



Department for
Communities and
Local Government

Mr Matthew Nixon
Forsters LLP
31 Hill Street
London
W1J 5LS

Our Ref: APP/N5660/A/11/2157961

20 August 2012

Dear Mr Nixon,

**TOWN AND COUNTRY PLANNING ACT 1990 (SECTION 78)
APPEAL BY KYLUN LTD. APPLICATION REF: 10/02060/FUL
VAUXHALL ISLAND SITE. PLOT BOUNDED BY PARRY STREET, BONDWAY
AND WANDSWORTH ROAD, LONDON, SW8 1SJ**

1. I am directed by the Secretary of State to say that consideration has been given to the report of the Inspector, Ava Wood DIP ARCH MRTPI, who held a public local inquiry which opened on 6 March 2012 into your client's appeal under Section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission for a mixed use development of the Vauxhall Island site to provide residential (Class C3) units, a hotel (Class C1), office (Class B1) space and retail (Class A1-A5) and leisure/community uses (Class D1/D2) in two towers of approx 140m (Tower A) and approx 115m (Tower B) together with associated car parking and cycle storage, landscaping and other works incidental to the redevelopment of the site, in accordance with application Ref 10/02060/FUL, dated 14 June 2010.

2. The appeal was recovered for the Secretary of State's determination on 10 August July 2011, in pursuance of section 79 of, and paragraph 3 of Schedule 6 to, the Town and Country Planning Act 1990, because it involves residential development of over 150 units, which would significantly impact on the Government's objective to secure a better balance between housing demand and supply and create high quality, sustainable, mixed and inclusive communities and proposals which would have an adverse impact on the outstanding universal value, integrity, authenticity and significance of a World Heritage Site.

Inspector's recommendation and summary of the decision

3. The Inspector, whose report is enclosed with this letter, recommended that the appeal be allowed and outline planning permission be granted. For the reasons given in this letter, the Secretary of State agrees with the Inspector's recommendation. All paragraph numbers, unless otherwise stated, refer to the Inspector's report (IR).

Procedural matters

4. In reaching his decision, the Secretary of State has taken into account the Environmental Statement submitted under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. Like the Inspector (IR2.1, 2.2 and 12.2.1), the Secretary of State considers that the environmental information as a whole meets the requirements of these regulations and that sufficient information has been provided for him to assess the environmental impact of the application.

Policy Considerations

5. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan comprises the Spatial Development Strategy for Greater London – The London Plan 2011 (the London Plan); the London Borough of Lambeth's Core Strategy (CS) which was adopted in January 2011; and, the saved policies of the London Borough of Lambeth's Unitary Development Plan (UDP), adopted in August 2007. Development plan policies most relevant to the appeal are set out at IR4.2.2.

6. Material considerations include the National Planning Policy Framework (the Framework) (see IR1.5, 4.1.1 and 12.1); Circular 11/95: *Use of Conditions in Planning Permission*; and, the Community Infrastructure Levy (CIL) Regulations (2010 and 2011). Other material considerations include those documents listed at IR4.3.1-4.3.5. Of these, the Vauxhall Area SPD and the Site Specific Allocations Document Development Plan Document have yet to be adopted and are still subject to change, so have been afforded limited weight.

Main Issues

7. The Secretary of State agrees with the Inspector that the main considerations are those set out at IR12.2.

Prematurity and prejudicial to planning in the area

8. The Secretary of State agrees with the Inspector's reasoning and conclusions on prematurity and prejudice to planning in the area, as set out in IR12.3.1-12.3.32. He agrees that in the context of an up to date development plan, with specific site-related policies in place, reinforced with the OAPF, there can be no justification for refusing the application on the basis of prematurity (IR12.3.32). He also agrees that development of the Island site in the manner proposed would not fetter the Council's ambitions for either Vauxhall Heart or regeneration of the wider OA (IR12.3.32).

High quality and inclusive design

9. The Secretary of State agrees with the Inspector's reasoning and conclusions on high quality and inclusive design, as set out in IR12.4.1-12.4.19. He agrees that the proposal has the capacity to deliver buildings and a layout of high architectural quality (IR12.4.16), and that it would comply with the design requirements of the development plan and the Framework (IR12.4.19).

Housing provision

10. The Secretary of State agrees with the Inspector's reasoning and conclusions on housing provision, as set out in IR12.5.1-12.5.4. He agrees that the proposal would beneficially add to the supply of housing in the area (IR12.5.2), and that the amount of affordable housing offered is the maximum reasonable provision (IR12.5.4).

Quality of the residential environment

11. The Secretary of State agrees with the Inspector's reasoning and conclusions on the quality of the residential environment, as set out in IR12.6.1-12.6.7. He agrees that there would be a shortfall in amenity space but that, on balance, the scale of shortfall in amenity space for future residents should not on its own cause the proposal to fail. He also agrees that in the long term, once the linear park intended for this OA materialises, the shortfall would be absorbed (IR12.6.7). However, given this has yet to be provided, the Secretary of State has afforded it no weight in determining this appeal.

Relationship to the historic environment

12. For the reasons given in IR12.7.1-12.7.18, the Secretary of State agrees with the Inspector that the proposal would meet the statutory requirements with regard to listed buildings and conservations areas, and their effect on the character and special interest of the World Heritage Site would be acceptable, and that it would satisfy and accord with development plan policy (IR12.7.18).

Other matters

13. The Secretary of State agrees with the Inspector's reasoning and conclusions on those other matters set out in IR12.8.1-12.8.5.

Compliance with the development plan

14. The Secretary of State agrees with the Inspector's assessment of the extent to which the proposal would comply with the development plan as set out in IR12.9.1.

Conditions and obligations

15. The Secretary of State agrees with the Inspector's consideration of conditions and obligations as set out in IR11.1.1-11.2.6.

Overall conclusions

16. The Secretary of State agrees with the Inspector's overall conclusions as set out in IR12.10.1-12.10.2.

17. Having weighed up all of the material considerations, the Secretary of State concludes that though there are material considerations weighing against the proposal, in particular a shortfall in amenity space, these are outweighed by the otherwise substantive compliance with the development plan. Therefore, he does not

consider that there are any material considerations of sufficient weight which would justify refusing planning permission.

Formal Decision

18. Accordingly, for the reasons given above, the Secretary of State agrees with the Inspector's recommendation. He hereby allows your client's appeal and grants planning permission for a mixed use development of the Vauxhall Island site to provide residential (Class C3) units, a hotel (Class C1), office (Class B1) space and retail (Class A1-A5) and leisure/community uses (Class D1/D2) in two towers of approx 140m (Tower A) and approx 115m (Tower B) together with associated car parking and cycle storage, landscaping and other works incidental to the redevelopment of the site, in accordance with application Ref 10/02060/FUL, dated 14 June 2010, subject to the conditions listed at Annex A of this letter.

19. An applicant for any consent, agreement or approval required by a condition of this permission for agreement of reserved matters has a statutory right of appeal to the Secretary of State if consent, agreement or approval is refused or granted conditionally or if the Local Planning Authority fail to give notice of their decision within the prescribed period.

20. This letter does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than section 57 of the Town and Country Planning Act 1990.

21. This letter serves as the Secretary of State's statement under regulation 21(2) of the Town and Country (Environmental Impact Assessment) (England and Wales) Regulations 1999.

Right to challenge the decision

22. A separate note is attached setting out the circumstances in which the validity of the Secretary of State's decision may be challenged by making an application to the High Court within six weeks from the date of this letter.

23. A copy of this letter has been sent to the London Borough of Lambeth. A notification letter has been sent to all other parties who asked to be informed of the decision.

Yours sincerely

Richard Watson
Authorised by the Secretary of State to sign in that behalf

CONDITIONS

Annex A

Time Limit and Implementation

1. The development to which this permission relates must be begun not later than the expiration of three years beginning from the date of this decision notice.
2. The development hereby permitted shall be carried out in accordance with the approved plans listed in the attached Schedule of Drawings, other than where those details are altered pursuant to the requirements of the conditions of this planning permission.

Environmental Mitigation

3. Before any development commences full details of the proposed construction methodology, in the form of a Method of Construction Statement, shall be submitted to and approved in writing by the local planning authority. The Method of Construction Statement shall include details regarding: the notification of neighbours with regard to specific works; advance notification of road closures; details regarding parking, deliveries, and storage; details regarding dust mitigation; details of measures to prevent the deposit of mud and debris on the public highway; and other measures to mitigate the impact of construction upon the amenity of the area and the function and safety of the highway network. The development shall not begin until provision has been made to accommodate all site operatives', visitors' and construction vehicles loading, off-loading, parking and turning within the site or otherwise during the construction period in accordance with the approved details. The details of the approved Method of Construction Statement must be implemented and complied with for the duration of the demolition and construction process.
4. The development hereby permitted shall not be commenced until a detailed Design and Method Statement for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), has been submitted to and approved in writing by the local planning authority. The Design and Method Statement shall:
 - a) provide details on all structures to be used in the construction of the development;
 - b) demonstrate how the development works would accommodate the location of the existing London Underground structures and tunnels;
 - c) demonstrate how the development works would accommodate ground movement arising from the construction thereof; and,
 - d) set out the proposed mitigation for the effects of noise and vibration arising from the adjoining operations within the structures and tunnels.

Thereafter all structures and works shall be implemented in accordance with the Design and Method Statement hereby approved.

5. No development shall commence until a desktop study, site investigation scheme, intrusive investigation and risk assessment have been submitted to and approved in writing by the local planning authority. The desk study will identify all previous site uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors and any potentially unacceptable risks arising from contamination at the site. The site investigation scheme will provide information for an assessment of the risk to all receptors that may be affected, including those off site. The risk assessment will assess the degree and nature of any contamination on site and to assess the risks posed by any contamination to human

health, controlled waters and the wider environment. A detailed method statement for any required remediation works shall be submitted to and approved in writing by the local planning authority.

6. No development shall commence until any required remediation works have been completed and a validation report to verify these works has been submitted to and approved in writing by the local planning authority. If, during development, contamination not previously identified is found to be present at the site the local planning authority is to be informed immediately and no further development shall be carried out until a report indicating the nature of the contamination and how it is to be dealt with is submitted to and agreed in writing by the local planning authority. Any required remediation should be detailed and verified in an amendment to the remediation statement and carried out accordingly.

Design

7. Notwithstanding the approved drawings, and prior to the commencement of any building works above ground, samples and a schedule of all materials to be used in the external elevations of the development hereby approved shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.
8. Notwithstanding the details shown on the approved plans, prior to the commencement of building works above ground a full design specification of the shopfronts and of all ground floor facades shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be constructed in accordance with the details approved.
9. Full details of the items listed below, including sample panels, shall be submitted to and approved in writing by the local planning authority prior to the commencement of development:
 - a) The façade of the buildings, including details of the precast concrete, reveal depth, glass, mullion, transom and their supporting structure, opening windows (or equivalent), the integration of the façade cleaning rails and any external louvres, illustrating the different conditions over the building;
 - b) The details of the canopy between the buildings, including details of the connections to the buildings and cleaning equipment;
 - c) The details of the Sky Garden, including details of the outer skin glass, mullion, transom, louvre, and balcony components, the integration of façade cleaning rails, any solar control blind system and its mechanism, and the soffit cladding and lighting;
 - d) The details of the apartment winter gardens, including details of the outer skin glass, mullion, transom, louvre, and balcony components, any solar control blind system and its mechanism, and the soffit cladding and lighting;
 - e) Building lighting strategy;
 - f) Full ground and first floor detailed elevations of the towers and retail unit including, details of entrance doors, canopies, fire escapes, service doors, stair cores, lift cores, toilets;
 - g) Public Artwork and service bay doors;

h) First floor terraces;

i) The roof of the buildings, including details of the terraces, balustrades, louvres, PV panels, façade cleaning equipment, lighting strategy;

j) Basement ventilation strategy, and integration in the landscape strategy.

The development shall be constructed and maintained thereafter in accordance with the approved details.

10. Prior to the commencement of building works above ground, full details of a lighting strategy of all external public areas shall be submitted to and approved in writing by the local planning authority. The approved lighting shall be installed before the development is first occupied, or in accordance with an agreed implementation strategy, and retained thereafter for the duration of the development in accordance with the approved details.

11. No plumbing or pipes, other than rainwater pipes, shall be fixed to the external faces of buildings.

Landscape

12. No development works above ground shall commence until a Landscape and Public Realm Strategy for all external public realm areas within the whole of the Island site has been submitted to and approved in writing by the local planning authority. The Strategy should include the following elements:

- a) details of how the form and layout of the public realm will facilitate the predicted movement patterns through the development;
- b) measures that demonstrate that pedestrians will be deterred from traversing the surrounding highways other than at designated laid out crossing points;
- c) measures that enhance the ecological value of the site;
- d) a timetable for the implementation of the various elements of the provisions/strategy; and,
- e) a management strategy for continued and ongoing maintenance of the space for the lifetime of the permitted development.

The public realm shall thereafter be provided and retained/maintained in accordance with the approved Strategy for the duration of the permitted development.

13. Pursuant to the requirements of Condition 10, detailed drawings and a schedule of hard and soft landscaping and associated fixtures and fittings shall be submitted to and approved in writing by the local planning authority prior to the commencement of the relevant works for the following elements:

- a) layout and detailed design of the hard landscaping of the public realm;
- b) schedule and samples of all materials to be used in the hard landscaping of the public realm;
- c) layout and detailed design of the soft landscaping areas of the public realm;
- d) planting specifications (to include details of species and maturity);
- e) detailed drawings and specifications of all street furniture; and,
- f) detailed drawings and specifications of all signage within the area of public realm (inclusive of a way finding strategy).

The development shall be implemented in accordance with the approved details and schedules.

14. No development works above ground shall commence until full details of the layout, landscaping (including planting specifications and a materials palette) and ongoing maintenance of the 'Sky Garden' at level 27 of Tower B have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and retained thereafter for the duration of the development.

Residential Standards and Full Access

15. Notwithstanding Condition 2, no development works shall commence upon site until full details of the internal layout of each residential unit, details of room and unit sizes and details of tenure type have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.
16. All residential flats hereby permitted shall comply with Lifetime Homes standards in the British Standards Institution Draft for Development (DD 266:2007) Design for accessible housing – Lifetime Homes – Code of practice.
17. At least 10% of the residential flats hereby permitted shall be designed so that they are wheelchair accessible or easily adaptable for wheelchair users as set out in the Mayor of London, Best Practice Guidance – Wheelchair Accessible Housing 2007.
18. A minimum of 18 of the hotel rooms shall be wheelchair accessible and an Accessibility Management Plan, which sets out how the continuing management of the hotel will ensure the accessible rooms are maintained and managed, shall be submitted to and approved in writing prior to the commencement of the hotel use. The hotel use shall be implemented in accordance with the approved Plan.

Residential Amenity

19. Prior to commencement of building works above ground, full details of sound insulation for the residential units which shall show how the building has been designed to meet the following standards, shall be submitted to and approved in writing by the local planning authority:
 - a) for living rooms, 35 dB(A) LAeq 16 hour between 0700 and 2300 hours;
 - b) for bedrooms, 30 dB(A) LAeq 8 hour between 2300 and 0700 hours; and
 - c) 45 dB(A) max for any individual noise event (measured with F time weighting) between 2300 and 0700 hrs

The development shall be carried out in accordance with the approved details.

20. There shall be no amplified sound, speech or music used in connection with the commercial premises hereby approved which is audible above background noise levels when measured outside the nearest residential property.
21. Prior to the commencement of building works above ground, full details of internal and external plant equipment and trunking, including building services plant, ventilation and filtration equipment and commercial kitchen exhaust ducting/ventilation, shall be submitted to and approved in writing by the local planning authority. All flues, ducting and other equipment shall be installed in accordance with the approved details prior to the use commencing on site and shall thereafter be maintained in accordance with the manufacturers' instructions.

22. Noise from any mechanical equipment or building services plant shall not exceed the background noise level when measured outside the window of the nearest noise sensitive or residential premises, when measured as a L90 dB(A) 1 hour.
23. Prior to the implementation of the development hereby approved, details and full specifications of fume extraction equipment installed in all the commercial premises, including the hotel, shall be submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved details and specification and thereafter maintained in accordance with manufacturer's instructions.

Public Safety

24. Prior to commencement of building works, a Crime Prevention Strategy shall be submitted to and approved in writing by the local planning authority. The strategy shall demonstrate how the development meets 'Secured by Design' standards. The development shall thereafter be implemented in accordance with the approved details and retained thereafter.
25. Prior to the commencement of building works a Terrorism Protection Statement (setting out the measures that will be undertaken to limit the threats to the site from terrorism) shall be submitted to and approved in writing by the local planning authority. The details as approved shall thereafter be implemented/provided prior the commencement of use of the development and retained thereafter for the duration of the permitted use.
26. No development works above ground shall commence before an Evacuation Plan for safe access from the basement levels of the development to an upper level and a detailed flood warning system is submitted to and approved in writing by the local planning authority. The development shall be operated in accordance with the plan thereafter.
27. No development shall commence until a scheme of measures to mitigate the wind effects of the development has been submitted to and approved in writing by the local planning authority and the development shall be implemented in accordance with the approved scheme.

Highways, Access and Parking

28. No deliveries shall be taken to, or dispatched from, the site between the hours of 0700 and 1000 or 1600 and 1900 Mondays to Saturdays.
29. Within one month of the new vehicular access from Parry Street being brought into use, the existing access from Parry Street not incorporated in the development hereby permitted shall be stopped up by raising the existing dropped kerb, removing the existing bellmouth, and reinstating the footway verge and highway boundary to the same line, level and detail as the adjoining footway verge and highway boundary and shall be retained thereafter for the duration of the development.
30. No part of the development shall be occupied until details of the vehicle turning facility shown on the ground floor of Tower B have been submitted to and approved in writing by the local planning authority. The approved facility shall be provided prior to the occupation of the development, and shall not thereafter be used for any other purpose or obstructed in any way.

31. Details of the proposed access shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. No other part of the development shall be occupied until the new means of access has been sited, laid out and constructed in accordance with the approved details.
32. The scheme for parking, garaging, manoeuvring, and the loading and unloading of vehicles shown on the submitted plans shall be laid out in accordance with the approved details prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose, or obstructed in any way.
33. A Delivery and Servicing Management Plan shall be submitted to and approved in writing by the local planning authority prior to use of the development commencing. The measures approved in the Plan shall be implemented prior to the relevant uses commencing and shall be so maintained for the duration of the relevant uses.
34. No part of the building hereby permitted shall be occupied or used until the provision for cycle parking shown on the application drawings has been implemented in full and the cycle parking shall thereafter be retained solely for its designated use.

Water, Drainage and Waste

35. No development shall commence on site until such time as impact studies pertaining to the existing water supply infrastructure have been submitted to and approved in writing by the local planning authority. The studies should determine the magnitude of any new additional capacity required in the system, a suitable connection point and measures for overcoming impact on the water supply infrastructure. The development shall be implemented in accordance with details approved in writing by the local planning authority.
36. Development shall not commence until a drainage strategy, detailing any on- and/or off-site drainage works, has been submitted to and approved in writing by the local planning authority. The development shall thereafter be constructed in accordance with the approved details.
37. The development hereby permitted shall not be commenced until such time as a scheme to improve the existing surface water disposal system has been submitted to and approved in writing by the local planning authority. The scheme as is approved shall thereafter be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme.
38. Each use of the development hereby permitted shall only be operated in accordance with a Waste Management Plan for that specific use which prior to the commencement of that use has been submitted to and approved in writing by the local planning authority.

Sustainability

39. The development shall be constructed to meet code level 4 for the Sustainable Homes and BREEAM 'Excellent' for all other elements of the scheme. Prior to the commencement of building works, a full BREEAM pre-assessment for all non-residential elements, and a Code for Sustainable Homes pre-assessment for the development shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the prescribed performance levels. No later than 6 months of the substantial completion of the development verification that the development has achieved the relevant targets shall be submitted to and approved in writing by the local planning authority.

Heritage

40. No development shall take place until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted to and approved in writing by the local planning authority. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the local planning authority.

Miscellaneous

41. At least 50% of the ground floor 'A-Class' units hereby permitted, either when calculated by overall floor area or number of units, shall not be occupied other than by a use which falls within Use Class A1 of the Use Classes Order.
42. The development shall not be occupied until a plan showing the layout of the children's play space at Level 1 in Tower B has been submitted to and approved in writing by the local planning authority and development has been implemented in accordance with the approved details. That area shall not thereafter be used for any purpose other than as approved.

Schedule of Drawings

	Drawing Title	Drawing Reference	Revision	Date Submitted
	Site Location Plan	P_AL_JA12_001	-	14/6/2010
	Ground Floor Site Plan	P_00_G100_001	C	10/12/2010
	Level 00	P_00_G200_001	C	10/12/2010
	Basement Level – 01	P_B1_G200_001	B	02/11/2010
	Basement Level – 02	P_B2_G200_001	B	02/11/2010
	Basement Level – 03	P_B3_G200_001	B	02/11/2010
	Basement Level – 04	P_B4_G200_001	B	10/12/2010
	Level 01	P_01_G200_001	C	10/12/2010
	Level 02	P_02_G200_001	C	10/12/2010
	Level 03-05	P_03_G200_001	C	10/12/2010
	Level 06	P_06_G200_001	C	10/12/2010
	Level 07-09	P_07_G200_001	C	10/12/2010
	Level 10-12	P_10_G200_001	A	10/12/2010
	Level 13	P_13_G200_001	C	10/12/2010
	Level 14	P_14_G200_001	C	10/12/2010
	Level 15	P_15_G200_001	C	10/12/2010
	Level 16-24	P_16_G200_001	A	10/12/2010
	Level 25	P_25_G200_001	C	10/12/2010
	Level 26	P_26_G200_001	C	10/12/2010
	Level 27	P_27_G200_001	C	10/12/2010
	Level 28	P_28_G200_001	C	10/12/2010
	Level 29	P_29_G200_001	C	10/12/2010
	Level 30	P_30_G200_001	C	10/12/2010
	Level 31	P_31_G200_001	C	10/12/2010
	Level 32	P_32_G200_001	C	10/12/2010
	Level 33	P_33_G200_001	C	10/12/2010
	Level 34	P_34_G200_001	C	10/12/2010

	Drawing Title	Drawing Reference	Revision	Date Submitted
	Level 35	P_35_G200_001	C	10/12/2010
	Level 36	P_36_G200_001	C	10/12/2010
	Level 37	P_37_G200_001	C	10/12/2010
	Level 38	P_38_G200_001	C	10/12/2010
	Level 39	P_39_G200_001	C	10/12/2010
	Roof Plan	P_RF_G200_001	C	10/12/2010
	Section AA	S_AA_G200_001	B	02/11/2010
	Section BB	S_BB_G200_001	B	02/11/2010
	Section DD – Winter Garden Section and Southern Elevation	S_DD_G200_001	A	07/01/2011
	Underground Entrance Section AA	S_AA_G230_001	-	14/10/2010
	North Elevation	E_N_G200_001	B	02/11/2010
	North Elevation – Tower B	E_N_G200_002	-	10/12/2010
	East Elevation	E_E_G200_001	B	02/11/2010
	South Elevation – Public Art Details	E_S_G200_002	-	14/10/2010
	South Elevation	E_S_G200_001	C	10/12/2010
	South Elevation – Tower A	E_S_G200_003	-	10/12/2010
	West Elevation	E_S_G200_001	B	02/11/2010
	Bay Detail Tower A & B	D_TY_G252_001	B	07/01/2011
	Winter Garden Bay Detail Tower A & B	D_TY_G252_003	A	10/12/2010
	Bay Detail GF Plan Tower A	D_00_G252_001	A	07/01/2011
	Bay Detail – Office Entrance Tower B	D_00_G252_002	-	10/12/2010
	Bay Detail – Residential Entrance Tower A	D_00_G252_003	-	10/12/2010
	Plant Room Bay Detail Tower A & B	D_00_G252_004	-	10/12/2010
	Roof Detail Tower A & B	P_RF_G240_001	-	14/10/2010
	Roof Detail Canopy	P_RF_G240_002	-	14/10/2010
	Roof Detail Canopy Connections Plan	P_RF_G240_004	-	10/12/2010
	Winter Garden Details	S_CC_G240_001	-	10/12/2010
	Roof Detail Canopy Connections Sections	P_RF_G240	-	10/12/2010
	Typical Floor Plan	P_T1_G200_001	C	07/01/2011
	Lifetime Homes Compliant	P_TY_D811_001	B	02/11/2010
	Wheelchair Housing Compliant – 2 Bed Flat	P_TY_D811_002	B	02/11/2010
	Wheelchair Housing Compliant – 1 Bed Flat	P_TY_D811_003	B	02/11/2010
	Accessible Typical Hotel Room	P_TY_D811_004	-	14/10/2010
	Level 00 Ground Level Sport Heights	P_00_G100_003	B	10/12/2010
	Level 00 Ground Level Spot Heights	P_00_G100_004	A	10/12/2010
	Ground Level Landscaping Drawing	P_00_G710_001	C	10/12/2010
	Landscape Plan – LAND USE CONSULTANT	3723_01_100_P	H	10/12/2010
	Detail Plan, Winter Garden (LUC)	3723_01_1010	H	10/12/2010
	Detail Plan, Underground Entrance (LUC)	3723_01_103_P	D	10/12/2010
	Detail Plan, Tower B (LUC)	3723_01_102_P	E	10/12/2010

End

RIGHT TO CHALLENGE THE DECISION IN THE HIGH COURT

These notes are provided for guidance only and apply only to challenges under the legislation specified. If you require further advice on making any High Court challenge, or making an application for Judicial review, you should consult a solicitor or other advisor or contact the Crown Office at the Royal Courts of Justice, Queens Bench Division, Strand, London, WC2 2LL (0207 947 6000).

The attached decision is final unless it is successfully challenged in the Courts. The Secretary of State cannot amend or interpret the decision. It may be redetermined by the Secretary of State only if the decision is quashed by the Courts. However, if it is redetermined, it does not necessarily follow that the original decision will be reversed.

SECTION 1: PLANNING APPEALS AND CALLED-IN PLANNING APPLICATIONS;

The decision may be challenged by making an application to the High Court under Section 288 of the Town and Country Planning Act 1990 (the TCP Act).

Challenges under Section 288 of the TCP Act

Decisions on called-in applications under section 77 of the TCP Act (planning), appeals under section 78 (planning) may be challenged under this section. Any person aggrieved by the decision may question the validity of the decision on the grounds that it is not within the powers of the Act or that any of the relevant requirements have not been complied with in relation to the decision. An application under this section must be made within six weeks from the date of the decision.

SECTION 2: AWARDS OF COSTS

There is no statutory provision for challenging the decision on an application for an award of costs. The procedure is to make an application for Judicial Review.

SECTION 3: INSPECTION OF DOCUMENTS

Where an inquiry or hearing has been held any person who is entitled to be notified of the decision has a statutory right to view the documents, photographs and plans listed in the appendix to the report of the Inspector's report of the inquiry or hearing within 6 weeks of the date of the decision. If you are such a person and you wish to view the documents you should get in touch with the office at the address from which the decision was issued, as shown on the letterhead on the decision letter, quoting the reference number and stating the day and time you wish to visit. At least 3 days notice should be given, if possible.



Report to the Secretary of State for Communities and Local Government

by Ava Wood DIP ARCH MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Date: 13 June 2012

Town and Country Planning Act 1990

London Borough of Lambeth Council

Appeal by

Kylun Ltd.

Inquiry opened on 6 March 2012

Vauxhall Island Site, Plot bounded by Parry Street, Bondway and Wandsworth Road, London SW8 1SJ

File Ref: APP/N5660/A/11/2157961

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File Ref: APP/N5660/A/11/2157961

Vauxhall Island Site, Plot bounded by Parry Street, Bondway and Wandsworth Road, London SW8 1SJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Kylun Ltd. against the Council of the London Borough of Lambeth.
- The application Ref: 10/02060/FUL is dated 14 June 2010.
- The development proposed is a mixed use development of the Vauxhall Island site to provide residential (Class C3) units, a hotel (Class C1), office (Class B1) space and retail (Class A1-A5) and leisure/community uses (Class D1/D2) in two towers of approx 140m (Tower A) and approx 115m (Tower B) together with associated car parking and cycle storage, landscaping and other works incidental to the redevelopment of the site.

Summary of Recommendation: That the appeal be allowed and planning permission granted for the development described above.

1. Procedural Matters

- 1.1 On 10 August 2011 the Secretary of State for Communities and Local Government announced that he would determine the appeal because it involves a proposal for residential development of over 150 units, which would significantly impact on the Government's objective to secure a better balance between housing demand and supply and create high quality, sustainable, mixed and inclusive communities and proposals which would have an adverse impact on the outstanding universal value, integrity, authenticity and significance of a World Heritage Site.
- 1.2 By letter dated 23 August 2011, the Secretary of State listed the matters about which he wished to be informed for the purposes of his consideration of the appeal. The matters are listed in Annex A to this Report. A pre-inquiry meeting was held on 1 November 2011. Notes of the meeting are included as Core Document (CD) H3 and indicate the main areas for consideration identified by the Secretary of State.
- 1.3 The Council's objections to the appeal proposal are listed under the heading "Matters of Dispute" in Section 13 of the Core Statement of Common Ground (Core SoCG)¹. They repeat the reasons that would have led to a refusal had the Council been in a position to determine the application². During the course of the Inquiry, the Council withdrew its objections in relation to the level of affordable housing to be provided³. The remaining matters of dispute between the main parties can be broadly summarised as follows.
- The proposal would be prejudicial to comprehensive regeneration of the Vauxhall area.
 - It would not contribute to formation of a new district centre.

¹ Core Document F4.1 (CD F4.1) – Core Statement of Common Ground (SoCG)

² CD F3.5 – Addendum to Committee Report 18 October 2011

³ CD F4.3 – Viability SoCG

- In the absence of an at-grade pedestrian crossing on Wandsworth Road there are serious concerns about highway safety and accessibility.
- The development fails to provide adequate on-site amenity and children's play spaces for future residents of the proposed development.

1.4 The Inquiry sat for 9 days from 6-9 March, 13-16 March and on 20 March. The timetable followed is included as an Inquiry Document (ID43). I carried out unaccompanied visits to the site and its surroundings on 5, 19 and 21 March. These visits were undertaken at different times of the day, as requested, and included points of interest and views referred to in the evidence and the site visit itineraries prepared by the main parties (ID34). My journeys further afield were necessary to take in distant views assessed in the Heritage, Townscape and Visual Impact Assessment (HTIVA CD G1.15 and ID35).

1.5 The National Planning Policy Framework (the Framework¹) was published on 27 March 2012, after the Inquiry closed. Letters were sent to the main parties and others that appeared at the Inquiry inviting comments on the relevance, if any, of the Framework (or the consequent withdrawal of a PPG, PPS or Circular) to the case presented at the Inquiry. Of the written representations received in response to the appeal, only the English Heritage objection referred at length to Government policies in cancelled documents, namely PPS5. The gist of much of what has been replaced is either repeated in the Framework, remains addressed in the extant Historic Environment Planning Practice guide (published by English Heritage) or is covered by the statutory duties under the Planning (Listed Buildings and Conservation Areas) Act 1990.

1.6 At the Inquiry itself I invited representations or submissions on what was then the draft version of the Framework.

2. ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

2.1 The proposed development falls within the scope of Schedule 2 Paragraph 10 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (EIA Regulations)². The planning application was accompanied by an Environmental Statement (ES) and a non-technical summary³.

2.2 Overall I found the Environmental Statement (ES) met the basic regulatory requirements but requested clarification on four matters. These are listed in the letter sent out from the Planning Inspectorate⁴. In the light of the

¹ Inspector's note: The term Framework is used throughout this Report when referring to the National Planning Policy Framework. Not to be confused with the Opportunity Area Planning Framework, referred to as the OAPF

² As the appeal was lodged before 24th August 2011, the 1999 T&CP (EIA) Regulations apply

³ CD G1.13–1.16 - Environmental Statement Volumes 1-3, non-technical summary and appendices

⁴ CD H4 - Letter to Montague Evans LLP dated 24 November 2011

responses received¹, there was nothing raised in the evidence or at the Inquiry to suggest that the ES was prepared in anything other than the requirements of the Regulations. The responses further lists the mitigation measures identified in the ES and methods for securing their delivery².

3. THE SITE AND SURROUNDINGS

3.1 The Site and its Context

- 3.1.1 The site and its surroundings are described at length in Section 2 of the Core SoCG (CD F4.1), but a brief description follows to enable this Report to be self-contained. The descriptions below additionally provide the reader with references to documents or images to assist with understanding the site and its local environment.
- 3.1.2 The site forms part of a wedge shaped piece of vacant land encircled by Parry Street to the south, Wandsworth Road to its west and Bondway running alongside the eastern edge of the site³. In effect it is bound by the one-way gyratory road system, and the site is referred to as the Vauxhall Island site. The red line boundary on the Site Location Plan (ID5 Plan no: P_AL_JA12_001) marks the site's ownership but elements of the appeal scheme extend onto land owned by Transport for London (TfL) and London Underground⁴.
- 3.1.3 Much of the site is laid to grass with some overgrown shrubs and immature trees. Advertising hoardings are situated around its perimeter. A redundant subway to Vauxhall underground station is located towards the northern end of the narrow wedge of the site alongside the single bus lane linking Bondway with Wandsworth Road.
- 3.1.4 This is an intensely urban area supporting a wide variety of buildings and mixed uses. The busy gyratory and the highway network beyond are dominant features of the townscape. The bus station is a physical and visual focal point, occupying the length of Bondway adjacent to the site⁵. The bus station and the nearby underground plus mainline stations combine to form the Vauxhall Cross Transport Interchange. To the west of Wandsworth Road is the large, high density modern riverside development of St George Wharf⁶, of which the Vauxhall Tower at 180m is currently under construction⁷. The completed part of the development houses offices and residential properties. A Tesco Express is located within part of the ground floor facing Wandsworth Road. Moving towards the Thames through

¹ CD H5 – Response letter and attachments, dated 8 December 2011

² ID17 – Summary of ES mitigation measures

³ CD G1.3 – Design and Access Statement: Section 1.3, Aerial photo of site, Section 2.2 Site Photographs,

⁴ KL/RV/6.2 – Mr Veever's Appendix 1, Site Plan

⁵ CD G1.3 – Design and Access Statement: Section 1.3, Aerial photo of site, Section 2.2 Site Photographs. CD G1.15 – HTVIA: page 250 and 252

⁶ CD G1.15 – HTVIA: pages 216 and 218. LBL/TF/2.3 – Mr Farrell's Appendix TF7, Current view of Vauxhall Cross

⁷ LBL/TF/2.3 – Mr Farrell's Appendix TF9, Model of future developments

publicly accessible walkways there is also a pharmacy, a range of cafés, bars, restaurants and a gym¹.

- 3.1.5 Parry Street to the south of the site has four lanes of traffic heading westwards. There is a hostel for homeless people and commercial properties on the southern side of the street. Beyond that is a variety of buildings supporting a mix of uses².
- 3.1.6 North of the site and along Albert Embankment is a series of commercial buildings, including the M16 development on the Thames side of the road. The railway viaduct bisects the Vauxhall area³. The western facing arches of the railway viaduct are occupied by shops and cafes⁴. To the east of the viaduct the character of the area changes and is predominantly residential⁵.
- 3.1.7 Spring Gardens to the east of the viaduct is a sparsely landscaped area of open space⁶. The Vauxhall City farm occupies the south eastern part of the park and a children's play space is located in the northern part. Further to the southeast of the site and beyond the viaduct is Vauxhall Park, containing a children's play area, tennis courts, bowling green, and formal gardens⁷.
- 3.1.8 The south western approach to the site is along Nine Elms Lane and the river. This area comprises new, high density, riverside residential and commercial properties⁸. Offices and residential buildings border Wandsworth Road, running south from the southeast corner of the site⁹.
- 3.2 **The Site's Transport and Highways Context**
- 3.2.1 All roads surrounding the appeal site are part of the TfL London Road Network. Wandsworth Road also forms part of the Lambeth Cycle Network. The gyratory includes bus priority measures, cycle lanes and at-grade pedestrian/cycle crossings¹⁰.
- 3.2.2 The Vauxhall mainline and underground stations are 150m to the north east of the site. The mainline station is associated with the South West Trains route, from London Waterloo to the south via Clapham Junction. Vauxhall underground station is served by the Victoria line. A total of 11 bus services are available from the bus station and provide routes across London. Thames Clippers operate regular 'Tate to Tate' river services from

¹ KL/RV/6.2 – Mr Veever's Appendix 2, Existing Retail Plan. KL/MS/1.1 – Mr Squire's Proof of Evidence, page 23 images 2, 3 and 4. KL/MS/1.4 – Mr Squire's PowerPoint presentation, pages 33 and 34

² KL/MS/1.1 – Mr Squire's Proof of Evidence, page 23 images 6 and 7

³ CD G1.3 – Design and Access Statement: Section 2, aerial View of site

⁴ CD G1.3 – Design and Access Statement: Section 2.13, photomontage. KL/MS/1.1 – Mr Squire's Proof of Evidence, page 23 images 10 and 11

⁵ CD G1.15 – HTVIA: pages 224, 230, 236, 238, 240 and 242

⁶ CD G1.15 – HTVIA: page 246

⁷ CD G1.15 – HTVIA: pages 232, 234 and 236

⁸ CD G1.15 – HTVIA: page 146 (view from across the river)

⁹ CD G1.15 – HTVIA: pages 160 and 222

¹⁰ CD F4.2 – Transport and Highways SoCG, Appendix 1

St George Wharf pier, stopping at Embankment along the way¹. The Public Transport Accessibility Level (PTAL) rating for the site is 6B.

3.3 Heritage and Other Designations

3.3.1 Of the conservation areas within the Boroughs of Lambeth, Wandsworth and Westminster, some 15 are deemed to be most likely affected by the proposed development. The conservation areas closest to the site are: Albert Embankment, Vauxhall Gardens and Vauxhall². The Grade II* listed late C18 Brunswick House is to the south of the site at the corner of Wandsworth Road and Nine Elms Lane³. The building is used as an antique and salvage centre with a café open to the public at ground floor level⁴.

3.3.2 The site can also be seen in the context of the Westminster World Heritage Site (WHS) when viewed from a number of key viewpoints – Westminster Bridge, Hungerford Bridge and Parliament Square for instance⁵.

3.3.3 The appeal site lies within the Vauxhall Nine Elms Opportunity Area (VNEB OA). The OA stretches from Lambeth Bridge in the north to Chelsea Bridge in the south west. Its northern part is located in the London Borough of Lambeth and the southern section in the London Borough of Wandsworth⁶.

4. PLANNING POLICY

4.1 National Policy

4.1.1 At the Inquiry the parties referred to what was at the time the draft Framework. The parties' responses to the published Framework are incorporated into their respective cases summarised in this Report, and references to cancelled Government documents have been deleted.

4.2 The Development Plan

4.2.1 The development plan comprises the following:

- the Spatial Development Strategy for Greater London – The London Plan 2011 (the London Plan);
- the London Borough of Lambeth's Core Strategy (CS) which was adopted in January 2011; and
- the saved policies of the London Borough of Lambeth's Unitary Development Plan (UDP), adopted in August 2007.

4.2.2 A comprehensive list of policies which may be relevant is set out in the Core SoCG (CD F4.1). Policies central to considering the planning merits of the appeal are:

¹ CD G1.12 – Transport Assessment: Appendix E, River Boat information

² CD G1.15 – HTVIA: pages 14, 16 and 17.

³ CD G1.15 – HTVIA: page 39

⁴ KL/MS/1.5 – Mr Squire's PowerPoint presentation page 33, Brunswick House retail and café

⁵ ID35 contains a selection of images (W6, W8, W10, W11, R18, R20 and R21). CD G1.15 – HTVIA provides a full set of assessed viewpoints.

⁶ ID7 – VNEB OAPF, Figures 1.2 and 1.3 mark the extent of the OA.

The London Plan (CD B.1)

Policy Number	Subject
2.10	Central Activities Zone – Strategic Priorities
2.11	Central Activities Zone – Strategic Functions
2.13	Opportunity Areas and Intensification Areas
3.3	Increasing Housing Supply
3.4	Optimising Housing Potential
3.5	Quality and Design of Housing Developments
3.6	Children and Young People's Play and Informal Recreation Facilities
3.7	Large Residential Developments
3.8	Housing Choice
3.9	Mixed and Balanced Communities
3.10	Definition of Affordable Housing
3.11	Affordable Housing Targets
3.12	Negotiating Affordable Housing on Individual Private Residential and Mixed-use Schemes
3.16	Protection and Enhancement of Social Infrastructure
4.7	Retail and Town Centre Development
4.8	Supporting a Successful and Diverse Retail Sector
5.2	Minimising Carbon Dioxide Emissions
5.10	Urban Greening
6.1	Integrating Transport & Development – Strategic Approach
6.3	Assessing Effects of Development on Transport Capacity
6.4	Enhancing London's transport connectivity
6.5	Funding Crossrail and Other Strategically Important Transport Infrastructure
6.10	Walking
6.11	Smoothing traffic flow and tackling congestion
6.12	Road Network Capacity
7.1	Buildings London's Neighbourhoods and Communities
7.2	An Inclusive Environment
7.4	Local Character
7.5	Public Realm
7.6	Architecture
7.7	Location and Design of Tall and Large Buildings
7.8	Heritage Assets and Archaeology
7.10	World Heritage Sites
7.11	London View Management Framework
7.12	Implementing the London View Management Framework
7.18	Protecting Local Open Space and Addressing Local Deficiency
8.2	Planning Obligations
8.3	Community Infrastructure Levy

The Core Strategy (CD B.2)

Policy Number	Core Strategy Policies
S1	Delivering the Vision and Objectives

Policy Number	Core Strategy Policies
S2	Housing
S3	Economic Development
S4	Transport
S5	Open Space
S6	Flood Risk
S7	Sustainable Design and Construction
S8	Sustainable Waste Management
S9	Quality of the Built Environment
S10	Planning Obligations
PN2	Vauxhall

The UDP (CD B.3)

Policy Number	Subject
7	Protection of Residential Amenity
9	Transport Impact
12	Strategic Transport Hubs and Transport Development Areas
14	Parking and Traffic Restraint
16	Affordable Housing
19	Active Frontage Uses
21	Location and Loss of Offices
26	Community Facilities
28	Hotels and Tourism
29	The Evening and Late Night Economy, Food and Drink and Amusement Centre Uses
30	Arts and Culture
31	Streets, Character and Layout
32	Community Safety/Designing Out Crime
33	Building Scale and Design
38	Design in Existing Residential/Mixed Use Areas
39	Streetscape, Landscape and Public Realm Design
40	Tall Buildings
41	Views
43	The River Thames Policy Area – Urban Design
45	Listed Buildings
47	Conservation Areas
50	Open Space and Sports Facilities
MDO 76	Island Site, Vauxhall Cross - Area: 0.6 Ha

- 4.2.3 In the UDP, the site features under the Area and Site Policies section as a Major Development Opportunity (MDO) Site 76 and is referred to as the Island Site, Vauxhall Cross. The allocation is rolled forward into the emerging Site Specific Allocations Document (SSAD) Development Plan Document Site, and identified as Site 68. The site also lies within the

character area referred to as Vauxhall Heart in an indicative plan¹ accompanying CS Policy PN2.

4.3 Other Relevant Policy and Guidance Documents

- 4.3.1 Of the documents listed in the core SoCG, the Mayor of London's Supplementary Planning Guidance (SPG) *Providing for Children and Young People's Play and Informal Recreation (2008)* and SPG- *London View Management Framework (July 2010)*² are pertinent to considering specific issues relating to the case. Also of relevance is the Council's Supplementary Planning Documents (SPD): *Guidance and Standards for Housing Development and House Conversions (July 2008)* and *S106 Planning Obligations SPD*³. The Council published a draft Vauxhall Area SPD in 2008 (CD D.2). Consultants were commissioned to update the SPD. This was due to be formally consulted on in May 2012 and proceed to adoption in the autumn at the earliest⁴. A VNEB Expo held on 14 and 15 March 2012 introduced the SPD (ID18) and builds on the VNEB Expo held in November 2011 (ID28).
- 4.3.2 The Vauxhall Nine Elms Opportunity Area Framework (VNEB OAPF) SPD (ID7) was adopted recently. The document is produced by the Greater London Authority (GLA) on behalf of the Mayor. It sets out the strategic policy framework for development within the VNEB OA.
- 4.3.3 On 9 February 2012 the Council adopted the Vauxhall Nine Elms Battersea Development Infrastructure Funding Study (VNEB DIFS) (CD I.13) for the purpose of calculating appropriate S106 contributions in the Vauxhall SPD. Within the Vauxhall SPD area, the tariffs outlined in the DIFS have replaced those in the Council's S106 SPD area except in relation to employment and training, local labour in construction, public art, travel plan monitoring and affordable housing.
- 4.3.4 The CABE/English Heritage *Guidance on Tall Buildings* (July 2007) (CD E.1) document was referred to in evidence and is material to considering the merits of the appeal.
- 4.3.5 The Council's SSAD Development Plan Document is under preparation (CD D.3). It was subject to consultation in 2009 and had not been adopted by the time the Inquiry closed.

5. PLANNING HISTORY

- 5.1 The planning history for the site is recorded in the Core SoCG but does little to add to the debate in the appeal, save for the current advertisement hoardings on site. These are likely to benefit from deemed consent and the only matter of relevance is what that adds to the site's value. Of more significance are the consented/extant applications within the site's vicinity. The description and status of development proposals in the VNEB OA are listed in the Core SoCG. The major development sites, as of January 2012,

¹ CD B.2 – CS, Diagram 2 Places and Neighbourhoods, Vauxhall

² CDs C2.3 and C2.4 respectively

³ CDs C1.3 and C1.4 respectively

⁴ Miss Young in cross examination

are identified on a plan in LBL/AY/1.5 (Miss Young's Appendix 3). These include the Vauxhall Towers at St George Wharf, Vauxhall Sky Gardens on Wandsworth Road, 109 Bondway, Sainsbury's redevelopment on Wandsworth Road and Market Towers among others¹. The list includes redevelopment of 69-71 Bondway with a 42 storey building, which was dismissed on appeal by the Secretary of State in February 2011².

6. THE PROPOSAL (see ID5 Application Plans)

- 6.1 A fuller description of the development was presented at appeal stage and encapsulates much of what is proposed:

The erection of two towers, Tower A rising to 41 storeys (approx 140m) and Tower B rising to 32 storeys (approx 115m), plus 4 basement levels below ground; to provide a mixed use development comprising 291 residential units (use class C3), 663sqm of floorspace for food and drink commercial uses (use class A3), 2162sqm of floorspace for employment commercial uses (use class B1), a 179 room hotel (use class C1) and 1371sqm of floorspace for community facilities/assembly and leisure (consisting of a dentist surgery, a soft play facility, a digital cinema and a community space - use classes D1 and D2); together with 30 car parking spaces, 10 motorbike parking spaces, 490 cycle parking spaces, refuse storage facilities, the provision of a public space/landscaping at street level, the formation of a new vehicular access from Parry Street and a new vehicle egress to Bondway, and other works incidental to the redevelopment of the site.

6.2 The Buildings and Mix of Uses

- 6.2.1 The proposal is for two curved elliptical towers: Tower A positioned towards the northern end of the site, its axis running parallel to Wandsworth Road, rising to 41 storeys (140m), and Tower B (32 Storeys, 115m) aligned alongside Parry Street. A glazed canopy would span between the two towers at a height of three storeys above street level.
- 6.2.2 Accommodation in Tower A would be a mix of commercial and residential. The southern elliptical point at the base of the tower would mark the entrance to the 179 room hotel and the hotel café/bar. Entrance to residential properties and to a first floor restaurant would be from the Bondway facing sections of the facades with Class A1-A5 units occupying the northern sections of the ellipse. The hotel accommodation would extend to level 13 and a mix of one, two and three bedroom apartments above that to level 38. There would be four levels of basement, housing hotel ancillary spaces, hotel health club and car and cycle parking.
- 6.2.3 Tower B is also intended to provide a mix of residential and commercial units. The entire development would be serviced from the south facing façade of the tower with access from Parry Street. The remaining facades

¹ LBL/TF/2.4 – Mr Farrell's Appendix TF9: Concept model of developments under construction proposed or granted consent in the VNEB OA

² CD I.1 - Secretary of State decision and Inspector's report on 69-71 Bondway. KL/RV/6.2 – Mr Veever's Appendix 3, ground floor plan of dismissed scheme. KL/RC/2.2 – Mr Coleman's Appendix Section E, selection of Bondway views

would feature entrances to the residential, offices and community facilities proposed within the scheme. The community spaces comprise a children's soft play area at level 1¹, and a dental practice, digital cinema plus community space proposed at level 2. Upper portions of Tower B would consist of 23 floors of residential apartments (one, two and three bedrooms) and an enclosed rooftop garden looking along Nine Elms Lane at level 27. Levels 3-5 are intended for office use (Class B1). Additional street level retail floorspace of some 63 sqm is proposed at the north eastern end of Tower B.

6.2.4 The façades of the building express the structure in cast masonry columns. In low structural stress areas columns are omitted at the base of the towers and as they extend upwards². The cladding material indicated on the application plans comprises mainly precast reconstituted stone panels and aluminium frame glazing (Plan D_TY_G252_001). The top storeys are canted and would house PV panels on the roof.

6.2.5 Of the 291 apartments, the scheme proposes a minimum of 17% affordable units³, comprising 70% (34 units) social rented and 30% (16 units) intermediate in a mix of one, two, three and four bedroom units. There is provision in the S106 obligation to carry out an appraisal prior to implementation and assess the potential for increasing the proportion of affordable units⁴.

6.3 **Public Realm and Landscaping**⁵

6.3.1 The space under the glazed canopy is referred to as the winter garden. Along with all of the space between and around the towers it is intended as publicly accessible open space. The whole of the Island site is to be treated as one with the same landscape treatment of hard surfacing and planting to be carried over land outside that of the appellant's ownership. The planting would comprise semi-mature and mature trees and underplanting. The Wandsworth Road edge could be landscaped to prevent or deter pedestrians seeking to access or leave the site at points other than controlled crossings⁶.

6.4 **Access, Linkages, Servicing and Parking**

6.4.1 Vehicular access into the site is to be from Parry Street. Five new at-grade (off-site) pedestrian/cycle crossing facilities are proposed, in the form of zebra or signalised crossings. The crossings would provide access to and from the northern and southern ends of the bus station, the south western corner of the site to the existing traffic island, across the southern portion of

¹ The extent of the accommodation to be devoted to soft play area is the subject of a condition. A figure of 738 sqm is used by the appellant to calculate the total amount of amenity space on site, as listed in ID14

² CD A.3 – Design and Access Statement: Section 3.7, façade concept

³ The S106 (ID 26) provides for further financial viability to appraise the potential to increase the numbers of affordable units close to implementation date

⁴ ID26 – Planning Obligation: Schedule 3

⁵ ID5 - Landscape Drawings: P_00_G710_001C, 100H, 103D, 101H, 102E

⁶ KL/RH/3.1 – Mr Hannay's Proof of Evidence Figures 4, 5 and 6: Wandsworth Road edge potential treatments. ID42 – Examples of landscape buffers to deter pedestrians

Parry Street and across Wandsworth Road to its western footway. The crossing positions are marked on the plan attached to the Transport and Highways SoCG¹.

- 6.4.2 A new underground station entrance is proposed; to be located on the northern portion of the site on TfL land. The planning obligation allows for creation of this access which would link in to the existing underpass below Wandsworth Road. An existing subway entrance is situated on the western side of Wandsworth Road.
- 6.4.3 Service and refuse collection would be undertaken within the site boundary with access and egress from Parry Street. Residential car parking is to be restricted to 25 spaces for disabled use with a further four disabled spaces for other land uses on site and one bay for a car club. In total, 30 car spaces with 10 motorcycle parking bays alongside are proposed. All car parking would be at basement level. Residents' cycle parking spaces for 422 bicycles are to be provided at basement level 02. Cycle Hire docking stations are to be included at ground level in positions to be agreed as part of the landscaping scheme.

7. THE CASE FOR LONDON BOROUGH OF LAMBETH COUNCIL

The material points are:

7.1 Matters in Dispute

- 7.1.1 A number of the matters that the Secretary of State asked to be addressed at the Inquiry² are covered in the SoCGs (CD F4.1-4.6). The Council accepts that there are many aspects of the scheme that satisfy the policy requirements. It is worth noting that many issues relating to this large scheme could have proved to be controversial. Indeed, some third party objections remain. However, the Council's case focuses on the points of conflict between the main parties. These can be summarised along the following lines:

- Prematurity and compliance with the development plan.
- Prejudicing comprehensive regeneration of the Vauxhall area.
- Pedestrian accessibility, in particular Wandsworth Road.
- Provision of amenity and play spaces.
- Whether the maximum reasonable amount of affordable homes is being provided³.

¹ CD F4.2 – SoCG, appendix 1. KL/PC/5.2 – Mr Caneparo's Appendix A, Details of the crossings are illustrated on drawing 94088-B-01

² CD H.3 – Pre-inquiry note: Matters for consideration at the Inquiry

³ The issue regarding affordable housing was resolved before the Inquiry opened and is addressed as part of the overall consideration of the S106 obligation

7.2 Prematurity and Compliance with the Development Plan

The Development Plan

- 7.2.1 The appeal fails against the criteria in the development plan. It would be contrary to the London Plan Policies 3.5, 7.4, 7.5 and 7.7 for the way it would prejudice comprehensive regeneration of the area. In light of the nature and scale of the development being brought forward in advance of an adopted masterplan for the area, the appeal proposal represents an inappropriate and unsustainable form and layout of development for such a strategically important site. Thus offending UDP Policy 33 and CS Policies S1, S2, S4, S5, S9 and PN2.
- 7.2.2 Although the appellant's case relies heavily on UDP Policy MDO76, the policy neither limits nor dictates the mix or quantum of development on the site. It looks for the provision on part of the site of public open space as a setting for the transport interchange and (outside this red line) an improved tube entrance. Encouraging a southern bus priority lane is no longer seen as an objective.

Supplementary Documents

- 7.2.3 The Committee made its decision on the application in October 2011 (CD F3.4 & F3.5), after the appeal was lodged and at a time of changing guidance in the form of draft versions of the VNEB OAPF (ID7), the Vauxhall SPD (CD D.3) and the DIFS (CD I.13). As it is, the mismatched timetables have not been helpful, or conducive to a smooth planning process. The OAPF was received on the second day of the Inquiry, rather than in December/January as was anticipated at the pre-inquiry meeting stage. The final remaining piece of the planning framework, the local SPD for Vauxhall, is due later this year.
- 7.2.4 The two supplementary guidance documents (OAPF and Vauxhall SPD) have great importance. These are not some generic SPDs, but specific placemaking documents. The way in which development plan policy is intended to be applied in this emerging area does in part specifically rely upon this supplementary planning guidance¹. The OAPF and SPD also formed part of the evidence base for the CS². The decision to proceed by way of the VNEB OAPF and the Vauxhall area SPD, rather than an Area Action Plan or Site Allocation DPD, is in accordance with the Local Development Scheme³, and with what was discussed and approved at the Core Strategy examination. That is the essence of localism.
- 7.2.5 The OAPF and the SPD are plan-led⁴. That is a reflection of their importance. Supplementary guidance has been given a prominent role in this area. It is, after all, only an emerging area, one that is full of opportunity sites but also of potentially conflicting objectives.

¹ CS paragraph 2.59, refers to OAPF and SPD. CS paragraph 5.15 refers to Vauxhall SPD. London Plan Policy 2.13 and paragraph 2.62 refer to OAPF.

² CD B.3 – Lambeth CS: page 118, Annex 1

³ ID12 – Lambeth Local Development Scheme: Position Statement, December 2011

⁴ Mr Veevers and Mr Coleman in cross-examination. KL/RC/2.3 – Mr Coleman's Proof of Evidence, paragraph 7.2.8

Furthermore, the guidance from CABE/ English Heritage on tall buildings specifically expects the use of SPD and deprecates piecemeal development¹.

The VNEB OAPF

- 7.2.6 The importance of the VNEB OAPF is clear. It has been prepared in partnership with relevant public bodies² and is a good example of co-operation and co-ordination. It is intended to clarify policy, to identify contentious issues at an early stage in the planning process, and to then set out how these may be resolved through existing policy or its review³. The OAPF provides guidance for the regeneration and development of the VNEB area as proposed in the London Plan. It delineates the two growth poles (Vauxhall and Battersea Power Station), anticipates the delivery of a district town centre and acknowledges that the gyratory system needs to change in its character. It further refers to the DIFS as a tool for ensuring transparent planning obligations. The document is now adopted and forms a major plank in the policy framework for the area

The Vauxhall SPD

- 7.2.7 The draft SPD looks for a distinct heart in this area and for improved connections. The primary retail frontage was expected along Bondway side⁴.
- 7.2.8 The OAPF refers to and anticipates production of the SPD for Vauxhall Cross. Lambeth Council is leading on this task. The Vauxhall SPD addresses more local issues than the OAPF. A fundamental objective of it is to ensure that development in the Vauxhall area is comprehensive and integrated, and that sites are not developed in a piecemeal manner. One of the purposes of the SPD is to give guidance on how the core strategies can be applied, and how the London Plan indicative capacity figures may be met in the Lambeth part of the OA.
- 7.2.9 Lambeth is updating the Vauxhall SPD to take into account the current significant development interest in the area. The work is reflecting the momentum of planning and regeneration being taken forward by Lambeth Council and its VNEB partners⁵. Consultants were commissioned to produce this work. The SPD will build on work done by Farrells on *Vauxhall Cross – A Vision for a New Town Centre* (the Vision)⁶.
- 7.2.10 Lambeth has been able to engage one of the world's leading urban designers. Sir Terry Farrell has a longstanding knowledge of this area; his beneficial work can be seen all around in London (Oxford Circus, Euston

¹ CD E.1 - paragraphs 2.4, 2.8 and 2.9

² GLA, the London Development Agency (as was), TfL, Lambeth Council, Wandsworth Council and English Heritage

³ ID7 – OAPF, Section 2.3

⁴ CD D.2 – pages 25, 42 and 72, figure 4,4

⁵ VNEB Strategy Board (representatives from Lambeth and Wandsworth Councils, GLA, TfL and landowners), key public and private sector organisations and voluntary and community groups in Lambeth

⁶ LBL/TF/2.3 – Appendix TF1

Road)¹. Mr Farrell's practice has assisted in the updating process by challenging all key public sector stakeholders about the nature of Vauxhall Cross as a place. The outcome is the Vision document, the 10 principles of which were consulted on in November 2011. The principles for Vauxhall and other quarters were consulted on in March 2012 (ID18).

- 7.2.11 The work is ongoing. But this development on collective thinking has represented a major shift in progressing a collective vision for the area and how to deliver it. This has meant intense analysis and a redefined ambition about existing problems in the area. There is a renewed optimism that some of the seemingly insoluble issues (such as the nature of the urban environment and the gyratory system) are challengeable and could be rectified.

Prematurity²

- 7.2.12 The Council agrees it is not premature to decide that this area is suitable for tall buildings of the height proposed. Neither is it premature to identify the contribution that developments of this scale need to make to the infrastructure needs of the OAPF (given the DIFS tariff). But there is a remaining argument about the prejudice to the intended district centre and comprehensive development of the Vauxhall Heart quarter.
- 7.2.13 The Vision document was progressed through a series of regular meetings with key partners and stakeholders. The 10 principles of the study were consulted upon with the Council Leader, ward councilors, Vauxhall landowners and the public³. It demonstrates the Council's clear desire to achieve consensus among partners for the way ahead. Approval of the recommendations in the report to Cabinet in January 2012 enables the Council to move rapidly to completion of the refreshed SPD for Vauxhall, with a view to adoption by the autumn or December of this year.
- 7.2.14 The Council is taking forward a process of proactive community engagement and partnership working. This process is in line with the commitment to neighbourhood planning and localism⁴ and to achieving a successful and sustainable place⁵. Over the past year the Council has made significant progress in consulting widely over the VNEB regeneration and redevelopment, as well as the Vision for Vauxhall. This emerging SPD is clearly a material planning consideration.
- 7.2.15 To proceed with the appeal site in isolation would undermine and invalidate the community engagement undertaken to date and planned for the future. The approach would significantly compromise the considerable progress made in planning for holistic and sustainable regeneration. The processes

¹ LBL/TF/1.2 – Mr Farrell's Appendix TF2: Farrell project list (2000 onwards)

² The Secretary of State should note that in Mr Richard's Proofs of Evidence any reference to "prematurity" should be replaced with "harm". That is the basis on which his evidence was presented to the Inquiry

³ LBL/AY/1.7 – Miss Young's Appendix 6, Consultation over Vauxhall, Nine Elms and Battersea regeneration and development and the emerging Vision for Vauxhall

⁴ CD I.8 – Lambeth Sustainable Community Strategy 2008-2020

⁵ CD I.9 – The Council's Corporate Plan 2011-2014

of ongoing and continued partnership working, consultation and engagement would be compromised.

- 7.2.16 It is clear that the appeal development sets in stone what will happen on this central site, for 30+ years¹. Determining development of this site now would therefore seriously compromise the ability of the local community (via the SPD process) to determine where creation of the district centre should take place, and would conflict with the evolving spatial vision and objectives for the area.

7.3 **Prejudicing Comprehensive Regeneration**

The need for integrated regeneration

- 7.3.1 The Council is committed to the principles of integrated regeneration, as expressed in the Lambeth Sustainable Community Strategy (CD I.8). The approach accords with the Government's commitment to these principles and recognises that "...regeneration can play a vital role for communities, by fostering a sense of solidarity and hope²." The Council's Corporate Plan (ID I.9) envisages Lambeth as a caring, aspirational, safe and secure borough. The CS sets out planning policies that take forward Lambeth's commitment to spatial regeneration. Recent merging of the Council's Planning and Regeneration divisions ensures an effective statutory planning function alongside implementation of key regeneration programmes.
- 7.3.2 The site is part of an area providing a major opportunity for regeneration in London that is earmarked for a huge level of development³. Existing communities of North Kennington and Stockwell forming part of the wider Vauxhall area are disconnected from each other and from opportunities offered by Central London, due to physical perceptions and land use barriers. The area lacks a real physical heart and community focal point.
- 7.3.3 Indeed, Vauxhall Cross is one of London's most significant 'lost' town centres⁴. This was once a neighbourhood as recently as the C19 but has not been served well by modern interventions. The gyratory, for instance, is designed to serve vehicles rather than people. It attracts vehicles to Vauxhall which causes the visual, atmospheric and noise pollution prevalent in the area.
- 7.3.4 Within Vauxhall a series of sites for regeneration and development are forthcoming, particularly in the central and southern areas⁵. There is a need for joined up thinking as individual landowners bring forward proposals in an uncoordinated way, duplicating land uses and competing for what is a limited viable development market. The pressure for development provides an impetus and need for a co-ordinated holistic approach to good planning

¹ Mr Squire in cross-examination

² CD I.7 LBL – Ministerial statement at National Regeneration Summit 2010

³ CD B.1 – The London Plan, Table A1.1 Annex 1, sets out an indicative employment capacity of 15,000 jobs and 10-16,000 new homes.

⁴ LBL/TF/2.4 – Mr Farrell's Appendix TF4: The Architectural Review, page 20

⁵ LBL/AY/1.5 – Miss Young's Appendix 3: development proposals in surrounding areas as of January 2012. LBL/IR/4.2 – Mr Richards' Appendix 3: Major development proposals approved or under construction in the Vauxhall area

of the area being led by Lambeth and its VNEB partners. Until the SPD and OAPF are agreed, adopted and published there is no confirmed level of development for individual sites in the opportunity area.

The Vision for Vauxhall

- 7.3.5 Addressing long-term dysfunctionality requires every one to invest in long term solutions and not in standalone piecemeal developments. Accordingly, the CS seeks to create a district centre for Vauxhall focussed on the transport interchange¹. The aspiration for Vauxhall is for a strong, vibrant, sustainable community – an inclusive place with a vibrant and distinctive heart. The Vision anticipates a place of growth with a distinct heart. It seeks to characterise the area as an emerging and vital part of Lambeth, as well as Central London.
- 7.3.6 The 10 urban design principles developed will enable change to be effective². The first step to re-establish the place is to rediscover the town centre at Vauxhall Cross. At its heart is restoration of a High Street along the line of Bondway, linking Albert Embankment to the north with the linear park at the centre of the emerging proposals for Nine Elms³. A new public square is envisaged; new streets and linkages are proposed to enable existing communities to the east of Vauxhall Cross to navigate to the town centre and reconnect to the riverside walk again⁴. Rethinking operation and location of the bus station⁵, and simplifying road junctions and crossing, will redress the balance between the pedestrian and the motorist, with pedestrians and cyclists given higher priority in the design of the public realm.
- 7.3.7 The Vision is not anti-development but encourages development that will contribute successfully to an active and vibrant street environment. The success of the Vision is not reliant upon eradicating the gyratory at this stage; it does however anticipate that this complex piece of traffic planning will be successfully dismantled to the benefit of the whole environment⁶. Similarly implementation of the Vision is not dependent on removal or disaggregation of the bus station. The Council seeks to create a welcoming and attractive environment plus a mix of uses in which businesses can thrive, and provide jobs across a range of sectors.

Is the scheme prejudicial to future regeneration and the Vision

- 7.3.8 The Island site sits at the heart of Vauxhall with considerable potential to provide the area and its communities the focal point it needs. This is not a standalone development to be judged within its own red line but should be viewed in the larger context and emerging plans for the VNEB area.
- 7.3.9 The proposal fails at a number of levels. Firstly, at ground level, both in its own design terms and what it does to the area where it would make things

¹ CD B.2 – CS Policy PN2(a)

² LBL/TF/2.4 – Mr Farrell's Appendix TF1: Vision, page 35

³ Mr Farrell's Appendix TF1: Vision, page 37

⁴ Mr Farrell's Appendix TF1: Vision, pages 39, 41 and 45

⁵ Mr Farrell's Appendix TF1: Vision, page 53

⁶ Mr Farrell's Appendix TF1: Vision, page 55

worse by perpetuating the problems of the gyratory and prevent further improvements. The gyratory would remain dominant. Little is proposed for pedestrians to make them feel like they are not stranded on the Island¹. Development without reference to an updated and adopted SPD would merely exacerbate what are considerable transport issues at Vauxhall. The scheme would also fail to create essential linkages to adjacent open spaces, and which can only be addressed by a comprehensive approach to regeneration of the area.

- 7.3.10 CS Policy PN2 expects a focus of new retail uses around the transport interchange to create a new district centre. The Council's evidence base supporting the CS suggested that there was capacity in the Borough for further retail development². The OAPF also recognises the need for new retail development in Vauxhall. Re-development of Vauxhall to create a district centre can best be achieved when an adopted SPD is in place, providing appropriate area guidance and the opportunity to define the boundaries of the district centre for Vauxhall. Nevertheless, though the CAZ frontage (or district centre primary frontage) has not yet been defined to date, its focus is identified as the transport interchange. By definition this includes the appeal site, however far the centre then spreads.
- 7.3.11 Development of the site in the manner proposed would prevent that focus being achieved, given the lack of active frontages within the appeal scheme. Essentially this means A and D use classes³, which could include a hotel but only if 'active' and open to public. In the case of the appeal scheme the active frontage comprises an escalator to the cinema, residential and office lobbies and large hotel (use C1) reception areas, or service areas. There is little attempt to improve the diversity at street level and little contribution to uses needed for a town centre⁴. The limited retail provision seems almost all directed at providing for the site's own needs. The proposal also lacks inherent flexibility because of its shape and would not be easy to adapt as the area changes. Successful retail is invariably better on two sided streets⁵, which this scheme would not provide.
- 7.3.12 The elliptical forms of the towers were created for the earlier scheme developed in 2005⁶. It appears that the architectural typology has dictated what happens when the buildings meet the ground. The approach may be appropriate for the Swiss Re building in its city environment, but not for part of a district centre or setting for a transport interchange. Cylindrical objects are by nature outward looking and in this case would provide

¹ LBL/TH/2.4 – Mr Farrell's Appendix 12, page 17 illustrations

² The Council's approach to the identification of the emerging district centre is explained in ID 19

³ CD B.3 – UDP Policy 19: Active Frontage Uses, uses within Classes A and D would be appropriate as would other publicly accessible uses with significant ground floor window display and entrance at ground floor level

⁴ LBL/TF/2.3 – Mr Farrell's PowerPoint presentation: Critical Mass of Town Centre Activities Section

⁵ LBL/TF/2.3 – Mr Farrell's PowerPoint presentation: Spatial Enclosure, Section 3, Marylebone High Street

⁶ KL/MS/1.1 – Mr Squire's Proof of Evidence, Section 5

inadequate protection or sense of enclosure¹. Bulk and mass are necessary to create adequate enclosure which neither the towers nor the retail kiosks could provide. Buildings on podiums², by contrast, can contribute to the enclosure needed to protect the town centre³. Intensification of retail floorspace as footfall increases⁴ is not the answer, as that approach would be at the expense of public space⁵. In effect, the shape and positioning of the towers, as well as the nature and amount of uses proposed, would prevent both spatial enclosure and the critical mass of diverse activities needed for a town centre.

- 7.3.13 It is a major disadvantage of the appeal proposal that it pre-empts the emerging SPD. Thus, losing the opportunity to coordinate development to the detriment of good planning. The SPD is not part of the development plan but the Island site is at the heart of the area and has implications which other sites do not have. It's the strategic nature of this site. If this scheme were to proceed, it would effectively close off a way of moving forward in that central area. If built it would prevent implementation of a proper urban solution at Vauxhall, as envisaged in the developing Vision, for years to come.

7.4 Pedestrian Accessibility

- 7.4.1 CS Policy PN 2(b) requires good linkages to the River Thames, between public spaces and connections from east to west. Any proposed development here should promote an accessible, legible and permeable pedestrian environment. Lack of an at-grade direct pedestrian crossing across Wandsworth Road has always been a concern of Council officers in respect of the appeal proposal. It is essential to connect the site to the surrounding area, for itself and the VNEB OA, and it is essential to ensure highway safety.
- 7.4.2 The Transport Assessment Appendix P (CD G1.12) highlights that informal crossing of Wandsworth Road by pedestrians already takes place. Surveys by the Council and the appellant confirm that some 280 pedestrians cross during three 2-hour periods and 600 crossings occur over a period of 12 hours⁶. This would increase by about 45% as a result of the proposed development⁷.
- 7.4.3 From the outset the appellant recognised the importance of providing a safe controlled pedestrian crossing at Wandsworth Road⁸. The Council also wished to see such a crossing installed, provided it could be made to operate safely. The crossing would need TfL's formal agreement. The

¹ LBL/TF/2.4 – Mr Farrell's Appendix 6,

² Described by Mr Farrell as 4 or 5 storeys of foothills

³ LBL/TF/2.4 – Mr Farrell's Appendix 12, page 19. LBL/TF/2.3 – Mr Farrell's PowerPoint presentation: Spatial Enclosure, Section 2, image of Eagle House, London

⁴ KL/MS/1.1 – Mr Squire's Proof of Evidence, page 53, ground floor activities masterplan

⁵ Even the DAS acknowledges that it was this criticism that led to the removal of the retail units shown on the 2005 scheme [DAS 3.2.5 – CD G1.3].

⁶ LBL/NW/3.1 – Mr Wisher's Appendix B

⁷ LBL/NW/3.1 – Mr Wisher's Appendix C

⁸ Transport Assessment Scoping Note paragraphs 2.13 and 2.16

appellant commissioned TfL's consultants for the gyratory to appraise three crossing options¹. Of the three options, one appeared to meet the requirements of safety and compliance but the appellant chose not to investigate or develop the proposal.

- 7.4.4 The appellant subsequently expressed a willingness to work with TfL and the Council to investigate introduction of a crossing, if it was considered necessary and appropriate for the masterplan for the Vauxhall Cross gyratory. A viable layout should therefore have been prepared to demonstrate that a signal controlled crossing is achievable for pedestrians and should have been reviewed through a Stage 1 Highway Safety Audit. This is common practice but was not undertaken.
- 7.4.5 Without a crossing, the Secretary of State is faced with a large mixed use development of family and residential units and limited connections to and from the west. In addition to which, the scheme would feature a dead corridor along its western side and a barrier over 100m long virtually cutting off the island visually. The landscape option to discourage a pedestrian desire line across Wandsworth Road does not fit well with UDP Policies 10 and 31 which seek to improve connectivity, maintain and enhance environments with safe, direct and convenient routes and maximise pedestrian accessibility.
- 7.4.6 The proposal to reinstate an access that links the west side of Wandsworth Road to the underground station would not be used extensively. The link is only a desire line for those already at the underground station. It is not a good alternative to a signal controlled crossing.
- 7.4.7 The S106 obligation allows for provision of the crossing only so long as this is agreed by TfL within a tight timescale. If it is not agreed, the development can commence with some unspecified sums to be spent on other matters around the gyratory. There is no provision in the S106 to revisit this. In addition, the alternative expenditure is so general, and not directly related to the failure to provide a crossing, that little or no weight can be attached to it.
- 7.4.8 There is some encouragement from TfL² and the GLA³ for a crossing. For the Vision study a report was prepared by Burns and Nice⁴ which identified substantial growth in pedestrian movements to 2026 and significant flows east/west across the gyratory. Option 7 of the study recommends incremental improvements to the gyratory by reducing road widths and adding pedestrian crossings. The option is incorporated into the OAPF⁵ and should have been given greater consideration by the appellant. More work could have been done in the light of the study; it is a feasible option and highly likely before 2026⁶. With that realistic prospect of provision, it should be a requirement of this development.

¹ LBL/NW/3.1 – Mr Wisher's Appendix A: SKM Colin Buchanan, Technical Notes

² CD G3.2 – Correspondence from TfL Post Stage 1 response, dated 25 November 2010

³ CD H.6 – GLA letter to PINS dated 9 January 2012.

⁴ CD I.4 – Burns and Nice Public Realm and Highways Modelling Study 2010

⁵ ID7 – OAPF page 130

⁶ Mr Caneparo in cross -examination

7.4.9 While the crossings at the southern corner are to be welcomed and the underground station route (when open) is useable, neither addresses the clear desire lines across Wandsworth Road. The Council correctly directed that an appraisal should have been carried out as part of the submission process. The crossing is necessary rather than beneficial.

7.5 Provision of Amenity and Play Spaces

7.5.1 The Lambeth Open Space Strategy confirms that the appeal site lies within an area deficient in open space¹. The London Plan Policy 3.6 and CS Policy S2 set out the requirement for good quality play and outdoor space within private and communal gardens. The SPD *Guidance and Standards for Housing Development and House Conversions* (CD C1.3) expects sufficient outdoor amenity space to be provided in new residential developments, particularly in areas of open space deficiency. The amenity space can be provided in the form of private gardens or as communal amenity space.

7.5.2 Using the guidance to calculate the amount of amenity space to be provided² for a development likely to yield 94 children³, there would be a requirement for 2,960 sqm in total. Within this total, 940 sqm play space is to be included (380 sqm for 0-4 year olds, 340 sqm for 5-11 years and 220 sqm for 12+)⁴.

7.5.3 The only provision on site is the flats' private balconies, winter gardens for the 2-bed or more units and the Sky Garden in Tower B. This is not just a numerical shortfall of 1,270 sqm, when judged against the Council's SPD standards⁵, but a qualitative one. The situation for residents would be particularly harmful, given the existing high volume of traffic and generally hostile environment associated with the gyratory system. The importance of amenity space in large redevelopments is emphasised in the appeal decision on the proposed Bondway Commercial Centre (CD I.1).

7.5.4 Yet the appellant continues to advance the argument that there would be an excess of provision⁶ on the basis that anything not occupied by buildings is open space to be counted in their favour. This takes no account of the multiple uses of such spaces or of their primary function as public thoroughfare, or the unusable 'soft' landscaping, the service area, or even the 1m-wide safety strip the other side of the Wandsworth Rd landscape barrier⁷. The argument that 63% of the whole island site is 'open space' (as it is unbuilt) ignores the role of these areas as highway or pavement.

7.5.5 Even if one considers the spots away from the traffic noise, this is at best 900 sqm of the 1,850 sqm of the application site land not built on (ID31).

¹ CD I.5 – Lambeth Open Space strategy, Figures 3.15, 3.16 and 3.18

² 50 sqm of shared amenity per scheme of flatted development plus 10sqm per flat (see CD F4.4 – Public Open Space and Amenity Space Provision SoCG)

³ CD C2.3 - GLA SPG: Providing for Children and Young People's Play and Informal Recreation

⁴ Agreed in SoCG CD F4.4

⁵ ID 14A – Calculation of shortfall in amenity space on the appeal site, by LBL

⁶ ID 14 – Amenity space and play space areas, by Kylun Ltd.

⁷ KL/RH/3.2 – Mr Hannay's Appendix 3, Landscape drawings. KL/RH/3.1 - Mr Hannay's Proof of Evidence, Figures 4 and 5 illustrating options for barriers

This would comprise a thoroughfare, with heavy pedestrian flows¹, and fit really only for meeting and waiting for the cinema. The examples illustrated² reveal the true intention of what is being sought to be achieved by the space under the canopy – as a transitory place, or at best an hotel's outdoor lobby. It is not the complementary open space sought.

- 7.5.6 The S106 provides for off-site contributions to improve local parks, open space and play facilities³. While these contributions could be used productively, they can only provide partial mitigation. The contributions would not relieve pressure on local parks (Vauxhall Park and Spring Gardens) arising from the proposed development. There is limited capacity in the two parks. The absence of an adequate dedicated children's play space within or very near the building is materially harmful. The same issue arose in the Bondway appeal (ID I.1) – which also made a full mitigation offer. There has been no material change since 2011, and so the same objection applies to the present appeal.
- 7.5.7 Problems associated with inadequate amenity space, and particularly children's play space, would be exacerbated by lack of public space adjacent to the site. The lack of public space in an area of Open Space Deficiency, exacerbating pressure on Vauxhall Park, throws into relief the need to adequately provide amenity space for residents. The area available for communal use is not large for a residential population of the size contemplated, in an area lacking a town centre and where facilities are scattered.

7.6 Affordable Housing Provision

- 7.6.1 This reason for refusal has been resolved, in light of the viability assessment⁴. The S106 now reflects the agreed position on the assessments that have been done, with the provision that these are to be revisited prior to the implementation of the scheme. An overage clause may lead to the provision of a greater level of affordable housing. This now represents the maximum reasonable amount of affordable homes on this scheme, and complies with the London Plan Policy 3.12 and CS Policy S2.

7.7 Planning Obligation and the Development Infrastructure Funding Study (DIFS)

- 7.7.1 On 9 February 2012 the Council adopted the VNEB DIFS⁵ for the purpose of calculating appropriate S106 contributions in the Vauxhall SPD. The tariffs outlined in the DIFS have replaced those in the Council's Planning Obligations SPD⁶, except in relation to employment and training, local construction labour, public art, travel plan monitoring and affordable housing. The OAPF reflects the DIFS approach to funding infrastructure in

¹ KL/RH/3.1 – Mr Hannay's Proof of Evidence paragraph 20

² KL/MS/1.1 – Mr Squire's Proof of Evidence pages 33 and 55, images of covered spaces.
KL/MS/1.4 – Mr Squire's rebuttal Proof of Evidence page 15

³ ID16 – Briefing note: VNEB Tariff and S106, Item 3

⁴ CD F4.3 – Viability SoCG

⁵ LBL/AY/1.8 – Miss Young's Supplementary Proof of Evidence, Appendix 1, Minutes of Overview and Scrutiny meeting on 9 February 2012

⁶ CD C1.3 – SPD: S106 Planning Obligations (updated July 2010)

the VNEB OA. On 1 April 2012 the Mayor's Community Infrastructure Levy (CIL) will come into force. The CIL tariff set for the whole of Lambeth is £35 per sqm.

- 7.7.2 The DIFS sets out how infrastructure will be provided to ensure that development across the OAPF contributes to creating a sustainable community. The Council has been under pressure to adopt the DIFS because without it development proposed in the OAPF cannot be brought forward. The DIFS proposes a tariff-based approach to infrastructure provision that would yield a higher level of contributions than the current approach in local policy. At the moment it remains a tariff that is justified under S106 rules. But it is the appropriate measure given the context of the major growth that is planned in the area.
- 7.7.3 The Council considers that the decision to adopt the DIFS was properly made¹. DIFS is derived from the OAPF and its evidence base. There was specific public consultation on the S106 Chapter of the OAPF. In any event, the use of DIFS in Lambeth is at an interim stage. The January 2012 Cabinet resolution (ID.11) itself does not apply the DIFS tariff in its entirety, and certain matters remain covered by the S106 SPD and local policy. LBL intends to carry out an immediate review of the tariff as part of its CIL process.
- 7.7.4 The S106 package of mitigation measures proposed by the appellant does not exceed Lambeth's SPD on S106, nor the tariff-based payment proposed under DIFS². The items identified are those that are necessary and reasonable to make the scheme acceptable, if the principle of this development is accepted.
- 7.8 **National Policy**
- 7.8.1 National policy expects decisions to be made in accordance with development plan policies. This is not a situation where the development plan is absent, silent or indeterminate. There is a clear up to date local framework, and actively emerging supplementary policy which is intended to bring forward appropriate development. Policies in the development plan in respect of design and sustainability are wholly consistent with national policy³.
- 7.8.2 The Framework encourages investment and growth. However, there is no lack of schemes or investment interest in the locality which could justify relaxing standards relating to good connectivity or good design. This area is full of growth opportunities, with several consented schemes and major applications⁴. The appeal site is too important a site within the OA on its own terms to accept a substandard scheme.

¹ ID22 – Letter from Mr Boardman to chief executive, dated 15 March 2012, criticising adoption of the DIFS at the January 2012 cabinet meeting

² ID 16 - Briefing note: VNEB Tariff and S106, Table 1: VNEB tariff calculation for Island site and Table 2: specific items that contribute towards the VNEB tariff

³ The Framework – paragraphs 58, 61 and 64

⁴ Vauxhall Tower, Vauxhall Sky Gardens, Market Towers, Embassy Gardens, CLS site and New Covent Garden

7.9 Conclusions

- 7.9.1 The appeal scheme proposes to convert an unused piece of semi-waste ground into a busy, high-density residential and commercial use in the centre of a heavily trafficked urban gyratory system. There are no existing formal links to the surrounding highway/pedestrian network. The Council's 'Strategic' reasons for refusal to this scheme remain, which relate to the comprehensive regeneration of Vauxhall area, and the emerging district centre.
- 7.9.2 The transport issues concerning highway safety and connectivity arise from the failure to provide an at-grade crossing on Wandsworth Road to and from the river and the St George Wharf development. The amenity and play space issue also remains. For all these reasons, this application should not be given planning permission.

8. THE CASE FOR KYLUN LTD.

The material points are:

8.1 Compliance with the Development Plan and the OAPF

- 8.1.1 The development plan consists of the recently published London Plan and the Core Strategy which was adopted recently following independent scrutiny. The strategic nature of the CS means that site specific policy needs to be sought from the policies of the saved UDP. The saved UDP policies are older but the relevant site specific policy for the application site remains consistent with the CS, is up-to-date and relevant to determination of this application. As a consequence, the relevant site specific policy is also contained in the emerging SSAD Development Plan Document.
- 8.1.2 In addition to which, the OAPF is deeply rooted in the development plan. It has been the subject of informal scrutiny by the Secretary of State. As such, it is to be given significant weight by the decision-maker as a plan-led material consideration.
- 8.1.3 The appeal proposal is more a product of the plan-led system in terms of its height, scale, location, mix of uses and public realm than any of the other tall London building cases in recent years¹. These key aspects are explored below.

Location and Quality of Tall Buildings

Policy

- 8.1.4 The London Plan identifies the site as being in an area where tall buildings are likely to be appropriate². In terms of its generic policies, tall buildings wherever they are located are required to be of the highest architectural

¹ CDs I.7, I.15 and I.16 – Vauxhall Tower, Heron Tower and Shard decisions

² CD B.1 – The London Plan Annex 1, Opportunity Areas

quality¹. The CS specifically identifies the Vauxhall Heart site as being appropriate for high quality, mixed use tall buildings².

- 8.1.5 The more generic policies on tall buildings and view management in the London Plan lead the OAPF to support tall buildings at this location and indeed to give an indication of appropriate heights³. The OAPF suggests that buildings should have a secondary relationship with the Vauxhall Tower which, at 180m, forms a pinnacle to an emerging Vauxhall cluster. It identifies a more detailed tall building strategy which, if followed, is unlikely to result in harm to the setting of the Westminster WHS or important river prospects.

Compliance

- 8.1.6 The proposal follows exactly the approach which the CABE/EH guidance speaks of as relevant in such cases. The tall buildings proposed are clearly of "a high quality architectural design"⁴. The towers are designed with an elegant, sculpted and legible form and positioned to create an attractive composition in both near and distant views. The alignment of the buildings on the site reflects the local and more strategic importance of the site and its place in London. The façades address the main routes and spaces. The wider elements of the proposals are handsome and exciting in their mass and detailing.
- 8.1.7 The use of stone (not glass) to reflect the structural truth of the building will be seen as an important shift in tall building design in years to come. The depth of the stone reveals alters as the building addresses different solar conditions on each façade giving the building a richness and depth which not many tall buildings achieve. This is architecture of the highest order.
- 8.1.8 At 140m at their highest the towers achieve the secondary relationship with Vauxhall Tower required by the OAPF. In addition, they have an interesting and honest architectural expression and would make a positive contribution to the London skyline. They do so at a location which in development plan terms has been identified as appropriate for tall buildings⁵.

Land Use

Policy

- 8.1.9 The site lies within the CAZ and the VNEB OA. Within OAs the London Plan Policy 2.13 supports high density, mixed use developments which, among other matters, provide necessary social and other infrastructure to sustain growth and, where appropriate contain a mix of uses. The CS policy for Vauxhall and Vauxhall Heart (Policy PN2) in particular requires support for

¹ CD B.1 – The London Plan Policy 7.7

² CD B.2 – CS Policy PN2(f), Extent of Vauxhall Heart is indicated in Diagram 2: Places and Neighbourhoods, Vauxhall

³ ID7 – OAPF, Tall Buildings Strategy Section 8

⁴ CD F3.1 and F3.2 – Words used in the 15 February 2011 and 15 March 2011 Committee reports

⁵ CD F3.1 and F3.2 – Extracts from the 15 February 2011 and 15 March 2011 Committee reports

mixed use developments and the promotion of active ground floor uses with a focus of new retail uses around the transport interchange to create a district centre.

- 8.1.10 The saved UDP Policy MDO76 requires some of the site to be developed for open space as a setting for the transport interchange and to include or provide a subway entrance to the underground station. The OAPF also make it clear that the site serves an important role in providing the opportunities for access to/egress from the intended linear park¹.

Compliance

- 8.1.11 The appeal proposal was driven by the development plan and meets each of these layers of up-to date policy. It does so in a series of buildings and spaces which have the potential to inspire, excite and delight. It provides the required mix of uses for the site and ensures that these uses have active frontages, as defined by UDP Policy 19.
- 8.1.12 The Council points to the three specific aspects of the design and layout which they claim cause it to fail against the development plan: insufficient active frontage, insufficient retail floorspace and location of the scheme's servicing elements.

Active Frontage

- 8.1.13 The Council explains that the entire Island site presents an opportunity to provide retail frontage. The podium concept is promoted to illustrate how that would allow enhanced frontage to be provided².
- 8.1.14 The approach ignores the acknowledged policy requirement for this site to provide a setting for the transport interchange by way of public open space. The provision of frontage around the entirety of the site is inimical to the requirement of providing a functional and physical setting for a transport interchange. The public open space setting requirement could not be met at fourth floor level in the 'foothills' of any development³.
- 8.1.15 Identification of the entire perimeter of the site as active frontage in the OAPF is an indicative plan⁴. It does not and cannot override the site specific development plan policy. In any event, the main stakeholder of the OAPF, the Mayor, has indicated that he is satisfied with the nature of active frontage proposed by this proposal and that it accords with the principles of the OAPF⁵.
- 8.1.16 The scheme presents the only realistic way of meeting all limbs of the development plan requirements. Thus, to meet the mixed use requirements of the site (CS Policy PN2 and the London Plan CAZ), a series of ground

¹ ID7 – OAPF, Figure 7.15

² LBL/TF/2.4 – Mr Farrell's Appendix TF6. LBL/TF/2.3 – Mr Farrell's PowerPoint presentation, slide 35

³ LBL/TF/2.4 – Mr Farrell's Appendix TF12, page 10: example of the open space on top of "foothills" concept

⁴ ID7 – OAPF Figure 7.26

⁵ CD H.6 – GLA Letter to PINS, dated 9 January 2012

floor entrances are provided in the design. These would be animated and open to the public to access retail units at ground level, entrances to the hotel, residential and commercial lobbies, hotel facilities and entrance to community plus restaurant facilities at first floor levels¹. There is scope for intensification of retail, restaurant and other ancillary activities supporting the transport interchange, which can be added to the Island site (on and beyond the application site) as a series of pavilions².

- 8.1.17 To meet the requirement for open space setting, as well as ensuring optimisation of the site, tall buildings are required³. The benefit of well-designed tall buildings is that they allow release of space at ground floor, which in turn generates public open space that can be used to provide an appropriate setting for the transport interchange, as required by policy.
- 8.1.18 The frontages have been carefully considered to reflect the requirements of the OAPF for the site to play an important part as the access to/egress from the new linear park⁴. Two accesses of equal weight are required⁵. The most direct route from the south west would pass into the site via an extended public and landscaped place before directing pedestrians through the winter gardens to the transport interchange. The other lands on the south east corner of the site. The disposition of the towers provides appropriate routes to allow the site to address its entry/exit role. A podium solution would not allow that most direct route to be delivered⁶.
- 8.1.19 In this way, the proposal allows the provisions of the development plan to be met in a logical, consistent and appropriate manner. There is also sufficient flexibility in the design to ensure that any reasonable subsequent approach to building the townscape in this location is not prejudiced.

Retail

- 8.1.20 That the site makes an insufficient contribution to the creation of a district centre in retail policy terms is a new criticism which was never previously raised and is not an objection taken forward by the Mayor of London. The CS suggests the creation of a new district centre at Vauxhall with a focus for retail around the transport interchange. It does not identify which sites are to provide retail development or at what level. UDP Policy MDO 76, which is accepted to be consistent with the CS, provides no requirement for any given level of retail development on the appeal site.
- 8.1.21 The evidence base for the CS recognises that the sites around the transport hub do not have the opportunity for development that would provide such a focus⁷. It goes on to explain that individually sites with development

¹ ID5 – Application plans, KL/MS/1.4 – Mr Squire’s rebuttal Proof of Evidence, plan showing active frontages. KL/MS/1.5 – Mr Squire’s PowerPoint presentation slides 121-123

² KL/MS/1.1 – Mr Squire’s Proof of Evidence, page 75: Masterplan vision of future intensification

³ UDP Policy MDO 76 and CS Policy PN2

⁴ KL/MS/1.4 – Mr Squire’s rebuttal Proof of Evidence, response paragraphs 3.3-305 and accompanying diagram,

⁵ ID7 – OAPF Figure 7.22

⁶ KL/MS/1.5 – Mr Squire’s PowerPoint presentation, slide 104

⁷ ID23 – LDF Core Strategy Topic Paper 6: Retail (March 2010)

potential provide active frontages, but collectively they are unlikely to result in the establishment of sufficient retail and associated uses for a clearly defined district centre. Instead, they would be likely to play a complementary role in the creation of a district centre function which might stretch as far south as Wandsworth in due course¹.

- 8.1.22 Little weight can be given to the identification of a generic definition of district centre in the Annex to the Core Strategy in determining what is an appropriate level of retail development on this site. This is because the site lies within a CAZ where there are no district centres and retail centres are classified as CAZ frontages². Table A2.2 of the London Plan confirms Vauxhall's potential for change to a CAZ frontage over the Plan period, but even that is subject to the specific requirement of a retail assessment. Therefore, there is no guidance against which the provision on site can truly be said to be deficient; no site specific identification of an appropriate amount of retail, or any real indication of the size or ultimate location of the district centre either.
- 8.1.23 In any event, whatever the outcome of the eventual retail assessment and size of district centre/CAZ frontage to be promoted, the appeal site cannot be said to be making an inappropriate or insufficient contribution³. It provides significant retail frontage in the area of the transport interchange/CAZ frontage between the bus station and the new underground entrance, at the base of Tower A. The hotel use is an appropriate town centre use and will itself contain many A class uses: the lobby will be an active publicly available space. There will be as usual a shop, florist, newsagent all as part of the hotel offer but also available to those who live locally and pass through the transport interchange. That such uses are contained within the hotel use overall does not diminish their essential A class functions for members of the public, as evidenced by examples of transport interchange hotels elsewhere in London⁴. Additionally, the policy requirements for employment uses, public open space, entrance to tube station/crossing of Wandsworth Road militate against an over provision of retail uses.
- 8.1.24 Finally, nothing proposed here prejudices the balance of other sites surrounding the transport interchange making their own contribution to an overall district centre in due course. The proposal has the potential to engage with the new high street envisaged by the Vision⁵.

Service Arrangements

- 8.1.25 From the earliest date of pre-application considerations it was made clear to the then applicant by the GLA, TfL and the Council that service access to the

¹ ID23 – LDF Core Strategy Topic Paper 6: Retail (March 2010), penultimate paragraph

² CD B.1 – The London Plan, Annex A2.4

³ KL/MS/1.5 – Mr Squire's PowerPoint presentation: Analysis of town centre uses to be provided in the site together with a comparison with Mr Farrell's concept. In all there is the potential to provide 1200 sqm of town centre uses at ground level

⁴ KL/MS/1.5 – Mr Squire's PowerPoint presentation: slide 70, Renaissance Hotel, St Pancras

⁵ KL/MS/1.4 – Mr Squire's rebuttal Proof of Evidence, page 11: images of how the towers could be integrated into a high street model and promoted in the Vision

site would have to be from Parry Street. No other location would be countenanced. No other access point would be deliverable¹. Service access further north on Wandsworth Road, as suggested by Mr Farrell, is unworkable. An access for a major CAZ development could not be taken off a key bus lane and the major arm of the gyratory.

- 8.1.26 Once Parry Street is selected as the place from which to take servicing, the treatment of the service bay in the design should be seen as inspired. It would be located in a way that would not interfere functionally or visually with either of the accesses to and egresses from the linear park. Servicing in the way proposed allows for the site to remain open and unfettered by vehicles, which would benefit pedestrian connectivity. The architectural treatment of the service area itself means that what is seen is the sculptural efficiency of the building; the public art can act as a signpost for the site, an indicator of the site's character and generosity². This is an area that requires specific and further detailed drawings to ensure that the Squire's vision is not diluted. The matter can be effectively covered by condition.

8.2 Prematurity

- 8.2.1 The appeal scheme was conceived in accordance with the development plan and with reference to an emerging draft OAPF and SPD. It has not emerged in isolation; the Council's officers and officers of the GLA have played a fundamental role in ensuring compliance with the plan-led approach for the area.
- 8.2.2 The Council's position is that it would be harmful to proceed when a new SPD was imminent. The first question to be considered is the weight to be afforded to the emerging SPD as a material consideration. The second question to be considered is whether the appeal scheme would prejudice the aims of the Vision, and finally whether determination of this appeal should await publication or adoption of the SPD.

Weight to be afforded to the emerging SPD

- 8.2.3 The Council states that the draft SPD has been overtaken by events and that the new SPD will reflect a new Vision for Vauxhall Heart. The Council's witness accepted that it would be a very different document³. On any view of how the planning system in England operates, very little weight can be given to the emerging SPD. First, the new refreshed SPD simply does not yet exist. Nor will it exist in any real form even in draft until the autumn. All that exists is a series of work boards (ID18) which are recognised as being work in progress by Mr Farrell.
- 8.2.4 Although the boards have been the subject of very limited public consultation, the nature of the responses to that consultation has not been collated or considered in any formal way. It is not clear therefore what the views of the public are in respect of this vision. Main stakeholders have not been formally consulted either. What is clear so far is that two key limbs of

¹ Unchallenged evidence of Mr Caneparo and Mr Squire

² KL/MS/1.5 – Mr Squire's PowerPoint presentation, slides 133-135

³ Miss Young in cross examination

the Vision, i.e. removal of the bus station and creation of a public square at the site of the present gyratory, would not be supported¹.

- 8.2.5 There is a fundamental question mark being cast over the Vision at such an early stage from TfL and London Buses². They require a full assessment of the transport impacts to be undertaken before the masterplan is taken further. Such an assessment is not even programmed into the Council's adoption schedule. It is a very complex piece of analysis, and must itself throw doubt on the timetable for adoption. The decision maker cannot pre-judge the formal consultation process. Provisions of the new Vision are not likely to be free of controversy. To place weight on the contents of the document at this stage would be contrary to the planning process.
- 8.2.6 In any case, some of the provisions of the Vision would not appear to be compliant with the specific requirements of the development plan. For instance, abandoning the requirement for the Island site to provide public open space in accordance with Policy 50 of the saved UDP would appear to be an unlawful alteration of local plan policy outside of the process.
- 8.2.7 For all of these reasons, little weight should be given to the new non-statutory, non-adopted, non-published SPD as a reason for refusing permission.

Conflict with the Vision

- 8.2.8 Even if the aims and objectives of the Vision were to pass through the process relatively unscathed, the scheme would be in tune with them. Not only does the design and layout meet the needs of the development plan but has the strength and flexibility to adapt to changing circumstances. It provides a setting for the bus station, as required by the development plan and allows both sides of Bondway to be developed in due course should that concept find its way through the planning system³. Equally, the proposal would not undermine two-way operation of the gyratory or linkage to the linear park.
- 8.2.9 The only potential conflict between the proposal and the concept is the absence of public open space from the Vision, as presently drafted. Any conflict between the Vision and the development plan must be resolved in favour of the development plan. The Inquiry was assured that in the final version of the SPD there would be no conflict with the development plan and that the requirement for open space would therefore be reflected in the new document.

¹ CD H.6 – GLA letter to PINS, page 6, dated 9 January 2012

² ID38- email from dated 22 December 2011: TfL response to the Vision

³ KL/MS/1.5 – Mr Squire's PowerPoint presentation: slides 114-119. 115 illustrates how the scheme would fit in with a retail street and public square in place of the existing bus station. Slides 116, 118 & 119 show a perspective and photograph of the model with the retail street replacing the bus station, with the Kylun towers and winter garden behind the retail units. Slide 117 depicts an example of two-storey retail block at Smithfield with taller buildings beyond

Should the SPD's final publication and adoption be awaited?

- 8.2.10 It is a settled principle of planning that an applicant is entitled to a determination of an application on its merits, applying the policies and other material considerations available to the decision maker at the time of determination.
- 8.2.11 The concept of prematurity only exists in relation to decisions which are so fundamental that they risk prejudicing the outcome of the local plan process and should therefore await its completion¹. This is not a case where the development plan process is harmed at all. The development plan is up to date and has recently been reinforced by the OAPF. The emerging SPD is not a development plan document. It cannot create new policy and must be consistent with the development plan. In these circumstances, there can be no viable suggestion that determination of this application on its merits should lead to a refusal because an SPD is yet to be published.
- 8.2.12 It was a clear recognition from the Senior Strategic Policy officer that a prematurity argument would simply be unarguable in circumstances when the Vision was not yet policy and not yet even written down anywhere as draft policy². (ID13)
- 8.2.13 There has never been a Secretary of State refusal based on anything other than these development plan grounds. The Heron Tower and Shard decisions were both predicated on the extant policy base and refusal on the basis of prematurity or an emerging guidance was not an appropriate option³. The Secretary of State saw nothing in the 'prematurity' argument when advanced in relation to the Bondway scheme relatively recently⁴. And in the present case he has the added advantage of a published OAPF. Planning cannot stop until an SPD comes about and the argument should not be supported.

8.3 Pedestrian Accessibility

- 8.3.1 The Council's case is that an at-grade pedestrian crossing is required across Wandsworth Road between the middle/northern end of the site and the St George Wharf development to the west. Without the crossing the concern is that the development would not have the appropriate level of permeability and would increase the potential for accidents involving pedestrians on Wandsworth Road⁵.
- 8.3.2 The Island site is presently isolated and inaccessible in any true sense to pedestrians. The proposal transforms this position with five new or

¹ CD A3.2 – The Planning System General Principles (2005), paragraph 19 in particular

² ID13 – Email from Head of Strategic Planning to planning officer (Majors Team), dated 18 August 2011

³ CD I.15 – Heron Tower, IR paragraphs 15.161-15.168 and Shard, IR paragraphs 16.114-16.117

⁴ CD I.1 – Secretary of State Bondway decision, paragraph 17, and IR paragraphs 141-144

⁵ Mr Upton confirmed that the Council did not take the position that family housing was inappropriate without an at-grade crossing, as indicated in Mr Harris' closing (paragraph 156 ID41). The Council is not suggesting that family housing should be removed, as it is an important element of the scheme.

improved means of access to the site and a new subway¹. This enhancement constitutes a step change for the accessibility and permeability of the site. Each of the new crossings has been specifically developed and agreed with TfL.

- 8.3.3 In terms of the development plan: there is no requirement for an additional crossing identified in the UDP (though an underground crossing which is to be provided was seen as essential²). The OAPF does not identify a further crossing as essential. It indicates a progressive approach to enhancing permeability across the area.
- 8.3.4 The vast majority of east-west movements reflect a south-west/north-east desire line. This desire line will be strengthened when further OAPF development takes place and will be catered for appropriately by the enhanced and new at-grade crossings provided at the south western corner of the Island site³. This provision of safe crossing places along main desire lines would significantly enhance the crossing profile of the road. At present this can include some 600 informal crossings a day⁴, though there is no actual accident record associated with such crossings⁵.
- 8.3.5 Appropriate hard and soft landscaping is capable of reducing yet further the prospect of accidents associated with informal crossing. The exact nature of the provision will be determined by discharge of a condition. The highway and strategic authority is in no doubt that appropriate provision can be made. TfL accepts that a suitable package of measures to encourage pedestrians to take a safe route is an appropriate alternative⁶. Illustrative schemes consistent with the wishes of TfL have been provided⁷.
- 8.3.6 On-site play facilities for under-11s are proposed⁸. For the over 5s, the policies accept that provision can appropriately be provided off-site⁹. A payment calculated by way of DIFS is to be spent at Spring Gardens and Vauxhall Park. Access to these facilities does not involve crossing Wandsworth Road at all.
- 8.3.7 TfL and GLA are both specifically satisfied that the site is appropriately and safely accessible. Their position with regard to the pedestrian crossing at Wandsworth Road is that it would be beneficial in improving direct linkage between the site and the river, but it is not essential to mitigate the impact of the development¹⁰.

¹ KL/PC/5.2 – Mr Caneparo's Appendix A: plan showing existing and proposed pedestrian crossings

² CD B.3 – UDP Policy MDO76

³ ID21 – Appendix A to CD G 2.20, Pedestrian flow diagram 1

⁴ KL/PC/5.2 – Mr Caneparo's Appendix C, Pedestrian survey Wandsworth Road

⁵ KL/PC/5.2 – Mr Caneparo's Appendix D, Accident data

⁶ CD G3.15 – Email from TfL, dated 15 February 2011

⁷ KL/RH/3.1 – Mr Hannay's Proof of Evidence, Figures 4 and 5

⁸ ID5 – Application drawing number: P_01_G200_001C, Level 01 soft play area

⁹ CD E2.3 – SPG: Providing for Children and Young People's Play and Informal Recreation (2008), Table B.4

¹⁰ CD H.6 – GLA letter to PINS, dated 9 January 2012, page 2

- 8.3.8 In February 2011 a modelling exercise was commissioned to determine the effect of a pedestrian crossing on Wandsworth Road¹. The study concluded that the crossing would result in vehicle delays and queuing and that the provision of such a crossing would be better approached as part of the VNEB study. The present position is that TfL considers that a crossing would have an unacceptable impact on the capacity of the Vauxhall gyratory and that a crossing at the point suggested should be considered as part of the wider solution for the area².
- 8.3.9 TfL also advises that the appellant should further investigate the crossing. If deemed unfeasible, then contributions towards improvements to the wider public realm/gyratory would be acceptable as an alternative³. If it is a feasible option then the crossing is to be provided at the developer's cost. The S106 is drafted accordingly. The SoCG confirms the adequacy of the timetable for TfL, as well as the quantum of contributions to be paid⁴.
- 8.3.10 Therefore, if such a crossing is deliverable, it will be delivered by the S106. If it is not deliverable and a requirement to provide it was maintained in the Grampian condition proposed by the Council (ID27A), then it would blight the development of the site for any significant purpose for the foreseeable future⁵.
- 8.3.11 The proposal as a whole must be seen as a clear enhancement in road safety terms, a sufficient and policy compliant provision in terms of permeability, and a well-considered package of enhancements in the round. The Vision aims to simplify road junctions and create direct pedestrian crossings to overcome the domination of the gyratory. It further anticipates two way streets. These are long term aspirations which the appeal proposal would not prejudice. There is no reason to refuse permission based on the absence of a third crossing on Wandsworth Road.

8.4 **Public Open Space, Amenity Space and Play Space**

Introduction

- 8.4.1 The application site lies in one of the tightest, most inner urban areas, and where there is a need to apply open space policy to a significant redevelopment opportunity with flexibility. This scheme comes with a full off-site contribution in accordance with the new DIFS tariff, in addition to maintaining pre-DIFS payments for specific maintenance and projects identified historically by the appellant.

Amenity Space

- 8.4.2 The provision of appropriate levels of amenity space is judged by reference to the adopted SPD⁶. That SPD in turn is guidance to be applied flexibly and contextually to each case.

¹ CD G3.14 – Colin Buchanan Technical note

² CD H.6 – GLA letter to PINS, dated 9 January 2012, page 2

³ CD H.6 – GLA letter to PINS, dated 9 January 2012, page 2

⁴ CD F4.3 Supplementary SoCG, Table 2: S106 built items

⁵ Mr Wisher accepted in cross-examination

⁶ CD C1.3 – Guidance and Standards for Housing Development and House Conversions SPD

- 8.4.3 Operation of the standard would give rise to a requirement of 2,960sqm, if the amenity space were to be provided on site¹. The proposed Sky Garden (188 sq m) and the private amenity space provided internally (1,500 sq m) to the scheme are properly to be taken into account in determining the level of provision². Internal play space is to be taken into account as amenity space and added to the calculations.
- 8.4.4 Although the Council accept that play space should be counted as part of the overall provision³, their figures continue to estimate a shortfall of some 1,270 sqm⁴. In the present case, an entire floor is devoted to soft play and its attendant requirements - the layout of which is entirely within the control of the Council. The entire floor of 738 sqm should be included, as ancillary areas fall within the definition of local play area⁵.
- 8.4.5 When these three sums are totalled, and judged against the requirement of 2,960 sq m, there is a notional shortfall of about 534sqm. The space provided in the scheme is a prodigious achievement in an inner London context.
- 8.4.6 The Council's SPD explains that provision can be made in the form of communal space for amenity purposes, or through off-site provision by way of a commuted payment⁶. Communal gardens is defined at paragraph 2.9 of the SPD. There is no separate definition of communal space. Clearly, spaces that meet the definition are intended to be taken into account as potential amenity space. There is no requirement for that communal space to be available solely for residents' use, in the same way that amenity space provided off-site are not reserved for the exclusive use of residents of the development. The examples are Spring Gardens and Vauxhall Park
- 8.4.7 The communal space provided within the red line part of the Island site would exceed 1,851 sqm. The area beyond the red line extends to 1,227 sqm and is required by the S106 (and proposed conditions) to be landscaped in the same way as the area within the red line. The vast majority of this is usable community space which is capable of passing the definition set out in the SPD. The officers of the authority agreed with this view⁷.
- 8.4.8 The suggestion that it will be of no amenity use to residents is wrong. Or that the area would be a major thoroughfare is exaggerated. Space can be landscaped in any form that the authority wishes. It can be laid out with extensive landscaping, with significant seating and meeting areas, and with other amenity furniture. It would clearly be of significant amenity value to residents, notwithstanding the fact that it would not necessarily be reserved for their exclusive use. Thus, seating areas can be utilised, garden areas

¹ CD F4.4 – Supplementary SoCG: paragraph 5

² CD F4.4 – Supplementary SoCG: paragraph 8

³ Accepted by Mr Upton in closing

⁴ ID14A – LBL calculation of shortfall in amenity space

⁵ CD C2.3 – GLA SPG: Providing for Children and Young People's Play and Informal Recreation

⁶ CD C1.3 – Guidance and Standards for Housing Development and House Conversions SPD, paragraph 2.6

⁷ CD C3.2 – March 2011 Committee report, paragraph 53

enjoyed, quiet eddies off the main flows installed¹. It would comprise a welcome space of gathering, and an important asset of the scheme.

- 8.4.9 Given the quantitative shortfall of less than 600 sq m, it would be unreasonable not to take any of this space (in excess of 3,000 sqm) into account in determining whether sufficient amenity space is provided by the proposal. It is contrary to the approach of the officers who accepted that the on-site provision exceeds the numerical requirement of the SPD approach². It also runs contrary to the practice of this authority on nearby developments where public open space is included in the overall provision of amenity space³.
- 8.4.10 The appellant goes further than on-site provision. The Council has chosen to employ a DIFS tariff within the OAPF⁴. The tariff seeks fully to mitigate the impact of proposals in respect of, inter alia, their impact on open space, including by definition communal open space. The main impacts such as transport, open space, community uses, and education are all meant to be incorporated into the tariff. Set-offs are available if physical provision is made outside the tariff process to avoid double-counting⁵.
- 8.4.11 In this case, the appellant provides a full open space tariff payment, in addition to the amenity space it provides on-site and in the wider area of the development as a whole. The SPD is clear in that amenity space contributions can be made by way of off-site contributions. The level of contribution necessary to make a site acceptable in terms of Community Infrastructure Levy (CIL) Regulation 122 is set by DIFS.
- 8.4.12 The scheme goes further. In the run up to determination by the Council, the appellant agreed a set contribution for children's play and trim trail facilities in Spring Gardens. The DIFS contribution overtook this provision. But since a commitment had been made, this payment and a maintenance payment have been retained as part of the amenity/play space offer⁶. No discount from the DIFS has been given for this additional payment.
- 8.4.13 Thus, there is an adequacy of amenity space provided with the scheme. The open space and recreational needs of the OA were assessed and identified in the DIFS. The open space provision is bolstered by the provision of a full DIFS payment for open space and additional payments to further reinforce the amenity space case. The provision is to be delivered by means of the tariff, which has been informed by the DIFS. It is wholly in accordance with paragraph 73 of the Framework.

¹ KL/RH/3.2 – Mr Hannay's Appendix 2, Planning application drawings

² CD C3.2 – March 2011 Committee report, paragraph 51

³ CD C3.1 – February Committee report, section 3.5: neighbouring planning applications

⁴ ID7 – OAPF, Chapter 10

⁵ CD LBL I.13 – DIF Study, Section 5. In this case: see ID16 Table 2, build items contributing towards the VNEB tariff

⁶ ID 26 – S106, play space and Spring Garden contributions of £85,253 and £120,000 respectively

Play Space

- 8.4.14 Applying the GLA guidelines gives rise to a requirement for under-5s play area on site of 380 sqm¹. The soft play floor (level 01) made entirely over to children's play area more than meets this requirement (entire floor is 700 sqm plus). Since the space would be open to all under-11s², it would assist in meeting this higher age provision as well.
- 8.4.15 For over 11s, it is common ground that provision can be made off-site. The calculation of the necessary off-site payments is again undertaken via the DIFS tariff. A full tariff has been levied on the proposal. No off set has been made for the over-5s provision on site. It is clear from the DIFS evidence base, that such sums are likely to be spent to mitigate the impact of the proposal on Vauxhall Gardens and on Spring Gardens³. It is also clear from the DIFS system and the SoCG that such payments can operate to enhance the capacity of the Parks. Otherwise it would be unlawful to seek the payments. The fact that the tariff secures Open Space contributions from the proposal demonstrates that contributions can be used to mitigate impacts of development on local parks.

Complementary Open Space

- 8.4.16 The Bondway proposal failed because it did not provide sufficient complementary open space⁴. The absence of such space was considered to cause harm on two fronts. First, it meant that the site lacked a civic gathering place, a place to absorb the immediate activity of those who lived in it⁵. Second, because the near views of the building lacked an immediate context⁶.
- 8.4.17 In contrast to the Bondway scheme, the appeal proposal leaves 51% of the site to function as complementary open space (ID31). In excess of 3,000 sqm of open space would be provided. It is the civic gathering space which the Secretary of State had in mind when identifying the concept of complementary open space in the Bondway decision. Where Bondway failed to set a good example, this proposal at over 50% public open space accords with the development plan requirement for the site to provide such a facility.

8.5 Affordable Housing

- 8.5.1 London Plan Policy 3.12 urges local authorities to seek the maximum reasonable amount of affordable housing when negotiating on private residential mixed use schemes. It is common round between the Council and the appellant that the proposal provides a policy compliant provision of affordable housing. CS Policy S2 looks for 40% affordable homes, where there is no public subsidy, subject to independently validated evidence of

¹ CD F4.4 – Agreed in Supplementary SoCG, paragraph 7

² ID 26 – S106, Schedule 2 Part 5, sub-section 3.6

³ CD I.13 – DIFS VNEB Final report, section 14

⁴ CD I.1 – Bondway decision paragraph 26 and IR paragraph 557

⁵ CD I.1 – Bondway decision IR paragraph 548

⁶ CD I.1 – Bondway decision IR paragraph 551

viability. The policy also requires the mix of homes to be 70% social rented and 30% intermediate.

- 8.5.2 The proposal's affordable housing provision was developed in 2010 using the GLA Toolkit Model¹ to establish the maximum reasonable provision of affordable housing that could be achieved without rendering the development unviable. The July 2010 viability assessment was open to scrutiny and formed the subject of discussion with the Council's appointed consultants (BNP Paribas) between August 2010 and March 2011. The consultants had no material concerns in relation to the valuation inputs (including the commercial elements) or the residual land value outcome². The high build costs are not surprising³, given the exemplar architectural solution for the site and have not been challenged by the Council.
- 8.5.3 Insufficient affordable housing as an objection was initially pursued by the Council. More detail was requested in relation the Alternative Use Value (AUV) scheme⁴; the Council was not persuaded that the alternative scheme (student housing-led mixed use) was feasible in planning term or a genuine alternative. Accordingly, use of the AUV scheme could not be recommended for the purpose of benchmarking the financial viability of the appeal scheme⁵.
- 8.5.4 However, following further consultation with the Council and consultants, it is common ground now that the proposal provides a policy compliant provision⁶. The putative reason for refusal was withdrawn on the basis of an updated viability modelling exercise⁷ with costs and values agreed between the parties. It is also agreed that the 17% affordable units is the appropriate level against the AUV benchmark⁸.
- 8.5.5 The preference for an Existing Use value (EUV) approach⁹ is misplaced. Given the development potential of the site, neither a developer nor the planning system will contemplate the present vacant nil use plus some hoardings as a viable benchmark alternative to the proposal. Even if that were the case, the Council had underestimated the nature of the EUV. When properly assessed it is in excess of £11m¹⁰; well above the £2m previously calculated.
- 8.5.6 When the more appropriate AUV is taken into account, the amount of affordable housing agreed in the SoCG (and proffered in the S106) is sufficient on the basis of the current market to constitute the maximum

¹ KL/AH/4.2 – Mr Hibbert's Appendix 2: Proposed Scheme: GLA Development Control Toolkit July 2010

² KL/AH/4.2 – Mr Hibbert's Appendix 5: Email correspondence with BNP Paribas

³ Issue raised by Mr Boardman, See TP7

⁴ CD G5.14 & G 5.15 – Student housing led mixed use scheme proposal, with build costs and financial appraisal and KL/AH/4.2 – Mr Hibbert's Appendix 4: AUV valuation

⁵ LBL/IR/4.2 – Mr Richard's Appendix 8: Briefing note: LBL Major Team meeting May 2011

⁶ CD F4.3 – Supplementary SoCG, Section 2

⁷ KL/AH/4.2 – Mr Hibbert's Appendix 1: Proposed Scheme: GLA Development Control Toolkit January 2012

⁸ CD F4.3 – Supplementary SoCG: paragraphs 3.6-3.10

⁹ TP7 – Mr Boardman's written statement: section 6

¹⁰ CD F4.3 – Supplementary SoCG: Agreed in paragraph 3.11

reasonable provision of affordable housing consistent with London Plan¹ and local policies. Furthermore, a review mechanism in the S106 of the type envisaged by the London Plan would allow an upward only element of provision, in the event that there is an upturn in the housing market.

- 8.5.7 In all other respects, such as size of unit, lifetime homes and quality of provision, the proposal is agreed to be acceptable and in accord with policy².

8.6 **Impact on Westminster WHS and Heritage Assets**

Introduction

- 8.6.1 The local planning authority does not allege any harm in relation to these matters. Its position is that the proposed buildings would enhance the wider townscape and leave the listed buildings unharmed³. English Heritage however retains its objection⁴. The objection pre-dates two important considerations. First, the decision-letter in Bondway in which each and every element of the English Heritage case against the present proposal was considered in principle and rejected. Second, publication of the OAPF, to which English Heritage is a party, in which the strategy of locating tall buildings at *inter alia* this location is confirmed. Also absence of harm to the setting of the WHS at Westminster is specifically identified⁵. Nevertheless, the issues are covered below.

Impact on Westminster WHS

- 8.6.2 The appeal site is not part of the setting of the WHS, but a high building may affect the setting of particular views from the WHS, through it, alongside and over it. The impact on the setting of views from various positions therefore needs assessing⁶.

Whitehall Views⁷

- 8.6.3 The Vauxhall cluster would be read and understood as being very significantly distant from the WHS. From most of Whitehall the proposal would not be visible at all. Where visible, even to its maximum extent such as in front of the Banqueting House, it would not cause harm to the setting of the WHS or to the ability of a viewer to understand and appreciate its outstanding universal value⁸.
- 8.6.4 The new development would be seen momentarily to the left of the existing and listed Millbank Tower (W6) as part of a kinetic experience. Its distance

¹ ID30 – Email from GLA senior strategic planner, dated 16 March 2012, confirming GLA's position that the maximum reasonable amount can be provided by the scheme and accords with the London Plan Policy 3.12

² CD 4.1 – Core SoCG

³ CD F3.1 and F3.2 – February and March 2011 Committee Reports

⁴ WR6 – Letter to PINS from English Heritage, dated 1 December 2011

⁵ ID7 – OAPF: Section 8, Tall buildings Strategy, Figure 7.40

⁶ The HTVIA is drawn from a number of published guidance including the English Heritage publication "Seeing History in the View" (CD E5)

⁷ CD G1.15 – HTVIA: Views W6-W8

⁸ CD D.6 – GLA Draft SPG: draft statement of OUV, integrity and authenticity

beyond Millbank would be clearly apparent to a pedestrian. What would be seen would be a high quality building with an interesting profile. There would be no harm.

Parliament Square Views¹

- 8.6.5 From these views the buildings would be even less visible. If seen at all, they would be an interesting addition to a distant skyline which already contains modern and tall buildings. There is no prospect of harm here.

Views from Bridges

- 8.6.6 Waterloo Bridge²: From Waterloo Bridge the proposed towers would be barely visible. The London View Management Framework (LVMF) River prospect³ would be enhanced as a result of a new layer of depth being added to the Thamescape, as commended in the LVMF River Prospects section.
- 8.6.7 Hungerford Bridge⁴: Suggestions that the proposal constitutes the beginning of a wall of tall development on this horizon are misplaced. The dual and elliptical articulation would be most unlike a wall. Subsequent applications should fall to be determined on their own merits and, in accordance with the high buildings strategy for OAPF, as the appropriate way of properly designing the Vauxhall Cluster. This will ensure a properly defined and articulated cluster at this location.
- 8.6.8 The proposal would add variety and quality to the lumpen and plateau-like middle distance views, which at present are dominated by the St George Wharf development.
- 8.6.9 Westminster Bridge⁵: The proposal would be some way to the left of Millbank Tower, and with clear separation from the WHS. The positioning of the proposal in the heart of the emerging Vauxhall Cluster, and in the centre of the River when viewed from the north and the middle of the bridge, emphasises the positive impact it would have on the existing flat, boring townscape. A worthy addition to the scene.

Impact on Conservation Areas

- 8.6.10 The scheme would appear in views from several of the nearby conservation areas. The level of impact would vary in each one – ranging from mere glimpsed views to more complete ones from those areas closest to the appeal site.

Vauxhall Conservation Area⁶

- 8.6.11 This is closest to the appeal site, with views from Vauxhall Park, Vauxhall Grove, Langley Road and Bonnington Square. The impact would be

¹ CD G1.15 – HTVIA: Views W9-W13

² CD G1.15 – HTVIA: Views R15-R16

³ CD C2.4 – London View Management Framework View 15A

⁴ CD G1.15 – HTVIA: Views R17-R19

⁵ CD G1.15 – HTVIA: Views R20-21

⁶ CD G1.15 – HTVIA: Views L64-68

substantial, given the proximity and height of the towers. But they would landmark the heart of Vauxhall and draw people across the park. The curved receding façades of the scheme's elliptical towers reducing their apparent bulk and expressing clearly and honestly the relationship between the park and the new heart of the Vauxhall cluster. Because of the high quality of the design, the overall effect would be beneficial.

- 8.6.12 The Bondway scheme would have been even more visible from this conservation area, but was found to be acceptable by the Inspector and Secretary of State¹.

Vauxhall Gardens

- 8.6.13 From within the conservation area the proposed development is unlikely to be seen. However, from its southern perimeter the towers would be clearly seen across Spring Gardens². In the context of the tall buildings cluster already permitted, and those yet to come, the southern backdrop of taller buildings is inevitable. The impact on views from the southern edge of the conservation area would be substantial but the high quality design of the Kylun towers would render its impact beneficial on the character of the area.

Albert Embankment

- 8.6.14 The current setting of the conservation area already includes a range of bulky and tall buildings³. The development would add to the setting of southerly views⁴, and would become part of an envisaged cluster of tall buildings. The building's curved forms and slanted tops would present attractive features in the setting.

St Mark's

- 8.6.15 Some of the principal streets align with the development site, making views of the proposed development possible, particularly above the roofline of long terraced streets at Claylands Road and Fentiman Road⁵. The new buildings would be seen as distant landmark features for the Vauxhall area, in the same way to the Vauxhall Tower and other consented or emerging tall buildings. The high quality design would create a visual interest and enhance the views.

Albert Square

- 8.6.16 Of particular importance is the view of the development along St Stephen's Terrace⁶. The taller of the two towers would be viewed above the roofline. Less apparent would be glimpsed views across Albert Square⁷ through vegetation. Tall buildings are already visible from the conservation area.

¹ CD I.1 – Bondway decision and report: IR 610-614

² CD G1.15 – HTVIA: View L70

³ CD G1.15 – HTVIA: Page 16, images

⁴ CD G1.15 – HTVIA: Views R22-R25, L57 and L71

⁵ CD G1.15 – HTVIA: Views M38 and M37

⁶ CD G1.15 – HTVIA: View M35

⁷ CD G1.15 – HTVIA: View M36

The design quality of the proposed scheme would create a neutral effect on views out of the conservation area.

Listed Building - Brunswick House¹

- 8.6.17 This is a Grade II* listed late C18 detached house. It has lost its historic setting. Large buildings and towers dominate views of its frontage. The contrast already exists. In its present condition the Island site does nothing for the building or its setting, which would be improved immeasurably by the development.
- 8.6.18 In all of these circumstances, the proposal should be seen as a very valuable and positive addition to the London skyline causing no harm to the key interests of acknowledged importance.

8.7 Other Matters

- 8.7.1 With regard to wind impact assessment, the ES complies with the scoping opinion. The assessment deals with cumulative impact of the Kylun scheme with Vauxhall Towers and the Bondway development² in place. An assessment was undertaken in May 2010 and a further appraisal carried out in October 2010 following GLA comments on landscape. Legislation is now more rigorous following the incident at Leeds³, which occurred because the wind impact assessment was not tested following design amendments.
- 8.7.2 The ES conclusions on cumulative effect identifies a negligible residual effect on pedestrian level wind condition around the building and on surrounding thoroughfares, with soft landscaping proposals incorporated within the site⁴.
- 8.7.3 Daylight, sunlight, overshadowing, light pollution and solar glare were assessed with the appeal property in place and took into account other developments in the area⁵. The assessments were independently verified and the conclusions generally accepted. As confirmed in the Core SoCG (CD 4.1), the level of daylight and sunlight received in neighbouring properties would not be reduced materially, having regard to BRE guidelines and the central London location of the site. It is also agreed that levels of permanent overshadowing at the four amenity spaces analysed (Spring Gardens, Vauxhall Park, Bonnington Square and St George Wharf) would not exceed the BRE guidelines.

8.8 Conclusions

- 8.8.1 The Framework expects decision makers to deal promptly and favourably with applications which comply with up-to-date plans and national policies. This is clearly relevant to the issue of prematurity which is further marginalised as a concept. Authorities are being told to deliver decisions on the basis of up-to-date policies and not to put off development which would be valuable to the economy as a whole.

¹ CD G1.15 – HTVIA: Views L58-L60

² Inspector's note: the Bondway decision had not been issued when the ES was prepared

³ TP2 - Ms Hofling's written statement

⁴ CD G1.14 – EIA Assessment Volume 1, chapter 8

⁵ CD G1.14 – Environmental Statement Volume 1: Chapter 7

- 8.8.2 The development plan is still the main driver of the system. Localism and local views are to be expressed through the development plan (and Neighbourhood Plans). Localism does not expect local authorities to make decisions which side-step or set aside the local plan process on an ad hoc basis without firm policy backing.
- 8.8.3 Developments which are consistent with growth, including retail, employment and housing are to be prioritised. The economic benefits of such development are given greater weight in the planning system as a whole. The Framework underscores the appropriateness of granting permission. It indicates the need for a swift and positive determination of an application which is consistent with all limbs of the development plan and speaks of the need to develop brownfield sites with good transport links to appropriate densities. It further seeks to stop the unnecessary delay in the grant of permissions that will assist London in becoming the engine of growth of the economy once again.
- 8.8.4 The proposal accords with the provisions of the development plan to a very significant degree; it is a model of plan-led development. The evidence has established a picture of careful collaboration between Squire and Partners and the planning system at all levels for this part of London. Over the course of the determination period, the planning system further shaped the proposal to ensure that it best met the will of the democratic plan-led system for this opportunity area.
- 8.8.5 This exercise has led to support for the development from the strategic authority and lead policy provider for the Opportunity Area, the Mayor of London. It also led to two publicly available and comprehensive reports to committee issued by senior officers of the local planning authority, which clearly support the principle and detail of the proposal¹.
- 8.8.6 The support from Lambeth's officers has now been removed. Members are fully entitled to take a different view, but in this case officers altered fundamental and agreed propositions of principle and detail with no policy support for such change². Notwithstanding this history, the application falls to be determined on its merits now. The appellant is content for the proposal to be scrutinised accordingly, because in its compliance with an up-to-date policy matrix, it probably surpasses any other tall building proposal in London determined by the Secretary of State and deserves to be granted permission.

9. THE CASES FOR OTHER PARTIES APPEARING AT THE INQUIRY (in order of appearance)

The material points are:

9.1 Mr David Hughes – Resident of Vauxhall³

- 9.1.1 A major development of the scale proposed means more people and more vehicles in an area where the transport system is already at breaking point.

¹ CD F3.1 and F3.2 – February and March 2011 reports

² CD F3.4 – October 2011 report

³ TP1 – Mr Hughes' written statement and ID45

Since Vauxhall Bridge was erected, Vauxhall Cross has been the main commercial route between the north and south of London, and linking beyond to the north of the country via the M1 motorway. Cycling will remain the transport choice for shorter journeys but the area will continue to attract traffic for the longer trips.

- 9.1.2 It would be unwise to build a residential development with business units on this busy traffic island, which is in essence a giant roundabout. Providing only 30 parking spaces on a development of this scale, and with the mix of uses proposed, is unworkable. The St George Wharf development by contrast has 1000 parking spaces for 1400 residential units.
- 9.1.3 The underground system is already congested; during the rush hour travellers are often held back at the gate line. That TfL is proposing new gateline, and a second subway entrance is to be added, indicates that greater passenger flows are expected. The second gate line could lead to further overcrowding on the platforms.
- 9.1.4 This would be an opportunistic and speculative development rather than one benefiting the local community. Other sites are better suited to a development of this kind, especially along the embankment where there are empty 1970s office blocks.

9.2 **Ms Hofling, Representing Viva Vauxhall Residents' Association¹**

- 9.2.1 At a general meeting of the Residents' Association held in January 2011 a convincing majority voted to oppose the Kylun development.

The VNEB 'bubble' effect

- 9.2.2 The VNEB OA stands in splendid isolation as an alien bubble parachuted into a deprived area of low rise hinterland. The forest of the Vauxhall cluster will inhabit a Manhattan style peninsula. The existing communities will be left to deal with the fallout of these hyper-dense developments while their own pressing needs of affordable homes, employment and training opportunities remain unaddressed.
- 9.2.3 The Kylun development whether viewed on its own or in the VNEB OA context is a case in point. The affordable housing component has shrunk to 17% (when compared with the 40% promised in the OA) and the gyratory will not be removed or returned to two-way traffic. The Kylun project symbolises the broken promises and democratic deficit in policies relating to this OA.
- 9.2.4 The development is conceived in isolation. Mr Farrell confirmed the towers would not integrate well with the wider urban landscape. The emerging SPD should be given a chance to progress with the local community before a decision is made on the project. There is no reason for the local community to be accommodating towards a development that is plainly not appropriate to its surroundings, be it the six-lane gyratory or the low rise buildings around it. The intention to erect barriers in the interest of

¹ TP2A & 2B – Ms Hofling's written statements

pedestrian safety, shows that the scheme has no greater ambition beyond erecting two tall luxury towers squeezed on to a traffic island.

- 9.2.5 The development would not add any substantial value to the immediate neighbourhood. It would overshadow and over-dominate the area, while aggravating the pressure on local services and infrastructure. Victorian terraced homes would be plunged into shade for much of the late afternoon/early evening in the summer.
- 9.2.6 The wind effects of the development are a considerable concern. The elliptically shaped towers would bring the upper level, high speed winds towards the ground, which would then be forced between the towers adding to the speed of the wind. The conclusion that the wind tunnel effect would be negligible is surprising, given the conditions predicted at 35-43 Bondway. The wind assessment is out of date and takes no account of tall buildings as part of the emerging cluster, which can make existing problems worse. The combined effect of the Vauxhall tall buildings cluster is not assessed nor quantified. The issue of impact on wind conditions beyond the immediate surrounding of a building also continues to be ignored.

9.3 **Mr J Mullineaux – Local Resident**

- 9.3.1 Planning policy for the VNEB OA is being dictated to by developers with little thought given to context and only fleeting reference to infrastructure. The proposal would similarly add enormous pressure on the limited parks and local open spaces. Tall buildings would lead to an increased sense of enclosure.
- 9.3.2 Surrounded by busy 4-6 lane roads is not only a less than pleasant prospect for future residents of the new development but is also going to impede the flow of traffic and add to pollution. Servicing arrangements would lead to conflict with pedestrians and buses. An emergency situation at the hotel could constitute a major disruption. The towers would inhibit movement across Vauxhall Cross. From the transport interchange, travellers would be hemmed in between the development and the traffic.
- 9.3.3 A number of businesses have already closed down in the wake of the VNEB with little regard for jobs or opportunities across the railway line. Developments in the area, including the Kylun scheme, have little to add to employment beyond the service and retail industries. Like the many plans for the area, the appeal development offers almost nothing. It is the wrong project in the wrong place.

9.4 **Ms J Opher – Local Resident¹**

- 9.4.1 The type of development proposed here is more reminiscent of Dubai or downtown Houston, where space around buildings is used for parking and shopping malls, in contrast to the successful Manhattan model which provides a framework for city life at street level. The towers are just too big for the site, creating awkward and unsatisfactory spaces around them which cannot be used as pavements, park or square.

¹ TP4 – Ms Opher's written statement

- 9.4.2 Placing a canopy over space left over between buildings does not amount to creating a public space. At 4-5 storeys height there would be little or no protection from the elements. The space would lack edges, boundaries, and meaning.
- 9.4.3 New housing built in this area should not follow the St George Wharf development example. It lies mostly uninhabited, flats being sold to non-residents and businesses and the retail units have not been let. The affordable housing in the Kylun proposal is regrettably greatly reduced. Service charges will render the cost of those units prohibitive and it is questionable how much actual useful housing would be provided for the area. It would not enhance the well-being of local residents nor generate sustainable communities for people to live and work.
- 9.4.4 The layout of the residential accommodation is repetitive. The flats would have access from internal artificially lit corridors and no access to the outside. Most people would not wish to live in an environment dependent on mechanical ventilation. The flats are not generously sized; the community room and cinema are also undersized. Good architecture has to be fit for purpose which these buildings are not.
- 9.4.5 Some 15 years ago, when the St George Wharf site was the subject of a design competition, Vauxhall was described as a dreary south London traffic node. Local residents however have always regarded it as a well situated area with good connections to the river, the City and the west end. As developers start moving into the area, residents are anxious to ensure that development is undertaken with clear aims, a vision for the future and not in a piecemeal manner.
- 9.4.6 The appeal proposal does not fit into this model. It has been designed with short term profit in mind, with insufficient quality housing within the reach of ordinary people. Public realm and community uses are not given enough importance; they should be at the heart of any scheme on this important site.
- 9.5 **Friends of Vauxhall Park¹**
- 9.5.1 Vauxhall Park was founded by Octavia Hill in 1880. Along with Kennington Park it is the most popular park in Lambeth with the highest satisfaction rating of all parks, and is the winner of five Green Flags. The park lies within the Oval Ward, which has a high proportion of severely deprived households and a high proportion of households with poor amenities.
- 9.5.2 The Friends of Vauxhall Park was set up in 1999 to provide a link between the community and Lambeth Council. The body raises funds for the parks and advises the Council on priorities for park expenditure. One of the reasons for objecting to the appeal scheme is the appellant's lack of meaningful consultation with the local community. Kylun was invited to one of the summer fairs but they declined to attend. Although the Framework advises developers to work closely with those affected, the Landscape

¹ TP5 –Ms Monger and Ms Freeman presentation on behalf of Friends of Vauxhall Park and ID45

Assessment was carried out without reference to maintenance records or contact with the Friends of Vauxhall Park. Inaccuracies in the Assessment could have been corrected, had that advice been heeded.

- 9.5.3 The park is valued for its relative tranquillity within a highly urbanised setting. It is already under pressure and showing signs of overuse. The S106 contributions are insufficient to cope with the pressure and overcrowding that the Kylun development would bring to the area. Other open areas are needed; the space offered within the development is not the same as green space. Impact of tall buildings on views from the park has not been properly considered. Because of their size and location, the new buildings would lead to loss of amenity value and sense of space¹.
- 9.5.4 The Framework expects developments to accord with up to date local plans. The Vauxhall SPD is still being drafted and the VNEB OA Framework is pertinent. The linear park is merely a concept; until that is provided, existing parks and open spaces will have to cope with the pressures from the additional homes to be built in this VNEB OA. Even then the linear park is unlikely to add to 'park space'. The Framework emphasises that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Developers should provide open space to meet the needs of the development instead of relying on the existing parks to address those needs.
- 9.5.5 The development would harm the significance of the park. It lies within the Vauxhall Conservation Area and the Framework urges great weight to be placed on conservation of this heritage asset. The new development would bring additional pressure on an already over-used park and lead to irreparable loss of its amenity value.
- 9.5.6 The Framework refers to the need for up to date assessments. This does not exist for Vauxhall Park and the appellant has made unsubstantiated judgements about S106 provision. There is no inventory of what is available or needed.

9.6 **Kennington, Oval and Vauxhall Forum²**

- 9.6.1 The appeal proposal will add to the current problems of inhibited east-west flows in the area, lack of employment opportunities pertinent to the local populace and the detrimental effect of the gyratory.
- 9.6.2 Shopping in the area is difficult for residents. Viable retail areas need to be accessed by foot; there are no such opportunities nearby. The gyratory prevents that occurring and the appeal plans do not improve the situation. Without a pedestrian friendly retail centre created at Vauxhall Cross, the area cannot grow economically.
- 9.6.3 Public transport in the area is already at capacity. Unless traffic at Vauxhall Cross is reduced, a decent residential environment cannot be created. The new large scale development would certainly make that less likely. The

¹ TP5 – Friends of Vauxhall Park presentation, images on last page

² TP6 – Ms Johnston's written statement on behalf of the Forum and ID45

type of accommodation being proposed in the area and under construction is more suited to office accommodation than housing. There is not enough amenity space to prevent a sense of overcrowded and oppressive environment. The proposal would also add to the dominating and unpleasant environment already created by the design and overly dense developments such as that at St George Wharf.

9.7 **Kennington Association Planning Forum (KAPF)**¹

Good Strategic Planning

9.7.1 The 2008 draft Vauxhall SPD would have provided definitive spatial advice about location of tall buildings in the area. The document was placed in abeyance awaiting the final OAPF. The area still lacks a detailed urban design study of the sort exhorted in the CABE/English Heritage Guidance (CD E.1). Nor is there a 3D urban design framework contemplated by the Guidance. The Guidance additionally advises against the ad hoc, reactive and piecemeal development that is now being progressed with applications for numerous tall towers – some even breaching the OAPF guidance on heights.

9.7.2 The area has been described as having no heart from either a community or business perspective. To regain its heart, and avoid ad hoc piecemeal development, an appropriate set of design principles along the lines of the Vision document should be given time to guide detailed planning in the area. To allow the Kylun development to proceed in the absence of such guidance, would be contrary to good strategic planning. It would prejudice proper planning for the area and should be refused.

Affordable Housing

9.7.3 The GLA Toolkit² allows for AUV benchmark to be used only where a site has planning consent or a land use zoned for that purpose. The AUV benchmark should not have been used in this case to establish level of affordable housing provision, as no such consent exists.

9.7.4 Using the EUV of the site at £2.3m³ instead of its AUV would significantly increase the headroom for affordable homes. The EUV should not be inflated by hope value.

9.7.5 With regard to the January 2012 valuation⁴, the build cost is more than 76% higher than the Toolkit value and higher than what was estimated for the Bondway scheme. Such an uplift should be explained. The revenue from the office elements of the scheme is underestimated. Brand new offices in a signature building should bring in more revenue and proceeds from this component of the development should be increased. For these reasons, the view is that the viability assessment is not realistic and the level of affordable housing provided is not maximised as a result.

¹ TP7 -Mr Boardman's written statement on behalf of KAPF

² CD 2.7 – GLA Affordable Housing and S106 Toolkit: Guidance Notes.

³ Estimated by BNP Paribas Review of October 2010

⁴ KL/AH/4.2 – Mr Hibbert's Appendix 2

Inadequate Open Space

- 9.7.6 The development is sited within an area of public open space deficiency. With the increase in population as a result of the Kylun development, the open space shortfall would increase to about 1Ha. In other words about three times larger than the size of the plot, which is a measure of the excessive density of the proposed development.
- 9.7.7 If the appellant cannot provide 1Ha of open space then he should be making substantial provision towards improving the over-subscribed areas of existing areas of open space and recreational facilities. In view of the scale of the problem, the sums contemplated should be in the region of millions and not the hundreds and thousands offered. In the absence of such funding, the development would fail to remediate the open space deficiency it would exacerbate.

Density of Development

- 9.7.8 The development would result in a density of 808 units per Ha (or 2,300 HRH). This is upward of the densities recommended in Table 3.2 and Policy 3.4 of the London Plan. The proposal would fall within the category of super-density and would be contrary to the London Plan as well as CS Policy S2.

The S106 Agreement

- 9.7.9 To accord with the CIL Regulation 122, the monies contributed through the S106 should be spent in the north of Lambeth and not at large in the VNEB area. The financial contributions for public art, Vauxhall open space and the tariff payment should be divided equally between Vauxhall Park, Spring Gardens and the Vauxhall City Farm.
- 9.7.10 The DIFS is significantly flawed – seriously under-providing some infrastructure while under-pricing others¹. Furthermore, adoption of the DIFS is flawed, in the absence of consultation of adopting a tariff-based approach in place of the S106 SPD. The necessary procedural steps have not been taken, as required under Part 5 of the Town and Country Planning (Local Development) (England) Regulations 2004.

Wind

- 9.7.11 The S106 should contain a comprehensive regime for pre- and post-construction monitoring the wind effects of the development.
- 9.8 **Ms Hannah Renier²**
- 9.8.1 Ms Renier has lived in Vauxhall for over 25 years and observes that the area desperately needs life, style and an identity its residents can be proud of. West of the railway line anything of historic or architectural merit disappeared some time ago. Vauxhall deserves an environment of architectural merit and social usefulness. It can become a destination; can

¹ TP7 Mr Boardman's Appendix D

² TP8 – Ms Renier's written statement

have civic pride. The area needs life and vigour beyond the pubs and clubs. It needs more places to shop.

9.8.2 The Kylun buildings are not going to make an immediate difference but could set a standard to aspire to. The smart, forward-looking image that the area needs will have started. The towers would be elegant and distinguished to look at. They would attract liveliness and commerce. A pleasant path could be navigated between them; the arcade of greenery would be beautiful and is very much needed.

9.8.3 If small flats without balconies are to be built in Vauxhall, then they should be near to the bus station. Families would probably not choose to live above a transport hub.

9.8.4 London can only flourish and get better. This opportunity should not be thrown away.

9.9 **Vine Housing Co-operative¹**

9.9.1 The height and mass of buildings are objected to. They would have a serious detrimental effect on the environment, casting shadows, blocking lights from existing homes and harming the conservation area in which they are situated.

9.9.2 The proposal is inappropriate for a site squeezed between a large riverside development, attracting a lot of visitors and a transport hub operating at capacity. The site would be better developed as an attractive open space for visitors and the community.

9.9.3 Public transport is already under strain and the area could not cope with an influx of more people and traffic. No pedestrian links are planned between the site and the St George Wharf development.

9.9.4 Growth in the area's population through the introduction of 291 new homes would put impossible pressure on schools, doctors' surgeries and other services. Insufficient complementary public open space is to be provided which would pile extra pressure on existing facilities such as Vauxhall Park. The St George Wharf development does not contribute to local housing need, given the likelihood that many of the units are second homes or largely unoccupied. There is no need for similar accommodation in the Kylun towers.

9.9.5 The wind assessment carried out in 2010 is out of date and its assumptions unrealistic. It takes no account of the emerging cluster of towers nor of the Leeds incident that caused a lorry to overturn. The bus station is already a windy place. The new buildings would worsen the situation. The 15m high deciduous trees proposed as mitigating measures would lose their leaves in the winter months, lead to the risk of falling branches in high winds and would take some time to get to the height intended.

¹ TP9 – Mr David Spofforth's written statement on behalf of the Co-operative

9.10 **Waterloo Community Development Group¹**

The Site and its Context

- 9.10.1 The site is currently public open space. It is entirely surrounded by wide carriageways. Exceptional barriers to pedestrian movements prevail. Yet the site is traversed by a clear desire line between the transport interchange, the St George Wharf site and the river, which many pedestrians choose to follow at-grade. The viaduct acts as a major impediment for local residents wishing to access amenities offered by the river, and the buildings in between turn their back on the viaduct as well as on the hinterland beyond.
- 9.10.2 Although Vauxhall Cross is a clear urban node, it is not a place of presence. At the heart of Vauxhall there is no heart. The effect is a miserable experience for commuters and a major contribution to deprivation in the wider area. The main losers are the poorest communities that live in an arc of deprivation just beyond the more attractive Victorian neighbourhoods to the east of the viaduct. They lack access to local employment and to services or facilities that comes with town centres. There is no lack of demand for retail in Vauxhall, as evidenced by the turnovers at the Sainsbury's store on Wandsworth Road and the Tesco Express in the St George Wharf development. The fact that few retailers have been able to capitalise on these successes are due to poor planning and landowner negligence. Not lack of demand. The majority of the land in Vauxhall is used primarily for the benefit of those living elsewhere.
- 9.10.3 Vauxhall is in desperate need of regeneration. This is best achieved through a co-ordinated plan for a town centre, with a critical mass of retail and employment in mixed use developments alongside community facilities and a high quality public realm.

Planning Policy and Assessment²

- 9.10.4 While the OAPF and SPD do not form part of the development plan, they should be given considerable weight. In practice, the distinction is blurred between policy made within the development plan process and that in the guidance emerging process, as evidenced by the increase in quantum of development in the VNEB OA through the development of guidance. Similarly, the key principles featuring in Mr Farrell's Vision can be traced through development of policy since 2002 and adopted in up to date plans. These are: the gyratory and improved crossings, new public space, district centre and retail and masterplan for the area. The principles are not new and apply to the appeal site. The appeal scheme fails to rise to the challenges.

Gyratory and Crossings

- 9.10.5 The space between the towers would encourage pedestrians towards the lay-by on Wandsworth Road and a false sense of security that a safe

¹ TP10 - Mr Ball's written statement on behalf of Waterloo Community Development Group

² Inspector's note: Mr Ball sets out the detailed policy framework for the area which I do not intend to repeat here, as they are reported in earlier sections of this report.

crossing exists. Pedestrians entering the site from the bus station would assume that the route between the towers led somewhere and would be faced with a cul-de-sac instead. Should the development proceed the numbers crossing the Wandsworth Road would be high and raises the risk of accidents.

Public Space

- 9.10.6 The extraneous bits of public space created by the scheme are not useful except as a route to access the buildings. Much of the alleged public space would be windswept and traffic dominated and barely an improvement on the public space that currently exists. The proposed tree cover, though welcome, would not compensate for the failure to provide useful open space.

Retail and Active Frontages

- 9.10.7 The definition of a district centre in the CS is the same as those described in the 2008 and 2011 London Plan i.e. 10,000 – 50,000 sqm. CS Policy PN2 promotes the creation of a district centre in this area but removes the limit of 2,000 sqm that had been imposed in the UDP. Mr Veevers (for the appellant) suggests that retail could go elsewhere such as along Bondway. However, the Bondway scheme refused by the Secretary of State proposed only 171 sqm of retail floorspace.
- 9.10.8 The towers' elliptical shapes provide minimal opportunities for retail frontages. At ground floor level less than 50% of the outside of the buildings would be devoted to retail or Class D1 uses. Access to the residential and hotel uses plus the servicing would occupy more of the frontages.
- 9.10.9 Given that this is the only available site adjacent to the very heart of Vauxhall, the level of Class A accommodation proposed is totally inadequate. The layout would not be conducive to browsing in the way that a traditional high street offers and was clearly not a significant factor in development of the proposal.

Masterplan and Plan Making

- 9.10.10 This is a missed opportunity for the area. There is no objection to the height of the towers. If the scheme were otherwise acceptable, the impact on Vauxhall Park and other heritage assets, although regrettable, would be outweighed by its benefits. There is inadequate affordable homes proposed and the level of amenity space would be insufficient.
- 9.10.11 However, the substantial objection is to the failure of the scheme to meet the challenges of this centrally located site and not create a new town centre focused around a piazza and buzzing with activity. This could have been achieved had the appellant worked with the local planning authority and the local community when concerns were raised in 2011. But is not achievable if the appeal is allowed.

10. WRITTEN REPRESENTATIONS¹

10.1 Representations made to the Council at the application stage are summarised and comprehensively covered in the reports to Committee (CDs F3.1-3.4).

10.2 The appeal generated 27 responses in writing. Individual objectors and supporters raise many of the issues expressed orally at the Inquiry. These can be summarised as follows:

10.2.1 Objections

- Development is too large for the site and out of keeping with the location.
- The density of the development is too high and would add to the overcrowding already experienced in the area.
- New residents would be subjected to noise and pollution from one of the busiest junctions in London.
- The towers would overshadow existing residential and commercial properties.
- There would be insufficient pedestrian routes to cross to the west. Lack of connectivity to the wider public realm.
- Concerns about wind effects.
- Insufficient open space to compensate for the height and density of the development.
- Pressure on existing open spaces, in particular Vauxhall Park.
- The site should operate as open space for the benefit of visitors and the local community.
- CAGE remain unsupportive of the application².
- Development would bring additional traffic and place additional stress on car parking in the area. Service vehicles would cause traffic congestion and delays.
- Disruptions during construction are of considerable concern.
- Concerns about impact on broadcasting equipment and damage to the fibre network of a local broadcasting business.

10.2.2 Supporters

- The development would bring wealth, jobs and enhanced amenities to a depressed part of the city.

¹ The written representations are numbered individually and prefaced with "WR"

² CD F3.4 - Committee Report of 18 October 2011, CAGE's objections are summarised on page 16

- The Island site is currently a blight in Vauxhall.
- This is a well designed development in an area identified as suitable for high density developments and close to a transport interchange.

10.3 **Representations from Local Societies and Commercial Bodies**

Manor Kennington Resident' Association (WR7)

- 10.3.1 The development would be too large for the site. This would effectively comprise a traffic island adding to the density of population in an already overcrowded neighbourhood.
- 10.3.2 Vauxhall is in danger of becoming a thicket of skyscrapers without addressing the real needs such as open space and a change to the gyratory system.

Vauxhall Society (WR13)

- 10.3.3 The VNEB OA status has attracted a rash of piecemeal development before due consideration has been given to how the area would function or the impact on the local environment and amenities. There is no clear overall framework and the Kylun development proposal is premature.
- 10.3.4 This is one of a number of piecemeal proposals for Vauxhall, in an environment already stressed by unresolved road and traffic management issues, pedestrian movements and the large numbers of people using the transport interchange. A high rise, high density development would only exacerbate the problems.
- 10.3.5 Development on the Island site should not be considered until a workable traffic solution is forthcoming to end the current gyratory system.
- 10.3.6 The public space offered would be too small for the scale of development proposed. The space would be dull, as the offer would not extend beyond shops and restaurants.
- 10.3.7 The development would add to the feeling of oppression that prevails. The area feels hemmed in by the St George Wharf development on one side and the railway viaduct on the other.

CLS Holdings (WR 27)

- 10.3.8 CLS Holdings are local property owners investing in Vauxhall for over 20 years. They have a vested interest in the area and are progressing a redevelopment scheme at Vauxhall Square¹.
- 10.3.9 To deliver the step change in Vauxhall, significant regeneration and growth and a greater emphasis on ground level public realm and connectivity is required. There needs to be a comprehensively designed public realm strategy and vision for Vauxhall Cross which would include: active

¹ LBL/TF/2.4 – Mr Farrell's Appendix TF9: photograph depicting the model of the applications submitted, approved or in progress. Vauxhall Square is to the south of the appeal site. The application proposes a development of 604 residential units, offices, hotel, student accommodation, retail, cinema and a new public square

frontages, buildings designed to enclose and define the public realm, places for people to meet, linger and enjoy Vauxhall and safe routes.

- 10.3.10 The appeal scheme would not deliver these improvements. It would not improve the pedestrian experience nor deliver a successful ground level solution to the public realm. The public realm would be incidental to the buildings. The design focuses mainly on the towers and not the spaces between them.
- 10.3.11 The high density exceeds the London Plan recommendation and would be at the expense of usable, good quality public space.
- 10.3.12 The elliptical shapes of the towers would cause the development to relate poorly to the Bondway frontage and the St George Wharf development. As standalone buildings they would reinforce the island quality of the site and would fail to fit into a comprehensive design for the centre of Vauxhall. This disconnection with its surroundings would be exacerbated by the lack of an at-grade crossing on Wandsworth Road.
- 10.3.13 The mix of uses would be inappropriate for this Island site. High density residential accommodation in particular does not accord with the employment-led allocation under UDP Policy MDO76, nor is it suitable for the poor environment and concerns about pedestrian safety associated with the site.
- 10.3.14 The scheme is a lost opportunity for creating the changes envisaged and would preclude delivery of a comprehensive strategy for improving Vauxhall.
- 10.3.15 In policy terms it is clear that the current proposal for the Island site does not support the emerging vision. To allow it would be premature in the context of emerging policy direction and a masterplan which will truly identify how to develop a heart for Vauxhall.

10.4 **Statutory and Other Consultees**

Greater London Authority and TfL (WR3 & WR21)¹

Highways and access

- 10.4.1 The proposal to improve pedestrian crossings at the junction of Wandsworth Road/Parry Street, alongside a new subway link at the northern end of the site, would provide additional and more convenient pedestrian link between the site, the river and the wider OA to the south.
- 10.4.2 A pedestrian crossing further north on Wandsworth Road would be beneficial but not essential to mitigate the impact of the development or make it acceptable in planning terms. Given the existing layout of Wandsworth Road, and the role it plays in the wider gyratory system, a crossing would lead to significant narrowing of the road and require considerable changes to the rest of the gyratory. A crossing should

¹ This Report summarises those elements of the representations that have a bearing on the main areas of dispute between the Council and the appellant. WR21 from TfL is intended only to draw attention to the land ownership position of the Island site

therefore be considered as part of the wider solution for the area and delivered as and when they come forward.

Urban design and inclusive design

- 10.4.3 The intention to lay out the whole Island site as public realm is welcomed. Appropriate mechanisms should be in place to ensure delivery of a comprehensive scheme to include land outside the appellant's control.
- 10.4.4 The landscaping scheme indicates how the proposal would ensure that an attractive, high quality pedestrian environment could be achieved. It overcomes GLA's previous concerns.
- 10.4.5 The scheme would comply with London Plan Policy 3.5 for the quality of residential accommodation and Policy 3.8 for the level of accommodation proposed for wheelchair users.

Affordable housing¹

- 10.4.6 The GLA is satisfied that the 17% affordable housing represents the maximum reasonable amount that can be provided by the scheme and therefore complies with London Plan Policy 3.12.
- 10.4.7 The total S106 and affordable housing package has been agreed having regard to viability considerations.

Open space and children's play space

- 10.4.8 The on-site indoor soft play facility would assist in meeting the play requirements of the development. The S106 play space contributions could be used to upgrade existing play facilities locally. This would accord with London Plan Policy 3.6.
- 10.4.9 The recreational needs of residents are most likely to be met in existing local parks. The closest, Vauxhall Park, is already heavily used. While recognising that there are currently deficiencies in the open space provision in the Vauxhall area, this will be adequately addressed in the medium to long term by the linear park.

Climate change

- 10.4.10 The carbon saving and energy efficiency measures, plus commitment to combined cooling heating and power, comply with the energy hierarchy and carbon saving targets set out in the London Plan Policy 5.2.

The VNEB OAPF and Vauxhall urban design study

- 10.4.11 Subject to satisfactory resolution of issues relating to affordable housing, the total value of the S106 package is broadly commensurate with the OAPF tariff.
- 10.4.12 GLA and TfL support the majority of the urban design principles emerging in the Vision study. However, TfL does not currently support the proposal to remove the bus station and disaggregate bus stops. Considerable further

¹ See ID30 – email, dated 16 March 2012, from GLA Senior Strategic planner

work would be required to assess potential impact on bus movements, station capacity and interchange.

- 10.4.13 The gyratory will remain a key part of the Transport for London Road Network. A balance will need to be struck between the aspirations to transform the environment at Vauxhall and the need to maintain a safe, efficient and effective public transport and highway network.

English Heritage (WR6 & WR23)

- 10.4.14 English Heritage is concerned about the impact on the setting of the Westminster WHS, particularly on views from Banqueting House and the Cenotaph¹. The currently open aspect of the view through the south eastern corner of Parliament Square would be enclosed by development, with a diminished sense of visual separation between the key buildings of the WHS.
- 10.4.15 When viewed from Hungerford Bridge the proposal would begin to create a wall of development at Vauxhall, compete visually with the Palaces of Westminster plus detract from the outstanding universal value and setting of the WHS.
- 10.4.16 The towers have been designed so one appears to face towards Westminster and the other addresses Battersea. This results in a roofscape with little rationale when viewed from other locations. Tall buildings are viewed 'in the round' and should be designed with consideration of their appearance from all directions.
- 10.4.17 The roofscape would appear particularly awkward in the context of St Stephen's Terrace and Albert Square within the Albert Square Conservation Area², and Fentiman Road and Claylands Road in the St Mark's Conservation Area³.
- 10.4.18 The setting of Brunswick House would also be affected.
- 10.4.19 Good contextual modern architecture can enhance the historic environment, given careful consideration of the surroundings. By virtue of scale and massing the proposal would cause significant harm to the setting of listed buildings, conservation areas and the outstanding universal value of the WHS.

Westminster City Council (WR22)

- 10.4.20 The two towers would be prominent in views from extensive areas within the City of Westminster, of most significance are the important views from river bridges, public spaces and conservation areas. From the river bridges the impact would be moderate and acceptable. However, it would be unacceptable in terms of its impact on key heritage assets.
- 10.4.21 The Westminster WHS: The new towers would appear immediately to the left of Millbank and on the skyline between Victoria Tower and Millbank,

¹ CD G1.15 – HTVIA: Views M10 and M12

² CD G1.15 – HTVIA: Views M35 and M36

³ CD G1.15 – HTVIA: Views M37 and M38

when viewed from the north and north east of Parliament Square¹. It would be prominent from a viewpoint at the junction of Horse Guards Avenue and Banqueting House². The development would be seen as an intrusive and disruptive element on the skyline in the setting of the WHS. The impact in View 6 would be particularly harmful.

10.4.22 Belgrave Road: The vista in long axial views down Belgrave Road³ would be terminated by the development. By distracting the eye from the listed buildings lining the street, it would unacceptably compromise the established townscape and setting of this group of buildings.

10.4.23 Duke of York Steps: When viewed from this location⁴, the development would be prominent across St James's Park and discordant on the historic skyline, especially at night.

10.4.24 Victoria Tower Gardens: The development would close the vista in this view⁵ that is currently open. By filling the sky between the converging line of trees, the eye would be distracted from the Grade II* listed Buxton Fountain and adversely affect its setting.

10.4.25 The height and bulk of the development would be unacceptable and harmful to the setting of the WHS and fail to preserve and enhance views from conservation areas. The quality of the design would not be discernable from Westminster and therefore would not mitigate the harm identified.

11. CONDITIONS AND OBLIGATIONS

11.1 Conditions⁶

11.1.1 The conditions listed in Annex B to this Report were discussed at the Inquiry. Should planning permission be granted, it should be subject to the conditions listed for the reasons explained at the end of each condition. Some conditions have been reworded or modified in the interest of clarity, precision or to accord with advice in Circular 11/95⁷.

11.1.2 An additional condition suggested by the Council (ID27A) is intended to prevent the development proceeding until an agreement with TfL is reached. The agreement would verify that an at-grade crossing can be provided on the western side of the site for pedestrian access across Wandsworth Road and such a crossing provided before any of the uses proposed commence. For reasons explained in paragraphs 12.4.6-12.4.9 of this Report, the condition is unreasonable and should not be imposed.

11.1.3 In response to a question about delaying development on site, the appellant assured the Inquiry that development would commence sooner rather than later. Given the impetus for regeneration and investment in the locality, an

¹ CD G1.15 – HTVIA: Views 11 and 11A

² CD G1.15 – HTVIA: Views W6 and W8

³ CD G1.15 – HTVIA: Views M54 and M55

⁴ CD G1.15 – HTVIA: Views M48 and M48A

⁵ CD G1.15 – HTVIA: Views W14 and W14A

⁶ ID27 – List of conditions agreed between the parties and submitted at the Inquiry

⁷ Changes to suggested conditions are shown as underlined and deleted text as struck through

early start would be beneficial. As the evidence does not point to site complexities that are out of the ordinary a departure from the standard 3 years prescribed in S91(1)(A) of the 1990 Act is not justified or necessary.

- 11.1.4 Conditions 5 and 6 are recommended in place of the shorter worded condition dealing with ground contamination¹. The version recommended comprehensively addresses the issue of identification and remediation, and secures measures for dealing with contamination in circumstances of it being found during development.

11.2 **S106 Planning Obligation**

- 11.2.1 The application is accompanied by a completed agreement (ID26) under S106 of the 1990 Act (as substituted by the Planning and Compensation Act 1991).

- 11.2.2 The S106 package totals £6,801,040, plus the items listed in paragraph 11.2.3 below. The DIFS tariff for Lambeth is based on the VNEB DIFS and the total calculated for the appeal site is £5,243,890. This sum is off-set by direct build items² to give a total financial contribution of £3,745,600³. In addition to meeting items required by the DIFS approach, a number of items are provided for in accordance with the Council's SPD. These amount to £1,557,150 and would be directed towards the following⁴:

- i. Promoting local labour, and access into training in the construction industry.
- ii. General employment and training to help overcome lack of appropriate skills and qualification in the local labour market.
- iii. Provision of new or enhancement of existing play spaces in the northern part of the Borough.
- iv. Play facilities in Spring Gardens.
- v. Maintaining the new or enhanced parks, open spaces and play facilities.
- vi. Monitoring implementation of the Travel Plan.
- vii. General S106 monitoring.
- viii. Cycle docking station.

- 11.2.3 The remaining provisions of the obligation are as follows:

- i. Working with the Council to identify and promote opportunities for local construction workers and training opportunities for Lambeth residents.
- ii. Provision and availability of the Sky Garden in Tower B.

¹ Listed as Condition 43 in Annex B

² Wandsworth Road crossing, public realm improvements and the underground entrance

³ See ID16 for DIFS calculations

⁴ Listed in the order featured in ID16

- iii. One third of the employment floorspace provided at a subsidised rate of 50% of the market for a period of 5 years.
 - iv. Community floorspace in Tower B, to include a dental clinic (285 sqm), community space (92sqm), indoor play space (to be agreed) and a cinema (336 sqm).
 - v. Affordable housing at 17% with provision for increasing the supply, or an off-site contribution, in the event of a more favourable financial appraisal closer to the implementation date.
 - vi. Public art
 - vii. Reducing car dependency initiatives: provision of a Travel Plan, a Car Club scheme, waiver of entitlement to residents' parking permits.
 - viii. Highway works comprising the new crossings at the junction of Parry Street/Wandsworth Road with Nine Elms Lane and at the north east and south east corners of the site.
 - ix. Schedule 8 of the obligation requires the Owners to agree a scope for a new highways assessment relating to the design, delivery and highway implications of the Wandsworth Road crossing. The assessment is to be submitted 6 months prior to the development's implementation. Should TfL consider the crossing to have unacceptable safety or traffic flows impacts, in the light of the submitted assessment, there would be no requirement to construct the crossing and a financial contribution (no more than £300,000) for alternative proposals for improving the pedestrian environment will be provided in its place. Alternatively, should TfL come to a different view the pedestrian crossing shall be constructed at the Owner's expense.
 - x. A coach and taxi strategy
 - xi. Public realm improvements intended to cover the whole of the Island site; in other words, land that falls outside the appellant's control.
 - xii. A new subway entrance to be constructed on land owned by TfL.
 - xiii. Energy and sustainability scheme.
 - xiv. Mitigation measures relating to TV reception.
- 11.2.4 ID16 describes the policy basis for the items included in the planning obligation and justification for their provision. It also explains how the financial obligations have been calculated in accordance with the DIFS (CD I13) and Lambeth's SPD Planning Obligations of July 2008 (CD C1.4).
- 11.2.5 The DIFS was subject to consultation and derives from the OAPF and its evidence base. It is being correctly applied as a transitional arrangement in advance of adoption of the Borough-wide CIL. The tariffs calculated for the appeal development are in line with the DIFS which, in addition to the items listed and financial contributions provided under the SPD, are necessary to mitigate the effects of the development or to meet its needs. As explained in ID16 and ID17, the tests set out in paragraph 204 of the Framework are met.

- 11.2.6 The planning obligation has been accorded significant weight in consideration of the parties' cases and in the conclusions that follow below. Additional play space and open space contributions were originally the subject of negotiations during the course of the Council's consideration of the application. In the light of the DIFS tariff, these payments are not necessary but the appellant has chosen not to withdraw them. Although the funds would be welcome, they do not meet the required tests. They should be accorded little weight in deciding the outcome of the appeal.

12. INSPECTOR'S CONCLUSIONS

(Numbers in square brackets refer to paragraphs or sections in this Report from which these conclusions are drawn)

- 12.1 The Secretary of State's letter detailing the matters on which he wished to be informed has been overtaken by publication of the Framework. Nevertheless, many of the points that he wished to be pursued have been addressed in the evidence and are considered in these conclusions in the context of the Framework. [1.2]
- 12.2 Accordingly, the main areas for consideration are [1.3, 7.1]:
- Whether allowing the proposed development would be premature or prejudicial to proper planning of the area.
 - Whether the development would achieve high quality, inclusive, sustainable design and construction.
 - Whether it would deliver a wide choice of quality homes.
 - The quality of the residential environment for future residents of the buildings, in particular the quantitative and qualitative requirements of open space and play space.
 - The relationship of the proposed development to the historic environment.
 - In the light of all of the above, the extent to which the proposal would comply with the development plan and Framework policies.
- 12.2.1 The Environmental Statement (ES) was submitted in accordance with the EIA Regulations. The requirements of the Regulations have been met. The contents of the ES, and all environmental information, are taken into account in arriving at the recommendation in this Report. [2.1, 2.2]
- 12.3 **Prematurity and Prejudicial to Planning in the Area**
- The policy and guidance context*
- 12.3.1 The development plan for the area comprises the London Plan, the saved policies of the Lambeth Unitary Development Plan (UDP) and Lambeth's Core Strategy (CS). [4.2]
- 12.3.2 Falling as it does in the VNEB OA, development on the appeal site is expected to support the strategic policy directions for opportunity areas, in addition to contributing to its potential to accommodate substantial numbers of new homes and jobs (Policy 2.13 of the London Plan). [4.2, 4.3.2]
- 12.3.3 At local level, CS Policy PN2 describes the means by which the Council intends to achieve its objectives for the Vauxhall area of the VNEB OA. These refer to (among other matters) active ground floor frontages throughout, focus of new retail areas around the transport interchange to

create a district centre, highway improvements (particularly seeking removal of the one way system), an enhanced public transport interchange, and support for a cluster of high quality tall buildings in the Vauxhall Heart quarter for a mix of uses. [4.2.3, 7.2.1, 7.3.10, 8.1.9]

- 12.3.4 In the UDP, the appeal site is identified as MDO76; in other words as a major development opportunity site within the Vauxhall Cross area. The key urban design objectives for the site are first, an improved tube entrance and, second, part of the site developed as a setting for the transport interchange. Reserving a bus-priority lane is also encouraged. [4.2.3, 7.2.2, 8.1.10]
- 12.3.5 The recently adopted VNEB OAPF was prepared in partnership with Lambeth and Wandsworth Councils, TfL and English Heritage, and adoption followed a rigorous consultation process. It does not form part of the development plan and does not create new policy but clarifies it in a specific spatial context. [7.2.6, 8.1.2]
- 12.3.6 The OAPF seeks to deliver two growth poles in the form of new CAZ frontages at Battersea Power Station and Vauxhall, connected by a strategic green link. The potential for a CAZ frontage at Vauxhall is identified in Table A2.2 of the London Plan. The OAPF also recognises the opportunity to deliver a small CAZ frontage in Vauxhall and its potential to act as a focal point for redevelopment of the area. [7.2.6, 7.3.10, 8.1.2]
- 12.3.7 The OAPF introduces the concept of a new linear park connecting Vauxhall to Battersea as part of the significant step change in the quantity and quality of the public realm in the OA. The two alternative routes connecting Vauxhall with the linear park are intended to be located at the pedestrian crossings at the junction where Wandsworth Road meets Nine Elms Lane and Parry Street, and the other through a quieter landscaped space through the CLS-owned site to the south of Parry Street. This eastern gateway to the linear park is seen as a transitional space between the busy Vauxhall gyratory and the quieter areas of the new park. In other words, recognising the gyratory for what it is - a hostile, unattractive environment for pedestrians and cyclists. [7.3.6, 8.1.18, 9.10.2, 10.3.8]
- 12.3.8 With the anticipated increase in pedestrian footfall between the transport interchange and new development at Nine Elms, the OAPF looks to improve the gyratory. In doing so, however, it recognises the need for further feasibility design development to deliver what is intended in the long term. [7.2.6, 7.4.8, 8.3.3]
- 12.3.9 The OAPF supports the emerging clusters of tall buildings at Vauxhall with a maximum guideline height of 150m. It also sets the framework for an interim tariff in advance of Lambeth Council adopting a charging schedule under the CIL Regulations. [7.2.12, 8.1.5, 8.1.8, 8.4.10]
- 12.3.10 The OAPF refers to and anticipates production of the SPD for Vauxhall. Adoption of the 2008 draft version of the SPD has been abandoned in favour of an emerging SPD. The Council refers to the OAPF and a Vauxhall-based SPD as plan-led, specific placemaking documents. Clearly this is an emerging area full of opportunity sites, and also of potentially conflicting objectives. Unsurprisingly, supplementary guidance assumes a prominent

role, not least for the collective, collaborative approach to planning in the OA. [7.2.4, 7.2.5, 7.2.8, 9.10.4]

- 12.3.11 The question is whether a decision on the Island site in the absence of an adopted Vauxhall SPD is premature, and second whether to proceed without this piece of local policy framework would so prejudice future development of the OA as to cause harm. The answer to both limbs of the question is no, for the reasons explained below.

Prematurity

- 12.3.12 The policy background explained above illustrates the extent to which development on the appeal site is already guided by development plan policies, with additional detail provided by the OAPF. The Vauxhall SPD is to provide even further guidance, but it is not expected to conflict with existing adopted policies nor create new policy. [8.2.11]
- 12.3.13 The SPD is being updated to take account of the significant development interest in the area. Mr Farrell's document 'Vauxhall Cross - A Vision for a Town Centre' (the Vision), as part of that update is challenging key public stakeholders about the nature of the area as a place and to rethink their approach to seemingly insoluble problems. The Council is clearly committed to a neighbourhood and localism approach to achieving a sustainable, successful regeneration of the VNEB area with Vauxhall Cross at its heart. [7.2.4, 7.2.9-7.2.11, 7.2.13, 7.2.14, 7.3.2, 7.3.3, 7.3.8]
- 12.3.14 However, the collaborative, partnership-based consultation process described at length in relation to the emerging SPD applies equally to the main components of the development plan. The London Plan and the CS would have been the subject of extensive consultation, and local views are expressed through the development plan. The OAPF also made its way to adoption through an extensive stakeholder engagement process. It is a major plank in the policy framework for the area and is adopted. [7.2.6, 7.2.13, 7.2.14, 8.1.2, 8.2.11]
- 12.3.15 The Vauxhall SPD, on the other hand, is at an early stage in its progress towards adoption. The community and stakeholders have not been formally consulted, let alone their views collated or analysed. It is also apparent that key objectives of the Vision, namely removal of the bus station and changes to the gyratory, are the subject of some consternation on the part of TfL and London Buses. Due to the complexity and wide ranging consequences of such changes, it may be some time before such important objectives driving the Vision are favourably resolved. The Council argues that the main components of the Vision could proceed in the absence of the two desirable outcomes. Equally, the appeal scheme could be implemented without changes to the gyratory or the bus station and indeed would not impede such changes in the future. [7.2.13, 7.3.7, 8.2.3-8.2.5, 8.3.11, 9.2.4, 10.4.12, 10.4.13]
- 12.3.16 The Framework confirms that SPDs are capable of being a material consideration but are not part of the development plan. Notwithstanding its masterplanning role, the extent of local engagement or the undisputed centrality of the appeal site in Vauxhall Cross, the emerging SPD does not command development plan status. [8.2.11]

- 12.3.17 In the circumstances of an up to date development plan providing a well defined steer to development of the site, and an adopted planning framework, proceeding with a scheme on the Island site cannot be regarded as premature. This is not a case where determining the appeal development without the SPD in place would prejudice the outcome of a development plan process. There can be no justification for dismissing the appeal on the basis of prematurity. The lack of an adopted SPD for Vauxhall should not render it unacceptable, provided that allowing the appeal proposal would not unacceptably compromise key elements of development plan policies looking to regenerate the OA in the way intended. [7.2.13, 8.2.11]

Prejudicing proper development of the area

- 12.3.18 The main parties agree that the appeal proposal meets many of the broad site-specific and policy requirements of the development plan. For instance, it accords with the Core Strategy support for tall buildings on the site; introduces a mix of uses as required by policy at strategic and local levels, and contributes towards the housing and employment capacity of the OA. The appeal development would provide a mix of house types and a policy compliant provision of affordable homes. There is even agreement between the main parties about the level of contribution that a development of this scale should make to the infrastructure needs of the OAPF. [7.2.12, 7.6.1, 7.7, 8.1.4]
- 12.3.19 The Island site is regarded as sitting at the heart of Vauxhall with potential to provide the area and its communities the focal point it needs. The concept is not new, as the 2008 draft SPD was equally emphatic about the strategic importance of the site and its potential to transform the way the centre looks and works. Nevertheless, the architectural form of the towers, lack of active frontages, and limited retail provision are said to militate against co-ordinated regeneration of the area, and prevent the Council from pursuing its ambitions for a new district centre. [7.3.8, 7.3.13,]

District Centre

- 12.3.20 It is worth examining the policy background to the district centre. As explained earlier, the London Plan raises the potential for a CAZ frontage at Vauxhall to come forward over the Plan period, subject to capacity analysis, impact assessments and town centre health checks. Indeed, the OAPF refers to a 'smaller' CAZ frontage in Vauxhall, and recognises the Council's aspirations for a small district centre, as initially expressed in Policy 77 of the UDP¹ and rolled forward into CS Policy PN2². The OAPF presses for improvements in the highways, transport interchange and public realm arrangement as these would underpin, among others, the creation of a range of town centre uses in the form of a new CAZ frontage. [7.3.10, 8.1.22, 9.10.7]

¹ The policy limited retail floorspace at Vauxhall Cross to 2,000 sqm

² Annex 4 of the CS explains that district centres range typically in size from 10,000 sqm to 50,000 sqm

- 12.3.21 While the UDP site specific Policy MDO76 makes no mention of retail or district centres uses, there is a clear up to date policy ambition to establish a CAZ frontage or create a district centre. However, the extent of a district centre or even a CAZ frontage has not yet been established. There is not the analysis or impact assessment to quantify the level of retail to be accommodated, and boundaries have yet to be defined. [7.3.10, 8.1.22]
- 12.3.22 Furthermore, the potential for sites around the transport interchange to provide sufficient retail and associated uses for a clearly defined district is questioned in the evidence base informing policies on retail provision in the CS. The topic paper goes on to explain that retail development in the Vauxhall part of the OA, is *"...expected and supported through Policy PN2 to fulfil a complementary and supporting role in the establishment of a defined centre and creating a sense of place."* In other words, at the time the CS was being prepared there was not the expectation that the appeal site or others in its near vicinity would deliver a district centre of the scale described in Annex 4 of the CS. [7.3.10, 8.1.21, 8.1.22, 9.10.7]
- 12.3.23 Whatever the Council's aspirations then, or now as expressed in the Vision, the appeal scheme includes a number of different uses that would fit into the normal perception of activities associated with a CAZ frontage or district centre. Thus, it includes opportunities for Class A uses, offices, leisure and community activities. There is the potential to provide some 1,200 sqm of town centre uses, of which about 600 sqm would fall within Use Classes A1-A5. The proposal would in effect contribute to the complementary role referred to above. Current economic circumstances may not bode well for retail outlets locating in the units to be provided, given the experience of unoccupied retail floorspace at the St George Wharf development. However, the scheme provides what is asked of it – the opportunity for Class A outlets to locate on the site. [7.3.6, 7.3.11, 8.1.23, 9.6.2, 9.8.1, 9.10.9]
- 12.3.24 Should the Council be looking to extend the CAZ frontage or centre beyond the small scale facility described in the OAPF, the proposed scheme would not prevent realisation of those ambitions. As demonstrated by the evidence, the high street arrangements envisaged in the Vision, plus changes to the bus terminal and gyratory, could all be accommodated with the Kylun scheme in place. In fact the proposed hotel, community and Class A facilities would contribute to the diverse range of high street uses expected in district centres without detracting from any of the urban design principles envisioned by Mr Farrell. Furthermore, nothing in the proposal prejudices the balance of other sites making their own contributions to the district centre. [7.3.10, 7.3.13, 8.1.23, 8.2.8, 9.2.4, 9.6.2, 9.7.2, 9.10.11]

Active Frontage

- 12.3.25 At street level, those entering the site from the new underground entrance would be faced with Class A related frontages at the northern base of Tower A. The entrance to the hotel with views into the lobby would be located at the opposite end of the tower and add to the sort of variety and interest expected in a centre. A further retail unit at the base of Tower B would help the scheme to engage with Bondway, whatever future plans for it may be. Thus, if the bus station were to remain, the Class A unit would present an

inviting 'active' gateway to the area of public space roofed over by the glazed canopy. There is scope for further animation with an additional pavilion occupying a position on the western side of the site. [7.3.11, 7.3.12, 8.1.18, 9.4.3, 9.10.2]

- 12.3.26 The extent to which entrance lobbies to residential accommodation, offices and community spaces on the upper floors would contribute to active frontages is questionable. Furthermore, because the Parry Street option for servicing is the most optimum solution, the southern elevation of Tower B would not present an animated frontage to Parry Street. Artwork would be a welcome addition alongside the servicing elements of the building, but would do little to enliven it in the same way as an active/occupied frontage. The absence of all-round active frontages, however, has to be balanced against the development plan demands for the site. [7.3.118.1.16]
- 12.3.27 Thus, the scheme needs to provide an improved tube entrance, open space as setting for the transport interchange (UDP Policy MDO76 and emerging Site Specifics Allocation DPD) plus a mix of uses including residential, retail business, other commercial and community uses (CS Policy PN2). Opportunities, therefore, for increasing provision of Class A uses (and also active frontages) is limited without compromising on stated aims of the development plan. [8.1.16, 8.1.17, 8.1.26]
- 12.3.28 There is some disquiet about the quality of the public realm provided for in the development. The matter is considered below in the context of functioning of the new development. However, with the extent of town centre uses provided, and relationship of the base of the towers with its surroundings, there are good prospects for integrating the development into whatever the future plans may be for the area. It would neither hamper future developments nor prejudice regeneration in the way sought in the emerging Vision. [7.2.16, 7.3.12, 7.3.13, 8.1.24, 9.2.4, 9.4.5, 9.7.2, 9.10.3, 9.10.10, 10.3.15]

Architectural Typology

- 12.3.29 That tall buildings are suitable for the site is not questioned. The erection of a podium to support the towers is but one option but, to my mind, adds nothing more or less to the debate about what form of buildings are appropriate for the site. Personally, I consider that meeting the ground in the way proposed is an elegant solution and adds to the scale of possibilities of treatment of space around the base of the towers. These advantages would be denied to the 'foothills' concept preferred by Mr Farrell. [7.3.12, 8.1.14, 8.1.17, 10.3.12]
- 12.3.30 The proposed buildings would not create the sort of enclosure envisaged with the podium option. The approach does not cause the scheme to fail, provided that the quality of the public realm is exemplary and in keeping with the high standards expected of tall buildings. That an elliptical shape would provide inadequate protection is a subjective view. It could be countered with the observation that such shapes allow for flowing movement through the site. Such an objective resonates with the aims of linking the Island site with the linear park and the transport interchange. [7.3.12, 8.1.17]

- 12.3.31 The architectural quality of the buildings is discussed later in this Report. Overall it has to be said that criticisms levelled at the propensity for the towers, and their disposition on site, to prejudice the Council's future aspirations for the area are unfounded.

Conclusions

- 12.3.32 The emerging SPD is not a development plan document and it cannot create new policy. In the context of an up to date development plan, with specific site-related policies in place, reinforced with the OAPF, there can be no justification for refusing the application on the basis of prematurity. Furthermore, development of the Island site in the manner proposed would not fetter the Council's ambitions for either Vauxhall Heart or regeneration of the wider OA.

12.4 High Quality and Inclusive Design

- 12.4.1 The principle of a cluster of tall buildings at Vauxhall is established in the London Plan and CS Policies S9 and PN2. It is important, however, to ensure that tall buildings have a positive relationship with the surrounding townscape, particularly in terms of connectivity and permeability, and that the architecture is of the highest quality. [7.2.12, 8.1.4, 8.1.5]

Connectivity and permeability

- 12.4.2 The appeal scheme is criticised for perpetuating the problems of the gyratory and preventing improvements to it. The criticisms extend to the shape of the towers and their positioning on the site, which it is said would reinforce its island quality. [7.3.9, 9.2.4]
- 12.4.3 The Island site in its present undeveloped condition adds very little to the townscape. It may be largely open but is unusable, given the inhospitable environment created by the gyratory. It also does little to encourage east – west connections. The OAPF identifies the lack of physical linkages across the OA as a longstanding issue that needs to be addressed. It calls for new pedestrian/cycle crossings on the existing road network. [8.3.2, 9.10.1, 9.10.2]
- 12.4.4 The scheme responds to these requirements in a number of ways. As part of delivery of the development, additional crossings are proposed. In addition to three new crossings around the Parry Street/Wandsworth Road/Nine Elms Lane traffic island, there are proposals for crossings at the southern and northern ends between the site and the bus station. The new crossings are secured through the planning obligation and would take the form of zebra or signalised crossings. These at-grade improvements would provide safer options for pedestrians than presently exist and would accord with the OAPF strategy of linking Vauxhall Cross with the linear park planned for the OA. The new subway entrance at the northern tip of the Island site, also secured through the planning obligation, would further increase east-west connections for pedestrians and cyclists. [6.4.1, 7.4.6, 8.3.2, 11.2.3]
- 12.4.5 TfL have indicated, that an at-grade crossing on Wandsworth Road towards the mid to northern end of the site would be beneficial. It would remove the risks associated with pedestrians crossing Wandsworth Road informally

and which currently takes place. To date there have been no recorded accidents, but the Council concerns are understandable, particularly as the development could increase pedestrian flows across Wandsworth Road by some 45%. [7.4.1, 7.4.2, 8.3.1, 8.3.4, 9.10.5, 10.2.1]

- 12.4.6 On the other hand, a crossing would require significant changes to the gyratory system. TfL confirm that the changes would be best considered and delivered as part of a wider solution for the area. In the meantime, they do not consider that the absence of such a crossing renders the scheme unacceptable. Nor indeed is there any evidence to suggest that any future changes to the gyratory would be hampered by the proposed development in place. Although the planning obligation makes provision for investigating the feasibility of a crossing, and construction of it, wholesale changes to the road network to accommodate the crossing may not be forthcoming for some time. For that reason it would be unreasonable to expect the development to be halted until such time as the crossing is deliverable, as would be the case if the Council's suggested condition were imposed. [7.4.3, 7.4.8, 8.3.8, 8.3.10, 10.4.2]
- 12.4.7 Furthermore, measures along the western perimeter of the Island site could be implemented to discourage pedestrians from crossing Wandsworth Road at points other than at formal crossing locations. The evidence illustrates the landscaping options for achieving this objective. All of which are reversible or capable of being modified to suit future crossing conditions. The deterrent required could also be achieved without creating visually impenetrable barriers. With the range of measures proposed, local connectivity would be enhanced, while discouraging informal crossing at Wandsworth Road. [7.4.5, 8.3.5, 9.2.4]
- 12.4.8 Play facility for the under-11s is to be provided on site. As Spring Gardens and Vauxhall Park lie to the east of the site, children would not be crossing Wandsworth Road at all to meet their play requirements or access local parks. There is no justification, therefore, for preventing occupation of the residential accommodation by families, in the light of these conditions. Indeed, it would be unreasonable to prevent the development from proceeding in the circumstances of the increased, deliverable and safe options proposed. [7.4.5, 8.3.6, 9.3.2, 10.2.1]
- 12.4.9 On balance, the proposal would add to the area's connectivity and to road safety generally within the constraints of the gyratory. Although an at-grade crossing on Wandsworth Road would reinforce these beneficial outcomes, its absence would not lead to inherently unsafe conditions. The development would comply with the London Plan Policy 7.7 in the way it would add to the permeability of the wider area, while also accord with CS Policy PN2 for the improved east-west connections.
- 12.4.10 Just as importantly, the quality of the route between the linear park and the transport hub would be vastly improved. The route would pass through a landscaped public space, protected from the elements for part of its length, and with the potential for the space between the buildings to be animated. Equally, the public space to the north of Tower A would be enlivened by active frontages of Class A uses occupying the ground floor units on that part of the site. [7.5.5, 8.1.18]

- 12.4.11 The effectiveness and success of the space about the buildings would depend on the quality of the landscape scheme and management of it. Conditions are recommended to cover these elements of the scheme. The landscape plans submitted are an indication of the standards aspired to. Applying an integrated approach to the hard and soft landscaping across the whole of the Island site is also a good indicator of the appellant's intentions of achieving a comprehensively designed scheme. There is every reason to be assured that a high quality public realm would be delivered. Space in between and around the towers would not be enclosed, and for that would provide the visual and physical connection necessary to fulfil the complementary role expected of it in policy. [8.4.8, 10.4.3, 10.4.4]

Relationship to surroundings and quality of the architecture

- 12.4.12 CS Policy PN2 supports opportunities for the development of a cluster of high quality tall buildings at Vauxhall. The Tall Buildings strategy in the OAPF regards the Vauxhall Tower (at a height of 180m) as the pinnacle of a future cluster with other buildings in the cluster to have a secondary relationship to it. At a maximum height of 140m the appeal towers would respect that stipulation. [6.2.1, 8.1.8]
- 12.4.13 Deliberate aligning of Towers A and B with Wandsworth Road and Parry Street respectively would not be apparent from distant viewings. The resulting dynamic composition of gently sculpted shapes would, however, add interest to the skyline and signal the importance of the site. The effect being emphasised by canted tops to both towers. [6.2.1, 8.1.6, 10.4.16]
- 12.4.14 Earlier I rejected the notion that podium supported towers provide the only appropriate solution for the Island site. The Kylun scheme demonstrates the extent to which towers as singular objects can relate successfully to each other as well as connect with the local and wider townscape. The glazed canopy would draw the towers together, while a comprehensive hard and soft landscaping scheme would unify the public realm extending beyond the covered space. [7.3.12, 8.4.8, 9.4.2, 10.4.3, 10.4.4]
- 12.4.15 The space not covered by buildings would be generous and animated sufficiently to create an attractive route between key points (transport hub, linear park and east-west links) and where people would feel comfortable enough to pause, meet or linger. The towers have an additional advantage of less ground coverage, and therefore generous space around to facilitate a complementary setting to the transport interchange while also helping to relieve visual congestion around the buildings. These favourable outcomes were not present in the Bondway scheme, which was adjudged to be unacceptable for the absence of complementary public space. [7.5.5, 8.4.16, 9.8.1, 9.8.2, 9.10.6, 10.3.6]
- 12.4.16 As for the towers' appearances. Masonry and glazed panels patterned to express the structural stresses of the buildings would create attractive, textured facades. These would wrap around the slim elliptical towers. Sloping tops and the uneven heights of the towers would add to the dynamism of the composition, creating in turn a distinctive look to the skyline. The manner of the towers' spatial as well as visual connection with the ground is key to the scheme's success. That would be achieved through intervisibility and interaction of public spaces with the mix of uses at ground

and first floor levels, as illustrated in the images presented in evidence. Effective execution of the design at street level would be secured by condition. Other conditions would ensure that the concept intended is realised. In other words, the proposal has the capacity to deliver buildings and a layout of high architectural quality. [6.2.4, 8.1.7, 9.8.1, 9.8.2]

Sustainability

- 12.4.17 The main parties agree that the proposal is capable of meeting the energy efficiency and carbon emission reductions required in policies seeking to attain high standards of sustainable design and construction. Condition 39 and Schedule 9 of the planning obligation would secure the necessary measures. [10.4.10]
- 12.4.18 The mix of employment, residential, commercial and leisure uses on this highly accessible site (PTAL 6B) render it compliant with the London Plan Policies 5.2 and 2.13 and CS Policy S7. [3.2.2, 8.1.9]

Conclusions

- 12.4.19 In terms of design, the scheme would comply with the requirements of the London Plan Policy 7.7 pertaining to tall buildings, with the generic aim of high quality built development required by CS Policy S9 and UDP Policy 33, in addition to the more focused aspirations for Vauxhall under CS Policy PN2. The high quality and inclusive design policy imperatives expressed in the Framework would be met. The Framework additionally recognises that good design is a key aspect of sustainable development. The design qualities of this proposal would contribute to its sustainability credentials.

12.5 Housing Provision

- 12.5.1 The density of the proposed development at 1,721 habitable rooms per hectare exceeds the density guidelines in the London Plan (Table 3.2). The text to the London Plan Policy 3.4 advises against applying the guideline mechanistically. What is more, public transport choices, the site's capacity to contribute to the OA's increases in housing provision and the scope to introduce a tall building in this location are good reasons for maximising on the site's potential, and which justify densities higher than the London Plan broad guidelines. The Council's agreement with this approach is recorded in the Core SoCG. [9.7.8, 10.2.1, 10.2.2]
- 12.5.2 The main parties agree that the proportion of one and two bedroom plus family homes provide an appropriate mix of house types for the location, and would meet local needs. Of these, 10% of the residential units would be capable of adaptation for wheelchair users and all would comply with Lifetime Homes Standards¹. The appeal scheme would beneficially add to the supply of housing in the area. The policy framework encourages the supply of additional housing, irrespective of what might have occurred in relation to the St George Wharf development. [8.5.7, 9.4.3, 9.9.4]
- 12.5.3 The affordable housing provision at 17% (70-30 social rented to intermediate mix) has been agreed following thorough consideration of

¹ See Conditions 15, 16 and 17

valuation and appraisals, in accordance with GLA guidance. The Alternative Use Value comparison approach adopted is the best possible benchmarking option for determining the amount of affordable homes that could be viably delivered on this site. The existing use value method is unrealistic in this instance, given the policy allocations in the development plan and therefore expectations for the site. [8.5.2-8.5.7, 9.7.3-9.7.5]

- 12.5.4 The number of affordable homes forthcoming would be well below the policy aspiration of 40%. That is unfortunate. However, the evidence has been shown to be robust and adequately demonstrates that the amount offered is the maximum reasonable provision in line with the London Plan Policy 3.12 and CS Policy S2. The planning obligation allows for additional affordable units in the light of a re-appraisal. In the current economic climate, and the flexibility allowed for in policy, the appellant can do no more. [7.6.1, 9.2.3, 9.7.5]

12.6 **Quality of the Residential Environment**

- 12.6.1 The SoCG confirms that the residential space standards would be compliant with the relevant elements of both the Council's and GLA's standards, and could be secured by Condition 15. There are no issues with outlook, privacy, light, noise or pollution levels. The flats would be fitted with openable windows and also have the choice of mechanical ventilation. The matter of dispute largely lies with the quantity and quality of amenity space for residents. [8.7.3, 9.4.4, 9.5.4, 9.7.6, 9.9.4, 9.10.6, 10.2.1]
- 12.6.2 The site lies in an area of open space deficiency. To provide an appropriate standard of amenity space for the occupiers of the new residential units, the SPD target points to a need for 2,960 sqm. The quantitative requirement for new play space provision of 940 sqm, as part of the total, is expected to be provided on site, though off-site provision or contributions are acceptable under certain circumstances. The SPD accepts that amenity space can be provided in the form of private garden space or as communal amenity space. [7.5.1, 7.5.2, 8.4.2, 8.4.3]
- 12.6.3 The new flats would come with 'winter gardens' or balconies, at a minimum of 5 sqm for 1-2 bed dwellings. The total amount forthcoming is quantified at 1,500 sqm. A 'Sky Garden' of 188 sqm for use solely by residents of the scheme is to be included on the 27th floor of Tower B. In addition to which, the whole of Level 1 of Tower B is to be devoted to play space for the use of children up to the age of 11. In other words, some 660-740 sqm of safe, convenient and accessible play area would be provided on-site for use by resident children. The planning obligation further commits a financial contribution for new play facilities at Spring Gardens, for play spaces in the northern part of the Borough and maintaining new or enhanced parks or open spaces. The Mayor's SPG allows for off-site contributions in circumstances of distances of between 100-400m to the nearest facility. The nearest parks fall within that range. [6.2.3, 7.5.3, 8.4.4, 9.5.3, 8.4.6, 9.5.6, 9.7.7, 10.4.8, 11.2.2, 11.2.3]
- 12.6.4 Notwithstanding the high standards of landscaping intended, the hostile environment of the gyratory renders the edges of the site largely unusable for play or quiet amenity purposes. The inner public realm areas would be pleasant enough for those passing through or for visitors to the area

pausing to take advantage of the eating/drinking and shopping opportunities, but the characteristics of the space would not be conducive to quiet contemplation or play. The space can best be described as transitory; not dissimilar to the station thoroughfares referred to as comparable examples. Nevertheless, there is scope for the space to be used for civic gathering. It should not be discounted altogether, but the extent to which the public space between and around the towers could contribute towards the total amenity standard cannot be easily quantified. Conditions 12 and 13, however, provide the potential to landscape the space in a way that could create usable amenity areas or for quiet gathering places. [7.5.3, 7.5.4, 7.5.5, 8.4.8, 9.4.1, 9.10.6, 10.3.6]

- 12.6.5 Even without including the public realm areas, the shortfall in amenity space would amount to some 600 sqm or less (depending on what figure is used for the on-site soft play space). In an area already deficient in open space, shortfalls should not be treated lightly, particularly in the circumstances of Vauxhall Park and Spring Gardens already operating under pressure. But the scale of shortfall likely in this case has to be balanced against the benefits of the scheme, and the contributions made to mitigate its impacts. [7.5.3, 7.5.5, 7.5.6, 8.4.5, 8.4.9, 9.5.1-9.5.4, 9.7.7, 10.2.1]
- 12.6.6 Thus, the new landscaped areas around the towers would deliver a significant area of high quality public realm at the heart of Vauxhall, and attractive, safe routes from the areas to the east and the transport interchange to destinations to the south and west. There is potential for residents to make use of the space, albeit in a limited manner. The community and cinema spaces at first floor level would add to their opportunities to access facilities that might otherwise require journeys further afield. The DIFS tariff and play space requirements would help to mitigate the effects of a development of this scale. The monies offered may not increase the quantity of open space in local parks, and indeed are regarded as inadequate by some, but they could enhance their capacity. [8.4.9, 8.4.10-8.4.13, 8.4.15, 9.5.6, 9.7.7]
- 12.6.7 On balance, with a development of this size, and scope for this particular scheme to deliver specific regenerative outcomes demanded of it by policy, the scale of shortfall in amenity space for future residents should not on its own cause the proposal to fail. In the long term, once the linear park intended for this OA materialises, the shortfall would be absorbed. The OAPF expects the new linear park to provide a variety of recreational functions, and in time should operate as the sort of park residents and visitors would frequent for a range of purposes, including children's play and quiet seating. In these circumstances, the proposal would meet the standards to accord with London Plan Policies 3.5 and 3.6, and comply with the aims of CS Policy S5 and UDP Policy 50. [8.4.13, 9.5.4, 10.4.9]

12.7 Relationship to the Historic Environment

- 12.7.1 The Council raises no objections to the impact of the proposed scheme on the significance of a number of designated heritage assets. The

observations and concerns raised by English Heritage and Westminster City Council however merit consideration. [8.6.1, 10.4.14-10.4.19, 10.4.20-10.4.25]

- 12.7.2 These conclusions focus largely on the elements of the historic environment most likely to be directly affected by the scheme, namely the Westminster World Heritage Site (WHS), Vauxhall, Vauxhall Gardens, Albert Embankment, St Mark's and Albert Square Conservation Areas and the Grade II* listed Brunswick House.

Westminster (WHS)

- 12.7.3 The English Heritage guidance 'The Setting of Heritage Assets' states that the contribution of setting to the significance of a heritage asset is often expressed by reference to views. The guidance goes on to recognise that that the setting of a heritage asset is likely to include a variety of views of, across, or including that asset. This is particularly pertinent to the Westminster WHS, as views of tall buildings from Whitehall, from Parliament Square and bridges could potentially devalue its distinctive skyline and intricate architectural form against the sky¹. [8.6.2]
- 12.7.4 In recognition of the vulnerability of the visual integrity of this WHS to tall buildings at Vauxhall, the OAPF has developed height parameters and guidance on the composition of the cluster of tall buildings, having regard to the relationship with the WHS. In particular, tall buildings at Vauxhall are expected to have a secondary relationship to the Vauxhall Tower and avoid appearing as a solid wall of development within the setting of the WHS. In other words, appear as individual elements on the skyline. [8.6.2]
- 12.7.5 At a height of no more than 140m the Kylon towers would meet the first objective. However, height is not the only factor for consideration. The scope for the shape and disposition of buildings to intrude on views and adversely impact on the setting of the WHS cannot be ignored.

Whitehall Views

- 12.7.6 Approaching the WHS from Whitehall, the sloping profile of the higher of the two towers would be seen but as a distant feature occupying skyline space to the left of Millbank Tower. With the benefit of distance, the Kylon towers would appear significantly lower than and far less dominant in the skyline than the Millbank Tower. The prominence of the WHS would be unaffected. [8.6.3, 8.6.4, 10.4.14, 10.4.21]

Parliament Square Views

- 12.7.7 Moving through Parliament Square, the new towers would barely feature in the skyline. Brief glimpses through trees and above existing rooftops might bring the very top of the higher tower into view. There would be little or no impact on the WHS. [8.6.5, 10.4.14, 10.4.21]

River Views

¹ Factors identified in the WHS draft Statement of Integrity

- 12.7.8 From Waterloo Bridge the appeal buildings would be largely absorbed into a diffused mass of development already marking the Vauxhall skyline. The Westminster towers and the distinctive silhouette of the river facing façade of the WHS would remain dominant in the foreground, with the Millbank Tower noticeably occupying the skyline beyond. [8.6.6, 10.4.20]
- 12.7.9 From Hungerford Bridge, and in closer views at Westminster Bridge, the appeal scheme would be seen for what it is – two closely spaced towers rising above the dense mass of the St George Wharf development. Depending on the angle from which they are viewed, the towers would either be seen as individual buildings or fused together. Either way, the verticality and importance of the Westminster buildings would remain undiminished, given the facts of distance and the bend in the river. The Millbank Tower assumes a far more commanding position in these river prospects than would be the case with the appeal scheme. [8.6.7, 8.6.9, 10.4.15, 10.4.16]
- 12.7.10 Fears about a wall of development competing with the WHS are understandable, but misplaced in this case. The uneven heights, sloping tops and slim profiles would help reduce the mass and impact of the towers even in views that cause them to meld together. The integrity and outstanding universal value of the WHS would not be diminished by the proposal. [8.6.7, 10.4.15]

Conservation Areas

Vauxhall Conservation Area

- 12.7.11 The towers would clearly rise above and dominate the skyline in views looking out of this conservation area. With the cluster of tall buildings intended at Vauxhall, it is difficult to envisage anything different. However, mere facts of visibility and proximity need not be regarded as harmful to the significance or qualities of the conservation area. Its buildings and historic street patterns would remain undisturbed. Equally, the openness of Vauxhall Park would continue to play an important part in people's lives. Its usage would be undiminished by the presence of the Kylon towers, which in turn would mark the contrasting qualities of the emerging OA beyond the conservation area. [8.6.11, 8.6.12, 9.5.5]

Vauxhall Gardens Conservation Area

- 12.7.12 The proposed towers would be clearly apparent from the southern part of the conservation area across the open expanse of Spring Gardens. Impact on the conservation area would be tempered by the quality of the architecture and the buffering effect of Spring Gardens. In any event, the development would be viewed in the context of an emerging group of tall buildings forming the backdrop to the conservation area. [8.6.13]

Albert Embankment Conservation Area

- 12.7.13 The appeal scheme would be seen against a background of intense development currently at and around Vauxhall Cross, and that expected to materialise in the near future. Given the high standards of design and

engagement with the surrounding area, the proposal would not harm the setting of or views from this conservation area. [8.6.14]

St Mark's Conservation Area

- 12.7.14 The towers would be visible above the rooflines of the terraced street on Fentiman Road and Claylands Road. They would be no more intrusive than the tower block already visible from Claylands Road and, because of distance, would be no more harmful than any tall building symbolising the growth of Vauxhall. The sloping tops would add interest to the skyline but with the benefit of distance would do so without diminishing the characteristic low scale, terraced townscape of the conservation area. [8.6.15, 10.4.17]

Albert Square Conservation Area

- 12.7.15 The observations in relation to St Mark's Conservation Area apply equally to views of the new buildings from Albert Square and looking north along St Stephen's Terrace. The appearance and significance of the conservation area would not be harmed. [8.6.16, 10.4.17]

Setting of Brunswick House

- 12.7.16 The setting of this historic building is already significantly compromised by modern development around it; very little of which can be described as attractive. The appeal scheme promises good architecture and an uplift in the appearance of the area that can only be beneficial to the significance and value of the listed building. [3.3.1, 8.6.17, 10.4.18]

Views from Other Heritage Assets

- 12.7.17 That tall buildings would be visible in a range of views across the City of Westminster is inevitable. It is difficult to envisage circumstances that would not cause such buildings to impact in one way or another on cherished views. Of those specifically referred to in the objections (Belgrave Road, Duke of York Steps and Victoria Gardens) the Kylon towers are unlikely to be any more or less visible or harmful than another tall building positioned on the Island site. In time, the Kylon towers would be visible across a range of views as part of a cluster marking the Vauxhall regeneration. [10.4.22-10.4.25]

Conclusions

- 12.7.18 The proposal would meet the statutory requirements with regard to listed buildings and conservations areas, and their effect on the character and special interest of the World Heritage Site would be acceptable. It would satisfy and accord with development plan policy, in particular the London Plan Policies 7.8 and 7.10, as well as UDP Policies 45 and 47.

12.8 Other Matters

- 12.8.1 The wind impact assessment undertaken as part of the EIA demonstrates that unacceptable conditions at street level would either not occur or would be mitigated by landscaping. The assessment for the appeal scheme

appropriately took account of cumulative impact on pedestrian safety and comfort with the Vauxhall Towers and the Bondway development in place. The cumulative impact of future developments would similarly be assessed with the Kylun towers implemented. The appellant cannot be expected to base an assessment on developments that are at design stage and could alter before being implemented. [8.7.1, 8.7.2, 9.2.6, 9.7.11, 9.9.5, 10.2.1]

12.8.2 Although objectors point to the possible overshadowing and dominant effect of the towers on nearby properties, tall buildings on the appeal site and on nearby sites are anticipated in the development plan and the VNEB OAPF. Furthermore, the ES demonstrates the extent to which the new development would preserve the daylight and sunlight conditions at properties close by. Minor adverse impacts are identified in some instances but these would in any event be likely with the tall building cluster expected in the area. Some areas would be affected by shadowing during a short period of the year and for about 1-2 hours. There would be no permanent overshadowing at Spring Gardens or Vauxhall Park. It has to be said that some shadowing or loss of daylight is not atypical of such dense urban locations, and should not be held against the proposal. [8.7.3, 9.2.5, 9.5.3, 9.9.1, 10.2.1]

12.8.3 Local residents are understandably concerned at the scale of changes in the area and in particular have expressed their doubts about the suitability of the appeal site to accommodate tall buildings. However, the impact of the scheme on local environmental conditions has been appropriately assessed in accordance with a scoping opinion. Where harm is found it is minor or capable of being overcome. I can find no reason to disagree with the conclusions of the ES and the GLA that the proposal would meet the requirements of the London Plan Policy 7.7 (Location and Design of Tall and Large Buildings). [9.2.2, 9.3.1, 9.6.3]

12.8.4 Traffic and highway conditions could be affected by the service arrangements on Parry Street or taxi/coach drop-offs. The disruptive effects could be minimised with strategies and management plans in place, as indicated in Conditions 28, 32 and 33. Situated as it would be in this highly accessible location, it is right to limit on-site parking. The low level of parking indicated is justified by the initiatives proposed for reducing car dependency, such as cycle docking stations, car club scheme, the travel plan and waiver of residents' right to parking permits. These are allowed for in the planning obligation. [9.1.2, 9.3.2, 10.2.1]

12.8.5 Neither TFL nor London Buses has raised any capacity issues with the public transport network. The OAPF records the assessments of likely impact on public transport and also identifies relief systems to be implemented to overcome congestion at local stations. It does not, however, seek to limit development in the OA on the basis of insufficient public transport capacity. [9.1.1, 9.1.3, 9.6.3, 9.9.3]

12.9 Compliance with the Development Plan

12.9.1 The conclusions above demonstrate the extent to which the proposal would comply with the development plan. In particular, it would kick start

regeneration of the Vauxhall area in the way envisaged in CS Policy PN2 and its specific requirements for the heart of Vauxhall. The scheme would support the strategic policy directions and broad aims of the VNEB OA. It would deliver and contribute towards growth in housing and employment opportunities, as required by the London Plan Policy 2.13. Wider policy imperatives addressing design, historic environment, quality of residential environment and quality of place would also be met.

12.10 Overall Conclusions

12.10.1 The proposal is of high quality in a number of respects and meets the broad as well as specific requirements of the development plan. Allowing the development is neither premature nor would it be prejudicial to the Council's long-term visions for Vauxhall. It is plan-led and sustainable in the way defined in the Framework.

12.10.2 The one criticism of the scheme is the shortfall of amenity space for residents. However, in the context of the range of benefits forthcoming, the mitigating funds offered in the planning obligation and otherwise substantive compliance with the development plan, there is justification in this case for applying the latitude allowed for in policies and standards.

13. RECOMMENDATION

13.1 I recommend that the appeal be allowed and planning permission be granted subject to the conditions listed in Annex B.

Ava Wood
Inspector

14. ANNEX A SECRETARY OF STATE LETTER STATEMENT OF MATTERS

- a) the extent to which the proposed development would be in accordance with the development plan for the area;
- b) The extent to which the proposed development is consistent with Government policies in Planning Policy Statement 1: *Delivering Sustainable Development*, and accompanying guidance *The Planning System: General Principles* with particular regard to:
- i) the achievement of sustainable development and sustainable communities through an integrated approach to social cohesion, protection and enhancement of the environment, prudent use of natural resources and economic development;
 - ii) whether the design principles in relation to the site and its wider context, including the layout, scale, open space, visual appearance and landscaping, are appropriate in their context and take the opportunities available for improving the character and quality of the area and the way it functions, having regard to the advice in paragraphs 33 to 39 of PPS1;
 - iii) the extent to which the application takes into account the access needs of all in society, including people with disabilities - including access to and into buildings, having regard to the advice in paragraphs 36 and 39 of PPS1;
 - iv) Advice on prematurity in paragraphs 17-19 of *The Planning System: General Principles*, having regard to progress towards adoption of any emerging development plan documents or saved policies under the transitional arrangements;
- c) the extent to which the proposed development is consistent with Government planning for housing policy objectives in Planning Policy Statement 3 (PPS3) *Housing*, with particular regard towards delivering:
- i) high quality housing that is well-designed and built to a high standard;
 - ii) a mix of housing, both market and affordable, particularly in terms of tenure and price, to support a wide variety of households in all areas, both urban and rural;
 - iii) a sufficient quantity of housing taking into account need and demand and seeking to improve choice;
 - iv) housing developments in suitable locations, which offer a good range of community facilities and with good access to jobs, key services and infrastructure;
 - v) a flexible, responsive supply of land – managed in a way that makes efficient and effective use of land, including re-use of previously-developed land, where appropriate;

- d) the extent to which the proposed development accords with Government planning policy advice in *Planning Policy Statement 4: Planning for Sustainable Economic Growth*;
- e) the extent to which the proposed development accords with Government planning policy advice in *Planning Policy Statement 5: Planning for the Historic Environment* in particular any impact upon the settings of nearby listed buildings, conservation areas, registered parks and the Westminster World Heritage Site;
- f) the extent to which the proposed development is consistent with the advice in Planning Policy Guidance Note 13: *Transport*, in particular on the need to locate development in a way which helps to promote more sustainable transport choices; promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling; reduce the need to travel, especially by car and whether the proposal complies with local car parking standards and the advice in paragraphs 52 to 56 of PPG13;
- g) whether any permission granted for the proposed development should be subject to any conditions and, if so, the form these should take;
- h) whether any permission granted should be accompanied by any planning obligations under section 106 of the 1990 Act and, if so, whether the proposed terms of such obligations are acceptable; and
- i) any other matters that the Inspector considers relevant.

15. ANNEX B CONDITIONS

Note: New wording is marked with underlining and deleted text is struck through.

Time Limit and Implementation

1. The development to which this permission relates must be begun not later than the expiration of ~~five~~ three years beginning from the date of this decision notice.

Reason: To comply with Section 91(1) (a) of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the approved plans listed in the attached Schedule of Drawings, other than where those details are altered pursuant to the requirements of the conditions of this planning permission.

Reason: Otherwise than as set out in the decision and conditions, it is necessary that the development be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning

Environmental Mitigation

3. Before any development commences full details of the proposed construction methodology, in the form of a Method of Construction Statement, shall be submitted to and approved in writing by the local planning authority. The Method of Construction Statement shall include details regarding: the notification of neighbours with regard to specific works; advance notification of road closures; details regarding parking, deliveries, and storage; details regarding dust mitigation; details of measures to prevent the deposit of mud and debris on the public highway; and other measures to mitigate the impact of construction upon the amenity of the area and the function and safety of the highway network. The development shall not begin until provision has been made to accommodate all site operatives', visitors' and construction vehicles loading, off-loading, parking and turning within the site or otherwise during the construction period in accordance with the approved details. The details of the approved Method of Construction Statement must be implemented and complied with for the duration of the demolition and construction process.

Reason: To ensure minimal nuisance or disturbance is caused to the detriment of the amenities of adjoining occupiers and of the area generally, and to avoid unnecessary hazard and obstruction to the public highway (Policies 7 and 9 of the Unitary Development Plan and Lambeth Core Strategy Policies S2 and S4).

4. The development hereby permitted shall not be commenced until a detailed Design and Method Statement for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), has been submitted to and approved in writing by the local planning authority. The Design and Method Statement shall:

- a) provide details on all structures to be used in the construction of the development;
- b) demonstrate how the development works would accommodate the location of the existing London Underground structures and tunnels;
- c) demonstrate how the development works would accommodate ground movement arising from the construction thereof; and
- d) set out the proposed mitigation for the effects of noise and vibration arising from the adjoining operations within the structures and tunnels.

Thereafter all structures and works shall be implemented in accordance with the Design and Method Statement hereby approved. ~~set out in the approved Design and Method Statement shall be completed, in their entirety, as part of the relevant part of the development and before any part of the building hereby permitted is occupied.~~

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan policy 3C.4 and Lambeth Core Strategy Policies S4 and PN2.

5. No development shall commence until a desktop study, site investigation scheme, intrusive investigation and risk assessment have been submitted to and approved in writing by the local planning authority. The desk study will identify all previous site uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors and any potentially unacceptable risks arising from contamination at the site. The site investigation scheme will provide information for an assessment of the risk to all receptors that may be affected, including those off site. The risk assessment will assess the degree and nature of any contamination on site and to assess the risks posed by any contamination to human health, controlled waters and the wider environment. A detailed method statement for any required remediation works shall be submitted to and approved in writing by the local planning authority.
6. No development shall commence until any required remediation works have been completed and a validation report to verify these works has been submitted to and approved in writing by the local planning authority. If, during development, contamination not previously identified is found to be present at the site the local planning authority is to be informed immediately and no further development shall be carried out until a report indicating the nature of the contamination and how it is to be dealt with is submitted to and agreed in writing by the local planning authority. Any required remediation should be detailed and verified in an amendment to the remediation statement and carried out accordingly.

Reason: To remove the risk of contaminated land in the interests of the safety of residents and visitors (Policy 7.13 of the London Plan)

Design

7. Notwithstanding the approved drawings, and prior to the commencement of any building works above ground, samples and a schedule of all materials to be used in the external elevations of the development hereby approved shall

be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure high quality of detailed design so as to safeguard and enhance the visual amenities of the locality (Policies 33, 37, 41, 43, 45 and 47 of Lambeth's Unitary Development Plan and Policies S2, S9 and PN2 of Lambeth's Core Strategy).

8. Notwithstanding the details shown on the approved plans, prior to the commencement of building works above ground a full design specification of the shopfronts and of all ground floor facades shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be constructed in accordance with the details approved.

Reason: To ensure high quality of detailed design so as to safeguard and enhance the visual amenities of the locality (Policies 33, 37, 40 and 43 of Lambeth's Unitary Development Plan and Policies S9 and PN2 of Lambeth's Core Strategy).

9. Full details of the items listed below, including sample panels, shall be submitted to and approved in writing by the local planning authority prior to the commencement of development:
 - a. The façade of the buildings, including details of the precast concrete, reveal depth, glass, mullion, transom and their supporting structure, opening windows (or equivalent), the integration of the façade cleaning rails and any external louvres, illustrating the different conditions over the building;
 - b. The details of the canopy between the buildings, including details of the connections to the buildings and cleaning equipment;
 - c. The details of the Sky Garden, including details of the outer skin glass, mullion, transom, louvre, and balcony components, the integration of façade cleaning rails, any solar control blind system and its mechanism, and the soffit cladding and lighting;
 - d. The details of the apartment winter gardens, including details of the outer skin glass, mullion, transom, louvre, and balcony components, any solar control blind system and its mechanism, and the soffit cladding and lighting;
 - e. Building lighting strategy;
 - f. Full ground and first floor detailed elevations of the towers and retail unit including, details of entrance doors, canopies, fire escapes, service doors, stair cores, lift cores, toilets;
 - g. Public Artwork and service bay doors;
 - h. First floor terraces;

- i. The roof of the buildings, including details of the terraces, balustrades, louvres, PV panels, façade cleaning equipment, lighting strategy etc;
- j. Basement ventilation strategy, and integration in the landscape strategy.

The development shall be constructed and maintained thereafter in accordance with the approved details.

Reason: To ensure that the quality of the architecture is to the high standard intended in line with Policy 33 Lambeth's Unitary Development Plan and Policy S9 and PN2 of Lambeth's Core Strategy

10. Prior to the commencement of building works above ground, full details of a lighting strategy, ~~including details of the lighting~~ of all external public areas shall be submitted to and approved in writing by the local planning authority. The approved lighting shall be installed before the development is first occupied, or in accordance with an agreed implementation strategy, and retained thereafter for the duration of the development in accordance with the approved details.

Reason: *To ensure that satisfactory attention is given to detailed design, to security and community safety and to providing acceptable living environments for future residents of the development (Policy 7, 32 and 33 of Lambeth's Unitary Development Plan and Policies S2, S9 and PN2 of Lambeth's Core Strategy).*

11. No plumbing or pipes, other than rainwater pipes, shall be fixed to the external faces of buildings.

Reason: *To ensure an appropriate standard of design (Policy 33 Lambeth's Unitary Development Plan and Policy S9 and PN2 of Lambeth's Core Strategy).*

Landscape

12. No development works above ground shall commence until a Landscape and Public Realm Strategy for all external public realm areas within the whole of the Island site has been submitted to and approved in writing by the local planning authority. The Strategy should include the following elements:
- a) details of how the form and layout of the public realm will facilitate the predicted movement patterns through the development;
 - b) measures that demonstrate that pedestrians will be deterred from traversing the surrounding highways other than at designated laid out crossing points;
 - c) measures that enhance the ecological value of the site;
 - d) a time table for the implementation of the various elements of the provisions/strategy; and
 - e) a ~~robust~~ management strategy for continued and ongoing maintenance of the space for the lifetime of the permitted development.

The public realm shall thereafter be provided and retained/maintained in accordance with the approved Strategy for the duration of the permitted development.

Reason: To ensure that the proposed landscaping and public realm areas are of a high quality and for consistent treatment of the public realm (Policies 33 and 39 of Lambeth's Unitary Development Plan and Policies S9 and PN2 of Lambeth's Core strategy).

13. Pursuant to the requirements of Condition 10, detailed drawings and a schedule of hard and soft landscaping and associated fixtures and fittings shall be submitted to and approved in writing by the local planning authority prior to the commencement of the relevant works for the following elements:

- a) layout and detailed design of the hard landscaping of the public realm ;
- b) schedule and samples of all materials to be used in the hard landscaping of the public realm;
- c) layout and detailed design of the soft landscaping areas of the public realm;
- d) planting specifications (to include details of species and maturity);
- e) detailed drawings and specifications of all street furniture; and
- f) detailed drawings and specifications of all signage within the area of public realm (inclusive of a way finding strategy).

The development shall be implemented in accordance with the approved details and schedules.

Reason: To ensure that the proposed landscaping and public realm areas are of a high quality and for consistent treatment of the public realm (Policies 33 and 39 of Lambeth's Unitary Development Plan and Policies S9 and PN2 of Lambeth's Core strategy).

14. No development works above ground shall commence until full details of the layout, landscaping (including planting specifications and a materials palette) and ongoing maintenance of the 'Sky Garden' at level 27 of Tower B have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and retained thereafter for the duration of the development.

Reason: To ensure that the proposed Sky Garden is of sufficiently high quality to benefit the residential occupants of the development and to lessen the impact of the development upon local amenity spaces that would otherwise occur (Policies 33 and 39 of Lambeth's Unitary Development Plan and Policies S2, S9 and PN2 of Lambeth's Core Strategy).

Residential Standards and Full Access

15. Notwithstanding Condition 2, no development works shall commence upon site until full details of the internal layout of each residential unit, details of room and unit sizes and details of tenure type have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure a satisfactory standard of residential accommodation and the provision of appropriate levels of affordable housing (Policy 33 of

Lambeth's Unitary Development Plan and Policy S2 of Lambeth's Core Strategy).

16. All residential flats hereby permitted shall comply with Lifetime Homes standards in the British Standards Institution Draft for Development (DD 266:2007) Design for accessible housing – Lifetime Homes – Code of practice.

Reason: To secure appropriate access for disabled people, in accordance with Policy S2 of Lambeth's Core Strategy.

17. At least 10% of the residential flats hereby permitted shall be designed so that they are wheelchair accessible or easily adaptable for wheelchair users as set out in the Mayor of London, Best Practice Guidance – Wheelchair Accessible Housing 2007.

Reason: To secure appropriate access for disabled people, in accordance with Policy S2 of Lambeth's Core Strategy.

18. A minimum of 18 of the hotel rooms shall be wheelchair accessible and an Accessibility Management Plan, which sets out how the continuing management of the hotel will ensure the accessible rooms are maintained and managed, shall be submitted to and approved in writing prior to the commencement of the hotel use. The hotel use shall be implemented in accordance with the approved Plan

Reason: To ensure the provision of an adequate quantity of fully wheelchair accessible accommodation (Policy 4.5 of the draft replacement London Plan).

Residential Amenity

19. Prior to commencement of building works above ground, full details of sound insulation for the residential units which shall show how the building has been designed to meet the following standards, shall be submitted to and approved in writing by the local planning authority:

- a) for living rooms, 35 dB(A) LAeq 16 hour between 0700 and 2300 hours;
- b) for bedrooms, 30 dB(A) LAeq 8 hour between 2300 and 0700 hours; and
- c) 45 dB(A) max for any individual noise event (measured with F time weighting) between 2300 and 0700 hrs

The development shall be carried out in accordance with the approved details.

Reason: To ensure that no nuisance or disturbance is caused to the detriment of the amenities of future occupiers (Policy S2 of Lambeth's Core Strategy).

20. There shall be no amplified sound, speech or music used in connection with the commercial premises hereby approved which is audible above background noise levels when measured outside the nearest residential property.

Reason: To safeguard the amenities of future residential occupiers and the surrounding area (Policies 7 and 29 of Lambeth's Unitary Development Plan and Policy S2 of Lambeth's Core Strategy).

21. Prior to the commencement of building works above ground, full details of internal and external plant equipment and trunking, including building services plant, ventilation and filtration equipment and commercial kitchen exhaust ducting / ventilation, shall be submitted to and approved in writing by the local planning authority. All flues, ducting and other equipment shall be installed in accordance with the approved details prior to the use commencing on site and shall thereafter be maintained in accordance with the manufacturers' instructions.

Reason: To ensure that no nuisance or disturbance is caused to the detriment of the amenities of future residential occupiers or of the area generally (Policy 7 and 29 of Lambeth's Unitary Development Plan and Policy S2 and PN2 of Lambeth's Core Strategy).

22. Noise from any mechanical equipment or building services plant shall not exceed the background noise level when measured outside the window of the nearest noise sensitive or residential premises, when measured as a L90 dB(A) 1 hour.

Reason: To protect the amenities of future residential occupiers and the surrounding area (Policies 7 and 29 of Lambeth's Unitary Development Plan and Policy S2 of Lambeth's Core strategy).

23. Prior to the implementation of the development hereby approved, details and full specifications of fume extraction equipment installed in all the commercial premises, including the hotel, shall be submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved details and specification and thereafter maintained in accordance with manufacturer's instructions.

Reason: To protect the amenities of future residential occupiers and the surrounding area (Policies 7 and 29 of Lambeth's Unitary Development Plan and Policy S2 of Lambeth's Core strategy).

Public Safety

24. Prior to commencement of building works, a Crime Prevention Strategy shall be submitted to and approved in writing by the local planning authority. The strategy shall demonstrate how the development meets 'Secured by Design' standards. The development shall thereafter be implemented in accordance with the approved details and retained thereafter.

Reason: To ensure that satisfactory attention is given to security and community safety (Policy 32 of Lambeth's Unitary Development Plan and Policy S9 of Lambeth's Core Strategy).

25. Prior to the commencement of building works a Terrorism Protection Statement (setting out the measures that will be undertaken to limit the

threats to the site from terrorism) shall be submitted to and approved in writing by the local planning authority. The details as approved shall thereafter be implemented/provided prior the commencement of use of the development and retained thereafter for the duration of the permitted use.

Reason: To minimise threat from terrorism (Policy 32 of Lambeth's Unitary Development Plan and Policy S9 of Lambeth's Core Strategy).

- 26.No development works above ground shall commence before an Evacuation Plan for safe access from the basement levels of the development to an upper level and a detailed flood warning system is submitted to and approved in writing by the local planning authority. The development shall be operated in accordance with the plan thereafter.

Reason: To reduce the risk to people using the basement levels in case of flooding due to breach or overtopping of the Thames tidal flood defences (Policy S6 of Lambeth's Core Strategy).

- 27.No development shall commence until a scheme of measures to mitigate the wind effects of the development has been submitted to and approved in writing by the local planning authority and the development shall be implemented in accordance with the approved scheme.

Reason: To ensure the safety of pedestrians (Policy 7.7 of the London Plan)

Highways, Access and Parking

- 28.No deliveries shall be taken to, or dispatched from, the site between the hours of 0700 and 1000 or 1600 and 1900 Mondays to Saturdays, ~~unless otherwise agreed in writing by the Local Planning Authority.~~

Reason: To prevent deliveries during peak periods and in order to maintain the free flow of traffic on the adjoining highway. (Policy 9 of Lambeth's Unitary Development Plan and Policy S4 of Lambeth's Core Strategy).

- 29.Within one month of the new vehicular access from Parry Street being brought into use, the existing access from Parry Street not incorporated in the development hereby permitted shall be stopped up by raising the existing dropped kerb, removing the existing bellmouth, and reinstating the footway verge and highway boundary to the same line, level and detail as the adjoining footway verge and highway boundary and shall be retained thereafter for the duration of the development.

Reason: To limit the number of access points along the site boundary for the safety and convenience of the highway users (Policies 9 and 33 of Lambeth's Unitary Development Plan and Policies S4 and S9 of Lambeth's Core Strategy).

- 30.No part of the development shall be occupied until details of the vehicle turning facility shown on the ground floor of Tower B have been submitted to and approved in writing by the local planning authority. The approved facility shall be provided prior to the occupation of the development, ~~development~~

~~shall be implemented in accordance with the approved details~~ and shall not thereafter be used for any other purpose or obstructed in any way.

Reason: To enable vehicles to draw off and turn clear of the highway thereby avoiding the need to reverse onto the public highway (Policies 9 and 14 of Lambeth's Unitary Development Plan and Policy S4 of Lambeth's Core Strategy).

31. Details of the proposed access shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. No other part of the development shall be occupied until the new means of access has been sited, laid out and constructed in accordance with the approved details.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the access. (Policies 9, 26 and 31 of Lambeth's Unitary Development Plan and Policy S4 of Lambeth's Core Strategy).

32. The scheme for parking, garaging, manoeuvring, and the loading and unloading of vehicles shown on the submitted plans shall be laid out in accordance with the approved details prior to the initial occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose, or obstructed in any way.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway (Policies 9 and 14 of Lambeth's Unitary Development Plan and Policy S4 of Lambeth's Core Strategy).

33. A Delivery and Servicing Management Plan shall be submitted to and approved in writing by the local planning authority prior to use of the development commencing. The measures approved in the Plan shall be implemented prior to the relevant uses commencing and shall be so maintained for the duration of the relevant uses.

Reason: To ensure that the delivery arrangements to the building as a whole are appropriate and to limit the effects of the increase in travel movements (Policies 9 and 33 of Lambeth's Unitary Development Plan and Policies S2 and S4 of Lambeth's Core Strategy).

34. No part of the building hereby permitted shall be occupied or used until the provision for cycle parking shown on the application drawings has been implemented in full and the cycle parking shall thereafter be retained solely for its designated use.

Reason: To ensure adequate cycle parking is available on site and to promote sustainable modes of transport. (Policies 9 and 14 of Lambeth's Unitary Development Plan and Policy S4 of Lambeth's Core Strategy).

Water, Drainage and Waste

- 35.No development shall commence on site until such time as impact studies pertaining to the existing water supply infrastructure have been submitted to and approved in writing by the local planning authority. The studies should determine the magnitude of any new additional capacity required in the system, a suitable connection point and measures for overcoming impact on the water supply infrastructure. The development shall be implemented in accordance with details approved in writing by the local planning authority.

Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with additional demand generated by the development (Policies S2 and PN2 of Lambeth's Core Strategy).

- 36.Development shall not commence until a drainage strategy, detailing any on-and/or off-site drainage works, has been submitted to and approved in writing by the local planning authority. The development shall thereafter be constructed in accordance with the approved details.

Reason: To ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community (Policy S6 of Lambeth's Core Strategy).

- 37.The development hereby permitted shall not be commenced until such time as a scheme to improve the existing surface water disposal system has been submitted to and approved in writing by the local planning authority. The scheme as is approved shall thereafter be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

- 38.Each use of the development hereby permitted shall only be operated in accordance with a Waste Management Plan for that specific use which prior to the commencement of that use has been submitted to and approved in writing by the local planning authority.

Reason: To ensure that adequate provision is made for the storage of refuse and the provision of recycling facilities on the site and in the interests of the amenities of the area. (Policies 9 and 33 of Lambeth's Unitary Development Plan and Policies S8 and S9 of Lambeth's Core Strategy).

Sustainability

- 39.The development shall be constructed to meet code level 4 for the Sustainable Homes and BREEAM 'Excellent' for all other elements of the scheme. Prior to the commencement of building works, a full BREEAM pre-assessment for all non-residential elements, and a Code for Sustainable Homes pre-assessment for the development shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the prescribed performance levels. No later than 6 months of the substantial

completion of the development verification that the development has achieved the relevant targets shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure sustainable design and construction (Policy 35 of Lambeth's Unitary Development Plan and Policies S7 and PN2 of Lambeth's Core Strategy).

Heritage

- 40.No development shall take place until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted to and approved in writing by the local planning authority. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the local planning authority.

Reason: To allow adequate archaeological investigation before any archaeological remains may be affected by the development (Policy S9 of Lambeth's Core Strategy).

Miscellaneous

- 41.At least 50% of the ground floor 'A-Class' units hereby permitted, either when calculated by overall floor area or number of units, shall not be occupied other than by a use which falls within Use Class A1 of the Use Classes Order.

Reason: To ensure an appropriate balance for the active frontage / 'A-Class' uses (Policy 19 of Lambeth's Unitary Development Plan and Policy PN2 of Lambeth's Core Strategy).

- 42.The development shall not be occupied until a plan showing the layout of the children's play space at Level 1 in Tower B has been submitted to and approved in writing by the local planning authority and development has been implemented in accordance with the approved details. That area shall not thereafter be used for any purpose other than as approved.

Reason: To secure adequate provision of soft play area floorspace (Policy 3.6 of the London Plan, Policy S5 of Lambeth's Core Strategy and Policy 50 of Lambeth's Unitary Development Plan)

- ~~43.Before the development hereby permitted commences on the site, a soil survey of the site shall be undertaken and the results provided to the local planning authority. The survey shall be taken at such points as agreed with the local planning authority. A scheme for decontamination of the site shall be submitted to and approved by the local planning authority in writing and the scheme as approved shall be fully implemented and completed before any residential unit hereby permitted is first occupied.~~

Schedule of Drawings

	Drawing Title	Drawing Reference	Revision	Date Submitted
	Site Location Plan	P_AL_JA12_001	-	14/6/2010
	Ground Floor Site Plan	P_00_G100_001	C	10/12/2010
	Level 00	P_00_G200_001	C	10/12/2010
	Basement Level – 01	P_B1_G200_001	B	02/11/2010
	Basement Level – 02	P_B2_G200_001	B	02/11/2010
	Basement Level – 03	P_B3_G200_001	B	02/11/2010
	Basement Level – 04	P_B4_G200_001	B	10/12/2010
	Level 01	P_01_G200_001	C	10/12/2010
	Level 02	P_02_G200_001	C	10/12/2010
	Level 03-05	P_03_G200_001	C	10/12/2010
	Level 06	P_06_G200_001	C	10/12/2010
	Level 07-09	P_07_G200_001	C	10/12/2010
	Level 10-12	P_10_G200_001	A	10/12/2010
	Level 13	P_13_G200_001	C	10/12/2010
	Level 14	P_14_G200_001	C	10/12/2010
	Level 15	P_15_G200_001	C	10/12/2010
	Level 16-24	P_16_G200_001	A	10/12/2010
	Level 25	P_25_G200_001	C	10/12/2010
	Level 26	P_26_G200_001	C	10/12/2010
	Level 27	P_27_G200_001	C	10/12/2010
	Level 28	P_28_G200_001	C	10/12/2010
	Level 29	P_29_G200_001	C	10/12/2010
	Level 30	P_30_G200_001	C	10/12/2010
	Level 31	P_31_G200_001	C	10/12/2010

	Drawing Title	Drawing Reference	Revision	Date Submitted
	Level 32	P_32_G200_001	C	10/12/2010
	Level 33	P_33_G200_001	C	10/12/2010
	Level 34	P_34_G200_001	C	10/12/2010
	Level 35	P_35_G200_001	C	10/12/2010
	Level 36	P_36_G200_001	C	10/12/2010
	Level 37	P_37_G200_001	C	10/12/2010
	Level 38	P_38_G200_001	C	10/12/2010
	Level 39	P_39_G200_001	C	10/12/2010
	Roof Plan	P_RF_G200_001	C	10/12/2010
	Section AA	S_AA_G200_001	B	02/11/2010
	Section BB	S_BB_G200_001	B	02/11/2010
	Section DD – Winter Garden Section and Southern Elevation	S_DD_G200_001	A	07/01/2011
	Underground Entrance Section AA	S_AA_G230_001	-	14/10/2010
	North Elevation	E_N_G200_001	B	02/11/2010
	North Elevation – Tower B	E_N_G200_002	-	10/12/2010
	East Elevation	E_E_G200_001	B	02/11/2010
	South Elevation – Public Art Details	E_S_G200_002	-	14/10/2010
	South Elevation	E_S_G200_001	C	10/12/2010
	South Elevation – Tower A	E_S_G200_003	-	10/12/2010
	West Elevation	E_S_G200_001	B	02/11/2010
	Bay Detail Tower A & B	D_TY_G252_001	B	07/01/2011
	Winter Garden Bay Detail Tower A & B	D_TY_G252_003	A	10/12/2010
	Bay Detail GF Plan Tower A	D_00_G252_001	A	07/01/2011
	Bay Detail – Office Entrance Tower B	D_00_G252_002	-	10/12/2010
	Bay Detail – Residential Entrance Tower A	D_00_G252_003	-	10/12/2010
	Plant Room Bay Detail Tower A & B	D_00_G252_004	-	10/12/2010

	Drawing Title	Drawing Reference	Revision	Date Submitted
	Roof Detail Tower A & B	P_RF_G240_001	-	14/10/2010
	Roof Detail Canopy	P_RF_G240_002	-	14/10/2010
	Roof Detail Canopy Connections Plan	P_RF_G240_004	-	10/12/2010
	Winter Garden Details	S_CC_G240_001	-	10/12/2010
	Roof Detail Canopy Connections Sections	P_RF_G240	-	10/12/2010
	Typical Floor Plan	P_T1_G200_001	C	07/01/2011
	Lifetime Homes Compliant	P_TY_D811_001	B	02/11/2010
	Wheelchair Housing Compliant – 2 Bed Flat	P_TY_D811_002	B	02/11/2010
	Wheelchair Housing Compliant – 1 Bed Flat	P_TY_D811_003	B	02/11/2010
	Accessible Typical Hotel Room	P_TY_D811_004	-	14/10/2010
	Level 00 Ground Level Sport Heights	P_00_G100_003	B	10/12/2010
	Level 00 Ground Level Spot Heights	P_00_G100_004	A	10/12/2010
	Ground Level Landscaping Drawing	P_00_G710_001	C	10/12/2010
	Landscape Plan – LAND USE CONSULTANT	3723_01_100_P	H	10/12/2010
	Detail Plan, Winter Garden (LUC)	3723_01_1010	H	10/12/2010
	Detail Plan, Underground Entrance (LUC)	3723_01_103_P	D	10/12/2010
	Detail Plan, Tower B (LUC)	3723_01_102_P	E	10/12/2010

16. ANNEX C APPEARANCES AT INQUIRY

FOR THE LOCAL PLANNING AUTHORITY:

Mr William Upton of counsel	Instructed by The London Borough of Lambeth Council (LBL)
He called:	
Miss Alison Young BA (Hons), DipTP, MRTPI,	Divisional Director for Planning, Regeneration and Enterprise for Lambeth Council
Sir Terry Farrell CBE	Principal of Terry Farrell & Partners
Mr A Neil Wisher BSc (Hons), C.Eng MICE, MIHT	Director for Transport Planning, The Project Centre Ltd
Mr Iwan W Richards LLB (Hons) Dip TP MRTPI Dip LA	Interim Team Leader, Development Management Section, LBL

FOR THE APPELLANT:

Mr Russell Harris QC	Instructed by Forsters LLP
He called:	
Mr Michael Squire MA Dip Arch (Cantab) RIBA	Senior Partner, Squire and Partners
Mr Richard Coleman Dip Arch (Cantab) RIBA	Principal, Richard Coleman City Designer
Mr Peter Hibbert BSc (Hons) Dip.Proj.Man. MRICS	Founder, Affordable Housing Solutions Limited
Mr Richard Hannay MA DipLA CMLI	Principal, Land Use Consultants
Mr Peter Caneparo BSc MSc CMILT MCIHT	Founding Director, TTP Consulting
Mr Raoul Veevers BA (Hons) BPI MRTPI	Partner, Montagu Evans

INTERESTED PERSONS:

Mr David Hughes	Local Resident
Ms Andrea Hofling	Viva Vauxhall Residents' Association
Mr John Mullineaux	Local Resident
Ms Jane Opher	Local Resident
Ms Helen Monger and Ms Polly Freeman	Friends of Vauxhall Park
Mrs MD Johnston MBE	Chair, Kenning Oval and Vauxhall Forum
Mr David Boardman	Chair, Kenning Association Planning Forum
Ms Hannah Renier	Local Resident
Mr David Spofforth	Chair, Management Committee, Vine Housing Co-operative
Mr Michael Ball	Waterloo Community Development Group

17. ANNEX D CORE DOCUMENTS

A. Statutory Materials and National Policy	
1.	Planning and Compulsory Purchase Act 2004
	Section 38(6) Development plan
2.	Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999*
3.	National Planning Policy and Guidance
	3.1 PPS1 Delivering Sustainable Development (2005)
	3.2 The Planning System General Principles (2005)
	3.3 PPS3 Housing (2010 and re-issued in 2011)
	3.4 PPS4 Planning for Sustainable Economic Growth (2009)
	3.5 PPS5 Planning for the Historic Environment (2010)
	3.6 PPS5 Practice Guide (2010)
	3.7 PPS12 Local Spatial Planning (2008)
	3.8 PPG13 Transport (2001, revised 2011)
	3.9 PPS22 Renewable Energy (2002)
	3.10 PPS23 Planning and Pollution Control (2004)
4.	Minister for Decentralisation Written Ministerial Statement (31 March 2011)
5.	Localism Act 2011
B. Development Plan	
1.	The Spatial Development Strategy for Greater London – The London Plan 2011
2.	London Borough of Lambeth's Core Strategy – Adopted January 2011
3.	Saved Policies of the London Borough of Lambeth's Unitary Development Plan (Adopted August 2007)
	3.1 Policy Number 7 Protection of Residential Amenity

	3.2	Policy Number 9 Transport Impact
	3.3	Policy Number 12 Strategic Transport Hubs and Transport Development Areas
	3.4	Policy Number 14 Parking and Traffic Restraint
	3.5	Policy Number 16 Affordable Housing
	3.6	Policy Number 19 Active Frontage Uses
	3.7	Policy Number 21 Location and Loss of Offices
	3.8	Policy Number 26 Community Facilities
	3.9	Policy Number 28 Hotels and Tourism
	3.10	Policy Number 29 The Evening and Late Night Economy, Food and Drink and Amusement Centre Uses
	3.11	Policy Number 30 Arts and Culture
	3.12	Policy Number 31 Streets, Character and Layout
	3.13	Policy Number 32 Community Safety/ Designing Out Crime
	3.14	Policy Number 33 Building Scale and Design
	3.15	Policy Number 35 Sustainable Design and Construction
	3.16	Policy Number 37 Shopfronts and Advertisements
	3.17	Policy Number 38 Design in Existing Residential/ Mixed Use Areas
	3.18	Policy Number 39 Streetscape, Landscape and Public Realm Design
	3.19	Policy Number 40 Tall Buildings
	3.20	Policy Number 41 Views
	3.21	Policy Number 43 The River Thames Policy Area – Urban Design
	3.22	Policy Number 45 Listed Buildings
	3.23	Policy Number 47 Conservation Areas
	3.24	Policy Number 50 Open Space and Sports Facilities
	3.25	Policy Number MDO 76 Island Site, Vauxhall Cross – Area: 0.6

	Ha
C. Supplementary Planning Guidance and Best Practice Guidance	
1.	London Borough of Lambeth Supplementary Planning Documents
	1.1 SPD: Safer Built Environments (April 2008)
	1.2 SPD: Sustainable Design and Construction (July 2008)
	1.3 SPD: Guidance and Standards for Housing Development and House Conversions Supplementary Planning Document (July 2008)
	1.4 SPD: S106 Planning Obligations (Updated July 2010)
2.	Mayor of London's Supplementary Planning Guidance and Best Practice Guidance
	2.1 SPG Accessible London (April 2004)
	2.2 SPG Housing (October 2009)
	2.3 SPG – Providing for Children and Young People's Play and Informal Recreation (2008)
	2.4 SPG – London View Management Framework (July 2010)
	2.5 BPG Open Space Strategies (2008)
	2.6 Mayor's Transport Strategy (May 2010)
	2.7 GLA Affordable Housing and S106 Toolkit: Guidance Notes"
	2.8 GLA London Strategic Housing Land Availability Assessment and Housing Capacity Study 2009
	2.9 London Housing Strategy (2010)
D. Emerging Documents	
1.	Draft National Planning Policy Framework (July 2011)
2.	Draft Vauxhall Area Supplementary Planning Document
3.	Lambeth's Draft Site Specific Allocations DPD: Vauxhall Sites
4.	GLA's Draft Vauxhall, Nine Elms and Battersea Opportunity Area Planning Framework (November 2009)
5.	RICS draft guidance note – Financial Viability in Planning
6.	GLA Draft SPG London World Heritage Site – Guidance on Settings

7.	Draft SPG London View Management Framework (July 2011)
E. Other Material Considerations	
1.	English Heritage/ CABI Guidance on Tall Buildings (July 2007)
2.	Westminster World Heritage Site Management Plan (May 2007)
3.	UDP Examination in Public Inspector's Report (2006)
4.	Lambeth Cabinet Paper – Vauxhall Area: Statement of Principles, Emerging Issues and Development Infrastructure Funding Study (16 July 2011)
5.	Seeing History in the View – A method for assessing heritage significance within views: English Heritage (May 2011)
6.	The Setting of Heritage Assets: English Heritage (20 October 2011)
F. Inquiry Documents	
1.	On behalf of Appellant
	1.1 Statement of Case
	1.2 Planning Consultant Proof of Evidence
	1.3 Architect Proof of Evidence
	1.4 Townscape Proof of Evidence
	1.5 Transport Proof of Evidence
	1.6 Affordable Housing Proof of Evidence
	1.7 Landscape Proof of Evidence
	1.8 Latest s 106 Draft
	1.9 Planning Rebuttal
	1.10 Architect Rebuttal
	1.11 Transport Rebuttal
	1.12 Affordable Housing Rebuttal
2.	On behalf of Council
	2.1 Statement of Case
	2.2 Design Proof of Evidence

	2.3	Development Management Proof of Evidence
	2.4	Strategic Witness Proof of Evidence
	2.5	Transport Proof of Evidence
	2.6	Design Rebuttal
	2.7	S106 and Mayoral CIL Supplementary Proof
3.		Lambeth Committee Documents
	3.1	Committee Report (15 February 2011)
	3.2	Committee Report (15 March 2011)
	3.3	Addendum to Committee Report (15 March 2011)
	3.4	Committee Report (18 October 2011)
	3.5	Addendum to Committee Report (18 October 2011)
4.		Agreed Documents
	4.1	Core Statement of Common Ground
	4.2	Transport Statement of Common Ground
	4.3	Viability Statement of Common Ground
	4.4	Amenity Space Statement of Common Ground
	4.5	Strategic Issues Statement of Common Ground
5.		On behalf of Interested Parties
	5.1	Third Party Correspondence
G. Appeal Application		
1.		Planning Application Documents
	1.1	A1: Covering Letter to LB Lambeth from Montagu Evans.
	1.2	A2 Planning Application Form, Certificate and Notices.
	1.3	A3: Design and Access Statement prepared by Squire and Partners dated June 2010.
	1.4	A4: Application Drawings (refer to drawing schedule dated 14 June 2010).

	1.5	A5: Planning Statement prepared by Montagu Evans dated June 2010 (including a A6: site plan at Appendix 1).
	1.6	A6: Affordable Housing Statement prepared by Affordable Housing Solutions dated June 2010.
	1.7	A7: Sustainability Statement prepared by Battle McCarthy dated June 2010.
	1.8	A8: Play and Amenity Space Strategy prepared by Montagu Evans dated June 2010.
	1.9	A9: Energy Statement prepared by Roger Preston Environmental dated June 2010.
	1.10	A10: Statement of Community Engagement prepared by Camargue dated June 2010.
	1.11	A11: Structural Planning Statement prepared by Expedition dated June 2010.
	1.12	A12: Transport Assessment prepared by Savell Bird and Axon dated June 2010.
	1.13	A13: Environmental Statement Non-Technical Summary prepared by RPS dated June 2010.
	1.14	A14: Environmental Impact Assessment: Volume 1 prepared by RPS dated June 2010.
	1.15	A15: Environmental Statement: Volume 2 – Heritage, Townscape and Visual Impact Assessment prepared by Richard Coleman City Designer and Miller Hare dated June 2010.
	1.16	A16: Environmental Statement: Volume 3 - Technical Appendices prepared by RPS dated June 2010.
2.	Additional Information and General Correspondence	
	2.1	B1: Email from Marc Timlin (Montagu Evans) to the Greater London Authority (GLA) setting out the applicant's response to the draft Vauxhall, Nine Elms & Battersea OAPF.
	2.2	B2: Correspondence from GLA to Raoul Veevers (Montagu Evans) enclosing a copy of the pre-application response.
	2.3	B3: Email from David Smith (LB Lambeth) to Marc Timlin (Montagu Evans) enclosing a copy of the Officer's response to the pre-application submission.
	2.4	B4: Email from Claire O'Brien (GLA) to Raoul Veevers (Montagu Evans) confirming the application of the VNEB OAPF

	tariff.
2.5	B5: Email from Raoul Veevers (Montagu Evans) to Adrian Owen (Montagu Evans) regarding Lambeth PCT.
2.6	B6: Correspondence from Montagu Evans to Les Brown (LB Lambeth) enclosing copies of the Structural Planning Statement.
2.7	B7: Email from David Smith (LB Lambeth) to Marc Timlin (Montagu Evans) providing initial response to the planning application submission.
2.8	B8: Correspondence from Montagu Evans to Les Brown (LB Lambeth) responding to initial feedback from officers.
2.9	B9: Correspondence from Montagu Evans to David Smith (LB Lambeth) enclosing copies of the financial viability toolkit assessment and supporting statement.
2.10	B10: Email from David Smith (LB Lambeth) to Raoul Veevers (Montagu Evans) and Marc Timlin (Montagu Evans) setting out initial Section 106 heads of terms.
2.11	B11: Correspondence from Lee Campbell (TfL) to David Smith (LB Lambeth) confirming TfL's interim representations on the application.
2.12	B12: Correspondence from GLA to David Smith (LB Lambeth) enclosing GLA Stage 1 report.
2.13	B13: Correspondence from Montagu Evans to David Smith (LB Lambeth) including the following:
2.14	Vauxhall Cross Community Space Statement prepared by Montagu Evans dated September 2010;
2.15	Draft Management Strategy prepared by Montagu Evans dated 21/9/2010;
2.16	Air Quality Addendum prepared by RPS;
2.17	Correspondence from RPS to Rachel Conti at the GLA dated 27/8/2010;
2.18	PPS25 Flood Risk Assessment prepared by Expedition dated August 2010.
2.19	B14: Correspondence from Montagu Evans to David Smith (LB Lambeth) enclosing the following:
2.20	Response to Transport for London and London Borough of Lambeth Transport Assessment Review (October 2010)

	<p>prepared by Savill Bird and Axon;</p> <p>2.21 Response to comments on the Energy Statement and response to GLA comments on the Energy Strategy prepared by Roger Preston Environmental;</p> <p>2.22 Additional information prepared by Squire and Partners including landscaping drawings, floor plans and illustrative details of the proposed tube entrance; and</p> <p>2.23 Full sets of the application drawings as set out in the attached planning drawing issue sheet.</p>
	2.24 B15: Correspondence from Montagu Evans to David Smith (LB Lambeth) enclosing Additional Information prepared by Squire and Partners dated October 2010.
	2.25 B16: Correspondence from Squire and Partners to A Thompson at CBE enclosing Additional Information.
	2.26 B17: Email from Marc Timlin (Montagu Evans) to David Smith (LB Lambeth) enclosing a letter from a digital cinema operator.
	2.27 B18: Letter from Raoul Veevers (Montagu Evans) to Les Brown (LB Lambeth) regarding the timing of the planning application.
	2.28 B19: Email from Les Brown (LB Lambeth) to Raoul Veevers (Montagu Evans) regarding the timing of the planning application.
	2.29 B20: Email from Raoul Veevers (Montagu Evans) to David Smith and Les Brown (LB Lambeth) regarding the outstanding information.
	2.30 B21: Email from Raoul Veevers (Montagu Evans) to Claire O'Brien (GLA) and David Smith (LB Lambeth) regarding Section 106 costs and enclosing schedule of contributions.
	2.31 B22: Savell Bird and Axon briefing note to Lee Campbell (TfL) and LB Lambeth officers responding to issues raised by TfL, London Buses, London Underground and LB Lambeth.
	2.32 B23: Email from Claire O'Brien (GLA) to Marc Timlin (Montagu Evans) providing comments on the landscaping proposals.
	2.33 B24: Email from Raoul Veevers (Montagu Evans) to Claire O'Brien (GLA) and David Smith (LB Lambeth) regarding Vauxhall Island Section 106 costs and contributions.
	2.34 B25: Correspondence from Montagu Evans to David Smith (LB Lambeth) enclosing Supplementary Information, including revised drawings and drawing schedule prepared by Squire

	and Partners dated December 2010.
2.35	B26: Email from Raoul Veevers (Montagu Evans) to Lee Campbell (TfL), Claire O'Brien (GLA) and David Smith (LB Lambeth) enclosing revised Section 106 schedule of discussions.
2.36	B27: Email from Marc Timlin (Montagu Evans) to Charleen Henry (LB Lambeth) and David Smith (LB Lambeth) enclosing amended 3D visualisations of the proposed tower tops.
2.37	B28: Email from Raoul Veevers (Montagu Evans) to Lee Campbell (TfL), Claire O'Brien (GLA) and David Smith (LB Lambeth) regarding Section 106 costs and obligations.
2.38	B29: Email from Marc Timlin (Montagu Evans) to David Smith (LB Lambeth) enclosing amended details of the bay study.
2.39	B30: Email from Raoul Veevers (Montagu Evans) to David Smith (LB Lambeth) regarding the Council's requirement for an 'at grade' crossing of Wandsworth Road.
2.40	B31: Email between Les Brown (LB Lambeth) and Raoul Veevers (Montagu Evans) regarding the use of a Grampian style planning condition.
2.41	B32: Email between Raoul Veevers (Montagu Evans) and David Smith (LB Lambeth) confirming that agreement could not be reached between Lambeth and TfL and the application will be reported to committee on 15/2/2011 for a steer.
2.42	B33: Correspondence from Nicola Stedman-Jones (RPS) to Claire O'Brien (GLA) regarding additional noise information.
2.43	B34: Correspondence from LB Lambeth to Montagu Evans seeking an 'at grade' crossing.
2.44	B35: Email from Marc Timlin (Montagu Evans) to David Smith (LB Lambeth) discussing the issues raised by CABE.
2.45	B36: Report to Lambeth Planning Applications Committee of 15 February 2011 for a steer regarding the Wandsworth Road crossing and affordable housing and minutes of that meeting.
2.46	B37: Email from Raoul Veevers (Montagu Evans) to David Smith (LB Lambeth) confirming the area of public realm within the red line.
2.47	B38: Report to Lambeth Planning Applications Committee of 15 March 2011.
2.48	B39: Correspondence from Montagu Evans to Councillor Steve

	Reed (LB Lambeth) seeking a meeting.
2.49	B40: Email correspondence between Les Brown (LB Lambeth) and Erica Ballmann (LB Lambeth) and Raoul Veevers (Montagu Evans) regarding a meeting with Cllr Steve Reed.
2.50	B41: Correspondence from Montagu Evans to David Smith (LB Lambeth) regarding the alternative use valuation.
2.51	B42: Correspondence from Montagu Evans to Les Brown (LB Lambeth) requesting an extension to the period of determination.
2.52	B43: Correspondence from Les Brown (LB Lambeth) to Raoul Veevers (Montagu Evans) confirming that extension to 1/6/2011.
2.53	B44: Note of meeting with officers at LB Lambeth.
2.54	B45: Draft Section 106 Agreement and summary document.
2.55	B46: Correspondence from Montagu Evans to Claire O'Brien (GLA) enclosing the revised energy statement.
2.56	B47: Correspondence from Montagu Evans to Ransford Stewart (LB Lambeth) requesting further extension to the determination period to 01/8/2011.
2.57	B48: Email from Jonathan Harvey (Squire and Partners) to Charlene Henry (LB Lambeth) enclosing an amended landscaping plan.
2.58	B49: Correspondence from Lambeth to Raoul Veevers (Montagu Evans) confirming the extension.
3.	Transport and Accessibility Correspondence
3.1	C1: Email from Marc Timlin (Montagu Evans) to David Smith (LB Lambeth) enclosing an alternative tube entrance design and additional noise modelling.
3.2	C2: Correspondence from Transport for London to Raoul Veevers (Montagu Evans) Post Stage 1 response.
3.3	C3: Email from Raoul Veevers (Montagu Evans) to Lee Campbell (TfL), Claire O'Brien (GLA) and David Smith (LB Lambeth) providing agreement regarding the tube entrance obligation.
3.4	C4: Email from David Smith (LB Lambeth) Raoul Veevers (Montagu Evans) confirming the requirement for an 'at grade' crossing.

	3.5	C5: Email from David Smith (LB Lambeth) to Raoul Veevers (Montagu Evans) and Marc Timlin (Montagu Evans) demanding a pedestrian crossing on Wandsworth Road.
	3.6	C6: Email from Lee Campbell (TfL) to Raoul Veevers (Montagu Evans) discussing the detail of the pedestrian crossing on Wandsworth Road.
	3.7	C7: Email from Lee Campbell (TfL) to Raoul Veevers (Montagu Evans) highlighting his concerns to Sue Foster regarding pedestrian crossing on Wandsworth Road.
	3.8	C8: Email from Les Brown (LB Lambeth) to Raoul Veevers (Montagu Evans) confirming his discussions with highway officers.
	3.9	C9: Email from Raoul Veevers (Montagu Evans) to Les Brown (LB Lambeth) agreeing to consider obligation to provide a crossing on Wandsworth Road.
	3.10	C10: Email from Lee Campbell (TfL) to Raoul Veevers (Montagu Evans) providing comment on a draft obligation to provide the pedestrian crossing on Wandsworth Road.
	3.11	C11: Email from Lee Campbell (TfL) to Raoul Veevers (Montagu Evans) commenting upon the subway obligation.
	3.12	C12: Email from Raoul Veevers (Montagu Evans) to Danny Calver and Lee Campbell (TfL) responding to Lee Campbell's email of 26/1/2011 regarding the obligation.
	3.13	C13: Memo to Colin Buchanan, Transport for London and LB Lambeth from Savill Bird and Axon providing a brief for the pedestrian crossing impact assessment.
	3.14	C14: Email with Peter Caneparo (TTP) to TfL enclosing Technical Note from Colin Buchanan on pedestrian crossing dated 14/2/2011.
	3.15	C15: Email from Lee Campbell (TfL) to Peter Caneparo (TTP) regarding proposed pedestrian crossing.
	3.16	C16: Correspondence from TTP Consulting to Montagu Evans regarding the timing of highway studies.
4.		Environmental Correspondence
	4.1	D1: Correspondence from LB Lambeth to RPS providing the Scoping Opinion.
	4.2	D2: Email from Karen Muldowney (RPS) to Raoul Veevers (Montagu Evans) confirming scope of views from the

	cenotaph.
4.3	D3: Email Nicola Steadman (RPS) to Karen Muldowney (RPS) confirming that air quality issues have been dealt with and identifying outstanding concerns with regard to noise.
4.4	D4: Email from Marc Timlin (Montagu Evans) to David Smith (LB Lambeth) setting out the Gordon Ingram Associates response with regard to daylight and sunlight issues.
4.5	D5: Email from Claire O'Brien (GLA) to Nicola Steadman Jones (RPS) regarding outstanding noise issues.
4.6	D6: Email from Claire O'Brien (GLA) to Marc Timlin (Montagu Evans) confirming that there are no air quality issues but raising concerns with regard to the energy strategy.
4.7	D7: Email from Claire O'Brien (GLA) to Raoul Veevers (Montagu Evans) and Marc Timlin (Montagu Evans) regarding internal noise and ventilation.
5.	Housing and Viability Correspondence
5.1	E1: Email from David Smith (LB Lambeth) to Anthony Lee (BNP Paribas) instructing BNP to undertake an analysis of the financial viability appraisal prepared by Kylun.
5.2	E2: Correspondence from Montagu Evans to David Smith (LB Lambeth) regarding the GLA Development Control Toolkit alternative use value.
5.3	E3: Correspondence from Montagu Evans to David Smith (LB Lambeth) enclosing a second alternative use valuation.
5.4	E4: Email from Paul Bellamy (Cyril Sweett) to Steven Cooper (Montagu Evans) and Richard Berry (EC Harris) regarding construction costs.
5.5	E5: Email from David Smith (LB Lambeth) to Raoul Veevers (Montagu Evans) and Claire O'Brien (GLA) regarding the alternative use valuation and Section 106 contributions.
5.6	E6: Email from Steven Cooper (Montagu Evans) to Duncan Henderson (BNP Paribas) regarding construction costs.
5.7	E7: Email from Marc Timlin (Montagu Evans) to David Smith (LB Lambeth) confirming the appropriateness of the AUV.
5.8	E8: Email from Duncan Henderson (BNP Paribas) to Adrian Owen (Montagu Evans) providing feedback on the alternative use valuation.

	5.9	E9: Email from Duncan Henderson (BNP Paribas) to Adrian Owen (Montagu Evans), Steven Cooper (Montagu Evans), Paul Bellamy (Cyril Sweett), Neil Brearly (EC Harris) & Richard Berry (EC Harris) regarding construction costs.
	5.10	E10: Email from Marc Timlin (Montagu Evans) to David Smith (LB Lambeth) confirming unit, room and balcony sizes.
	5.11	E11: Email from Raoul Veevers (Montagu Evans) to David Smith (LB Lambeth) regarding the affordable housing base provision.
	5.12	E12: Email between Les Brown (LB Lambeth) and Richard Saunders (LB Lambeth) and Raoul Veevers (Montagu Evans) regarding affordable housing provision.
	5.13	E13: Email from David Smith (LB Lambeth) to Raoul Veevers (Montagu Evans) regarding the AUV and the timing of the planning application.
	5.14	E14: Email from Steven Cooper (LB Lambeth) to Anna Booth (Affordable Housing Solutions) & Duncan Henderson (BNP Paribas) confirming the drawings, area schedules and build costs for the revised AUV proposals.
	5.15	E15: Email from Steven Cooper (LB Lambeth) to Anna Booth (Affordable Housing Solutions) & Duncan Henderson (BNP Paribas) confirming the revised alternative use value, planning assessment & build costs for the revised AUV proposals.
	5.16	E16: Email from Duncan Henderson (BNP Paribas) to Anna Booth (Affordable Housing Solutions) & Steven Cooper (Montagu Evans) confirming the value associated with the discounted office space.
	5.17	E17: Email from Anna Booth to Duncan Henderson BNP Paribas) & Steven Cooper (Montagu Evans) confirming the contingency level and the disposal/lettings/marketing costs for the revised AUV proposals.
	5.18	E18: Email from Anna Booth (Affordable Housing Solutions) to David Smith enclosing an appraisal summary for the revised AUV proposals.
	5.19	E19: Correspondence from Montagu Evans to David Smith (LB Lambeth) regarding the alternative use value.
	5.20	E20: Email from Raoul Veevers (Montagu Evans) to Sue Foster (LB Lambeth) regarding affordable housing provision and the alternative use valuation.
	5.21	E21: Email from Raoul Veevers (Montagu Evans) to David

	Smith (LB Lambeth) regarding lack of progress on the AUV.
5.22	E22: Email from Raoul Veevers to David Smith (LB Lambeth) regarding the alternative use valuation.
H. Relevant Correspondence	
1.	PINS Letter re. Secretary of State (23 August 2011)
2.	PINS Letter re. Bespoke timetable (1 September 2011)
3.	PINS Minutes of Pre-Inquiry Meeting (4 November 2011)
4.	PINS Letter re. ES (24 November 2011)
5.	ME Letter re. ES including attachments (8 December 2011)
6.	GLA Letter to PINS (9 January 2012)
7.	Intentionally left blank
8.	Intentionally left blank
9.	Email of 14th December from LB Lambeth to GLA
10.	Letter dated 27 October, 2011 from Steve Reed, Leader Lambeth Council
11.	Letter dated 6 June, 2011 from Steve Reed, Leader Lambeth Council
I. Other Relevant Documents	
1.	Bondway Commercial Centre (Ref: 09/01520/FULL) (Inspector's Report and Secretary of State Decision)
2.	Vauxhall Park Management Plan
3.	VNEB Strategy Board Paper (11-20) (23 March 2011)
4.	Burns & Nice Public Realm and Highways Modelling Study 2010
5.	* APP- Elizabeth House Inspector's Report (Ref: 07/02628/FULL)
	LBL - Lambeth Open Space Strategy – September 2004
6.	* APP- Letter from English Heritage to Lambeth Council (26 July 2010)
	LBL- Assessing the impact of spatial interventions, 'The 3Rs Guidance'. London: Office of the Deputy Prime Minister, 2004
7.	* APP -Vauxhall Tower Inspector's Report (9 December 2008)
	LBL - Ministerial statement at the National Regeneration Summit, 14

	July, 2010
8.	Our 2020 Vision, Lambeth Sustainable Community Strategy 2008-2020, Lambeth First, 2008.
9.	The Councils Corporate Plan 2011-2014, Lambeth: The Cooperative Council, 2011
10.	"The Cooperative Council – Sharing power: a new settlement between citizens and the state " Lambeth Council, 2010
11.	Report to Lambeth Cabinet 24 January 2011- Cooperative Council
12.	Report to Lambeth Cabinet 16 January 2012 – Vauxhall Area: statement of principles, emerging issues, and development infrastructure funding study
13.	Development Infrastructure Funding Study 2011
14.	Documents referenced in Regeneration Proof of Appendix 6: Consultation over Vauxhall, Nine Elms and Battersea regeneration and development and the emerging Vision for Vauxhall.
15.	I15 Heron Tower Decision
16.	I16 Shard Decision

* Due to confusion over the numbering of the core document both parties have referred to document numbered as 1 5, 1 6 and 1 7 . For the avoidance of confusion these three have sub-divided and labelled APP (appellant) and LBL (Lambeth Borough Council).

18. ANNEX E INQUIRY DOCUMENTS

Number	Title	Submitted by	Date
ID1	Opening Statement	App	05/03
ID2	Letter of notification of Inquiry	LBL	05/03
ID3	Planning Application Committee Report, 15 February 2011	App	05/03
ID4	Drawing Issues Sheet	App	06/03
ID5	Application Drawings	App	06/03
ID6	OAPF- Press Release	LBL	06/03
ID7	The OAPF	LBL	07/03
ID8	Appendix L- Design Standards for Signal Schemes in London	App	07/03
ID9	Email exchanges between Mr Heslop (Principal Transport Planner) and Mr L Brown (LBL Planning), 14 January 2011	App	08/03
ID10	Memo- VNEB Tariff	App	08/03
ID11	Extract of minutes from LBL January Cabinet: Resolution to SPD	LBL	08/03
ID12	Lambeth Local Development Scheme: Position Statement, December 2011	LBL	08/03
ID13	Email from Mr Zbig Blonski (Head of Strategic Planning LBL), 18 August 2011	App	09/03
ID14	Calculation of Amenity Space and Play Space Areas	App	09/03
ID14A	Calculation of shortfall in amenity Space	LBL	09/03
ID15	Guidance Notes – Affordable housing development control toolkit	App	14/03
ID16	Briefing note VNEB Tariff & S106 calculations	LBL	14/03
ID17	Planning Obligation Schedule – note following Inspector's questions	LBL	14/03
ID18	Info on SPD consultation	LBL	14/03
ID19	Policy Briefing note on District Centre for Vauxhall (requested by Inspector)	LBL	14/03
ID20	Supplementary note on OAPF- Miss A Young	LBL	14/03
ID21	Appendix A to CD G.2.20)	LBL	15/03
ID22	Mr Boardman Letter to LBL, dated 15 March 2012, re: adoption of SPD	Mr D Boardman	15/03
ID23	LDF Core Strategy Topic Paper 6: Retail, March 2010	App	15/03
ID24	Note re: District Centres and CAZ Frontage	Mr M Ball	16/03
ID25	Map of approximate walking distances to Vauxhall Park and Spring Gardens	App	16/03

ID26	Completed Section 106 planning obligation	App	16/03
ID27	List of Planning conditions (discussed at inquiry)	App	16/03
ID27A	Suggested Grampian condition	LBL	16/03
ID28	VNEB Nov 11 Consultation Material	LBL	16/03
ID29	Extracts from Wandsworth Site Specific Allocation DPD, adopted February 2012	LBL	16/03
ID30	Email from GLA re: affordable Housing, dated 16 March 2012	LBL	16/03
ID31	Open Space Calculation on site	App	16/03
ID32	Mr Caneparo briefing note, Servicing and Vehicular Access	App	16/03
ID33	Mr Caneparo briefing note, Walk Times	App	16/03
ID34	Site visit agendas from both parties	LBL/App	20/03
ID35	Extracts from HTVI assessment (for use by Inspector on site)	App	20/03
ID36	Note on retail areas on site	App	20/03
ID37A	Committee Report application no: 07/04264/FUL	App	20/03
ID37B	Briefing note from LBL in response to submission of ID37A	LBL	20/03
ID38	Email correspondence between Danny Calver and Terry Farrell re: Vauxhall Report (22 December 2011)	LBL	20/03
ID39	Squire and Partners 'Everything in its Right Place'	App	20/03
ID40	Closing Submissions	LBL	20/03
ID41	Closing Submissions	App	20/03
ID42	Examples of roadside pedestrian 'buffers'	App	20/03
ID43	Inquiry Programme		
ID44	Letter to parties regarding the Framework	PINS	04/04
ID45A-	Responses in the light of the Framework	Various	Various

19. ANNEX F PROOFS AND WRITTEN STATEMENTS

LBL Documents

LBL/AY/1.1	Miss Young's summary Proof of Evidence
LBL/AY/1.2	Miss Young's Proof of Evidence
LBL/AY/1.3-1.7	Miss Young's Appendices 1-5
LBL/AY/1.8	Miss Young's supplementary Proof of Evidence on planning obligations and Mayoral CIL
LBL/TF/2.1	Mr Farrell's Proof of Evidence
LBL/TF/2.2	Mr Farrell's summary Proof of Evidence
LBL/TF/2.3	Mr Farrell's PowerPoint presentation
LBL/TF/2.4	Mr Farrell's Appendixes TF1-TF12 (TF12 comprises rebuttal Proof of Evidence)
LBL/NW/3.1	Mr Wisher's Proof of Evidence, summary Proof of Evidence and Appendices
LBL/IR/4.1	Mr Richards' Proof of Evidence
LBL/IR/4.2	Mr Richards' Appendices 1-10
LBL/IR/4.3	Mr Richards' summary Proof of Evidence

Kylun Ltd. Documents

KL/MS/1.1	Mr Squire's Proof of Evidence
KL/MS/1.2	Mr Squire's Appendices
KL/MS/1.3	Mr Squire's Summary Proof of Evidence
KL/MS/1.4	Mr Squire's Rebuttal Proof of Evidence
KL/MS/1.5	Mr Squire's PowerPoint Presentation
KL/RC/2.1	Mr Coleman's Proof of Evidence
KL/RC/2.2	Mr Coleman's Appendices
KL/RC/2.3	Mr Coleman's Summary Proof of Evidence
KL/RH/3.1	Mr Hannay's Proof of Evidence
KL/RH/3.2	Mr Hannay's Appendices

KL/AH/4.1	Mr Hibbert's Proof of Evidence
KL/AH/4.2	Mr Hibbert's Appendices
KL/AH/4.3	Mr Hibbert's Rebuttal Proof of Evidence
KL/PC/5.1	Mr Caneparo's Proof of Evidence
KL/PC/5.2	Mr Caneparo's Appendices
KL/PC/5.3	Mr Caneparo's Summary Proof of Evidence
KL/PC/5.4	Mr Caneparo's Rebuttal Proof of Evidence
KL/RV/6.1	Mr Veever's Proof of Evidence
KL/RV/6.2	Mr Veever's Appendices
KL/RV/6.3	Mr Veever's Summary Proof of Evidence
KL/RV/6.4	Mr Veever's Rebuttal Proof of Evidence

Third Party Written Statements

TP1	Mr David Hughes' written statement
TP2	Ms Andrea Hofling's written statement (on behalf of Viva Vauxhall Residents' Association)
TP3	Mr John Mullineaux's written statement
TP4	Ms Jane Opher's written statement
TP5	Ms Helen Monger and Ms Polly Freeman's written statement (on behalf of Friends of Vauxhall Park)
TP6	Mrs MD Johnston's written statement (on behalf of Kenning Oval and Vauxhall Forum)
TP7	Mr David Boardman's written statement (on behalf of Kenning Association Planning Forum)
TP8	Ms Hannah Renier's written statement
TP9	Mr David Spofforth's written statement (on behalf of Vine Housing Co-operative)
TP10	Mr Michael Ball's written statement (on behalf of Waterloo Community Development Group)
WR1- WR27	Written representations in response to the appeal

20. ANNEX G - GLOSSARY OF ABBREVIATIONS

CD	Core Document
CIL	Community Infrastructure Levy
CS	Core Strategy
DIFS	Development Infrastructure Funding Study
ES	Environmental Statement
GLA	Greater London Authority
HTVIA	Heritage, Townscape and Visual Impact Assessment
ID	Inquiry Document
OA	Opportunity Area
OAPF	Opportunity Area Planning Framework
SoCG	Statement of Common Ground
SPD	Supplementary Planning Document
SPG	Supplementary Planning Guidance
TfL	Transport for London
UDP	Unitary Development Plan
VNEB	Vauxhall, Nine Elms and Battersea
WHS	World Heritage Site