

Local Planning Authority CIL Compliance Schedule

London Borough of Wandsworth

Site: 41-49 Battersea Park Road (Booker Cash & Carry) and 49-59 Battersea Park Road (the former BMW Car Service Garage), London, SW8 5AL

Planning Inspectorate Reference: APP/H5960/W/24/3358065

Introduction

Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) ('Regulations') states that a planning obligation may only constitute a reason for granting planning permission if the obligation is:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

This statement sets out how the planning obligations satisfy these tests in the context of the relevant policies. All of the obligations except for the definition of Intermediate Rent Affordability Criteria to be applied to the LLR Units have been agreed between the Council and the Appellant. The parties' position with regards to that definition has been set out in separate statements.

Delivery of the obligations will be triggered by standard restrictions in relation to commencement and occupation of the development to ensure that the obligations that are required will be delivered. The triggers for delivery are all agreed between the Council and the Appellant.

Financial Obligations

All Financial Obligations are indexed in line with the BCIS Index except for the Carbon Offset Contribution which is indexed in line with the Consumer Price Index.

Carbon Offset Contribution	
Obligation	Owner to pay a Carbon Offsetting Financial Contribution of £159,127 prior to the commencement of development.
Compliance with CIL Regulations	<p><u>Necessary:</u> This contribution is necessary because on-site carbon reduction does not meet policy requirements.</p> <p><u>Directly related:</u> The contribution is directly related to the carbon reduction performance of the development.</p> <p><u>Fairly and reasonably related in scale and kind:</u> The contribution is calculated in-line with the London Plan policy requirement.</p>

Policy Support	<u>Local Plan:</u> <ul style="list-style-type: none"> LP10 - Responding to the Climate Crisis <u>London Plan:</u> <ul style="list-style-type: none"> SI2 – Minimising greenhouse gas emissions; DF1 – Delivery of the Plan and Planning Obligations.
How calculated	£95 per tonne of CO2 x 30 (years)
What would it be spent on	Off-setting under performance at this site on other projects in the Borough.

Children's Play Contribution	
Obligation	Owner to pay a Children's Play space Contribution of £56,250 prior to the commencement of development.
Compliance with CIL Regulations	<u>Necessary:</u> In lieu of the shortfall in provision of on-site playspace for children aged 12+ <u>Directly related:</u> The contribution will go towards the improvement and enhancement of 12+ play provision in a nearby location. <u>Fairly and reasonably related in scale and kind:</u> Play provision for the 12+ age group has not been provided for on site, in line with the Mayor's Play and Informal Recreation SPG.
Policy Support	<u>Local Plan:</u> <ul style="list-style-type: none"> LP19 - Play Space <u>London Plan:</u> <ul style="list-style-type: none"> S4 – Play and informal recreation; DF1 – Delivery of the Plan and Planning Obligations; GLA Population Yield Calculator v3.2 Shaping Neighbourhoods: Play and Informal Recreation SPG (2012)
How calculated	£450 per sqm applied to a shortfall of 125 sqm based on the current project delivery cost at 3 other sites within the Borough
What would it be spent on	The provision of a calisthenics station and "make space for girls" provision at Heathbrook Park

Employment and Skills Contribution	
Obligation	Owner to pay an Employment and Skills Contribution of £130,831.25 prior to the commencement of development.
Compliance with CIL Regulations	<p><u>Necessary:</u> The contribution is required to support the delivery of the Employment and Skills Plan.</p> <p><u>Directly related:</u> The contribution is calculated on the basis of the gross floor space created by the development.</p> <p><u>Fairly and reasonably related in scale and kind:</u> The development exceeds the threshold set out in the Wandsworth Planning Obligations SPD</p>
Policy Support	Wandsworth Planning Obligations SPD
How calculated	<p>Contribution = A x B x C</p> <p>A = Provision of employment opportunities for Wandsworth residents for both construction phase and end-use phase, where appropriate B = Average cost of placing Wandsworth residents in jobs, training places and apprenticeships C = % of employees in Wandsworth requiring training and support</p>
What would it be spent on	To support the delivery of the Employment and Skills Plan. Where the Council considers that a developer has used all reasonable endeavours to comply with the provisions of the ESP, the Council will repay to the developer one third of the financial contribution.

TFL Healthy Streets Contribution	
Obligation	Owner to pay a sum of £458,088 to the London Borough of Wandsworth (LBW) prior to the commencement of development to help finance TfL's Healthy Streets Nine Elms Corridor Improvement Scheme.
Compliance with CIL Regulations	<p><u>Necessary:</u> The contribution has been requested by TfL for transport mitigation.</p> <p><u>Directly related:</u> The application site is located on Battersea Park Road, which forms part of TfL's</p>

	<p>Healthy Streets Nine Elms Corridor Improvement Scheme.</p> <p><u>Fairly and reasonably related in scale and kind:</u> The works to which the contribution relate to are to be delivered on the site boundary.</p>
Policy Support	<p><u>Local Plan</u></p> <ul style="list-style-type: none"> Wandsworth Planning Obligations SPD <p><u>London Plan</u></p> <ul style="list-style-type: none"> T9 Funding transport infrastructure through planning
How calculated	Cost of the delivery of the works to the southern footway
What would it be spent on	TfL's Healthy Streets Nine Elms Corridor Improvement Scheme

Early Stage Review Contribution	
Obligation	Owner to pay a contribution in the amount of any surplus calculated following an early stage viability review
Compliance with CIL Regulations	<p><u>Necessary:</u> The contribution will only be necessary if any surplus is calculated pursuant to the early stage viability review.</p> <p><u>Directly related:</u> Any contribution payable will be the result of surplus arising from the early stage viability review.</p> <p><u>Fairly and reasonably related in scale and kind:</u> The amount of the contribution is any surplus arising from the early stage viability review calculated using the GLA's Formula 1a, which is subject to the Affordable Accommodation Cap</p>
Policy Support	<p>Local Plan:</p> <ul style="list-style-type: none"> LP23 – Affordable Housing <p>London Plan:</p> <ul style="list-style-type: none"> H4 – Delivering affordable housing; H5 – Threshold approach to applications;
How calculated	<p>X = Surplus profit to be paid as an Early Stage Review Contribution</p> $X = ((A-B) - (D-E)) - P$

	<p>A = Estimated GDV for the Development as determined for the time of review (£)</p> <p>B = A ÷ (C + 1) Assumed application stage GDV for the Development at the date of the Planning Permission (£)</p> <p>C = Percentage change in value for the Development from grant of the Planning Permission to Review Date (HPI or such other index agreed between the parties) (%)</p> <p>D = Estimated Build Costs as determined at the time of review (£)</p> <p>E = D ÷ (F + 1) Assumed application stage Build Costs at the date of Planning Permission (£)</p> <p>F = Percentage change in Build Costs from grant of Planning Permission to Review Date (BCIS TPI) (%)</p> <p>P = (A-B) * Y Owner profit on change in GDV of Development (£)</p> <p>Y = 15% Owner profit as a percentage of GDV for the Development as determined as part of the review (%)</p> <p>Subject to the Affordable Accommodation Cap equating to the financial cost of providing 50% of the total of the habitable rooms across the Student Accommodation Units and Affordable Housing Units as Affordable Student Accommodation</p>
What would it be spent on	It would be used towards the provision of Affordable Housing in the Borough

Monitoring Fee	
Obligation	Monitoring fee of £23,914.50 in line with the requirements of the council's Planning Obligations SPD
Compliance with CIL Regulations	<p><u>Necessary:</u> It is required to mitigate the additional costs incurred by the Council in the administration and monitoring of s106 Obligations.</p> <p><u>Directly related:</u> The monitoring fee relates to the number of obligations within the S106 Agreement.</p> <p><u>Fairly and reasonably related in scale and kind:</u> Calculation of the s106 monitoring fee takes into account the type and scale of development and associated</p>

	monitoring timescales, factoring in the number of obligations to be monitored and the number of payments expected for each category of financial obligation.
Policy Support	Wandsworth Planning Obligations SPD
How calculated	<p>S106 Monitoring fee due = Officer Time (hours) x hourly rate</p> <p>Officer Time (hours) = (A + (B x 1.5) + (C x 3) + (D x 4)) x (E/F)</p> <p>A = Development type multiplier (see Wandsworth Planning Obligations SPD). B = Number of non-financial obligations. C = Number of financial obligations. D = Number of Demand Notices required for all financial obligation categories. E = BCIS Index figure on the date when the s106 monitoring fee is paid. F = BCIS Index figure on the date when the s106 Agreement is completed.</p>
What would it be spent on	It would mitigate additional costs incurred by the Council in the administration and monitoring of s106 Obligations.

Travel Plan Monitoring Fee	
Obligation	Monitoring fee of £730 to be paid by the Owner to the Council prior to Occupation to be used towards monitoring of the Residential Travel Plan and the Student Travel Plan
Compliance with CIL Regulations	<p><u>Necessary:</u> It is required to mitigate the additional costs incurred by the Council in the monitoring of the Residential Travel Plan and the Student Travel Plan.</p> <p><u>Directly related:</u> The monitoring fee relates to the travel plans for the Development.</p> <p><u>Fairly and reasonably related in scale and kind:</u></p>
Policy Support	Wandsworth Planning Obligations SPD
How calculated	One hour worth of work per year for the five years of operation of the travel plans charged at £146 per hour
What would it be spent on	It would mitigate additional costs incurred by the Council in the monitoring of the Residential Travel Plan and the Student Travel Plan.

Highways Inspection Fee	
Obligation	Highways inspection fee
Compliance with CIL Regulations	<p><u>Necessary:</u> To cover the cost of inspecting the highways works</p> <p><u>Directly related:</u> Relates to the highway works forming part of the proposed scheme.</p> <p><u>Fairly and reasonable related in scale and kind:</u> The fee will comprise 5% of the cost of the proposed highway works, in accordance with the requirements of the Wandsworth Planning Obligations SPD.</p>
Policy Support	Wandsworth Planning Obligations SPD
How calculated	5% of the cost of proposed highway works
What would it be spent on	To cover the cost of inspecting the highways works

Non-financial Obligations

Obligation	Justification and policy support
Affordable housing (including 55 Class C3 residential units (27 x social rent and 28 x intermediate) and 198 affordable student units, 28 London Living Rent homes and a review mechanism)	<p><u>Justification:</u> This obligation requires the delivery of the affordable housing that is proposed as a part of the development. It is required to meet relevant local and London Plan policy requirements.</p> <p><u>Policy Support:</u> Local Plan:</p> <ul style="list-style-type: none"> • LP23 – Affordable Housing • LP28 – Purpose-Built Student Accommodation • LBW Intermediate Affordability Criteria as per Affordable housing update report <p>London Plan:</p> <ul style="list-style-type: none"> • H4 – Delivering affordable housing; • H5 – Threshold approach to applications; • H6 – Affordable housing tenure • H15 - Purpose-built student accommodation • Purpose-built Student Accommodation LPG

<p>Arts & Culture – Cultural Strategy and Implementation Plan for the delivery of cultural projects across the Development</p>	<p><u>Justification:</u> Required by developments involving the provision of 100 or more dwellings, in order to accord with the Wandsworth Planning Obligations SPD.</p> <p><u>Policy Support:</u> Local Plan:</p> <ul style="list-style-type: none"> • LP18 Arts, Culture and Entertainment • Wandsworth Planning Obligations SPD <p>London Plan:</p> <ul style="list-style-type: none"> • HC5 (Supporting London's culture and creative industries)
<p>Travel Plans</p>	<p><u>Justification:</u> To ensure that appropriate measures are taken to maximise travel by sustainable modes of transport.</p> <p><u>Policy Support:</u> Local Plan:</p> <ul style="list-style-type: none"> • LP49 Sustainable Transport • LP50 Transport and Development • LP51 Parking, Servicing and Car Free Development • Wandsworth Planning Obligations SPD <p>London Plan:</p> <ul style="list-style-type: none"> • T1 – Strategic approach to transport; • T4 – Assessing and mitigating transport impacts; • DF1 – Delivery of the Plan and Planning Obligations.
<p>CPZ</p>	<p><u>Justification:</u> To discourage occupants of the proposed development from car usage.</p> <p><u>Policy Support:</u> Local Plan:</p> <ul style="list-style-type: none"> • LP49 Sustainable Transport • LP51 Parking, Servicing and Car Free Development • Wandsworth Planning Obligations SPD <p>London Plan:</p> <ul style="list-style-type: none"> • Policy T6 Car parking • DF1 – Delivery of the Plan and Planning Obligations.

Highway Works	<p><u>Justification:</u> This obligation requires the delivery of a package of highways works. These are required to mitigate the impacts of the development on the local highways network.</p> <p><u>Policy Support:</u> Local Plan:</p> <ul style="list-style-type: none"> • LP49 Sustainable Transport • LP50 Transport and Development • LP62 Planning Obligations • Wandsworth Planning Obligations SPD <p>London Plan:</p> <ul style="list-style-type: none"> • T1 – Strategic approach to transport; • T4 – Assessing and mitigating transport impacts; • DF1 – Delivery of the Plan and Planning Obligations.
Student Accommodation Nominations Agreement	<p><u>Justification:</u> A nominations agreement is required to meet relevant local and London Plan policy requirements.</p> <p><u>Policy Support:</u> Local Plan:</p> <ul style="list-style-type: none"> • LP28 – Purpose-Built Student Accommodation <p>London Plan:</p> <ul style="list-style-type: none"> • H15 Purpose-built student accommodation • DF1 – Delivery of the Plan and Planning Obligations. • Purpose-built Student Accommodation LPG
Local Employment Agreement	<p><u>Justification:</u> To ensure that the Owner will work with the council to maximise business, employment and training opportunities for local people and businesses.</p> <p><u>Policy Support:</u> Local Plan:</p> <ul style="list-style-type: none"> • LP39 Local Employment and Training Opportunities • Wandsworth Planning Obligations SPD
PBSA Management Plan	<p><u>Justification:</u></p>

	<p>To guarantee the protection of residential amenity for neighbours and for the occupiers of the accommodation and to also include limitations on the use of the accommodation during the holidays to address concerns raised on this in the representations received.</p> <p><u>Policy Support:</u> Local Plan:</p> <ul style="list-style-type: none"> • LP2 – General Development Principles • LP28 – Purpose-Built Student Accommodation <p>London Plan:</p> <ul style="list-style-type: none"> • H15 Purpose-built student accommodation • Purpose-built Student Accommodation LPG
Pedestrian Routes and Vehicular/Cycle Routes	<p><u>Justification:</u> To ensure pedestrian, vehicular and cycle routes shall be available for use by the public at all times.</p> <p><u>Policy Support:</u> Local Plan:</p> <ul style="list-style-type: none"> • PM3 Nine Elms • LP49 Sustainable Transport • LP50 Transport and Development <p>London Plan:</p> <ul style="list-style-type: none"> • GG2 Making the best use of land • T1 – Strategic approach to transport; • T9 Funding transport infrastructure through planning • DF1 – Delivery of the Plan and Planning Obligations.
Connection to District Heating Network (DHN)	<p><u>Justification:</u> Connection to a district heating network is required to meet relevant local and London Plan policy requirements.</p> <p><u>Policy Support:</u> Local Plan:</p> <ul style="list-style-type: none"> • Wandsworth Planning Obligations SPD <p>London Plan:</p> <ul style="list-style-type: none"> • Policy SI 3 Energy infrastructure
Cycle Link Safeguarding	<p><u>Justification:</u> To safeguard the rear of the site in order to establish a new east to west connection.</p>

	<p><u>Policy Support:</u> Local Plan:</p> <ul style="list-style-type: none"> • PM3 Nine Elms • LP49 Sustainable Transport • LP50 Transport and Development <p>London Plan:</p> <ul style="list-style-type: none"> • GG2 Making the best use of land • T9 Funding transport infrastructure through planning
CCTV	<p><u>Justification:</u> To reduce crime and improve security for residents.</p> <p><u>Policy Support:</u> Wandsworth Planning Obligations SPD</p>
TFL Healthy Streets Land	<p><u>Justification:</u> To facilitate the delivery of the stepped cycle tracks on the highway and maintain an acceptable footway width.</p> <p><u>Policy Support:</u> London Plan:</p> <ul style="list-style-type: none"> • T2 Healthy Streets • T9 Funding transport infrastructure through planning
Third Party Land	<p><u>Justification:</u> To secure the delivery of street trees, parking and access arrangements on the NCGM access road.</p> <p><u>Policy Support:</u> Local Plan:</p> <ul style="list-style-type: none"> • LP51 Parking, Servicing and Car Free Development
Accessibility	<p><u>Justification:</u> To ensure that all wheelchair accessible and adaptable units, in addition to communal areas conform to relevant design standards.</p> <p><u>Policy Support:</u> Local Plan:</p> <ul style="list-style-type: none"> • LP1 The Design-led Approach • LP27 Housing Standards <p>London Plan:</p> <ul style="list-style-type: none"> • D5 Inclusive Design • D7 Accessible housing
Car Club	<p><u>Justification:</u> To achieve reduced levels of on-site parking provision</p>

	<p><u>Policy Support:</u> Local Plan:</p> <ul style="list-style-type: none"> • LP51 Parking, Servicing and Car Free Development • Wandsworth Planning Obligations SPD <p>London Plan:</p> <ul style="list-style-type: none"> • Policy T6 Car parking • DF1 – Delivery of the Plan and Planning Obligations.
Community Space	<p><u>Justification:</u> To secure an affordable community space to be offered for use by the community</p> <p><u>Policy Support:</u> Local Plan:</p> <ul style="list-style-type: none"> • LP18 Arts, Culture and Entertainment • Wandsworth Planning Obligations SPD <p>London Plan:</p> <ul style="list-style-type: none"> • HC5 (Supporting London's culture and creative industries)
Public Open Space	<p><u>Justification:</u> To provide new public open space on the site and make improvements to the public realm</p> <p><u>Policy Support:</u> Local Plan:</p> <ul style="list-style-type: none"> • LP20 New Open Space • Wandsworth Planning Obligations SPD <p>London Plan:</p> <ul style="list-style-type: none"> • D8 (Public realm)

1 May 2025