the Planning [Listed Buildings and Conservation Areas] Act 1990).

345 Where the Mayor takes over an application, he becomes responsible for the section 106 legal agreement, although he is required to consult the relevant borough(s). In this instance, there have been a series of lawyer led meetings to discuss the section 106 content, and it has progressed on a number of key issues, whilst others remain outstanding at this point in time. Both the Mayor and the borough are given powers to enforce planning obligations.

346 When determining these planning applications, the Mayor is under a duty to take account of the provisions of the Human Rights Act 1998 as they relate to the development proposal and the conflicting interests of the applicants and any third party affected by, or opposing, the application, in reaching his decision. Planning decisions on the use of land can only be taken in line with the Town and Country Planning Acts and decided in accordance with the development plan unless material considerations indicate otherwise.

347 The key Articles to be aware of include the following:

- (a) Article 6 - Right to a fair trial: In the determination of his civil rights and obligations... everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.
- (b) Article 8 - Right to respect for private and family life: Everyone has the right to respect for his private and family life, his home and his correspondence.
- (c) Article 1 of the First Protocol - Protection of property: Every person is entitled to the peaceful enjoyment of his possessions.

348 It should be noted, however, that most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted i.e. necessary to do so to give effect to the Town and Country Planning Acts and in the interests of such matters as public safety, national economic well-being and protection of health, amenity of the community etc. In this case this Representation Hearing report sets out how this application accords with the Development Plan.

349 Regulation 122 of the Community Infrastructure Levy Regulations 2010 states that a section 106 planning obligation may only constitute a reason for granting planning permission for the development if the obligation is necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. These are now statutory tests.

350 The Equality Act 2010 provides that in exercising its functions (which includes the functions exercised by the Mayor as Local Planning Authority), that the Mayor as a public authority shall amongst other duties have due regard to the need to a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act; b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

351 The protected characteristics set out in the Equality Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Equality Act acknowledges that compliance with the duties set out may involve treating some persons more favourably than others, but that this does not permit conduct that would otherwise be prohibited under the Act.

352 Officers are satisfied that the application material and officers' assessment has taken into account the equality and human rights issues referred to above. Particular matters of consideration have included provision of accessible housing and parking bays, the provision of affordable and family housing and the protection of neighbouring residential amenity.

Conclusion

353 As detailed above Section 38(6) of the Planning and Compensation Act 2004 requires matters to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

354 When assessing the planning application the Mayor is required to give full consideration to the provisions of the Development Plan and all other material considerations. He is also required to consider the likely significant environmental effects of the development and be satisfied that the importance of the predicted effects and the scope for reducing them, are perfectly understood.

355 When considering the proposals, GLA officers have had special regard to the desirability of preserving the setting of listed buildings in the vicinity of the proposed development and they have given special attention to the desirability of preserving or enhancing the character or appearance of the conservation areas near to the site.

356 In preparing this report, officers have taken into account the likely environmental impacts and effects of the development and identified appropriate mitigation action to be taken to reduce any adverse effects. In particular, careful consideration has been given to the proposed conditions and planning obligations which would have the effect of mitigating the impact of the development.

357 This report has considered the material planning issues associated with the proposed development in conjunction with all relevant national, regional and local planning policy, and has found that the proposed development is acceptable in terms of land use principles (including mixed use development, employment, town centre uses, residential uses and the HSE consultation zone); housing (including delivery of affordable housing, tenure, mix, density, quality); design (including urban design, public realm, play space, historic environment, views); inclusive design; residential amenity (including daylight and sunlight, overshadowing, privacy/overlooking; noise/disturbance); sustainable development (including climate change mitigation and adaption, microclimate, ecology, trees and urban greening, flood risk and sustainable urban drainage); other environmental issues (including air quality, contaminated land and waste management); transport, including parking provision; socio-economic issues (including arts and culture); and; mitigating the impact of development through planning obligations and conditions.

358 Accordingly, the recommendations set out at the beginning of this report are proposed.

for further information, contact GLA Planning Unit (Development & Projects Team):

Juliemma McLoughlin, Assistant Director – Planning

0207 983 4271 email juliemma.mcloughlin@london.gov.uk

Sarah Considine, Senior Manager – Development & Projects

020 7983 5751 email sarah.considine@london.gov.uk

Shelley Gould, Strategic Planning Manager (Development Decisions)

020 7983 4803 email shelley.gould@london.gov.uk

Nick Ray, Senior Strategic Planner, case officer

020 7983 4178 email nick.ray@london.gov.uk
