CD10.1d – 9, 11 & 19 Osiers Road, Wandsworth (2019) – Application Ref: 2018/3709 and GLA Ref: GLA/4558/03

Proof Reference – Paragraphs 5.2.11 – 5.2.12;

Relevant GLA Officer Report Paragraphs – 271 – 275

The site is located within a **PTAL 2** location but proposes a parking provision of 10 spaces (equivalent to a parking ratio of 0.06 spaces per unit) despite not being located within a Controlled Parking Zone. This application was 'called-in' by the Mayor of London albeit not on transport grounds. However, in making his decision on the application, mitigation measures accepted by the Mayor were akin to those already agreed for this Appeal site i.e. car club, contributions for possible CPZ introduction, yet the PTAL was far lower and there was no presence of a CPZ.

GREATERLONDONAUTHORITY

representation hearing report GLA/4558/03

18 October 2019

9, 11 & 19 Osiers Road, Wandsworth Riverside

in the London Borough of Wandsworth

planning application no. 2018/3709

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 2017.

The proposal

Demolition of existing buildings, and erection of a mixed use development comprising buildings ranging in height between 10 and 14 storeys, with a two-storey linked element, to provide 3,653 sq.m. (GIA) of business (class B1) floorspace and 152 sq.m. of flexible commercial floorspace for either A1 (retail), A2 (financial and professional services), A3 (restaurant), B1 (business), D1 (non-residential institutions) or D2 (assembly and leisure) use, and 168 residential units (100% of which would be affordable housing) with associated amenity space, including roof terrace and balconies, together with 10 disabled persons car parking spaces at basement level, and 384 cycle parking spaces, with the provision of landscaping and areas of public realm, and other associated works including highway improvements and provision of a new sub-station.

The applicant

The applicant is **Hollybrook Limited** and the architect is **Rolfe Judd**.

Recommendation

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

i. grants conditional planning permission in respect of application 2018/3709 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 Chief Planner 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. The heads of terms are set out in paragraph 289 to 304 of this report;

iii. delegates authority to the Chief Planner 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 Chief Planner and Executive Director of Development, Enterprise and Environment to refuse planning permission, if by 18 December 2019, the section 106 legal agreement has not been completed. The refusal reason shall relate to the failure of the applicant to provide the range of infrastructure and environmental improvements necessary to make the proposal acceptable in planning terms;

v. notes that approval of details pursuant to planning conditions imposed on the planning permission will be submitted to, and determined by, Wandsworth Council. The planning conditions are set out in paragraph 4 of this report;

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	
P6513/LP1 Site Location Plan	
T10P00 Existing site plan	
Proposed drawings[1]	
Floor plans	
T20P00 Level 00 ground floor (rev P7)	T20P07 Level 07 seventh floor (rev P5)
T20P01 Level 01 first floor (rev P4)	T20P08 Level 08 eighth floor (rev P6)
T20P-1 Basement (rev P2)	T20P09 Level 09 ninth floor (rev P6)
T20P02 Level 02 second floor (rev P4)	T20P10 Level 10 tenth floor (rev P5)
T20P03 Level 03 third floor (rev P3)	T20P11 Level 11 eleventh floor (rev P4)
T20P04 Level 04 fourth floor (rev P3)	T20P12 Level 12 twelfth floor (rev P4)
T20P05 Level 05 fifth floor (rev P4)	T20P13 Level 13 thirteenth floor (rev P5)
T20P06 Level 06 sixth floor (rev P5)	T20P14 Level 14 roof floor plan (rev P4)
Elevations and sections	
T20E01 East elevation (rev P5)	T20E07 Communal roof terrace facing east (rev P3)
T20E02 South elevation (rev P5)	T20E08 Communal roof terrace facing east (rev P3)
T20E03 North elevation (rev P4)	T20S01 Site section 1-1 (rev P5)
T20E04 West elevation (rev P5)	T20S02 Site section 2-2 (rev P5)
T20E05 Public realm elevation facing south (rev P5)	T20S03 Site section 3-3 (rev P3)
T20E06 Public realm elevation facing north (rev P3)	T20S04 Site section 4-4 (rev P5)
Landscape drawings	
D2611 L-100-E Landscape drawing	D2611 L-201-C Landscape drawing
D2611 L-200-C Landscape drawing	
Supporting documents	
Original application (June 2018)	
Planning application form	Flood Risk Assessment

[1] All drawings updated following revisions in January 2019, with latest revision number in brackets after each drawing description.

Accommodation Schedule	Geo-environmental and Geo-technical Report
Acoustic Assessment	Historic Environment Assessment
Affordable Housing Viability Assessment	Landscaping Strategy
Air Quality Assessment	Phase 1 desk study report
Bat Survey	Planning Statement
BREEAM Pre-Assessment	Preliminary Ecological Appraisal
CIL form	Outline Remediation Strategy
Construction Management Plan	Stage 1 Road Safety Audit
Controlled Waters Quantitative Risk Assessment	Statement of community involvement
Cultural Approach Strategy	Statement of employment floorspace
Daylight and Sunlight Assessment	Thermal Comfort Report
Delivery and Service Management Plan	Transport Assessment
Design and Access Statement	Travel Plan
Dust and Air Pollution Management Plan	Wind Microclimate Assessment
Energy Statement	Written Scheme of Investigation for a Geoarchaeological Evaluation
Additional and revised documents received by Council committee (April 2019)	
Affordable housing revised offer letter (April 2019)	Energy Statement Addendum (October 2018)
Design and Access Statement Addendum (January 2019)	January submission cover letter (January 2019)
Additional and revised documents for representation hearing (October 2019)	
Affordable Housing Stacker Plan (September 2019)	GLA Energy Comments – Updated Design Response 1 (September 2019)
Accommodation Schedule Updated (August 2019)	GLA Energy Comments – Updated Design Response 2 (September 2019)
BREEAM letter (August 2019)	GLA Energy Comments – Response Appendices
BREEAM pre-assessment (September 2019)	GLA play space cover letter (July 2019)
Density management and service charges letter (September 2019)	Revised CIL questionnaire (October 2019)
GLA Energy Comments – Design Response (August 2019)	Updated water response (September 2019)

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.

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 25 April 2019, the minutes of that committee setting out one reason for refusal and all consultation responses and representations made on the case.

Officer recommendation – reasons for approval

3 The paragraphs below provide a summary of the key reasons why GLA officers consider this application to be acceptable in planning terms:

I. The proposal represents a high-quality redevelopment scheme which would make a significant contribution towards the continual regeneration of the Wandle Delta. The principle of a residential led, mixed use development is strongly supported by both strategic and local planning policy in the development plan and the site is allocated for residential development within the adopted local plan. 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 with 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 accessible location within walking distance of 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, 4.3, 4.7, 4.8, 4.10, 4.12, 6.1 and 7.1; GG5, H1, S1, E1, E2, E4, E7, E8, T1 and T2; Wandsworth Core Strategy Policies , PL9, PL12 and IS1; Wandsworth Development Management PolicyDMTS2; Wandsworth Employment and Industry Document Policies EI1, EI2 and EI3 and Wandsworth's Site Specific Allocations Document (2016). It is also consistent with draft London Plan Policies GG2, GG4.

II. The scheme would provide 168 residential units, all of which would be affordable (100%) and of an acceptable tenure mix. 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 affordable housing delivery targets for the borough. The proposal would incorporate time limited GLA grant funding, ensuring the quick delivery of the affordable housing, with delivery further secured through an early stage review mechanism. The proposed offer of affordable housing exceeds the requirements of the Mayor's Affordable Housing & Viability SPG and represents a substantial benefit which should be weighed in the balance of considerations. 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). It also accords with draft London Plan Policies GG4, D4, D6, H1, H5, H6, H7 and H12.

III. The application consists of tall buildings, defined as over 9 storeys high within Wandsworth Development Management Policy DMS4 and in site allocation 3.3.3 of the Council's Site Specific Allocations Document. GLA officers consider that the proposal complies with the design criteria relevant to proposals for tall buildings and optimises the development of an under-utilised, brownfield site. The proposed development would represent a significant improvement on the existing townscape and would terminate the view along Enterprise Way in immediate views, aiding local wayfinding. The form of the buildings would respond positively to the emerging townscape and landscape features and would not result in significant adverse microclimate conditions that cannot be mitigated. The massing strategy responds to the site characteristics and the existing and emerging context. The height of Block A1 has been reduced during the course of the application process and would be consistent in height with 27 Enterprise Way opposite on the eastern side of Osiers Road. The height of Building B1 is the same height at 10 storeys as the height of the development to the south of Osiers Road. Building B2, the tallest building would be 14 storeys, the same height as the tower under construction at the Linton Fuels site around 50 metres to the south east. The proposal represents high quality architecture and allows for the optimisation of the site for residential and commercial development. The proposal also results in no harm to the significance of any nearby heritage assets and conservation areas. On this basis, the application accords with London Plan Policies 3.5, 3.6, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8; the Housing SPG (2016)Wandsworth Core Strategy Policies PL1, PL3, PL4, PL5, PL9, PL12, IS1 and IS5; Wandsworth Development Management Policies DMS2, DMH4, DMTS12, DMO3, DMO8, DMT1 and DMT2; Wandsworth Employment and Industry Document Policy EI2; and Wandsworth Housing SPD (2016). It also accords with Policies D1, D2, D3, D4, D5, D6, D7, D8, D11 and HC1 of the draft London Plan.

IV. The design and layout principles are well-considered and the scheme achieves high quality placemaking, with well-defined new public routes, increased permeability and a large public space at the centre of the development, enhanced by high quality landscaping. 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. 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 Policies DMS1, DMS2, DMS4 and DMO3; Wandsworth Employment and Industry Document Policy EI5; and Wandsworth's Site Specific Allocations Document (2016) and Historic Environment SPD (2016). It also accords with draft London Plan Policies D1, D2, D3 and D7.

V. 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 the Accessible London SPG; and Wandsworth Development Management Policies DMS1 and DMH6. It is also consistent with draft London Plan Policies GG1, D3, D5, T6.1, T6.5.

VI. The proposed development would meet the BREEAM "excellent" standard for the non-residential element, ensuring a high standard of sustainable design and construction for this part of the proposal. It is recognised that the development has not adequately considered an alternative for the proposed gas-fired combined heat and power (CHP) plant and, as such, the proposal does not meet the energy hierarchy by minimising carbon dioxide emissions and supplying energy efficiently. However, officers consider that the benefits of the proposed 100% affordable housing offer and the significant contribution towards meeting Wandsworth's affordable housing target carries significant weight and outweighs the failure to fully comply with the energy hierarchy. Furthermore, the development has provided photovoltaic panels in accordance with the energy hierarchy and 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 broadly complies with the policies contained within 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).

VII. The development proposals would have an acceptable impact on neighbourhood amenity taking account of its context. Whilst some neighbouring properties experience a severe reduction in light as a result of the development, owing to the current arrangement these buildings currently benefit from more light than would be expected in a high density urban environment and are designed with either recessed balconies or with external framework that currently hinder the ability to see visible sky from the windows/rooms. Any reduction in the height and massing of the proposal to address the neighbouring daylight/sunlight impacts would need to be significant, as minor amendments would not make any material difference to the daylight and sunlight implications of developing the site. As such significantly reducing the height and massing would be a disproportionate response to the daylight/sunlight impacts and would fail to optimise the development potential of the site. Whilst the proposal would have an impact on the daylight/sunlight received by neighbouring properties, this is considered acceptable, on balance, given that the adjacent neighbours currently borrow amenity from the application site the and noting the recent changes to the NPPF which provides greater flexibility when considering day/sunlight standards. In addition, this is an urban location and the redevelopment of the site to potentially include tall buildings of 9 storeys or more has been a long-standing objective of the Local Plan. The proposed neighbouring amenity impacts are therefore acceptable and comply with the NPPF; London Plan Policies 7.6, 7.7, 7.14 and 7.15and Wandsworth Development Management Policies DMS1 and DMS4; and the Mayor's Housing SPG (2016). It is also acceptable having regard to draft London Plan Policies D1B, D4, D8, D12 and D13.

VIII. The proposal for a mixed use development in an accessible location would represent a pattern of development that would reduce the need to travel, particularly by car, and this is reflected in the car free nature of the scheme, except for disabled parking, which is supported by strategic and local planning policy. The proposed car free development is supported 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 membership. The proposal strikes an appropriate balance between promoting new development and encouraging cycling, walking and public transport use, providing a large area of public realm that will improve the permeability of the site for pedestrians, and also 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 DMT1 and DMT2. It also complies with draft London Plan Policies T1, T2, T3, T4, T5, T6, T6.1, T6.2, T6.5 and T9.

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, infrastructure and cultural impacts are mitigated, in line with adopted policy and Wandsworth's Planning Obligations SPD (2015). Accordingly, there are no grounds to withhold planning consent on the basis of the policies considered and any other relevant material planning considerations.

X. Accordingly, the proposals are considered to be in overall conformity with the development plan when considered as a whole. As such, it is the views of officers that the proposal should

be granted planning permission and there are no other relevant material considerations to justify a different conclusion.

Section 106 Legal agreement

- Affordable housing: 168 units (100% of units and habitable rooms) to be affordable, 45% of which to be London Affordable Rent and 55% to be London Shared Ownership. Details of affordability (as below), service charges and nominations will be secured.

    - London Affordable Rent levels: 100% of units at London Affordable Rents as updated annually by the GLA (2019/20 rents: £155.13pw for 1 bed, £ 164.24pw for 2 bed, £ 173.37pw for 3 bed, £ 182.49 for 4 bed).
    - London Shared Ownership affordability: average annual housing costs not to exceed 40% of net income for households at the following income levels: 1 bed £55,000, 2 bed £71,000, 3 bed £85,000.
    - An early stage review mechanism.

- 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) and residents' free car club membership for two years, two years' free cycle hire membership, resident parking permit restriction, funding of £23,000 for Legible London signage, s.278 agreement to be entered into for altered access to the site and associated works;
- Open space and landscaping: Submission of a management and maintenance strategy for areas of public realm;
- Local employment: Contribution of £83,561 in accordance with the Council's Planning Obligations SPD;
- Energy strategy: Carbon off-setting payment of £241,200 and future connection to a district hearting network;
- Arts and cultural: Implementation of the submitted Arts and Cultural Strategy to be secured; and
- Monitoring contribution.

Planning conditions [2]

4 The conditions considered relevant and necessary to this application proposal are listed below:

- 1. Time limit
- 2. In accordance with approved reports, specifications and drawings
- 3. Details of site levels
- 4. Construction, Environmental Management and Logistics Plan
- 5. Demolition and Construction Waste Management Plan
- 6. Piling Method Statement
- 7. Restriction of the use of the commercial floorspace for B1 office space, except for 152 sq.m. designated for flexible commercial use
- 8. Restriction on primary cooking within the 152 sq.m. flexible commercial use and any ancillary use associated with the B1 office space
- 9. Detailed drawings, external materials and balcony screens

[2] 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

- 10. Detailed drawings and external materials for the proposed commercial uses
- 11. Details of landscaping scheme, including children's play space
- 12. Communal roof top gardens and green/brown roofs
- 13. Unless identified on the approved documents, no use of roof area as a balcony, roof terrace or similar amenity area
- 14. Biodiversity enhancements
- 15. Non-native invasive species
- 16. Restriction on telecommunications equipment
- 17. Details of external lighting within the public realm and on the external facade of the building
- 18. Fire safety
- 19. Accessible and adaptable dwellings
- 20. Archaeology
- 21. Details of sound proofing
- 22. Details of ventilation equipment and external plant
- 23. Limited hours of outside seating
- 24. In accordance with Energy Strategy
- 25. Minimising overheating risk
- 26. BREEAM
- 27. Sustainable Urban Drainage Systems
- 28. In accordance with flood risk assessment
- 29. Water use
- 30. Ground investigation
- 31. Unexpected contamination
- 32. Details of refuse
- 33. In accordance with Air Quality Assessment
- 34. Managing emissions from Combined Heat and Power plant
- 35. Non-road mobile machinery air quality
- 36. Cycle parking details
- 37. Disabled parking to be provided and retained
- 38. Delivery and servicing plan

Publication protocol

5 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/9-11-and-19-osiers-road-public-hearing.

Site description

6 The application site is located within the London Borough of Wandsworth. It comprises 0.41ha, bounded by Osiers Road to the south and east, and partly to the north by Osiers Road 21-23 Osiers Road, with the recently completed mixed-use development at 1-5 Osiers Road to the west, in the London Borough of Wandsworth (1-5 Osiers Road and 21-23 Osiers Road collectively constitute the "Radius" development). The site is an inverted 'L' shape, approximately 75 metres

long east to west and between approximately 40 and 80 metres wide north to south, although it tapers slightly at its western end. The site is occupied by a single storey warehouse and commercial buildings that were previously used for the manufacturing of fabric and wallpaper and a fluid distribution specialist (use classes B1, B2 and B8). The existing buildings comprise approximately 3,740 sq.m. of employment floorspace.

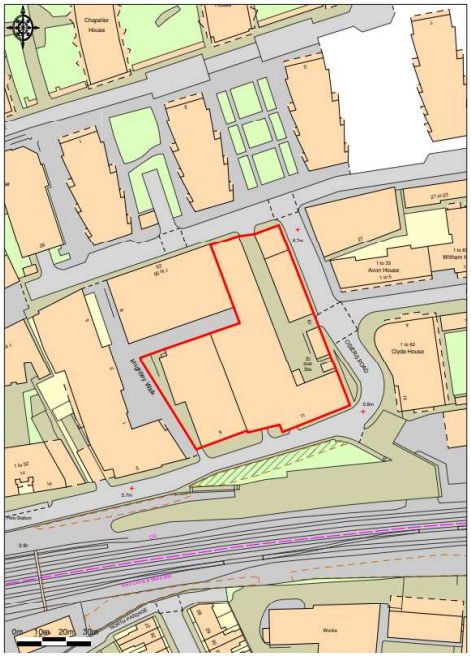


Figure 1: Site location plan (P6513/LP1)

7 The surrounding area predominantly comprises mixed-use residential and commercial development. The sites at Enterprise Way Industrial Estate, the Wandsworth Riverside Quarter and 3-4 Osiers Road, adjacent to the site, have recently been redeveloped to provide residential, mixed-use development ranging in heights up to 15 and 21 storeys. The site adjacent to the railway line, which runs approximately 40 metres to the south of the site, on the opposite side of Osiers Road is currently being developed with a mixed commercial/residential scheme of up to ten storeys. The former Linton Fuels site to the south-east of the subject site (on the opposite side of Osiers Road) has consent for a mixed-use development ranging in height between 10 and 14 storeys. The location of surrounding development is detailed in Figure 2 overleaf.

8 The River Thames is approximately 250 metres to the north and there are a number of recently constructed residential developments fronting the River. The Western Riverside Waste Authority Recycling Facility and the Smugglers Way Waste Transfer Station (designated as a safeguarded wharf) is located to the north-east of the site, across the River Wandle. The site is within the Thames Policy Area and Flood Zone 3a. On the southern side of the railway is a low rise industrial estate, designated as the Central Wandsworth Locally Significant Industrial Area. To the south of this is Wandsworth Major Town Centre.

9 The closest conservation area is Wandsworth Town Conservation Area, some 150 metres to the west and 350 metres to the south. Prospect House, a Grade II listed building, is close by in Point Pleasant and Wandsworth Park, listed on the register of Historic Parks and Gardens, lies further to the west.

10 Wandsworth Town railway station is located approximately 840 metres east of the site and there are also three bus routes (270, 220 and 485) within an acceptable walking distance of the site, with the closest stop located on Putney Road. The majority of the site has a public transport accessibility level (PTAL) of 2 on a scale of 1 to 6 where 6b is most accessible.

Key

Completed developments
A – 1-5 Osiers Road (Radius development)
B – 21-23 Osiers Road (Radius development)
C – 1 Eastfields Avenue
D – 3 Eastfields Avenue
E – 5 Eastfields Avenue
F – 1-33 Avon House
G – Witham House
H – 27 Enterprise Way
I – 1-62 Clyde House

Developments under construction
J – Osiers Point

Developments with planning consent
K – Linton Fuels site



Figure 2 – Site plan showing surrounding development with building heights

Site specific designations

11 The site is located within the Wandsworth Riverside / Wandsworth Delta Focal Point as defiend by Wandsworth Development Management Plan Document Policy DMO8 and the Councils' Employment and Industry Document. The site is also identified within the Wandsworth Site Specific Allocations Document 2016 (Site 3.3.3 - 9, 11 and 19 Osiers Road) which allocates the site for mixed-use development including replacement employment floorspace, residential and improved links with the Town Centre. The site allocation forms part of the wider Area Spatial Strategy for the land north of the railway in the Wandle Delta, as shown in Figure 3 below. The site allocation also notes that the site is partly located within an area of Open Space Deficiency and that the Community Infrastructure Levy will be used to contribute to strategic infrastructure for this site.

12 The site does not lie within any strategic views as identified within the Mayor's London View Management Framework SPG. The site is within an archaeological priority area.

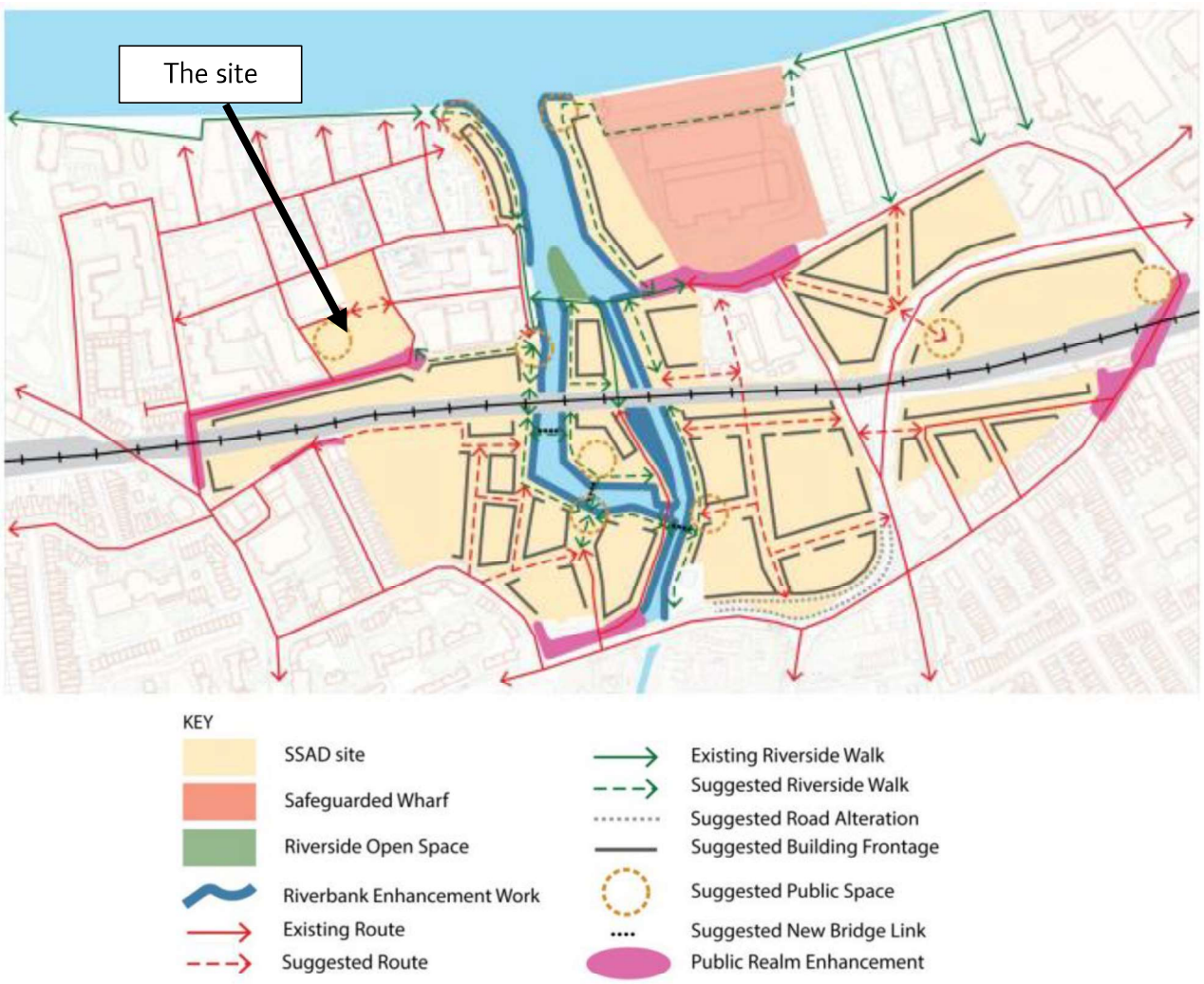


Figure 3: Area Spatial Strategy – Wandle Delta (December 2018, Wandsworth Employment and Industry Document Document, London Borough of Wandsworth)

Details of the proposal

13 The application as originally submitted to the Council in July 2018 sought full planning permission for the demolition of all buildings on the application site and the construction of three buildings of 11 to 14 storeys comprising 175 residential units, 34.6% affordable by habitable room, and 3,805 sq.m. of employment floorspace, including managed B1 office workspace and flexible retail/commercial/community/leisure floorspace with associated works.

14 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 reduced from 175 to 168 as a result in the reduction of the height of Building A1 from 11 to 10 storeys. The proposal was also amended to add two storeys onto the lower west facing wing of Block B2 increasing this from 8 storeys to 10 storeys high and to reduce the height of the northern part of Block B1 from 9 storeys to part-3 and part-5 storeys in height. The number of affordable intermediate units was increased by seven to 33, increasing the affordable housing offer by habitable room unit mix to 39%.

15 Following the Mayor's decision to take-over and act as local planning authority for the determination of this application, the applicant has made the following amendments to the scheme.

- An increased provision of 100% affordable housing, comprising 93 intermediate London Shared Ownership units (55%) and 75 London Affordable Rent units (45%).

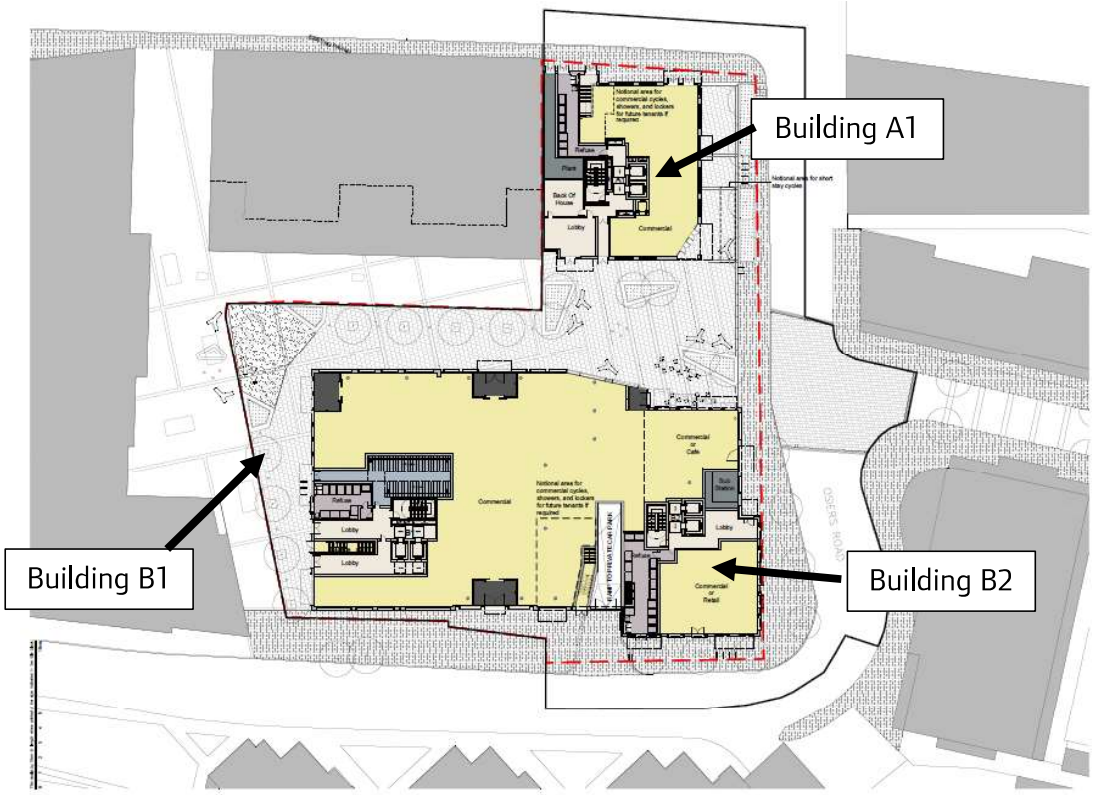


Figure 4: proposed site block plan (T20P00)

16 As shown in Figure 4, above, the development would comprise one stand-alone building (Building A1) and two connected buildings (Buildings B1 and B2). A shared basement running north to south connects Building A1 and Building B2 but not Building B1. Building A1 is located at the northern end of the site and would be 10 storeys in height. Refuse storage and plant areas would be located at ground floor level, as well as lift and stair access to the shared basement where cycle and disabled parking is located. Building A1 would be separated from Buildings B1 and B2 by a new public square bisecting the centre of the site and running east to west to align with Enterprise Way located to the east. Building B1 would be 11 storeys high, dropping to 2 storeys where Buildings B1 and B2 connect, with a roof terrace above, and rising to 14 storeys within Building B2. The elevations of the proposed buildings are shown in Figures 5 and 6 below.



Figure 5: south elevation of Building B1 and B2 (T20E02)



Figure 6: east elevation of Building B2 and A1 (T20E01)

17 Each building would contain office space at ground and first floor, with residential units above. The distribution of the 168 units within the blocks is shown in Table 1 below. The commercial space would be separated at ground floor for cafe and retail space, presenting active frontages onto the public space and onto Osiers Road. Space has been allocated within the offices in Blocks A1 and B2 for cycles, showers and lockers for future tenants. Building B1 does not have access to the shared basement, so residential cycle storage is provided at ground floor. Building B2 has a substation and refuse at ground floor, with access to the shared basement. The basement contains 10 disabled car parking spaces, cycle parking for Buildings A1 and B2, plant for the commercial and residential elements and the energy centre, as well as a vehicle access ramp to the south within Building B2, and lifts and stairs to each building.

	1 bed	**2 bed**	**3 bed**	**4 bed**	**Total**
Block A1 units	7	27	5	0	39
Block B1 units	12	24	8	1	45
Block B2 units	18	60	6	0	84
Total	37	111	19	1	168

Table 1: distribution of housing across each building (August 2019, Osiers Road Accommodation Schedule Updated, Rolfe Judd)

18 The proposal includes a new public space bisecting the site east to west, connecting Osiers Road and Knightley Walk and aligning with Enterprise Way located to the east. The proposed public space includes new tree planting and plant boxes, seating and formal and incidental play space. The public space is intended to join up with and share a similar material palette to that within the adjacent new public realm along Knightley Walk.

19 The scheme proposes 10 car parking spaces for Blue Badge users. Vehicle access to the car parking and servicing area would be from Osiers Road to the south via a ramp crossing a shared surface on the pavement, with access from Old York Road over the public realm through a shared surface. A total of 328 residential and 48 commercial cycle parking spaces are proposed, as well as 8 visitor cycle stands in the public realm.

Relevant planning history

20 The site has a limited planning history including a determination that prior approval is not required for the demolition of former industrial buildings (2016/6873) in December 2016 and an Environmental Impact Assessment (EIA) Scoping Opinion request, where an EIA was determined not to be required (2018/2890) in July 2018. There is no other relevant planning history associated with this site.

Background to current application

21 Stage 1: On 9 August 2018, Wandsworth Council notified the Mayor of London that a planning application of potential strategic importance had been submitted, referring it under Categories 1A 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."*

- *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."*

22 On 1 October 2018 the Mayor considered a GLA planning Stage 1 report with a reference GLA/4558/01. This report advised Wandsworth Council that the principle of a redevelopment of the site for residential and commercial accommodation was supported. The quantum of affordable housing (which was then proposed to be 35% of the scheme) needed to be verified as the maximum reasonable amount through viability work as it did not meet the 50% affordable housing threshold for development on industrial land set out in draft London Plan Policy H6. The high-quality design was supported in line with strategic policy. Although an increase in cycle parking was required, the development was largely in accordance with London Plan and draft London Plan transport policies, subject to conditions and S106 obligations.

23 On 25 April 2019, Wandsworth Council's Planning Applications Committee resolved to refuse planning permission for the application, contrary to officers' recommendation, and on 27 May 2018 the Council advised the Mayor its decision. The minutes of the committee meeting propose the following reasons for refusal:

> "The proposed development by reason of its scale, siting, mass, and layout would be an inappropriate and unneighbourly development, resulting in an unduly dominant proposal which would be out of keeping with the surroundings and detrimental to the streetscape, resulting in undue harm to the amenity of neighbouring properties, including a sense of enclosure and a loss of light and outlook. The proposal is therefore contrary to Core Strategy IS3 and Policy DMS1 and DMS4 of the DMPD adopted March 2016."

24 Stage 2: On 10 June 2019, Jules Pipe, Deputy Mayor for Planning, Regeneration and Skills, acting under delegated authority from the Mayor, considered a GLA planning Stage 2 report reference GLA/4558/02. The report concluded that having regard to the details of the application, the development was of such a nature 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, including the energy strategy, sustainable drainage and transport matters. The Deputy Mayor for Planning, Regeneration and Skills agreed this recommendation and on 10 June 2019 issued a direction that the Mayor would act as local planning authority for the purpose of determining the application.

25 Since the Mayor issued this direction, GLA officers have worked with the applicant to resolve the outstanding issues on this case and improve the affordable housing offer. An increase in affordable housing to 100% by habitable room has now been secured.

26 Site visit: The Mayor will undertake an accompanied site visit with GLA and TfL officers, representatives from the Council, and the applicant's team. Third party supporters and objectors of the application will not attend. The site visit will comprise a circuit of the development site, including external examination of the buildings affected by potential changes to daylight and sunlight.

Relevant legislation, policies and guidance

27 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 which confirms that applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for the area comprises the 2016 London Plan (consolidated with alterations since 2011), Wandsworth Council's Core Strategy (March 2016), Development Management Policies Document (March 2016), Site Specific Allocations Document (March 2016) and Employment & Industry Document (December 2018).

28 On 1 December 2017, the Mayor published his draft London Plan for public consultation. Consultation on the plan closed on 2 March 2018. On 13 August 2018, the Mayor published a version of the draft Plan that includes his minor suggested changes. The draft London Plan was subject to an Examination in Public (EiP), which was undertaken between 15 January and 22 May 2019; however, the Inspector's report has not been published. On 16 July 2019, the Mayor published the Draft London Plan – Consolidated Suggested Changes Version, which incorporates the suggested changes put forward by the Mayor before, during and after the EiP sessions. Paragraph 48 of the NPPF advises that the weight attached to the draft London Plan should reflect the stage of its preparation; the extent to which there are unresolved objections to relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the NPPF. It is important to recognise that the draft London Plan is not part of the development plan and pending receipt of the EiP report it remains the subject of as yet unresolved objection. The policies of the draft London Plan are referred to as material considerations but these should be regarded as of less weight than the development plan policies in the determination of the application.

29 The Mayor is also required to have regard to national planning policy in the form of the NPPF (and, where material, guidance reflected in the NPPG). Supplementary planning documents are referred to below where material. These are material considerations but not part of the development plan.

National planning policy and guidance

30 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:

- 2. Achieving sustainable development
- 4. Decision-making
- 5. Delivering a sufficient supply of homes

- 6. Building a strong, competitive economy
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment

31 A key component of the NPPF is the presumption in favour of sustainable development. In terms of decision making, this means approving applications that accord with the development plan without delay; or, where there are no relevant development plan policies, or where such policies are out-of-date, granting permission unless either: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole; or where NPPF policies that protect areas or assets of particular importance provide a clear reason for refusing a proposed development.

32 The National Planning Practice Guidance (NPPG) is also a material consideration.

Regional planning policy and guidance

33 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 2.18 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 3.8 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 4.6 Support for and enhancement of arts, culture, sport and entertainment;
- Policy 4.7 Retail and town centre development;
- Policy 4.8 Supporting a successful and diverse retail sector;
- 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.

34 As set out above, policies in the draft London Plan - Consolidated Suggested Changes Version (July 2019) are material considerations in in the determination of the application. As set out above in paragraph 28 the weight attached to these will vary in accordance with the criteria set out in paragraph 48 of the NPPF. Given that the EiP report has not been received, the draft London

Plan should be accorded less weight than the development plan policies. The following policies in the draft London Plan are considered to be relevant:

- Policy GG1 Building strong and inclusive communities;
- Policy GG2 Making best use of land;
- Policy GG3 Creating a healthy city;
- Policy GG4 Delivering the homes Londoners need;
- Policy GG5 Growing a good economy;
- Policy GG6 Increasing efficiency and resilience;
- Policy SD10 Strategic and local regeneration;
- Policy D1A London's form and characteristics;
- Policy D1B Optimising site capacity through the design-led approach;
- Policy D2 Delivering good design;
- Policy D3 Inclusive design;
- Policy D4 Housing quality and standards;
- Policy D5 Accessible housing;
- Policy D7 Public realm;
- Policy D8 Tall Buildings;
- Policy D10 Safety, security and resilience to emergency;
- Policy D11 Fire Safety;
- Policy D13 Noise;
- Policy H1 Increasing housing supply;
- Policy H5 Delivering affordable housing;
- Policy H6 Threshold approach to applications;
- Policy H7 Affordable housing tenure;
- Policy H12 Housing size mix;
- Policy S1 Developing London's social infrastructure;
- Policy S3 Education and childcare facilities;
- Policy S4 Play and informal recreation;
- Policy E1 Offices;
- Policy E2 Low-cost business space;
- Policy E4 Land for industry, logistics and services to support London's economic function;
- Policy E7 Industrial intensification, co-location and substitution;
- Policy E8 Sector growth opportunities and clusters;
- Policy E9 Retail, markets and hot food takeaways;
- Policy E11 Skills and opportunities for all;
- Policy HC1 Heritage conservation and growth;
- Policy HC3 Strategic and local views;
- Policy HC5 Supporting London's culture and creative industries;
- Policy G5 Urban greening;
- Policy G6 Biodiversity and access to nature;
- Policy G7 Trees and woodland;
- Policy SI1 Improving air quality;
- Policy SI2 Minimising greenhouse gas emissions;
- Policy SI3 Energy infrastructure;
- Policy SI4 Managing heat risk;
- Policy SI5 Water infrastructure;
- Policy SI7 Reducing waste and promoting a circular economy;

- Policy SI12 Flood Risk Management;
- Policy SI13 Sustainable drainage;
- Policy SI14 Waterways – strategic role;
- Policy T1 Strategic approach to transport;
- Policy T2 Healthy streets;
- Policy T3 Transport capacity, connectivity and safeguarding;
- Policy T4 Assessing and mitigating transport impacts;
- Policy T5 Cycling;
- Policy T6 Car parking;
- Policy T6.1 Residential parking;
- Policy T6.2 Office parking;
- Policy T6.3 Retail parking;
- Policy T6.5 Non-residential disabled persons parking;
- Policy T7 Freight and servicing;
- Policy T9 Funding transport through planning; and
- Policy DF1 Delivery of the plan and planning obligations.

35 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);
- 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);
- Mayor's Transport Strategy (March 2018);
- Mayor's Environment Strategy (May 2018); and
- Mayor's Housing Strategy (May 2018).

Local planning policy and guidance

36 Wandsworth Council's Core Strategy (March 2016), Development Management Policies Document (March 2016), Site Specific Allocations Document (March 2016) and Employment & Industry Document (December 2018) 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 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; 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 DMTS2 Out of centre development;
- Policy DMTS12 Arts, culture and entertainment;
- Policy DMO3 Open spaces in new development;
- Policy DMO4 Nature conservation;
- Policy DMO5 Trees;
- Policy DMO8 Focal points of activity;
- Policy DMT1 Transport impacts of development; and
- Policy DMT2 Parking and servicing.

Wandsworth Employment and Industry Document

- Policy EI1 Encouraging sustainable economic growth
- Policy EI2 Locations for new employment floorspace
- Policy EI3 Protected employment land and premises
- Policy EI4 Affordable, flexible and managed workplaces
- Policy EI5 Requirements for new employment development
- Policy EI6 Managing land for industry and distribution
- Policy EI7 Redundancy of employment premises
- Policy EI8 Waste
- Policy EI9 Protected wharves

37 The Wandsworth Employment and Industry Document and the Council's Site Specific Allocations Document designates the site at 9, 11 and 19 Osiers Road as suitable for a mixed-use development including replacement employment floorspace, residential and improved links with the town centre, subject to the outcome of a flood risk assessment. The allocation sets out design

objectives for the provision of new connections providing public access through the site including a north-south link and an east-west link through the middle of the site, defined by active frontages. The allocation indicates that tall buildings require sensitive design. On this site tall buildings are those above 9 storeys.

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

38 These are material considerations but not part of the development plan. 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);
- 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.

Wandsworth Community Infrastructure Levy

39 London borough councils are able to introduce Community Infrastructure Levy (CIL) charges which are payable in addition to the Mayor's CIL (MCIL). 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. Following the adoption of a new charging schedule, MCIL 2 rates now apply to planning permissions granted from 1 April 2019. Accordingly, a MCIL rate of £80 per sq.m. would apply to the residential and commercial floorspace proposed.

40 However, CIL liability would be subject to relief for affordable housing. As the proposal is 100% affordable housing the residential element would not generate a CIL charge.

Response to consultation

41 As part of the planning process Wandsworth Council has carried out statutory notification on the application. The application was publicised by sending notifications to approximately 1,300 addresses in the vicinity of the site, as well as posting site notices close to the site and press notices. At the first re-notification following submission of revisions in September 2018 the Council sent a further 218 letters and at the second re-notification following submission of further revisions in January 2019 an additional 298 letters were sent. Consultations of all relevant statutory bodies also took place. 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. All comments received have been considered in forming the officers' recommendation set out 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.

Consultee responses to Wandsworth Council

42 Greater London Authority (including Transport for London): The Mayor's consultation stage comments (GLA report ref: GLA/4558/01) and the Mayor's stage 2 decision (GLA report ref: GLA/4558/02) are set out in those reports and summarised in the 'Relevant case history' section above.

43 Environment Agency: No objection subject to the imposition of conditions relating to risk assessment and site investigation; submission of verification report; action if unexpected contamination is found; and no use of penetrative methods without express consent. The previous use of the proposed development site presents a risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located upon a Secondary Aquifer. Without these conditions the EA would object to the proposal in line with the NPPF because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

44 Wandsworth Council Environmental Services:

- Noise: No objections subject to addition of suitable conditions to ensure suitable soundproofing is installed between second floor residential units and the commercial floorspace below. Conditions should also be added to any consent restricting the hours of operation of any outside seating associated with any A3 use, and to require details of any ventilation equipment or plant to be submitted for approval to ensure it has satisfactory noise attenuation to avoid disturbance to residential occupiers.
- Contamination: No objections subject to the addition of suitable conditions relating to ground investigation and any Japanese Knotweed that may be on the site.
- Air Quality: Satisfied with the updated Air Quality Assessment. The mitigation measures proposed should be integrated within the design of the building and required through a condition. The "Method Statement for the reduction of emissions from construction vehicles" is satisfactory and should be secured by condition. The "Construction Environmental Management Plan (CEMP)" is not complete and should also be subject to approval by condition prior to commencement of development.

45 Lead Local Flood Authority: The submitted FRA and drainage strategy appear acceptable, however, the plans do not show any drainage design yet, also two options are indicated as means to protect the ground floor from flooding. Accordingly it is recommend if consent is granted conditions are added to the permission requiring: 1) the provision of full drainage and SuDs plans; 2) provision of details of flood mitigation measures to ground floor and to basement car park.

46 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, walking and cycling, trip generation and modal split, buses, cycle parking and cycle hire, pedestrian and cycle access, Crossrail, travel plan, servicing and construction. Specific issues relating to cycle 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.

47 Historic England (Greater London Archaeological Advisory Service): The assessment has identified potential for prehistoric archaeology but given the depth of modern made ground, it is recommended that appropriate mitigation can be achieved through a suitable programme of strip-map-record site work in respect of the anticipated basement excavation. If permission is granted the archaeological interest should be conserved by attaching a condition requiring that no ground disturbance greater than a depth of 2m from existing land surface shall take place until a stage 1

written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing, and the programme and methodology of site mitigation and the nomination of a competent person(s) or organisation to undertake the agreed works. It is concluded that the above condition wording permits development activity to commence and therefore cannot be deemed to be pre-commencement. Approval of the WSI before works below the specified depth from existing provides clarity on what is required, and their timing in relation to the development programme.

48 Council ecology consultants (Enable): Having assessed the biodiversity baseline for this application there are no objections subject to the addition of appropriate conditions. The design narrative begins well with the link to Osiers which is nice as it reflects the marshland that would have existed here, close to the River Thames and River Wandle. However, it does not follow through in the landscape planting or green links. The species selected have no marshy character and have limited value to native wildlife, nor do they provide any functional ecological links to habitats in the local vicinity. There is also limited wildlife value of private garden spaces and no information provided on roof habitats. A condition requiring approval of a revised landscape planting scheme that provides a stronger link to ecological character of area should be provided to ensure that the biodiversity value of the borough is protected and enhanced Policy DM04. Details of the management of the public realm, plus the roof level amenity areas, should also be provided before occupation. Conditions relating to details of external lighting, and a revised Construction Management Plan that takes into consideration the potential impacts on nesting birds and light pollution during construction are also recommended.

49 Council arboricultural advisor (Enable): No objections. There are no nearby trees of note. Details of proposed landscaping, including any new tree planting should be submitted for approval.

Individual neighbourhood responses

50 At the time of reporting the application to its planning committee, Wandsworth Council reported that it had received 362 responses (to the initial, first and second consultations) from local residents, of which 360 were objections and 2 were in support. All responses were provided to the GLA subsequent to the decision to take over the application. Following the Mayor´s decision to take over the application, 13 responses in objection and 1 response in support of the development have been received. All representations submitted have been taken into account in the consideration of this application and have been made available to the Mayor in advance of the hearing.

51 The relevant material planning considerations raised in objection to the proposals can be summarised as follows:

Scale and height

- Inappropriate for size and nature of development;
- Inappropriate for the site and area;
- Will dwarf existing buildings;
- No rationale for proposed height;
- Tall buildings should be limited to Central Activities Zone;
- A lower, smaller development would be more appropriate;
- Building should be the height of those directly surrounding it, so should be no more than 8 floors;

- Exceeds the 9 storeys which the Council set as the acceptable upper limit for riverside development;
- The scale and massing given the narrowness of the street would impinge on quality of the street environment;
- Is not offset by enough public space for a development of such a size;
- Exceeds the London Plan density guidelines;
- Resident dissatisfaction with overall size of development in area;
- Overpopulation;
- Proposed height only for financial benefit of the developer.

Layout

- Does not fit in with the spatial strategy of the area;
- Does not follow the principles expected on this part of the site when Knightley Walk flats were developed as an 'L' shaped development on one half of the SSAD site;
- Should provide a synergy to the adjoining Taylor Wimpey built Radius development in terms of height, layout and appearance, as this development 'squares off' that development;
- Spoils potential symmetry of the block as a whole and encroaches upon potential, central community space;
- Narrowness of proposed public realm;
- Buildings should be more widely spaced/inadequate separation distances;
- Want the neighbourhood to be as green and light as possible;
- Would change the unique character of our neighbourhood to its detriment;
- Proposed trees are "tick-box" to meet environmental requirements and is not in keeping with the green spaces between buildings of the adjacent riverside quarter development.

Design

- Out of keeping with surrounding development;
- Becoming an "architectural zoo" with an impoverished environment at street level;
- Unflattering mix of architectural styles;
- Dull and uninspired development;
- Of little architectural merit;
- Will significantly impact on visual amenity;
- Piecemeal/chaotic;
- The design objectives for the scheme are unclear, which has resulted in a chaotic approach to massing and layout;
- Clouded by a desire to fit to as much as possible on the site rather than responding to context;
- Lack of amenity space provision;
- No balance of greenery to offset the development;

- The open areas provided will receive limited sun;
- Will take away the last bit of history and normality from the area rendering the whole space 'plastic'.

Amenity impacts

- Significant loss of daylight and sunlight to existing properties;
- Will block out a huge amount of existing light;
- Increased overshadowing;
- Increased sense of enclosure/claustrophobic/feeling boxed-in;
- Loss of outlook;
- Will see no visible sky just a wall of buildings in close proximity;
- Loss of privacy;
- Increased overlooking of windows and balconies/terraces at close distance;
- Would create an even bigger drain on existing resources;
- Existing infrastructure cannot cope;
- Increased noise and disturbance from intensification of use on the site;
- Noise, smells and disturbance from the commercial units;
- Will add to pollution levels;
- Never ending noise dust and pollution from constant construction works in the area;
- Will significantly impact on quiet enjoyment of home;
- Complete loss of amenity for existing residents.

Transport impact

- Insufficient parking provision;
- 10 parking spaces for 168 flats does not cater for increased population and traffic for residents and visitors;
- Very limited parking available and an unrealistic expectation of how people live with too few parking spaces;
- Parking is already a significant problem in the area;
- No visitor parking;
- Unrealistic to think no one living, working or visiting the site will need access to a car;
- It is not possible for all visitors to use public transport;
- The lack of sufficient parking space will likely increase vehicles parked on the street and attract more taxi drivers to linger around the development;
- Transport links are not prepared for such an influx of people from this and other recently approved developments;
- Will worsen traffic flows;
- Additional strain on limited road capacity;

- Will add to congestion to the single route into and out of the area;
- Will exacerbate already overburdened transport facilities;
- Public transport usage is already at a maximum and getting on a train in peak hours is impossible;
- Need new transport links including new bus route;
- Should be more direct pedestrian access from the Point Pleasant site to Wandsworth Town railway station;
- Submitted framework travel plan is a joke;
- No allowance made for deliveries or visiting commercial vehicles;
- Have the safety risks to children in the area from increased parking on the streets been mitigated;
- Consideration should be given to fire access.

Housing and affordable housing

- Enough homes have been built in the area;
- Unproven demand for this additional increase in capacity of housing types which are already over-supplied in the area;
- Many of the newest apartments in the area are being withheld from sale because developers cannot sell the ones they have on the market, so there is no pressure to squeeze even more into an overbuilt community;
- Will be investment properties instead of family homes which is depriving our area from having any sense of community.[3]

Other issues

- Inappropriate density of people is the primary cause of unhealthy environment, morbidity and death;
- Increased crime;
- Noise and disturbance from building works/constant building works for years on end damaging to residents' health;
- Public realm spaces do not support air quality improvement;
- Increased pressure on existing infrastructure including public transport, schools etc.;
- An insensitive intrusion into the area;
- Proposed development fails to meet standards in Wandsworth policies, draft London Plan and the basic principles of the NPPF;
- Need to breathe life into the area;
- The site would be better turned into communal space rather than for additional buildings;
- A step too far;
- Need to wholly re-consider;
- Amendments made to the scheme do not go far enough/minor changes;

[3] Officers note that the proposal is now 100% affordable housing, so the sale of market housing is not an issue.

- Slight 'tweaking' of the original planning application is an insult to all the strong and valid objections that have been raised;
- Derisory revisions/insignificant/the revisions are a joke;
- A cynical attempt to suggest to planners that they have listened to angry local residents;
- Completely ignores the content of the objections and the sentiment of the community;
- Developers have not listened to neighbours objections;
- The revised plans do nothing to address the issues that were raised and are merely a mediocre effort to appear to be working with the local community;
- Revisions ignore a large number of residents' concerns;
- The actual overall size of the development remains the same, not addressing the second main objection of residents which is density of the area;
- The concession of 7 flats in the revised scheme is laughable;
- While the developers have amended their plans, they are still woefully below that of the reasonable expectations of those living in this are;
- At risk of developing for the sake of developing and not thinking about the long-term ramifications for local residents;
- The Planning Committee should bear in mind that the development will be here for hundreds of years, so it is vital it is done right.

52 The relevant material planning considerations raised in support of the proposal can be summarised as follows:

- Overall believe that this is a high quality development which will complete the area and make a positive enhancement to public realm;
- Existing condition of the site is detrimental to the local area;
- The scheme is entirely appropriate to compete the regeneration of the area with needed houses, especially affordable homes;
- Design is appropriate and height comparable to other buildings in the area;
- There is ample public green space in the area;
- Finish the jigsaw and let's enjoy a completed residential area in a few years.

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

53 Radius Wandsworth Residents Association: Objects due to concerns relating to the excessive height and consequent impact on living conditions; lack of justification for the proposed tall buildings; poor urban design; inadequate assessment of the site and its surroundings; and lack of justification for the proposed excessive density, when considered against the characteristics of the area and Wandsworth and London Plan policies. Does not object to the principle of redevelopment but the present proposals amount to over-development which would be harmful the area.

55 Riverside Quarter Residents Association: Objects. Height and density is excessive as it is over 30% more dense than any other development on Riverside. Provision of social housing supported but a reduction in height would have minimal loss of units. No provision for resident, visitor or commercial parking, which will put pressure on surrounding roads. The Riverbus is full at peak times

and it is difficult to catch trains at Wandsworth Town and East Putney due to overcrowding. Inadequate provision for health and education infrastructure. The open space on site is inadequate. There no material change in the height or the density of the development following consultation. The revisions do not properly address any of the objections from local residents on privacy, light, lack of fit with the existing buildings, inadequate open space, high level views/impact on the skyline and excessive density versus the guidelines for a site of this nature. No Urban Design Analysis has been carried out. The site should be developed but the applicant is not responsible. The Council should turn the proposal down as presented.

56 Justine Greening MP: Raised concerns on behalf of herself and her constituents. The latest amendment to the plans does little to resolve residents' concerns that this will overdevelop the site, with an impact on the privacy and light of residents living in Knightley Walk and Osiers Road. The changes will have little effect on the extent to which the new development will impact current residents' quality of life. With the proposed 168 units it is still almost 40% more dense than any other development on Riverside. The development is too high compared to the existing buildings and will impact negatively on the skyline, particularly for residents of Sudlow Road and Eastfields Avenue. Generally, the design does not fit spatially with surrounding buildings or the existing open area at the centre of the Radius development. Residents have made clear how concerned they are about the impact on school places, GP and dental surgeries, and on local transport links, particularly at Wandsworth Town and the District Line. Very few disabled parking bays and no visitor parking which will undoubtedly add pressure on parking in surrounding streets. The developer has not adequately engaged with residents. The Planning Applications Committee should give full consideration to residents' concerns.

Representations summary

57 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.

58 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.

Material planning considerations

59 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, residential uses);
  - Loss of industrial land
  - Principle of residential use
  - Employment
  - Social infrastructure and funding
  - Conclusions
- Housing (including delivery of affordable housing, tenure, mix, density, quality);
- Design (including urban design, public realm, play space, views, heritage, designing out crime);
- Inclusive design;
- Residential amenity of neighbouring and future occupiers (including daylight and sunlight, overshadowing, privacy/overlooking and 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, noise impact and waste management);
- Transport, highway safety and car parking provision;
- Arts and culture; and,
- Mitigating the impact of development through planning obligations
- Public Sector Equality Duty (PSED) and Human Rights

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

Land use principles

61 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 when making effective use of land. Those of particular relevance to the application site are that planning should:

- encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains;
- give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land; and
- promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure).

62 The site is not within an Opportunity Area, but it does comprise previously developed land in an accessible and sustainable location. 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 existing buildings are not noted for their historical or architectural merit, so their demolition is acceptable in principle. Therefore, 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.

Loss of industrial land

63 London Plan Policy 4.4 and draft London Plan Policy E7 seek to manage London's industrial capacity through the managed release and/or intensification of industrial land. London Plan Policy 4.4 states that there should be restricted with exceptional planned release of industrial land in Wandsworth. Draft London Plan Policy E4 sets Wandsworth a revised policy to provide capacity for industrial floorspace. Draft London Plan Policy E7 states that proposals for mixed-use redevelopment of non-designated industrial land will be supported where there is no reasonable prospect of industrial re-use, where it has been allocated for mixed-use development or where intensification of floorspace is proposed.

64 Wandsworth Core Strategy Policy PL9 and Employment and Industrial Document (EID) Policies EI1, EI2 and EI3 support the provision of employment floorspace (specifically B1, B2, B8 and related Sui Generis) particularly in accessible locations and at Focal Points of Activity. The site

is located within the Wandsworth Riverside/Wandsworth Delta Focal Point of Activity as defined by Wandsworth DMPD Policy DMO8, which the applicant proposes to redevelop into employment and retail uses and housing. The site has been allocated for a mixed use commercial / residential development in the Council's EID and the Site Specific Allocations Document (SSAD) (reference 3.3.3) and the loss of industrial uses within this site, and the wider area, has already been fully tested through the plan making process. Policy EI2 states that mixed use development, including residential is appropriate in Focal Points of Activity and Policy EI3 requires that employment floorspace is replaced by an equivalent level of new employment floorspace.

65 The existing site has 3,740 sq.m. of industrial floorspace that would be replaced with 3,805 sq.m. of flexible commercial floorspace. This would replace the existing floorspace as required by Wandsworth EID Policy EI3 and the site allocation. In addition, as the site benefits from a site allocation that states that industrial floorspace should be replaced with commercial floorspace, it meets the requirements of draft London Plan Policy E7 on the loss of non-designated industrial land. As such the loss of the industrial land on the site is acceptable in accordance with Wandsworth Core Strategy PL9, DMPD Policy DMO8 and EID Policies EI1, EI2 and EI3 and draft London Plan Policy E7, subject to consideration of the replacement commercial floorspace which is discussed further below.

Principle of residential use

66 The NPPF sets out the Government's priority to deliver a sufficient supply of new homes to meet housing requirements and states that planning policies and decisions should seek to make effective use of land and support the redevelopment of under-utilised land and buildings. In line with paragraph 118 of the NPPF, substantial weight should be given to the value of developing brownfield land in meeting housing need.

67 London Plan Policy 3.3 seeks to increase the supply of housing within London and sets Wandsworth Council a target to deliver a minimum of 18,123 homes in the Plan period 2015-2025, an annualised average housing target of 1,812 homes per year. Draft London Plan Policy H1 proposes to increase the housing target to 23,100 homes, an average of 2,310 units per year between 2019/20 and 2028/29. 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 the SSAD site allocation is reflective of the local policy support for residential redevelopment of this site.

68 To meet housing targets, London Plan Policy 3.3 emphasises the particular importance of mixed-use redevelopment of surplus commercial capacity. Similarly, Policy H1 requires boroughs to optimise housing delivery on all suitable and available brownfield sites. This carries forward the Mayor's overarching objective to meet London's housing need by making the best use of potential capacity on brownfield land within the capital, whilst safeguarding the Green Belt and other designated open spaces, as set out in London Plan Policy 1.1 and Policy GG2 of the draft London Plan.

69 The GLA's Stage 2 report assessed Wandsworth's affordable housing delivery based on the London Plan target of 17,000 homes per annum, which equates to 40% of the London Plan overall housing target. This resulted in an affordable housing target of 725 homes per year in Wandsworth, or 3,625 homes over the five years between 2013 and 2018, and Wandsworth was shown to have delivered only 40% of this target. It is recognised that Wandsworth Local Plan Core Strategy Table 4.7 sets a different target of 1,470 affordable homes between 2015 and 2020 as shown in Table 3 below. For the purposes of this report the Wandsworth Local Plan target is used to reflect local affordable housing requirements.

70 The proposed scheme would provide 168 homes (of which 100% would be affordable), which, if completed, would equate to 9% of Wandsworth's housing monitoring target in the current London Plan and 7% of the draft London Plan target, on an annualised basis as per Tables 2 and 3 below. Notably, the proposal comprises 100% affordable housing, of which 45% (75 units) would be London Affordable Rent and 55% (93 units) would be London Shared Ownership. This proposal would therefore provide 12% of Wandsworth's total affordable housing target between 2015 and 2020 and would be equivalent to 83% of the total number of affordable homes completed in Wandsworth during the most recent year of monitoring (2017/18). The proposal would also contribute towards meeting strategic affordable housing need in London as per Table 4 below.

Total completions	**2013-2014**	**2014-2015**	**2015-2016**	**2016 - 2017**	**2017 – 2018**	**Total**
Homes target	1,812	1,812	1,812	1,812	1,812	9,060
Net homes delivered	**1,201**	**940**	**2,876**	**2,643**	**2,092**	**9,752**
Vacant homes returning to use	56	174	40	88	-41	317
Net total housing (all forms of supply)	**1,257**	**1,114**	**2,916**	**2,731**	**2,051**	**10,069**
Percentage of target	**69%**	**61%**	**161%**	**151%**	**132%**	**111%**

Table 2 – LB Wandsworth net housing completions (both conventional and non-conventional supply and long-term vacant homes returning to use)

	2013-2014	**2014-2015**	**2015-2016**	**2016 - 2017**	**2017 - 2018**	**Total**
Net conventional housing completions	977	806	2,357	1,895	1,908	7,943
Affordable homes target (Local Plan)	294	294	294	294	294	1,470
Affordable homes delivered	**224**	**134**	**519**	**378**	**202**	**1,457**
Affordable homes as a percentage of supply	**76%**	**46%**	**177%**	**129%**	**69%**	**99%**

Table 3 – LB Wandsworth net affordable housing completions as a percentage of conventional housing completions

	2013-2014	**2014-2015**	**2015-2016**	**2016 - 2017**	**2017 – 2018**	**Total**	**Delivery**
Homes target	42,388	42,388	42,388	42,388	42,388	211,940	**77% of target**
Net conventional housing completions	**26,749**	**28,738**	**35,358**	**40,560**	**31,851**	**163,256**	
Affordable homes target	17,000	17,000	17,000	17,000	17,000	85,000	**37% of target**
Affordable homes delivered	**6,855**	**6,237**	**7,007**	**6,890**	**4,703**	**31,692**	
Affordable homes as a percentage of supply	**26%**	**22%**	**20%**	**17%**	**15%**	**19%**	

Table 4 – London-wide net affordable housing completions as a percentage of conventional housing completions

71 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 is supported and would make a significant contribution

towards the achievement of the Council's housing targets and in meeting local and strategic pan-London need for conventional and affordable housing. The affordable housing element of the proposals is discussed in further detail in paragraphs 79 to 99 of this report.

Employment

72 London Plan Policy 4.2 and draft London Plan Policy E1 support the development of new office provision in London to improve London's competitiveness and support the provision of further office space including locally oriented, town centre office provision to meet local needs. The application site is within the Wandsworth Riverside/Wandsworth Delta Focal Point of Activity. Wandsworth's Local Plan Policies PL9, EI1, EI2 and EI3 support the provision of employment floorspace (specifically B1, B2, B8 and related Sui Generis) and promote employment floorspace as part of mixed-use development, particularly at Focal Points of Activity. Policy EI2 states that applications for developments that would result in a net increase in employment floorspace will need to be justified by a sequential test. The Wandsworth Employment and Industry Document and the Council's SSAD allocates the site under Schedule 3.3.3 for mixed-use residential and employment development, requiring the replacement of employment floorspace and allowing the development of town centre uses, subject to the criteria set out in Policy DMO8. Development Management Policy DMO8 states that the mixed-use development of focal points will be encouraged with town centre uses for up to 300 sq.m. of retail floorspace considered appropriate.

73 The proposals would deliver 3,805 sq.m. of commercial floorspace. 3,653 sq.m. of office floorspace would be located across the ground and first floors of Blocks A and B and will be suitable for occupation by SMEs, flexible co-working space or larger tenants depending on market demand. In addition, the separate 152 sq.m. unit on the south east corner of Block B2 would be suitable for use by SMEs for a range of flexible uses and will activate the frontage in this location. The proposal would result in a modest overall net increase of 65 sq.m. in employment floorspace compared to the existing situation. The net uplift is considered minimal and insufficient to justify a sequential test as per Wandsworth Local Plan Policy EI2; as such the proposed office space accords with the Council's SSAD requirement to provide replacement employment floorspace. The proposals therefore comply with the Wandsworth Local Plan policies noted above, which encourage new employment floorspace within mixed-use development in the Wandsworth Riverside Focal Point of Activity.

Use Class	Existing sq.m. (GIA)	Proposed sq.m. (GIA)	Net change (sq.m.)
Class B1, B2 and B8 industrial uses	3,740	0	**-3,740**
Class B1 office floorspace (with ancillary Class A3 cafe)	0	3,653	**+3,653**
Flexible Class A1, A2, A3, B1, D1 or D2 use	0	152	**+152**
Total	**3,740**	**3,805**	**+65**

Table 5: Existing versus proposed employment floorspace (GIA)

74 The employment and retail space proposed also assists in mitigating the flood risk impacts of the scheme, which restricts housing at ground level, and provides active frontages to the public realm areas. These aspects are discussed in more detail in the flood risk and urban design sections of this report.

75 In line with the Council's Planning Obligations SPD, the applicant will make a contribution of £83,651 towards the provision of employment and training initiatives in the borough, which will be secured within the section 106 agreement.

Social infrastructure and funding

76 London Plan Policy 3.16 and Policy S1 of the draft London Plan support the provision of adequate social infrastructure as part of new developments and states that facilities should be accessible by walking, cycling and public transport. 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 £309,280. The proposed affordable housing is exempt from CIL under the Planning Act 2008 and the office space is only liable for Mayoral CIL as it has a CIL chargeable rate of £0 at borough level. Site specific works, such as highway infrastructure, landscaping and public realm to mitigate the impacts of the development, are recoverable via the S106 agreement, as set out in paragraphs 289 to 304 below.

Principle of development conclusion

77 As set out above, given the site's context as a previously developed site in a highly accessible location, its allocation for mixed use residential and commercial development 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. The application includes the provision for new employment space and small-scale retail in accordance with the site allocation and the Thames Policy Area designation. Therefore, the proposal accords with London Plan Policy 1.1, 3.3, 4.2 and 4.4 and Wandsworth Local Plan Policies IS1, PL9, EI1, EI2, EI3 and DMO8. It is consistent with the development plan. It is also consistent with draft London Plan Policy GG2, H1, E1, E4 and E7. No reasons for refusal are cited by Wandsworth Council in relation to land use principles.

78 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 new high quality public realm. The principle of the proposed development therefore accords with the development plan and the NPPF.

Housing

Affordable housing

79 London Plan Policy 3.11 states that the Mayor will, and boroughs 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, of which 60% should be social/affordable rent and 40% intermediate. 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.

80 London Plan Policy 3.12 requires that the maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed-use

schemes, taking into account a range of factors including: the requirement for affordable housing; affordable housing targets; the need to promote mixed and balanced communities; specific site circumstances; development viability; public subsidy and the resources available to fund affordable housing; and the implications of phased development including provisions for re-appraising the viability of schemes prior to implementation ('contingent obligations'), and other scheme requirements.

81 In August 2017, the Mayor published his Affordable Housing and Viability Supplementary Planning Guidance (SPG) which sets out his preferred approach to maximising the delivery of affordable housing and introduced the 'Fast Track Route' for applications that meet or exceed the Mayor's threshold for affordable housing (by habitable room). In addition, to qualify for the 'Fast Track Route', an applicant must have explored the potential to increase the level of affordable housing using grant funding and an early stage review mechanism must be secured, which seeks to incentivise the early implementation of any planning permission. Applications which are considered eligible for the 'Fast Track Approach' are not required to submit a financial viability assessment or be subject to a late stage viability review mechanism (as is required for applications which follow the 'Viability Tested Route').

82 The threshold approach to affordable housing is also set out in Policies H5, H6 and H7 of the draft London Plan. Policy H5 of the draft London Plan sets a strategic target that 50% of new homes should be affordable. Policy H6 sets a minimum threshold of 35% affordable housing (by habitable room) to follow the Fast Track Route, with a threshold of 50% applied to public sector owned sites and industrial land (where development results in a net loss of industrial capacity). Given that the site comprises light industrial uses, it is subject to the 50% affordable housing threshold set out in the draft London Plan.

83 Policy H7 of the draft London Plan confirms the Mayor's priority to deliver genuinely affordable housing and sets out minimum expectations in relation to tenure split. The preferred tenure split for market housing schemes is at least 30% low cost rent (social or London Affordable rent), at least 30% intermediate (with London Living Rent and shared ownership being the preferred tenures), and the remaining 40% to be determined by the local planning authority taking into account relevant Local Plan policy.

84 When the Mayor considered the application at Stage 1, the scheme proposed 175 residential units, of which 59 units (34.5% by habitable room) would be affordable, split 58% Wandsworth Capped Rent (WCR) and 42% shared ownership by habitable room, as per Table 6 below. Whilst the tenure mix was noted to comply with the Mayor's SPG and draft London Plan Policy H6, the overall offer did not accord with the 50% threshold for the Fast Track Route for applications on industrial land. The Mayor also raised concerns about the affordability of the Wandsworth Capped Rent units. As such, the financial viability assessment submitted by the applicant would be robustly scrutinised.

85 Following Stage 1, in response to concerns raised by the Council, the height of Block A1 was reduced from 11 to 10 storeys and the northern shoulder height of Block B1 was reduced from a 9-storey building to a part 3 and part 5 storey building. This resulted in a reduction in the number of units by 7 to 168 total units, with the blocks reconfigured through a loss of 4 two bed homes, 3 three bed and 3 four bed homes and an increase of 3 one bed homes. As a result of this and the GLA's Stage 1 comments, the proposed affordable housing offer was revised down by two units to 57 units, but with a similar proportion of 34.6% affordable by habitable room, with 14 London Affordable Rent units.

86 Following independent review of the applicant's viability assessment by consultants appointed by the Council (GL Hearn), the Council concluded that the offer of 57 affordable housing units was the maximum reasonable offer. This process also resulted in an increase in the number of London Affordable Rent units from 14 to 16 and a reduction in the Wandsworth Capped Rent units

from 19 to 17. However, on the day of Wandsworth Planning Applications Committee the applicant offered a further 9 shared ownership units, increasing the affordable housing offer to 39% by habitable room, with an overall tenure split of 50% LAR/WCR and 50% shared ownership. As part of this, a private tenure 3 bedroom unit was converted to a shared ownership 2 bedroom unit.

87 At Stage 2, the 39% affordable housing offer was strongly supported and met tenure split requirements but did not meet the 50% threshold for the Fast Track Route for industrial land. As such the Mayor made clear that all options for increasing on-site affordable housing must be explored, including fully exploring grant funding. Since the Mayor's decision to take over the application in June 2019, the applicant has increased its affordable housing offer to 100% affordable housing with grant funding, split 45% London Affordable Rent and 55% London Shared Ownership. The evolution of the affordable housing offer from the initial submission to date is summarised in Table 6 below.

	Initial submission (July 2018)	**Revised offer before Wandsworth Planning Committee (April 2019)**	**Revised offer at committee (April 2019)**	**Current proposal (October 2019)**
London Affordable Rent	0	14	16	75
Wandsworth Capped Rent	31	19	17	0
London Shared Ownership	28	24	33	93
Total	**59** (34.5% by habitable room)	**57** (34.6% by habitable room)	**66** (39% by habitable room)	**168** (100% by unit and habitable room)
Notes:	*Considered by the Mayor at Stage 1 (October 2018)*	*As presented in the Wandsworth Planning Committee report (April 2019)*	*Considered at Wandsworth Planning Committee (April 2019)*	*Current proposal*

Table 6: affordable housing history

88 The proposed affordable housing offer exceeds the threshold target of 50% by habitable room as set out within the draft London Plan Policy H6 and exceeds Wandsworth Council's Local Plan requirement for individual sites to deliver at least 33% affordable housing. As such, the proposed 100% affordable housing offer is strongly supported and should be given significant weight in the determination of this application.

Proposed tenure split

89 Overall the scheme proposes a tenure split of 45% London Affordable Rent and 55% shared ownership. The Mayor's SPG and draft London Plan Policy H7 state that schemes providing 75 per cent affordable housing or more can be considered under the Fast Track Route whatever the tenure mix where supported by the Mayor and the borough where relevant.

90 The tenure split meets the requirement in the Affordable Housing and Viability SPG and draft London Plan Policy H7 that a minimum of 30% affordable housing should be provided as low cost rent and 30% as intermediate housing, with the remaining 40% to be decided by the Council.

The Council's Core Strategy Policy IS5 sets an overall target of 50% affordable housing, with a target split of 60% social rent/affordable rent and 40% intermediate. The policy states that a degree of flexibility may be appropriate to maintain a continued housing supply and to promote deliverability, having regard to various factors including the need to maximise the delivery of affordable housing. The provision of 75 London Affordable Rented Units exceeds the requirement for low cost rent housing that would apply under the Local Plan tenure split for a 50% affordable housing Fast Track compliant scheme. As the applicant is proposing a significantly increased offer of 100% affordable housing, nearly half of which will be London Affordable Rent it is considered to be appropriate in this case. This affordable housing commitment will be secured in the S106 agreement and comprises the following:

affordable units	number of units	number of habitable rooms	% by unit	% by habitable room
London Affordable Rent	75	221	44.6%	45.2%
London Shared Ownership	93	268	55.4%	54.8%
total (% of scheme)	168	489	100%	100%

Table 7: affordable housing breakdown

91 As such, the application accords with the tenure mix requirements set out in London Plan Policy 3.11, Policy H7 of the draft London Plan, the Mayor's Affordable Housing & Viability SPG and Wandsworth Core Strategy Policy IS5. As set out above, it is also consistent with Policy H7 of the draft London Plan.

Affordability

92 The Mayor's Affordable Housing & Viability SPG and draft London Plan Policy H7 make clear that in determining tenure, homes are to be genuinely affordable. Paragraph 4.7.4 of the draft London Plan confirms that London Affordable Rent should constitute a low cost rent product for households on low income, with rent levels based on social rent and set in relation to the GLA's published benchmarks set out int the Mayor's Affordable Homes Programme 2016-21 Funding Guidance and updated annually. The London Affordable Rented housing would be let at levels set annually by the GLA and would be secured at this level in the Section 106 Agreement. This equates to between 25% and 45% of market rent in the area based on the London Rents Map. Eligibility for LAR units would be restricted based on local need and subject to nominations agreement.

Unit size	2018/19[4]	% of market rent[5]
One bedroom	£155.13	45%
Two bedrooms	£164.24	39%
Three bedrooms	£173.37	32%
Four bedrooms	£182.49	25%

Table 8: London Affordable Rent benchmarks

[4] London Affordable Rents are exclusive of service charges.
[5] Market rents based on GLA London Rents Map, which is based on 2018/19 Valuation Office Agency data. To enable comparison, monthly market rents shown in the GLA Rents Map have been multiplied by 12 and divided by 52 to provide estimated weekly rents.

93 London Shared Ownership units would be subject to the eligibility and household income requirements as set out in the draft London Plan to ensure that annual housing costs (including mortgage payments, rent and service charge) do not exceed 40% of net household income, assuming a maximum household income of £90,000 (as updated in the London Plan Annual Monitoring Report - 14, 2018). The applicant has stated that these units would be affordable to households at the following income levels depending on the unit size, as set out below. The proposed housing costs accommodate those on a range of incomes as set out in the Affordable Housing and Viability SPG up to £90,000 (as per the Annual Monitoring Report), which is acceptable.

unit type	Shared ownership maximum income threshold
1 bed	£55K
2 bed	£71K
3 bed	£85K
4 bed	-

Table 9: Proposed shared ownership income thresholds

The criteria in the latest London Plan Annual Monitoring Report (September 2018) has been met with London Shared Ownership 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 and Draft London Plan Policy H7.

Grant funding

94 To be eligible for the 'Fast Track Route' the applicant must also have sought grant to increase the level of affordable housing, taking into account the Mayor's strategic target of 50% affordable housing, in line with Policy H6 of the draft London Plan and the Mayor's Affordable Housing and Viability SPG. As the revised application would provide in excess of 40% affordable housing, all of the proposed London Affordable Rent and London Shared Ownership units would be eligible for GLA grant (£28,000 per unit) under the 'Developer led Route', in line with the Mayor's Affordable Homes Programme Funding Guide.

95 The increase in affordable housing from 39% to 100% is achieved through GLA grant as part of the Mayor's 2016-21 funding programme. The grant funding is time limited and requires a start on site in financial year 2019/20 to expedite the delivery of affordable housing. The proposed affordable housing would be sold to and managed by Peabody as the Registered Provider.

Review mechanisms

96 The Affordable Housing and Viability SPG and Draft London Plan Policy H6 set out requirements for viability review mechanisms, which are necessary to secure the maximum public benefit from schemes and to incentivise delivery. Fast Track Route schemes are required to provide early stage review mechanisms to increase the provision of affordable housing where these do not reach substantial implementation two years from the grant of planning permission.

97 An early stage review has therefore been secured within the draft S106 agreement. The early stage review includes a potential extension to the substantial implementation trigger date arising from an unforeseen force majeure event, archaeological find or contamination beyond the applicant's control. This is acceptable in this instance due to the scheme providing 100% affordable housing.

Conclusion on affordable housing

98 In response to concerns raised by the Mayor at both Stage 1 and Stage 2, the applicant has increased the affordable housing offer to 100% by unit and habitable room, which represents a significant improvement on the 39% proposed at Stage 2 and is strongly supported. The increased affordable housing offer exceeds the affordable housing threshold of 50% and represents a 61% proportionate increase since the Council determined the application. The proposed tenure split accords with the requirements set out in the draft London Plan and Mayor's Affordable Housing & Viability SPG and the affordability levels proposed across each tenure would comply with the relevant requirement set by the NPPF, London Plan, draft London Plan and the Wandsworth Local Plan. The scheme is fully compliant with the criteria set out in Policy H6 of the draft London Plan and the Mayor's SPG for following the Fast Track Route. The affordable housing will be secured in the Section 106 agreement including the terms of eligibility and affordability and an early stage review mechanism, should permission be granted.

99 On this basis, the application accords with London Plan Policies 3.3, 3.4, 3.5, 3.8, 3.9, 3.11 and 3.12and Wandsworth Core Strategy Policy IS5. It is consistent with Mayor's Housing SPG (2016) and the Mayor's Affordable Housing & Viability SPG (2017). It is accords with draft London Plan Policies GG4, D4, D5, D6, H1, H5, H6, H7 as set out above.

Housing mix

100 The application, as amended, would provide 168 residential units, 75 of which would be London Affordable Rent and 93 of which would be London Shared Ownership. The housing mix would be as follows:

unit type	London Shared Ownership	London Affordable Rent	total	percentage
one-bed	19	18	37	22%
two-bed	66	45	111	66.1%
three-bed	8	11	19	11.3%
four-bed	0	1	1	0.6%
total	93	75	168	

Table 10: housing mix

101 London Plan Policy 3.8 and the Mayor's Housing SPG state that new development should provide a mix of housing sizes and types, taking into account local and strategic housing requirements, the needs of different groups, the strategic priority for affordable family housing provision and the need to support the private rented sector. London Plan Policy 3.11 states that priority should be accorded to the provision of affordable family housing. Draft London Plan Policy H12 states that schemes should generally consist of a range of unit sizes and sets out a number of factors which should be considered when determining the appropriate housing mix on a particular scheme. This includes housing need and demand, the nature and location of a site and the requirement to optimise housing potential and deliver mixed and inclusive neighbourhoods. For low cost rent, boroughs should provide guidance on the size of units required to ensure affordable housing meets identified needs.

102 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.

Wandsworth Development Management Policies Document Policy DMH3 sets out indicative borough level proportions for affordable housing tenures, as shown below.

Dwelling size	Intermediate	Social/Affordable Rent
1 bed	45%	15%
2 bed	45%	45%
3 bed	10%	30%
4 bed	N/A	10% (of which up to 2% should be 5 bedroom)

Table 11: Wandsworth Development Management Policies Document Policy DMH3 indicative unit size proportions

103 The affordable housing mix does not fully meet the Wandsworth DMPD Policy DMH3 indicative mix, with a greater proportion of one-bed and two-bed units and a lower proportion of three-bed units. The three- and four-bed unit proportions are 16% London Affordable Rent and 8% London Shared Ownership, which is below the indicative proportions of 30% social/affordable rent and 10% intermediate as set out in Table 11 above. However, more generally Wandsworth DMPD Policy DMH3 is clear that housing mix should be informed by the particular characteristics of individual sites. In this instance, the site is considered more suited for high density development with predominantly small units, in view of the constrained nature of the site, in particular the limited space to provide sufficient play and outdoor amenity space to meet the needs of families. The affordable housing unit mix proportions are similar to the 34.6% affordable housing scheme assessed in the Council's committee report, which the Council considered to be acceptable.

104 As such, having regard to the local indicative mix within Policy DMH3, and the particular characteristics of this site, notably the appropriateness of high density development and the site's constrained environment limiting amenity provision, the housing mix is acceptable and in accordance with the London Plan Policy 3.8 and 3.11 and Wandsworth Core Strategy Policy IS5 and DMPD Policy DMH3. On the same basis, it is considered to be consistent with draft London Plan Policy H12.

Housing quality and residential standards

Density management

105 Table 3.2 of London Plan Policy 3.4 includes a sustainable residential quality (SRQ) density matrix which sets out broad density ranges by Public Transport Accessibility Level (PTAL) and setting. Paragraph 1.3.51 of the Housing SPG (2016) states that it may be acceptable for schemes to exceed the ranges in this matrix in appropriate circumstances, such as where management concerns are addressed. Policy D1B of the draft London Plan sets out a notional density threshold of 350 units per hectare, above which any application that is referable to the Mayor needs to submit a management plan. The design implications of higher density development are considered in paragraphs 124 to 127 below.

106 The site has a PTAL level of 2 and is classified as 'urban' for the purpose of applying the density matrix, in line with the advice notes set out within Table 3.2 of the London Plan. This would suggest an indicative guideline density range up to 170 residential units per hectare / 450 habitable rooms per hectare. The proposed density is assessed below on the basis of its context, design and

management in line with London Plan Policy 3.4 and draft London Plan Policy D1B. Taking into account the site area (0.41 ha) the application has a net residential density of 410 units per hectare / 1,193 habitable rooms per hectare which exceeds the relevant guideline density range. As such, whilst this density is acceptable in design terms, as discussed further below, a management plan is required as set out in Draft London Plan Policy D1B.

107 In lieu of a management plan the applicant has provided a letter setting out the service charges for the proposal, which will be around £25 per week for the London Affordable Rent units and £30 to £45 per week for the London Shared Ownership units inclusive of an estate charge and a building charge, which is acceptable. The submission of details of the final service charge levels is secured in the S106 agreement. As it is a 100% affordable housing development it will be uniformly managed by one registered provider with its own on-site maintenance team and dedicated neighbourhood manager. A moving in strategy will be produced to coordinate logistics and dates for moving into the new development. Given the efficiency of external and internal layout shown in the submitted drawings, further management details are not required. As such, the proposed density can be appropriately managed on the site without adverse effects on future residents.

Standard of accommodation

108 London Plan Policy 3.5 seeks to ensure that housing developments are of the highest quality both internally and externally and sets out minimum space standards for dwellings, which are based on the nationally described space standards. The 2016 Housing SPG provides further detailed guidance on residential design quality and sets baseline standards covering units per floor per core ratios, private open space provision, dual aspect and single aspect dwellings and recommended floor to ceiling heights. Draft London Plan Policy D4 carries forward the adopted minimum space standards and confirms that these apply to all tenures of self-contained residential accommodation. It sets out a requirement to avoid single aspect units and minimum requirements for private open space, ceiling height and requires developments to maximise the provision of dual aspect dwellings.

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

110 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, except for one 3 bed unit at the north west corner of Block B1, would have access to private outdoor amenity areas in the form of terraces or projecting balconies of between 5 sq.m. and 9.5 sq.m. which meet or exceed the Mayor's Housing SPG external space standards. The balcony size for the 3rd floor 3 bed unit at the north west corner is only 7 sq.m. in size, whereas it should be 8 sq.m. However, residents in this unit would have level access to the partly south facing communal 3nd storey roof terrace. This would result in a total provision of 3,204 sq.m. of private and communal amenity space, exceeding the 1,880 sq.m. requirement of Local Plan Policy DMH7.

111 Layout and aspect: There are no single aspect predominantly north facing units and 84% of the total units are dual aspect. 27 single aspect units are proposed, 16% of the total with 20 facing eastwards and 7 facing westwards, which is acceptable. The scheme would provide 3-8 units per core, with dual lifts and natural light/ventilation to the whole of the core of Block B1 and above the tenth storey for the core of Block B2. This meets the standards set out in the Mayor's Housing SPG and in draft London Plan Policy D4, which aim for a maximum of eight units per core.

112 Noise: London Plan Policy 7.15, draft London Plan Policy D13 and Local Plan Policy DMH4 seek 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 along the railway to the south although there is intervening development. The applicant has carried out an acoustic assessment which has identified that with suitable mitigation measures, including acoustically specified facade materials as part of detailed design, an acceptable internal level of noise can be achieved. A condition is imposed requiring the applicant to submit for approval detailed design for materials of the building facades. The plant and machinery and ground and first-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 the first and second floors to be approved. A further condition restricts the hours of operation of any outside seating associated with any cafe use.

113 Outlook and privacy for future occupiers: 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 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."

114 The distances between units within the proposal will be around 20 metres across the central public realm, which is acceptable. There is a minimum distance of 10.5 metres from the 3rd storey to the 10th storey between units overlooking the podium in Buildings B1 and B2. However, none of the windows facing each other in these units are bedrooms and balconies face out to the south, and as such the internal design of the proposal does not compromise internal privacy in line with Wandsworth DMPD Policy DMH4 and the Council's Housing SPD.

115 The closest point of the development to external development is at the southwest corner, where the distance between the balconies on the development and 1-5 Knightley Walk is between 8 and 11 metres. However, the development would not be overlooked from balconies on the other side, except at the 11 metres point; however, the applicant has included a balcony at this point which would offer some privacy from overlooking from the unit opposite. The proposal is within 16 metres of 21-23 Osiers Road and within 15.5 metres of both 3 Eastfields Avenue and Osiers Point but this is typical of development in this area and is considered sufficient distance to provide privacy when the additional protection provided by balconies is included. The proposal is at least 18 metres away from all other development. As such, the privacy of occupants of the development is considered to be safeguarded and undue overlooking is avoided.

116 Play space: London Plan Policy 3.5 sets out expectations in relation to quality and design of housing development, to include public, communal and open spaces. Draft London Plan Policy D7 further supports an engaging public realm for people of all ages. London Plan Policy 3.6 and draft London Plan Policy S4 seek to ensure that development proposals include suitable provision for play and recreation, and incorporate good-quality, accessible play provision for all ages. Draft London Plan Policy S4 further states that play space should not be segregated by tenure. The provision for play and informal recreation should be 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 sq.m. of useable child play space to be provided per child, with under-fives' play space provided on-site as a minimum (within 100 metres walking distance from a residential unit). Provision for 5 to 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.

117 The development proposes two main amenity spaces comprising a large public square running through the centre of the site and a second-storey podium deck play space connecting Blocks B1 and B2. This totals 2,017 sq.m. of communal amenity space, meeting the requirements of the Wandsworth Planning Obligations SPD, of which 580 sq.m. would be play space. Since the scheme was sent to committee at Wandsworth, the applicant has taken the welcome step of raising the affordable housing offer from 39% to 100%. However, this increases the population yield of the development and so the level of play space required according to the GLA's play space calculator. The level of play space required would be 887.2 sq.m., with the development providing a 307.2 sq.m. shortfall. However, it is noted that the proposal is located on a highly constrained site within safe walking distance of Wandsworth Park, which offers a wide variety of play space. The proposed play space caters entirely for the 0 to 5-year olds on site and provides a shortfall of 102 sq.m. for 6 to 11-year olds. However, this shortfall is compensated for by a large equipped playground within safe walking distance at Wandsworth Park within 400 metres of the site. Children aged 12+ also have access to extensive playing fields at Wandsworth Park, which are within 400 metres of the site, and to St George's Park less than 800 metres away to the south. The majority of the proposed play space would be located within the public realm and would be accessible to all residents. However, the 70 sq.m. of 0-5 year olds doorstep play would only be accessible to residents in Blocks B1 and B2, although both blocks are a mix of LAR and London Shared Ownership units. As such, the play space would not be segregated by tenure. The Arts and Cultural Strategy, which will be secured in the section 106 agreement, states that local children will be involved in the design of the play space, which is supported. The design of the play space will be secured by condition.

118 In summary, the scheme would deliver high quality residential accommodation, and the standard of the units is in broad compliance with London Plan and draft 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.

Urban design

119 The NPPF (at paragraph 124) states that good design is a key aspect of sustainable development. Paragraph 127 of the NPPF sets out a number of high level design objectives for new development, including the need to optimise the potential of a site; provide appropriate and welcoming layouts and landscaping; good architecture; establish a strong sense of place; and be sympathetic to local character while not preventing or discouraging appropriate change. Paragraph 130 of the NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

120 Chapter 7 of the London Plan and Chapter 3 of the draft London Plan include a range of design principles and requirements which apply to new development and are set out within specific policies on: inclusive design (London Plan Policy 7.2/ draft London Plan Policies D3 and D5); designing out crime (London Plan Policy 7.3/ draft London Plan Policy D10); local character (London Plan Policy 7.4/ draft London Plan Policy D1); public realm (London Plan Policy 7.5/ draft London Plan Policy D7); architecture (London Plan Policy 7.6 and draft London Plan Policy D2); tall and large scale buildings (London Plan Policy 7.7 and draft London Plan Policy D8); heritage assets (London Plan Policies 7.8 and 7.9 and draft London Policies HC1 and HC3).

121 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.

122 The Council's DMPD Policy DMS4 sets out that within the Thames Policy Area buildings above 9 storeys are defined as tall buildings, 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.

123 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 DRP suggested the reduction in height of Block A1 due to the sensitivity of the northern fringe to height and provided feedback on balcony materials, quality of public realm and commercial workspace. The applicant subsequently reduced the height of Building A1 and concentrated height instead at Building B2 and made significant changes to the facade design from a banded white facade to a brick and osier weave panel facade.

Density

124 London Plan Policy 3.4 requires new development to optimise housing output, having regard to site context and character, urban design principles and public transport capacity. Table 3.2 of the London Plan includes a sustainable residential quality (SRQ) density matrix which sets out broad density ranges by Public Transport Accessibility Level (PTAL) and setting. These are advisory and paragraph 3.28 of the London Plan clarifies that the density matrix should not be applied mechanistically to individual applications. Paragraph 1.3.51 of the Housing SPG (2016) states that it may be acceptable for schemes to exceed the ranges in the density matrix in appropriate circumstances, providing qualitative design and management concerns are addressed. Policy D1B of the draft London Plan places a greater emphasis on optimising the density of a site through a design-led approach, whilst also having regard to the above factors in terms of context, public transport access and infrastructure capacity. It states that the higher the density of a development, the greater the level of design scrutiny is required.

125 The proposal exceeds the London Plan guideline density range of 170 residential units per hectare / 450 habitable rooms per hectare at 410 units per hectare / 1,193 habitable rooms per hectare. However, it is noted that other recently approved developments in the immediate local area recorded similar densities, with the Radius development recording a density of 1,118 habitable rooms per hectare, Building 6B at Wandsworth Riverside Quarter with a density of 1,391 habitable rooms per hectare, the development to the south of Osiers Road with a density of 951 habitable rooms per hectare and Osiers Gate on Enterprise Way with a density of 1,067 habitable rooms per hectare. All these densities are above the guideline thresholds set out in Table 3.2 of the London Plan but were not considered too dense so as to warrant refusal of the respective applications for these developments.

126 The current scheme was subject to pre-application advice from Wandsworth Council and GLA design officers and has been submitted to a Design Review Panel. In addressing concerns about the height of Block A1 the applicant has reduced the number of units from 175 to 168, reducing the density from 427 units per hectare to 410 units per hectare. As such the design has been robustly scrutinised and officers consider that the applicant has reduced the density of the proposal to an appropriate level given the high-density local context and the high quality design of

the scheme. The management of the scheme has been considered in paragraphs 105 to 107 and also found to be acceptable.

127 As such, it is considered that the proposal has been subject to an appropriate level of design scrutiny and, subject to the conditions and obligations set out above being secured in relation to pedestrian, cycle and inclusive access, residential and environmental quality, design, landscaping, play space and management, the application accords with London Plan Policy 3.4, draft London Plan Policy D1B, as well as the Mayor's Housing SPG.

Layout

128 The site allocation (reference 3.3.3) in the SSAD states that any development should support the wider urban design objectives of the spatial strategy for the area, including allowing for the provision of new connections, providing public access through the site through an east-west route running through the site connecting to Osiers Road and Knightley Walk and aligning with Enterprise Wat. The site allocation further states that these links, including the existing frontages to Osiers Road should be defined by active building frontages. The site allocation forms part of the Area Spatial Strategy for the land north of the railway line in the Wandle Delta in the SSAD. This strategy sets out that the site would form part of a wider series of east-west connections in the area.

129 The existing site layout of the light industrial units has a poor relationship with Osiers Road, with large areas of blank frontage backing onto the street. The quality of the existing buildings is low and the activities on site are wholly obscured from the street. The proposed layout responds well to the site allocation brief. The applicant has provided a generous area of public realm running through the heart of the site, which responds well to the local street patterns and allows for greater permeability through the site. The proposed landscaping will expand upon and reinforce the adjacent public realm and create an interesting and vibrant place for members of the public and future occupiers to enjoy. The ground floor of the blocks provides a number of active frontages, with cafe, office and retail uses providing active frontages in all directions, which will assist in creating a lively and active public realm. Block B1 and B2 also tapers slightly outward, providing an inviting entrance to the public square. The Osiers Road frontage has a consistent commercial character with residential entrances accessed from the quieter east and west flanks of the blocks. This corresponds with the commercial provision at lower storeys prevalent within Wandsworth Riverside.

130 Vehicle access to the basement would be provided from Osiers Road to the south via a ramp leading to the basement, through a shared surface across the pavement. Bollards would prevent vehicle access to the public realm at the centre of the site. This design, coupled with the low number of vehicle trips expected, would ensure that the public realm prioritises pedestrians and cyclists.

131 The Council's reason for refusal states that the layout of the proposal results in an inappropriate and unneighbourly development. Several objections relate to the failure to effectively mirror the "Radius" development. However, GLA officers consider that the layout proposed is wholly appropriate and responds well to the surrounding context and site allocation. A mirrored proposal does not form part of the site allocation for the site and so the developer is not required to provide a such a scheme. In any case, it is noted that the applicant's daylight and sunlight assessment shows that a mirrored scheme would result in a similar or worse situation than proposed at present. Furthermore, it is noted that the applicant is proposing two (appearing as three in elevation) buildings of varying heights, that addresses the limits of the site boundaries, which is considered to be a logical approach to development. The applicant has made revisions to the massing over the course of the application process of these buildings to avoid a 'wall'- like appearance along Osiers Road. The proposed layout is considered to be an appropriate response to

the site allocation and local context. The applicant has therefore provided an effective layout which provides a high-quality public realm in accordance with London Plan Policy 7.5 and Policy D7 of the draft London Plan.

Landscaping

132 The site allocation in the SSAD states that the site suffers from a deficiency in access to nature. In response to this 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. There are no existing trees on site and the proposal offers an uplift of 25 trees as part of the landscaping proposals. Appropriate provision is also made for street furniture providing spaces for people to linger, including lighting, seating and visitor's cycle storage. The proposed second-storey podium would provide further urban greening through multi-stem shrub planting, shrubbery and perennial planting and climbing plants. Subject to details of planting, hard surface treatments and street furniture, this would ensure a high-quality setting for the buildings proposed. The planting here will also help to address air quality and urban greening objectives.

Summary of layout

133 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, a high-quality public realm, urban greening and connections to the wider street patterns. The proposed site layout is therefore supported in line with the policy context set out above.

Height and massing

Tall buildings policy

134 London Plan Policy 7.7 states that tall buildings[6] should be part of a plan-led approach and not have an unacceptably harmful impact on their surroundings. In terms of location, Policy 7.7 states that tall buildings should be generally limited to the Central Activities Zone, opportunity areas, and areas of good access to public transport but leaves scope for tall buildings to be considered in other locations outside of these areas, subject to urban design analysis and compliance with the criteria set out in Policy 7.7. To accord with these criteria, tall buildings should:

- be located in areas whose character would not adversely be affected;
- relate well to the surrounding buildings, urban grain and public realm, particularly at street level;
- improve the legibility of an area and enhance the skyline;
- incorporate the highest standards of architecture and materials;
- provide active ground floor activities that provide a positive relationship to the surrounding streets;
- contribute to improving the permeability of the site and wider area, where possible;
- incorporate publicly accessible areas on the upper floors where appropriate;
- make a significant contribution to local regeneration;
- not adversely affect their surroundings in terms of microclimate, wind, overshadowing, noise, glare, or give rise to interference with aviation or telecommunication infrastructure; and,

[6] Tall buildings are defined in paragraph 7.25 of the London Plan as buildings that are substantially taller than their surroundings or cause significant change to the skyline.

- not adversely impact local or strategic views.

135 This policy approach is broadly carried forward in Policy D8 of the draft London Plan, which states that applications for tall buildings that are referable to the Mayor should be subject to design review and encourages boroughs to proactively identify locations where tall buildings will be considered suitable.

136 The site is identified in Wandsworth's Local Plan as a location where tall buildings should be sensitively designed having regard to the surrounding context. A tall building is defined in this location by Policy DMS4 and the site allocation as 9 storeys and over. The tallest building is Block B2 at 14 storeys high and situated in the south-eastern corner of the site. The heights then drop down to Block B1 to the west at 11 storeys and Block A1 to the north at 10 storeys. All of the buildings are therefore considered to be tall buildings for the purposes of Policy DMS4.

137 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.

Tall building and massing analysis

138 A detailed assessment against the relevant criteria set out in DMPD Policy DMS4 is set out below. Whilst not directly cited, criteria (iv), (vii), (viii) and (ix) are particularly relevant to the Council's reason for refusal.

139 Criteria (i): the contribution to social inclusion, environmental health and economic viability: As stated above, the scheme would provide a net uplift in employment floorspace of 65 sq.m. from 3,740 sq.m. to 3,805 sq.m., 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, 100% of which would be affordable at a strategic and local policy compliant tenure split, which would help to support low to intermediate income households in the borough. Council officers considered that this criteria was satisfied in relating to the offer of 39% affordable housing, an offer that has greatly improved to 100% since the application was called in by the Mayor. GLA officers have secured an additional 102 affordable homes including on-site London Affordable Rent units, which is a significant additional benefit for social inclusion. GLA officers consider this criteria to be satisfied.

140 Criteria (ii): a sustainable approach towards transport: The proposed car-free development would minimise car trips and encourage the use of sustainable transport modes. Despite a low PTAL, the site is located within walking distance of Wandsworth Town Station, Wandsworth Town Centre, bus routes and the Riverboat service and as such is considered suitable for high density residential development. Other measures will be secured to encourage sustainable transport, including resident permit restrictions, cycle parking and free car club membership. This criteria is therefore satisfied.

141 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 whilst the development would have some impact compared to the existing situation due to the increase in scale and massing of development on the site, there would be no substantial adverse climatic effects as a result of the proposal which could not either be mitigated

against, or which are not commensurate with the urban location of the site. GLA officers consider this criteria to be satisfied.

142 Criteria (iv): an acceptable visual impact: The Council's reason for refusal stated that the proposal would be of a scale, siting, massing and layout that would be unduly dominant. The proposal would represent a clear increase in the quantum of development on this site, which immediate CGI views show would have a visual impact on the local area. Massing models provided in the Design and Access Addendum show that the development would be marginally taller than the development immediately surrounding the site but would be located in an area where there are a range of building heights, including taller buildings. It is the view of GLA officers that the proposal would not impact on any strategic or local designated views and would cause no harm to nearby heritage assets and conservation areas. Distant views have been provided that show that only part of the tallest element would be visible from a distance. These views would show the proposal within a wider urban townscape that includes a range of building styles and scales. Furthermore, CGI views and a VuCity visual from the local area show that the proposal would be consistent with the overall built form and scale of development. As such, the visual impact on the surrounding area is considered to be acceptable and GLA officers consider this criteria to be satisfied.

143 Criteria (v): impact on the historic environment: The site is not located in the vicinity of a listed building and is not within a conservation area. The nearest listed building is the Grade II listed Prospect House, which is located approximately 200 metres to the north west, and Wandsworth Town Conservation Area is located some 150 metres to the west and 350 metres to the south. The applicant has provided an Historic Environment Assessment but has not submitted a townscape and visual impact assessment. However, as noted in the heritage section below, the proposal would largely be obscured by surrounding development and so would not be visible from nearby listed buildings or from Wandsworth Conservation Area. As such the proposal would cause no harm to the setting or special architectural or historic interest of any listed buildings and would not harm the character of Wandsworth Town Conservation Area. The proposals would therefore not have an adverse impact on the setting or historic interest of heritage assets. GLA officers consider this criteria to be satisfied.

144 Criteria (vi): the land use mix: The proposal is residential-led with commercial space at ground and first floor. This responds effectively to the requirement to replace the existing commercial floorspace and provide a mix of uses in the site allocation. The employment floorspace would be flexible, including potential provision of retail and cafe uses, providing workspace suitable for small and medium enterprises. The residential units would be entirely affordable, contributing towards affordable housing targets and towards overall housing delivery. Council officers considered this criteria satisfied and GLA officers consider that the proposal optimises 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.

145 Criteria (vii): massing and scale that is well integrated into surrounding development: The Council in its reason for refusal stated that the scale and massing of the proposal contributes to an inappropriate and unneighbourly development, resulting in an unduly dominant proposal. However, the view of GLA officers is that the proposal is of an appropriate massing and scale for its local context. The 14-storey Block B2 tower would mark the entrance to the site on the route along Enterprise Way to and from Wandsworth Town Station, which would help to aid wayfinding within the local area. As is shown in the Design and Access Addendum (Figure 7 below), this tower would be the seventh tallest building within the development and is similar in height to the 14-storey tower under construction at the Linton Fuels site around 50 metres to the south east (reference 2016/6164) and shorter that the completed 21-storey Witham House around 50 metres to the east. It is further noted that the shoulder height of Block B2, at 10 storeys, is equivalent to the development to the south of Osiers Road, with the taller element set back. The height of Block A1 has been reduced during the course of the application process and would be consistent in height

with 27 Enterprise Way opposite on the eastern side of Osiers Road. Block B1 would be broadly consistent with the buildings under construction to the south of Osiers Road. The scale, massing and height of the proposed buildings is therefore similar and responds well to that within the surrounding area.

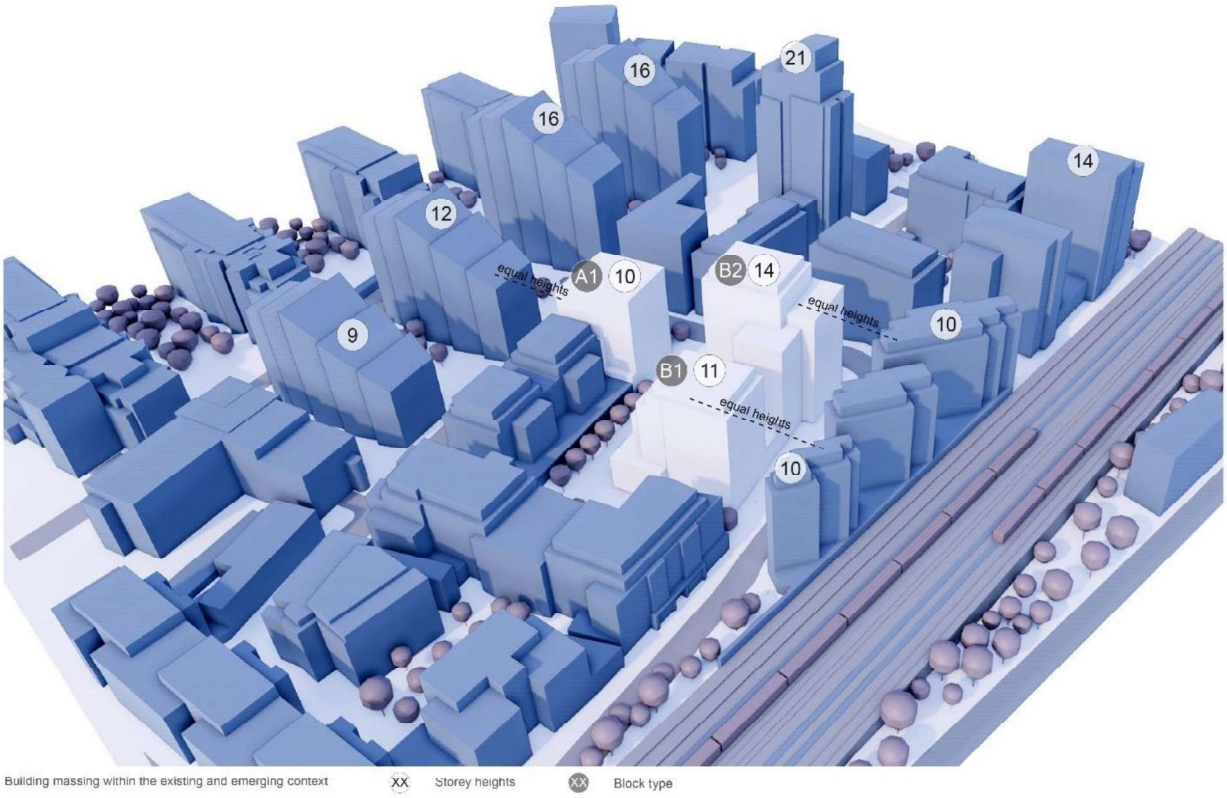


Figure 7: aerial view of the massing with heights of surrounding buildings (October 2019, Rolfe Judd)

146 The variation in height between the blocks ensures that the massing is not overly dominant and maintains the distinctiveness of each building. Officers consider that to optimise effectively development on the site the proposed variation in height and massing is necessary to avoid a ´wall-like´ massing provided by a lower-rise development with a similar density and layout. The architecture and materials of the proposed buildings is of a high quality and is broadly consistent with the prevailing architecture of the surrounding area and references the mansion block typology that is common across Wandsworth. GLA officers consider this criteria to be satisfied.

147 Criteria (viii): how the proposal sits within the existing townscape and landform: The Council in its reason for refusal stated that the proposal would be out of keeping with the surroundings. The application is accompanied by several CGIs illustrating its appearance in the context of neighbouring buildings, streets and spaces. 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, particularly the route through the site as set out in the site allocation. It is further noted that the proposal would be largely invisible outside of Wandsworth Riverside as it would be obscured by surrounding development. Council officers considered that the proposal 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 proposal to adversely impact on the existing townscape and landform and consider this criteria to be satisfied.



Figure 8: view from Enterprise Way looking west into the site (January 2019, Design and Access Statement Addendum, Rolfe Judd)

148 Criteria (ix): positive contribution to the streetscape including active frontage: The Council in its reason for refusal states that the proposal would be detrimental to the streetscape. As discussed in paragraph 151, the proposals will significantly improve the quality of the streetscape around the site, including through the introduction of a vibrant public realm at the centre of the site. This public realm would provide a safe through route for residents walking towards Wandsworth Town Station and the proposed office and retail space would provide significant areas of active frontage. The entrances to the buildings would be well-defined and large areas of fenestration would provide natural surveillance around the whole site. The proposed public realm is a generous space which would provide a number of new trees, and hard and soft landscaping that would greatly enhance the greening and appearance of the area, as shown in Figure 8 above.

149 Objectors to the proposals have noted the potential of the proposal to create a narrow streetscape along Osiers Road. However, any proposal along this street would have to be located close to Osiers Road to allow for a sufficiently generous public realm and appropriate distances between the development and the Radius development. The distances between buildings is considered acceptable and such relationships are common within urban locations such as the application site. It is further noted that the distances between buildings across Osiers Road are approximately 16 metres, more than the 13 metres between buildings across the western end of Enterprise Way immediately opposite the site to the east, and so would not be narrow in the local context. The proposal would also improve the paving along Osiers Road and bring active frontages to the street. GLA officers therefore consider this criteria to be satisfied.

150 Criteria (x): positive response to characteristic alignment and set back in the area: The proposal is located on an irregular L-shaped site and has a site allocation requiring a route through the centre of the site connecting Osiers Road at the junction with Enterprise Way and Knightley Walk. Therefore, in order to effectively optimise this site development must be located around the edges of the site. Objections note that the proposal would not provide a mirror to the existing buildings in the "Radius" development; however, the daylight and sunlight analysis clearly show that such a mirror would result in worse conditions for existing residents than the proposed development. The existing buildings are located close to Osiers Road, providing little room for pedestrian movement. The proposed development improves this by setting back the proposal from the road, particularly along the southern side of the development, allowing for appropriate pavement widths to allow inclusive pedestrian movement. The proposed development would in any case correspond to the overall pattern of closely-placed buildings characteristic of the immediate area. GLA officers consider this criteria to be satisfied.

151 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, providing a generous public square that takes up 40% of the site area and creating a route through from Knightley Walk to Osiers Road. These spaces would all be clearly defined and of the highest quality, providing new landscaping and seating areas, and receiving acceptable levels of light and wind conditions. GLA officers therefore consider this criteria to be satisfied.

152 Criteria (xii): provision of public access: The public accessibility of the site would be significantly enhanced, with a new route through from Knightley Walk to Osiers Road with a shallow gradient suitable for wheelchair users. Local people would be further encouraged to come to the site by the proposed commercial units and by the attractive design of the proposed public square. The proposal would also provide ground level play spaces that would be accessible for all children in the local area to use. Whilst the second 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.

153 Criteria (xiii): long term maintenance and management of public spaces: Details of long term maintenance of communal and public areas would be secured through the s106 agreement attached to any planning permission. It is anticipated that these areas would be maintained by the affordable housing Registered Provider and funded by the service charges shared by residents and tenants. GLA officers therefore consider this criteria to be satisfied.

154 Criteria (xiv): management plan for the residential element: The development would include management in the form of an on-site maintenance team who would be responsible for arranging day to day operations and overseeing maintenance, ensuring buildings are well kept, and cleaned internally and externally. A draft construction management plan and a draft delivery and service management plan have been submitted with the application and it is recommended that conditions are attached to any planning permission to ensure the principles of these are implemented. GLA officers consider this criteria to be satisfied.

155 Criteria (xv): financial and technical credibility of the design: The architect for the proposal has worked on a variety of similar proposals and the Design and Access Statement demonstrates strong a level of detail. 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.

156 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 14-storey Block B2 tower would act as an immediate landmark along the route towards Wandsworth Town Station, aiding

wayfinding and enhancing 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, 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

157 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 immediate views within the local townscape. However, the proposals would involve the redevelopment of low-quality industrial units with a high-quality mixed-use residential development including a large and attractive area of public realm. As such the proposed development would represent a significant improvement on the existing townscape and will continue the regeneration of Wandsworth Riverside.

158 The proposed scale and massing is considered appropriate in townscape terms and the height of the proposed buildings is comparable to that found within the immediate context. Therefore, subject to detailed design and architectural quality, which is considered below and will be secured by condition, the principle of height, scale and massing is acceptable in line with the policy context set out above. The impact on heritage is considered separately in paragraphs 171 to 182 below.

Detailed design and architecture

159 London Plan Policy 7.6 requires buildings to be of the highest architectural quality and comprise materials which complement rather than necessarily replicate local architectural character. Draft London Plan Policy D1B further states that a design-led approach should be used for optimising site capacity through attention to the form and layout, experience and quality and character of a development. Draft London Plan Policy D2 also details the approach to design scrutiny, including design review panels, to ensure good design.

160 The development demonstrates an excellent quality of architectural design. The ground and first floors would benefit from floor-to-ceiling fenestration separated by brickwork columns. From the 3nd storey of each block the proposal features a grid-like pattern of inset frames, with one part occupied by windows and the other part by an osier weave pattern panel or brickwork. This pattern is varied across the site, with Building A1 and part of Building B1 using a lighter tone of brickwork with osier weave columns at the corners and glass balcony balustrades. Building B1 and one of the shoulders of Building B2 partly alternates this pattern of osier weave and brickwork and consists of a lighter coloured inset frame and darker materials with greater amounts of brickwork, with dark metal balcony balustrades. Building B2 uses a lighter material than Building B1, but is otherwise broadly similar in materials. The proposed materials create a cohesive development, with a high quality and well-integrated design for the projecting balconies. This approach provides a robust and distinctive character to each of the buildings, whilst also breaking up some of the massing, and appearing refined and consistent with the local character.

161 It is noted that the applicant has responded positively to the recommendations of Wandsworth Council's Design Review Panel. Through this process the applicant has significantly reduced the massing of Block A1, with the height transferred to Block B2 due to the sensitivity of the northern fringe of the site to taller buildings. The proposed facade was also altered by removing banded elements and replacing it with a more grid-like form with osier weave and brickwork. The applicant also removed one of the shoulders of Block B1 and slightly reduced the height of Block A1 during the course of the application. Council officers concluded that the design and architecture was acceptable, and GLA officers concur with this assessment.

Employment floor space design

162 Wandsworth EID Policy EI5 requires that applications for new employment development provide adequate floor-to-ceiling heights, sufficient room for internal movement, level thresholds and access throughout the building, natural light and ventilation and good telecommunications connectivity where appropriate. In mixed-use developments applicants should also identify: conflicting uses and sensitive receptors; the positioning of servicing; noise, vibration, dust, light and other pollutants; overlooking, privacy and visual disturbance; and access arrangements.

163 The proposed employment floorspace would have a floor-to-ceiling height of 2.7 metres, with void space above for building services, which is considered sufficient. The office space would have level access throughout and would be naturally ventilated by floor-to-ceiling windows. According to the London Connectivity Map the site is located in an area of full fibre broadband connectivity. As the proposed employment floor space is shell-only and so not fitted out, it is not possible to assess the internal movement within the building and the positioning of internal services such as toilets. Servicing for waste is already integrated into the development and is considered in paragraph 260 below. Conditions are recommended to manage any ventilation equipment, provide soundproofing and restrict outdoor seating for the proposed cafe use. Vibration, dust and light are not considered to be relevant to the proposed office space. As the office space is located at ground and first floor it does not raise any privacy concerns for residents. Access is provided through entrances onto the public realm and onto Osiers Road and space has been allocated within the office space for cycle parking and shower and locker facilities, which are recommended to be secured by condition.

Designing out crime

164 Policy 7.3 of the London Plan seeks to ensure that the principles of designing out crime are integrated in the design of new development to promote a sense of security without being overbearing or intimidating. The criteria in Policy 7.3 requires new development to provide legible, convenient and well-maintained movement routes and spaces which are well-overlooked and benefit from an appropriate level of activity, with private and communal spaces clearly defined to promote a sense of ownership. 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.

165 Draft London Plan Policy D10 further states that development proposals should be designed to ensure that measures to design out crime are inclusively and aesthetically integrated into the public realm.

166 There is no ambiguity about access to the proposed amenity spaces as the public realm has no barriers to pedestrian access and the private podium amenity space is only accessible to residents, ensuring its security. Vehicular access to the central public realm is prevented by bollards, providing safety whilst allowing pedestrian and cycle access including by disabled people. 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 vibrant and safe to use. The commercial uses fronting onto the public realm at the centre of the site and Osiers Road will encourage activity during the day, whilst at night the public realm would be well-lit and well overlooked by residential properties. The maintenance plan for the public areas will form part of the requirements of the S106 agreement for any planning permission.

167 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, as well as draft London Plan Policy D10.

Fire safety

168 Policy D11 of the draft London Plan seeks to ensure that development proposals achieve the highest standards of fire safety and to ensure the safety of all building users. In line with this objective, should planning permission be granted a condition would be included to require the submission of a fire statement outlining the measures to reduce fire risk, provide means of escape and ensure access for emergency services.

Conclusion on urban design

169 The Council resolved to refuse the application on the grounds of scale, siting, mass and layout, with resultant adverse impact on the neighbouring amenity and surrounding townscape and streetscape. It is the view of GLA officers that the proposed massing and height has been carefully considered by the applicant and are wholly appropriate for this site, responding well to the local townscape and context. The proposed buildings have a similar massing and height to the surrounding development. The development optimises the potential for a generous and enhanced public realm whilst providing increased surveillance, permeability and active frontages.

170 The excellent design of the proposed buildings will promote an enhanced built and public environment and, whilst they are classed as tall buildings for the purposes of Wandsworth DMPD Policy DMS4, they meet and address all the relevant design criteria. 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 will thus comply with the relevant development plan policies set out in paragraphs 119 to 122 above and be consistent with the draft London Plan.

Heritage

171 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, all planning decisions should *"should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses"* and in relation to conservation areas, special attention must be paid to *"the desirability of preserving or enhancing the character or appearance of that area"*.

172 The NPPF states that when considering the impact of the proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation and the more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Significance is the value of the heritage asset because of its heritage interest, which may be archaeological, architectural, artistic or historic, and may derive from a heritage asset's physical presence or its setting. Where a proposed development will lead to 'substantial harm' to or total loss of the

significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a development will lead to 'less than substantial harm', the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

173 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."* The case also makes it clear that there is a strong presumption against granting planning permission that would harm the character and appearance of a conservation area.

174 London Plan Policy 7.8 and draft London Plan Policy HC1 state that development should conserve heritage assets and avoid harm, which also applies to non-designated heritage assets. 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. New development should also make provision for the protection of archaeological resources, landscapes and significant memorials. Wandsworth Local Plan Policy DMS2 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.

175 The site does not lie within a conservation area and there are no listed buildings either within or in close proximity to the site. The closest conservation areas are Wandsworth Town Conservation Area, some 150 metres to the west and 350 metres to the south, and Hurlingham and Sands End Conservation Areas approximately 300 metres to the north across the River Thames in the London Borough of Hammersmith & Fulham. Prospect House, a Grade II listed building, is located 250 metres to the north west in Point Pleasant and Wandsworth Park, listed on the register of Historic Parks and Gardens, lies further to the west. The site does not lie within any strategic views as identified within the Mayor's London View Management Framework SPG. The nearest locally listed building is the Cat's Back pub, located approximately 150 metres north west of the site. The site is within an archaeological priority area (APA). The applicant has prepared a Historic Environment Assessment for archaeological resources but has not produced a townscape and visual impact assessment (TVIA).

176 Historic England provided a response only on archaeological matters, raising no objections and considering that the archaeological interest at the site could be conserved by the attachment of suitable conditions to any permission. Apart from archaeology, the Council committee report did not consider the heritage impacts of the proposal.

177 The following sections of this report consider the impact of the development on the significance of both conservation areas, having regard to the statutory duties and local, strategic and national policy tests set out below.

Conservation areas

178 Wandsworth Town Conservation Area is the closest to the site, but the proposal may be visible behind intervening development from Hurlingham and Sands End Conservation Areas (within LB Hammersmith & Fulham). 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 proposal site would be largely obscured from the conservation area by ten-storey intervening development at

Osiers Point to the south of Osiers Road, currently under construction. Although, the proposal would be slightly taller at 14-storeys high, it would be marginally taller and would appear within the context of this and surrounding development at Wandsworth Riverside. As such, the proposal would not harm the significance of the Wandsworth Town Conservation Area. Similarly, the proposal would be largely obscured by intervening development when viewed from the Hurlingham and Sands End Conservation Areas and appear within the context of Wandsworth Riverside; as such no harm is caused to the significance of these conservation areas.

Listed buildings

179 As the proposal is not within a conservation area or near to a listed building, the applicant has not carried out a townscape, heritage and visual impact assessment. It is noted that the proposal would not be visible from within the setting of the Grade II listed Prospect House, as the setting in which the historic building is best appreciated is facing west, away from the proposal. As such no harm is caused to the setting of Prospect House, and as the heritage asset is otherwise unaffected by the proposal, no harm is caused to its significance. Other listed buildings in Wandsworth are located some distance from the site so the proposal would not be visible from the settings of these heritage assets.

Locally listed buildings and Registered Parks and Gardens

180 The proposal is located east of Wandsworth Park, which is a Registered Park and Garden (Grade II). The proposal would likely be obscured by existing and emerging developments at Wandsworth Riverside. The buildings would be seen in the context of other large-scale development and would not harm the significance of this heritage asset. Similarly, the proposal would not be visible from the setting of the Cat's Back pub and officers are satisfied that there would be no harm to the significance of any other locally listed buildings as a result of the proposals.

Archaeology

181 Historic England (Archaeology) recommends a condition requiring a staged process of archaeological investigation, with further details of ground investigation initially to be approved before ground disturbance works greater than 2 metres below existing ground level occurs is recommended.

Conclusion on heritage assets

182 GLA officers conclude that the proposals would not harm the setting or historic interest, and so the overall significance of 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 Policy 7.8 Wandsworth Local Plan Policies IS3 and DMS2. It also complies with draft London Plan Policy HC1.

Inclusive design

183 London Plan Policy 7.2 and draft London Plan Policy D3 require all future development to meet 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 demands that buildings and structures meet the principles of inclusive design; and London Plan Policy 3.8 and draft London Plan Policy D5 require 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.

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

185 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

186 All residential units would meet Building Regulation requirement M4(2). A total of 18 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 that will ensure that the units meet the relevant Building Regulations requirement in consultation with the Council's occupational therapist. Through this condition, the London Affordable Rent units would meet the M4(3)(2)(b) accessible standard, which is strongly supported a more inclusive approach.

Public realm

187 The submitted drawings and landscape drawings demonstrate that appropriate levels and gradients can be provided across the site to ensure an inclusive environment throughout. 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

188 The overall development is car-free apart from 10 Blue Badge accessible parking spaces in the basement for the residential units, equating to 6% of the total units. The car parking management plan, secured through the S106 agreement, will set out measures to monitor and increase this provision up to 10% in compliance with draft London Plan Policy T6.1. This will be secured within the S106 agreement.

Inclusive design conclusion

189 The application would achieve a high level of accessible and inclusive design and would comply with London Plan Policies 3.8, 6.13, 7.1, 7.2, 7.5 7.6, draft London Plan Policies GG1, D3, D5, T6.1, T6.5, the Accessible London SPG and Wandsworth Local Plan Policies IS3 and DMS1.

Neighbouring amenity impacts

190 London Plan Policy 7.6 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. This is particularly relevant where tall and large-scale buildings are proposed. London Plan Policy 7.15 and Policy D13 of the draft London Plan state that development should manage noise to improve health and quality of life.

191 Wandsworth Council's Local Plan Policy DMS1 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 specifically addresses the impacts of tall buildings, including their impact on microclimate.

192 There are a number of surrounding residential properties at 1-5 Knightley Walk, 21-23 Osiers Road (referred to as 6 Knightley Walk within the report), 27 Osiers Road, 2 and 3 Eastfields Avenue, 27 Enterprise Way, 1-33 Avon House, 1-62 Clyde House and Blocks A, B and C of the under-construction site south of Osiers Road. The surrounding residential properties are of a similar scale and massing to the proposed development, with taller buildings at 2 and 3 Eastfields to the north. It should be noted at the outset that the Council has had a long-term ambition in the Wandle Delta spatial strategy set out in the SSAD and the Employment and Industry Document for the application site to come forward for development alongside those adjacent to it. This is one of the last sites to be developed and the developments on adjacent sites should have been designed to ensure that the development potential of the application site was not restricted. As such, any impact on adjacent residential amenity arising from the proposal should be considered in this context.

Daylight and sunlight assessment

193 The applicant has submitted a full daylight/sunlight assessment which considers the impact of the proposal upon existing nearby properties. GLA officers commissioned an independent daylight/sunlight analysis from TFT consultancy to review the findings of the applicant's report, which forms the basis for GLA officers' assessment below. The analysis is based on Building Research Establishment (BRE) Guidelines with specific reference to Vertical Sky Component, No Sky Line and Average Daylight Factor for assessing daylight and Annual Probable Sunlight Hours (APSH) for assessing sunlight. Both the Vertical Sky Component and No Sky Line assessment methods have been used to evaluate the effect the proposed development may have on the neighbouring residential properties.

194 When considering the BRE guidelines it is important to note that paragraph 123 of the NPPF states that local authorities should take a flexible approach to policies and guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site. The Mayor's Housing SPG also states that the BRE guidelines should be applied sensitively taking into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time.

195 Vertical Sky Component (VSC): This method of assessment quantifies the amount of skylight available at a reference point on a window, taken at the mid-point of a 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 potential VSC if unobstructed is marginally under 40%. The BRE suggests that if the VSC is less than 27%, and is less than 0.8 times its former value, then the neighbouring buildings will experience a noticeable reduction in the amount of skylight they receive.

196 No Sky Line (NSL): The NSL calculates the daylight distribution within a room by plotting points on working plane which can or cannot see visible sky. Following construction of a new development, a room is likely to experience a noticeable reduction if a significant area of the room is beyond the NSL or is less than 0.8 times its former value. It should be noted that consideration will need to be given to the depths of single aspect rooms. If the room is greater than 5 metres deep, then an adverse infringement may be unavoidable.

197 Average Daylight Factor (ADF): The ADF measures the overall amount of daylight in a space. The calculation considers the VSC value, the size and number of windows serving the space, the overall size of the room and its intended use to give an overall percentage value. BS 8206-2 *Code of practice for daylighting* recommends ADF values of 2% in kitchens, 1.5% in living rooms and 1% in bedrooms. It is common for this method to be used to show that neighbouring properties will maintain sufficient levels of light in the proposed condition.

198 Average Probable Sunlight Hours (APSH): When considering the impact on the amount of sunlight to neighbouring buildings, the BRE report recommends that all main living rooms should be considered if they have a window facing within 90^0 of due south. Direct sunlight to kitchens and bedrooms is considered less important. To calculate this the BRE has produced sunlight templates for London establishing the Annual Probable Sunlight Hours (APSH) unobstructed light. Following the construction of a new development, a living room window facing within 90^0 due south will experience a noticeable reduction in direct sunlight if it receives less than 20% of APSH, including less than 5% of APSH during the winter months (between 21 September and 21 March), and receives less than 0.8 times its former sunlight hours during either period, and for existing buildings has a reduction in sunlight received over the whole year greater than 4% of APSH.

199 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.

200 Having regard to the flexible approach outlined in the NPPF and the Mayor's Housing SPG the following target values have been used to assess the daylight and sunlight implications of the proposed scheme. These targets are considered to be reasonable standards for the redevelopment of sites in urban locations.

- VSC: 15% VSC or within 20% of the existing baseline condition;
- NSL: 50% of the room area or within 20% of the existing baseline condition; and
- APSH: 15% annually and no target for the winter months.

201 Given the location and surroundings, 9 residential properties with the potential to be most impacted as a result of the proposal are listed below:

- Rooms on the eastern face of 1 to 5 Knightley Walk (part of Radius development);
- Rooms on southern face of 6 Knightley Walk (part of Radius development);
- Rooms on the southern faces of 1, 3 and 5 Eastfields Avenue;
- Rooms on the western face of 27 Enterprise Way;
- Rooms on the western and southern face of 1-33 Avon House;
- Rooms on the western face of 1-62 Clyde House; and
- Rooms on the northern face of Osiers Point (to the south of Osiers Road).

202 1-5 Knightley Walk: There are several windows/rooms situated under balconies which will experience a significant reduction in light in the proposed condition. This is generally caused by the

layout of the property and design on the recessed balconies that limited the potential for light to be received from the upper parts of the sky. The applicant has undertaken an assessment showing the VSC levels with the balconies removed, which indicates that without the obstructions in place, the windows would generally maintain adequate levels of sky visibility in the proposed condition. The NSL results indicate that an adequate amount of sky will be seen from the buildings, with only two rooms – a living/kitchen/dining room and a bedroom – failing to comply and the ADF results show that only 4 additional rooms will fail to comply with the BRE target values in the proposed condition. Overall, there will be a large reduction in light to some of the rooms which are already poorly lit, however due to the design of the building a loss of light exceeding the BRE guidelines would be unavoidable if the development potential of the site is to be optimised in line with planning policy and the site allocation.

203 6 Knightley Walk: This property has several windows/rooms located under recessed balconies which hinder their ability to see visible sky in the proposed condition. Currently the property has a relatively open outlook across the development site but still has 25 rooms that do not meet the BRE target values and this will almost double in the proposed condition. Again, the applicant has carried out an assessment with the balconies removed that shows that the rooms would maintain adequate levels of sky visibility in such a scenario. The NSL results show that an adequate proportion of sky will be seen from within the room, with all rooms remaining within 20% of the existing condition or maintaining an NSL coverage of at least 50% in the proposed condition. Overall, this building will experience a significant reduction in light as a result of the development proposals, although this is mainly due to the large recessed balconies hindering the windows/rooms ability to see sky. In addition, the results indicate that 43 of the windows that qualify for assessment will not meet the sunlight target values. As such, this building is expected to be left with light levels which are low but not uncommon in a regeneration area.

204 1, 3 & 5 Eastfields Avenue, 27 Enterprise Way and 1-33 Avon House: Due to the relatively open outlook these properties currently enjoy, 1, 3 & 5 Eastfields Avenue will see a noticeable reduction in VSC to some windows. However, all of these properties will be left with sufficient levels of daylight and sunlight in the proposed condition.

205 1-62 Clyde House: This building has several windows directly facing the development site that are located under either balconies or a very large recess hindering their ability to see visible sky. This is shown in the ADF results where 46 rooms do not currently comply with the BRE target values even though the site has a relatively open outlook across the development site. Overall, there will be a noticeable reduction in light to this property and some of the rooms will be poorly lit in the proposed condition. The design of this building restricts the buildings ability to see sky and as a result any additional massing being added to the site will result in daylight and sunlight losses that exceed the BRE guidelines.

206 Osiers Point (development to the south of Osiers Road): Due to the location of this property in relation to the development site, there will be VSC reductions that exceed that BRE target values. However, all rooms meet the ADF requirements and therefore these blocks are expected to benefit from adequate levels of light in the proposed condition.

207 In summary, 1-5 Knightley Walk, 6 Knightley Walk and 1-62 Clyde Walk would experience a severe reduction in light as a result of the development. However, these buildings currently benefit from more light than would be expected in a high density urban environment and this adjacent building has been designed with either recessed balconies or with external framework that hinder the ability to see visible sky from the windows/rooms. When the existing light levels are low a small reduction in the VSC often results in a disproportionate percentage difference. In addition, the applicant has provided a BRE compliant and VSC-compliant massing diagram that shows that the proposal would need to be around 2 to 3 storeys in height in order to meet either of these standards, which would fail to effectively optimise the site. It is further noted that a proposal that a

scheme that mirrors the massing of surrounding developments, as proposed by some objectors, would result in similar or worse daylight/sunlight conditions compared to the proposed development.

208 On the basis of its review of the applicant's findings, GLA officers consider that any reduction in the height and massing of the proposal to address daylight and sunlight impacts would need to be significant, as minor amendments would not make any material difference to the daylight and sunlight implications of developing the site. There is a need to adopt a flexible approach to daylight/sunlight in an urban location, as outlined in the NPPF and Mayor's Housing SPG. As such officers consider that significantly reducing the height and massing would be a disproportionate response to the daylight/sunlight impacts and would fail to optimise the development potential of the site. Whilst the proposal would result in some harm to some windows within adjacent properties, on balance, this is considered acceptable noting the other substantial benefits of the proposal, the fact that the redevelopment of this site to include tall buildings has been a long standing objective of local policy and given the urban location of the site with recent neighbouring developments that have actually borrowed amenity, to some extent, from the application site. In addition, the surrounding development has been constructed and occupied in the full knowledge that the site would come forward for development in the near future.

Noise

209 London Plan Policy 7.15 and Policy D13 of the draft London Plan state that development should manage noise to improve health and quality of life by: avoiding significant adverse noise impacts on health and quality of life; mitigating and minimising existing and potential adverse noise impacts within the vicinity of new development; separating new noise sensitive development from major noise sources through the use of screening, internal layout, set back distances; and where this is not possible, adverse effects should be controlled and mitigated by incorporating good acoustic design principles. The Mayor's London Environment Strategy aims to reduce the number of people adversely affected by noise and includes a wide range of policies and proposals to support this aim.

210 Wandsworth Local Plan Policy DMS1 states that development proposals should not harm the amenity of users and/or occupiers through unacceptable noise and vibration.

211 The applicant has provided an acoustic assessment that reports the likely noise and vibration effects of the proposed development. The assessment considers noise from road traffic, railway noise along the embankment to the south and noise from aircraft from Heathrow Airport. Road traffic surveys were taken over a two day period in June 2018 and show that noise was around 67dB during the day and 61dB at night. Although passing trains will generate substantial noise, the development is well-screened from the railway line by the buildings under construction to the south of Osiers Road. Aircraft noise would generate around 54dB during the day and 48dB at night. As such, road traffic is likely to be the biggest source of noise, particularly around the frontage on Osiers Road. The acoustic assessment recommends that sound insulating materials are used on the facades of buildings and shows that this would be effective at reducing sound levels to around or below 30dB during the day and night for most of the facade, with a maximum noise level of 40dB. It would not be possible to effectively mitigate noise on balconies, which would be up to 67dB; however, this level of noise would be intermittent and would affect only a small number of units looking over the road where increased noise levels would be expected in any case. Given the urban location, this level of noise is acceptable, subject to conditions as below.

212 A condition is recommended to ensure that details of sound insulating facade insulating facade materials and suitable soundproofing is installed between second floor residential units and the commercial floorspace below is provided. Conditions should also be added to any consent restricting the hours of operation of any outside seating associated with the potential flexible A3

cafe use and requiring details of any ventilation equipment or plant to be submitted for approval to ensure it has satisfactory noise attenuation to avoid disturbance to residential occupiers.

Outlook and sense of enclosure

213 The Council's reason for refusal cites undue harm to the amenity of neighbouring properties, including a loss of outlook and a sense of enclosure. The proposal would affect the outlook of several existing residential properties in the local area and would reduce the current openness of the site as perceived from the middle and upper storeys of surrounding buildings. Notably the proposal would be within the near outlook of residential properties within the Radius development to the west and north, those in Clyde House to the east of the application site and 3 Eastfields to the north. The development would serve to foreshorten the outlook from many of these existing units. However, these units are effectively borrowing a good outlook at present from the site, and as the site has a site allocation there is no reasonable prospect of this outlook being maintained in its entirety. Furthermore, the proposal cannot be said to cause an adverse sense of enclosure given that it is following the site allocation by providing a wide area of public realm at the centre of the site, with a 20 metre distance between buildings. It is acknowledged that Block B1 is located 7 to 11 metres from 1-5 Knightley Walk; however, the distance between the two buildings in the Radius development, 1-5 Knightley Walk and 21-23 Osiers Road, is also 7 to 11 metres across Knightley Walk. As such, the proposal would mirror the existing level of enclosure along Knightley Walk, creating a uniform and well-defined north-south route.

214 The applicant has made amendments to address concerns around outlook and sense of enclosure. Notably it has reduced the height of an extruding section of Block B1, which has served to reduce the impact on outlook when compared to the original scheme. This change also significantly reduces any adverse sense of enclosure provided by the proposal by stepping back Block B1 away from surrounding buildings, increasing the space between existing development and the proposal across the central public realm. Whilst the proposal would represent a reduction in outlook to some properties and would create a more enclosed space that existing, it is considered that this impact is acceptable noting that this is a well-designed scheme within an urban location which provides much needed affordable housing. Importantly, the surrounding development has been constructed and occupied in the full knowledge that the site would come forward for development in the near future. It would be unreasonable to expect this proposal to account for neighbouring amenity that is currently being borrowed from this site. For these reasons, GLA officers conclude that the proposal would not have an unacceptable impact on outlook and would not cause an adverse sense of enclosure to neighbouring occupiers.

Privacy

215 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.

216 In terms of privacy, the proposal provides a range of balconies and windows to create active facades within the development. The applicant has introduced fins to angle views away from sensitive terrace areas within the Radius development, which would reduce the loss of privacy in this area. It is noted that the shortest distance between the proposal and neighbouring development is 10 metres between the edge of Block B1 and 1-5 Knightley Walk. However, it is noted that this is partly due to the fact that Knightley Walk angles towards the development and the developers of Knightley Walk would have been aware that the windows would have looked out onto any development proposal on this site. Indeed, the drawings for 1-5 Knightley Walk show that

the proposal was designed with the 'indicative masterplan' for the current proposal in consideration and show a similar distance between the buildings as currently proposed. Moving the proposal to allow an 18-metre distance between the windows would severely restrict development on the site and likely necessitate taller buildings than proposed to optimise the site. It is further noted that the amount of space between the development and 1-5 Knightley Walk mirrors the amount of space between the Radius development buildings at the northern end of Knightley Walk.

217 The remainder of the proposal is separated by at least 15 metres from neighbouring development, with separation distances of 20 metres within the development, which is considered an acceptable distance and does not raise significant privacy concerns. The separation distances, along with the fins proposed are sufficient to protect privacy of neighbouring residents in this urban setting.

218 The impact on privacy to the proposed units within the scheme itself has been addressed at paragraphs 113 to 115 above.

219 In summary, the separation distances provided between windows are considered to be sufficient to ensure that no significant harm would arise to the amenity of neighbouring occupiers. In addition, as above, the site is within an urban location which has been allocated for redevelopment for some time.

Neighbouring amenity impacts conclusion

220 It is concluded that, on balance, the proposal would have an acceptable impact on neighbourhood amenity. Whilst some neighbouring properties experience a severe reduction in light as a result of the development, owing to the current arrangement these buildings currently benefit from more light than would be expected in a high density urban environment and are designed with designed with either recessed balconies or with external framework that hinder the windows/rooms ability to see visible sky. Any reduction in the height and massing of the proposal to address the neighbouring daylight/sunlight impacts would need to be significant, as minor amendments would not make any material difference to the daylight and sunlight implications of developing the site. As such significantly reducing the height and massing would be a disproportionate response to the daylight/sunlight impacts and would fail to optimise the development potential of the site. Whilst the proposal would have an impact on the daylight/sunlight received by neighbouring properties, this is considered acceptable, on balance, given that the adjacent neighbours currently borrow amenity from the application site the and noting the recent changes to the NPPF which provides greater flexibility when considering daylight/sunlight standards. In addition, this is an urban location and the redevelopment of the site to potentially include tall buildings of 9 storeys or more has been a long-standing objective of the Local Plan. The proposed development would not cause unacceptable loss of privacy due to the separation gaps and fins provided and any impact from noise and disturbance would be adequately mitigated through planning conditions. In addition, the proposal would not result in an unacceptable impact on outlook and would not result in an adverse sense of enclosure. 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 DMPD Policies DMS1 and DMS4. It would also comply with draft London Plan Policies D8 and D13.

Sustainability and climate change

221 London Plan Policy 5.2 and Policy SI2 of the draft London Plan, require development proposals to minimise carbon dioxide (CO_2) emissions to meet the Mayor's targets, in accordance with the following energy hierarchy:

- Be lean: use less energy
- Be clean: supply energy efficiently
- Be green: use renewable energy

222 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

223 The applicant has submitted an energy strategy for the site. This sets out measures to reduce carbon dioxide emissions beyond the 2013 Building Regulations of 35% for the residential element of the development and 37% for the non-residential element of the development, 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 the potential for a district heating connection, combined heat and power (CHP) and renewable energy sources, and that the carbon savings were in excess of the London Plan's targets. There remained 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, the investigation of air source heat pumps as an alternative to CHP and maximising photovoltaic (PV) panel provision.

224 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. The demand for cooling will be minimised through solar control glazing and shading by balconies. A condition is recommended to ensure that the overheating analysis considers extreme weather events using the CIBSE weather files DSY2 and DSY3 and that sufficient measures are proposed to manage the overheating risk associated with these events.

225 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 district heating 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, which is considered inappropriate for small and medium sized residential developments as set out in the Energy Assessment Guidance 2018. This was communicated to the applicant in the GLA's Stage 1 report on 1 October 2018 and the applicant was required to consider alternative heat sources, such as air source heat pumps (ASHPs). However, in the time since then the applicant has not adequately assessed the feasibility of re-designing the proposal to accommodate ASHPs, and therefore officers have an outstanding objection to the use of CHP within this proposal. Given the time sensitive nature of the associated grant funding, any delay caused by a re-design of the development at this point would very likely have a negative impact on the 100% affordable housing offer. Therefore, in the exceptional circumstances of this application, officers consider that the objection to the use of CHP is outweighed by the need to ensure the timely delivery of affordable housing. A condition is recommended requiring air quality mitigation measures for the proposed CHP plant.

226 Renewable technology (Be Green): The applicant has investigated the feasibility of a range of renewable energy technologies. The development would also use ASHPs to service the commercial element of the proposal, resulting in a 24% saving on 2013 Building Regulations from this element alone, which is supported. The applicant has also identified photovoltaics (PV) as the most suitable renewable technology, to be located on all higher-level roof spaces with an output of 48kWp, resulting in a 13% saving on 2013 Building Regulations. Whilst it is noted that there is still lower-level roof space available that could potentially accommodate PV, officers consider that this would likely worsen daylight/sunlight levels within the development to minimal energy generation benefit. As such the proposal is considered to maximise the available roof space for PV.

227 Overall savings: Based on the energy assessment submitted, a reduction of 73 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 35%. For the non-residential element, the savings would be 25 tonnes per annum, or 37%. The carbon dioxide savings respectively meet and 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 £241,200 and will be paid into Wandsworth's carbon offset fund, to be secured in the S106 agreement. A condition is also recommended requiring that the proposal is carried out in accordance with the approved energy strategy dated July 2018 and energy strategy addendum dated October 2018.

228 In summary, the development includes a gas-fired CHP that has not been justified through adequate assessment of the feasibility of ASHPs. As such the proposal does not fully comply with the energy hierarchy set out in London Plan Policy 5.2 and draft London Plan Policy SI2. However, officers consider that the timing limitations on grant funding for the 100% affordable housing offer outweigh the objection to the use of CHP in the exceptional circumstances of this case. The development is otherwise in accordance with London Plan Policy 5.2, draft London Plan Policy SI2, Wandsworth Core Strategy Policy IS2 and Wandsworth DMPD DMS3, subject to provisions secured as recommended conditions and within the draft S106 agreement.

Flood risk and drainage

229 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.

230 Draft London Plan Policy S12 also requires that developments address flood risk through a flood risk assessment and Policy SI13 further states that proposals should aim to achieve greenfield run-off rates.

231 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

232 The application is supported by a Flood Risk Assessment (FRA) which assesses any likely significant effects of flooding and drainage. The site is mostly within Flood Zone 2, with a small area of the south eastern corner external area located in Flood Zone 3a, in an area benefitting from River Thames tidal defences. The FRA considers the risk of flooding from a range of sources and

provides a Sequential Test and Exception Test for the development, as required by the NPPF. The Sequential Test notes that lower vulnerability uses are proposed on lower floors, with more vulnerable uses on higher floors.

233 The FRA proposes a range of flood resilience and mitigation measures. These include two possible measures to protect the ground floor from flooding: setting floor levels of 'more vulnerable' uses a minimum of 300mm above the modelled flood level from a tidal defence breach in 2100 or providing flood barriers to prevent flood water ingress to ground floor areas and the basement. The FRA also proposes mitigation measures including: an emergency response and evacuation plan; using water-resistant materials in ground floor areas; water proofing of the basement to protect against groundwater ingress; installation of electrical fittings and cabling at high level; and providing additional surface water flood storage volume to avoid increasing surface water flood levels.

234 The Environment Agency and Wandsworth Council's flood officer have reviewed the FRA and have no objections, subject to conditions requiring final details of the flood mitigation measures to the ground floor and basement car park and ensuring the implementation of the proposed mitigation measures. GLA officers have assessed the submitted FRA 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 Policy SI12 of the draft London Plan and Wandsworth's Policy DMS5.

Drainage

235 The site is currently largely impermeable, and the development would introduce a range of sustainable drainage and water attenuation measures. The applicant's proposed drainage strategy would attenuate surface water discharge to 2.3 litres/second through a permeable paving sub-base and below ground geocellular tanks. This is above the greenfield run-off rate of 0.6 litres/second but the applicant proposes SuDS measures, including blue roofs at podium level to attenuate rainwater and green roofs at roof level. Large scale rainwater harvesting is not considered practicable for the development. In line with the drainage hierarchy in the London Plan and draft London Plan, the applicant has demonstrated why the provision of infiltration and open water features are not appropriate, given the constraints of the site and the impermeability of the ground on which the development is located. The applicant has included a maintenance plan showing the maintenance and inspection frequency and activities for each SuDS measure proposed. The applicant has also provided an assessment of exceedance flow paths.

236 The attenuation tank volume has been estimated to be 228m^3 for a design discharge rate of 1.9 litres/second in a 1 in 100 year storm event with 40% climate change allowance. The applicant also proposes 100m^3 of permeable paving and 8m^3 of blue roof. 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 slightly below the greenfield run-off rate of 2 litres/second in such an event in line with London Plan Policy 5.13. Council officers were generally satisfied with this approach subject to a condition requiring full drainage and SuDS plans for final approval, which GLA officers recommend is attached to any consent. As such, the application accords with London Plan Policy 5.13, Policy SI13 of the draft London Plan and the relevant sections of Wandsworth DMPD Policy DMS6.

Sustainability strategy

237 The applicant has submitted a BREEAM pre-assessment and construction management plan for the site, which set out a number of sustainability measures proposed in the design and construction process, as follows:

238 BREEAM: Wandsworth DMPD Policy DMS3 sets out that from 2019 developments should meet the BREEAM "outstanding" rating for non-residential floor space. The applicant is targeting a BREEAM "excellent" shell-only rating for the non-residential floor space, with a BREEAM "excellent" rating at tenant fit-out. Although the "excellent" rating would be below the "outstanding" rating required by Wandsworth DMPD Policy DMS3, it is noted that the original application was submitted in 2018 and it would be unreasonable to retrospectively apply a higher standard intended to apply from 2019 onwards. This approach and the commitment relating to BREEAM is secured by way of planning condition, in line with the requirements of Wandsworth DMPD Policy DMS3.

239 Water use demand: London Plan Policy 5.15 states that development proposals should incorporate water saving measures and equipment and should be designed so that mains water consumption would meet a target of 105 litres per head per day. This target is retained in draft London Plan Policy SI5, with the further requirement that commercial development achieves at least the BREEAM "Excellent" standard for water consumption.

240 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 would result in the residential element meeting the water consumption target of 105 litres per head per day, which is in line with London Plan Policy 5.15 and draft London Plan Policy SI5. The implementation of these measures will be secured by condition. The BREEAM "excellent" standard for water consumption is not achievable in a shell-only scheme and so is not required in this instance.

241 Materials and construction waste recycling: The BREEAM pre-assessment sets out commitments by the applicant to specify products with an environmental product declaration and to use FSC certified timber for construction through a sustainable procurement plan. 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. Council officers considered this acceptable and this is in line with Wandsworth DMPD Policy DMS3.

Conclusion on climate change and sustainability

242 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.

Natural environment

Trees

243 There are no existing trees on site. The applicant proposes the planting of 25 new trees within the public realm at ground floor and 8 new trees at podium level between Blocks B1 and B2. Conditions are therefore recommended to require a full landscaping and maintenance scheme to be submitted and approved. Subject to this, the proposals are compliant with London Plan Policy 7.21, draft London Plan Policy G7 and Wandsworth DMPD Policy DMO5 on trees.

Biodiversity

244 Paragraph 170 and 175 of the NPPF state that planning decisions should contribute to enhancing the natural environment by minimising biodiversity impacts and avoiding or mitigating harm and providing net gains. London Plan Policy 7.19 promotes the protection and enhancement of biodiversity, including green corridors and states that new development should realise the opportunities for positive biodiversity gains. Draft London Plan Policy G6 further states that proposals that create new or improved habitats that result in positive gains for biodiversity should be considered positively. Wandsworth DMPD Policy DMO4 seeks to ensure all developments provide net gains for biodiversity.

245 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 by the applicant, which concluded that there are no notable habitats within the site or immediately adjacent to the site that are of value to wildlife, with the site only having the potential for providing suitable breeding habitats for bats and for common nesting birds. The applicant has carried out emergence/re-entry bat surveys that recommends best practice external lighting to avoid unnecessary light spill onto nearby vegetation or boundary features and a condition to this effect is recommended. It is recommended that the application is conditioned to provide a scheme of biodiversity improvements including bird and bat boxes to secure a net gain in biodiversity.

246 The proposed tree planting and landscaping will greatly enhance the ecology of the site attracting a variety of bats, birds and other species. As such the proposal enhances the biodiversity of the site, providing a net gain in line with the NPPF, London Plan Policy 7.19, draft London Plan Policy G6 and Wandsworth DMPD Policy DMO4.

Urban greening

247 London Plan Policy 5.10 and draft London Plan Policy G5 state that developments should provide new green infrastructure that contributes to urban greening. Policy G5 also sets out a new Urban Greening Factor (UGF) to assess the quality of urban greening proposed in new developments, with a recommended target score of 0.4 for predominantly residential developments. Wandsworth Local Plan Policy IS2 states that the Council will use the NPPF and London Plan policies on green infrastructure to ensure the overall sustainability of a site. The applicant has proposed a wide variety of urban greening, including trees, hedge, fern and shrub planting, mixed grass planting, perennial planting, climbing plants and green roofs. The UGF score for the development is 0.2, which is below the 0.4 target score. However, the landscape drawings show that the applicant has clearly balanced optimising urban greening with the need to provide an open and accessible public realm and as such the UGF score of 0.2 is acceptable. A condition requiring a full landscaping and maintenance scheme to be submitted and approved that will secure the proposed urban greening is recommended.

Other environmental issues

Air quality

248 A core priority of the Mayor's London Environment Strategy (2018) is to improve London's air quality and protect public health by reducing exposure to poor air quality, particularly for the most disadvantaged and those in priority locations such as Air Quality Focus Areas, and outlines a range of initiatives which seek to improve the capital's air quality over time, including the Ultra Low Emission Zone (ULEZ). London Plan Policy 7.14 and Policy SI1 of the draft London Plan state that London's air quality should be significantly improved and exposure to poor air quality should be

reduced, especially for vulnerable people and makes provision to address local problems of air quality (particularly within Air Quality Management Areas (AQMAs)) and be at least "air quality neutral". Policy SI1 states that development proposals should not create unacceptable risk of high levels of exposure to poor air quality and should ensure design solutions are incorporated to prevent or minimise increased exposure to existing air pollution. 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.

249 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. This looks at the impacts of demolition and construction, and traffic generated by the scheme. An Air Quality Neutral Assessment has been submitted.

250 Construction Phase. The applicant's air quality assessment stated that dust sensitive receptors will potentially experience increased levels of dust and particulate matter before using any mitigation and control measures. However, these are predicted to be short term and temporary impacts. Throughout this period, the potential impacts from construction on air quality will be managed through site specific mitigation measures, including through a construction dust management plan. With these mitigation measures in place, the effects from the construction phase are not predicted to be significant. Implementation of the construction dust management plan is recommended to be secured by condition. Compliance with the Non-Road Mobile Machinery Low Emission Zone is also recommended to be secured by condition.

251 Operational Phase. The main polluting operations associated with the proposed development once built include emissions from traffic movements and the CHP plant. The development proposes a small reduction in overall traffic compared to the "do nothing scenario", with a consequent small improvement in air quality, which is strongly welcomed. The development as proposed would meet the Transport Emissions Benchmark aspect of the Air Quality Neutral policy. The development would also meet the Building Emissions Benchmark aspect of the Air Quality Neutral policy, however this is based on a notional arrangement of CHP and boiler units. The direct impact of stack emissions within the development and surrounding buildings (including tall buildings) has not been assessed and is recommended to be secured by condition.

252 Mitigation and ventilation: The development is subject to levels of air pollution above legal limits for Nitrogen Dioxide at units on the lower floors. As mitigation the developer has proposed the provision of Mechanical Ventilation with Heat Recovery (MVHR), including additional NO_2 filters. However, passive ventilation (openable windows) will be the primary means of ventilation. All units up to the 10th floor will be fitted with mechanical ventilation and openable windows, so that residents have the option to both access cleaner air and to effectively cool their property. Further details of the MVHR are recommended to be secured by condition.

253 Having reviewed the applicant's air quality assessment, it is considered that impacts can be suitably mitigated via the proposed design interventions, which will be secured by condition.

Wind

254 London Plan Policy 7.7 states that tall buildings should not affect their surroundings 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. Draft London Plan Policy D8 further states that wind conditions around tall buildings must be carefully considered and not compromise comfort. Wandsworth DMPD Policy DMS4 requires tall buildings to address climatic effects on their surroundings, including wind conditions.

255 The applicant produced a wind microclimate assessment with the original application. This has not been updated as a result of the revised submission; however, as the height of the proposal has decreased since the original application it is unlikely to significantly affect the results of the assessment. The assessment is based on a qualitative desk-based methodology that has tested the wind impacts of the proposal using meteorological data, the Lawson pedestrian comfort criteria and the occurrence of strong winds.

256 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 southern entrances to Block A, the southern end of the podium and the pavement to the south and west of Block B have some instances of 'standing' conditions. 'Strolling' conditions would be experienced at the south west corner of Block B1 and at one point towards the centre of the southern face of this block. However, the landscaping has been carefully designed to position seating areas in the calmer part of the public realm at the centre of the site and towards the northern end of the podium. Most of the private balconies are classified as acceptable for sitting use during the summer season, when they are likely to be in use. Wind conditions for some of the upper-level balconies on the southern facade of Blocks B1 and B2 would experience 'standing' conditions. However, it is considered that the introduction of trellises or other mitigating measures to these units would detract from the overall design with minimal benefit. As such, the proposals are not likely to have an adverse impact on wind conditions for people on the site or using surrounding areas.

Waste

257 London Plan Policy 5.17 requires adequate provision for waste and recycling storage and collection facilities as part of new developments. In relation to waste generated through demolition, groundworks and construction, Policy 5.18 requires applicants to produce site waste management plans to arrange for the efficient handling of construction, excavation and demolition waste and materials. Draft London Plan Policy SI7 seeks to reduce waste and increase material reuse and recycling and promotes a circular economy. The policy also sets several waste targets including a strategic target of zero biodegradable waste or recyclable waste to landfill by 2026.

258 Wandsworth DMPD 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.

259 Construction waste: The applicant has submitted a framework construction management plan which identifies how waste will be managed during construction of the development. This states that the applicant will obtain necessary certification, establish a dedicated waste management contractor team and implement a waste segregation and recycling scheme. The applicant proposes to segregate the following materials for recovery: timber; plastics; metal; plasterboard; pallets and cable drums; glass; concrete; bricks; and blocks. The waste would be carried away from site by a licensed waste carrier. The applicant has also set out targets for directing construction waste away from landfill. Planning conditions are recommended to provide a more detailed Construction Environment Management and Logistics Plan prior to commencement and to ensure that contractors adhere to it.

260 Operational waste: The applicant has provided detail about the operational waste strategy for the site in the Design and Access Statement. This has the following key themes:

- Each residential block would be provided with a dedicated bin store at ground floor 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 the 34 bins;

- The entrances to the stores would be located within 10 metres of Osiers Road, allowing easy access from refuse vehicles to collect the waste; and,
- Adequate provision is made for commercial waste, with separate bin stores distributed across the scheme and access for collection vehicles via Osiers Road.

261 GLA officers are satisfied with this assessment, subject to the recommended condition for a detailed Construction Environment Management and Logistics Plan and the submission details of a refuse scheme.

Contaminated land

262 London Plan Policy 5.21 requires the investigation and, where appropriate, remediation of contaminated sites, with appropriate mitigation to ensure contaminated land is brought back into beneficial use and to avoid harm to the environment or human health. Wandsworth Local Plan Policies IS4 and DMS1 requires measures to be taken to ensure that development is safe regarding the re-use of land.

263 A geoenvironmental report has been submitted as part of the application. This included a desk-based assessment, on-site survey, intrusive site investigations through a ground investigation and laboratory testing. The assessment concludes that the potential risks arising from contamination in terms of soil contamination, ground gas, controlled waters, aggressive ground conditions including hydrocarbon contamination, and contamination of water supply pipes represent a low to medium risk of causing harm to human health. These can be mitigated appropriately via remediation to address risk to controlled waters, provision of tree planters and pits, provision of ground gas and vapour protection measures, use of appropriate water supply materials, a watching brief and discovery strategy and materials management. Accordingly, an appropriately worded planning condition is recommended to require a further assessment to be undertaken in relation to land contamination to determine the level of contamination in more detail, with full details of the proposed mitigation measures to be set out by the applicant for approval by the Local Planning Authority. A condition requiring a halt to development on discovery of unexpected contamination is also recommended.

Transport

264 Chapter 9 of the NPPF sets out the Government's aim to promote the use of sustainable modes of transport. When considering the transport implications of development proposals, the NPPF states that decision-makers should ensure that site specific opportunities available to promote sustainable transport modes have been taken up; safe and suitable access to site would be achieved for all users; and any significant impacts from development on transport network (in terms of capacity or congestion) or highways safety can be mitigated to an acceptable degree. Paragraph 109 of the NPPF states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety or where residual cumulative impacts on the road network would be severe. Paragraph 110 of the NPPF sets out additional criteria which should be addressed which includes pedestrian, cycle and inclusive access.

265 London Plan Policy 6.1 sets out a strategic approach for transport in London. This includes the aim to encourage patterns of development that reduce the need to travel, especially by car, through the use of maximum car parking standards; seeking to improve the capacity and accessibility of public transport, walking and cycling infrastructure; encouraging shifts to more sustainable modes of travel and promoting walking and safe and step-free access. Policy 6.3 states that the impact of development proposals on transport capacity and network should be fully assessed and not adversely affect safety, with schemes appropriately phased where transport capacity is insufficient to allow for the expected trip generation. Other relevant transport policies

are Policies 6.9, 6.10, 6.11 and 6.13 which cover cycling, parking and traffic congestion. Policy 8.2 of the London Plan sets out the Mayor's priorities for planning obligations and states public transport improvements should be given the highest importance, alongside affordable housing.

266 The Mayor's Transport Strategy (2018) (MTS) seeks to promote sustainable mode shift, reduce road congestion, improve air quality and assist in the development of attractive, healthy and active places. The MTS aims to ensure that by 2041, 80% of all Londoners' trips will be made on foot, by cycle or by public transport. Policy T1 of the draft London Plans requires development proposals to support this overarching aim, as do a range of other policies in the draft London Plan on 'Healthy Streets' (Policy T2), cycling (Policy T5), parking (Policy T6, T6.1-T6.5) and funding necessary transport mitigation measures (Policy T9). Policy T4 of the draft London Plan requires transport impacts to be assessed and mitigated and avoid road danger.

267 Wandsworth Core Strategy Policy PL3 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 and DMT2 are also relevant.

268 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 reason for refusal. The Mayor's Stage 1 comments concluded that an uplift in cycle parking provision was required to accord with London Plan minimum standards, conditions requiring 2 years cycle hire membership for new residents and a signage strategy using the Legible London system, a Construction Management Plan and a Delivery and Servicing Plan should be secured and a Travel Plan, car club membership, electric vehicle charging points, a car parking design and management plan and resident exclusion from parking permits should be secured in the S106 agreement.

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

Trip generation

270 The applicant has provided a transport assessment including a trip generation assessment undertaken using the industry standard TRICS database. This concludes that the proposed development is likely to generate an additional 84 person movements during the weekday morning peak (0800 to 0900), and around 99 additional movements during the evening peak (1700 to 1800) compared with the existing uses on the site. This is considered to be an underestimate; however, a more robust assessment of the uplift in trips generated by this development is unlikely to lead to a significant impact on the strategic road network or the public transport network. The majority of these additional movements would be public transport trips, given the relatively good public transport provision nearby, notwithstanding the low PTAL. The trip assessment also concludes that net increase in vehicle trips would be negligible, particularly given the limited car parking provision, and as such would have a minimal impact on the existing highway network.

Car parking

271 The development is car free with the exception of ten disabled person's car parking spaces which is in accordance with both the London Plan and draft London Plan standards. It is noted that all of the proposed disabled spaces will include electric vehicle charging points. The transport assessment includes a swept path analysis of the vehicular access to the underground car park from Osiers Road. The Council has assessed this analysis and considers it is acceptable, and that turning traffic to and from the car park ramp would have no detrimental impact on existing traffic

movements. All vehicles would be able to enter and leave the car park in forward gear without impacting the existing operation of Osiers Road, with adequate visibility available for vehicles exiting the car park onto Osiers Road. A Car Parking Management Plan, detailing how the disabled car parking spaces will be managed, will be secured though the section 106 agreement.

272 The draft London Plan requires that disabled person's parking should be provided for 3% of dwellings, with up to 10% provided if the demand arises. 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 by up to 7 spaces.

273 Concerns have been expressed by a number of objectors that any demand for car parking from the development cannot be met on local roads as the site is not located within a Controlled Parking Zone. The applicant's transport assessment notes that the proposal would result in fewer vehicle trips than the previous permitted uses, with the majority of movements being public transport trips. Officers have reviewed this assessment and concluded that the development is unlikely to lead to a significant impact on the road or public transport network. As such, the proposal is unlikely to generate significant demand for car parking and any demand would be mitigated by the provision of two years free car club membership, which will be secured through the S106 agreement.

274 Should a Controlled Parking Zone come forward in the future, the development will be subject to an appropriate legal planning restriction whereby occupiers will be exempt from parking permits. This will be secured within the S106 agreement. However, the development is considered acceptable even if a CPZ were not to come forward in the future. As such, this clause within the s106 has been given no weight in the planning balance but is a welcome offer from the applicant.

275 The car parking provision accords with London Plan Policy 6.13 and Wandsworth Local Plan Policy DMT2. It also accords with Policies T6, T6.1, T6.3 and T6.5 of the draft London Plan.

Healthy Streets

276 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 Osiers Road, including a raised table to facilitate pedestrian movement to and from Wandsworth Town Station. The layout of the development provides a significant amount of new public realm and will allow permeability through the site for pedestrians and cyclists following natural desire lines, and is a significant improvement to the existing situation. These improvements will contribute to the Mayor's "Healthy Streets" agenda for encouraging active travel and mode shift away from the private vehicle. Subject to the proposed pedestrian improvements being secured within the s106 agreement, GLA officers consider that the application would comply with London Plan Policies 6.9 and 6.10 and Policies T2 and T4 of the draft London Plan.

277 It is recommended that a signage strategy using the Legible London system is provided. A contribution of £23,000 towards Legible London signage is secured through the S106 agreement.

Cycling

278 The applicant is proposing a total of 328 residential cycle parking spaces on site, including 5 short-stay spaces. This quantum slightly exceeds the London Plan Policy 6.9 and draft London Plan T5 standards. The applicant is also proposing 48 long-stay and 8 short-stay spaces for the commercial element. The applicant has set out areas within the commercial element that would provide sufficient space for these facilities and for up to 5 showers and 32 locker spaces. Visitor

parking is located within the central public realm and to the south of Blocks B1 and B2, which is convenient for access to both the residential and commercial cores. A condition requiring details of the location and number of cycle parking spaces and the provision of shower and locker facilities is recommended. This should also ensure that cycle parking is designed and laid out in accordance with the guidance contained in Chapter 8 of the London Cycling Design Standards (LCDS).

279 An existing 30 point cycle hire docking station is located to the west of the site on Osiers Road near its junction with Point Pleasant. Whilst the development will increase demand for hire bicycles in the area, the uplift is likely to be accommodated by the exiting provision. The provision of two years free cycle hire membership will be secured through the section 106 agreement.

Public transport

280 There are three bus routes within walking distance of the site: the 270, 220 and 485. The proposed development will increase pressure on existing nearby transport facilities. However, this will be partly mitigated by the re-routing of bus route 485 via Osiers Road planned for 2020, adjacent to the development. It is noted that there is sufficient spare capacity on the routes which directly serve the development site. The proposal is also within walking distance of Wandsworth Town Station, operated by and served by trains from South Western Railway. 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.

281 The applicant is proposing the provision of a raised table at the Osiers Road/Enterprise Way junction. However, the design of this raised table will require approval from TfL as it will be on the route of the re-routed bus route 485. The applicant is therefore required to engage with the Council and TfL to carry out any necessary footway and highway reconstruction works immediately adjacent to the site boundaries, including the provision of a raised table, through a S278 agreement for highway works associated with the development, which will be secured through the S106 agreement.

Delivery, servicing, construction and travel planning

282 The proposed development would be serviced from Osiers Road via a new loading bay. This has been introduced during the course of the application process following concerns raised by Council officers and objectors about the impact of on-street servicing from the development. The applicant's transport assessment anticipates that the number of service deliveries would be low, typically limited to weekly collection of refuse plus occasional home delivery services, with the expected deliveries to the proposed commercial use also likely to be limited and infrequent, comprising mostly of office supply deliveries or parcel couriers. The applicant has carried out a Road Safety Audit for the proposed loading bay, which raised some minor safety issues, although these were considered acceptable by Council officers as they could be resolved during detailed design.

283 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 and draft London Plan Policy T7. 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.

284 London Plan Policy 6.14B and draft London Plan Policy T7 promote the provision of Construction Logistics Plans (CLP) and membership of the TfL Fleet Operators Recognition Scheme (FORS), to minimise the impact and safety risks of construction activities on people and the

transport network. A Construction Environment Management and Logistics Plan will be secured by pre-commencement condition.

285 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

286 The proposals would minimise the need to travel, particularly by car and make acceptable alterations to the public realm in order to accommodate the expected pedestrian demand encouraging sustainable travel. The proposed parking provision is considered acceptable in this urban location and the proposal would not result in any highway or pedestrian safety concerns subject to conditions and the completion of a s106 agreement.

287 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 8.3Wandsworth Core Strategy Policy PL3 (Transport); and Wandsworth Development Management Policies Document (DMPD) Policies DMT1 and DMT2. On the same basis, the development accords with draft London Plan (Policies T1, T2, T4, T5, T6, T6.1, T6.2, T6.3, T6.5 and T7).

Culture

288 In accordance with the Wandsworth Local Plan Policy DMTS12 and the Council's Planning Obligations SPD, the applicant has submitted a Cultural Strategy. This proposes to engage local schoolchildren in designing the hoarding for the site, provide a range of seating and street furniture designs and engage with local children on the design of the play space. Council officers welcomed this approach and the implementation of the Cultural Strategy should be secured within the S106 agreement.

Mitigating the impact of development through planning obligations

289 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 statutory tests.

290 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."

291 At the regional level, London Plan Policy 8.2 sets out the Mayor's priorities for planning obligations, and states that affordable housing; supporting the funding of Crossrail where this is appropriate; and other public transport improvements should be given the highest importance.

292 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.

293 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 3 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

294 As discussed in the housing section of this report, 168 affordable units will be secured, comprising 93 London Shared Ownership units and 75 London Affordable Rent units. Details of affordable housing definitions, fit out, transfer/lease to a Registered Provider, service charge levels, 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.

Transport infrastructure

295 The Council's Planning Obligations SPD states that development may be expected to contribute to improvements to the quality of the public realm and public highways improvements. Several other obligations have been secured to mitigate the transport impacts of the development.

296 A car park management plan, which should include identifying space for further disabled parking provision should demand arise, will be secured, in order to ensure that the needs of disabled residents living within the M4(3) wheelchair accessible units are adequately met. Provision of active Electric Vehicle Charging Points prior to occupation will also be secured to promote low emissions modes of transport.

297 As required by the Council's Planning Obligations SPD, a Travel Plan including an obligation of contribution towards Green Travel Modes for first occupiers in the form of 2 years car club membership will be secured. The contribution is to comprise £100 for the first household in occupation of each residential unit. In addition, 2 years free cycle hire membership has been secured to support sustainable travel behaviour. An obligation excluding residents and staff from being eligible to apply for parking permits in any existing or future CPZs in the locality (unless registered disabled) will also be secured in line with the car free nature of the development and to reduce any car use associated with residents, visitors or commercial occupants.

298 Highways works (under a section 278 agreement) to carry out any necessary footway and highway reconstruction works immediately adjacent to the site boundaries and including the provision of a raised table and a loading bay in Osiers Road will be secured within the S106 agreement. Furthermore, to aid wayfinding through the development, an obligation requiring a £23,000 contribution towards Legible London signage will be secured within the S106 agreement.

Open space and landscaping

299 As required by London Plan Policy 7.5, draft London Plan Policy D7 and Wandsworth DMPD Policy DMO3, provision of public realm within the scheme as publicly accessible, including maintenance and management arrangements, will be secured.

Employment and training

300 A local employment contribution of £83,651 will be secured to promote local labour and apprenticeships during construction and operation, in accordance with the Council's Planning Obligations SPD.

Sustainability

301 The Council's Planning Obligations SPD sets out that all developments will be required to make a contribution to the Council's carbon off-set fund where carbon reduction targets are not met. A carbon off-set payment will be payable into the Council's fund. This is estimated to be £241,200, including the cost of independent review, but could change depending on the final energy strategy, to be approved by condition.

302 The Planning Obligations SPD further states that developments are expected to connect to a decentralised energy network where one is available and that S106 agreements will be used to secure details of how the development will be able to connect to any such network. As there is no current network to connect to, provisions to future proof the site to enable connection to a future district heat network will be secured in the S106 agreement.

Arts and culture

303 In accordance with the Wandsworth DMPD Policy DMTS12 and the Council's Planning Obligations SPD, the implementation of the Arts and Cultural Strategy will be secured.

Council's costs

304 The costs to the Council of monitoring and enforcing the section 106 legal agreement will be secured, amounting to up to 4% of total contributions.

Legal considerations

305 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.

306 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.

307 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.

308 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.

309 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.

310 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.

311 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.

312 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.

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

314 National policy is a material consideration. 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. Those that are relevant to this application are detailed in this Representation Hearing report. It is important to appreciate that these are not parts of the development plan.

315 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.

316 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.

317 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).

318 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.

319 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.

320 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.

321 It should be noted, however, that article 8 and article 1 of the first protocol 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. Whist there are impacts on neighbours these are justified in the public interest as described in the planning analysis above. Accordingly, they represent a proportionate and justified interference with convention rights (article and article 1 of the first protocol).

322 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.

323 The Equality Act 2010 and the Public Sector Equality Duty 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.

324 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.

325 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. In officers' view the grant of planning permission would be compatible with the Mayor's duty under s149 of the Equality Act 2010.

Conclusion and planning balance

326 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.

327 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. As set out in paragraph 3 above, GLA officers' consider that the proposal is in overall conformity with the development plan.

328 When considering the proposals, GLA officers have applied the approach required in section 16 of the NPPF and had regard to the statutory duties relevant to the protection of heritage assets.

329 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.

330 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, loss of industrial land, employment uses and residential uses); housing (including delivery of affordable housing, tenure, mix, density, quality); design (including urban design, tall buildings, 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.

331 Accordingly, the recommendations set out at the beginning of this report are proposed. A summary of the key planning considerations which support the grant of planning permissions is contained in paragraph 3 above.

---

for further information, contact GLA Planning Unit (Development & Projects Team):
Juliemma McLoughlin, Chief Planner
020 7983 4271 email: juliemma.mcloughlin@london.gov.uk
John Finlayson, Head of Development Management
020 7084 2632 email: john.finlayson@london.gov.uk
Alison Flight, Deputy Head of Development Management
020 7084 2820 email: alison.flight@london.gov.uk
Richard Green, Special Projects Manager
020 8039 1237 email richard.green@london.gov.uk
Reece Harris, Strategic Planner (Case officer)
020 7983 5802 email: reece.harris@london.gov.uk
