

STATEMENT OF COMMON GROUND ON BEHALF OF THE APPELLANT

BETWEEN THE APPELLANT, PROMONTORIA BATTERSEA LIMITED

AND

THE LONDON BOROUGH OF WANDSWORTH

IN RESPECT OF THE APPEAL AGAINST THE LONDON BOROUGH OF WANDSWORTH
TO REFUSE PLANNING PERMISSION FOR THE DEVELOPMENT OF:

1 BATTERSEA BRIDGE, LONDON, SW11 3BZ

LOCAL PLANNING AUTHORITY REF: 2024/1322

DP9 LTD on behalf of Promontoria Battersea Limited	London Borough of Wandsworth
Signed: 	Signed: 
Date: 12/02/2026	Date: 11/02/2026

CONTENTS

- 1.0 INTRODUCTION
- 2.0 SITE AND SURROUNDING AREA
- 3.0 PLANNING HISTORY
- 4.0 THE PROPOSED DEVELOPMENT
- 5.0 PRE-APPLICATION CONSULTATION
- 6.0 DECISION
- 7.0 DEVELOPMENT PLAN AND NPPF
- 8.0 OTHER RELEVANT POLICY, GUIDANCE AND MATERIAL CONSIDERATIONS
- 9.0 PLANNING CONDITIONS AND PLANNING OBLIGATIONS
- 10.0 OTHER MATTERS AGREED BETWEEN THE PARTIES
- 11.0 MATTERS NOT AGREED BETWEEN THE PARTIES

APPENDICES

Appendix 1: List of Application Documents

Appendix 2: List of Core Documents

Appendix 3: draft Planning Conditions

Appendix 4: Section 106 Agreement Heads of Terms

1.0 INTRODUCTION

- 1.1 This Statement of Common Ground (“SoCG”) has been prepared in relation to a planning appeal under section 78 of the Town and Country Planning Act 1990 and the Town and Country Planning (Inquiries Procedure) (England) Rules 2000 (the “Appeal”).
- 1.2 An application for planning permission (the “Application”) was submitted to the London Borough of Wandsworth (“LBW”) by Promontoria Battersea Limited (the “Appellant”) on the 21st April 2024, for the demolition of the existing building and the redevelopment of the site located at 1 Battersea Bridge, London, SW11 3BZ (the “Appeal Site”). The Local Planning Authority planning application reference number attributed was 2024/1322.
- 1.3 The description of the development (the “Proposed Development”) for the planning application under reference 2024/1322 is as follows:
- “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”*
- 1.4 The Application was initially submitted for the redevelopment of the Appeal Site comprising the erection of a part 9, part 33 storey building (plus ground and basement levels) with an affordable housing offer of 35%. In response to feedback from key stakeholders including the GLA and Historic England during the determination of the Application, the Applicant revised the proposals principally to reduce the overall height of the building to 29 storeys (in addition to basement levels) and increase the affordable housing provision to 50% affordable, all of which are proposed as social rent. These revisions were submitted to LBW on 21st October 2024.
- 1.5 The Application was considered at LBW’s Planning Committee on 24th April 2025 with an officer recommendation to refuse the Application. The Planning Committee resolved to refuse planning permission in accordance with the officer recommendation subject to the GLAs Stage 2 referral. The GLA response was issued 21st May 2025 which confirmed the LPA could determine the application. The Decision Notice was issued on 3rd June 2025 with two reasons for refusal listed within the Decision Notice, as outlined below:

- 1) *The proposal, by reason of its excessive height and scale, within an established local spatial character that is predominantly low-rise, while also being located within a low-rise policy zone, would represent an unacceptable and incongruous transformative change within the location that would significantly harm the spatial character of the same location. The significant harm identified has not been outweighed by material considerations that indicate otherwise. As such, the proposal is considered to be contrary to the NPPF 2024, Policy D9 (Tall buildings) of the London Plan 2021 and Policies PM9 (Riverside) and LP4 (Tall and Mid-rise Buildings) of the Wandsworth Local Plan 2023.*

- 2) *In the absence of a completed Section 106 planning obligation the proposal fails to meet the objectives of Policy LP62 (Planning Obligations) of the Wandsworth Local Plan 2023. In order to mitigate the policy conflict as identified, a Section 106 planning obligation would be required to include, but not be limited to:*

Housing - Provision of 54 social rent units; - To secure a minimum of 10% of units meeting Building Regulation 'Wheelchair User Dwellings' M4(3) standards with final design agreed in consultation with OT advisor; - Operation management plan for the communal amenity spaces; - Play Space contribution of £147,300.

Sustainability - Carbon off-setting payment of £157,917; - Be Seen energy monitoring.

Highway and transport: - Exclusion from CPZ; - Car club membership and driving credit for residents; - To secure a construction management plan; - To secure a travel plan and Transport Officer Monitoring Fee of £730.00; - To secure highways works (under a section 278 agreement) to complete public realm improvements within the highway boundary north of the development. These include level changes, the addition of steps, and planting; - Healthy Street Corridor Improvements contribution of £436,812.00 to TfL.

Others areas: - Best endeavours for raising of the flood defence to TE2100 plan level - Enhancements to the Thames river wall adjacent to the development site with installation of timber fenders (Option 1), or, contribution made to a local river restoration effort (Option 2); - Air quality monitoring during construction contribution of £30,000; - Health Care contribution of £30,000; - To enter into a Local Employment and Enterprise Agreement securing Employment and Skills Plan and Local Procurement Plan, with the target number of job, training and apprenticeship places based on the Council's Planning Obligations SPD - To secure payment of Employment and Enterprise Contribution based on the Council's Planning Obligations SPD (£91,506.25); - Art and Culture contribution of £110,000;

- Monitoring fee in accordance with calculation set out in the Planning Obligations SPD

- 1.6 This SoCG has been produced by DP9 Ltd (on behalf of the Appellant) and the LBW. The purpose of this SoCG is to set out information about the Proposed Development upon which the Appellant and the Council are agreed and to identify areas where agreement has not been reached.

2.0 SITE AND SURROUNDING AREA

- 2.1 The Appeal Site (0.115ha) is located to the east of Battersea Bridge Road in LBW on the eastern side of Battersea Bridge. The broadly rectangular Appeal Site currently comprises a part five-storey, part six-storey 1980s office building (Class E) with a basement level car park providing 33 car parking spaces, accessed from Hester Road from the south. The main pedestrian access to the existing building is provided via a stepped entrance from Battersea Bridge Road. There is a basement level car park that is accessed from a service road to the east that connects with Hester Road.
- 2.2 The existing buildings have a floor area of approximately 4877 sq.m. Only 7% is leased at commercial office rates and the remaining area is either vacant or let on non-commercial terms to cover rates, utilities and service charges only. The existing building is beyond its useful life and fails to meet the standards expected from office occupiers in the market.
- 2.3 The Appeal Site is not located within a Conservation Area and the existing building is not listed. However, Westbridge Road Conservation Area is located to the southwest of the Appeal Site along Battersea Church Road and there are a number of designated and non-designated heritage assets in the vicinity. Battersea Bridge to the immediate north of the Appeal Site is Grade II listed and falls in part within the Thames Conservation Area within the Royal Borough of Kensington and Chelsea (RBKC). All designated heritage assets within a 1.5km radius of the site are illustrated on Figure 3.2 of the Built Heritage, Townscape and Visual Impact Assessment dated October 2024.
- 2.4 The Appeal Site is bound to the north by the River Thames and Thames Path and to the south by Hester Road and the Royal College of Art Dyson Building. The Thameswalk Apartments, a six-storey residential building, is attached to the Glassmill building, being built at the same time as part of a mixed-use development. The land to the immediate south of the existing Glassmill building is used for car parking and cycle parking and is not in ownership of the Appellant.
- 2.5 The immediate area to the south and east of the Site is characterised by streets comprising mainly residential terraces and apartment blocks of 2-4 storeys with some mid-rise and taller buildings such as the Royal College (Dyson Building) (3-6 storeys which is a mid-rise building as specified within Policy LP4) and the mixed use Albion Riverside (11 storeys which is a tall building as specified within Policy LP4). Much of the area further to the east and south has a grid pattern of streets with two storey Victorian and Edwardian buildings.

- 2.6 The area to the west was developed in the 1970s for a residential development on the site of Morgan's Wharf. It comprises buildings of up to 4 storeys and is a gated development with high boundary treatments to its perimeter.
- 2.7 The Appeal Site has a Public Transport Accessibility Level (PTAL) of 3 when assessed by Transport for London (TfL). The closest stations to the Appeal Site are Imperial Wharf Station, situated 0.9 miles (18-minute walk) to the west via Battersea Bridge, and Clapham Junction Station, situated 1.2 miles (25-minute walk) to the south. The Appeal Site is well served by a number of London bus routes, with Battersea Bridge Road served by bus nos. 19, 49, 319, 345, N19 and N31.
- 2.8 The Appeal Site is situated within Flood Zones 2a and 3 (areas shown to be a 1 in 100 or greater annual probability of flooding from rivers) but is protected by flood defence measures. This means that, despite being in an area with a high probability of flooding from tidal and fluvial flooding, the Appeal Site would be protected up to the 1 in 1000-year standard by the River Thames defences with the modifications mitigation measures proposed to be captured within the planning conditions and s.106 planning obligation.
- 2.9 The Appeal Site is subject to the following planning designations on the Local Plan Policies Map:
- Area Strategy - Wandsworth's Riverside;
 - Focal Point of Activity – Ransomes Dock;
 - Mid Rise Building Area- MB-B2-02 (Map 23.31 Battersea Mid-rise Building Zone (Local Plan Appendix 2 p.471);
 - Archaeological Priority Area;
 - Thames Policy Area; and
 - Flood Zones 2 and 3a.

3.0 PLANNING HISTORY

3.1 The most relevant planning history for the Site is set out in Table 3.1 below. A full schedule can be found in Appendix 1 of the Planning Statement.

Reference	Description	Determination
2024/0764	EIA Screening in accordance with requirements of Reg. 6(2) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) for the comprehensive redevelopment of the site including demolition of all existing structures; construction of a residential-led, mixed use development, providing up to 142 new homes, within a building height of up to ground and 33 storeys (34 storeys total); public realm and associated landscaping.	EIA not required.
2018/1311	Determination as to whether prior approval is required for change of use from offices on first, second, third and fourth floors (Class B1(a)) to residential (Class C3) to provide 13 x 1-bedroom, 14 x 2-bedroom and 1 x 3-bedroom flats with associated basement bin/cycle storage and 23 parking spaces	Prior Approval Given 03/05/2018
2018/1212	Determination as to whether prior approval is required for change of use from offices on first, second, third, fourth and fifth floors (Class B1(a)) to residential (Class C3) to provide 13 x 1-bedroom, 14 x 2- bedroom, 1 x 3-bedroom and 1 x 4- bedroom flats with associated basement bin/cycle storage and 23 parking spaces.	Prior Approval Given 03/05/2018

2014/4843	Replacement of four existing plant units to the roof with six new units and associated acoustic screen.	Approved 11/11/2014
2007/0722	Alterations to entrance on Battersea Bridge Road frontage replacing revolving doors with swing doors, and construction of access ramp.	Approved 10/04/2007
2004/3608	Installation of telecommunications equipment on the roof of the building, comprising six panel antennae, four dish antennae, and an equipment cabinet.	Approved on appeal 05/07/2005
95/N/0477	Use of part of fifth floor as a dental surgery (Class D1).	Approved 23/10/1995
81/N/2441	Erection of a mixed development comprising 3,810 sq.m offices and 17 flats	Approved 27/11/1981
80/N/2129	Erection of a mixed development comprising offices, 15 residential units and a pub/ restaurant (NOT Implemented)	Approved 26/09/1980

4.0 THE PROPOSED DEVELOPMENT

4.1 Amendments were made by the Appellants post submission of the Application to LBW. These amendments were submitted on 21st October 2024. The Council re-consulted neighbouring occupiers and stakeholders on the 31st October 2024. The amendments are summarised below:

- Reduction of the tall element from 34 to 29 storeys;
- Increase in height of the shoulder element from 9 to 10 storeys;
- Reduction in the number of homes from 142 to 110;
- Increase in the affordable housing offer from 35% (split between 70% as social rent and 30% intermediate) to 50% (all social rent); and
- Additional information submitted regarding daylight assessment, play space, affordable housing, sustainability, biodiversity, trees, flood risk, air quality and fire safety.

4.2 The Proposed Development is for the demolition of the existing building and redevelopment for a residential-led development consisting of the construction of a part 10, part 29 storey building. In summary, the Proposed Development comprises:

1. 110 no. residential units (C3 Use Class);
2. Of which 54no. affordable housing units (total of 50% affordable by habitable room), all social rent;
3. The delivery of a gym and internal communal amenity space at level 3 serving the private housing and a gym, internal communal amenity space and landscaped communal roof garden including children's play space at level 11 serving the affordable housing;
4. 189 sq.m (GIA) of restaurant at ground level;
5. 273 sq.m (GIA) of community floorspace at lower ground, ground and first floor level;
6. 535 sq.m (GIA) of Use Class E space at first floor level;
7. Wider public realm and landscaping enhancements at ground level including improvements to the Thames Path with the provision of new accessible public space adjacent to the river; and new public realm and streetscape improvements along Battersea Bridge Road
8. 18no car parking spaces, 5no of which are provided at lower ground floor level as blue badge parking spaces and 13no at basement level accessed via a car lift from Hester Road.
9. Two separate cycle stores with a total of 212no spaces in the basement with two cycle lifts to street level.

10. 10 no. long stay secure cycle parking spaces for employees/occupants of the non-residential land uses and 12 no. Short stay cycle parking spaces for visitors at ground level.
11. Servicing and refuse storage facilities.

4.3 The proposed building is broken up into two blocks, the tall element situated to the north of the Appeal Site fronting the River Thames at 29 storeys, forming the tower aspect of the proposal. Attaching to the tower aspect is a shoulder block reaching 10 storey which relates to height of some buildings in the surrounding context, notably the Albion Riverside and to a lesser degree, the Royal College of Art (RCA) and Thameswalk Apartments. This proposed shoulder building element extends along Battersea Bridge Road to Hester Road accommodating the affordable housing and mixed-use functions of the building. The 'base' is expressed as five arches, which is intended to mirror Battersea Bridge. Due to the difference in site levels, the taller element would be 95.8/98.8m in height and the middle part 16.3m in depth and 39.8m in width fronting Battersea Bridge Road. The northern end of the building is expressed as a bow with a curved form, while the southern end is square with corner balconies. The middle has balconies and winter gardens interspersed throughout the remaining accommodation.

Proposed Land Uses

Residential

- 4.4 The Proposed Development proposes the delivery of 110 residential units and seeks to provide 50% affordable housing by habitable room (54 units) to be 100% social rent. In addition, 10% of the units would be wheelchair accessible.
- 4.5 A breakdown of the proposed residential mix is set out in Table 4.1 below:

Table 4.1: Residential Mix

Unit type	1B1P	1B2P	2B3P	2B4P	3B4P	3B5P	4B5P	Total
Market	4	0	0	26	0	24	2	56
Social Rent	0	9	15	3	9	10	8	54
Total	4	9	15	29	9	34	10	110

- 4.6 The tall element would include a gym (225.5 sq.m) at level 2 and internal communal amenity space with an external area facing the River Thames (224.1 sq.m) at level 3 serving the private housing flats. The shoulder element would include a gym (110 sq.m), an internal communal amenity space (114 sq.m) and a communal roof garden

of 312 sq.m, including 231.5 sq.m of children's play, at level 11 serving the social rent housing. Private balconies or winter gardens would be provided to all the flats.

Community Floorspace (Use Class F2)

- 4.7 The proposal includes a 274 sq.m community space (Class F2) located to the rear lower ground and first floors with an entrance of Battersea Bridge Road and Hester Road.

Restaurant (Use Class E)

- 4.8 The proposal includes a 189 sq.m restaurant (Class E) located to the front ground floor with entrances off Battersea Bridge Road with an outdoor terrace facing the Thames.

Office (Use Class E)

- 4.9 The proposal would provide 535 sq.m of office floorspace (Class E) on the first floor with its entrance off Battersea Bridge Road. The entirety of the floorspace would be affordable workspace.

Built Form

- 4.10 The design approach has a triple-layered elevation. In terms of the base, the north and west elevations which have been intended to take their design cues from Battersea Bridge with double height arched colonnades along the Thames path and Battersea Bridge Road with pre-cast concrete textured columns and arches with a receding metal rib. A double height facade of similar material is also proposed to the east and south elevations incorporating lesser details and depth to reflect the nature and use of the service road.
- 4.11 The middle of the building is where the shoulder element meets the tall element. It includes a horizontal expression of the main components of the facade differentiated by level of detail and articulation along the height of the building. The design proposes a material palette of terracotta panels with variations in detail, texture and tone depending on their location along the height of the building. Metal balustrades are also proposed along the building's facades.
- 4.12 The top of the shoulder element would include a communal garden with surrounding safety overlapping metal blades along the roof's edges. The 'crown' of the tall

element would have a functional role and accommodate plant equipment and solar panels. Due to the height of the building, this element would be visible from long distance and as such the intent is not to distract from the form of the tall element and follow the same design intent as the rest of the building.

- 4.13 The Appeal Site's existing topography slopes down from Battersea Bridge towards the junction between Battersea Bridge Road with Hester Road. As a result, the proposal includes a lower ground level comprising part of the community use, an entrance to the office use, car parking, refuse stores and plant room. It also includes a part basement level below the lower ground floor which would comprise additional car parking, cycle stores and plant room.

Landscaping and public realm

- 4.14 The proposal would improve the Thames Path to the north with the provision of a new accessible public space adjacent to the River, with clear and legible routes linking the Appeal Site to the existing Thames Path and along Battersea Bridge Road.
- 4.15 New public realm and streetscape enhancements along Battersea Bridge Road are also proposed, including additional street trees, varied planting and re-surfacing to improve the pedestrian environment.

Car and cycle parking

- 4.16 The proposed cycle and car parking provision is considered acceptable. The proposal includes a total of 18 car parking spaces, with five disabled parking spaces at lower ground floor level being accessed via a car lift which would have its own access on the western side of the service road north of Hester Road. The same car lift would be used to access a second car park at basement level which would contain 13 car parking spaces.
- 4.17 The proposal includes two separate cycle stores, one for the tall element and one for the shoulder element located in the basement with two cycle lifts to street level. The tall element includes 87 two tier stands, 16 Sheffield stands and 5 large Sheffield stands. The shoulder element includes 83 two tier stands, 16 Sheffield stands and 5 large Sheffield stands.
- 4.18 Ten long-stay secure cycle parking spaces are also proposed at ground floor level for employees/occupants of the non-residential land uses.

- 4.19 It is also proposed that 12 short-stay cycle parking would be provided externally to be easily accessed by visitors. This would take the form of Sheffield cycle stands positioned at ground floor level to the south of the shoulder building.
- 4.20 A Transport Assessment, draft Car Park Management Plan, draft Delivery and Servicing Plan and Travel Plan were prepared by Velocity and submitted alongside the planning application and demonstrate that the Proposed Development would not have a materially harmful impact on any part of the transport network. It is agreed that the Proposed Development would have an acceptable impact upon highway safety and capacity and would provide acceptable car and cycle parking provision.

Energy and Sustainability

- 4.21 The Proposed Development seeks to deliver a sustainable development, exceeding the requirements of the London Plan and the Local Plan. The energy strategy includes the utilisation of low carbon and renewable energy resources and will achieve a 66% carbon emissions saving over Part L for the domestic element and 42% for the non-domestic element (63% reduction in total).

Environmental Considerations

- 4.22 A number of environmental impacts have been robustly assessed by the Appellant, specifically in relation to daylight and sunlight, overshadowing, noise, microclimate, air quality and flood risk. The respective assessments indicate that the Proposed Development does not create any unacceptable environmental impacts.

5.0 PRE-APPLICATION CONSULTATION

- 5.1 The Proposed Development was subject to pre-application engagement with LBW. Formal pre-application meetings have also been held with the GLA, TfL and Historic England.
- 5.2 Formal pre-application discussions and design workshops have been held with LBW on the evolving scheme since an initial meeting in September 2021. The meetings have focused on a number of topics, including the following:
- Land uses and layout;
 - Height, massing and townscape;
 - Transport, parking and servicing;
 - Energy and sustainability;
 - Public realm and landscaping; and
 - Materiality and detailed design.
- 5.3 In total, 12 pre-application meetings and design workshops have been held with LBW officers to develop the scheme design and address any issues raised. In consideration of concerns relating to the height and scale of the building, from key stakeholders including the GLA and HE, the Appellant reduced the proposed building height from 33 to 29 storeys, altered the massing composition and revised the articulation and materiality of the proposed building façade, principally in relation to the base and the top of the building.
- 5.4 The Applicant engaged in two sessions with the LBW Design Review Panel ('DRP'), held in December 2023 and February 2024. Written advice has been issued following each Design Review Panel session, and the Appellant has given consideration to this in the evolution of the design. The advice of the DRP is contained in letters dated 11 January 2024 and 6 March 2024.
- 5.5 In response to DRP feedback, the extent of public realm was increased through the reduction in building footprint, whilst the private residential lobby was reduced in area to provide a more generously scaled restaurant unit and affordable residential lobby. The design of the building base was also developed further to give a more robust appearance.
- 5.6 Consultation has been undertaken to initiate a dialogue between the Applicant, key stakeholders and the local community in order to understand their objectives, aspirations and expectations, which have helped inform the evolution of the Proposed Development.

5.7 There have been three rounds of pre-submission public consultation which has included the delivery of consultation flyers, creation of a website and a series of meetings held both in person and online. Members of the project team were in attendance for the duration to describe the proposals and answer questions. The first round was undertaken during September 2022 and a second round was undertaken during November 2023 and December 2023. The Appellant undertook an extensive consultation exercise, and further details are set out in their proof of evidence.

5.8 In addition, a round of post-submission public consultation was undertaken in October 2024 to present the revisions to the Application.

5.9 In addition, emails were sent to key political and local community stakeholders outlining the Proposed Development and extending an invitation to meet with the Applicant team. The following local stakeholders were contacted:

- Battersea Society
- Wandsworth Society
- Leonie Cooper AM
- Cllr Simon Hogg – Leader of Wandsworth Council
- Cllr Kemi Akinola – Deputy Leader of Wandsworth Council
- Cllr Aydin Dikerdem – Cabinet Member for Housing
- Cllr Juliana Annan – Battersea Park Ward (Mayor of the Council)
- Cllr Tony Belton – Battersea Park Ward
- Cllr Maurice McLeod – Battersea Park Ward
- Cllr Ravi Govinda – East Putney Ward
- Cllr Guy Humphries – Southfields Ward
- Cllr Caroline De La Soujeole- St Mary’s Ward
- Cllr Jamie Colclough- St Mary’s Ward
- Cllr Jessica Lee- St Mary’s Ward
- Friends of Battersea Park
- Clapham Junction Action Group
- Ethelburga Community Residents Association
- Ethelburga Tower Residents Association
- Royal College of Art

6.0 DECISION

6.1 The decision notice sets out the reasons for refusal as follows:

Reason for Refusal 1:

The proposal, by reason of its excessive height and scale, within an established local spatial character that is predominantly low-rise, while also being located within a low-rise policy zone, would represent an unacceptable and incongruous transformative change within the location that would significantly harm the spatial character of the same location. The significant harm identified has not been outweighed by material considerations that indicate otherwise. As such, the proposal is considered to be contrary to the NPPF 2024, Policy D9 (Tall buildings) of the London Plan 2021 and Policies PM9 (Riverside) and LP4 (Tall and Mid-rise Buildings) of the Wandsworth Local Plan 2023.

Reason for Refusal 2:

In the absence of a completed Section 106 planning obligation the proposal fails to meet the objectives of Policy LP62 (Planning Obligations) of the Wandsworth Local Plan 2023. In order to mitigate the policy conflict as identified, a Section 106 planning obligation would be required to include, but not be limited to:

Housing - Provision of 54 social rent units; - To secure a minimum of 10% of units meeting Building Regulation 'Wheelchair User Dwellings' M4(3) standards with final design agreed in consultation with OT advisor; - Operation management plan for the communal amenity spaces; - Play Space contribution of £147,300.

Sustainability - Carbon off-setting payment of £157,917; - Be Seen energy monitoring.

Highway and transport: - Exclusion from CPZ; - Car club membership and driving credit for residents; - To secure a construction management plan; - To secure a travel plan and Transport Officer Monitoring Fee of £730.00; - To secure highways works (under a section 278 agreement) to complete public realm improvements within the highway boundary north of the development. These include level changes, the addition of steps, and planting; - Healthy Street Corridor Improvements contribution of £436,812.00 to TfL.

Others areas: - Best endeavours for raising of the flood defence to TE2100 plan level - Enhancements to the Thames river wall adjacent to the development site with installation of timber fenders (Option 1), or, contribution made to a local river restoration effort (Option 2); - Air quality monitoring during construction contribution

of £30,000; - Health Care contribution of £30,000; - To enter into a Local Employment and Enterprise Agreement securing Employment and Skills Plan and Local Procurement Plan, with the target number of job, training and apprenticeship places based on the Council's Planning Obligations SPD - To secure payment of Employment and Enterprise Contribution based on the Council's Planning Obligations SPD (£91,506.25); - Art and Culture contribution of £110,000; - Monitoring fee in accordance with calculation set out in the Planning Obligations SPD.

7.0 DEVELOPMENT PLAN AND NPPF

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 ('the 2004 Act') requires that the determination of planning applications should be made in accordance with the development plan unless material considerations indicate otherwise.
- 7.2 The development plan for the purposes of Section 38(6) of the 2004 Act comprises the London Plan 2021 and the Wandsworth Local Plan 2023 ('Development Plan').
- 7.3 The following Development Plan policies are agreed to be relevant. Policies referenced in the reasons for refusal are in **bold**. The Decision Notice specified all policies and proposals in the Development Plan which were relevant to the LBW decision.

London Plan 2021

Policy GG1 Building strong and inclusive communities

Policy GG2 Making the best use of land

Policy GG3 Creating a healthy city

Policy GG4 Delivering the homes Londoners need

Policy GG5 Growing a good economy

Policy GG6 Increasing efficiency and resilience

Policy D1 London's form, character and capacity for growth

Policy D2 Infrastructure requirements for sustainable densities

Policy D3 Optimising site capacity through the design-led approach

Policy D4 Delivering good design

Policy D5 Inclusive design

Policy D6 Housing quality and standards

Policy D7 Accessible housing

Policy D8 Public realm

Policy D9 Tall buildings

Policy D11 Safety, security and resilience to emergency

Policy D12 Fire safety

Policy D13 Agent of Change

Policy D14 Noise

Policy E4 Land for industry, logistics and services to support London's economic function

Policy E7 Industrial intensification, co-location and substitution

Policy E8 Sector growth opportunities and clusters

Policy H1 Increasing housing supply

Policy H4 Delivering affordable housing

Policy H5 Threshold approach to applications

Policy H6 Affordable housing tenure

Policy H7 Monitoring of affordable housing

Policy H10 Housing size mix
Policy S4 Play and informal recreation
Policy E2 Providing suitable business space
Policy E3 Affordable workspace
Policy HC1 Heritage conservation and growth
Policy HC3 Strategic and Local Views
Policy G5 Urban greening
Policy G6 Biodiversity and access to nature
Policy G7 Trees and woodlands
Policy SI 1 Improving air quality
Policy SI 2 Minimising greenhouse gas emissions
Policy SI 7 Reducing waste and supporting the circular economy
Policy SI 8 Waste capacity and net waste self-sufficiency
Policy SI 12 Flood risk management
Policy SI 13 Sustainable drainage
Policy T1 Strategic approach to transport
Policy T4 Assessing and mitigating transport impacts
Policy T5 Cycling
Policy T6 Car parking
Policy T7 Deliveries, servicing and construction
Policy T8 Aviation

The Mayor of London is also in the early stages of creating a new London Plan, publishing a direction of travel document in May 2025. Whilst this carries no weight, it does stress the importance of the need to significantly boost housing supply in London.

Wandsworth Local Plan 2023

SDS1 Spatial Development Strategy 2023 – 2038
PM1 Area Strategy and Site Allocations Compliance (Strategic Policy)
PM9 Riverside
LP1 The Design-led Approach
LP2 General Development Principles
LP3 Historic Environment
LP4 Tall and Mid-rise Buildings
LP10 Responding to the Climate Crisis
LP11 Energy Infrastructure
LP12 Water and Flooding
LP13 Circular Economic, Recycling and Waste Management
LP14 Air Quality, Pollution and Managing Impacts of Development
LP15 Health and Wellbeing
LP17 Social and Community Infrastructure
LP18 Arts, Culture and Entertainment

LP19 Play Space
LP23 Affordable Housing
LP24 Housing Mix
LP27 Housing Standards
LP33 Office
LP35 Mixed-Use Development on Economic Land
LP38 Affordable and Open Workspace
LP39 Local Employment and Training Opportunities
LP49 Sustainable Transport
LP50 Transport and Development
LP51 Parking, Servicing and Car Free Development
LP52 Public Transport and Infrastructure
LP55 Biodiversity
LP56 Tree Management and Landscaping
LP57 Urban Greening Factor
LP59 Riverside Uses, including River-dependent, River-related and adjacent Uses
LP62 Planning Obligations

Emerging Policy

7.4 The Council has commenced consultation on amendments to its adopted Local Plan (Wandsworth Local Plan Partial Review - Publication (Regulation 19) Consultation). The amendments propose revisions to the following policies:

LP23 - Affordable Housing.
LP24 - Housing Mix.
LP28 - Purpose Built Student Accommodation.
LP29 - Housing with Shared Facilities
LP30 - Build to Rent
LP31 - Specialist Housing for Vulnerable People and for Older People.

7.5 The Local Plan Partial Review was submitted for Examination in April 2025, the public hearings which took place on the 4th – 6th November 2025, and the consultation over the Main Modifications is taking place from 26th November 2025 to 14th January 2026. The Local Plan Partial Review is currently programmed to be adopted in the Spring or Summer of 2026. Having regard to Paragraph 49 of the NPPF, as the Partial Review of the Local Plan is at an advanced stage, it would therefore have at least a moderate weight in decision making.

National Planning Policy Framework 2024

7.6 The following chapters of the NPPF are relevant:

Section 2: Achieving Sustainable Development

Section 4: Decision-making

Section 5: Delivering a sufficient supply of homes

Section 6: Building a strong, competitive economy

Section 7: Ensuring the vitality of town centres

Section 9: Promoting Sustainable Transport

Section 11: Making effective use of land

Section 12: Achieving well-designed places

Section 14: Meeting the challenge of climate change, flooding and coastal change

Section 15: Conserving and enhancing the natural environment

Section 16: Conserving and enhancing the historic environment

National Planning Policy Framework 2025

In December 2025, the Government published for consultation a further updated draft of the NPPF. Whilst this carries minimal weight, a particular focus of the proposed revisions to the NPPF is on the need to substantially increase the supply of homes across the country, particularly on brownfield, highly accessible sites located close to railway stations and other infrastructure.

8.0 OTHER RELEVANT POLICY, GUIDANCE AND MATERIAL CONSIDERATIONS

8.1 It is agreed that the following Supplementary Planning Guidance ('SPG'), Supplementary Planning Documents ('SPD') and the London Plan Guidance ('LPG') published by LBW and the Greater London Authority ('GLA') are relevant to the application.

LBW

Housing (2016)
Planning Obligations (2020) (Superseded)
Planning Obligations (December 2025)
Refuse and recyclables in developments (2014) (Superseded)
Reuse, Recycle and Waste (July 2025)
Local Views (2014)
Lombard Road/York Road Riverside Focal Point (2015)
Statement of Community Involvement (2025)
Westbridge Road Conservation Area Appraisal and Management Strategy SPD
Battersea Park Conservation Area Appraisal and Management Strategy SPD
Battersea Square Conservation Area Appraisal No.9 SPD
Urban Design Study (Arup, December 2021)
Annual Monitoring Report

RBKC

Thames Conservation Area Appraisal (February 2020)
Royal Hospital Conservation Area Appraisal (March 2016)
Cheyne Conservation Area Appraisal (October 2016)
The Boltons Conservation Area Appraisal (February 2015)
The Chelsea Park Carlyle Conservation Area Appraisal (June 2017)
Character Study (February 2022)
Building Height in the Royal Borough SPD (2010)

GLA

Accessible London (2014)
Housing (2016)
Housing Design Standards LPG (2023)
The Control of Dust And Emissions During Construction And Demolition (2014)
Homes for Londoners – Affordable Housing and Viability Supplementary Planning Guidance (2017)
Support for Housebuilding, Background Information for London Plan Guidance (LPG) (Consultation Draft, November 2025)
Characterisation and Growth Strategy LPG (2023)
Optimising Site Capacity: A Design-led Approach LPG (2023)
Public London Character (October 2021)
Green Infrastructure and Open Environment: All London Green Grid

GLA/PLA River Thames Cultural Vision and the Arts and Culture Strategy 2021-31

Other National Guidance

Planning Practice Guidance

National Design Guide (2021)

Secured by Design Homes (2023)

Technical Housing Standards - nationally described space standards (2015)

Design and Placemaking Planning Practice Guidance: consultation document (January 2026)

9.0 PLANNING CONDITIONS AND OBLIGATIONS

Planning Conditions

- 9.1 A schedule of conditions will be agreed between LBW and the Appellant which confirms those conditions that are agreed and any which are not agreed.
- 9.2 Each party reserves the right in evidence to deal with the condition requirements in detail.

Planning Obligations

- 9.3 The Appellant and LBW intend to enter into a Section 106 Agreement in respect of the Proposed Development to mitigate against the impacts of the Proposed Development and therefore resolve 'Reason for Refusal' 2. The parties will try and ensure that the Section 106 Agreement will be agreed prior to the opening of the Inquiry in accordance with the appeal timetable.
- 9.4 The planning obligations heads of terms are set out at paragraph 19.2 of the April 2024 Committee Report are agreed in principle subject to the final detail of the Section 106 Agreement.

10.0 OTHER MATTERS AGREED BETWEEN THE PARTIES

10.1 The following matters are agreed between LBW and the Appellant.

Application Documents

10.2 The list of Application Documents at Appendix 1 are agreed as being the documents to which any grant of planning permission would relate.

Principle of Development

Residential Use

10.3 The proposal would provide 110 self-contained residential units. This number of units would make a contribution to meeting the capacity target for Wandsworth's Riverside and the overarching target of 20,311 for the borough taken as a whole. It is agreed that the proposed residential component complies with the NPPF, London Plan Policy H1 and Local Plan Policy SDS1 and PM9.

Loss of office use

10.4 It is proposed to reduce the quantum of office space from 4,877 sq.m to 535 sq.m (89% reduction). It is agreed that the marketing evidence, dated April 2023, is objective and robust and satisfies the specific requirements of Appendix 1 within the Local Plan. The Appellant's marketing evidence is up-to-date having been conducted by a firm with experience in letting offices, particularly within Wandsworth. The additional supporting studies within the marketing evidence also provides significant weight in demonstrating this case, in terms of the condition of the existing building and upgrade challenges, while real estate demand and supply evidence completes this assessment. As such, it is agreed that the loss of 4,343sq.m of office floor space is acceptable and compliant with Policy E1 of the 2021 London Plan, and Policies PM9, LP33, LP35 and LP59 of the Local Plan in this respect.

Proposed Replacement Uses

Office reprovision

10.5 The reprovision of 535sq.m of modern, well serviced floor space that would be flexible and adaptable, ensuring its suitability for a wide range of future tenants, including start-ups and SMEs, is considered to be acceptable. This is further enhanced

by the workspace being affordable and would be provided for a minimum of 30 years at rent levels capped at a rate of no more than 80% of the prevailing market rate. This is in line with Local Plan Policy LP38 (Affordable and Open Workspace). As such, irrespective of the loss of the majority of the office space, this re-provision of affordable workspace can be regarded as a positive public benefit which must be weighed within the overall planning balance. It is agreed that the proposal is compliant with Policy E3 of the 2021 London Plan, and Policies LP38 and LP59 of the Local Plan.

Restaurant Use

- 10.6 It is agreed that the provision of a 189sq.m restaurant would not undermine the vitality and viability of the borough's Town and Local Centres. Policies PM9 Part B.3 and LP59 Part G promote mixed-use development in Focal Points of Activity to increase activity and vibrancy along the riverside. It is agreed that the proposed restaurant space, which would be capable of opening out towards the new high quality landscaped and remodelled Thames Path access, while greatly increasing opportunities for social interaction, would contribute positively to increased activity and vibrancy in this location. It is agreed that the proposal complies with the objectives of Policies PM9 and LP59 of the Local Plan.

Community Facility

- 10.7 The provision of a 274sq.m community space is a positive offer and would be of notable public benefit to future occupiers. It is agreed that the community facility complies with Policy LP17 of the Local Plan.

Tall Buildings

- 10.8 It is agreed the Appeal Site is not included as a site allocation in the adopted Wandsworth Local Plan (July 2023) (See Map 3.2 Site Allocations p.47) and is located within the Ransome's Dock Focal Point of Activity.
- 10.9 It is agreed that the Proposed Development is a tall building as defined in the Wandsworth Local Plan Policy LP4 (Tall and Mid-rise Buildings) Part A which states that buildings which are 7 storeys or over or 21m or more from ground level to the top of the building will be considered to be tall buildings.

It is agreed that the Appeal Site is not located within a designated tall building zone as identified on the Battersea Tall Building Zone Map included at Appendix 2 (Figure 23.3 p.454) of the Local Plan and that Policy LP4 Part C states that the Council will seek to restrict proposals for tall buildings outside the identified tall building zones. It is also agreed that Policy PM9.4 states that development proposals for tall or mid-

rise buildings in Wandsworth's Riverside will only be supported in zones identified in Appendix 2 and any proposals for a tall or mid-rise building will need to address the requirements of Policy LP4 as well as other policies in the plan as applicable.

- 10.10 It is agreed that the proposal sits adjacent to but outside Tall Building Zone TB-B2-04 where the appropriate height range for new development is specified as being in the range of 7-12 storeys (21-36m) (see Map 23.10 (Local Plan Appendix 2 p.456).
- 10.11 It is agreed that the site sits opposite (to the west of) Battersea Bridge Road Tall Building Zone TB-B2-03, (see Map 23.10 (Local Plan Appendix 2 p.456)) where the appropriate height is defined as being within the range of 7-12 storeys (21-36m) with a lower height identified towards the edges of this zone.
- 10.12 It is agreed that the site is located in mid-rise zone MB-B2-02 (Map 23.31 Battersea Mid-rise Building Zone (Local Plan, Appendix 2 p.471) with a specified maximum height of 6 storeys. It is agreed that Part H of Policy LP4 states that proposals for mid-rise buildings should not exceed the appropriate height within the relevant mid-rise building zone.
- 10.13 The detailed design of the scheme has been developed by the Appellant in consultation with officers from the early pre-application stages and in response amendments have been introduced in terms of the form, principally height reduction to the tower element, and materiality of the Proposed Development. It is agreed that no specific concerns have been raised with regard to the architectural detail and materials. It is also agreed that the Proposed Development is not visible from within any World Heritage Site and would not cause adverse reflected glare. It therefore complies with e and g of 1) Visual Impacts in Part C of London Plan Policy D9.
- 10.14 The Parties agree that the final Urban Design Study (2021) was found to accord with London Plan Policy D1 Part A, and that this acts as the design evidence which underpins the Local Plan's growth strategy for the purposes of the evidence base for the 2023 Wandsworth Local Plan.
- 10.15 It is agreed between the Parties that the site does not affect any view in the London View Management Framework LPG.
- 10.16 With regards to part a of 1) Visual Impacts in Part C of London Plan Policy D9, it is agreed that the visual impact assessment and the candidate views study were discussed with officers.
- 10.17 The Parties agree that the Site is located on one of the principal approaches into the Borough from the north.

- 10.18 It is agreed that the existing building is outdated and underused and that redevelopment of the site is in principle acceptable.
- 10.19 It is agreed that the upstream reach of the River Thames from the Site has a range of building heights including the following tall buildings on the north bank: The World's End Estate, Chelsea Riverfront Towers West and East, Chelsea Harbour and Lots Road and the Montevetro Building on the south bank.
- 10.20 It is agreed that the rear (south) part of the building has a height consistent with Albion Riverside.
- 10.21 It is agreed the Proposed Development would enable users to evacuate the building safely, not result in excessive noise from human activity or mechanical functionality, not create unacceptable crowding or isolation in the surrounding areas, does not create adverse impacts on the transport network, provides economic activity and received no objection from the London Heliport. It therefore complies with parts a-f) of 2) Functional Impacts in Part C of London Plan Policy D9.
- 10.22 It is agreed that the environmental impact has been considered and indicates no unacceptable impacts in accordance with 3) Environmental Impact in Part C of London plan Policy D9, subject to conditions.
- 10.23 It is agreed the cumulative impacts of proposed, consented and planned tall buildings have been assessed by the Appellant, as required by 4) Cumulative Impacts in Part C of London Plan Policy D9.
- 10.24 It is agreed that Part D of London Plan Policy D9 is not applicable in respect of the Proposed Development due to the residential nature of the proposal and potential management issues with public access and occupier security.
- 10.25 It is agreed that the Proposed Development would not impede the outlook of residents within the existing adjoining building and complies with part 9 of Part B of Local Plan Policy LP4.
- 10.26 It is agreed that the lighting associated with the Proposed Development will not adversely affect neighbours in the adjoining flats. It is also agreed that the Proposed Development will not result in light pollution and solar glare to any publicly accessible areas, responds to the climate crisis and identifies no adverse issues in relation to thermal discomfort. It is agreed that the Proposed Development complies with parts 13, 14 and 15 of part B of Local Plan Policy LP4.

10.27 It is agreed the Proposed Development incorporates active frontages at ground floor and this does meet the needs of people with disabilities, provides a colonnade which gives weather protection to users of the building, provides public spaces at the entrance and proposes improvements to the riverwalk route (subject to the signing of a S278 agreement). It is agreed the Proposed Development complies with parts 16, 18 and 19 of part B of Local Plan Policy LP4.

Heritage and Townscape

10.28 It is agreed that no harms to designated and non-designated heritage assets would be 'substantial harm' for the purposes of paragraph 216 of the NPPF.

10.29 It is agreed that any heritage harms are 'less than substantial' for the purpose of paragraph 215 of the NPPF.

10.30 It is agreed, in accordance with paragraph 213 of the NPPF, that any harm to the significance of a designated heritage asset should require clear and convincing justification. The parties agree that this test has been passed because it is agreed that the public benefits balance the harm to heritage assets in accordance with paragraph 215 of the NPPF.

10.31 Historic England in their letter dated 6 November 2024 advised that they have concerns regarding the application on heritage grounds and that 'while the reduction in height is welcome in principle, the tall building would remain a visually intrusive and incongruous addition to the townscape with wide-reaching harmful impacts on the historic environment'. They reiterated the advice contained in their earlier letter of June 19 2024 that 'given the major departure from up-to-date tall buildings policy, the justification for the proposals would need to be extremely strong, as would the public benefits to satisfy Paragraph 208 of the NPPF'.

10.32 The Reasons for Refusal do not include a reason related to harm to heritage interests or heritage policy. It is agreed that the public benefits balance the harm to the heritage, assets so as to comply with paragraph 215 of the NPPF and Policy LP3 of the Local Plan.

Design quality

10.33 For the purposes of the Urban Design Study (2021) it is agreed that the site is in Character Area B2 (Battersea Riverside). It is agreed here that the overall strategy is to 'Restore' and 'Improve'.

- 10.34 The parties agree that the NPPF, para 138, states that local planning authorities should have regard to the outcome and recommendations of design review panels, such as the Wandsworth DRP.
- 10.35 The parties agree that London Plan Policy D4 (delivering good design), Part D, states that Boroughs and Applicants should make use of the design review process. It is agreed that the Applicant and LPA have done so, and having undergone x2 DRPs, this is in accordance with Part D which requires at least one before an application was submitted given that the development triggered Part D2.
- 10.36 The parties agree that the DRP process accorded with D4 Part E1-6.
- 10.37 The advice of the Wandsworth DRP is set out in letters dated 11 January 2024 and 6 March 2024.
- 10.38 Whilst the LPA do not agree with the height and scale of the Proposed Development, it is agreed that the proposed detail and materiality are generally acceptable.
- 10.39 Further details in respect of detailed design and materials would be conditioned.

Amenity Impact***Daylight/ Sunlight***

- 10.40 It is agreed that the daylight and sunlight implications of the Proposed Development for surrounding properties are acceptable and comply with Policy LP2.

Privacy and Outlook

- 10.41 It is agreed that the Proposed Development complies with Policy LP2 of the Local Plan and no significant harm can be identified to surrounding properties in terms of privacy and outlook.

Outlook and Sense of Enclosure

- 10.42 It is agreed no loss of outlook would be experienced by any property within the Royal Borough of Kensington and Chelsea (RBKC), or 2 – 28 Battersea Bridge Road, 19 Paveley Drive, Albion Riverside, 8 Hester Road and the RCA Dyson Building due largely to the separation distance between the Proposed Development and these properties.

10.43 Therefore, the Proposed Development complies with the objectives of LP2 of the Local Plan and no significant harm can be identified in respect of outlook and sense of enclosure.

Noise and Disturbance

10.44 Subject to conditions, it is agreed that the Proposed Development complies with Policy LP2 in respect of noise and disturbance.

Standard of Accommodation***Unit and Room Sizes***

10.45 It is agreed that all of the proposed residential units are compliant with the minimum GIAs set out within the Technical housing standards – nationally described space standard, meeting the requirements of Local Plan Policy LP27 and London Plan Policy D6.

10.46 It is agreed that the Proposed Development would comply with the 2.5m ceiling height standards set out in the London Plan throughout the properties. It therefore complies with Part A of Local Plan Policy LP27 and Policies D5 and D6 of the London Plan.

Daylight, Outlook and Privacy for Future Occupants

10.47 It is agreed that the Proposed Development is acceptable in relation to dual-aspect accommodation.

10.48 It is agreed that the Proposed Development performs well in terms of internal daylight with 97% of units meeting BRE guidance targets and therefore is acceptable. It is agreed the Proposed Development achieves very good internal sunlight. It is agreed that the flats would have good access to outlook and privacy. It therefore complies with Part B of Local Plan Policy LP27.

Amenity Space

10.49 It is agreed the private amenity space within the Proposed Development is only marginally short of Local Plan Policy LP27 requirements and is considered acceptable.

10.50 It is agreed that all 54 affordable units would have Policy LP27 compliant balconies. The affordable units would also have access to the communal roof garden and play space at level 11, a gym and an internal community amenity space.

- 10.51 It is agreed that the outdoor amenity space at level 11 has been tested against the BRE criteria and the results indicated a good access to sunlight for this amenity space. Overall, the amenity space proposed is compliant with Local Plan Policy LP27 and London Plan Policy D6.

Communal Open and Play Space

- 10.52 It is agreed that the Proposed Development would deliver a total of 231.5 sq.m of play space within the communal garden area at level 11, which falls short of the 968 sq.m of play space provision required by London plan Policy S4 for this development. It is considered acceptable that the Appellant will offset the play space shortfall with a financial contribution of £147,300. This will be secured through the Section 106 agreement. Further details in respect of the onsite play equipment will be subject to condition. Subject to securing the obligation and condition the Proposed Development complies with Policy S4 of the London Plan and Policy LP19 of the Local Plan.

Inclusive Access

- 10.53 The Proposed Development proposes that 12 (10%) of the dwellings would be built to meet Building Regulation M4(3)(2)(b) requirements with the remaining 90% will be designed to meet the Building Regulation M4(2) requirement. This provision complies with Policy D7 of the London Plan and Policy LP27 of the Local Plan.
- 10.54 Further details in respect of the final design and location of these units will be secured through the Section 106 agreement.

Housing Mix

- 10.55 It is agreed the Proposed Development provides an acceptable standard of accommodation and mix of housing types in compliance with Policy LP24 of the Local Plan and the housing mix provides for an inclusive development which responds to local and strategic housing need, in particular affordable housing need, on an underutilised brownfield site.
- 10.56 Furthermore, the significant proportion of family sized homes for social rent offered would help meet identified needs and is considered a benefit of the scheme.

Affordable Housing Provision

- 10.57 It is agreed that 50% affordable housing (by habitable room), meets the London Plan and Local Plan strategic requirement for affordable housing as per London Plan Policy H4 and Local Plan Policy LP23. It is also agreed the Proposed Development

significantly exceeds the London Plan threshold (35%) at which the application becomes eligible for the GLA's 'Fast Track' assessment route meaning an application stage viability appraisal and late stage review mechanisms are not required. It therefore complies with Policies H4, H5 and H6 of the London Plan and Policy LP23 of the Local Plan.

10.58 It is agreed that the affordable housing provision is a clear benefit of the scheme.

Highways and Transportation

10.59 It is agreed that subject to appropriate conditions and obligations being secured, the Proposed Development would have an acceptable impact upon highways safety and capacity and would provide acceptable car and cycle parking provision.

10.60 It is agreed that the Proposed Development accords with Policies T1, T2, T4, T5 and T6 of the London Plan and Policies LP50 and LP51 of the Local Plan.

Construction

10.61 It is agreed that all matters relating to the Demolition/ Construction of the Site will be secured through appropriately worded planning conditions, planning obligations and building control.

Sustainability

10.62 It is agreed that the Proposed Development would be in accordance with LP10 of the Local Plan with regards to energy and water reduction subject to conditions relating to CO2 emission reductions, water limits, further details of the Annual Probable Sunlight Hours (APSHs) and further details of the solar panels.

10.63 It is agreed the Proposed Development achieves a BREEAM 'Excellent' rating, a 3 star Home Quality Mark. These would be secured by condition.

10.64 It is agreed that the overheating assessment within the Energy Strategy with regards to Building Regulation Part O and TM59 domestic overheating criteria is acceptable. An appropriately worded condition would secure this.

10.65 It is agreed that the Proposed Development meets the GLA benchmarks and all criteria with regards to GLA Whole Life Carbon Guidance (2022).

- 10.66 It is agreed that the Appellant undertook consultation with the GLA on WLC and CE throughout early 2025, as part of the Stage 2 process, which concluded in that the WLC and CE of the Proposed Development is acceptable and in accordance with the London Plan.
- 10.67 It is agreed that the Appellant has considered all relevant policy and reduced emissions as far as reasonably possible and is therefore compliant with Policy LP10 of the Local Plan.
- 10.68 It is agreed that the Proposed Development's design and construction would reduce material demands and enable re-use. The Circular Economy principles are acceptable with regards to the requirements of London Plan Policy SI7 and the GLA's draft guidance (2020).
- 10.69 Overall, subject to the recommended conditions, the Proposed Development complies with Policy LP10 of the Local Plan and London Plan Policy SI2, which the local policy generally reflects.

Flood Risk and SuDs

- 10.70 It is agreed that the Proposed Development meets parts a and b of the Exception Test and accords with Part E of Policy LP12 of the Local Plan and the NPPF in this regard.
- 10.71 The Environment Agency (EA) has raised objections to the proposed development. It is agreed that the request of the Environment Agency ('EA') to provide a 16m offset to the Thames tidal flood defences would not be possible to achieve without impacting the optimum viable use of the Site and most effective use of this previously developed land. Even if it were achieved, the contribution of such would be insignificant as it would be only one development site out of hundreds of metres of building fronting the Thames path, where this offset is nowhere near achieved. The purpose of the 16m offset between new development and tidal defences is to provide space for maintenance and inspection activities, unobstructed emergency access in the event of damage to the defence and to not restrict any future upgrades or raising of the defences. It is agreed that the proposed landscaping and alterations to the Thames path through the Proposed Development would result in improved access compared to the incoherent existing situation and would not restrict any future raising of the defences. Accordingly, it is agreed that there are exceptional circumstances for there not being a 16m and that the Proposed Development complies with London Plan Policy SI 12 and Section J of the Council's Policy LP12.
- 10.72 With consideration to the EAs third objection, seeking to ensure the flood defence will be raised early (in advance of the 2090 date) to the final TE2100 plan level of 6.3m AOD (for the period of 2100 to 2135) as part of the Proposed Development, it

is agreed that the formal flood defence structure is not within the ownership of the Appellant and it is the riparian owners that are legally required to ensure the flood defence are raised in line with the required levels of the TE2100 plan. As the actual level of the flood defence adjacent to the Site is 5.85m AOD (above the required present day level of 5.41m AOD in TE2100 Plan), it is agreed that the Site already meets the TE2100 Plan levels for the period up to 2100 and it is not until 2090 that the riparian owners would be required to raise the flood defence level by 0.45m AOD to 6.3m AOD in accordance with the TE2100 plan. The Appellant submitted drawings for the Proposed Development showing a secant piled (continuous) wall at 5.9m AOD, with a capping beam extending the overall structural slab level (SSL) to 6.7m AOD and the proposed landscaping and architectural buildup atop at 7m AOD. As such, it is agreed that the Proposed Development will continue to be acceptable even if the flood defence is not raised by the riparian owner of the river wall in line with the TE2100 plan as its finished floor level of 7m AOD (excluding basement and lower ground levels) substantially exceeds the 2100-2135 level of 6.3m in the TE2100 plan. It is agreed that the raising of the flood defence in accordance with the TE2100 plan level is an EA strategic objective and that whilst the early raising of the flood defences at the application stage of a riverside development is the primary position of the EA, a failure to secure this as the planning stage could not give rise to a reason for refusal as there is an existing regime which already secures the raising of the flood defences by the relevant riparian owners. The parties agree that an obligation can be included in the draft S106 agreement to address the actions that the Appellant can reasonably be expected to take in seeking to enter into an agreement with the riparian owners to raise the flood defence to 6.3 AOD as part of the Proposed Development and that this would ensure it complies with the Part J of Policy LP12 of the Local Plan

- 10.73 Subject to securing the agreed Flood Risk obligations in the s106 it is agreed the Proposed Development complies with Part J of Policy LP12 of the Local Plan.
- 10.74 It is agreed the SuDs Strategy is acceptable and complies with part G of Policy SI 12 and LP12 of the Local Plan and paragraph 182 of the NPPF.
- 10.75 It is agreed that the submitted Flood Risk Assessment is acceptable and subject to securing that the development be built in accordance with the submitted FRA, the Proposed Development complies with Policy LP12 of the Local Plan.
- 10.76 With consideration to the EAs final objection, it is agreed that this can be overcome by securing a condition that requires the Appellant to submit and obtain approval (in consultation with the EA) of a technical report on the existing structural integrity of the flood defence and its capacity to serve the lifetime of the proposed development and to inform any raising strategy as required by the TE2100 plan.

Arboriculture, Ecology, Landscaping and Urban Greening

- 10.77 It is agreed that the removal of the trees identified as T1 and T2 in the Arboricultural Impact Assessment and Method Statement is acceptable and necessary to redevelop the area adjacent to the river.
- 10.78 It is agreed that the proposed public realm on Battersea Bridge Road and along the Thames Path would be improved and would enhance the accessibility, townscape and visual amenity of the area.
- 10.79 Subject to conditions relating to landscaping details, lighting and the submission of a Landscape and Ecology Enhancement and Management Plan, it is agreed that the access and landscape proposals within the immediate setting of the building are acceptable.
- 10.80 It is agreed that the landscaped design proposals for the Thames Path are an enhancement to the local townscape.
- 10.81 It is agreed that the communal amenity area on the 11th floor would result in a high quality amenity space. Further details would be conditioned.
- 10.82 It is agreed that the Proposed Development would achieve a Biodiversity Net Gain score of +39.24% which accords with Policies LP55 and LP56 of the Local Plan. It is agreed that appropriate conditions would be required to secure the biodiversity gains on site.
- 10.83 It is agreed that the Proposed Development achieves a UGF score of 0.4 and that the potential for urban greening within the Site has been maximised in accordance with Policy LP57.
- 10.84 It is agreed that obligations in the s106 agreement to enhance the Thames River wall adjacent to the site or to make a contribution in lieu would mitigate the additional overshadowing to the foreshore and satisfy the EA request.
- 10.85 Subject to securing the agreed conditions and obligations in the s106, it is agreed that the Proposed Development complies with Policies LP55, LP56 and LP57 of the Local Plan and Policy G5, G6 and G7 of the London Plan.

Waste Management

- 10.86 Subject to a Waste Management condition, it is agreed that the Proposed Development provides adequate waste storage. As such, the Proposed Development accords with Paragraph 115b of the NPPF, Policy LP2 of the Local Plan and the Refuse

and Recyclables in Developments SPD (now superseded by the Reuse, Recycling and Waste SPD (2025)).

Environmental Impacts***Contaminated Land***

10.87 The Proposed Development is acceptable with regards to impacts on ground conditions and complies with Policy E7 of the London Plan and Policy LP14 of the Local Plan.

Air Quality

10.88 The Proposed Development incorporates renewable energy and has a very low car provision and is therefore not expected to give rise to any significant adverse air quality impacts. It is agreed that subject to securing appropriate conditions and a financial contribution in the s106, the Proposed Development is considered to have an acceptable impact on air quality in compliance with Policies SI1 of the London Plan, Mayor of London: Sustainable Design and Construction SPD and Policy LP14 of the Local Plan.

Wind

10.89 It is agreed that subject to an appropriate condition requiring the submission of further details of wind mitigation measures, the wind impacts of the Proposed Development are acceptable.

Archaeology

10.90 Subject to the recommended condition to ensure underground heritage assets remain unharmed, it is agreed that the Proposed Development complies with Policy HC1 of the London Plan, Policy LP3 of the Local Plan and the provisions of the NPPF.

Health/ Community

10.91 Subject to the agreed contributions in the S106 agreement, the Proposed Development is considered acceptable in relation to health and health inequalities, community provision and employment opportunities. The Proposed Development complies with Policy GG3 of the London Plan, Policy LP15 of the Local Plan and the Planning Obligations SPD.

Fire Safety

10.92 Subject to the recommended condition, the Proposed Development complies with Policies D12 and D5 of the London Plan and Policy LP27 of the Local Plan and is considered acceptable with respect to fire safety.

Secure by Design

10.93 Subject to appropriate conditions, it is agreed that the Proposed Development would minimise opportunities for crime, anti-social behaviour and counter terrorism in line with Policy LP1 of the Local Plan.

Public Benefits

10.94 It is agreed that the Proposed Development would deliver a range of economic, social and environmental public benefits including:

1. 110 residential units. This would provide an economic benefit through the numerous supply chains and trades that will be engaged in order to deliver the Proposed Development. The new homes would provide a social benefit as they would contribute to housing supply through the use of previously developed land, The new homes will also provide an environmental benefit as they would be contained within an energy efficient building;
2. The provision of 54 of these residential units as affordable housing (50%) all at social rent levels with M4(3)(2)(b) wheelchair accessible units would provide a social benefit by producing a range of homes that meet the needs of present and future generations. The quantum of affordable housing exceeds the 2021 London Plan and 2023 Local Plan policy threshold requirements. Community facility at peppercorn rent in perpetuity with no service charge would provide a social benefit as the facility would foster the local community's health, social and cultural well-being;
3. Affordable workspace at 80% of prevailing market rates for 30 years would provide an economic benefit as the floorspace is flexible and adaptable, ensuring its suitability for a wide range of future tenants including start-ups and SMEs;
4. Public realm, landscaping and remodelled Thames Path access would provide a social benefit and will create a high quality public realm with a safer, more coherent and enhanced accessibility to pedestrian and cycle routes These improvements will support the community's health, social and cultural well-being as required by Policies LP4 (Part B. 16 to 19), PM9 and LP59 Part G; and
5. an economic benefit can also be derived from the construction phase through increased employment, training and support to local businesses.

10.95 To assist with consistency of approach the parties agree the following scale to be used by the witnesses to give weight to the benefits of the Proposed Development:

- No weight
- Limited Weight
- Moderate Weight
- Significant Weight
- Substantial Weight

Core Documents

10.96 A list of Core Documents has been agreed with LBW and is included at Appendix 2.

11.0 MATTERS NOT AGREED BETWEEN THE PARTIES

- 11.1 It is not agreed by the Council that the Proposed Development complies with the Development Plan when read as a whole and is in accordance with S38 (6) of the Planning and Compulsory Purchase Act 2004.
- 11.2 It is not agreed by the Council that even if the Proposed Development was shown not to be in accordance with the Development Plan, that there are material considerations which justify a decision other than in accordance with the Development Plan.
- 11.3 It is not agreed by the Council that the Proposed Development complies with the NPPF and relevant SPDs and Planning Guidance produced by the GLA and LBW.
- 11.4 It is not agreed by the Council that the height and scale of the Proposed Development is acceptable.
- 11.5 It is not agreed by the Council that that the level of harm and impact of the Proposed Development on the townscape and local spatial character is acceptable.
- 11.6 The Appellant and Council do not agree on the level of harm caused by the Proposed Development on each of the designated and non-designated heritage assets but, as confirmed at paragraph 10.31 and 10.35 of this Statement, any heritage harms are 'less than substantial' and the public benefits balance the harm to the heritage assets so as to comply with paragraph 215 of the NPPF and Policy LP3 of the Local Plan.
- 11.7 It is not agreed by the Council that that the Proposed Development will enhance the local townscape and the character and quality of the immediate streetscape as well as the setting of several designated heritage assets.
- 11.8 It is not agreed by the Council that the Proposed Development is an appropriate form of development for the site and its context.
- 11.9 It is not agreed by the Council that the level of harm caused by the Proposed Development would be outweighed by the identified planning benefits and other material considerations including housing land supply and delivery.
- 11.10 The appellant considers the effects of the Proposed Development on Battersea Bridge are a specific heritage benefit which might be weighed against any heritage harms for the purpose of the NPPF paragraph 215 or in the planning balance. The council does not agree.

- 11.11 A planning obligation that requires the Owner of the Proposed Development/Appellant to use best endeavours to enter into an agreement with the riparian owners to raise the flood defence to 6.3 AOD as part of the Proposed Development is not agreed. The Appellant considers this must be an all reasonable but commercially prudent endeavours only. The Appellant also considers that the raising of the flood defence to 6.3 AOD as part of the Proposed Development would achieve policy compliance.
- 11.12 The Appellant is currently reviewing the Council's Housing Delivery and Trajectory evidence. There will be an addendum to this SoCG on matters surrounding 5YHLS and the HDT and the parties are working closely to agree this position.

Appendix 1 – List of Application Documents

Appendix 2 – List of Core Documents

Appendix 3 – draft Planning Conditions

Appendix 4 – draft Section 106 Agreement Heads of Terms