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L.B. Lambeth LA 100019338
Application Number: 16/00795/FUL  
Case Officer: Jason Traves  
Date Received: 09.02.2016

**Proposal:** Demolition of all structures associated with the petrol filling station and redevelopment of the site to provide a residential led, mixed use development, comprising the retention and refurbishment of vintage house and development of ground plus 24 storeys in the form of two no. towers, linked at ground to fifth floor, and consisting of retail/restaurant use (Use Class A1/A3), office (Use Class B1), up to 166 residential units (Use Class C3), basement car and bicycle parking, resident amenities and all necessary ancillary and enabling works.

Drawing numbers: P0000 Rev 00; P0001 Rev 00; P0002 Rev 00; P0003 Rev 00; P0004 Rev 00; P0005 Rev 00; P0006 Rev 00; P0007 Rev 00; P0100 Rev 00; P0101 Rev 00; P0102 Rev 00; P0200 Rev 00; P0201 Rev 00; P0300 Rev 00; P1000 Rev 00; P1996 Rev 00; P1997 Rev 00; P1998 Rev 00; P1999 Rev 00; P2000 Rev 03; P2001 Rev 03; P2002 Rev 03; P2003 Rev 03; P2004 Rev 02; P2005 Rev 04; P2006 Rev 04; P2007 Rev 02; P2008 Rev 02; P2009 Rev 02; P2010 Rev 02; P2011 Rev 02; P2012 Rev 02; P2013 Rev 02; P2014 Rev 02; P2015 Rev 02; P2016 Rev 02; P2017 Rev 02; P2018 Rev 01; P2019 Rev 01; P2020 Rev 01; P2021 Rev 01; P2022 Rev 01; P2023 Rev 01; P2024 Rev 01; P2025 Rev 01; P2100 Rev 01; P2101 Rev 01; P2102 Rev 01; P2103 Rev 01; P2104 Rev 02; P2105 Rev 01; P2106 Rev 01; P2200 Rev 03; P2201 Rev 04; P2202 Rev 03; P2203 Rev 02; P2204 Rev 02; P2300 Rev 03; P2300 Rev 03; P3001 Rev 03; P3002 Rev 02; P3003 Rev 03; P3101 Rev 02; P3102 Rev 03; P3103 Rev 03; P3104 Rev 02; P3105 Rev 02; P3106 Rev 02; P3200 Rev 04; P3201 Rev 00; P4000 Rev 01; P4100 Rev 01; P4101 Rev 01; P4102 Rev 01; P4103 Rev 01; P4104 Rev 01; P3000-00; P3100 Rev 00

**Documents:**
- Air quality assessment by Waterman dated Feb 2016;  
- Basement method statement by Waterman dated Feb 2016;  
- Daylight sunlight shadowing study by GIA dated Feb 2016;  
- Energy strategy by waterman dated Feb 2016;  
- Internal daylight assessment by GIA dated Feb 2016;  
- Planning statement by DP9 dated Feb 2016;  
- Preliminary environmental risk assessment by Waterman dated Feb 2016;  
- Sustainability statement by Waterman dated Feb 2016;  
- Sustainable drainage strategy by Waterman dated Feb 2016;  
- Transport Assessment by Waterman dated Feb 2016;  
- Wind study by BRE dated Feb 2016;  
- Daylight and sunlight scheme comparison by GIA dated 19/07/2016;  
- Design and access statement by Make dated Feb 2016;  
- Design and access statement addendum by Make dated June 2016;  
- Basement method statement by Waterman dated Feb 2016;  
- Energy strategy by Waterman dated Feb 2016;  
- Utilities statement by Waterman dated Feb 2016;  
- Townscape, Heritage and Visual Impact Assessment – Addendum by Tavernor Millerhare date Jun 2016;  
- Updated daylight analysis by Make architects dated Aug 2015;  
- Draft construction management plan by AIA Consulting dated Feb 2016;  
- Historic environment assessment by MOLA dated Feb 2016;  
- Overheating analysis by Waterman dated Feb 2016;  
- Overshadowing assessments by GIA dated Feb 2016;  
- Travel plan by Waterman dated Feb 2016;  
- Technical Note – Waterman response to points raised by RSS in the review of the noise and vibration assessment dated 21.06.2014;  
- WBS Engineers Note by waterman dated 23.06.16;  
- Unit area schedule by C5 dated Jul 2016;
Flood risk assessment by Waterman dated Feb 2016;
Noise and vibration assessment by Waterman dated Feb 2016;
Statement of community involvement by Ocubis and Local Dialogue [Undated];
Overheating analysis report – Addendum Stage 2 by waterman dated Sep 2016;
Further details:
Response to GLA Stage 1 Report by DP9 dated 29 June 2016;
Response to case officer comments;
Transport response Albert Embankment 170816 by waterman;
WTD SA 05 065 A02;
Response to TfL and Lambeth Highway comments Sep 2016;
Response to Statutory consultation responses 29 June 2016;
Waterman responses to LBL request for clarification on Basement Method Statement (BMS);
DAS addendum - Jan 2017

RECOMMENDATION:

1. Resolve to grant conditional planning permission subject to any direction that may be received following referral to the Mayor of London and subject to the completion of an agreement under Section 106 of the Town and Country Planning Act 1990 of the planning obligations listed in this report.

2. Agree to delegate authority to the Director of Planning and Development to:

   - Negotiate, agree and finalise the recommended conditions as set out in this report; and
   - Negotiate, agree and finalise the planning obligations as set out in this report pursuant to Section 106 of the Town and Country Planning Act 1990.

3. In the event that the committee resolves to refuse planning permission and there is a subsequent appeal, delegated authority is given to officers, having regard to the heads of terms set out in the report, to negotiate and complete a document containing obligations pursuant to Section 106 of the Town and Country Planning Act 1990 in order to meet the requirements of the Planning Inspector.

4. In the event that the s106 is not signed within 4 months of committee, delegated authority is given to officers to refuse planning permission for failure to enter into a section 106 agreement for the mitigating contributions identified in this report and to defend any subsequent appeal.

Applicant:
Ocubis Limited On Behalf Of Hotchkiss Limited

Agent:
DP9 Limited

SITE DESIGNATIONS

<table>
<thead>
<tr>
<th>Relevant site designations:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Listed Building</td>
<td>Vintage House – Positive contributor to the CA</td>
</tr>
<tr>
<td></td>
<td>[NB: The Rose PH – locally listed and adjacent to Vintage House, outside the application red line; 4 no benches on west side of Albert]</td>
</tr>
</tbody>
</table>
Embankment footpath as well as separate listing of river wall with 28 no. lamps stands, all to the north of Alembic House aka Peninsula Heights – Nationally listed and adjacent the site, outside the application red line; Further still Grade II* listed Westminster Bridge, Grade II* listed Vauxhall bridge and Grade II Lambeth Bridge.

Conservation Area (CA)

- Vintage House within the Albert Embankment CA57
- Texaco Petrol Station surrounded but nonetheless outside of the AE CA

Archaeological Priority Areas

- APA A2 North Lambeth Prehistoric settlement, Roman settlement and boat, medieval riverside zone village centres and important houses, post-medieval settlement and early industrial development

Protected View (LVMF)

- Parliament Hill (LVMF 2A.2 and 2B.1)
- Waterloo Bridge (LVMF 15A.2)
- Hungerford bridge (LVMF 17A.2)
- Parliament Square (LVMF 27B.2)
- Westminster Bridge (LVMF 18A.2 and 18A.3)

Other

- Vauxhall Opportunity Area
- Major Development Opportunity - MDO02 - Texaco Garage & Albert Embankment
- Opportunity Area – Vauxhall
- London Plan Thames Policy Area
- TLRN – Albert Embankment A3036

**LAND USE DETAILS**

<table>
<thead>
<tr>
<th>Use Class</th>
<th>Use Description</th>
<th>Floorspace (Gross External Area)</th>
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</thead>
<tbody>
<tr>
<td>Existing</td>
<td>Petrol Station (Texaco)</td>
<td>144sqm</td>
</tr>
<tr>
<td></td>
<td>Offices (Vintage Hs)</td>
<td>1,519sqm</td>
</tr>
<tr>
<td>Proposed</td>
<td>Dwellings</td>
<td>21,639sqm</td>
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<tr>
<td></td>
<td>Offices</td>
<td>2,536sqm</td>
</tr>
<tr>
<td></td>
<td>Shop/restaurant</td>
<td>159sqm</td>
</tr>
<tr>
<td></td>
<td>Basement</td>
<td>4,563sqm</td>
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</tbody>
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**PARKING DETAILS**

<table>
<thead>
<tr>
<th></th>
<th>Car Parking Spaces (general)</th>
<th>Car Parking Spaces (Disabled)</th>
<th>Bicycle Spaces</th>
<th>Motorbike Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing</td>
<td>5 (Excludes pump, wash and vacuum spaces)</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Proposed</td>
<td>42 (NB: All spaces accessible by virtue of care stacker system)</td>
<td>335 (293 no. resi; 28 no. office/commercial; 14 no. visitor)</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>
EXECUTIVE SUMMARY

a. The site is 0.19Ha, and comprises of the Texaco petrol filing station and Vintage House which is office accommodation in a 4-storey converted Victorian warehouse. The immediate area of the Albert Embankment is characterised by a mixture of uses (Residential, hotel, and commercial) in larger scale building of varying architectural styles and periods. The nearest, current residential neighbour is Peninsular Heights across the Albert Embankment.

b. The proposal is for the demolition of the Texaco Petrol filling station for a mixed use scheme comprising ground floor commercial (Flexible Class A1/A3) and access and servicing for Office (Class B1) floorspace at first to third floor and residential in 2 towers, each rising to 25 storeys (84.3m to parapet and excluding rooftop equipment/features) comprising residential Class C3 units in the market and shared ownership tenure. The building will be serviced by 4 basement levels providing plant area, parking for 42 cars utilising an automated driver-free car retrieval stacking system, pool/gym/sauna, and cycle parking. The proposal also involves the retention and refurbishment of Vintage House for 9 social rented housing units with communal and private amenity space.

c. External statutory consultees have considered the application and none have objected to the scheme, subject to appropriately worded conditions and planning contributions if the council is minded to approve the application, which are specified in section 4 of this report.

d. The application was placed on notification in February 2016 and 23 letters of objection were received raising issues in respect of the development principle, design and conservation, quality of accommodation, neighbour amenity impact which are discussed in section 4 of this report. 3 letters of support and 1 comment were also received. Following amendments the application was reconsulted and a further 5 objections were received.

e. In respect of the development principle, the following is discussed in section 6.1 of this report:
   - The loss of the petrol station is acceptable, is not protected by planning policy and there are alternatives available with a 2km radius;
   - The reprovision and increased office floorspace accords with policy;
   - A mixed use approach accords with policy;
   - The density at 2,544hrha exceeds the London Plan 2016 density guideline range of between 650-1100. Rather than apply the density matrix mechanistically, the London Plan and other planning policy approach is to consider the optimal use of the site, if there are overdevelopment symptoms and appropriate mitigation; and
   - Housing provision: The council’s Housing team is satisfied with the overall unit mix proposed, noting that there is an emphasis on smaller units; The combination of the on-site provision (9 no. social rent units and 39 no. shared ownership units) and payment in lieu sum of £9.986m equates to an overall affordable housing offer equivalent to 40% affordable with a 70/30 split in favour of social rent; 10% (17) wheelchair adaptable units are proposed.

f. In respect of the EIA procedure in the UK and noting the application was informally screened at pre-application stage, the current application was screened following submission. It is not considered EIA development having regard to the criteria of
Schedule 1 and 2 development, nor is it within a sensitive area as defined by the Regulations. Therefore, as ES is not required. See section 6.2 of this report.

g. In respect of the quality of residential accommodation, the following is discussed in section 6.3 of this report:
   - All flats meet the minimum floorspace requirements of the National Floorspace Standards;
   - The layout facilitates multiple aspect flats and in the case of single aspect, none are north facing;
   - Acoustic treatment will provide a suitable interval living environment;
   - All flats enjoy an acceptable outlook and openness;
   - There are no privacy and overlooking to neighbours or within the site;
   - Amenity space provision exceeds the minimum requirements;
   - Playspace provision is met on site for children aged up to 11yrs however, older children will rely on open space in the vicinity of the site due to the site constraints which preclude the ability to provide amenity for them within the site. A s106 planning contribution towards play facilities has been agreed to mitigate the impact of the reliance on off-site public play facilities;
   - All flats will have adequate levels of daylight and sunlight and there is no significant adverse shadowing of communal amenity space;
   - In respect of air quality, although mitigation is not necessary from first floor upwards, modern construction means that flats will be mechanically ventilated which will further ensure suitable internal environment for occupiers; and
   - In respect of microclimate (wind), the scheme meets the criteria for use of different spaces including ground floor access and there are no safety implications. The only transgression relate to a couple of private roof terraces for long term sitting in winter and such a situation could be overcome by sensible interventions to make long term sitting possible.

h. In respect of Design, Conservation and Archaeology as discussed in section 6.4 of this report:
   - There is no significant adverse impact to the character and appearance of any conservation area including the Albert Embankment CA as well as others where the proposed towers are visible in wider views and setting;
   - The scheme does not adversely impact upon any strategic LVMF views or identified local views of Lambeth;
   - The scale, form and appearance of the proposal is consistent with the approach for development along this section of the Albert Embankment and is not considered to result in any significant adverse harm to the character, appearance, setting and views and additionally in the case of the Westminster WHS, the Universal Values of locally and nationally listed assets or to the WHS;
   - The proposal addresses criteria of the Mayor and Lambeth tall buildings policies; and
   - The detailed design of the proposal including materials and detailed design of the new build element and retention of Vintage house is considered to be appropriate and high quality.

i. In respect of neighbour amenity as discussed in section 6.5 of this report:
   - There are no significant adverse outlook, openness, privacy or overlooking impacts given the extent of the separations distances which are +21m including Peninsula Heights;
   - In regards to daylight, sunlight and overshadowing there are no significant reductions in light to Spring Gardens, 1-10 Shaftsbury House, 1-10 Cromwell House and the residential elements of The Black Dog PH or to Eastbury House.
With respect to Peninsula Heights, the scheme has been designed with a building break adjacent to Peninsula Heights, specifically to address the reason for refusal of the previous ‘Shark Fin’ scheme. Consequently, the nature of any impact is different between the schemes and a comparison exercise has been evaluated as part of the assessment by the council’s independent BRE consultant. Whilst there is significant reduction in the VSC test, this is on account of the currently unobstructed situation. The effect is also limited to bedrooms as well as galley kitchens which are deemed ‘non-habitable’. Conversely for daylight distribution, the scheme meets the BRE criteria except for some reductions at 1st and 2nd floor. Therefore, in this urban context the levels of daylight and sunlight could still be considered reasonable, and also considering such approaches as ‘mirror-development’ and design refined to mitigate some of the effects compared to the previous ‘Shark Fin’ proposal;

- No significant noise or general disturbance impacts are considered to result from the development however, for the avoidance of doubt, a condition is recommended to agree the hours of operation of the ground floor commercial uses. In respect of noise and disturbance from deliveries, this will be controlled by a delivery and servicing management plans condition; and
- Any potential impacts during construction will be mitigated through the CMP required by planning condition.

j. In respect of Transport, Parking and Servicing as discussed in section 6.6 of this report, the proposal results in a change in trip generation from predominantly vehicular to more sustainable modes such as walking and use of public transport. This is appropriate and acceptable in the CAZ location. Car parking provision for 42 spaces at a ratio of 0.25 reflects other approvals on the Albert Embankment and accords with the VNEB OAPF and Vauxhall SPD. An automated stacker is used which in effect means that 100% spaces are accessible. 20% active electric charging is supplied in accordance with London plan whilst the reminder (80%) will have passive provision, which exceeds the minimum expectations of the London Plan. Cycle parking and refuse storage is provided in accordance with minimum requirements and the location and design of the provision is acceptable. A green travel plan will be secured as part of the s106 planning agreement. Although servicing and delivery arrangements are acceptable to the council’s Transport and Highways team, it is noted that the site constraints necessitate vehicles reversing onto the site from Glasshouse Walk so that they can leave in forward gear. Nevertheless, the movement is acceptable including swept path details having been supplied.

k. In respect of refuse provision discussed in section 6.7, adequate space and access is provided to the required number of waste and recycling bins in dedicated stores( or within the floorspace of the unit in the case of the ground floor commercial) in accordance with the council’s waste guidance.

l. In respect of other environmental considerations discussed in section 6.8:

- Contamination: Appropriately worded standard conditions for remediation are recommended by the council’s environmental health consultant;
- Utilities: No issues and impacts are identified with respect to utilities with the exception of the requirement of Thames Water for an impact study in respect of waste water to ensure that the system can accommodate the development including any necessary mitigation measures; and
- Electronic interference: A condition is recommended to consider any potential impact to and mitigation for terrestrial and satellite TV reception.
m. In respect of energy, sustainability, climate change mitigation and resources as discussed in section 6.9, the scheme incorporates a range of measures to address the Mayor’s energy hierarchy and will achieve 35% CO2 reductions in accordance with policy. Conditions are recommended to address aspects not covered by the building Regs part L and the scheme achieves BREEAM ‘Excellent’. In respect of flood risk, although the site is located in zone 3 and is at risk of breach of the flood defences, all residential is above the floor breach, and non-residential uses commencing at ground floor have access to floors above the breach. In addition, means of escape from the basement levels is protected by dry stairs and flood doors. A SUDs is proposed as part of the scheme to reduce run-off rates from the site. This will be further enhanced by ecological roofs.

n. In respect of landscaping, trees and biodiversity as discussed in chapter 6.10, the soft landscaping interventions across the site and are appropriate to their location and purpose, enhancing the character and amenity of the building and its surroundings. No existing trees are affected by the proposal and biodiversity is encouraged through the species selection which will support fauna as well as a condition requiring bat and bird boxes.

o. In respect of safety, security and designing out crime, discussed in section 6.11, an appropriately worded conditions are recommended by Metropolitan Police requiring Secure by Design accreditation as well as improved glazing, blast assessment and hostile vehicle management.

p. Section 6.13 Viability, Planning Obligations and CIL details the financial negotiations undertaken in the review of the financial appraisal by the council’s independent financial consultant BNPP. The negotiations resulted in the confirmation that the package of s106 planning contributions secured as part of the application are affordable, including the payment in lieu towards affordable housing provision. It is also noted that the scheme is liable for Mayoral and Lambeth CIL.

q. Overall, the scheme is considered appropriate and acceptable, and is recommended for approval subject to the recommendations made on the cover sheet to this report.

OFFICERS REPORT

Reason for referral to PAC: The applications are reported to the Planning Applications Committee in accordance with section ‘(1)(a)(i)’, and ‘(1)(b)’ of the Committee’s terms of reference because the scheme involves the provision of dwelling houses where the number of dwelling houses to be provided is 10 or more, and the provision of a building or buildings where the floor space to be created including changes of use, by the development is 1,000 square metres or more.

1 SITE AND SURROUNDINGS

1.1 The site is 0.19Ha, and comprises of the Texaco petrol filling station and Vintage House which is office accommodation in a 4-storey converted Victorian warehouse. The site is bound by Albert Embankment (A3036) to the west, NR track (Waterloo terminus) to the east, The Rose public house to the north and Glasshouse Walk to the South. There are no national or locally listed buildings on site although, Vintage House is identified as a positive contributor to the Albert Embankment Conservation Area which it sits within. Whilst surrounded by the CA, the Texaco petrol filling station sits outside the CA.
1.2 In respect of relevant planning site designations, the site is located with the London Central Activities Zone (CAZ), the Vauxhall, Nine Elms and Battersea Opportunity Area Planning Framework (VNEB OAPF), and falls within a number of views identified in the London View Management Framework including: Parliament Hill (LVMF 2A.2 and 2B.1); Waterloo Bridge (LVMF 15A.2); Hungerford Bridge (LVMF 17A.2); Parliament Square (LVMF 27B.2); Westminster Bridge (LVMF 18A.2 and 18A.3) as well as the Lambeth panorama from Brockwell Park and view to Palace of Westminster (Policy Q25, Lambeth Local Plan 2015). The property is adjacent the Thames, part of the Mayor’s Blue Ribbon Network. The property is in the wider setting of Westminster Tower WHS. The proposals is within the safeguarding area for London Heliport at Imperial Wharf. The Environment Agency Flood Risk map (online) confirms that the Site lies within Flood Zone 3 (i.e. land assessed as having a 1 in 100 or greater annual probability of river flooding (>1%), or a 1 in 200 or greater annual probability of flooding from the sea (>0.5%) in any year). However, the River Thames defences protect the site up to the 1 in 1,000 year standard. Albert Embankment is part of the TLRN which Glasshouse Walk is Lambeth Council highway. The site has a PTAL of 6b, representing an excellent level of accessibility owing the nearby rail, tube and bus services of the Vauxhall gyratory as well as those bus services along the Albert Embankment.

1.3 The immediate area of the Albert Embankment is characterised by a mixture of uses (Residential, hotel, and commercial) in larger scale building of varying architectural styles and periods. The nearest, current residential neighbour is Peninsular Heights across the Albert Embankment. Further north beyond The Rose are the St James properties currently under construction for mixed use developments including residential. Across NR track to the east is the Spring Mews mixed use development including student accommodation as well as the Vauxhall Pleasure Gardens. To the south are the NR rail arches accommodating a variety of commercial uses including shops and restaurants/venues and public open space along the Albert Embankment. On the other side of Albert Embankment are the offices Tintagel House, Camelford House and Mi6.

2 PROPOSAL

2.1 The proposal is for the demolition of the Texaco Petrol filling station for a mixed use scheme comprising ground floor commercial (Flexible Class A1/A3) and access and servicing for Office (Class B1) floorspace at first to third floor and residential in 2 towers, each rising to 25 storeys (84.3m to parapet and excluding rooftop equipment/features) comprising residential Class C3 units in the market and shared ownership tenure. The building will be serviced by 4 basement levels providing plant area, parking for 42 cars utilising an automated driver-free car retrieval stacking system, pool/gym/sauna, and cycle parking. The proposal also involves the retention and refurbishment of Vintage House for 9 affordable housing units with communal and private amenity space. The development specifics are provided in the above tables of this report.
The architecture adopts a contemporary appearance and pallet of materials in keeping with the evolving skyline along this section of the Albert Embankment and the wider Vauxhall Nine Elms OAPF. Distinguishing features include the twin-tower typology, suspended projecting wings at the north and southern end, and the cascade of amenity terraces spaces between the towers. Also, botanical cabinets which provide a landscape planting intervention at ground floor akin to a greenhouse and inspired by the ‘cabinets of curiosities’ which housed a small extraordinary object collections, popular in the 17th Cen. The cabinets will frame the ground floor entrance circle offering visual interest and also extending into the basement gym/spa/sauna area, offering a natural light well and greenery. There is extensive ecological roof planting across the roofs and the design of cleaning equipment and machinery has been integral to the design development.
2.3 The principle point of access is Albert Embankment. This is unchanged for Vintage House. For the new build, a porte-cochere, a drive-in circle for drop-off and pick up, containing the residential entrance as well as designated points for vehicles accessing the automated paring stacker system and for cyclist using the dedicate cycle lifts to access the basement store. The office has its own dedicated entrance and foyer space along the frontage as do the ground floor commercial units which face onto an open plaza underneath the overhang of the southern tower, facing Glasshouse Walk. Glasshouse Walk provides for servicing with refuse storage and some cycle provision for Vintage House accessed via it, as well as the designated loading area for the scheme.
2.4 Further detailed aspects of the scheme including design, residential quality, transport and servicing arrangements and energy and sustainability provisions are discussed in more detail in Section 6 Assessment under the relevant headings.

Amendments and additional information

2.5 In the course of the assessment the following changes were negotiated:

- **New build:**
  - Internal floorplan changes to increase the minimum floor area of some studio flats to achieve the national floorspace standard;
  - Reorganisation of the podium amenity spaces to incorporate additional components of private amenity provision, screening from other parts retained as communal space;
  - Design changes to facing materials including those touching the ground floor and window frames;
  - Introduction of structural support columns in place of the southern cantilever project;
  - Clarification regarding future extract system venting for ground floor Class A3 uses;

- **Vintage House:** Internal floorplan changes to facilitate the creation of recessed private balconies to flats and extension of flat floor area into the architectural link with the new build element to thereby achieve additional floor area for flats, to offset the lost internal floor area through the creation of balconies; also, 3 no 3beds becoming 4beds given the additional available floor area by utilising the architectural link for additional affordable housing floor area;

- **Energy/sustainability:**
  - Increase in the photovoltaic (PV) array to achieve a total CO2 reduction of 35% in compliance with policy;
  - Updated overheating analysis proposing integrated blinds into the window system; and

- **Additional BRE daylight and sunlight assessment modelling.**

3 RELEVANT PLANNING HISTORY

3.1 The most recent application Ref. No. 08/02765/FUL, with a design informally referred to as ‘The Shark Fin’ proposed the following:
“Redevelopment of the site involving the demolition of existing petrol station and erection of a 23 storey building (including basement) to contain 2,073sqm of commercial floor space at ground, first and second floor levels (flexible use comprising retail [Class A1], café, restaurant [Class A3], wine bar [Class A4], offices [Class B1], gym [Class D2]), together with 164 self-contained flats (20 studios, 46 x 1 bed, 90 x 2 bed, 8 x 3 bed units) on upper floors, along with basement parking, plant, and associated landscaping works.”

3.2 It was considered by the Planning Application Committee (PAC) in meeting of 11.11.2008 with an officer report recommending refusal and was subsequently determined in line with the recommendation. The following reasons for refusal were cited in the decision notice issued 02.12.2008:

“1. The proposal fails to include an acceptable element of employment generating uses, and in the absence of viability or feasibility information to justify this shortfall, or any contribution towards significant access to employment measures in the area, fails to provide a mix of uses befitting of the area’s central location. Furthermore, the applicant has failed to demonstrate that the proposed Class D2 (gym) would be a significant employment generating use. In this regard, the proposal is contrary to Policies 20 and 58 of the Unitary Development Plan (2007).

2. The applicant has failed to demonstrate that the proposed development would not result in an unacceptable loss of daylight and sunlight to habitable rooms in properties at 93 Albert Embankment, to the detriment of the residential amenity for these occupiers. As such the proposal is contrary to the provisions of Policy 33 and MDO2 of the Unitary Development Plan (2007).

3. The proposed residential units would, by reason of undersized room sizes and overall unit sizes, provide a substandard level of residential accommodation to the detriment of the amenity of future occupiers. Furthermore, the proposed development fails to provide a mix of dwelling type and size to meet the housing needs of the Borough, and to encourage a mixed and balanced community. The proposal is therefore contrary to the aims of Policies 15 and 33 of the Unitary Development Plan (2007) and the Council’s Supplementary Planning Document ‘Guidance and Standards for Housing Development and House Conversions’ (2008).

4. The applicant has failed to demonstrate that the proposal would incorporate an acceptable energy efficiency, heating and cooling, renewable energy and climate change strategy capable of complying with Policy 34 of the Unitary Development Plan (2008) and Policies 4A.1, 4A.2, 4A.3 and 4A.4 of the London Plan.

5. The applicant has failed to agree acceptable heads of terms in relation to planning obligations, in particular public transport contributions, so as to mitigate the effects of the proposal. As such, the proposal is contrary to Policy 12 and 58 of the Unitary Development Plan.”

3.4 An appeal to the Planning inspectorate was lodged 10.06.2009 however, it was subsequently withdrawn 04.08.2009.

3.5 [Officer comment: See the assessment in section 6 of this report which indicates that the current scheme has overcome these reasons for refusal. Although this decision is
old, policy and guidance has changed since then and the scheme is a completely fresh approach, various references are made to this refusal in which to appreciate how this scheme is able to overcome the issues.

4 CONSULATIONS

Statutory and Non-Statutory Consultees

External Consultees

4.1 GLA: London Plan policies on employment; housing; affordable housing; historic environment, strategic views and World Heritage Site; urban design and tall buildings, inclusive design, transport and climate change are relevant to this application. The application complies with some of these policies but not with others, for the following reasons:

- Employment: Increased floorspace welcomed;
- Housing: Seeking confirmation that the housing meets local need
  - Revised layouts for some flats recommended to provide additional living space to off-set a lack of private amenity space;
  - Noise mitigation should be secured by condition;
  - Playspace provision is acceptable;
- Affordable House: The initial offer including high proportion of shared ownership tenure is subject to the viability assess and the independent detailed review commissioned by the Council;
- Historic Environment, Strategic Views and WHS: No harm identified;
- Urban design and tall buildings: High quality other than there aforementioned amendments to increase the floor area of flats;
- Inclusive design: The council should secure M4(2) and M4(3) requirements by condition. It is noted that the future marketing of the wheelchair accessible homes should ensure that prospective purchasers are aware of the accessibility and adaptability of relevant units;
- Transport: A provision should be made through the section 106 agreement for in-kind contributions towards the delivery of a Nine Elms Strategy Board public realm scheme, secured via the section 278 agreement. A car parking management plan; electric vehicle charging points; analysis of demand for local car club spaces; contribution of £100,000 towards a Cycle Hire station [Officer comment: 3yr membership for households agreed with TfL in lieu of this one-off payment]; contribution of £6,000 to provide a Legible London sign; funding, monitoring and review of the travel plan; construction logistics plan; and delivery and servicing plan should be secured appropriately; and
- Climate Change: Although the energy hierarchy has been followed, further information need to ensure the proposal is acceptable and CO2 emissions are verified. [Officer comment: Conditions of approval are recommended along with s106 HoTs secured to address the matters raised above. A policy compliance affordable housing offer has subsequently been negotiated, the results of which will be shared in detail with the GLA at Stage II. Further energy information has been supplied by the applicant to the GLA in advance of Stage II]

4.2 Port of London Authority: No objection in principle and offer the following observations:

- The Framework Travel Plan should consider promoting river based transport including measures to boost the number of river trips;
• Consideration to be given to the use of the River Bus and request a planning condition in this respect;
• Notes that ST Georges Pier is nearby to encourage River Bus use.

[Officer comment: Consideration of opportunities to promote trips using river transport is via the green travel plan, the final version being secured via the s106 planning agreement as opposed to a planning condition]

4.3 Network Rail: The following comments were offered:
• As the proposed application site is adjacent to Network Rail’s operational railway/infrastructure, Network Rail will require the developer to sign an Asset Protection Agreement with our Asset Protection Team prior to the commencement of any works on site;
• The applicant must submit a Demolition Strategy, a Risk Assessment and Method Statement (RAMS) and a Ground Movement Assessment to Network Rail’s Asset Protection for acceptance;
• The applicant must undertake an intrusive study and adopt a demolition method that causes minimal vibration/movement of land. Mitigation measures for excessive movement or vibration should be in place to eliminate the risk of any debris falling on a Network Rail road/viaduct;
• Monitoring of Network Rail viaducts should be in place during both demolition and construction. The applicant must submit a monitoring strategy for Network Rail’s Asset Protection acceptance;
• The construction of four levels of basement and extensive excavation will impose risks to adjacent Network Rail land and train operations. As such, Design Form 02 and 03 for the basement are to be submitted for Asset Protection acceptance. Design forms for temporary propping must also be reviewed and accepted by Network Rail;
• The applicant must undertake a glare risk assessment and identify any risks to signals and train driver sighting. An assessment report must be submitted to Network Rail for acceptance. A Microclimate Assessment must also be undertaken and submitted to Network Rail;
• The applicant must submit details of landscaping adjacent to Network Rail operational land and follow the attached tree planting guideline;
• Network Rail will be required to assess and review design details of all permanent works including foundation works for the proposed building blocks, a RAMS for lifting roof trusses, a RAMS for fixing cladding etc;
• The outside party should submit the design and details of all temporary works i.e. temporary design works for scaffold access etc;
• Details of any proposed tower cranes and mobile crane must be submitted for Asset Protection acceptance. If the collapse radius of tower crane encroaches within 1.5m of the Network Rail boundary/fence the applicant must submit Form 02, Form 03 and a RAMS for the erection of the tower crane. A RAMS/lifting plan for any lifting near Network Rail land must also be submitted for review and acceptance;
• The applicant must submit details of the proposed drainage for Asset Protection acceptance. Control measures should also be in place to eliminate the risks to viaduct foundations; and
• Necessary traffic control measures should be in place to eliminate any risks to Network Rail viaducts. A RAMS for any work that may impose risks to our assets and train operation must be reviewed and accepted by a representative of Network Rail.

[Officer comments: Conditions in respect of glare and piling are recommended whilst other matters raised will be identified in informatives for the awareness of the applicant]
4.4 Historic England – Archaeology: No objection to the submitted archaeology report, subject to conditions and informative in respect of requiring further archaeological evaluation to safeguard any assets that may exist on site.

[Officer comment: An appropriately worded archaeological condition is recommended if the council is minded to approve the application]

4.5 TfL: No objection subject to conditions and s106 planning contributions, noting the following key aspects of the assessment:

- **Trip Generation / Modal Split:**
  - TA methodology acceptable albeit the cycling mode share is low;
  - The trip estimation split between bus, tube and rail modes should be revised to assist TfL in respect of planning of the future bus network however, it does not affect contributions;
  - Net reduction in impact of vehicular movements with the removal of the petrol station and the scheme would be unlikely therefore to have a significant impact on the local road network but considers there would be an impact on public transport network and whilst mitigation will be covered by CIL, there may be some site specific mitigation required through the s106 planning agreement;

- **Highways/site access:**
  - Support the closure of the existing southern access point and retention of the northern access point onto Albert Embankment;
  - The design of the access to consider pedestrian and cycle needs;
  - Regarding highway works adjacent the site covered by s278 of the Highways Act, TfL requests the s106 agreement includes reference to schemes contributing to the delivery of a Nine Elms Strategy Board public realm scheme through works in kind;
  - Any landscaping to comply with the Public Realm Surface Materials Guide (TfL and Nine Elms Vauxhall Partnership Public Realm Working Group, 2013), the VNEB OA Public Realm and Highways Modelling Study and the TfL Streetscape Guidance (2016);
  - Request a planning informative to reference that any highway works will need to be secured through a s278 agreement;

- **Car parking:**
  - 42 spaces equates to a parking ration of 0.25 for residential properties whilst there is no parking for the commercial floorspace – supported;
  - 10% of parking should be allocated for Blue Badge holders;
  - Electric Vehicle Charging Points (EVCP’s) should be secured by condition at a rate of 20% of spaces with active provision and a further 20% with passive provision and details to be supplied as to how this would work in the automated parking system;
  - Car club provision supported, to be secured via the s106 agreement;
  - Car parking management plan to be secured by condition;
  - The amount of cycle parking accords with London Plan standards;

- **Cycle Hire:**
  - Requests £100k contribution towards Mayors a new cycle hire docking station;
  - Legible London: £6k contribution requested for a sign in the area;
  - Travel planning: To be secured via the s106 agreement including monitoring;
  - Construction logistics: Secure a full construction logistics plan via condition;
• Deliveries and Servicing Plan: To be secured by condition noting cycle parking provision needs to separately consider periods when refuse collection is taking place, thereby restricting access to cycle parking;
• The scheme will attract a CIL charge; and
• Basement methodology: Given potential damage to the highway, the basement impact assessment should be secured by condition.

[Officer comment: the various conditions and s106 requests made have been recommended if the council is minded to approve the application, other the cycle hire contribution, based on further discussions between the Mayor and TfL that this contribution was not necessary, given the existing provision of cycle hire in the vicinity]

4.6 Environment Agency (EA): No objection subject to standard conditions for mitigating contamination, piling details, and drainage details.

4.7 NATS: No safeguarding objection, the application does not conflict with any of the safeguarding criteria.

4.8 Metropolitan Police: The location is crime hotspot and to reduce vulnerability, attention to be paid to the ground floor such as good lighting, demarcation of space and appropriate usage. Requirement for the scheme to address Secure by Design Homes 2016.
[Officer comment: An appropriately worded condition is recommended for SBD accreditation]

4.9 Metropolitan Police - Counter Terrorism:
• Glazing should be in line with guidance CPNI EBP 01/14: April 2014 and fascia fabric and all materials to mitigate flying and falling debris;
• A blast assessment for glazing and the structure is recommended; and
• Hostile vehicle management to be installed.
[Officer comment: Appropriately worded conditions are recommended to cover the above recommendations.]

4.10 Thames Tideway: No objections in principle to the proposal. Their comments relate to promoting a coordinated approach to construction traffic safety and management including becoming a participant in the TfL, Nine Elms Area Traffic Working Group which coordinates the multiple schemes taking place in this area.

4.11 Thames Water (TW):
• Waste:
  o A drainage strategy Grampian condition is recommended given the inability of the existing waste water infrastructure to accommodate the needs of the development without mitigation;
  o Surface water drainage: attenuation of storm flows and nay discharge into TW severs requires prior approval; oil interceptors for vehicular washing/repair areas;
  o Informative recommended regarding discharge of ground water into the sewer;
• Water: No objection to the application having regard to infrastructure capacity.

4.12 London Fire Brigade: Insufficient details supplied to confirm compliance with British Standard BS 5588 Part 11, current Building Regulations and the appropriate Fire Safety Guidance Document and attention is drawn to the following matters
- Access for Fire Brigade appliances is to be provided in accordance with Brigade document Fire Safety Guidance Note 29;
- 3 copies of a site plan are to be forwarded for consideration of water supplies for fire fighting purposes to the Water Section, LFB;
- Sprinklers to be considered for this development.

**[Officer comment: An informative is recommended in respect of the matters raised by LFB and compliance with British Standards for early awareness and to be addressed at the time of separate approval under the Building Regulations]**

**Internal Consultees**

4.13 **Design and Conservation:**
- Heritage site designations: Vintage House is a positive contributor to the CA;
- Views: No adverse impact to strategic or local views identified;
- Built form: Form and massing appropriate and accords with the VNEB OAPF and Vauxhall SPD;
- Materials and detailed design:
  - Approach supported in the interests of developing a ‘family’ of buildings along this section of the Albert Embankment; design and material amendments negotiated in summer 2016 to reduce the construction costs of the building in the interests of facilitating negotiations to improve the affordable housing offer;
  - Vintage House: Welcome retention;
  - New build element: Botanical ‘Cabinets of Curiosity’ have potential for important greening of the frontage;
  - Dual aspect accommodation maximise;
  - Communal and external space welcomed; and
  - Materials and construction detailing conditions recommended.

**[Officer comment: The abovementioned conditions are recommended if the council is minded to approve the application]**

4.14 **Highways and Transport:** No objection subject to the following:
- Access: New servicing crossover on Glasshouse Walk may be acceptable subject to removal of other access points onto the Albert Embankment, reduction in number of vehicular movements across the footway compared to existing and overall improvement to the pedestrian environment and subject to design detail;
- Trip Generation:
  - Vehicular trips to reduce, noting Albert Embankment is a red route with a significant volume of traffic;
  - Shift in travel patterns to increased public transport, pedestrian and cycling trips and therefore a financial contribution is requested for the upgrade the public realm to ensure a safe and attractive environment is provided for future residents and office workers. Tinworth, Glasshouse and Vauxhall Walk are key routes providing links to local amenities on Black Prince Road;
  - TfL should be consulted in respect of any additional contributions towards public realm of the Albert Embankment and public transport;
- Car parking:
  - Details of how the functioning of the automatic parking stacking system e.g. how it would work if one of the lifts breaks down are important to considering the acceptability;
  - Parking ratio of 0.25 is in line with other development on the AE;
Secure parking permit free through the s106 planning agreement;
- A care club with 3yrs free membership to be agreed with an operator and secured in the s106 planning agreement;
- Cycle parking: Levels of provision meet the standards, with detailed design being needed;
- Refuse: Details accepted noting the reliance of reversing into the site from Glasshouse Walk will require a banksman to manoeuvre at all times;
- Construction: A CMP should be required by conditions;
- TfL should be consulted given Albert Embankment is a TLRN road.

[Officer comment: Appropriately worded conditions are recommended in respect of cycle parking design and provision, waste storage design and provision, DSP, CMP as well as s106 planning contribution for public realm improvements, car club and membership, parking permit free development, travel plan and monitoring]

4.15 Parks and Open Spaces: Supports the application subject to conditions and informatives for survey and mitigation for protected species, approval of landscaping details, and approval of ecological roof design, with the following points noted in their assessment summary:
- The application does not involve an existing public space or site of nature consideration importance;
- The supporting ecological appraisal shows the site has little ecological value and the only risk is to nesting birds in the breeding season however, appropriate mitigation is proposed;
- Note that prior to commencing that the developer should check the site again for protected species and follow their stated procedures for protection;
- Landscaping proposals acceptable in principle subject to full details being conditioned including the design, location and maintenance of any landscape features (including rooftop terraces, walls and ground/wall features) and the selection of all plants and trees; and
- Details of ecological roof particularly important and should consider varieties that support protected species such as Black Redstarts.

[Officer comment: Conditions and informative are recommended if the council is minded to approve the application]

4.16 Independent Environmental Health Consultant:
- Contamination: Recommend standard contamination remediation condition given the presence of contamination on site, as well as conditions requiring details of piling details and construction methodology;
- Microclimate (Wind): No adverse wind turbulence affects identified for pedestrian areas and modelling of amenity spaces acceptable for their intended use throughout the year except for the following exceptions:
  - Roof gardens at 18, 20, 22 and 24 have wind conditions not suitable for long term sitting during winter;
- Noise and Vibration: Conditions recommended requiring approval of details for sound insulation for habitable rooms; measures to mitigate noise transmission from amenity space to less than 55dB LAEQ(16hr); all mechanical equipment and trunking including kitchen-related equipment; scheme of sound insulation/separation between commercial units and residential flats, approval of hours of operation of the commercial and office uses, delivery and servicing management plan, wind impact mitigation, demolition and construction methodology; as well as a compliance condition that plant and building services shall not exceed background noise levels when measured from the nearest noise sensitive or residential premises, no noise amplification in the commercial units,
no occupation of commercial floorspace other than for class B1, A1-A3 i.e. the use classes applied for.

[Officer comment: The suggested conditions are recommended if the council is minded to approve the application. In regards to microclimate and the affected roof terraces, the implication for the amenity space at the time of year is not considered to be a reason to warrant amendment to the scheme as it is during winter when it is less likely the space would be desired for such a purpose as long term sitting and which the future user could overcome with sensible interventions within their remit given it is private space. Furthermore, the implication is merely to personal comfort in a private space as opposed to safety and in relation to communal/public space, involves isolated incidences rather than right across the scheme and therefore is not considered critical to the acceptability of the scheme in planning terms]

4.17 Business and Inward investment: No objection and no requirements/obligations to be imposed on the office floorspace.

4.18 Independent BRE Consultant: Considering all aspects in terms of daylight and sunlight, the proposed scheme does not have a significantly adverse impact to neighbours although there are inevitably, isolated adverse effects which are not uncommon in an urban context and regeneration area. Key aspects of the assessment are summarised below:

- Existing and proposed scenarios have taken into account other construction in the area i.e. Eastbury House, St James, Albert Embankment;
- Daylight assessment for neighbours entailed the use of the BRE tests namely, VSC, daylight distribution and ADF. In addition, sunlight has been reviewed as appropriate for the existing neighbouring properties (to sun important rooms i.e. living rooms) with shadow diagrams for overall consideration on amenity spaces;
- There is some noticeable daylight (VSC) reductions primarily to Peninsula Heights, which is mainly limited to bedrooms and small kitchens (considered ‘non-habitable’ and therefore not significant to BRE assessment) to the east facing elevation. Bedrooms could be considered as less important in terms of daylighting than living rooms;
- It is highlighted that given the development site has limited existing massing, windows in the east facing elevation of Peninsula Heights have enjoyed very high daylighting levels (especially in terms of VSC) not ordinarily expected for an urban context;
- The design of the proposal appears to have resulted from the focus of seeking alignment of the ‘tower-gap’ within the development with those windows within the east facing elevation of Peninsula Heights (particularly, those windows that serve ‘single-aspect’ rooms). Whilst this has not, necessarily, significantly mitigated the high daylight VSC reductions, it has resulted in the distribution of daylight within the habitable rooms within Peninsula Heights being reasonably maintained / reductions in daylight distribution generally falling within the BRE Guide target criteria;
- For the other surrounding properties, Spring Gardens (relative new-build hotel and student accommodation) is effected to a lesser extent and then the remainder of other neighbouring properties generally satisfy the BRE Guide target criteria;
- A comparative exercise with the Shark Fin has formed part of the consideration and although a direct comparison needs to have regard to changing development circumstances, it shows that despite some worsening VSC results, the daylight distribution reductions have general reduced (improvement) to neighbouring rooms. The areas of worsened impact are to multiple aspect rooms there is alternative aspect to receive light flow from, thereby maintaining a reasonable
daylight distribution to reasonably discount the importance of the VSC results; and

- In terms of adequate levels of light for the proposal, sufficient light for rooms is achieved given the urban context and neighbouring properties.

[Officer comment: The scheme shows some limited impact to kitchen and bedroom windows on the Peninsula Heights at east elevation at lower levels. As compared to the form and massing of the previous ‘Shark Fin’ scheme, the current proposal has been designed to mitigate more serious impacts such as loss of light to single aspect habitable rooms, principally by dividing the massing into two towers with a substantial building break in between. Given the methodology of BRE tests which compare an existing and proposed site in a suburban context, any form of redevelopment to any significant number of storeys will register some form of impact. This is the case for Texaco which could essentially be considered under-developed, particularly in this CAZ location. The corollary of this being that any proposed redevelopment of the Texaco in line with the aspirations of the CAZ and VNEB OAPF and site optimisation policy aspirations, will record some sort of impact. The specific impact to the neighbours needs to be considered. This application assessment is a characteristic example of the evaluation of the significance of BRE impacts posed by a redevelopment on existing, proximate neighbours in central London. Overall, the limit of impact to non-habitable and less significant habitable rooms on one elevation as well as taking into account the CAZ context, the impact is not considered significant to warrant a refusal or redesign. As stated, the comparative exercise with the ‘Shark Fin’ which was considered by the independent consultant, concluding that the current scheme posed a different and lesser impact on account of the different massing of the current application which started from the position of considering BRE and the previous refusal. The scheme is considered to have overcome the previous reasons for refusal and is considered acceptable. It should be further noted that any Rights to Light matters are separate to the planning process]

4.19 Employment and Training: Request a draft employment, skills and training plan in accordance with the s106 and all the required undertakings therein.

[Officer comment: Employment and training related contributions have been sought in accordance with the provisions of the Council’s s106 Planning Obligations SPD]

4.20 Flooding and Sustainability:

- Notes the TE2100 plan to raise the height of the Thames flood defences, noting risks of flooding from overtopping;
- Basement method statement: Ground water to be checked including presence of perched water; basement pump recommended;
- SUDs: Acceptable, having addressed the hierarchy and reducing runoff by 50%;
- TW to be consulted in regards to waste water discharge; and
- Recommends a SUDs condition for detailed design including pumped detention tank scheme to be agreed.

[Officer comment: Appropriately worded conditions are recommended if the council is minded to approve the application]

4.21 Independent energy consultant:

- The applicant has clarified that the BREEAM assessment for the office space will be Shell and Core only as well as the commercial elements which is acceptable;
- Subject to a condition being recommended for a fitout assessment of the various elements to achieve an ‘excellent’ rating;
- Green (ecological) roofs: A condition is recommended for detailed design to be approved;
• Condition a finalised energy strategy to address overheating and reliance on air conditioning.

[Officer comment: Appropriately worded conditions are recommended if the council is minded to approve the application]

4.22 **Housing:** Supports the provision of on-site affordable housing as well as the payment in lieu.

4.23 **Policy:** Advice provided through the course of the assessment specifically in relation to the application of policy in relation to viability assessment.

4.24 **Waste Team:** No objection, scheme is satisfactory from a waste perspective.

**Other groups**

The following groups were consulted but did not provide any comment: Association of Waterloo Groups; The Theatres Trust; Vauxhall One Business Improvement District; Friends of Old Paradise Gardens; Whitgift Estate Tenants Association; The Vauxhall Society; Vauxhall Gardens Estate Residents and Tenants Association; Kennington Association Planning Forum; Kennington Oval & Vauxhall Forum; Campaign For Real Ale; 9 Albert Embankment Residents Association; We Are Waterloo; London Duck Tours; Brook Drive Tenants Residents Assoc; Cleaver Square Residents’ Association; Dryden Court Residents Association; Friends Of Archbishop's Park; Whitgift Estate Tenants Association; Friends of Vauxhall Spring Gardens; I.M.P.A.C.T.; Jubilee Walkway Trust; South Bank And Waterloo Neighbours; Heart Of Kennington Residents’ Association; Pearman Street Residents Association; Vanbrugh Court Residents’ Association; Waterloo Community Development Group; Walcot Estate Tenants Association; Bus Priority and Traffic Unit; London Transport Buses; London Heliport; Historic England; The Garden Trust; Highways Agency; Lambeth Environmental Consortium; London Ecology Unit; London Wildlife Trust; Off Route Airspace 5; Sustrans; Traffic Director for London; City Of Westminster; EDF Energy; Civil Aviation Authority; Southern Gas Networks Southern Gas Network; Regulatory Services – Licensing; Regulatory Services – Food safety; London Heliport; Lambeth Building Control.

**Public consultation**

4.25 Letters were sent to a total of 295 neighbours. A total of 3 site notices were erected around the site boundaries on 19.02.2016 and the application was advertised in the local newspaper (‘South London Press’) on 19.02.2016. This is separate to the consultation exercise undertaken by the applicant, the details of which are in the Statement of Community Involvement which supports the application.

4.26 In response to the council’s consultation exercise, a total of 23 objections were received, raising the following relevant planning considerations:

**Principle**

• Loss of petrol filling station and convenience store [Officer comment: Petrol stations are not protected uses and it is further noted that alternatives are located in a reasonable vicinity of the site as identified in the applicant’s Design and Access Statement. Convenience shopping is located in the vicinity at Vauxhall gyratory and in terms of protecting Class A floorspace, the scheme includes flexible Class A1/A3 space at ground floor]
Questioning additional retail/restaurant uses given existing area provision
[Officer comment: Additional provision accords with the CAZ, VNEB OAPF and Vauxhall SPD]
Reference to the previous refusal and that this scheme should be refused
[Officer comment: Applications are assessed on it individual merits and whilst planning policy and guidance has changed since the time of the previous decision, the current assessment includes consideration of whether or not the previous reasons for refusal have been overcome]

Design and Conservation
- Harm to amenity and local character (contrary to Q6 par iv) will result given the building will extend the existing build line [Officer comment: The scheme is considered to accord with the evolving character along the Albert Embankment and future aspiration for the Vauxhall Gyrratory and OAPF, with no specific adverse impacts identified to views, listed buildings, conservation area or WHS]
- Canyonisation along the railway where it borders Glasshouse Walk [Officer comment: Noting that the development accords with policy and guidance as identified in the above comment, it is further noted that the development plot does not contribute a substantial run of additional development and which is further broken into two tower elements. As such, additional massing beside the railway is not considered to result in any unacceptable canyonisation]
- Concern about another high rise development in the area [Officer comment: See comments above]
- Excessive size and height [Officer comment: At 84m/25storeys (To parapet and excluding rooftop equipment/plant), the scheme is commensurate to the other developments along the Albert Embankment which sit within the context of the aspirations for redevelopment of the gyrratory to the south and wider OAPF in which storey heights have been considered as part of the emerging cluster and are considered appropriate and acceptable]
- Does not satisfy Policy Q5 b ii- iii with regard to the relationship with local properties and communal green spaces [Unspecified] [Officer comment: As above, it being further noted that the scheme has been reviewed by the Council's Conservation and Design officer who considers the scheme to be appropriate within the established context and character of the area]

Quality of accommodation
- Contains single aspect flats of 38sqm [Officer comment: The intent of policy is to minimise single aspects units which is demonstrated, and not to preclude them entirely. In the course of the assessment, negotiations secured the redesign of smaller studio units to accommodate additional floorspace to comply with the national floorspace standards]

Neighbour Amenity
- Loss of outlook [Officer comment: With the exception of The Rose public house, all neighbours are separate by intervening public roads and railway and as such, will continue to have an outlook commensurate with a CAZ and opportunity area location, albeit different to the petrol station which is characteristically under-developed and sub-optimal use of this well located, highly accessible site.]
- Loss of light to kitchen and rear of property, loss of light to living rooms an bedrooms including at 1st and 12th floors of Peninsula Heights, mentioning
the previous application refusal on grounds of loss of light; cantilevers make building wider so the impact to light is longer; Loss of light mention for Cromwell House, Shaftsbury House, Peninsula Heights, and 112 Vauxhall Walk; query if the council has sought to commission an assessment [Officer comment: An independent consultant has been commissioned and assessed the scheme as discussed above in Section 4 including a summary of the assessment. Further detailed discussion is provided in section 6 of this report]

- Overshadowing [Officer comment: Amenity space in the surround area will not be unreasonably overshadowed having regard to the BRE criteria]

- West facing neighbours will face a wall of high buildings blocking the entire west facing horizon contrary to Local Plan Policy Q2 (paras i-iv) [Officer comment: Previous comments above refer to the appropriateness and acceptability of the scheme in the context of planning policy, evolving character of the area and noting that there is no unacceptable loss of outlook. The building break and two-tower typology provides relief in comparison to a continuous building façade. Furthermore, preservation of views including views to the horizon are not a planning consideration, nor reasonable expectation in the CAZ, an opportunity area and for maintaining an under-developed site]

- Cumulative impact with the Spring Mews development and neighbouring developments in Tinworth Street would create a boxing hemming in residents of low lying Victorian properties and creating an undue sense of enclosure contrary to Lambeth's stated policy in its Local Plan Policy Q2 pars ii –IV [Officer comments: Noting above comments, the intensification of the development in this location is considered appropriate and poses no direct impacts to warrant an alternative approach, nor justify perpetuating the underutilisation of this well located site]

- Privacy and overlooking impact [Officer comment: No significant adverse impacts are identified, it being noted that relationships between neighbours and habitable rooms are at a distance across public streets and NR track in excess of 21m]

- Current development already creating huge disruption, noise and mess [Officer comment: The supporting documentation including noise assessment, TA and draft CMP consider context (baseline) and the cumulative impact of the scheme. Appropriately worded conditions regarding such things as noise levels and CMP would mitigate the impacts of the scheme, including cumulative, if the council is minded to approve the application.]

- Querying why the BRE assessment has not considered Cromwell House and Black Dog Pub? [Officer comment: The assessment and independent consultant review have each considered these properties]

4.27 A further 3 letters in support and 1 neutral comment have been received raising the following points additional to those identified above:

- The development looks great and is a welcome change to the area;
- The development will make it feel safer for the community; and
- The development will bring more vibrancy to Vauxhall.

4.28 Following amendments and additional information described in section 2 the application was placed on reconultation and neighbour letters sent 25.07.2016. A
further 5 objections were received raising the following new issues in addition to those raised above:

*Objection*

- Querying the extent of changes being placed on re-notification and indicating that objections about the scale, noting that comments regarding inappropriate and unacceptable height and width of the cantilevers still stand *[Officer comment: See section 2 for a commentary of the changes however, the cantilevers remain unchanged. Comments in response to neighbour objections on design are provided above]*

- Impact on local playgrounds and parks *[Officer comment: Whilst on-site amenity and playspace is provided, a financial contribution is secured to support provision of playspace in nearby public facilities given the inability of the site to accommodate the needs of +12yr old children. This principle is accepted in accordance with the Mayor’s SPG for children’s playspace]*

- Impact upon Vauxhall City Farm [Unspecified] *[Officer comment: Any additional patronage of the farm is likely to be welcomed by the farm which is a not-for-profit organisation seeking to provide agrarian experiences, especially for children and local people]*

- Impact to the conservation area, Spring Gardens [Unspecified] *[Officer comment: No significant adverse impact has been identified by the Council’s Conservation and Design officer]*

- Undermine the character of the local area [Unspecified] *[Officer comment; As above]*

- Additional traffic impact to Glasshouse Walk and Tyres Street *[Officer comment: In respect of the construction phase, a condition requiring a CMP would control movements and mitigate implications for local streets. The operational development be acceptability accommodated within the capacity of the local road system, it being noted that vehicular movements will substantially reduce with the change of use from a petrol station to a mixed use residential scheme]*

- Noise and dust pollution from heavy goods vehicles *[Officer comment: Similar to above comments, the CMP will address potential impacts during the construction phase whilst the reduction in operational development vehicular traffic will be a positive benefit to pollution including noise and dust]*

- Turning the character and of the Thames into a canyon of skyscrapers *[Officer comment; See comments in para 4.3.2]*

- The building is “ugly” and lacks the architectural merit and subtlety of other development and cumulative effect *[Officer comment: No design objection is raised by the Council’s Conservation and Design officer, nor the GLA or English Heritage who have considered the design and appearance of the scheme]*

- Questioning the affordability of flats *[Officer comment: The Council’s Housing team is satisfied with the affordability of the affordable housing units on sight which would be secured as part of the s106 planning agreement if the council was minded to approve the application. In addition, part of the offer is in the form of a payment in lieu for spending by the council or RSL to secure off-site affordable housing which will be required to satisfy the Council’s affordability criteria]*

- Construction traffic needs to be controlled through a CMP to avoid residential streets including Tyers Street and Glasshouse Walk, noting the impact upon them by current construction *[Officer comment: A requirement for a CMP to control construction traffic is recommended if the council is minded to approve the application]*
4.29 In addition, the following comments we made which are not considered to be relevant to the planning assessment:

- Loss of views [Officer comment: Private views are not protected]
- Request for comments to be removed which were not written by the person they are attributed to [Officer comment: Comments, once made of the statutory public record, are retained]
- Reference to pre-planning dialogue with Ocubis and reference to their undertaking to provide a report of light which has not been forthcoming [Officer comment: This query should be taken up with the Applicant directly]
- Loss of ancient light [Officer comment: Rights of Light are separate to the planning process]
- Loss of light to the Vauxhall Gardens Community Centre [Officer comment: Although the BRE does make reference to non-residential properties which may have a 'reasonable expectation' for light, the activity of the community centre is not considered prejudiced in this respect. Furthermore, any loss of light is not considered significant given its location in relation to the subject application. The community centre will continue to enjoy a southerly aspect and outlook to the sky which is unobstructed to the sun path until later in the day when it will already be obstructed by the NR track for example]
- Background and aspirations of the Vauxhall Gardens Community Centre in respect of their own activities and area generally
- “People do not want to live in vertical storage units, and those not condemned to live in them don’t want to have their access to light/ historic surroundings/ local beauty devastated by these featureless monuments to vanity” [Officer comment: Flatted development is an acceptable form of development and an optimal use of the development potential of a site which benefits from high accessibility levels]
- “If you want towers, move them further out from the centre of London; if you want human-scale buildings, look for all the unused brown-field sites still lurking here and there, and the redundant office blocks, and build houses on them.” [Officer comment: As above]
- Questioning the decision making process if the application is approved and suggesting this is because officers and councillors only care about developers, their profits and not care for local people and the ruination of the borough [Officer comment: Applications are assessed on the their individual planning merits having regard to material planning considerations which include the planning legislation, policy and guidance cited in this report, as well as the views expressed by consultees and public. The assessment and recommendation is without prejudice to the final decision of the council and any other authority including the GLA]
5 POLICIES

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise.

5.2 The development plan in Lambeth is the London Plan (2016) and the Lambeth Local Plan (2015).

5.3 The National Planning Policy Framework was published in 2012. This document sets out the Government’s planning policies for England including the presumption in favour of sustainable development and is a material consideration in the determination of all applications.

5.4 The current planning application has been considered against all relevant national, regional and local planning policies as well as any relevant guidance. Set out below are those policies most relevant to the application, however, consideration is made against the development plan as a whole.

5.5 The London Plan (2016)

Policy 2.9 Inner London
Policy 2.10 Central activities zone – strategic priorities
Policy 2.11 Central activities zone – strategic functions
Policy 2.12 Central activities zone – predominantly local activities
Policy 2.13 Opportunity areas and intensification areas
Policy 2.15 Town centres
Policy 2.18 Green Infrastructure: The multi-functional network of green and open spaces
Policy 3.1 Ensuring equal life chances for all
Policy 3.2 Improving health and addressing health inequalities
Policy 3.3 Increasing housing supply
Policy 3.4 Optimising housing p
Policy 3.5 Quality and design of housing developments
Policy 3.6 Children and young people’s play and informal recreation facilities
Policy 3.7 Large residential developments
Policy 3.8 Housing choice
Policy 3.9 Mixed and balanced communities
Policy 3.10 Definition of affordable housing
Policy 3.11 Affordable housing targets
Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
Policy 3.13 Affordable housing thresholds
Policy 3.16 Protection and enhancement of social infrastructure
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 and related facilities and services
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 5.4 Retrofitting
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 5.21 Contaminated land
Policy 6.3 Assessing effects of development on transport capacity
Policy 6.6 Aviation
Policy 6.7 Better streets and surface transport
Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.11 Smoothing traffic flow and tackling congestion
Policy 6.12 Road network capacity
Policy 6.13 Parking
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 7.9 Heritage-led regeneration
Policy 7.10 World heritage sites
Policy 7.11 London view management framework
Policy 7.12 Implementing the London view management framework
Policy 7.13 Safety, security and resilience to emergency
Policy 7.14 Improving air quality
Policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
Policy 7.19 Biodiversity and access to nature
Policy 7.21 Trees and woodlands
Policy 7.24 Blue ribbon network
Policy 7.25 Increasing the use of the blue ribbon network for passengers and tourism
Policy 7.26 Increasing the use of the blue ribbon network for freight transport
Policy 7.27 Blue ribbon network: supporting infrastructure and recreational use
Policy 7.29 The river Thames
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

5.6 Lambeth Local Plan (2015)

Policy D1 Delivery and monitoring
Policy D2 Presumption in favour of sustainable development
Policy D3 Infrastructure
Policy D4 Planning obligations
Policy H1 Maximising housing growth
Policy H2 Delivering affordable housing
Policy H4 Housing mix in new developments
Policy H5 Housing standards
Policy ED2 Business, industrial and storage uses outside KIBAs
Policy ED3 Large offices (greater than 1,000m²)
Policy ED6 Town centres
Policy ED7 Evening economy and food and drink uses
Policy ED14 Employment and training
Policy T1 Sustainable travel
Policy T2 Walking
Policy T3 Cycling
Policy T4 Public transport infrastructure
Policy T6 Assessing impacts of development on transport capacity and infrastructure
Policy T7 Parking
Policy T8 Servicing
Policy EN1 Open space and biodiversity
Policy EN3 Decentralised energy
Policy EN4 Sustainable design and construction
Policy EN5 Flood Risk
Policy EN6 Sustainable drainage systems and water management
Policy EN7 Sustainable waste management
Policy Q1 Inclusive environments
Policy Q2 Amenity
Policy Q3 Community safety
Policy Q5 Local distinctiveness
Policy Q6 Urban design: public realm
Policy Q7 Urban design: new development
Policy Q8 Design quality: construction detailing
Policy Q9 Landscaping
Policy Q10 Trees
Policy Q11 Building alterations and extensions
Policy Q12 Refuse/recycling storage
Policy Q13 Cycle storage
Policy Q15 Boundary treatments
Policy Q16 Shop fronts
Policy Q19 Westminster World Heritage Site
Policy Q20 Statutory listed buildings
Policy Q21 Registered parks and gardens
Policy Q22 Conservation areas
Policy Q23 Undesignated heritage assets: local heritage list
Policy Q24 River Thames
Policy Q25 Views
Policy Q26 Tall and large buildings
Policy PN2 Vauxhall

5.7 Supplementary Planning Documents

GLA
Housing (Mar 2016)
Central Activities Zone (Mar 2016)
Accessible London: Achieving and Inclusive Environment (Oct 2014)
The Control of Dust and Emissions During Construction and Demolition (Jul 2014)
Town Centres (Jul 2014)
Character and Context (Jun 2014)
Shaping Neighbourhoods: Play and Informal Recreation SPG (Sep 2012)
Sustainable Design and Construction SPG (Apr 2014)
6  ASSESSMENT

6.1  Principle

*Loss of existing petrol station*

6.1.1  There is no planning policy protection for petrol filling stations. It is further noted that there are alternatives in a 2km vicinity of the site as follows:
1. BP, Vauxhall Bridge Rd, London SW1V 2RE
2. Shell, Grosvenor Rd, Westminster, GB SW1V 3JY
3. Applegreen 238 Kennington Lane, London SE11 5RD
4. Texaco, 212-214 Kennington Rd
5. Gulf, Thames Service Station, 77 Clapham Road, Vauxhall, London, SW9 0HY
6. Shell, Ebury Street London, SW1W 9QJ United Kingdom
7. Esso, 77-83 Park Lane, W1K 7HB London
8. Gulf, Sloane Avenue, Makins Street, Chelsea, London, SW3 3DL
9. Shell, 106 Old Brompton Rd, London SW7 3RA
10. BP, 15 Parkgate Rd, London, SW11 4NP
11. BP, 105 Clapham Common North Side, Clapham, London, SW4 9SH
12. Shell, 326 Queenstown Road, London SW8 4LT
13. Esso, 330 Brixton Road, SW9 7AA, Stockwell
15. Applegreen, 96-101 Camberwell Rd, London SE5 0EG
16. BP, 197-211 New Kent Rd, London SE1 4AG
17. Shell, 101-103 Southwark Bridge Road. LONDON, SE1 0AX
Displacement of existing occupiers

6.1.2 In should be noted that in relation to the abovementioned planning policies for the protection of Class B1 office, the protection relates to the approved landuse and its floorspace. This does not include protection of the actual occupier therein which is a private matter.

Retention of office floorspace

6.1.3 Policy ED3 of the Lambeth Local Plan 2015 seek to protection existing office floorspace. Although the proposal involves the converting the 1,361sqm of office with residential in Vintage House, this is being replaced by office space totalling 2,162sqm at ground to third floor of the new build element. This new provision will also meet current day standards in terms of accessibility, energy efficiency and supporting servicing and is considered appropriate and acceptable.

Proposed mixed-landuse approach

6.1.4 In accordance with London Plan Policies 2.9, 2.14, 3.7, 4.7, 4.8, the residential-led, mixed use approach which proposes Class A floorspace and reprovides and expands the Class B Office floorspace is considered appropriate and acceptable.

Density

6.1.5 London Plan Policy 3.4 (Optimising Housing Potential), supported by Local Plan Policy H1 (Maximising housing growth) seek to optimise development densities based on local context, character and accessibility. Additionally, Lambeth Local Plan 2015 Policy D1 seeks to maximise the use of previously developed in fully exploring regeneration opportunities, as is the case in this application.
6.1.6 The site has a PTAL of 6a (Highly accessible). For the purposes of considering density pursuant to the matrix ‘Parking for Residential Development’ in the London Plan 2015, the scheme falls within the ‘central’ area with a guideline density range of 650-1100 habitable rooms per hectare (hrph).

6.1.7 Based on a site area of 0.19Ha and 437 habitable rooms and 2,515sqm non-residential floorspace, the scheme has a density of 2,544hrha (Greenwich method) which is above the guideline range of 650-1,100 hrha for the CAZ of the London Plan 2015. Whilst this is above the nominated density range, this is a guide which is not to be applied mechanistically. Instead the policy emphasis is on optimal site use and consideration of any overdevelopment symptoms and their appropriate mitigation as discussed in the remainder of section 6 of this report.

_Housing provision including Affordable Housing_

_MIX_

6.1.8 London Plan 2015 Policy 3.11 accords priority to family sized housing in the affordable tenure and Lambeth Local Plan Policy 2015 suggests that for new housing, a mix reflecting the borough wide preferred mix of affordable housing of not more than 20% 1 bed, 20-50% 2 bed and 40% +3bed units. For market housing, a balance of unit sizes should be provided.

6.1.9 The mix is weighted to smaller units. Nevertheless, the council's Housing team is satisfied with the level of provision of family sized accommodation on site, particularly with respect to social housing where there is an accompanying payment in lieu facilitating the borough’s delivery of more social housing off-site and which is discussed in more detail below and in section 6.13 of this report.

<table>
<thead>
<tr>
<th>Dwelling Mix (Policy H4)</th>
<th>Dwelling Type – bedrooms</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>Studio /1</td>
</tr>
<tr>
<td>% of total</td>
<td>31%</td>
</tr>
<tr>
<td>Preferred borough wide %</td>
<td>20%</td>
</tr>
</tbody>
</table>

_Affordable Housing level and viability_

6.1.10 Pursuant to London Plan Policy 3.13 and Lambeth Local Plan 2015 Policy H2, affordable housing is required for schemes of 10 or more units, with a mix of tenures being required in the interests of balanced and mixed communities. For schemes which include affordable housing, a minimum affordable housing provision of 40% in the case of no grant funding or 50% provision if grant funding is involved. Lambeth Local Plan 2015 Policy H2 indicates that a viability appraisal is necessary where the overall provision or the tenure split (discussed in the next section) are not in accordance with policy and a reappraisal sought on for schemes below the target.

<table>
<thead>
<tr>
<th>Unit Mix</th>
</tr>
</thead>
<tbody>
<tr>
<td>Size</td>
</tr>
<tr>
<td>studio</td>
</tr>
<tr>
<td>1</td>
</tr>
<tr>
<td>2</td>
</tr>
</tbody>
</table>
6.1.11 The scheme makes the equivalent of a 40% affordable housing contribution. This comprises of on-site provision of the flats identified in the above table. The social rented units are located in the converted Vintage House and the shared ownership tenure is located the 3rd to 5th floors of the towers. The onsite provision equates to 29% which is topped up by a payment in lieu (PiL) of £9.986m to achieve equivalent to 40% affordable housing. This is welcomed by the Council’s Housing team. The utilisation of the payment in lieu is considered to acceptably address the exception criteria of policy H2 and in accepting that there are site constraints:
- A small, narrow site where access and servicing opportunities are limited at ground floor given the TLRN;
- The inability to insert additional cores to serve social housing on a floorplate which is inherently restricted by the small site as well as the need to address the BRE impacts to Peninsula Heights which was a reason for refusal of the previous application;
- The limitations of working of Vintage House, a positive contributor the CA and which was identified by the Strategic Panel as the preferred location for the social housing offer out of series of options presented at pre-application stage.
Accepting the site constraints subsequently enables the council to maximise the delivery of affordable housing through pursuing off-site opportunities for delivery whilst still contributing to balanced and mixed communities with some on-site provision of all tenures including social housing, in accordance with Lambeth Local Plan 2015 Policy H1 and London Plan 2016.

Affordable Housing Tenure Split

6.1.12 London Plan 2015 Policy 3.11 seeks a 60/40 split between social rent versus shared ownership whilst Lambeth Local Plan 2015 Policy H2 seeks a 70/30 split between these tenures. Both London and Lambeth housing policies state that the specific circumstances of the site and proposals including viability should be taken into account.

6.1.13 The on-site affordable provision is weighted towards the shared ownership tenure and equates to a split of 81:19 in favour of it i.e. 39 shared ownership units in the southern tower and 9 social rent units in Vintage House. Along with the PiL of £9.986m, the total offer is equivalent to 40% affordable housing with a 70/30 split in favour of social rent. This is supported by the Council’s Housing team.

6.1.14 The acceptance of a PiL is in recognition of the abovementioned site constraints. Furthermore, on-site opportunities would be limited to additional shared ownership within the southern tower, by flipping these units from the market tenure. However, this approach was considered less optimal to officers, noting that this would not address critical need i.e. family-sized, social rent housing. Furthermore, tenure flipping would result in the loss of market accommodation and thereby reduce the viability of the scheme. Therefore, a PiL was considered to be the best means of maximising affordable housing delivery, addressing critical housing need, whilst still contributing to a balanced and mixed community.

Accessible, Adaptable and Wheelchair Housing Provision
6.1.15 Pursuant to the London Plan 2015, development should, amongst other things, enable people to live healthy active lives per Policy 7.1, and be inclusive including addressing the specific needs of older and disabled people as per Policy 7.2. Under the new National Technical Standards, London Plan Policy 3.8 (Housing Choice) is to be interpreted so that the current standards relating to 'lifetime homes' and 'wheelchair accessible or easily adaptable dwellings' are removed, and instead:

- 90% of new dwellings will need to be 'accessible and adaptable' (this is defined by building regulations – Part M4 (2)); and
- 10% of new dwellings will need to be 'wheelchair user dwellings' (this is defined by building regulations – Part M4 (3)).

6.1.16 The proposal provides 10% (17) wheelchair units to an adaptable standard, comprising of 1, 2 and 3 bed units at distributed through all tenure and at different levels of the development including provision in the affordable units of Vintage House. This provision will be secured through an appropriate condition. The rest of the affordable housing and market housing is designed to Part M(4) 'Wheelchair User Dwelling' as noted in the Design and Access Statement. Therefore, the scheme is considered to accord with London Plan 2015 Policy 3.12 which states that negotiating affordable housing should have regard to the particular needs and circumstances within a location.

6.2 Environmental Impact Assessment (EIA)

6.2.1 The EIA procedure in the UK is directed by the Town & Country Planning (Environmental Impact Assessment) Regulations 2011 (the 'Regulations')(As amended), EU Directive 85/337/EEC (as amended), as well as the National Planning Practice Guidance (2014).

6.2.2 Regulation 7 of the Regulations requires local planning authorities to adopt an Environmental Impact Assessment (EIA) screening opinion in respect of a proposed development, where it appears that:

(a) An application which is before them for determination is a Schedule 1 application or a Schedule 2 application; and

(b) The development in question has not been the subject of a screening opinion or screening direction; and

(c) The application is not accompanied by a statement referred to by the applicant as an environmental statement for the purposes of the Regulations.

6.2.3 Pursuant to Regulation 7, although no formal screening opinion for EIA has been sought for the application, and informal screening opinion was issued by the Council in June 2014 advising that the proposal was not considered to constitute EIA development. The council has also considered whether or not the application should be screened for EIA following submission. The proposed development does not fall within 'Schedule 1' development. In respect of Schedule 2 development namely, an 'Urban development project', the site proposal is below the 1Ha/5Ha site area thresholds although, is over the 150 dwelling thresholds and has therefore been screened for EIA. It is noted that the site is not located in a sensitive area as defined in the Regulations (i.e. Sites of Special Scientific Interest and European sites; National Parks, the Broads and Areas of Outstanding Natural Beauty; and World
Heritage Sites and scheduled monuments) and although located adjacent to the River Thames SINC (Sites of Nature Conservation Importance)(Non-statutory). No significant potential impacts are considered to result from the proposed development. Therefore, the proposal does not constitute an EIA development and as such an Environmental Statement is not required to be submitted with the application.

6.3 **Quality of Residential Accommodation**

6.3.1 A high quality built environment, including high quality housing in support of the needs of occupiers and the community is part of the ‘sustainable development’ imperative of the NPPF. It is also implicit in London Plan Ch1 ‘Context and Strategy’, Ch2 ‘London’s Places’, Ch 3 ‘London’s People’, and Ch 7 ‘London’s Living Places and Spaces’, and is explicit in policies 2.6, 3.5, 7.1, and 7.2. London Plan Policy 3.5 states that development should be of the highest quality internally, externally and in relation to the wider environment, taking into account of strategic policy to protect and enhance London/ residential environment. This reflects the strategic priority for inner London in Policy 2.9 which variously seeks to realise the potential of inner London to improve its environment, supporting and sustaining existing and new communities, and improving quality of life.

**National Floorspace Standards**

6.3.2 As of 1st October 2015, national technical standards applied to new residential development. These standards replace those previously set out in London Plan Policy 3.5 and associated table 3.3 (Page 116). The proposed development meets and in places exceeds all relevant national standards, including internal minimum floorspace space standards, storage standard and floor to ceiling heights for all residential dwellings.

**Layout**

6.3.3 The London Plan Housing SPG Standard 29 states that developments should minimise the number of single aspect dwellings. In particular, single aspect dwellings that are north facing, or exposed to noise levels or which contain three or more bedrooms should be avoided. Lambeth Local Plan 2015 states that development will be expected to provide dual aspect accommodation unless exceptional circumstances are demonstrated.

6.3.4 In terms of compliance with the above policy and guidance:
- There are no single-aspect, north-facing units proposed. There are only 27 (16%) single aspect units which either face east or west whilst the majority of units, 139 (84%) units have multiple aspects; and

<table>
<thead>
<tr>
<th>Unit layout</th>
<th>Single aspect</th>
<th>Multiple aspect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vintage House</td>
<td>3</td>
<td>6</td>
</tr>
<tr>
<td>New Build</td>
<td>24</td>
<td>133</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>27 (16%)</strong></td>
<td><strong>139 (84%)</strong></td>
</tr>
</tbody>
</table>

- A condition is imposed regarding acoustic treatment to achieve an appropriate internal environment.
6.3.5 The balance between these standards and the planning policy imperative to maximise housing delivery as well as responding to the site constraints and surrounding context, as well as the design trade-off between efficient layout, addressing the BRE issues which were a reason for refusal of the last application as well as maximising multiple aspects units is considered appropriate and acceptable.

Outlook and Openness

6.3.6 Lambeth Local Plan 2015 Policy Q2 seeks an adequate outlook and wherever possible avoiding any undue sense of enclosure. All dwellings in the scheme have and outlook including the units of Vintage House which is arguably the most constrained part of the site given it adjoins The Rose and new build elements. Nonetheless, its flats enjoy a dual aspect in the main whilst the fewer single aspects flats face the Albert Embankment and the Thames and are considered acceptable.

Privacy and Overlooking

6.3.7 London Plan Housing SPG Standard 28 states that proposals should demonstrate how habitable rooms within each dwelling are provided with an adequate level of privacy in relation to neighbouring property, the street and other public spaces. In making reference to specific separation distances that may have been used in past, whilst a useful yardstick, its states that “…adhering rigidly to these measures can limit the variety of urban spaces and housing types in the city, and can sometimes unnecessarily restrict density”. Lambeth Local Plan 2015 Policy Q2 seeks to avoid unacceptable levels of overlooking including perceived overlooking.

6.3.8 In summary, the level of separation in this urban context is appropriate and acceptable, the key relationships are as follows:
- **The Rose (North)**: Vintage House is adjoining and the existing relationship is unchanged whilst upper floors of the new build element face north however, no impact is considered to result;
- **Eastbury House (North)**: 43m;
- **Peninsula Heights (West)**: West of the application site across the Albert Embankment, with the break between the two proposed towers being directly opposite. Where the north tower and south tower are directly opposite sections of Peninsula Heights, the building separation is 21.4m and 21.5m respectively; and
- **Spring Mews, Tinworth Street (East)**: The nearest building is 33.7m, across the NR track.

6.3.9 Within the site itself, the screening between flats and amenity space on podiums as well as the separation and orientation of rooms and windows between the towers (18.5m separation between the towers) is considered to address any potential privacy and overlooking impact between flats and in relation to communal spaces.

6.3.10 Therefore, given the generous separations there are no unacceptable impacts to future occupiers in terms of relationships within the site and to surrounding neighbours.

Amenity Space Provision

6.3.11 Lambeth Local Plan 2015 Policy H5 sets minimum external amenity space standards for houses of 30sqm and for flats, 50sqm plus a further 10sqm per flat in a combination of either private and or communal provision. The expectations for
minimum environmental quality for the amenity space (light, screening, accessible, surveillance etc) are also set out.

6.3.12 All dwellings benefit from private amenity spaces and/or access to the communal amenity space, exceeding the minimum requirements of GLA and Lambeth minimum requirements.

<table>
<thead>
<tr>
<th>Total Amenity Space Provision</th>
</tr>
</thead>
<tbody>
<tr>
<td>LBL standard</td>
</tr>
<tr>
<td>GLA standard^</td>
</tr>
<tr>
<td>Proposed</td>
</tr>
</tbody>
</table>

^Based on person numbers rather than rooms and hence, a range is given to account for single vs double occupancy of bedrooms

6.3.13 In respect of a further breakdown of units benefitting from private amenity provisions or reliance on communal provision, it is evident that the vast majority of units have private amenity provision. For units without private amenity space provision, these are at the lower levels of the towers and are in closer proximity to the communal space provided in the cascade of terraces between the towers. Furthermore, flats without amenity space are larger than the minimum floorspace requirements to thereby compensate. This provision is considered acceptable.

<table>
<thead>
<tr>
<th>Amenity space provision by flat</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private amenity provided</td>
</tr>
<tr>
<td>Reliant on communal</td>
</tr>
<tr>
<td>Vintage House</td>
</tr>
<tr>
<td>New Build</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>

6.3.14 Private amenity provision is in the form of either balconies, terraces or winter gardens, the smallest of which is 5.3sqm. Lambeth Local 2015 Policy H5 part ‘(b)(ii)’ allows for amenity space provision for individual flats to be accommodated by a combination of private and communal spaces. All the units within Vintage House have private winter gardens. Residents in Vintage House also have access to an internal amenity area as it is not possible to provide this externally.

Playspace

6.3.15 London Plan 2015 Policy 3.6 seeks play provision and informal recreation based on the expected population. The Lambeth Local Plan Policy H5 requires schemes of 10 or more units to provide children’s playspace in accordance with the London Plan Supplementary Planning Guidance ‘Shaping Neighbourhoods: Play and Informal Recreation’ 2012. Playspace should normally be onsite and off-site provision, either in the form of new, improved or financial contribution towards playspace can be considered where it can be demonstrated that it fully satisfies the needs of the development whilst continuing to meet the needs of existing residents (SPG paras 2.5 and 4.40). Roof top play areas can be an alternative provision to ground floor play spaces and indoor areas can be considered for 0-5 year olds (SPG para 3.8). Off-site provision is relevant for smaller schemes but for larger schemes (>5ha or
>500 dwellings) on site provision is expected (SPG para 4.40). SPG tables 4.2 and 4.4 specify the maximum distance of accessible playspace provision from dwellings which varies depending on the age group and table 4.5 specifies as matrix where on-site or off-site provision can be considered depending on the distance and age group. Table 4.6 specifies the typology of playspace depending on age group and table 4.7 specifies the type of provision required for new developments.

6.3.16 Using the Mayor’s playspace calculator a total child yield of 30 children (15 no. children in Vintage House and 15 no. children in the new build) gives a total playspace requirement of 296sqm for the proposal. Alternatively, based on the Council’s standard, a total of 148sqm is required.

6.3.17 In respect of the proposal, SPG table 4.7 indicates that 0-11 years should be provided on site in the form of a local play area typology whilst off site provision is possible for +12years within 800m.

6.3.18 The breakdown of provision for different age groups as per the SPG is as follows:

<table>
<thead>
<tr>
<th>Playspace provision (sqm)</th>
<th>&lt;5yrs</th>
<th>5-11yrs</th>
<th>&gt;11yrs</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Requirement by GLA/LBL</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vintage House</td>
<td>60/30</td>
<td>65.9</td>
<td>60/30</td>
<td>160/80</td>
</tr>
<tr>
<td>[In with &lt;5yrs]</td>
<td>[40/20]</td>
<td>[off-site £]</td>
<td>65.9 + £</td>
<td></td>
</tr>
<tr>
<td>New Build</td>
<td>90/45</td>
<td>119.9</td>
<td>40/20</td>
<td>150/75</td>
</tr>
<tr>
<td>[In with &lt;5yrs]</td>
<td>[20/10]</td>
<td>[off-site £]</td>
<td>119.9 + £</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>150/75</td>
<td>185.8</td>
<td>100/50</td>
<td>310/155</td>
</tr>
<tr>
<td>[In with &lt;5yrs]</td>
<td>[60/30]</td>
<td>[off-site £]</td>
<td>185.8 + £</td>
<td></td>
</tr>
</tbody>
</table>

6.3.19 A total of 185.8sqm is provided on site which is considered sufficient to accommodate children <11yrs in accordance with the Lambeth requirements, albeit falling short of the GLA standard, including 65sqm of ground floor inside play for Vintage House, and two provisions at the 6th floor in each tower, being 52.8sqm and 67.1sqm respectively. However, older children will be reliant on provision in nearby parks. A s106 planning contribution has been agreed to mitigate the impact upon the off-site playspace by this development (See section 6.13).

6.3.20 Based on the on-site provision for younger children and the availability for older children in the vicinity of the site, for which the area is not in deficiency (Lambeth Open Space Strategy Addenda 2013), the proposed provision is considered acceptable.

**Daylight, Sunlight, Overshadowing**

6.3.21 In accordance with Lambeth Local Plan 2015 Policy Q2 (Amenity) the application has been accompanied by a Daylight and Sunlight Assessment prepared by GIA. The development has been assessed against the Building Research Establishment (BRE) guidance ‘Site Layout Planning for Daylight and Sunlight’. The Council has sought independent review of the report findings in respect of possible impacts of the new development on surrounding sites and within the development itself. This review was undertaken by Schroeders Begg Ltd.
6.3.22 The BRE guidelines are not mandatory; they do however act as a guide to help understand the impact of a development upon properties, while acknowledging that in some circumstances, such as that of an urban environment or where the existing site is only previously partially developed some impact may be unavoidable. It should be further noted that the BRE guide considers level of daylight, sunlight and overshadowing tests based on an expectation of reasonable levels of light within a suburban context and this should be kept in mind when considering a central London context as is the case for the application site.

6.3.23 See section 6.5 ‘Neighbour Amenity’ for a more detailed explanation about the various BRE tests as well as the assessment of the proposal’s effect on surrounding properties.

6.3.24 In terms of the quality of the living environment for the future occupiers of the proposed building, the council’s independent BRE consultant is satisfied that the scheme will have reasonable levels of daylight, sunlight and overshadowing given the urban context. A summary of the key findings of the independent assessment are as follows:

**Daylight test**
- **Average Daylight Factor:** Overall 90% of all habitable rooms meet the criteria and in more detail: At +10th floor the BRE criteria is satisfied; at 6th-10th there are some isolated rooms (less than 5% of rooms) that do not meet the criteria although are very close; and 3rd to 5th floor, less than 15% of rooms do not meet the criteria although are similarly very close to doing so; in Vintage House 1st to 3rd floor all rooms meet the criteria except for 1 living room on account of the existing building design;

**Sunlight test**
- **Annual Probable Sunlight Hours (APSH) and winter sun (WPSH)** The east-west orientation of the building means that scheme performs reasonably in providing access to sunlight for living rooms and amenity spaces;

**Shadowing**
- Similarly for shadowing the scheme’s orientation means amenity spaces are reasonably provided with sunlight.

6.3.25 The Council’s independent consultant is satisfied that levels of daylight, sunlight and overshadowing address the criteria in the vast majority of cases given the urban context. The overall conclusion is that the scheme provides an acceptable level of daylight, sunlight and overshadowing in this urban context (with the expectations for a more intensive and larger scale of development according to the London Plan), to the betterment of future residents.

**Noise and General Disturbance**

6.3.26 Lambeth Local Plan 2015 Policy Q2 states that development will be supported if the impact of noise is reduced to an acceptable level through such things as the use of attenuation, distance, screening or internal layout/orientation.

6.3.27 The application is supported by a Noise Assessment by Waterman which has been reviewed by the council’s environmental health consultant to confirm that the internal living environment achieves the levels required by the council’s standard noise
conditions with the exception of the outdoor amenity terraces on account of the site location. The council’s environmental health consultant has accepted this point and an appropriately worded condition to reflect this whilst still seeking to achieve an acceptable level of amenity for the reasonable use and enjoyment of amenity space.

Air quality

6.3.28 Pursuant to London Plan 2015 Policy 7.14, proposals should minimise increased exposure to existing poor air quality and make provision to address problems of local air quality particularly in Air Quality Management Areas (AQMAs). The entire borough area is identified as an AQMA, noting that assessments of background levels of pollution show incidences in regards to nitrogen oxide (NO2) and small particles (PM10).

6.3.29 The application is supported by an Air Quality Assessment by Waterman. The effect of the proposal versus the modelling ‘do nothing’ scenario indicates that the scheme itself, including its traffic generation will have a negligible effect on air quality. Because of the levels of NO2 and PM10, no mitigation is needed from first floor upwards however, units will nevertheless be mechanically ventilated and as such any impact upon air quality is further reduced. On this basis, an acceptable level of air quality will be achieved for future occupiers. Mitigation measures to control dust will be needed as part of the construction phase.

Microclimate

6.3.30 The application is supported by a Wind Microclimate Study by BRE which has considered the effects of the proposed development, in and around the application site. The wind conditions have been modelled to confirm that wind conditions will be acceptable except at two locations at ground floor which are unsuitable for long term sitting and entrance in winter as well as 4 locations on private roof terraces which are unsuitable for sitting during winter. However, distress conditions were carried out and the no criteria was exceeded. Ground floor pedestrian conditions are acceptable throughout the year and the assessment also considered that the scheme would not create wind conditions that would adversely affect road or rail transport. As such, no mitigation was deemed necessary. No objection was raised by the council’s environmental health consultant other than to note the 4 roof terraces which exceed the criteria for long term sitting in winter. As noted previously in section 4, this is not considered to be a reason for amendment or refusal given it is unlikely that long term sitting would be desired and given it is private amenity space, sensible interventions could be incorporated to make long term sitting possible.

6.4 Design, Conservation and Archaeology

6.4.1 Amongst other things, high quality design underpins the sustainable development imperative of the NPPF 2012, the London Plan and Lambeth Local Plan policies and related guidance.

6.4.2 The preservation and enhancement of heritage assets is one of the 12 core principles of the NPPF. It is a statutory obligation of the Planning (Listed Buildings and Conservation Areas) Act 1990 to consider the special architectural and historical interest as well as the setting of listed buildings as well as the character and appearance of conservation areas.
Conservation Areas – general

6.4.3 The Texaco site is not included within however, is surrounded by the Albert Embankment Conservation Area. Vintage House is within the CA and is a positive contributor. The Albert Embankment CA boundary was changed on 18 July 2016 and now includes the viaduct to the rear. The Vauxhall Conservation Area has also been extended to include the Vauxhall Pleasure Gardens. This will not be in the applicant’s assessment (which pre-dates these changes) however, the Council’s Conservation and Design officer has been mindful of the change in consideration of the proposal.

Conservation Areas – wider views and settings

6.4.4 The scheme is also visible from the Kennington Conservation Area and from the City of Westminster’s Milbank CA, the Smith Square, the Westminster Abbey and Parliament Square CA, Savoy CA. Neighbouring tall buildings already adjoin the Albert Embankment CA and are visible from the other conservation areas. So the presence of a tall building in this locality is not unexpected. Care has been taken with the bulk, scale and mass to ensure that it is in harmony with its tall neighbours and the detailed design is calm with a pale and recessive stone like palette. The slender vertical forms reflect schemes approved nearby and what is also already (or soon to be) visible from the conservation areas. Whilst the proposal is a tall building and whilst it will be visible from a number of conservation areas, its impact is not considered harmful. It will have a neutral impact in these wider views.

6.4.5 The view provided by the applicant from Kennington Cross (Kennington CA) looks quite striking at first. However, Kennington Cross is a busy junction and the experience is a kinetic one. In this respect, any impact will be glimpsed and distant and the pale palette of materials will make it recessive. There will be change but no adverse impact in this view.

Conservation Areas – immediate impact on Albert Embankment CA

6.4.6 The Rose PH and Vintage House are historical ‘incidents’ in an otherwise largely modern built frontage. They add historic, architectural richness and delight in what is otherwise the realm of modern towers. Vintage House is an attractive positive contributor building to the conservation area and the proposed refurbishment, conversion and restoration of the exterior will be an enhancement. This situation where a positive contributor to the character and appearance of the conservation area (Vintage House) sits immediately beside a site that is appropriate for tall building development is an unusual one in Lambeth. The contrast thus between the old and new is stark. However, Vintage House and the Crown PH hold their own in townscape terms both with this proposal and with the Eastbury House scheme to the immediate north.

6.4.7 The proposed cantilever element over Vintage house offers a moment of architectural drama to this unusual relation of old and new. In this respect the contrast between old and new is made more striking. It is considered that this sort of approach will only be successful because it is a one-off and because of the unique characteristic of this site and this conservation area. The cantilever is justified in this instance and causes no harm to the character or appearance of the Albert Embankment Conservation Area. Furthermore, the NPPF states, *inter alia*: 

Atmospheric Conditions
“63. In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.”

**Strategic Views**

6.4.8 The applicant has provided a comprehensive visual impact assessment covering all the affected strategic views. None of the views illustrated are a cause for concern as the building will sit within the emerging tall building group on the Albert Embankment and with the Vauxhall cluster in the backdrop.

**Local Views**

6.4.9 Only one local view will be adversely affected and not significantly given the schemes already approved i.e. Eastbury House. The protected local views were only approved when the Local Plan was adopted last October. The plan process takes time and the original views assessment had been undertaken a couple of years previously. At that time, the view of the Victoria Tower from Brockwell Park was identified as having local value. It was thus included in the draft Local Plan and in the subsequently adopted Local Plan, 2015. However, during the intervening years the Eastbury House proposal (approved some time before) was erected. It obscures a large part of the Victoria Tower, compromising what the local view designation sought to protect. The current proposal will obscure the remaining part of the Victoria Tower in this view. However, given that the view is already compromised, the cumulative impact of this scheme should be given very little weight in planning terms in the opinion of the Council’s Design and Conservation officer.

**Westminster WHS, National and local Listed buildings**

6.4.10 The site itself does not contain any nationally designated (protected) heritage assets, such as scheduled monuments, listed buildings or registered parks and gardens. Although, the scheme will be visible in the setting of identified items, as proximate as the locally listed Rose PH adjoining Vintage House, the listed benches, wall and lighting across the Albert Embankment as well as the setting of the Westminster WHS. In summary, the scale, form and appearance of the proposal is consistent with the approach for development along this section of the Albert Embankment and is not considered to result in any significant adverse harm to the character, appearance, setting and views and additionally in the case of the Westminster WHS, the Universal Values of locally and nationally listed assets or to the WHS.

**Archaeology**

6.4.11 The application site lies within an Archaeological Priority Area, which includes prehistoric settlement, Roman settlement and boat, medieval riverside zone village centres and important houses, post-medieval settlement and early industrial development. Although as noted in the Council’s Draft Albert Embankment CA Appraisal 2016, there are no Scheduled Ancient Monuments or protected wrecks within the conservation area. No significant issues or impact is identified initially by Historic England Archaeology subject to an appropriately worded condition requiring a programme of archaeological excavation and mitigation in accordance with a written scheme of investigation to be approved by the council in consultation with HE. As part of this requirement, full consideration will need to be given regarding the integration of the evidence with the excavation record from 1989-90. This consideration will therefore need to be addressed through the archaeological specification.
Tall buildings assessment

6.4.12 London Plan 2016 Policy 7.7 ‘Location and Design of Tall and Large Buildings’ states:

“...Planning decisions

B Applications for tall or large buildings should include an urban design analysis that demonstrates the proposal is part of a strategy that will meet the criteria below. This is particularly important if the site is not identified as a location for tall or large buildings in the borough’s LDF.

C Tall and large buildings should:

A generally be limited to sites in the Central Activity Zone, opportunity areas, areas of intensification or town centres that have good access to public transport

B only be considered in areas whose character would not be affected adversely by the scale, mass or bulk of a tall or large building

C relate well to the form, proportion, composition, scale and character of surrounding buildings, urban grain and public realm (including landscape features), particularly at street level;

d individually or as a group, improve the legibility of an area, by emphasising a point of civic or visual significance where appropriate, and enhance the skyline and image of London

e incorporate the highest standards of architecture and materials, including sustainable design and construction practices

f have ground floor activities that provide a positive relationship to the surrounding streets

g contribute to improving the permeability of the site and wider area, where possible

h incorporate publicly accessible areas on the upper floors, where appropriate

i make a significant contribution to local regeneration.

D Tall buildings:

A should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference

b should not impact on local or strategic views adversely

E The impact of tall buildings proposed in sensitive locations should be given particular consideration. Such areas might include conservation areas, listed buildings and their settings, registered historic parks and gardens, scheduled monuments, battlefields, the edge of the Green Belt or Metropolitan Open Land, World Heritage Sites or other areas designated by boroughs as being sensitive or inappropriate for tall buildings.”

6.4.13 In regards to the above policy, all the criteria is considered to be appropriately address, with the site being and in-principle acceptable location for a tall building
(Part ‘B’), meets all the design and contextual criteria for a high quality building that is appropriate and contributes to its context in the various aspects described (Part ‘C’) (with the exception of ‘h’ which is not considered relevant or appropriate to a residential building), addresses the relevant amenity criteria in terms of environmental conditions and views (Part ‘D’) and poses no significant adverse impact upon the character and appearance of any designated conservation assets including the Albert Embankment CA, non-designated assets such as The Rose and Vintage House or to the setting and Universal Values of the Westminster WHS.

6.4.14 Lambeth Local Plan 2015 Policy Q26 part a) ‘Tall and Large Buildings’ is also relevant to the assessment of this application and states that proposals for tall buildings will be supported where:

(i) They are not located within areas identified as inappropriate for tall buildings in Annex 11;
(ii) There is no adverse impact on the significance of strategic or local views or heritage assets including their settings;
(iii) Design excellence is achieved (in terms of form, silhouette, materials, detailing etc.);
(iv) The proposal makes a positive contribution to the townscape and skyline either individually to form a distinctive landmark or as a contribution to a group;
(v) They are of the highest standards of architecture and materials; and
(vi) It does not have an unacceptably harmful impact on its surroundings including microclimate, wind turbulence, noise, reflected glare, aviation, navigation and telecommunication or broadcast interference.

6.4.15 All the above criteria are satisfied by this proposal.

Detailed Design

6.4.16 Council’s design officer is satisfied that a great deal of attention has been given to creating a new building of genuine character. The proposed rustication of the stonework on the lower floors, the conservatory cases flanking the main entrance and the attention to detailing will make for a very smart, high quality building. The proposed changes to Vintage House are equally successful. Initial design detailing and materials will result in a high quality façade, appropriate to the existing and emerging context and character of the CA, Blue Ribbon Network (Thames) and VNEB OAPF. The ground floor treatment including the design of points of access and active frontages is considered appropriate and positive along this section of the Albert Embankment and Glasshouse Walk. Design changes including the introduction of columns in the plaza space instead of the suspended cantilever overhang are a further positive design intervention.

Conclusion and recommendation

6.4.17 The proposal is acceptable in conservation and design terms.

6.5 Neighbour Amenity

Outlook, Openness, Privacy and Overlooking

6.5.1 Pursuant to Lambeth Local Plan 2015 Policy Q2 and as previously noted above in section 6.3 Quality of Residential Accommodation, all relationships between the residential towers to residential neighbours are to the front elevations across public streets or network rail track and are separated by +21m including Peninsula Heights.
6.5.2 Given the extent of the separation distances, there is not considered to be any significant impact to outlook, openness, privacy or overlooking impact posed.

*Daylight, Sunlight and Overshadowing*

6.5.3 Pursuant to Lambeth Local Plan 2015 Policy Q2 and further to assessment a previously noted in section 6.3 Quality of Residential Accommodation, the BRE assessment has considered the potential impacts to neighbours. As stated previously, the application has been accompanied by a Daylight and Sunlight Assessment prepared by GIA. The development has been assessed against the Building Research Establishment (BRE) guidance ‘Site Layout Planning for Daylight and Sunlight’. The Council has sought independent review of the report findings in respect of possible impacts of the new development on surrounding sites and within the development itself. This review was undertaken by Schroeders Begg Ltd.

6.5.4 As noted in the site history in section 3 of this report, a reason for refusal of the previous application ref. 08/02765/FUL was a failure to demonstrate that the proposal would not result in the loss of daylight and sunlight to habitable rooms of 93 Albert Embankment (Peninsula Heights), detrimental to the amenity of those occupiers.

6.5.5 The following tests were undertaken:

- **25 degree line criteria**: Properties will very likely retain good levels of daylight and sunlight if new development does falls below a 25 degree line to the horizontal drawn from the centre of the lowest window;

- **Vertical Sky Component (VSC)**: A measure of the amount of skylight available at the centre of a habitable room window (ratio compared to horizontal plane) and also, the amount of direct skylight received inside the corresponding habitable room. The BRE guide states that daylighting may be affected if the VSC calculation is less than 27% and less than 0.8 times its former value;

- **Annual Probable Sunlight Hours (APSH)**: Is a measure of the average number of hours per year in which direct sunlight is received by a window. The BRE guide states that rooms may be affected if they receive less than 25% APSH for the year and 5% APSH for the winter; and less than 0.8 times former value;

- **Daylight Distribution / No skyline test**: A measure that calculates the amount of area of a habitable rooms which receives direct skylight and how much does not. The BRE guide highlights if less than 0.8 times former value, reductions will be noticeable;

- **Average Daylight Factor (ADF)**: Is a measure of the daylight received inside a habitable room. The BRE guide recommends that the minimum ADF values should be achieved for bedrooms (1%), living rooms (1.5%) and kitchens (2%); and; and

- **Shadowing**: The BRE guide recommends that at least half the area of an amenity space should receive at least 2hrs of sunlight on the equinox (21 March).

6.5.6 The following properties (see map below) were variously tested and the results of the independent review of the report by the Councils’ consultant are summarised as follows:

*Properties to the east of the application site*

- **Spring Gardens**: The hotel and student accommodation entails a core transient form of accommodation and whilst this may be a category of use
that falls within a group of uses that have a ‘reasonable expectation’ for light, it is not considered to be the same as the amenity requirements and expectations of for permanent Class C3 housing:

Daylight:
- VSC: 30% of windows have a reduction exceeding 20% and of these, the vast majority do not have a reduction exceeding 35%;
- ADF: All rooms exceed the target 1% for bedrooms, with results of 1.2% or more;

Shadowing:
Courtyards – No shadowing until 3pm and by which time, the courtyard will already be experiencing a degree of self-shadowing;

Summary:
Access to daylight is considered to be reasonably maintained especially when taking into account the urban context and mirror development.

- 1-10 Shaftsbury House, 1-10 Cromwell House & The Black Dog PH (No 112), Vauxhall Walk: Whilst these residential properties (or in the case of the PH containing residential elements), are a reasonable distance away for the proposal, they do have windows in the rear elevations facing towards the proposal:
  Daylight
  - VSC: Majority of reductions do not exceed 20% and in the isolated areas where they do, the reductions are still relatively close to the 20% target. Therefore, no significant, unacceptable adverse effect on daylight;
  - ADF: As above;

Sunlight
- APSH: Any living rooms within the rear elevations facing the proposal are not considered;
- for sunlight review (as such elevations face within 90 degrees of north);

Shadowing:
N/a, no amenity space to be tested.

Properties to the west of the application site

- Peninsula Heights:
  Daylight:
  - VSC:
    - Single aspect room reductions: 1st-2nd floor reductions ranging 66.2%-71%; 3rd-5th floor reductions ranging 57.9%-60.8%; 6th-8th floor reductions 54.5%-56.6%; 9th-10th floor reductions ranging 53.2%-54.5%;
    - Dual aspect: similar reductions to the above figures; where the dual aspect is to the north the VSC reduction is minimal and conversely, they are relatively more where the dual aspect faces to the south on account of the existing impact of Tintagel House;
  - DD:
    - Single aspect room reductions: 1st-2nd floor reductions ranging 3.56%-37.64%; 3rd-5th floor reductions ranging 11.15%-11.58%; 6th-8th floor reductions 11.44-13.87%; 9th-10th floor reductions ranging 1.51-1.68%;
- Dual aspect: No noticeable reductions because there are no dual aspect rooms with a daylight distribution of greater than 20%.

[Comment: A reasonable daylight distribution as compared with poorer VSC results is down to the specifics of these completely different test i.e. gaps of sky being available/seen within a room (DD test) but not necessarily a high percentage of sky being available when considering the dome of the sky and window plane (VSC test)]

- ADF:
  - Bedrooms – above the 1% target with the exception of 1 no. 1st floor bedroom with 0.6%; Kitchens are not meeting the 2% target however they are galley style and are therefore considered non-habitable for the purposes of BRE assessment;

Sunlight:
- APSH: Although the reductions are significant on account of the currently unobstructed east-facing elevations, the APSH for windows still achieve the 25% yearly target and 5% winter target with the exception of the lowest 2 floors which do not quite meet the criteria. However, they are dual aspect living rooms;

Shadowing:
- There is no shadowing to the building or to any associated amenity space by this proposal after 11am;

Summary:
Whilst there is significant reduction in the VSC test, this is on account of the currently unobstructed situation. The effect is also limited to bedrooms as well as galley kitchens which are deemed ‘non-habitable’. Conversely for daylight distribution, the scheme meets the BRE criteria except for some reductions at 1st and 2nd floor. Therefore, in this urban context the levels of daylight and sunlight could still be considered reasonable, and also considering such approaches as ‘mirror-development’ and design refined to mitigate some of the effects compared to the previous ‘Shark Fin’ proposal.

**Properties to the north of the application site**

- **Eastbury House:** The design granted permission does not necessitate reliance on good levels of daylight over the 36-46 Albert Embankment development site:
  
  **Daylight:**
  - Units are typically dual aspect and windows within the south facing elevation (facing the north flank end of 36-46 Albert Embankment) being either secondary windows or windows serving non-habitable rooms. As such there is relatively minimal effect in terms of daylight reductions / no further comment required;
  
  **Sunlight:**
  - APSH: Although there is potential for significant reductions given the application site is directly south and the current situation is as ‘unobstructed’, secondary windows of Eastbury House to the relatively ‘unobstructed’ east and west facing facades benefit the south facing rooms in cases where these affected rooms are ‘habitable rooms’. Therefore, reasonable sunlight is maintained;

  **Shadowing:**
  - Main shadowing is from 11am to 2pm.

6.5.7 It should be noted that there are no properties to the south of the application site. In terms of public open spaces and the consideration of shadowing, it is noted that the
BRE Guide 2 hour amenity test is also met for all of the 4 public areas identified, namely:

- Land to the north of Peninsula Heights;
- Land to the south of the proposal along the Albert Embankment;
- Land to the south of Glasshouse Walk between Goding Street and Vauxhall Walk (Part of Vauxhall Pleasure Gardens); and
- Land to the south of Glasshouse Walk between Vauxhall Walk and Tyres Street (Part of Vauxhall Pleasure Gardens).

6.5.8 Overall, the council's independent BRE consultant advises that there are no significant adverse daylight, sunlight and overshadowing impacts given the urban context and having regard to the BRE guide.

**Noise and General Disturbance**

6.5.9 Pursuant to Lambeth Local Plan 2015 Policy Q2, the proposed development and range of uses therein are not considered to give rise to any noise and general disturbance impacts to neighbours. In relation to the residential component, activity including the use of the terraces consistent with residential use will not impact on neighbours. Similarly for the non-residential uses at ground floor, the Class A floorspace is located along Albert Embankment, appropriate to the CAZ and location within the NNEB OAPF. The office use is a replacement of existing floorspace and is a use that is similarly appropriate in this location. Whilst non-residential are not considered to result in any noise and general disturbance impacts, for the avoidance of doubt, an appropriately worded condition is recommended for the hours of
operation of the ground floor commercial uses to be agreed with the council prior to occupation in the interest of protecting the amenity of neighbours as well as the future residential occupiers. In terms of noise associated with deliveries, a delivery and servicing management plan is recommended for the same reason.

**Construction Impacts**

6.5.10 Potential impacts including traffic and parking, noise and general disturbance, air quality, water quality and contamination will be mitigated through the construction management plan required by condition if the council is minded to approve the application.

6.5.11 As part of the application, the following information has been submitted addressing the potential impacts of the construction phase, namely:

- A draft Construction Management plan has been prepared by AIA Consulting Ltd which covers Dust and air pollution, noise and vibration, waste, construction traffic management, lighting, work hours and ‘Consideration Contractors Scheme’ accreditation;
- An Air Quality Assessment produced by Waterman has considered the potential impacts and mitigation during the construction phase; and
- A sustainability Statement prepared by Waterman includes an Air Pollution section reiterating the best practice management to be adopted by the contractor to minimising air pollution through responsible construction management and activity.

6.5.12 Therefore, construction impacts and their mitigation have been identified in the above supporting reports and which would be secured through a condition requiring the final construction management plan to be agreed if the council was minded to approve the application.

6.6 **Transport, Parking and Servicing**

6.6.1 The NPPF ‘sustainable development’ imperative involves amongst other things, improvements to conditions for travel (para 9) as well as actively managing patterns of growth to make the fullest possible use of public transport, walking and cycling (para 19). Sustainable development is the focus of London Plan Chapter 6 ‘London’s Transport’. The importance of the transport and parking implications of development, particularly the appropriate approach to inner London is addressed in Policy 2.9 and generally in Chapter 6 ‘London’s Transport’ including policies 6.3, 6.9, 6.10 and 6.13. Relevant Lambeth Local Plan 2015 transport related policies are contained in chapter 8 including T1 ‘Sustainable Travel’, T2 ‘Walking’, T3 ‘Cycling’, T6 ‘Assessing impacts of Development on Transport Capacity and Infrastructure’, T7 ‘Parking’, T8 ‘Servicing’. Also Policy Q13 ‘Cycle Storage’

**Existing Context and trip generation**

6.6.2 The site is located on the A3036 Albert Embankment at the junction with Glasshouse Walk, approximately 300m north of Vauxhall Cross. All surrounding roads are contained within CPZ K which operates from Mon – Fri from 8:30am – 6:30pm.

6.6.3 The current site is a petrol filling station as well as 1,361sqm of office space. The site has a PTAL of 6b ‘Excellent’, owing the availability of public transport at the Vauxhall gyratory. The existing developed is characterised by the following trip generation
during peak periods, emphasising the vehicular mode associated with petrol station movements.

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<th>Mode</th>
<th>AM Peak Hr</th>
<th>PM Peak Hr</th>
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<td>In</td>
<td>Out</td>
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<tr>
<td>Car Driver</td>
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<td>31</td>
</tr>
<tr>
<td>Car Passenger</td>
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<tr>
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Existing Trips (TA page 28)

Proposed trip generation

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<th>PM Peak Hr</th>
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</thead>
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<td>Total Person</td>
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</table>

Proposed Trips (TA page 33)

6.6.4  The proposed trip generation above shows (when compared to existing trips) a move to sustainable modes, with a significant reduction in car uses as well as an increase in peak AM trips and decrease in peak PM trips. There is a notable increase to the pedestrian movements. The highly accessible CAZ location is appropriate for the scheme.

Car Parking

6.6.5  The use of an automated, driverless car stacker to is considered acceptable and efficient utilisation of a highly constrained site. The tradeoff between limiting the amount of dead servicing frontage and floorspace as compared to a ramp and that all spaces ‘accessible’ is considered a benefit to utilising the stacker. In terms of electric charging, the scheme proposes 20% active provision in compliance with the London
Plan, and 80% passive provision, which exceeds the minimum expectations of the London Plan. Electric charging provision will be secured by a condition of the council is minded to approve the application.

Albert Embankment pick-up/drop-off and automated driverless parking stacker access – TA Appendix G

6.6.6 Total provision of 42 spaces is a ratio of 0.25 which accords with the VNEB OAPF and Vauxhall SPD and is in line with developments along the Albert Embankment. London Plan 2016 Policy 6.13 requires amongst other things “…an appropriate balance being struck between promoting new development and preventing excessive parking provision that can undermine cycling, walking and public transport use” with schemes to comply with the maximum standards of Table 6.2. The Notes to Table 6.2 state that “All developments in areas of good public transport accessibility in all parts of London should for significantly less than 1 space per unit”. The Lambeth Local Plan 2015 Policy T7 states, amongst other things, that development should provide parking within the maximum standards of the London Plan. The provision of car parking spaces is considered to accord with policy on the basis that the TA demonstrates that the majority of predicted movements will be by sustainable modes which parking provision is not considered to undermine. Furthermore, the availability of parking feeds into the scheme viability. Furthermore, there are no ground floor and street scene implications given that the parking is accommodated at basement level behind active frontages. As such, the provision is considered acceptable.
6.6.7 With regards to on street parking, the applicant will be requested to enter into s106 agreement to ensure that the new development is car permit free given the excellent PTAL.

Cycle Parking

6.6.8 Internal cycle storage areas will provide parking for 293 residential cycle spaces (ratio of 1.8 spaces per dwelling, noting the emphasis on smaller units in this scheme, see section 6.1 of this report) in secure stores in the basement as well as a further 28 spaces for the office and retail in secure stores as well as 14 spaces for visitors in the ground floor curtilage. The number of cycle parking spaces is in accordance with FALP standards.

6.6.9 The cycle storage needs to be secure, accessible and covered and a preference for Sheffield stands although, racking systems that are easy to use and enable people of varying abilities to use them could be considered. An appropriately worded condition is recommended.

Travel Plan

6.6.10 A Draft Full Travel Plan (DFTP) has been submitted. It sets out broad aims and objectives, and a range of measures. A s106 planning obligation is needed for the full travel plan to be agreed with the Council’s Highways engineer as well as a monitoring contribution to ensure its successful implementation by the Council’s Highways and Transport officer.

Refuse Storage

6.6.12 All bin stores are located to the rear of the site, on a service corridor accessed from Glasshouse Walk. It is assumed that bins would be transferred to the loading bay at the end of the service corridor on waste collection days. The arrangements including management on collection day is considered appropriate and acceptable.

Servicing and Deliveries

6.6.13 All servicing vehicles would be required to reverse into this loading bay from Glasshouse Walk, and swept paths of this manoeuvre are provided within the TA. A banksman would be required to manage this manoeuvre at all times.
6.6.14 An appropriately worded condition is recommended for a Servicing Management Plan (SMP), to be agreed to address any potential adverse impact on the highway.

Construction Management Plan

6.6.15 A draft construction management plan has been supplied as part of the application setting out the site arrangements during the phases of construction over the course of 52.5 months. As the contractors have not been confirmed, the details are illustrative to demonstrate how the construction activity is accommodated on site and the relationships to the surrounding area including hoardings, vehicle movements, location of plant. An appropriately worded condition is recommended for an environmental construction management plan to agree the detailed management and mitigation of the construction phase.

6.8 Refuse and Recycling

6.8.1 Although the NPPF does not contain specific waste policies, it does state that part of the environmental dimension to ‘sustainable development’ is waste minimisation (para 7). As part of London Plan 2011 Chapter 5 ‘London’s Response to Climate Change’ policy 5.17 seeks suitable waste and recycling storage provision in new developments as does Lambeth Local Plan Policy EN7.

6.8.2 In regards to waste storage, the following is required based on the council’s Refuse and Recycling Storage Design Guide 2013 and Waste and Recycling Storage and Collection Requirements 2013 technical specification, using a 1100ltr Eurobin:

- Residential: Required: 15 refuse bins and 9 recycling bins; Provided: capacity for 33 bins in dedicated stores using waste chutes;
- Office: Required: 5 bins including proportion for recycling; Provided: 9 bins in dedicated stores; and
- Commercial: Required: 1 bin with provision to be made within the unit; Provided: To be accommodated within the unit.

6.8.3 Overall, the arrangements are considered acceptable and the above points would be covered subject to appropriately worded conditions for the detailed design of refuse stores and refuse management plan to be agreed prior to the commencement if the council is minded to approve the application.

6.9 Further Environmental considerations: Contamination, Utilities, Electronic interference

Contamination

6.9.1 Pursuant to London Plan 2016 polices 5.14 and 5.21 and Lambeth Local Plan 2015 Policy EN4, the Preliminary Environmental Risk Assessment (PERA) by Waterman has been assessed by the council’s independent environmental health consultant and found to be sufficient for the purposes of initial contamination risk assessment and subsequently further investigation and design. Appropriately worded contamination conditions are recommended.

Utilities

6.9.2 The Utilities Statement by Waterman has considered the availability of gas, water, drainage, telephony, electricity and potential sewer flooding (for which there is none recorded by Thames Water). No issues with utilities provision are identified other than advice from Thames Water seeking a drainage strategy Grampian condition requiring details to be firstly agreed given the inability of the existing waste water infrastructure to accommodate the needs of the development without mitigation.

Electronic Interference

6.9.3 The proposed tower elements may have potential to affect terrestrial TV reception and satellite TV reception (signal shadow) therefore, an electronic interference assessment condition is recommended if the council was to consider approval of the application.

Odour/smells from future potential Class A3 uses

6.9.4 It is noted that any future A3 use requiring mechanical extraction, will necessarily involve venting to the rear at facia level, facing the rear servicing area and NR track and arches. Although extraction at facia level is not uncommon, it is not as desirable as extraction at roof level where dispersion mitigates against odour impacts. However, in the case of the current scheme the constrained nature of the site and build does not cater for risers to extract at roof level. Furthermore, extraction to the rear is considered acceptable in this situation on the basis of the following:
- An appropriately worded condition is recommended for details of mechanical extraction and ducting to be approved and which will be required to be maintained for the lifetime of the use;
- The extraction faces the railway arches which do not accommodate any sensitive uses such as residential and as such, there are no neighbour implications or impacts to consider;
In respect of impact on future occupiers and users, this will be limited given this is a servicing route for waste bins and cycle parking rather than being the main site thoroughfare;

In respect of potential impact to office and residential occupiers above, modern construction methods mean that those uses will have mechanical ventilation rather than relying on opening windows for ventilation. Furthermore, air dispersion at upper levels will mean there is no proximity and risk of smells; and

The extraction does not face any public space, merely a private access route.

6.10 Energy, sustainability, climate change mitigation and resources

6.10.1 London Plan Policy 5.2 requires development proposals to make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

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

6.10.2 London Plan Policy 5.2 'Minimising Carbon Dioxide Emissions' requires all residential developments to achieve a 40% reduction in carbon dioxide emissions on 2010 Part L Building Regulations. The London Plan Sustainable Design and Construction SPG 2014 updated this target of 35% on 2013 Part L Building Regulations. Policy 5.3 of the London Plan goes on to set out the sustainable design and construction measures required in developments. Proposals should achieve the highest standards of sustainable design and construction and demonstrate that sustainable design standards are integral to the proposal, including its construction and operation. The Further London Plan Chapter 5 policies detail specific measures to be considered when designing schemes including decentralised energy generation (Policies 5.5 and 5.6), renewable energy (Policy 5.7), overheating and cooling (Policy 5.9), urban greening (Policy 5.10), flood risk management and sustainable drainage (Policies 5.13 and 5.15).

6.10.3 Lambeth Local Plan 2015 Chapter 09 Environment and Green Infrastructure variably seeks connection to decentralised energy networks, future connection and on-site energy centre provision (Policy EN3), sustainable design and construction including BREEAM 'Excellent' for non-residential floorspace (Policy EN4), minimising of floor risk (Policy EN5) and provision of sustainable urban drainage systems (SUDS)(Policy EN6).

6.10.4 The application is supported by the following:

- Sustainability Statement (Waterman): Considers amongst other matters the following:
  - Resource Management, Adaptation to Climate Change, and Pollution Management;
  - Demolition and Construction;
  - Code for Sustainable Homes (CFSH) Pre-Assessment;
  - BREEAM (non-residential floorspace) Pre-Assessment;
  - Operational management;

- Energy Statement (Waterman): Considers the Mayor's Energy Hierarchy and energy demand assessment;
6.10.5 In respect of the Mayor’s energy hierarchy, the following measures are to be incorporated into the scheme:

**Be lean:**
- Façade engineering and fabric performance: Thermal and permeability parameters for external/internal wall, floor, roof, glazing, door and infiltration systems;
- Space heating and domestic hot water: Space heating via communal system for non-resi spaces (except office) and resi;
- Ventilation: MVHR with heat recovery for residential areas and design parameters for other systems for non-resi;
- Cooling, solar control and heat gain: Shading from balconies and glazing spec to assist to reduce overheating and reliance on cooling;
- Heat generation and energy efficient design: Minimising heat escape from through insulation, mitigating impact to overheating of unintended places along the pipework e.g. corridors;
- Thermals massing and ceiling heights: To be investigated at detail design stage;
- Passive and mechanical ventilation: Openable windows where possible, subject to any noise or air quality restrictions;
- Active cooling systems: Necessary for residential as well as non-residential space to address summer overheating;
- Lighting, pumps, fans and lifts: Low energy model selection;

**Be clean:**
- Communal plan room for resi and non-resi serving space heating demand with 5 no. boilers;
- CHP for electrical power;
- Future connection point for heating plant room to connect to district system in the future;

**Be green:**
- 127sqm comprising of 76 no. PV panels to be incorporated into unshaded roof terrace areas (See drawings below); and
- NB: Wind (turbines), ground source cooling, biomass dismissed as not feasible for the site.
6.10.6 The total package of improvements, including additional 92sqm of PVs being accommodated into the scheme since the submission proposal, results in a total site wide reduction of 35% in CO2 emissions which meets the target.

6.10.7 The council’s independent energy and sustainability consultant are satisfied with the measures proposed in the development.

*On-site Energy Centre and heat networks in the Vauxhall are*

6.10.8 Both on site facilities and connection potential to future area networks are proposed details of which will be secured by conditions and planning agreement if the council is minded to approve the application.

*Code for Sustainable Homes and Lifetime Homes*

6.10.9 The 2015 updates to the Building Regulation include many of the key areas as required by CfSH level 4 (level targeted in the originally submitted sustainability statement). Therefore, the addendum report states that no dwellings will be built to a lower quality or standard than CfSH level 4, for the minimum water and energy requirements.

6.10.10 Appropriately worded conditions regarding accessibility, water usage, and CO2 reduction measures are recommended if the council is minded to approve the application, to cover the remaining relevant matters.

*BREEAM*

6.10.11 The Sustainability Statement includes a BREEAM pre-assessment which demonstrates an ‘Excellent’ level can be achieved for the scheme.

*Flood Risk*

6.10.12 The report by Waterman in relation to flood risk indicates that pursuant to the Environment Agency’s indicative flood map (Appendix D) the site is located within a Flood Zone 3 area, which has a high probably of flooding. Although, the River Thames defences protect the Site up to the 1 in 1000 year standard, and therefore the Development would not be at risk of flooding from tidal and fluvial sources, assuming normal operation of the flood defences. Risk from other flooding sources including fluvial, groundwater, artificial sources are low risk.

6.10.13 Nevertheless, in respect of evaluation of the risk and noting potential peak flood level of 5.11m AOD if the River Thames defences failed during a storm surge, this would equate to a maximum flood depth of approximately 0.61m, based on a finished
floor level of 4.50m AOD. All residential units are first floor and above at 8.03AOD which is 2.92m above breach flood level. Although offices commence at ground floor, they are deemed ‘less vulnerable’ and in the event of a flood breach, occupiers would have access to upper floors of the office above the flood breach level. Similarly for the ground floor commercial uses which are deemed ‘less vulnerable’ they would have access to internal first floor which is above the breach level. In regards to the basement gym and pool area for residents, whilst also deemed ‘less vulnerable’ the access including stairway design and provision of flood doors will remain dry in a breach scenario. No objection is raised by the environment agency.

6.10.14 It is noted that fowl and surface water drainage would be via Thames water sewer, subject to their separate approvals and noting the Grampian condition for waste water impact study to ensure any necessary mitigation is agreed.

**Sustainable Urban Drainage System (SUDS)**

6.10.15 The scheme is supported by a SUDS proposal. The agent has confirmed that to comply with The Lambeth Local Plan Policy EN6 and the London Plan, the proposed rate of run-off to the existing sewer network has been reduced to 50% of the pre-development 1 year storm event, to 11.1 litres per second. This requires a detention storage of 78sqm which will be accommodated in 2 tanks. In addition, ecological roof and planting will contribute to reduced rainwater runoff.

6.10.16 The proposed SUDS system is supported by the council’s sustainability officer subject to an appropriately worded Grampian condition that the final detailed design is subject to review and agreement by Thames Water and the EA.

6.11 **Landscape, trees and biodiversity**

6.11.1 The ‘sustainable development’ imperative of NPPF 2012 includes enhancing the natural environment and improving biodiversity (para 7). London Plan 2015 policy 7.19 states that development proposals, where possible, should make a positive contribution to the protection, enhancement, creation and management of biodiversity.

**Landscape Concept**

6.11.2 Lambeth Local Plan 2015 Policy Q9 variously states that development will be supported where provision is made for landscaping for future growth and aftercare, existing features are retained and enhanced, including any habitat as well as creating new ones, maximises greening opportunity, uses local characteristic species, takes account of existing and potential routes, provides strong boundary treatments, avoids leftover spaces, are attractive and provides sustainable drainage and minimises runoff.

6.11.3 The landscape strategy is described in the DAS including the following key aspects:

- **Different planning and approaches for street level, entrance, podium amenity and roof terraces**;
- **Street Level**: Pocket planting along the street frontage, a mature London Plane tree on the corner of Albert Embankment and Glasshouse Walk, planting screen for cycle parking and planting wall to the viaduct (subject to separate approval of NR);
- **Entrances**: Botanical cabinets offering interest, using tropical species;
• Podium amenity areas: Border planters with shrub planting and sufficient soil depth for medium trees to create privacy and screening and also mitigating amenity conditions; some parts to be artificially turfed for active uses; and
• Roof terraces: As well as accommodating plant, façade cleaning apparatus on the very top towers as well as PVs variously located, planting will consist of evergreen, wind tolerant species to respond to the exposed conditions.

6.11.4 The landscaping proposal is considered to enhance the proposed new building and contribute positively to the amenity of future users. The detailed landscape design of the hard and soft landscaping proposals and management will be secured by an appropriately worded condition.

6.11.5 It is further noted that there are no existing trees affected by the proposal pursuant to London Plan 2015 Policy 7.21 and Lambeth Local Plan 2015 Policy Q10.

6.11.6 Lambeth Local Plan 2015 Policy EN1 variously seeks development wherever possible to protect, enhance or manage nature conservation and biodiversity interest.

6.11.7 The supporting DAS indicates that although the existing site is of low ecological value, the proposal includes ecological roof planting and well as soft landscaping species choice that include pollen, nectar, seed and berry producing species and natives where possible which could support fauna. Final species and planting will be subject to condition. In addition to this, an appropriately worded condition is recommended for bat and bird boxes to be incorporated into the development if the council is minded to approve the application.

6.12 Community Safety/Designing out Crime

6.12.1 London Plan 2015 Policy 7.3 states that development should amongst other things, reduce opportunities for crime and contribute to a sense of security in particular, well maintained routes, clear indication of spaces being private, semi-private or public and natural surveillance, encourage activity appropriate to the location, promote a sense of ownership of spaces, places and buildings, integrate security features into the design. Lambeth Local Plan 2015 Policy Q3 additionally expects development to respond to the locality and any crime and safety issues, paying particular attention to communal space and making sure the materials and construction are robust, durable and resistant to damage.

6.12.2 The application has been considered by the Metropolitan Police Crime Prevention Design Advisor who recommends an appropriately worded condition for a Crime Prevention Strategy to be agreed.

6.12.3 In respect of counter terrorism, Metropolitan police recommend improved glazing, a blast assessment and hostile vehicle management mitigation, subject to an appropriately worded condition if the council is minded to approve the application.
6.13 Viability, Planning Obligations and CIL

6.13.1 The Council adopted an updated S106 Planning Obligations Supplementary Planning Document (SPD) in April 2012. This document pre-dated the introduction of the Lambeth CIL and the preparation of a borough-wide local plan. During 2013 the Council consulted on a revised draft SPD, prepared as at July 2013. The revised draft SPD reflected the anticipated introduction of the Lambeth CIL in 2014. The revised draft SPD was prepared chiefly against the background of the Core Strategy and the Saved UDP, although it also acknowledged the Lambeth Local Plan. Consideration of what, if any, planning obligations are appropriate in relation to the application has been guided by the approach set out in the July 2013 revised draft SPD. The final package of obligations put forward reflects current circumstances and the individual facts of the application.

Financial viability appraisal

6.13.2 At submission, the application proposed only the on-site affordable housing, equating to 29% based on unit numbers with an 81/19 split in favour of shared ownership. The supporting financial appraisal was reviewed by the council’s independent consultant BNPP. Key aspects of the viability appraisal negotiation included:

- The use of Alternative Use Values for a student accommodation scenario (with an affordable element required as the scheme was considered speculative as well as meeting all the criteria of Lambeth Local Plan 2016 policy H7) as well as an office accommodation scenario, both of which were accepted as appropriate in principle for this location;
- Challenging inputs to the appraisal including build costs involving the use of an independent quantity surveyor WT Partnership;
- Subsequently, a redesign of more costly elements such as the cantilevers and facing materials to reduce the scheme costs whilst maintaining overall design quality with the guidance of the council’s Conservation and Design officer;
- The acceptance by Lambeth Housing colleagues of a Payment in Lieu (PiL) to secure an additional contribution to secure social housing, rather than seeking additional shared ownership on site, owing to the physical constraints of the site and design;
- The consideration of sales values using actual comparable evidence from BNPP; and
- The recalculation of the initial payment in lieu such that the total package is equivalent to a policy compliant 40% with 70:30 split in favour of social rent.

As a consequence of these negotiations, officers secured a payment in lieu of £9,986,000.00 towards affordable housing provision as well as the social rent and shared ownership units on site. BNPP confirm that the scheme can afford this as well as the full package of contributions identified below.

S106 Heads of Terms and CIL

6.13.3 The S106 will deliver the following obligations:

- Affordable housing equivalent to policy compliant 40% with a 70/30 split: Based upon on-site provision comprising 9 no. social rent (3x2bed, 6c3bed) in Vintage House and 39 shared ownership (25xstudios, 9x1bed, 5x2bed) in the new build as well as a Payment in Lieu of £9,986,000.00;
- Employment and skills plan;
- Worksmart Plan;
- Employment and training contribution £13,397.00;
- Local Labour in construction (Construction training) contribution £284,000.00;
- Considerate contractors scheme;
- Applicant to sign up to the Nine Elms Construction Charter;
- Targeting 20% local Goods and Services procurement for construction and operation phase;
- Delivery of public realm improvements inside red line as per DAS;
- Public access in perpetuity to public realm and management plan;
- Travel plan and £3,000.00 monitoring;
- Parking permit free development;
- Playspace contribution £13,500.00;
- Future energy network connection;
- Monitoring - 5% to total value of financial contributions;
- Commitment to s278 Albert Embankment highway works (repairs/improvement) being in keeping with wider Albert Embankment improvements and commitment to liaison with TfL on any proposed works, as well as registration with the Fleet Operator Recognition Scheme (FORS) and signing up to the area wide Construction Logistics Charter;
- Free Cycle hire membership (£90x3yrs for 10% of employees PLUS £270 per resi unit purchased direct from TfL);
- Legible London sign - £6,000.00;
- Car club 3yrs free membership per household; and
- Car club Capacity investigation + provision if needed (£6.5k per bay).

It should be noted that an affordable review mechanism is not being sought in a planning agreement and moreover, it was a point of negotiation that such a review mechanism would not be required if an offer equivalent to a 40%, 70/30 tenure split affordable housing offer was made. It should be noted that officers and BNPP consider that there is no reasonable basis to seek a review clause when such is secured, given the intent of any viability appraisal negotiation is to seek the maximum viable offer, only up to and only to this level.

6.13.4 Any s278 Highways agreements are separate and additional to the transport-related contributions specified above.

6.13.5 The additional 24,823sqm GEA is Mayoral and Lambeth CIL liable. The Council’s CIL officer confirms that the current estimate on a without prejudice basis is £7,243,157.45, comprising of Mayoral CIL of £868,805.00 and Lambeth CIL of £6,374,352.45. It should be noted that these figures do not have index applied and are subject to change, with the final CIL liability being calculated at the time it becomes payable i.e. at commencement of the development.

6.13 Other - Procedural Matters

6.13.1 The application is referable to the Mayor under the provisions of the Town and Country Planning (Mayor of London) Order 2008. The application has already been referred to the Mayor at ‘Stage 1’ and a summary of the Mayor’s comments are included in Section 4 above. Before Lambeth can issue a decision on this application it will need to refer the application again to the Mayor at ‘Stage 2’; where after the Mayor will have the opportunity to elect to become determining authority, direct refusal, or allow Lambeth to proceed and issue the decision in line with its resolution.
7 CONCLUSION

7.1 External statutory consultees have considered the application and none have objected to the scheme, subject to appropriately worded conditions and planning contributions if the council is minded to approve the application, which are specified in section 4 of this report.

7.2 The application was placed on notification in February 2016 and 23 letters of objection were received raising issues in respect of the development principle, design and conservation, quality of accommodation, neighbour amenity impact which are discussed in section 4 of this report. 3 letters of support and 1 comment were also received. Following amendments the application was reconsulted and a further 5 objections were received.

7.3 In respect of the development principle, the following is discussed in section 6.1 of this report:
   - The loss of the petrol station is acceptable, is not protected by planning policy and there are alternatives available with a 2km radius;
   - The reprovision and increased office floorspace accords with policy;
   - A mixed use approach accords with policy;
   - The density at 2,544/hrha exceeds the London Plan 2016 density guideline range of between 650-1100. Rather than apply the density matrix mechanistically, the London Plan and other planning policy approach is to consider the optimal use of the site, if there are overdevelopment symptoms and appropriate mitigation; and
   - Housing provision: The council’s Housing team is satisfied with the overall unit mix proposed, noting that there is an emphasis on smaller units; The combination of the on-site provision (9 no. social rent units and 39 no. shared ownership units) and payment in lieu sum of £9.986m equates to an overall affordable housing offer equivalent to 40% affordable with a 70/30 split in favour of social rent; 10% (17) wheelchair adaptable units are proposed.

7.4 In respect of the EIA procedure in the UK and noting the application was informally screened at pre-application stage, the current application was screened following submission. It is not considered EIA development having regard to the criteria of Schedule 1 and 2 development, nor is it within a sensitive area as defined by the Regulations. Therefore, as ES is not required. See section 6.2 of this report.

7.5 In respect of the quality of residential accommodation, the following is discussed in section 6.3 of this report:
   - All flats meet the minimum floorspace requirements of the National Floorspace Standards;
   - The layout facilitates multiple aspect flats and in the case of single aspect, non are north facing;
   - Acoustic treatment will provide a suitable interval living environment;
   - All flats enjoy an acceptable outlook and openness;
   - There are no privacy and overlooking to neighbours or within the site;
   - Amenity space provision exceeds the minimum requirements;
   - Playspace provision is met on site for children aged up to 11yrs however, older children will rely on open space in the vicinity of the site due to the site constraints which preclude the ability to provide amenity for them within the site. A s106 planning contribution towards play facilities has been agreed to mitigate the impact of the reliance on off-site public play facilities;
• All flats will have adequate levels of daylight and sunlight and there is no significant adverse shadowing of communal amenity space;
• In respect of air quality, although mitigation is not necessary from first floor upwards, modern construction means that flats will be mechanically ventilated which will further ensure suitable internal environment for occupiers; and
• In respect of microclimate (wind), the scheme meets the criteria for use of different spaces including ground floor access and there are no safety implications. The only transgression relate to a couple of private roof terraces for long term sitting in winter and such a situation could be overcome by sensible interventions to make long term sitting possible.

7.6 In respect of Design, Conservation and Archaeology as discussed in section 6.4 of this report:
• There is no significant adverse impact to the character and appearance of any conservation area including the Albert Embankment CA as well as others where the proposed towers are visible in wider views and setting;
• The scheme does not adversely impact upon any strategic LVMF views or identified local views of Lambeth;
• The scale, form and appearance of the proposal is consistent with the approach for development along this section of the Albert Embankment and is not considered to result in any significant adverse harm to the character, appearance, setting and views and additionally in the case of the Westminster WHS, the Universal Values of locally and nationally listed assets or to the WHS;
• The proposal addresses criteria of the Mayor and Lambeth tall buildings policies; and
• The detailed design of the proposal including materials and detailed design of the new build element and retention of Vintage house is considered to be appropriate and high quality.

7.7 In respect of neighbour amenity as discussed in section 6.5 of this report:
• There are no significant adverse outlook, openness, privacy or overlooking impacts given the extent of the separations distances which are +21m including Peninsula Heights;
• In regards to daylight, sunlight and overshadowing there are no significant reductions in light to Spring Gardens, 1-10 Shaftsbury House, 1-10 Cromwell House and the residential elements of The Black Dog PH or to Eastbury House. With respect to Peninsula Heights, the scheme has been designed with a building break adjacent to Peninsula Heights, specifically to address the reason for refusal of the previous ‘Shark Fin’ scheme. Consequently, the nature of any impact is different between the schemes and a comparison exercise has been evaluated as part of the assessment by the council's independent BRE consultant. Whilst there is significant reduction in the VSC test, this is on account of the currently unobstructed situation. The effect is also limited to bedrooms as well as galley kitchens which are deemed ‘non-habitable’. Conversely for daylight distribution, the scheme meets the BRE criteria except for some reductions at 1st and 2nd floor. Therefore, in this urban context the levels of daylight and sunlight could still be considered reasonable, and also considering such approaches as ‘mirror-development’ and design refined to mitigate some of the effects compared to the previous ‘Shark Fin’ proposal;
• No significant noise or general disturbance impacts are considered to result from the development however, for the avoidance of doubt, a condition is recommended to agree the hours of operation of the ground floor commercial uses. In respect of noise and disturbance from deliveries, this will be controlled by a delivery and servicing management plans condition; and
Any potential impacts during construction will be mitigated through the CMP required by planning condition.

7.8 In respect of Transport, Parking and Servicing as discussed in section 6.6 of this report, the proposal results in a change in trip generation from predominantly vehicular to more sustainable modes such as walking and use of public transport. This is appropriate and acceptable in the CAZ location. Car parking provision for 42 spaces at a ratio of 0.25 reflects other approvals on the Albert Embankment and accords with the VNEB OAPF and Vauxhall SPD. An automated stacker is used which in effect means that 100% spaces are accessible. 20% active electric charging is supplied in accordance with London plan whilst the reminder (80%) will have passive provision, which exceeds the minimum expectations of the London Plan. Cycle parking and refuse storage is provided in accordance with minimum requirements and the location and design of the provision is acceptable. A green travel plan will be secured as part of the s106 planning agreement. Although servicing and delivery arrangements are acceptable to the council’s Transport and Highways team, it is noted that the site constraints necessitate vehicles reversing onto the site from Glasshouse Walk so that they can leave in forward gear. Nevertheless, the movement is acceptable including swept path details having been supplied.

7.9 In respect of refuse provision discussed in section 6.7, adequate space and access is provided to the required number of waste and recycling bins in dedicated stores (or within the floorspace of the unit in the case of the ground floor commercial) in accordance with the council’s waste guidance.

7.10 In respect of other environmental considerations discussed in section 6.8:
- Contamination: Appropriately worded standard conditions for remediation are recommended by the council’s environmental health consultant;
- Utilities: No issues and impacts are identified with respect to utilities with the exception of the requirement of Thames Water for an impact study in respect of waste water to ensure that the system can accommodate the development including any necessary mitigation measures; and
- Electronic interference: A condition is recommended to consider any potential impact to and mitigation for terrestrial and satellite TV reception.

7.11 In respect of energy, sustainability, climate change mitigation and resources as discussed in section 6.9, the scheme incorporates a range of measures to address the Mayor’s energy hierarchy and will achieve 35% CO2 reductions in accordance with policy. Conditions are recommended to address aspects not covered by the building Regs part L and the scheme achieves BREEAM ‘Excellent’. In respect of flood risk, although the site is located in zone 3 and is at risk of breach of the flood defences, all residential is above the floor breach, and non-residential uses commencing at ground floor have access to floors above the breach. In addition, means of escape from the basement levels is protected by dry stairs and flood doors. A SUDs is proposed as part of the scheme to reduce run-off rates from the site. This will be further enhanced by ecological roofs.

7.12 In respect of landscaping, trees and biodiversity as discussed in chapter 6.10, the soft landscaping interventions across the site and are appropriate to their location and purpose, enhancing the character and amenity of the building and its surroundings. No existing trees are affected by the proposal and biodiversity is encouraged through the species selection which will support fauna as well as a condition requiring bat and bird boxes.
In respect of safety, security and designing out crime, discussed in section 6.11, an appropriately worded conditions are recommended by Metropolitan Police requiring Secure by Design accreditation as well as improved glazing, blast assessment and hostile vehicle management.

Section 6.13 Viability, Planning Obligations and CIL details the financial negotiations undertaken in the review of the financial appraisal by the council's independent financial consultant BNPP. The negotiations resulted in the confirmation that the package of s106 planning contributions secured as part of the application are affordable, including the payment in lieu towards affordable housing provision. It is also noted that the scheme is liable for Mayoral and Lambeth CIL.

Overall, the scheme is considered acceptable, providing a high quality scheme of additional homes and addressing a full range of planning policy considerations as identified throughout this report and posing no impacts to neighbours and the surrounding area to warrant refusal. The application is therefore recommended for approval, subject to conditions and completion of a Section 106 Agreement in accordance with the presumption in favour of sustainable development conferred upon Local Planning Authorities by the National Planning Policy Framework (NPPF).

**8. EQUALITY DUTY AND HUMAN RIGHTS**

8.1 In line with the Public Sector Equality Duty the council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).

8.2 In line with the Human Rights Act 1998, it is unlawful for a public authority to act in a way which is incompatible with a Convention right, as per the European Convention on Human Rights. The human rights impact have been considered, with particular reference to Article 1 of the First Protocol (Protection of property), Article 8 (Right to respect for private and family life) and Article 14 (Prohibition of discrimination) of the Convention.

8.3 The Human Rights Act 1998 does not impair the right of the state to make decisions and enforce laws as deemed necessary in the public interest. The recommendation is considered appropriate in upholding the council's adopted and emerging policies and is not outweighed by any engaged rights.

**9 RECOMMENDATION**

9.1 Resolve to grant conditional planning permission subject to any direction that may be received following referral to the Mayor of London and subject to the completion of an agreement under Section 106 of the Town and Country Planning Act 1990 of the planning obligations listed in this report.

9.2 Agree to delegate authority to the Director of Planning and Development to:

- Finalise the recommended conditions as set out in this report; and
• Negotiate, agree and finalise the planning obligations as set out in this report pursuant to Section 106 of the Town and Country Planning Act 1990.

9.3 In the event that the committee resolves to refuse planning permission and there is a subsequent appeal, delegated authority is given to officers, having regard to the heads of terms set out in the report, to negotiate and complete a document containing obligations pursuant to Section 106 of the Town and Country Planning Act 1990 in order to meet the requirements of the Planning Inspector.

9.4 In the event that the s106 is not signed within 4 months of committee, delegated authority is given to officers to refuse planning permission for failure to enter into a section 106 agreement for the mitigating contributions identified in this report and to defend any subsequent appeal.

10 CONDITIONS AND REASONS

General

1. Time period (standard three years)
The development to which this permission relates must be begun no later than three years from the date of this decision notice.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. In accordance with approved plans
The development hereby permitted shall be carried out in complete accordance with the approved plans and drawings listed in this decision notice, other than where those details are altered pursuant to the conditions of this planning permission.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Land Levels
No development shall commence until details of the existing and proposed land levels have been submitted to and approved in writing by the local planning authority. The development hereby permitted shall be undertaken in accordance with the approved details. The submitted details will demonstrate levels in relation to surrounding roads and open spaces including the skate park

Reason: Development must not commence before this condition is discharged to safeguard amenity and in the interests of proper planning, preventing unacceptable siting and massing of the development relative to the adjacent land (policies Q2, and Q7 of the Lambeth Local Plan (2015)).

4. Archaeology
A) No development other than demolition to existing ground level shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological excavation and mitigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing and a report on that evaluation has been submitted to and approved by the local planning authority in writing.
B) Under Part A, the applicant (or their heirs and successors in title) shall implement a programme of archaeological excavation in accordance with a Written Scheme of Investigation.

C) Under Part A, the applicant (or their heirs and successors in title) shall implement a programme of archaeological mitigation in accordance with a Written Scheme of Investigation.

D) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (A), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: Heritage assets of archaeological interest may survive on the site. The planning authority wishes to secure the provision of appropriate archaeological investigation, including the publication of results, in accordance with Section 12 of the NPPF and Policy 7.8 of the London Plan 2016.

5. Secured by Design
The development shall be constructed and operated thereafter to ‘Secured by Design Standards’. A certificate of accreditation to Secured by Design Standards shall be submitted to the local planning authority for approval in writing in consultation with Metropolitan Police prior to the residential occupation of the development.

Reason: To ensure that the development maintains and enhances community safety (policy Q3 of the London Borough of Lambeth Local Plan (2015)).

6. Crime Prevention Strategy
Prior to the first occupation of the development, a Crime Prevention Strategy including a Security Management Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Metropolitan Police. The submitted details will include the following:

a) A summary of known crime risks in the area;
b) Details of how the development, including any landscaping and public art installations, has mitigated known crime risks in the area;
c) Details of management of the potential conflicts created by having a number of differing uses within the same development, including commercial and residential buildings and the associated public realm/streets within the development; and
d) Detail of how the development seeks to achieve ‘Secured by Design Standards’, a CCTV scheme (where appropriate), external security, street lighting and landscaping.

The use shall thereafter be operated in accordance with the approved details, unless the written consent of the Local Planning Authority is received for any variation.

Reason: To ensure that the development maintains and enhances community safety. (Policy Q3 of the Lambeth Local Plan, adopted September 2015).

7. Counter Terrorism Strategy
A detailed counter terrorism strategy shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Metropolitan Police prior to commencement. Details of measures to be included in the scheme shall include improved glazing specification; details of façade materials to withstand flying debris and blasts; a blast assessment for glazing fascia and structural integrity of the building; and measures for hostile vehicle management. The approved measured
shall be installed prior to occupation and thereafter maintained for the lifetime of the development unless agreed in writing.

Reason: To minimise the risk to occupants from terrorism (policy 9 of the Unitary Development Plan 2007: Policies saved beyond 5th August 2010 and not superseded by the Core Strategy: January 2011)

8. **Ensuring Provision of the Commercial Use**
Prior to the occupation of more than 50% of the residential units hereby permitted, or in accordance with an alternative timetable that has first been submitted to and approved in writing by the Local Planning Authority, the Class A1/A3/B1 elements of the development shall be completed to shell and core.

Reason: To ensure satisfactory delivery of commercial floorspace on the site (policies ED2, ED3, ED6 of the London Borough of Lambeth Local Plan (2015)).

Design

9. **Materials**
Prior to the commencement of works above ground level, samples and schedule of the materials to be used in the external elevations shall be submitted to and approved in writing by the local planning authority. The development hereby permitted shall be thereafter built in accordance with the approved details.

Reason: To ensure that the external appearance of the building is satisfactory (policies Q2, Q7 and Q8 of the London Borough of Lambeth Local Plan (2015)).

10. **Detailed Design**
Notwithstanding the details shown on the drawings hereby approved, above ground works shall not commence until drawings showing all external construction detailing of all development have been submitted to and approved by the Local Planning Authority in writing, unless otherwise agreed in writing by the Local Planning Authority. The drawings shall include details of:

a) windows (including any frosting), fin projections, cills, reveals and doors;
b) wall vents;
c) copings, parapets, soffits and upstands;
d) roof structure (including decorative features)
e) rain water goods;
f) balconies/terrace balustrades (including soffits and railings);
g) canopies;
h) lighting of communal spaces and buildings;
i) building signage;
j) mail boxes;
k) screens, gates and other means of enclosure;
l) shop fascia and signage; and
m) shop security.

The details set out above shall be provided at 1:10 scale (including sections) or at another scale agreed by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the details and drawings thus approved.
11. **No external pipes**
No plumbing or pipes, other than rainwater pipes, shall be fixed to the external faces of buildings.

Reason: To ensure an appropriate standard of design (Policies Q6, Q8 and PN2 of the Lambeth Local Plan, adopted September 2015).

12. **Ground floor frontages**
Prior to the use of any Class A1/A3/B1 units, the window glass of each front shall be clear glass and shall not be mirrored, tinted or otherwise obscured. The development shall be permanently maintained in this form unless otherwise approved in writing by the Local Planning Authority. No external security roller shutters or roller blinds shall be attached to the shop fronts hereby permitted, without planning permission having first been granted by the Council.

Reason: In order to prevent visual clutter, and to ensure a satisfactory external appearance to the design of the building. (Policies Q6 and Q8 of the Lambeth Local Plan, adopted September 2015)

13. **Playspace**
Notwithstanding details shown on the approved plans, for each phase involving the provision of children’s play space, no residential unit shall be occupied until full details of the children's play space provisions have been submitted to and approved in writing by the local planning authority and the development has been implemented in accordance with the approved details.


14. **Adaptable housing (Part M4(2) compliant)**
All residential units, communal areas and accesses hereby permitted shall be constructed to comply with Part M4(2) of the Building Regulations.

Reason: To secure appropriate access for disabled people, older people and others with mobility constraints (policies 3.8 of the London Plan (2015) and Q1 of the London Borough of Lambeth Local Plan (2015) and the guidance in the London Plan Housing SPG (2012)).

15. **Adaptable and wheelchair accessible housing (Parts M4(2) and M4(3) compliant)**
All of the 17 wheelchair adaptable/accessible hereby permitted shall be constructed to comply with Part M4(3) of the Building Regulations. Any communal areas and accesses serving the M4(3) compliant Wheelchair User Dwellings should also comply with Part M4(3). All other residential units, communal areas and accesses hereby permitted shall be constructed to comply with Part M4(2) of the Building Regulations.

Reason: To secure appropriate access for disabled people, older people and others with mobility constraints (policies 3.8 of the London Plan (2015) and Q1 of the
Landscaping and public realm

16. Landscaping
Prior to the commencement of the relevant works, a landscaping scheme shall be submitted to and approved in writing by the local planning authority. The development hereby permitted shall be thereafter carried out in accordance with the approved details within 6 months of the date of occupation. All tree, shrub and hedge planting included within the above specification shall accord with BS3936:1992, BS4043:1989 and BS4428:1989 (or subsequent superseding equivalent) and current Arboricultural best practice. The submitted details are expected to demonstrate the following:

a) The treatment of all parts of the site not covered by buildings including walls and boundary features;
b) The treatment of the communal residential roof terraces;
c) The quantity, size, species, position and the proposed time of planting of all trees and shrubs to be planted.
d) An indication of how they integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance and protection.
e) Specification of which shrubs and hedges to be planted that are intended to achieve a significant size and presence in the landscape.
f) All hard landscaping including all ground surfaces, seating, refuse disposal points, cycle parking facilities, bollards, vehicle crossovers/access points, any ramps or stairs plus wheel chair access (including how the needs of all ambulant and disabled persons have been taken into consideration in respect of the shared surface area) together with finished ground levels and site wide topographical levels; and
g) A lighting strategy for all public areas
h) Details of bat and bird box design and their locations

Reason: In order to ensure high quality soft landscaping in and around the site in the interests of the ecological value of the site and in the interests of visual amenity (policy Q2, Q9 and Q10 of the London Borough of Lambeth Local Plan (2015)).

17. Ecology
The development shall be implemented in accordance with the Ecological Appraisal recommendations.

Reason: In order to ensure high quality soft landscaping in and around the site in the interests of the ecological value of the site (policy Q2, Q9 and Q10 of the London Borough of Lambeth Local Plan (2015)).

18. Planting seasons - general
All planting, seeding and turfing shall be carried out in the first planting and seeding season following the first occupation of the development hereby permitted.

Reason: In order to ensure correct implementation of landscaping in and around the site in the interests of ecological value and to ensure satisfactory landscaping of the site in the interests of visual amenity (policies Q6, Q9 and Q10 of the London Borough of Lambeth Local Plan (2015)).

19. Replacement of dead/damaged planting
Any trees, shrubs or hedges included in the landscaping scheme for the development hereby permitted that die, are removed, become seriously damaged or diseased, within five years of planting, shall be replaced within 6 months of death, removal, damage or disease.

Reason: In order to ensure long term retention of the landscaping in and around the site in the interests of the ecological value of the site and in the interests of visual amenity (policies Q6, Q9 and Q10 of the London Borough of Lambeth Local Plan (2015)).

20. **Details of boundary treatments**
Before the use hereby permitted commences, a scheme for the siting and design of all boundary treatments shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be fully implemented before the use hereby permitted commences and retained for the duration of the development.

Reason: In order to ensure high quality landscaping for the boundaries of the site in the interests of visual amenity (policy Q15 of the London Borough of Lambeth Local Plan (2015)).

21. **Tree removal outside of breeding season**
Tree removal should take place outside the bird breeding season (October to February). Any removal with the potential to support nesting birds during this period may only occur following a check by a qualified ecologist. If any active nests are found, works must cease, the area left in situ and an appropriate buffer zone established until such time as a qualified ecologist confirms that the nest is no longer in active use.

Reason: To avoid the potential for an offence under the Wildlife and Countryside Act 1981, as amended.

22. **Green roofs and walls**
No development shall take place until full details of an extensive green roof and walls which shall be compliant with GRO Green Roof Code 2011 has been submitted to and approved in writing by the Local Planning Authority prior to the implementation of the relevant part of the development hereby approved.

The submission must provide/comprise the following information:

a) Details on materials used in the design, construction and installation of the green roof based on the Green Roof Code and the use of biodiversity based extensive/semi-intensive soils;

b) Details on substrate and plants used in the green roof, based on a commercial brick-based aggregate or equivalent with a varied substrate depth of 80 -150mm planted with 50% locally native herbs/wildflowers in addition to a variety of sedum species;

c) Details on additional features to the proposed green roof, such as areas of bare shingle, areas of sand for burrowing invertebrates and individual logs or log piles.

d) An ecological management and maintenance plan including landscape features and a cross section of the green roof.

The development shall be carried out strictly in accordance with the details approved, shall be maintained as such thereafter and no alterations to the approved scheme shall be permitted without the prior written consent of the Local Planning Authority. Evidence that the green roofs and walls have been installed in accordance with the
details above should be submitted to and approved by the local planning authority prior to first occupation.

Reason: To ensure that the development has an acceptable level of sustainability (Policy EN4 of the Lambeth Local Plan September 2015).

23. **Green roof and walls – to be maintained**
If within 5 years of the installation of the green roofs and walls, any planting forming part of the green roof shall die, be removed, or become seriously damaged or diseased, then either this planting shall be replaced in the next planting season with planting of a similar size and species or alternatives to be agreed in writing with the local planning authority and thereafter maintained for the lifetime of the development.

Reason: To safeguard the visual amenities of the area (policies Q2 and Q9 of the London Borough of Lambeth Local Plan (2015)).

**Transport**

24. **Waste and recycling storage (to be submitted and provided)**
Prior to the commencement of the use hereby permitted, details of waste and recycling storage for the development shall be submitted to and approved in writing by the local planning authority. The waste and recycling storage shall be provided in accordance with the approved details prior to the commencement of the use hereby permitted, and shall thereafter be retained solely for its designated use. The waste and recycling storage areas/facilities should comply with the Lambeth’s Refuse & Recycling Storage Design Guide (2013), unless it is demonstrated in the submissions that such provision is inappropriate for this specific development.

Reason: To ensure suitable provision for the occupiers of the development, to encourage the sustainable management of waste and to safeguard the visual amenities of the area (policies Q2 and Q12 of the London Borough of Lambeth Local Plan (2015)).

25. **Waste Management Strategy (for larger schemes)**
Prior to the occupation of the development hereby permitted, a Waste Management Strategy shall be submitted to and approved in writing by the local planning authority. The development hereby permitted shall be built in accordance with the approved details and shall thereafter be retained solely for its designated use. The use hereby permitted shall thereafter be operated in accordance with the approved Waste Management Strategy. The Waste Management Strategy will align with the guide for architects and developers on waste and recycling storage and collection requirements submitted details and will include the following:

a) Details of drop kerbs to be sited within 10m of bulk bin collection points
b) Details of any parking restrictions on Glasshouse Walk, the side opposite the pods to enable the collection to take place
c) Vehicle swept path showing collection route taking into account vehicle dimensions (8.5m x 2.5m) and details of any associated parking restrictions to be put in place elsewhere.
d) Details of bulk bin collection as proposed to ensure collection

Reason: To ensure suitable provision for the occupiers of the development, to encourage the sustainable management of waste and to safeguard the visual amenities of the area (policies Q2 and Q12 of the London Borough of Lambeth Local Plan (2015)).
26. **Management Plan (Deliveries & Servicing)**

Prior to the occupation of the development hereby permitted, a deliveries and servicing management plan shall be submitted to and approved in writing by the local planning authority. The use hereby permitted shall thereafter be operated in accordance with the approved details. The submitted details will include the following:

a) Hours of deliveries
b) Parking and waiting locations for delivery vehicles and any associated parking controls
c) Points for setting down and pick up of items
d) Delivery vehicle management and booking system
e) Arrangements for banksman

Reason: To avoid obstruction of the surrounding streets and limit the effects of the increase in travel movements within the locality as well as safeguarding public safety and the amenity of the surrounding area (policies T1, T6 and T8 of the London Borough of Lambeth Local Plan (2015)).

27. **Existing vehicular access to be removed**

Within 3 months of the installation of the new vehicular access, the existing vehicular access shall be removed by raising the dropped kerb and reinstating the footway to the specification required by the Council’s Highways Department.

Reason: To minimise danger, obstruction and inconvenience to users of the highway (policies T1 and T6 of the London Borough of Lambeth Local Plan (2015)).

28. **Parking Management Plan**

No part of the development hereby permitted shall be occupied until a Parking Management Plan for the development has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved parking management plan shall be implemented and operated for the duration of the permitted use.

Reason: To prevent the parking areas becoming obstructed, to maximise use of the parking bays and to ensure that pedestrian and vehicular safety is not prejudiced (policies T1, T6 and T7 of the London Borough of Lambeth Local Plan (2015)).

29. **Electric Vehicle Charging Points**

At least 8 (20%) of the vehicular parking spaces shall be provided with electrical charging points for electric vehicles and 8 (20%) spaces shall cater for future electric provision.

Reason: To encourage the uptake of electric vehicles in accordance with London Plan Policy 6.13.

30. **Travel Plan**

Prior to the occupation of each building, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The measures approved in the Travel Plan shall be implemented prior to the use commencing and shall be so maintained for the duration of the use, unless the prior written approval of the Local Planning Authority is obtained to any variation.
Reason: To ensure that the travel arrangements to the site are appropriate and to limit the effects of the increase in travel movements (Policy 6.3 of the London Plan 2015 and Policies T1 and T6 of the Lambeth Local Plan, adopted September 2015).

31. **Cycle Parking**

Prior to the occupation of each building, details of the provision to be made for cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall thereafter be implemented in full in accordance with the approved details before the use commences and shall thereafter be retained solely for its designated use. The submitted details must demonstrate the following:

a) The provision of 321 secure cycle parking spaces in dedicated storage rooms as well as 14 stands in the public realm as shown in the approved plans;

and

b) Details showing dimensions of the proposed storage areas and spacing of the hoops/stands/stackers.

Reason: To ensure adequate cycle parking is available on site and to promote sustainable modes of transport. (Policies T1, T3 and T6 of the Lambeth Local Plan, adopted September 2015).

**Environmental**

32. **Drainage Strategy**

Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

33. **Piling**

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) as well as addressing any potential risk to groundwater has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. Also, to ensure appropriate management of the potential risks associated with the use of piling where contamination is an issue (Policies 5.14 and 5.21 of the London Plan)

34. **Non road-mobile machinery (NRMM) – for Majors**

No non-road mobile machinery (NRMM) shall be used on the site unless it is compliant with the NRMM Low Emission Zone requirements (or any superseding requirements) and until it has been registered for use on the site on the NRMM register (or any superseding register).
35. **Contamination**
Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to, and approved in writing by, the Local Planning Authority:

1) A preliminary risk assessment which has identified:
   - all previous uses;
   - potential contaminants associated with those uses;
   - a conceptual model of the site indicating sources, pathways and receptors;
   - potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors which may be affected, including those off site;

3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken;

4) A verification plan providing details of the data which will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: To ensure that the development does not impact unacceptably upon existing ground conditions, geology, hydrology and hydrogeology of the site and surrounding area (Policies 5.14 and 5.21 of the London Plan).

36. **Previously unidentified contamination**
If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the reasonable satisfaction of the Local Planning Authority.

Reason: To ensure that the development does not impact unacceptably upon existing ground conditions, geology, hydrology and hydrogeology of the site and surrounding area (Policies 5.14 and 5.21 of the London Plan).

37. **Remediation verification**
Prior to occupation of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring
carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, if appropriate, and for the reporting of this to the Local Planning Authority. Any long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure that the development does not impact unacceptably upon existing ground conditions, geology, hydrology and hydrogeology of the site and surrounding area (Policies 5.14 and 5.21 of the London Plan).

38. **Method of construction**

For each phase, no development shall commence until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include details of the following relevant measures:

a) An introduction consisting of construction phase environmental management plan, definitions and abbreviations and project description and location;
b) Information on environmental management;
c) A description of management responsibilities;
d) A description of the construction programme;
e) Site working hours and a named person for residents to contact;
f) Details regarding operation of the TfL bus stop and TLRN during construction;
g) Detailed Site logistics arrangements;
h) Temporary works requirements;
i) Advance notification of road closures;
j) Details regarding parking, deliveries, and storage;
k) Details regarding dust mitigation;
l) Details of measures to prevent the deposit of mud and debris on the public highway;
m) Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area. The hours of deliveries associated with construction activity should work around the core school hours at nearby schools; and
n) Any other measures to mitigate the impact of construction upon the amenity of the area and the function and safety of the highway network;
o) Communication procedures with the LBL and local community regarding key construction issues – newsletters, fliers etc.; and
p) Established environmental monitoring and control measures with respect to:
- Air Quality;
- Noise and Vibration;
- Water;
- Fuel and Chemicals;
- Waste Management;
- Worksite Housekeeping;
- Electricity and Lighting;
- Traffic Management and Site Access;
- Operations Likely to Result in Disturbance;
- Site Layout Arrangements with respect to temporary works, plans for storage, accommodation, vehicular movement, delivery and access;
- Materials;
- Contaminated Land;
- Ecology;
- Vermin Control;
- Public Relations – procedures ensuring that communication is maintained with the LBL and the community and also provisions for affected parties to register complaints and a means of replying to these complaints;
  - An overview of environmental incidents;
  - A description of relevant documentation and records;
  - Environmental inspections and reviews; and
  - Housekeeping and general site management, materials storage and handling, waste management, recycling and disposal.

Evidence of and details related to consultation with local residents on the CEMP to be submitted shall be included within the submission. The construction shall thereafter be carried out in accordance with the details and measures approved in the CEMP for the related phase, unless the written consent of the Local Planning Authority is received for any variation, or approval by the Local Authority under S.61 of the Control of Pollution Act 1974.

Reason: This is required prior to construction to avoid hazard and obstruction being caused to users of the public highway and to safeguard residential amenity during the whole of the construction period. (Policies T6 and Q2 of the Lambeth Local Plan, adopted September 2015).

39. Air Quality and Dust Management Plan (AQDMP) - Majors

No demolition or development shall commence until full details of the proposed mitigation measures for impact on air quality and dust emissions, in the form of an Air Quality and Dust Management Plan (AQDMP), have been submitted to and approved in writing by the local planning authority. The AQDMP shall include the following for each relevant phase of work (demolition, earthworks, construction and trackout):

a) A summary of work to be carried out;
b) Proposed haul routes, location of site equipment including supply of water for damping down, source of water, drainage and enclosed areas to prevent contaminated water leaving the site;
c) Inventory and timetable of all dust and NOx air pollutant generating activities;
d) List of all dust and emission control methods to be employed and how they relate to the Air Quality (Dust) Risk Assessment;
e) Details of any fuel stored on-site;
f) Details of a trained and responsible person on-site for air quality (with knowledge of pollution monitoring and control methods, and vehicle emissions);
g) Summary of monitoring protocols and agreed procedure of notification to the local authority; and
h) A log book for action taken in response to incidents or dust-causing episodes and the mitigation measure taken to remedy any harm caused, and measures employed to prevent a similar incident reoccurring.

No demolition or development shall commence until all necessary pre-commencement measures described in the AQDMP have been put in place and set out on site. The demolition and development shall thereafter be carried out and monitored in accordance with the details and measures approved in the AQDMP.

Reason: Development must not commence before this condition is discharged to manage and mitigate the impact of the development on the air quality and dust emissions in the area and London as a whole, and to avoid irreversible and unacceptable damage to the environment (London Plan policies 5.3 and 7.14, and the London Plan SPGs for Sustainable Design and Construction and Control of Dust and Emissions during Construction and Demolition).
40. **Sound insulation**
Prior to the occupation of any residential block, a scheme of sound insulation and vibration isolation for the residential units of each relevant block shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall achieve the habitable room standard as detailed in BS8233:2014 with no relaxation for exceptional circumstances, except where approved in writing by the local planning authority, and must include details of post construction validation. Thereafter the development shall be carried out in accordance with the approved details and a separate validation report shall be submitted to and approved in writing by the Local Planning Authority 3 months prior to occupation.

Reason: To ensure that no nuisance or disturbance is caused to the detriment of the amenities of future occupiers (Policy Q2, Amenity - Lambeth Local Plan 2015).

41. **Noise levels**
Prior to the commencement of development a scheme of measures to ensure that all residential units have access to amenity space within the development where noise levels do not exceed 55dB LAEQ(16 hour) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of post construction validation. Thereafter the development shall be carried out in accordance with the approved details and a separate validation report shall be submitted to and approved in writing by the Local Planning Authority 3 months prior to occupation.

Reason: To ensure that no nuisance or disturbance is caused to the detriment of the amenities of future occupiers (Policy Q2, Amenity - Lambeth Local Plan 2015).

42. **Plant and trunking**
Prior to the commencement of building works above ground of the relevant part of the development, full details of internal and external plant equipment and trunking, including building services plant, ventilation and filtration equipment and commercial kitchen exhaust ducting / ventilation, shall be submitted to and approved in writing by the Local Planning Authority. All flues, ducting and other equipment shall be installed in accordance with the approved details prior to the use commencing on site and shall thereafter be maintained in accordance with the manufacturer's instructions.

Reason: To ensure that no nuisance or disturbance is caused to the detriment of the amenities of future residential occupiers or of the area generally (Policy Q2 (Amenity) – Lambeth Local Plan 2015).

43. **Noise and vibration from plant and services**
Noise from any mechanical equipment or building services plant shall not exceed background noise level when measured outside the window of the nearest noise sensitive or residential premises, when measured as a L90 dB(A) 1 hour. Within 3 months of the date of commissioning of all equipment and plant for each relevant block a noise assessment shall be carried out to confirm that the noise targets as detailed in the Waterman Noise and Vibration report dated February 2016 have been met for both day and night time operation. Any additional steps required to mitigate noise shall be detailed and implemented, as necessary. The post installation noise assessment shall be submitted to and approved in writing by the local planning authority. The details as approved shall thereafter be permanently retained.

Reason: To protect the amenities of future residential occupiers and the surrounding area (Policy Q2 (Amenity) – Lambeth Local Plan 2015).
44. **Insulation of noise and vibration for residential**
Prior to the commencement of construction works above ground for any commercial unit, a scheme of sound insulation and vibration isolation for the separating structures to adjoining residential units shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the tenant design guidelines that will be applied to future occupiers and post construction validation. Thereafter the development shall be carried out in accordance with the approved details and a separate validation report shall be submitted to and approved in writing by the Local Planning Authority 3 months prior to occupation.

Reason: To ensure that no nuisance or disturbance is caused to the detriment of the amenities of future occupiers (Policy Q2 (Amenity) – Lambeth Local Plan 2015.)

45. **No amplified noise above background**
Amplified sound from the use hereby permitted shall not exceed the background noise level L90 (15 minutes) when measured at the façade of the nearest residential receptor during the approved hours of operation.

Reason: To safeguard the amenities of future residential occupiers and the surrounding area (Policy Q2 (Amenity) – Lambeth Local Plan 2015)

46. **Hours of operation – Non-residential**
The hours of opening of the A and B Class Uses shall be submitted to and approved in writing by the local planning authority in advance of the commencement of use of the relevant commercial units. Thereafter the A and B Class Uses shall not operate other than within the opening and closing hours agreed.

Reason: To protect the amenities of future residential occupiers and the surrounding area (Policies ED7 (Evening Economy and Food & Drink Uses) & ED9 (A2 Uses) - Lambeth Local Plan 2015.)

47. **Wind impact and mitigation**
No above ground works shall commence for any block until an audit of wind impact and a scheme of measures to mitigate the wind effects for the relevant part of the development have been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved scheme.

Reason: To ensure an acceptable micro climate within and around the development and in the interests of safety (Policy Q26 (Tall Buildings) - Lambeth Local Plan 2015).

48. **Air quality mitigation**
The Air Quality Assessment report submitted by the applicant identified that modelled nitrogen dioxide levels on Albert Embankment exceed limit values. A scheme of mitigation must be implemented to protect the occupiers of the first floor from this atmospheric pollutant. The scheme of mitigation shall be submitted to and approved by the Local Planning Authority.

Reason: To protect the future occupants of the development from the health effects of air pollution. NPPF paragraphs 11, 120 and 124, set out the requirements for dealing with air pollution through the planning system.
49. **BREEAM new construction – for “Excellent” rating**
   
a) Within four months of work starting on site a BREEAM UK New Construction 2014 (or such equivalent standard that replaces this) Shell and Core Design Stage Certificate and summary score sheet must be submitted to and approved in writing by the Local Planning Authority to show that an Excellent rating will be achieved.

b) Within three months of first occupation of the building(s) a BREEAM UK New Construction 2014 (or such equivalent standard that replaces this) Shell/Shell and Core Post Construction Review Certificate and summary score sheet must be submitted to and approved in writing by the Local Planning Authority to demonstrate that an Excellent rating has been achieved. All the measures integrated shall be retained for as long as the development is in existence.

c) Within four months of the fit-out of the building, unless otherwise agreed in writing, a BREEAM Refurbishment and Fit-out (Parts 3 and 4) 2014 (or such equivalent standard that replaces this) Design Stage Certificate, and summary score sheet must be submitted, by the fit-out contractor, and approved in writing by the Local Planning Authority to show that an Excellent rating will be achieved.

d) Within 3 months of first occupation a BREEAM Refurbishment and Fit-out (Parts 3 and 4) 2014 (or such equivalent standard that replaces this) Post-Construction Review Certificate and summary score sheet must be submitted, by the fit-out contractor, and approved in writing by the Local Planning Authority to demonstrate that an Excellent rating has been achieved. All the measures integrated shall be retained for as long as the development is in existence.

Reason: To ensure that the development has an acceptable level of sustainability (Policy EN4 of the Lambeth Local Plan September 2015).

50. **Emissions**
The development shall be implemented in accordance with the approved Energy Strategy and shall not commence until full Design Stage calculations under the Standard Assessment Procedure/ National Calculation Method have been submitted to and approved in writing by the Local planning Authority to show that the development will be constructed in accordance with the approved Energy Strategy and achieved a 35% reduction in carbon dioxide emissions.

Prior to first occupation of the building(s) evidence (e.g. photographs, installation contracts and as-built certificates under the Standard Assessment Procedure/National Calculation Method) should be submitted to the Local Planning Authority and approved in writing to show that the development has been constructed in accordance with approved Energy Strategy and achieved a 35% reduction in carbon dioxide emissions.

Reason: To ensure that the development makes the fullest contribution to minimising carbon dioxide emissions in accordance with London Plan Policy 5.2 and Lambeth Local Plan September 2015 Policy EN3.

51. **Overheating**
No development shall take place until a finalised Energy Strategy (demonstrating how overheating and reliance on air conditioning will be reduced) has been submitted to and approved in writing by the Local planning Authority.
Prior to first occupation of the building(s) evidence (e.g. photographs, installation contracts) should be submitted to the Local Planning Authority and approved in writing to show that the development has been constructed in accordance with approved Energy Strategy.

Reason: To ensure that the development reduces potential overheating and reliance on air conditioning systems in accordance with London Plan Policy 5.9.

52. Sustainable Drainage System – full details to be submitted

No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority in consultation with EA and TW. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the national Planning Practice Guidance (or any subsequent guidance), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall include:

a) information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
b) a timetable for its implementation; and
c) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To manage the water environment of the development and mitigate the impact on flood risk, water quality, habitat and amenity value (policies EN5 and EN6 of the London Borough of Lambeth Local Plan (2015)).

53. No infiltration by surface water

No drainage systems for the infiltration of surface water drainage in to the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil or made ground which could ultimately cause pollution of groundwater.

54. Basement Method Statement and Flood Risk Assessment

The development shall be carried out in accordance with the Basement Method Statement hereby approved.

Reason: To avoid hazard in relation to land stability and increased flood risk caused by the basement excavation (Paragraph 121 of the National Planning Policy Framework 2012 and Policy EN5 of the Lambeth Local Plan (2015)).

55. Residential Water Use

Within four months of work starting on site evidence (internal water calculations) must be submitted to the Local Planning Authority and approved in writing that the internal
water consumption of the development will not exceed 105 L/person/day in line with The Water Efficiency Calculator for new dwellings from the Department of Communities and Local Government.

Prior to first occupation of the building(s) evidence (schedule of fittings and manufacturer's literature) should be submitted to the Local Planning Authority and approved in writing to show that the development has been constructed in accordance with the approved internal water use calculations.

Reason: to reduce the consumption of potable water in the home from all sources, including borehole well water, through the use of water efficient fittings, appliances and water recycling systems in accordance with London Plan Policy 5.15.

56. **Photovoltaics**
Prior to first occupation of the development a scheme showing the siting, size, number and design of the photovoltaic array including cross sections of the roof of each building showing the panels in-situ shall be submitted to and approved in writing by the Local Planning Authority. The equipment shall be sited so as to minimise its visual impact upon the external appearance of the buildings. The development shall thereafter be completed in strict accordance with the approved details and permanently retained as such for the duration of use.

Reason: To ensure that the development has an acceptable level of sustainability (Policy EN4 of the Lambeth Local Plan, adopted September 2015)

57. **Telecommunications equipment**
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting that Order with or without modification), no aerials, antennae, satellite dishes or related telecommunications equipment shall be erected on any part of the development hereby permitted, without planning permission first being granted.

Reason: to ensure that the visual impact of telecommunication equipment upon the surrounding area can be considered. (Policies 7.6 and 7.8 of the London Plan 2015 and Policies T10, Q6 and Q22 of the Lambeth Local Plan, adopted September 2015).

58. **Electromagnetic interference**
Prior to occupation of development, a report prepared by an appropriately qualified consultant shall be submitted for approval in writing investigating the possible impact to television, radio, and mobile phone broadcasting and reception as well as proposing any mitigation measures.

Any mitigation measures shall be implemented prior to occupation and maintained thereafter for the lifetime of the development.

Reason: To avoid any irremediable interference to broadcasting and telecommunications in the surrounding area in accordance with NPPF para 44.

59. **Evacuation Plan**
No development works shall commence above ground before an Evacuation Plan for safe access from the basement levels of the development to an upper level is submitted to and approved in writing by the local planning authority. The development shall be operated in accordance with the plan thereafter.
Reason: So that the Local Planning Authority's Emergency Planning department may be satisfied that safe access and egress is achievable and/or any emergency procedures are appropriate and achievable.

60. **Glare assessment**
Prior to commencement of development a Glare Study/Assessment is to be carried out to ensure that light reflected by building façades will not affect signal sighting for the nearby railway. The Study/Assessment shall be submitted to and approved in writing by the Local Planning Authority in consultation with Network Rail.

Reason: To ensure that the proposed development does not impede the safe operation of the railway.

10. **INFORMATIVES**

Archaeology INFORMATIVE
Written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with Historic England Greater London Archaeology guidelines. They must be approved by the planning authority before any on-site development related activity occurs.

NRMM INFORMATIVE
For information on the NRMM Low Emission Zone requirements and to register NRMM, please visit "http://nrmm.london/".

Waste storage INFORMATIVE
The Refuse & Recycling Storage Design Guide (2013) can be viewed on the planning policy pages of the council’s website.

Separate Building Regulations Approval and Requirements
Your attention is drawn to the provisions of the Building Regulations, and related legislation which must be complied with to the satisfaction of the Council's Building Control Officer.

Highway Licenses
You are advised of the necessity to consult the Council's Highways team prior to the commencement of construction on 020 7926 9000 in order to obtain necessary approvals and licences prior to undertaking any works within the Public Highway including Scaffolding, Temporary/Permanent Crossovers, Oversailing/Undersailing of the Highway, Drainage/Sewer Connections, Hoarding, Excavations (including adjacent to the highway such as basements, etc), Temporary Full/Part Road Closures, Craneage Licences etc.

Thames Water Informatives
Your attention is dawn to the comments made by Thames Water:

Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the
receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

TW would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water’s Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.

Waste - The surface water drainage strategy for this development should follow policy 5.13 of the London Plan. Typically Greenfield run off rates of 5l/s should be aimed for using the drainage hierarchy. The hierarchy lists the preference for surface water disposal as follows; Store Rainwater for later use > Use infiltration techniques, such as porous surfaces in non-clay areas > Attenuate rainwater in ponds or open water features for gradual release > Discharge rainwater direct to a watercourse > Discharge rainwater direct to a surface water sewer/drain > Discharge rainwater to the combined sewer. The Developer should provide evidence to demonstrate if a surface water runoff rate of 5l/s is impracticable to achieve.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc, may be required before the Company can give its consent. Applications should be made at http://www.thameswater.co.uk/business/9993.htm or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.

The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.
Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

**Streetcare team and waste management plan condition**
- Applicant should ensure dropped kerbs are sited within 10m of bulk bin collection points
- Enact parking restrictions on Benedict Road, the side opposite the pods to enable the collection to take place (pod vehicle requires minimum width of 3.5m during collection)
- Vehicle swept path showing collection route taking into account vehicle dimensions (8.5m x 2.5m). This may highlight the need for parking restrictions to be put in place elsewhere.
- The bulk bin collections can only take place on the basis that the bins are presented as proposed

**Landscape condition**
Species to include locally occurring native species that support local wildlife and pollinators and lighting design to ensure some trees are not uplit in the interest of biodiversity.

**Telecommunications equipment condition**
The final siting of any aerials etc. related to the base build are subject to the usual conditions approval process. Any other equipment including post completion would require planning permission.

**London Fire Brigade Advice**
Further in respect of British Standard BS 5588 Part 11, current Building Regulations and the appropriate Fire Safety Guidance Document, attention is drawn to the following matters:
- Access for Fire Brigade appliances is to be provided in accordance with Brigade document Fire Safety Guidance Note 29.
- 3 copies of a site plan are to be forwarded for consideration of water supplies for fire fighting purposes to the Water Section, LFB.
- Sprinklers to be considered for this development
For further clarification please contact John Simmons T: 0208 555 1200 ex 35626 and john.simmons@london-fire.gov.uk

**Playspace informative**
Further in respect of condition 13 and details of children’s playspace, the provision of playspace on the 6th floor of the new build shall be redesigned to accommodate under 11yr old children.