

1 Battersea Bridge Road

Opening Submissions on behalf of the Appellant

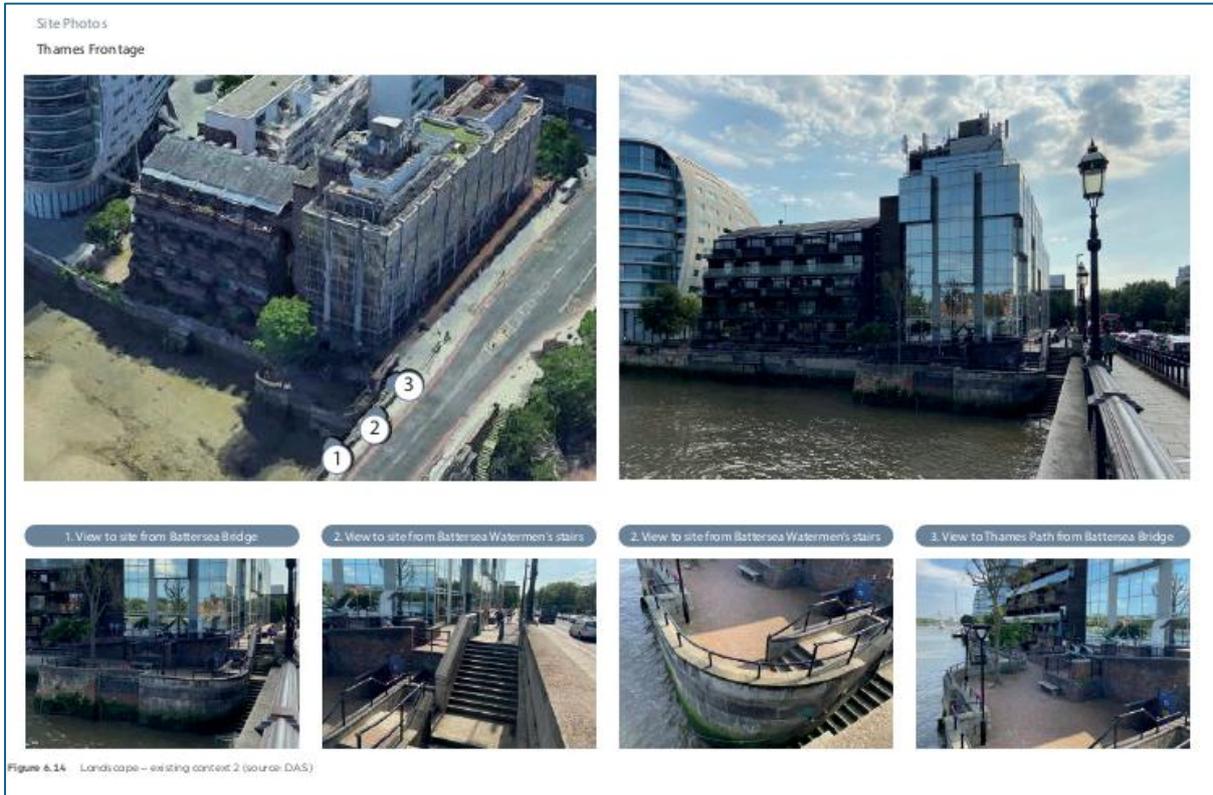
Introduction

1. This Inquiry has the opportunity to demonstrate that the planning system has the flair, flexibility and responsiveness to meet the urgent spatial needs of its capital city through the addition of an elegant building of exemplary quality; one that will transform for the better the borough's relationship with its river and the borough's most important crossing.
2. This proposal has the unique potential at a time of pressing housing need to provide a confident, high quality residential building, delivering a new and mixed community with a remarkable 50% affordable housing.
3. A grant of permission for this proposal would provide a clear signal that the planning system is taking its role in promoting economic growth, confidence and the provision of housing and affordable housing delivery seriously.

Proposition 1 – The existing building harms both the setting of the listed Battersea Bridge and the local and wider townscape hereabouts.

4. This first proposition is the starting point. However much one would want to wish it away – it is self-evident and obvious.
5. The existing building lies in an important prominent riverside location, at the southern end of an important crossing at the Grade II listed Battersea Bridge, adjacent to the Thames Path, and within the Ransome's Dock Focal Point of Activity.
6. The Thames Path here is a national trail and one of the most important public rights of way in the country.
7. And yet, the existing building fails to positively contribute to the townscape or the riverside character area and harms the setting of the listed Bridge. It is mediocre or worse.
8. It is speculative, acontextual and architecturally of poor quality, with an extensive inactive frontage that rises over a plinth with grilled vents to a car park. The dark private frontage lacks vibrancy and movement and fails to engage with its surroundings.
9. It has no street presence, with a high brick retaining wall facing towards Battersea Bridge Road, and service areas occupying much of the rear. The Thames Path to the north fails to comply with accessibility standards, containing steep steps and ramps, with unused space along the frontage resulting in a poor contribution to the public realm.
10. The existing building within the close and immediate setting of Battersea Bridge harms the appreciation of the significance of Battersea Bridge and as a result harms that setting.
11. The potential to remove this harm by redevelopment is evidently appropriate in townscape and heritage terms. Given that the existing building is 6 storeys high, redevelopment at mid-storey levels, the local plan maximum for the site, is not a justifiable or deliverable proposition as the evidence will show.

12. Any assessment of the impact of the proposal on character and appearance, and impact on heritage assets, must as a matter of fact and law, have regard to the existing state and function of the site and the heritage and townscape harms it causes. A failure properly to assess and understand this existing condition would result in a fatally flawed assessment overall.



Proposition 2 – The location can accept a landmark building

- 13. The evidence, considered site specifically and in depth for the **first** time at this inquiry, will establish the acceptability of this site, in the context of its location and truly up to date policy, to accept a high quality tall building such as that proposed.
- 14. Sir Terry Farrell and Farrells know and have mapped London authoritatively over decades. Their London buildings, including Thameside buildings, have become recognised as enduring pieces of integrated townscape and icons of the capital.
- 15. The justification and opportunity to add height, at this specific riverside location, was identified by Sir Terry himself before his loss of health. He guided the thought processes, ideas and concept sketches in this case and in many ways, this building represents his last work, a culmination of his fascination with accurately scribing the shape of London and its river.
- 16. And it is not difficult to see why. Battersea Bridge has a wide strategic and historic importance within the development of London’s urban structure. It is built on a historic crossing point which formed one of the earliest river crossings, thus playing a significant role in the shape of London and in the historic role of the Borough at this, its northern-most gateway.

17. The bridge itself is elegant, pragmatic and functional (but still hugely historically significant). The proposed site can reinforce the historic and functional importance of the crossing, also supporting orientation and wayfinding along the river. And importantly at the same time by removing a clear and mediocre detractor to the close setting of the Bridge.
18. The bridge also has a distinct position within the sequence of London's bridges, located at a dramatic bend in the river which allows an open quality and visual relationship with both banks and their associated Thames reaches.
19. The horizontality of the river in this area is already punctuated by tall buildings. Many also of great architectural quality, which add life, activity and rhythm to the riverscape.
20. The presence of such taller buildings makes an important contribution to the character of this reach, and this varied character is already part of the local distinctiveness of the area which consequently has been identified as having a "low sensitivity to change" in the Urban Design Study (UDS).
21. A building of height at this location along the bend of the river would form part of a wider linear sequence of markers and add to local distinctiveness at a location which can and should accept optimised change.
22. At a local level also, a tall building in this location will complete the Ransome Dock urban area, as the last remaining large site to be regenerated. The Albion Wharf development by Farrells' friend and rival Norman Foster is a building of very great scale and flamboyance. The proposal is the long stroke of a sinewy exclamation mark which runs alongside the riverbank and its associated wharf. The Farrells' proposal will at one location allow the narrative linking two of our greatest post-WWII architects and their work. It will at once appropriately complete the Albion Wharf exclamation while marking the regeneration of the wider industrial bank and helping to contribute to the completion of a new vibrant and active place.
23. When explored against the existing context and extant and emerging policy, the approach of Farrell and Farrells to this site is thus both justified and inspired.

Proposition 3 – This new proposal will enhance the setting of the Bridge and the important Thameside townscape character.

24. The proposed development will substantially improve the setting of the listed bridge, the character and appearance of the area and the way in which its townscape functions.
25. At its base, the new building will have an active and welcoming edge through a colonnaded frontage on the river, with a river-facing café, as well as a five-arched colonnade that incorporates active uses along Battersea Bridge Road. The proposals will deliver vastly improved high quality public realm, including a generous riverside space and enhancements to the nationally important Thames Path. The base of the building itself is an homage to the bridge, creating drama and interest for users of the road and bridge.

26. This will all result in a clear benefit to the setting of the historic asset and to people's experience of the spatial townscape in the local area. It will hugely improve the way in which the area functions.
27. The two-part massing of the new building is contextually sensitive to the Ransome's Dock area, with the lower block speaking directly to the mid-rise scale of the neighbouring Albion Riverside and the RCA development. The taller element of the tower addresses the river directly and provides the marker for Battersea Bridge within the wider town and riverscapes. The tower has a slender, vertical form, reflecting the alignment of the bridge approaches. Its curvilinear bow responds to the river and to the sinuous features of Albion Riverside.
28. When seen from both upstream and downstream, the scale of the building will be perceived in the dramatic, wide spatial context of the broad expanse of the bending River – which will clearly not be dominated.
29. The tower responds to both the greater scaled elements at Ransome's Dock and the pattern of other towers along this stretch of the River. The tower will like others be perceived with and from lower scaled areas – these relationships are acceptable and do not cause harm, in an area where such variation and scale contrasts are part of the character.
30. As explained by Dr Miele, the appeal scheme makes a positive contribution to the townscape and does not harm any locally identified or strategic views.
31. In relation to effect on the setting of heritage assets, the proposals have evolved and been carefully designed to remove or reduce harm to setting of assets, including the Church of St Mary, Chelsea Royal Hospital, Battersea Bridge, Battersea Park and nearby Conservation Areas. The identified low level of less than substantial harm to Albert Bridge has a clear and convincing justification, and this harm is comfortably outweighed by the public benefits.
32. The Council identify a different level of harm to heritage assets to the Appellant.
33. And of course, heritage harm is to be given considerable weight and importance. Nonetheless, the Council (both at the decision-making stage and in the evidence to this inquiry) agree that even a greater level of less than substantial harm identified would be outweighed by the public benefits of the proposal, and that heritage matters thus do not give rise to a reason for refusal. If, of course, the level of heritage and public benefits are greater or are to be weighed more profoundly than those identified by the Council, then the justification for tall buildings required by the Framework and the development plan would inevitably be more emphatic (see below).

A Diversion.

34. These first three propositions should have a familiar ring to them. That is because not only are they self-evidently correct but they also represented the Council's first formal pre-application response to a similar proposal.
35. Thus, the Council formally accepted from the very outset that:

- a. **“the existing building detracts from the setting of the listed bridge and the Battersea Road streetscene”**
- b. **“the proposal offers an opportunity to replace it with a building of much greater architectural quality and that**
- c. **A tall building in this location next to Battersea Bridge – a gateway to the borough would act as a landmark and reference point.”¹**

36. The essence of this advice remains valid and sometimes the obvious is obvious. The Council’s site-specific response to this proposal was and remains sensible, accurate and positive.

Proposition 4 – The proposal represents exemplary architecture at this location.

37. We will shortly hear the design presentation from Mr Barbalov, who will explain far better than we in opening the design rationale for this high-quality scheme.

38. The height and massing strategy with its base, middle and top of the building designed to respond to context gives rise to a building of elegance. The simple architecture, including horizontal expression, terracotta panels, the vertical recess and crown of the tower, result in a well-proportioned and contextual building of the quality expected by policy and of this architectural house.

39. The London Plan (rightly) requires tall buildings to be of exemplary quality. The London Plan provides for this in D9 and the GLA at no stage has indicated that this proposal is in breach of this requirement. The Council has not during the application process taken any issue with the detailed design quality of the proposal. There is no design quality (or as we have seen heritage) reason for refusal.

Proposition 5 – The local plan is: a) out of date insofar as it seeks to protect existing local density and character, b) is deliberately not to be read as a bar to tall buildings here and, c) seeks to protect heritage assets from harmful impacts of tall buildings unless the impact is outweighed by public benefits.

40. Policy LP4 of the Wandsworth Local Plan sets out the policy for tall and mid-rise buildings in the borough. It makes it clear that ALL applications for tall buildings will be assessed against the criteria set out in Parts C and D of D9 of the London Plan.

41. The tall and mid-rise building zones referred to in the policy are based on the UDS dated 23 December 2021, which itself was based on the version of the NPPF dated February 2019 and are said “to help steer selection of appropriate sites.”

42. The present NPPF has removed previous requirements which sought to protect existing character from increases in density, including for example the removal of paragraph 130 of the December 2023 version which said density may be inappropriate “if the resulting built form would be wholly out of character with the existing area”.²

¹ Letter from the Council Appendix B, Mr Marginson Proof.

² Para 13 of the December 2023 version of the Framework.

43. That difference of emphasis is retained and expanded upon in the present, emerging NPPF. The emerging NPPF is addressed here as it must if it comes into force during the determination period. It places yet greater emphasis on increasing densities yet further in urban areas. The Government intends for substantial weight to be given to redeveloping underutilised land and buildings and creating additional homes. There is also proposed to be a substantive change to policy to direct that densities for residential and mixed-use developments within settlements should increase, and that the existing character of an area (though relevant) should not preclude development which otherwise makes the most of an area's potential.³
44. In this context, to the extent that LP4 and the building zones identified in the UDS seek to protect existing density and pre-existing local low rise character, it is out of date.
45. In so far as they seek to protect (the more statutorily protected and “senior”) heritage assets, it is common ground that the benefits of the proposal justify (even) the level of harm identified by the Council.
46. Moreover, when interpreted correctly, LP4 (when read as part of the development plan as a whole) does not and should not act as a bar to the grant of permission for tall buildings which fall outside tall building zones. The Inspectors examining the Local Plan proposed modifications to LP4 to ensure that it complies with policy D9 of the London Plan, and to ensure that it does not prohibit the development of tall buildings outside tall building zones. Both D9 and LP4 read together permit tall buildings outside of tall building zones based on an assessment against detailed criteria, including visual, functional (and heritage) impact. As explained in the evidence, the proposal complies with these criteria and thus meets the policy. In fact, that is the Council’s position: the proposals could be acceptable if their impact is acceptable and irrespective of the zoning of the site.
47. Finally, policy protects heritage assets from tall building impacts but the policy, both national and strategic/local allows permission to be granted where the public benefits of a proposal (which can include heritage benefits) outweigh harm caused (if any). As explained above, it is common ground between both the Appellant and the Council that the level of heritage harm caused (on either party’s expert evidence) by this proposal would be outweighed by the public benefits (however defined and weighed) in this case.

Proposition 6 – The application site is unique in both its location and context which as a result produces and allows the provision of an appropriate residential tall building AND the provision of much needed 50% affordable housing.

48. For the reasons already mentioned above, and as will be explored in evidence, this is an extraordinary location. The outstanding location is not only a townscape opportunity, but it also drives values to a very significant degree which means that the scheme is able to deliver 110 new residential units, with 54 of these (50% by habitable room) as affordable housing, all at social rent levels.
49. This is a unique and totemic opportunity to optimise the delivery of housing and affordable housing on this brownfield site. This is particularly so given the housebuilding

³ See L3 of the emerging NPPF.

crisis in London, and the fact that there were no social rented affordable housing starts at all in Wandsworth in 2024/2025.

50. The need for a step change in policy is particularly acute in London at present. The annual requirement for housing of all tenures in London is now 88,000 net additional homes per annum.⁴ At present London is not coming anywhere close to delivering these figures, and there has been a dramatic decrease in housing completions over the last 18 months, a decrease that will not figure yet in the 5YLS or HDT. Towards the end of 2025, the Government and the Mayor of London recognised that there is a ‘perfect storm’ impacting housebuilding in London, with new emergency measures announced to tackle the housebuilding crisis in London.
51. In these circumstances, nothing less than substantial weight should be given to these benefits of both market and affordable housing provided by the proposal. Housing benefits are already agreed (with other benefits) to outweigh any heritage harm even allowing such harms to be given considerable importance and weight. If appropriate (substantial) weight is given to the delivery of 110 new units then such a balance would be yet more emphatic as mentioned above.

Proposition 7 – There are no other planning issues which require the refusal of this brownfield regeneration which brings substantial benefits.

52. Paragraph 125(c) of the NPPF provides that substantial weight should be given to the value of using suitable brownfield land within settlements for homes and other identified needs, and that such proposals should be approved unless substantial harm would be caused. The direction of travel set out in the emerging NPPF is intended to further strengthen this imperative.
53. The issues raised by the Battersea Society and third parties are all addressed in evidence and the report to committee. There is no time in this short opening to address them in full save to say that they also do not come close to amounting to substantial harm.
54. Neither the Council nor the Appellant regard the EA “objection” as giving rise to a reason to turn away the benefits of the proposal. That is on examination clearly accurate. The issue now appears to be one of the necessity or otherwise of conditions which can be considered later today and imposed if proven necessary.

Conclusion.

55. For the reasons that will be fully addressed in evidence at this inquiry, permission for the appeal scheme should be granted.

Russell Harris KC

Anjoli Foster

Landmark Chambers

17 March 2026

⁴ Confirmed in Towards the London Plan.