

Nigel Granger
London Borough of Wandsworth
Development Control
Sent by email.

Our ref: SL/2024/123401/05-L01
Your ref: 2024/1322
Date: 16 April 2025

Dear Nigel,

Comprehensive redevelopment of the site to include demolition of existing building and erection of a part 10 storey, part 28 storey building (plus ground floor and basement levels) comprising residential use (class C3), office use (class E), community use (class F2), and a restaurant (class E), with associated car parking, cycle parking, public realm, landscaping and other associated works.

The Glassmill, 1 Battersea Bridge Road, SW11 3BZ

Thank you for re-consulting us on the above application on 2 April 2025.

In our previous response dated 2 April 2025, we were able to remove our objection relating to overshadowing of the Thames foreshore by the development. We did, however, reiterate previously concerns with respect to the development's proximity to the adjacent Thames tidal defences.

As part of this consultation we have reviewed the following newly provided drawings:

- Basement river wall preliminary design, Sketch no. OBB-EOC-SK-020, dated 27 September 2024.
- Basement river wall preliminary design – section thru, Sketch no. OBB-EOC-SK-021, dated 27 March 2025.

We have reviewed these in conjunction with the other submitted reports and drawings included as part of the application, and previously commented on by ourselves, including (but not limited to):

- Aqua Terra Consulting Response Letter to EA Objection, 2024/1322, dated 28 November 2024
- Yellow Sub Geo (now Aqua Terra Consulting) One Battersea Bridge: FRA P21383_R3, Rev. 1, dated December 2024

Environment Agency Position

Having reviewed the newly submitted information, we are **maintaining our objection** on flood risk grounds. We therefore recommend that planning permission is refused in line with our objection.

Given the lack of information provided with respect to the Thames tidal flood defence (inadequate flood risk assessment) we do not consider that part (b) of the exception test (NPPF: paragraph 178) has been adequately demonstrated.

In particular, we would not consider the development “safe for its lifetime, taking into account of the vulnerability of its users, without increasing flood risk elsewhere” because the 100 year design life of the Thames tidal defence, with the proposed development in place, has not been demonstrated. It has also not been demonstrated that the Thames tidal defences can be suitably managed in this location for the lifetime of the development.

Please refer to the following sections for our full response:

- **Section 1:** Our objection, reasoning, and how this can be addressed
- **Section 2:** Advice to LPA and applicant
- **Section 3:** Informative

Advice to LPA

The statutory process that must be followed if an LPA is minded to approve major development contrary to an EA flood risk objection

If you are minded to approve this application for major development contrary to our flood risk objection, we request that you contact us to allow further discussion and/or representations from us in line with the Town and Country Planning (Consultation) (England) Direction 2021.

This statutory instrument prevents you from issuing planning permission without first referring the application to the Secretary of State for Housing, Communities and Local Government (via the National Planning Casework Unit) to give them the opportunity to call-in the application for their own determination. This process must be followed unless we are able to withdraw our objection to you in writing. A failure to follow this statutory process could render any decision unlawful, and the resultant permission vulnerable to legal challenge.

Please note that our comments are based on the details available to us at the time of writing. If any subsequent changes are made to the application, please reconsult us.

Should you have any queries regarding this response, please contact me.

Yours sincerely,

George Goodby
Sustainable Places Planning Specialist
E-mail kslplanning@environment-agency.gov.uk

Section 1: Reasons for, and how to overcome, our objection

Objection 1: Inadequate Flood Risk Assessment

The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 20 to 21 of the Flood Risk and Coastal Change planning practice guidance and its site-specific flood risk assessment checklist. The FRA does not therefore adequately assess the flood risks posed by the development. In particular, the FRA fails to:

- Provide appropriate offset to the adjacent Thames tidal flood defences, including buried elements, nor identify the location of the Thames tidal defence structure, informed by a recent survey
- Demonstrate that the flood defence has a lifetime commensurate with that of the development
- Demonstrate how the flood defences adjacent to the site will be raised in line with the requirements of the [Thames Estuary 2100](#) (TE2100) plan

It should also be noted that as submitted, we would unlikely be able to grant a flood risk activity permit (FRAP) for this application (see informative section for further information).

Reasons

Offset to Thames tidal defences

We generally seek 16m offset between new development and tidal defences to provide space for maintenance & inspection activities, unobstructed emergency access in the event of damage to the defence and to not restrict any future raising of the defences.

Policy LP12 of the Wandsworth Local Plan states that:

“All development proposals should be set back 16 metres from the landward side of any tidal Thames flood defences, unless exceptional circumstances are demonstrated for not doing so, which has to be justified by evidence submitted at planning application stage and agreed by the Environment Agency

The applicant has provided further drawings since our previous formal response. The Lower Ground Level Plan shows a distance of 1.9m between the Tidal flood wall crest and the secant piled wall.

Whilst in some instances we do accept an offset of less than 16m, where exceptional circumstances are justified for doing so, an offset of only 1.9m is unacceptably close and severely restricts space for maintenance, inspection and future upgrades.

The submitted information does not address our offset objection as it does not consider any surveyed structural elements of the Tidal Defence. The applicant should submit detailed sectional drawings showing current and proposed offset to

the Tidal Thames Defence wall. This should include offset from the basement and any structural elements of the tidal defence, as previously requested.

The 'Basement River Wall Preliminary design – section thru' includes the statement 'no existing ground anchors based on this historical flood defence structure drawings requested from the Environment Agency'. These drawings provided by ourselves do not necessarily provide the most up to date scenario. The drawings are from the 1960s/ 1970s, and the defence structure therefore may have been altered since, for example as part of the development of adjacent sites.

This drawing shows the proposed secant piled wall which would function independently from the existing river wall and the new building foundations. Installing a new retaining wall within 16m of the Tidal flood defence is not acceptable, as it reduces the offset and will restrict access for any future maintenance that is required for the tidal defence wall. The structural implications of installing such a structure in close proximity to the Thames tidal defence wall has also not been assessed (see next section).

Lifetime of flood defences and structural integrity of the defence

The submitted FRA does not provide evidence that the Thames tidal defence has a lifetime commensurate with that of the development. The lifetime of the development is assumed to be 100 years in line with Paragraph 6 of the "Flood Risk and Coastal Change" section of the [Planning Practice Guidance](#) (PPG), given the proposal will contain residential elements.

The existing flood defence, including any buried elements, should be surveyed (using intrusive and non-intrusive methods) to determine the asset condition and inform a structural assessment of the defence, including stability analysis. The structural assessment would need to determine if the existing structure, including buried elements, has a residual life commensurate with the lifetime of the development. This is in line with Policy LP 12, part (j) of the Wandsworth Local Plan (2023), which states that applicants will be required to demonstrate:

"That the effectiveness, stability and integrity of flood defences, river banks and other formal and informal flood defence infrastructure will not be compromised."

Whilst section 5.2. of the Flood Risk Assessment (P21383_R3, Rev. 1) states that a structure survey of the existing integrity of the flood defence prior to construction work commencing can be provided, we wish to reiterate that this information should be provided as part of the planning application submission, prior to permission being granted. If the results of the survey indicate the defence has a lifespan of less than the proposed development, significant repairs up to and including the full replacement of the wall may be required. In addition, given the very small offset provided, the proposed secant piled wall and basement may not be deliverable in their current proposed form, without damaging the structural integrity of the Thames tidal flood defences.

Therefore, it would not be appropriate to secure these surveys as part of a pre-commencement planning condition, because the condition would be secured against plans that may not be achievable.

Should the outcome of the tidal defence survey demonstrate that works to the wall are necessary, we would expect ecological improvements to the wall to be made in line with Estuary Edges Design Principles [Design Principles - Estuary Edges - The Thames Estuary Partnership](#).

Assessment of the structural integrity of the Thames tidal defences is also required to inform any raising strategy as required by the TE2100 plan, and Wandsworth Local Plan Policy LP12. Surveys undertaken should determine whether the existing structure can support the increased loading from raising the flood defence to the TE2100 2090 level (see below).

Raising strategy for Thames tidal defences in line with TE2100 plan

The applicant should provide a raising strategy to detail how the flood defence will be raised in line with the TE2100 plan. It should be noted that the raising epochs are incorrect in the FRA and should be 5.9 m AOD for 2050 and 6.3m AOD for the 2090 epoch.

We welcome the early raising of defences, however, if defences are being raised at a future date a detailed strategy can be provided to detail how this will be achieved. This strategy should demonstrate that the proposed development will not hinder or preclude raising of the defences.

This is in line with Policy LP 12, part (j) of the Wandsworth Local Plan (2023), which states:

“Applicants will be required to demonstrate, where relevant, that their proposal complies with the following.. 4. Has taken into account the requirements of the Environment Agency’s Thames Estuary 2100 Plan, and demonstrates how current and future requirements for flood defences have been incorporated into the development, including the need to raise flood defences to the required levels whilst enhancing the riverside environment in accordance with the Thames Estuary 2100 Plan.”

Overcoming our objection

The applicant should submit a revised flood risk assessment addressing the above points, please note that this may include fundamental changes to the layout of the scheme.

Planning policy

In addition to Policy LP 12 of the Wandsworth Local Plan, we would consider our objection is in line with the below relevant planning policies:

- National Planning Policy Framework:
 - Paragraphs 170, 178 – requirements to ensure development is safe for its lifetime from flooding, without increasing flood risk elsewhere

- 172- requirements to ensure land is safeguarded for future flood management
- London Plan
 - Policy SI 12 Flood risk management, in particular part (F):

“Development proposals adjacent to flood defences will be required to protect the integrity of flood defences and allow access for future maintenance and upgrading. Unless exceptional circumstances are demonstrated for not doing so, development proposals should be set back from flood defences to allow for any foreseeable future maintenance and upgrades in a sustainable and cost-effective way.”

Section 2: Advice to LPA and Applicant

Advice to LPA

Groundwater and contaminated land

The reports submitted in support of this planning application provides us with confidence that it will be possible to suitably manage the risk posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken. We are satisfied that these risks can be controlled by planning conditions attached to any permission granted, should the applicant overcome our objection on flood risk grounds (see section 1).

We are likely to recommend groundwater and contaminated land related conditions regarding:

- A site investigation, remediation strategy and verification plan
- Verification report
- Unsuspected contamination
- Piling

Flood Risk – tidal breach

The site is in Flood Zone 3 and is located within an area benefitting from flood defences. Whilst the site is protected by the River Thames tidal flood defences up to a 1 in 1000 (0.1%) chance in any year, our most recent flood modelling (December 2017) shows that the site is at risk if there were to be a breach in the defences.

In line with Policy LP 12 of the Wandsworth Local Plan we would expect to see all sleeping accommodation located above the 2100 Thames tidal breach level, where relevant. We note that the lowest level at which sleeping accommodation is proposed is “Level 02”, which would be located above the 2100 Thames tidal breach level.

Sequential test

In accordance with the National Planning Policy Framework (paragraphs 172 - 175), development in flood risk areas should not be permitted if there are reasonably available alternative sites, appropriate for the proposed development, in areas with a lower risk of flooding. The sequential test establishes if this is the case.

Development is in a flood risk area if it is in Flood Zone 2 or 3, or it is within Flood Zone 1 and your strategic flood risk assessment shows it to be at future flood risk or at risk from other sources of flooding such as surface water or groundwater.

The only developments exempt from the sequential test in flood risk areas are:

- Householder developments such as residential extensions, conservatories or loft conversions

- Small non-residential extensions with a footprint of less than 250sqm
- Changes of use (except changes of use to a caravan, camping or chalet site, or to a mobile home or park home site)
- Applications for development on sites allocated in the development plan through the sequential test, which are consistent with the use for which the site was allocated.

Avoiding flood risk through the sequential test is the most effective way of addressing flood risk because it places the least reliance on measures such as flood defences, flood warnings and property level resilience.

It is for you, as the local planning authority, to decide whether the sequential test has been satisfied, but the applicant should demonstrate to you, with evidence, what area of search has been used. Further guidance on the area of search can be found in the planning practice guidance [here](#).

Further guidance on how to apply the sequential test to site specific applications can be found in the planning practice guidance [here](#).

Ecological mitigation and enhancements

The submitted letter (Temple, dated 26 February 2025) includes commitments made by the applicant to enhance the Thames riverwall adjacent to the development site (Option 1), or, failing the acceptance of the third party, a contribution made to a local river restoration effort (Option 2). We are satisfied with the assessment of overshadowing to the foreshore made, and the principle of enhancements proposed.

With regard to Option 1, we would accept the proposal of timber fenders made by the applicant as a proportionate enhancement for these circumstances.

With regard to Option 2, the financial contribution to a local river enhancement; we would be unable to take such a contribution directly for a local restoration effort. However, there are several local organisations working to enhance the tidal Thames that would likely welcome this contribution to ensure that an enhancement is realised.

We would be happy to review any agreement wording (e.g. Section 106) proposed between the Local Authority and developer that covers these aspects.

Advice to Applicant

Planning advice service

Should you wish us to review any technical documents or want further advice to address the environmental issues raised, we may do this as part of our charged for planning advice service.

Further engagement will provide you with the opportunity to discuss and gain our views on potential options to overcome our objection with us, before formally submitting further information as part of your planning application. It should also result in a better quality and more environmentally sensitive development.

As part of our charged for service we will provide a dedicated project manager to act as a single point of contact to help resolve any problems. We currently charge £100 per hour, plus VAT. We will provide you with an estimated cost for any further discussions or review of documents. The standard terms of our charged for service are available [here](#).

If you would like more information on our planning advice service, including a cost estimate, please contact us at kslplanning@environment-agency.gov.uk.

Section 3: Informative

Flood Risk Activity Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549 or by emailing enquiries@environment-agency.gov.uk. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.