



Ministry of Housing,  
Communities &  
Local Government

Alexandra Milne  
DP9 Ltd  
100 Pall Mall  
London  
SW1Y 5NQ

Our ref: APP/N5660/V/19/3229531  
Your ref: -

9 April 2020

Dear Madam,

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 77  
APPLICATION MADE BY VCI PROPERTY HOLDING LIMITED  
LAND BOUNDED BY WANDSWORTH ROAD, PARRY STREET, BONDWAY AND  
VAUXHALL BUS STATION, LONDON, SW8  
APPLICATION REF: 17/05807/EIAFUL**

1. I am directed by the Secretary of State to say that consideration has been given to the report of John Braithwaite BSc(Arch) BArch(Hons) RIBA MRTPI, who held a public local inquiry from 17-19 December 2019 into your client's application for planning permission for the removal of existing structures and the construction of a mixed-use development comprising two towers of 53 storeys (185m) and 42 storeys (151m), with a connecting podium of 10 storeys (49m), containing office (B1), hotel (C1), residential (C3) and flexible ground floor retail and non-residential institution (A1/A2/A3/A4/D1) uses plus plant, servicing, parking and other ancillary space, the provision of hard and soft landscaping, the creation of a new vehicular access point on Wandsworth Road, a vehicular layby on Parry Street and other works incidental to the development, in accordance with application ref: 17/05807/EIAFUL, dated 27 November 2017.
2. On 21 May 2019, the Secretary of State directed, in pursuance of Section 77 of the Town and Country Planning Act 1990, that your client's application be referred to him instead of being dealt with by the local planning authority.

**Inspector's recommendation and summary of the decision**

3. The Inspector recommended that planning permission be granted, subject to conditions.
4. For the reasons given below, the Secretary of State agrees with the Inspector's conclusions, and agrees with his recommendation. He has decided to grant planning permission, subject to conditions. A copy of the Inspector's report (IR) is enclosed. All references to paragraph numbers, unless otherwise stated, are to that report.

Ministry of Housing, Communities & Local Government  
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## **Environmental Statement**

5. In reaching this position, the Secretary of State has taken into account the Environmental Statement which was submitted under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The Secretary of State is satisfied that the Environmental Statement complies with the above Regulations and that sufficient information has been provided for him to assess the environmental impact of the proposal.

## **Matters arising since the close of the inquiry**

6. On 31 January 2020 the London Borough of Lambeth (LB Lambeth) published the “Draft Revised Lambeth Local Plan Proposed Submission Version January 2020”, with a public comment period that run until 13 March 2020. As this draft of the revised plan was not substantially materially different from the version of the plan available to the Inspector and parties at the Inquiry, the Secretary of State is satisfied that this does not affect his decision, and does not warrant further investigation or a referral back to parties.
7. The 2019 Housing Delivery Test results were published on 13 February 2020. LB Lambeth’s score changed from 125% (2018 measurement) to 121% (2019 measurement). As this would not represent a material change to any calculation of LB Lambeth’s housing land supply, the Secretary of State is satisfied that this does not affect his decision, and does not warrant further investigation or a referral back to parties.
8. In December 2019, the Mayor issued the “Intend to Publish” version of the emerging London Plan. After considering that Plan, on 13 March 2020 the Secretary of State for Housing, Communities and Local Government wrote to the Mayor making a series of eleven Directions to the Plan. The Mayor cannot publish the London Plan until the Directions have been incorporated, or until alternative changes to policy to address identified concerns have been agreed.

## **Policy and statutory considerations**

9. In reaching his decision, the Secretary of State has had regard to section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise.
10. In this case the development plan consists of the London Borough of Lambeth Local Plan (2015) (LLP), and the London Plan (2016, consolidated with alterations since 2011) (LP). The Secretary of State considers that relevant development plan policies include those set out at IR5-7.
11. Other material considerations which the Secretary of State has taken into account include the National Planning Policy Framework (‘the Framework’) and associated planning guidance (‘the Guidance’), as well as the Vauxhall, Nine Elms and Battersea Opportunity Area Framework (VNEBOAF) (Greater London Authority, 2012), the Vauxhall Supplementary Planning Document (VSPD) (LB Lambeth, 2013), and the Central Activities Zone Supplementary Planning Guidance (CAZSPG) (LB Lambeth, 2016). The revised National Planning Policy Framework was published on 24 July 2018 and further revised in February 2019. Unless otherwise specified, any references to the Framework in this letter are to the 2019 Framework.

12. In accordance with section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the LBCA Act), the Secretary of State has paid special regard to the desirability of preserving those listed buildings potentially affected by the proposals, or their settings or any features of special architectural or historic interest which they may possess.
13. In accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the LBCA Act), the Secretary of State has paid special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

### *Emerging plans*

14. Emerging plans comprise the Draft Revised Lambeth Local Plan (DRLLP), the Draft London Plan (DLP), and the Kennington, Oval and Vauxhall Neighbourhood Plan (KOVNP). The Secretary of State considers that the emerging policies of most relevance to this case include those set out at IR9.
15. Paragraph 48 of the Framework states that decision makers may give weight to relevant policies in emerging plans according to: (1) the stage of preparation of the emerging plan; (2) the extent to which there are unresolved objections to relevant policies in the emerging plan; and (3) the degree of consistency of relevant policies to the policies in the Framework. A pre-submission draft of the DRLLP was published for comment on 31 January 2020. As this is still at an early stage, the Secretary of State considers it carries only little weight in the decision-making process. The KOVNP underwent a Regulation 14 pre-submission consultation in May 2018. As it there has been little progress on the KOVNP since this consultation, it can attract little weight. The DLP is at an advanced stage of preparation, and the Secretary of State has directed the areas where changes must be made. Policies in the emerging Plan which are relevant to this case and where no modifications have been directed include D9 (tall buildings) and H1 (Increasing Housing Supply). The Secretary of State considers that these policies carry significant weight.

### **Main issues**

#### *Delivery of housing*

16. The proposal would deliver 257 homes onsite, including 23 affordable, alongside a Section 106 payment of £30m for further off-site affordable housing provision. The Secretary of State notes that, citing LB Lambeth's past record of utilising such payments, the Inspector was satisfied this would deliver a further 54 homes and provide a total of 30% affordable (IR99-100).
17. The LP sets Lambeth a housing target of 1559 new homes per year, and the DLP sets out a new target of 1589 new homes per year. Policy LLP H2 sets out that the Council will seek the maximum level of affordable housing, with a target of 40% where public subsidy is not provided, and with levels below this requiring a viability assessment and potentially review mechanisms (IR6). The Secretary of State notes that a viability assessment demonstrated that this was the maximum amount achievable, and was accepted by LB Lambeth. He also notes that the Section 106 agreement includes early and late-stage review mechanisms. For these reasons he agrees with the Inspector that the scheme complies with H2 (IR100).

18. For the reasons above, the Secretary of State agrees with the Inspector at IR101 that the proposal would contribute towards meeting Lambeth's need for market and affordable housing, would fully comply with policy LLP H2, and would be consistent with Government policies for delivering a sufficient supply of homes as set out in Chapter 5 of the Framework. For these reasons he considers the delivery of housing should carry significant weight in favour of the proposal.

#### *Urban design*

19. The Secretary of State notes that both LP 7.7 requires tall buildings to be plan-led (IR7), as does the equivalent policy D9 in the DLP, and that the area around Vauxhall station is identified as a location suitable for a cluster of tall buildings in LLP PN2, the CAZSPG and the VSPD (IR8). For these reasons the Secretary of State considers that there is no conflict between the proposal and LP 7.7 or LLP PN2.
20. The Secretary of State has gone on to consider LLP Q26, which sets out a criteria for supporting tall building proposal, including where they do not have adverse impacts on surrounding views or heritage assets, achieve design excellence, and do not have an unacceptably harmful impact on their surroundings. He notes that there is "virtual unanimity" between parties of the proposal's contribution towards achieving well-designed places, and that the Inspector considers both the quality of the architecture "undeniable" and the scheme "outstanding" in townscape terms (IR107). He notes that there would also be no material changes to views in the wider area, which the existing tall buildings of the cluster are already visible (IR107).
21. The Secretary of State notes that the LLP does restrict building heights for this location to 150m, and has gone on to consider the Inspector's analysis at IR109-112 of the tall buildings cluster at Vauxhall and the proposal's relationship to it. For the reasons given there he agrees with the Inspector that, while there is a technical conflict with the height limit, a number of other buildings taller than 150m have been either built or approved in this area, and that taken as a whole the proposal complies with the LLP policy Q26 covering the design of tall buildings, and is also consistent with the Chapter 12 of the Framework.

#### *Proposed uses*

22. The Secretary of State notes that the proposal includes hotel, office and retail uses alongside the residential units (IR11), as well as a new public square (IR107). He also notes that LLP policy PN2 seeks to create a new district centre at Vauxhall (IR4).
23. He has carefully considered the Inspector's analysis at IR105-106, and notes that all of these proposed uses would be supported in this location. For these reasons he agrees with the Inspector and that overall the proposal would be compliant with PN2 and contribute towards the plan objective of creating the new Vauxhall district centre (IR106). For these reasons, he considers that the mix of uses, and the benefits it would bring to the proposed town centre, carry substantial weight in favour of the proposal.

#### *Heritage impacts*

24. The Secretary of State has carefully considered the Inspector's analysis of the potential heritage impacts of the proposal at IR113-114. He notes that the Inspector considers the proposal would not cause any harm to the setting of any local listed building or structure (IR113). He also notes that the proposal would not intrude onto the any protected vistas,

and would not harm the Outstanding Universal Value of the Westminster World Heritage Site (IR114).

25. For these reasons, he agrees with the Inspector at IR115 that the proposal would not cause harm to any heritage assets (IR115).

#### *Other matters*

26. For the reasons given at IR116, the Secretary of State agrees with the Inspector that the proposal would not increase traffic on residential roads in the wider area (IR116).
27. The Secretary of State has carefully considered the Inspector's assessment of the impacts on surrounding buildings in terms of daylight and sunlight at IR117, and for the reasons given there he agrees that the proposal would not conflict with relevant planning policies.
28. The Secretary of State notes that, while the current bus station would be lost in part due to this proposal, there is an extant planning permission for a replacement bus station. For the reasons given at IR118 he does not consider the loss weighs against the proposal.

#### **Planning conditions**

29. The Secretary of State has given consideration to the Inspector's analysis at IR96, the recommended conditions set out at the end of the IR and the reasons for them, and to national policy in paragraph 55 of the Framework and the relevant Guidance. He is satisfied that the conditions recommended by the Inspector comply with the policy test set out at paragraph 55 of the Framework and that the conditions set out at Annex A should form part of his decision.

#### **Planning obligations**

30. Having had regard to the Inspector's analysis at IR97, the planning obligation dated 20 December 2019, paragraph 56 of the Framework, the Guidance and the Community Infrastructure Levy Regulations 2010, as amended, the Secretary of State agrees with the Inspector's conclusion for the reasons given in IR96 that the obligation complies with Regulation 122 of the CIL Regulations and the tests at paragraph 56 of the Framework.

#### **Planning balance and overall conclusion**

31. For the reasons given above, the Secretary of State considers that the application is in accordance with LP policy 7.7 and LLP policies PN2, H2, and Q26, and is in accordance with the development plan overall. He has gone on to consider whether there are material considerations which indicate that the proposal should be determined other than in accordance with the development plan.
32. The proposal would provide 257 homes onsite, including 23 affordable, and a Section 106 contribution that is likely to provide a further 54 homes off-site. This attracts significant weight in favour. There would also be hotel, office and retail uses in an area identified for all three, alongside a new public square. All of these would contribute to the development plan's goal of creating a new district centre in Vauxhall. This also attracts substantial weight in favour.

33. Overall the Secretary of State considers that the material considerations in this case indicate a decision in line with the development plan, and he therefore concludes that the application should be granted planning permission subject to conditions.

### **Formal decision**

34. Accordingly, for the reasons given above, the Secretary of State agrees with the Inspector's recommendation. He hereby grants planning permission subject to the conditions set out in Annex A of this decision letter for the removal of existing structures and the construction of a mixed-use development comprising two towers of 53 storeys (185m) and 42 storeys (151m), with a connecting podium of 10 storeys (49m), containing office (B1), hotel (C1), residential (C3) and flexible ground floor retail and non-residential institution (A1/A2/A3/A4/D1) uses plus plant, servicing, parking and other ancillary space, the provision of hard and soft landscaping, the creation of a new vehicular access point on Wandsworth Road, a vehicular layby on Parry Street and other works incidental to the development

35. 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.

### **Right to challenge the decision**

36. A separate note is attached setting out the circumstances in which the validity of the Secretary of State's decision may be challenged. This must be done by making an application to the High Court within 6 weeks from the day after the date of this letter for leave to bring a statutory review under section 288 of the Town and Country Planning Act 1990.

37. A copy of this letter has been sent to the London Borough of Lambeth and to the Kennington, Oval and Vauxhall Forum, and notification has been sent to others who asked to be informed of the decision.

Yours faithfully,

*Jean Nowak*

Jean Nowak  
Authorised by the Secretary of State to sign in that behalf

### **Annex A - List of conditions**

## **ANNEX A – LIST OF CONDITIONS**

1. The development hereby permitted shall begin before the expiration of three years from the date of this permission.

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

3. The development hereby permitted shall not commence, save for demolition and enabling works, until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include details of the following measures:

- an introduction consisting of construction phase environmental management plan, definitions and abbreviations and project description and location;
- a description of management responsibilities;
- a description of the construction programme which identifies activities likely to cause high levels of noise or dust;
- site working hours and a named person for residents to contact;
- detailed site logistics arrangements;
- details regarding parking, deliveries, and storage;
- details of an air quality and dust management plan;
- details noise mitigation measures to be deployed including identification of sensitive receptors and ongoing monitoring;
- details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network; and
- communication procedures with the LBL and local community regarding key construction issues - newsletters, fliers etc.

Construction shall be carried out in accordance with the details and measures approved in the CEMP.

4. The development hereby permitted shall not commence until a Construction Logistics Plan (CLP) has been submitted to and approved in writing by the local planning authority for each phase. The CLP shall include details of parking, deliveries and storage and confirm that the developer will join the VNEB construction working group. Development shall be carried out in accordance with the details and measures approved in the CLP for each phase.

5. No development other than demolition shall commence until the following components of a scheme to deal with the risks associated with contamination of the site have been submitted to and approved in writing by the local planning authority:

- a site investigation scheme, based on previous findings to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site;
- the site investigation results and the detailed risk assessment;

- an options appraisal and remediation strategy giving full details of any remediation measures required and how they are to be undertaken.

Development shall be carried out in accordance with the approved scheme.

6. Prior to occupation of any part of the development, a verification report demonstrating completion of the works set out in the approved contamination remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. The report shall also include a plan (a "long-term monitoring and maintenance plan"), if necessary, for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

7. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how the unsuspected contamination will be dealt with.

8. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written permission of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. Development shall be carried out in accordance with the approved details.

9. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling shall be undertaken in accordance with the terms of the approved piling method statement.

10. No drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written permission of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. Development shall be carried out in accordance with the approval details.

11. The development hereby permitted shall not commence until detailed design and method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:

- provide details on all structures below ground level;
- provide details on the use of tall plant/scaffolding;
- accommodate the location of the existing London Underground structures.

Development shall be carried out in accordance with the approved method statements.



12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that order with or without modification) the B1(a) uses hereby permitted shall not change use to C3 residential without the prior written permission of the local planning authority.

13. The flexible commercial units (A1/A2/A3/A4/D1) hereby permitted shall not operate other than between 0730 and 2300 hours.

14. The communal roof terraces hereby approved shall not be used between the hours of 2300 and 0600 the following day.

15. Prior to the commencement of the relevant part of the development, full details (including elevational drawings) of any 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 manufacturer's instructions.

16. (a) Each use hereby permitted, or the operation of any building services plant, shall not commence until an assessment of the acoustic impact arising from the operation of all internally and externally located plant has been submitted to and approved in writing by the local planning authority.

The assessment of the acoustic impact shall be undertaken in accordance with BS 4142:2014 (or subsequent superseding equivalent) and current best practice, and shall include a scheme of attenuation measures to ensure the rating level of noise emitted from the proposed building services plant is 5 dB less than background.

(b) Each use hereby permitted, or the operation of any building services plant, shall not commence until a post-installation noise assessment has been carried out to confirm compliance with the noise criteria. The scheme shall be implemented in accordance with the approved details and attenuation measures, and they shall be permanently retained and maintained in working order for the duration of the use and their operation.

17. (a) Prior to the commencement of development, a scheme of noise and vibration attenuation shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall achieve the habitable and commercial room standards as detailed in BS8233:2014 with no relaxation for exceptional circumstances and must include details of post construction validation. Development shall be carried out in accordance with the approved scheme. The approved noise and vibration attenuation measures shall thereafter be retained and maintained in working order for the duration of the use in accordance with the approved details.

(b) The scheme of noise and vibration attenuation shall ensure that operational noise levels from the commercial uses and building services plant do not exceed NR25 within potentially adversely affected residential or other noise sensitive locations during typical operations. These activities are considered to include the holding functions and the playing of live and amplified music (including the screening of sporting events and public address systems) within the commercial uses. The scheme must include details of stages of validation during the construction phase and a post construction scheme of validation and measurement to demonstrate substantive compliance. Details of the post construction validation shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenities of future occupiers and the surrounding area (policy Q2 of the London Borough of Lambeth Local Plan (2015)).

18. Prior to the commencement of development a scheme of measures to ensure that all residential units have access to amenity space within the development where noise levels, as far as practicable, do not exceed 55dB LAEQ(16 hour) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of post construction validation. Development shall be carried out in accordance with the approved details and a separate validation report shall be submitted to and approved in writing by the Local Planning Authority three months prior to occupation.

19. The non-residential uses hereby permitted shall not commence until a customer management plan for each use has been submitted to and approved in writing by the local planning authority. This should include but not be limited to, hours of operation, management responsibilities during all operating hours, measures to control noise from live and amplified music (including the screening of sporting events and public-address systems) and minimising the effects of patrons coming and going from the building. Each use hereby permitted shall thereafter be operated in accordance with the relevant approved customer management plan.

20. The uses hereby permitted shall not commence until a servicing management plan has been submitted to and approved in writing by the local planning authority. The uses hereby permitted shall thereafter be operated in accordance with the approved management plan. The submitted plan shall include the frequency of deliveries to the site, frequency of other servicing vehicles such as refuse collections, dimensions of delivery and servicing vehicles, proposed loading and delivery locations, and a strategy to manage vehicles servicing the site.

21. The development hereby permitted shall be carried out in accordance with the mitigation measure included in the approved Flood Risk Assessment (FRA) by BuroHappold Engineering (dated 24 November 2017 with reference 034992, Revision 5). Only 'less vulnerable' uses shall be situated at the ground floor level and below (Sections 3.2.3 and 5), and internal staircase access shall be maintained from all floor levels situated below 4.71 metres above Ordnance Datum (mAOD) (the 2100 maximum likely water level, MLWL) to upper floor levels (Section 3.2.3).

22. No development shall commence on site until a detailed Sustainable Drainage System (SuDS) Strategy document has been submitted to and approved in writing by the local planning authority. The Strategy shall be in accordance with the Applicant's submission (Vauxhall Cross - Drainage Strategy 034992 (Revision P01)) and shall include a detailed design and a timetable for implementation. The SuDS Strategy shall also demonstrate the technical feasibility/viability of the drainage system through the use of SuDS to manage the flood risk to the site and elsewhere and the measures taken to manage water quality for the life time of the development. The approved scheme for surface water drainage shall be carried out in accordance with the approved details before the development is first brought into use.

23. No part of the development shall be occupied until a SuDS management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime, has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved SuDS management and maintenance plan.

24. Prior to occupation of the development a flood evacuation plan shall be submitted to and approved in writing by the local planning authority. The flood evacuation plan shall be implemented during the use of the development hereby permitted.

25. A) No development shall take place until the applicant has secured the implementation of a programme of archaeological evaluation in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority and a report on that evaluation has been submitted to and approved in writing by the local planning authority.

B) Under Part A, the applicant (or their heirs and successors in title) shall implement a programme of archaeological evaluation in accordance with a Written Scheme of Investigation.

C) No development shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological mitigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing and a report on that evaluation has been submitted to and approved by the local planning authority in writing.

D) Under Part C, the applicant (or their heirs and successors in title) shall implement a programme of archaeological mitigation in accordance with a Written Scheme of Investigation.

E) The development shall not be used until the on-site archaeological evaluation and monitoring work plus post-site assessment reporting has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Parts (A and C), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

26. Prior to the commencement of above ground construction works impact studies of the existing water supply infrastructure shall be submitted to and approved in writing by the local planning authority (in consultation with Thames Water). The studies shall determine the magnitude of any new additional capacity required in the system and a suitable connection point.

27. Prior to the commencement of above ground construction works, an application for Secured by Design Gold Certification shall be made for the development hereby permitted.

28. Prior to final occupation evidence of the development having achieved Secure by Design Gold certification shall be submitted to and approved in writing by the Local Planning Authority.

29. Prior to commencement of above ground construction works, a structural blast engineer report shall be submitted to and approved in writing by the local planning authority. The report shall:

- evaluate the building envelope for effects related to air blast (including interior and exterior glazing, exterior wall systems, roof system, car park floors and ceilings) at pre-determined stand-off ranges from a VBIED and LVBIED;
- provide performance specifications for pre-manufactured systems subject to air-blast loading (i.e. precast panels, windows, etc.) in order that the materials used do not add to any fatalities or casualties in the event of an incident;

- provide specialist advice to the structural engineer and other design team members on incorporating blast analysis results into the building design.

The report shall be prepared by a qualified structural blast engineer and development shall be carried out in accordance with the approved details and maintained permanently thereafter.

30. Prior to commencement of above ground construction, a hostile vehicle dynamics assessment shall be submitted to and approved in writing by the local planning authority. The assessment shall demonstrate how hostile vehicle management has been designed into the development.

31. Prior to commencement of the relevant part of the development hereby permitted a soft and hard landscaping scheme including tree planting shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved scheme within 6 months of the date of occupation. All tree, shrub and hedge planting included within the above specification shall accord with BS3936:1992, BS4043:1989 and BS4428:1989 (or subsequent superseding equivalent legislation) and current Arboricultural best practice. The submitted scheme shall include the following:

- the quantity, size, species, position and the proposed time of planting of all trees and shrubs to be planted;
- justification for the chosen species;
- an indication of how they integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance and protection;
- specification of which shrubs and hedges to be planted that are intended to achieve a significant size and presence in the landscape; and
- details of all materials to be used.

32. All planting, seeding or turfing comprised in the approved soft landscaping scheme shall be carried out in the first planting and seeding season following the occupation of the development hereby permitted. Any trees, hedgerows or shrubs forming part of the approved landscaping scheme which, within a period of five years from the occupation or substantial completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

33. Prior to implementation of the landscaping scheme, a horticultural management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall set out how planting will be managed for a minimum of five years to ensure full and successful establishment of plants and trees. The plans shall identify all areas that will be under communal management and specify that properly qualified horticulturists will be contracted to manage the site. The planting shall thereafter be managed in accordance with the approved management plan.

34. Prior to the commencement of the relevant part of the development hereby permitted, the following details of the materials to be used in the external elevations of that part of the development shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. The following details are required:

- a schedule and specifications of the materials;

- a sample panel to be provided on site or at another appropriate location;
- a photographic record of the sample panels, taken on site at midday.

35. Notwithstanding the details shown on the approved drawings, prior to the commencement of the relevant work, construction drawings (including sections at 1:10 scale of all external elements of the new structures including rain water goods, soffits, copings, ledges, reveals and balcony screens where required) shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details and retained permanently thereafter.

36. Prior to occupation of the development hereby permitted a lighting scheme shall be submitted to and approved in writing by the local planning authority in accordance with the Institute of Lighting Professional's Guidance notes for the reduction of obstructive light. The scheme shall be designed by a suitably qualified person in accordance with the recommendations for environmental zone E3 in the ILP document "Guidance Notes for the Reduction of Obtrusive Light GN01:2011". Development shall be carried out in accordance with the approved scheme and retained and maintained thereafter.

37. Prior to commencement of any A3 or A4 use, details and full specifications of fume extraction equipment installed in all the commercial premises 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 specifications and the use of the commercial premises shall not commence until the approved fume extraction equipment has been installed and is fully operational. The approved fume extraction equipment shall thereafter be retained and maintained in accordance with manufacturer's instructions.

38. Prior to commencement of above ground works, a design stage BREEAM assessment should be submitted to and approved in writing by the local planning authority for each of the non-residential elements of the proposals, showing how the Hotel and Retail space will achieve a score of Very Good with at least 63%, and the Office space will achieve Excellent unless it can be demonstrated that these targets are not technically feasible.

39. No later than six months after occupation of the building, a Post-Construction Stage assessment should be submitted to and approved in writing by the local planning authority for each of the non-residential elements of the proposals, showing how the Hotel and Retail space has achieved a score of Very Good with at least 63%, and the Office space has achieved Excellent unless it can be demonstrated that these targets were not technically feasible.

40. Prior to first occupation of the development evidence (schedule of fittings and manufacturer's literature) shall be submitted to and approved in writing by the local planning authority to demonstrate that the development has been constructed so that internal water consumption will not exceed 105 L/person/day in line with The Water Efficiency Calculator for new dwellings from the Ministry of Housing, Communities and Local Government.

41. Prior to commencement of above ground works, a Site Waste Management Plan should be submitted to and approved in writing by the local planning authority demonstrating how construction waste will be minimised and recycling of materials will be prioritised with construction waste not exceeding 13.3 cubic metres of waste per 100 square metre.

42. Prior to the installation of the green roof, a detailed specification of the green roof shall be submitted to and approved in writing by the local planning authority. The specification shall include details of the quantity, size, species, position and proposed time of planting of all elements of the green roof, together with details of their anticipated routine maintenance and protection. The green roof shall be installed and thereafter maintained in accordance with the approved details.

43. Development shall be carried out in accordance with the approved construction and services details in order to achieve a reduction in carbon emissions of at least 23.9% over that required by Part L of the Building Regulations 2013.

44. The development hereby permitted shall be carried out in accordance with the mitigation measures identified in Sections 10.4 and 10.5 of Chapter 10 of the approved Environmental Statement prepared by BuroHappold dated November 2017.

45. Prior to above ground construction, a scheme of mitigation of the impact of the development hereby permitted on the local wind microclimate shall be submitted to and approved in writing by the local planning authority. The scheme shall incorporate the recommended mitigation measures set out in the Pedestrian Level Wind Microclimate Assessment reference RWDI #1603302 PLW REV-B dated 21st November 2017. Development shall be carried out in accordance with the approved scheme and the measures shall be fully installed prior to occupation and permanently retained and maintained for the duration of the use.

46. No development shall commence until an Air Quality and Dust Management Plan (AQDMP) has been submitted to and approved in writing by the Local Planning Authority. The AQDMP shall follow the guidance for High Risk sites set out in Appendix 7 of the Control of Dust and Emissions during Construction and Demolition SPG 2014 and both 'highly recommended' and 'desirable' measures shall be included. The AQDMP will form part of the Construction Environmental Management Plan (CEMP). The AQDMP shall include the following for each relevant phase of work (demolition, earthworks, construction and trackout):

- a summary of work to be carried out;
- proposed haul routes, location of site equipment including supply of water for damping down, source of water, drainage and enclosed areas to prevent contaminated water leaving the site;
- inventory and timetable of all dust and NOx air pollutant generating activities;
- list of all dust and emission control methods to be employed and how they relate to the Air Quality (Dust) Risk Assessment;
- details of any fuel stored on-site;
- details of a trained person on-site responsible for air quality (with knowledge of pollution monitoring and control methods, and vehicle emissions);
- summary of monitoring protocols and agreed procedure of notification to the local authority; and
- a requirement to maintain a log book for action taken in response to incidents or dust-causing episodes and the mitigation measure taken to remedy any harm caused, and measures employed to prevent a similar incident reoccurring.

No demolition or development shall commence until all necessary pre-commencement measures described in the AQDMP have been put in place and set out on site. Demolition and development shall thereafter be carried out and monitored in accordance with the details and measures approved in the AQDMP.

47. Prior to installation, full details of the proposed Combined Heat and Power (CHP) plant and gas boiler system shall be submitted to and approved in writing by the local planning authority. The CHP and gas boiler system shall meet the emission standards set out in the GLA's Sustainable Design and Construction Supplementary Planning Guidance 2014 (or its later versions). The details should be submitted using the Combined Heat and Power System information request form. The development shall be implemented in accordance with the approved details and maintained permanently thereafter.

48. No non-road mobile machinery (NRMM) shall be used on the site unless it is compliant with the NRMM Low Emission Zone requirements (or any superseding requirements) and until it has been registered for use on the site on the NRMM register (or any superseding register).

49. Prior to commencement of above ground works, details of the proposed bus shelters for Vauxhall Bus Station shall be submitted to and approved in writing by the local planning authority. The bus shelters shall be completed prior to first occupation of the development.

50. Prior to occupation of the development, full details of a car parking management strategy for the management of parking within the development, including the provision of an additional Blue Badge Space, shall be submitted to and approved by the Local Planning Authority. Operation of the carpark shall thereafter be carried out solely in accordance with the approved details.

51. Prior to occupation of the development, full details of a cycle parking management strategy, including the provision of additional cycle spaces within the development, shall be submitted to and approved in writing by the local planning authority. Operation of the cycle parking shall thereafter be carried out solely in accordance with the approved strategy.

52. 20 per cent of all residential parking spaces shall be fitted with active electric vehicle charging points and 20 per cent shall be fitted with passive electric vehicle charging points.

53. Prior to the commencement of above ground construction, details of the refuse storage areas shall be submitted to and approved in writing by the local planning Authority. The development shall be implemented in accordance with the approved details and retained permanently thereafter.

54. The development hereby permitted shall be operated in accordance with the approved Operational Waste Management Strategy prepared by BuroHappold dated November 2017.

55. Prior to the occupation of the development, an Estate Management Plan shall be submitted to and approved in writing by the local planning authority. The development hereby permitted shall thereafter be managed and maintained in accordance with the Management Plan. The submitted plan shall include details of how the development will be managed including security, cleaning and maintenance regimes and the co-ordination of refuse, deliveries, removal and access for trades people.

56. At least 90 per cent of the residential flats hereby permitted shall be designed so that they meet building regulation M4 (2) - 'accessible and adaptable dwellings' and at least 10 per cent of the residential flats hereby permitted shall be designed so that they meet building regulation M4 (3) 'Wheelchair user dwellings'.

57. All communal spaces and entrances to buildings shall be fully wheelchair accessible.

58. No construction shall commence on site, unless there has been submitted to and approved in writing by the local planning authority and by the Radar Operator - NATS (En-route) plc, either:

- detailed plans for the proposed buildings in the construction stage, demonstrating that there would be no detrimental impact upon the operation of the Heathrow H10 SSR Radar; or,
- details of a 'Radar Mitigation Scheme' (including a timetable for its implementation during construction) to mitigate any detrimental impact upon the Heathrow H10 SSR Radar.

Where a 'Radar Mitigation Scheme' has been required, no construction above 50m above ground level shall take place on site, unless the 'Radar Mitigation Scheme' has been implemented. Development shall not take place other than in accordance with the approved scheme.

59. No construction work shall commence on site until a Crane Operation Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the Radar Operator. Construction on site shall thereafter be operated in accordance with the approved Crane Operation Plan.

60. Details of a Road Safety Audit Stage 2 shall be submitted to and approved in writing by the local planning authority prior to commencement of above ground works. The development shall be carried out in accordance with the approved audit and retained permanently thereafter. Road Safety Audit stage 3 shall be carried out on completion of all highway works that affect the proposed development. Road Safety Audit stage 4 shall be carried out 1 year after completion of highway works to ensure that all aspects of highway/pedestrian safety are taken into account and remedial works undertaken.

## **Schedule referred to in recommended condition 2**

2464\_DO\_EDW\_MP\_10\_200\_001A; 2464\_DO\_EDW\_MP\_10\_100\_101;  
2464\_DO\_EDW\_MP\_20\_001\_101; 2464\_DO\_EDW\_MP\_20\_002\_101;



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2464\_DA\_070\_GN\_20\_001\_201B; 2464\_DA\_070\_GN\_20\_001\_202B;  
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2464\_DA\_080\_ST\_30\_001\_101A; 2464\_DA\_080\_NT\_30\_001\_201B;  
2464\_DA\_080\_NT\_30\_001\_202B; 2464\_DA\_080\_ST\_30\_001\_201A;  
2464\_DA\_080\_ST\_30\_001\_202A; TOWN668(02)3001; TOWN668(02)3101

Covering Letter dated 28 November 2018  
Design and Access Statement November 2017  
Planning Statement November 2017  
Sustainability Statement November 2017  
Energy Statement November 2017  
Transport Assessment November 2017  
Statement of Community Involvement November 2017  
Environmental Statement November 2017  
Revised Wind Microclimate chapter October 2018

Revised Socio-economics chapter September 2018  
Revised Cumulative and Interactive Effects chapter October 2018  
Revised Residual Effects and Conclusions chapter October 2018  
Environmental Statement Non-technical summary October 2018  
Construction Logistics and Environmental Management Plan November 2017  
Site Waste Management Plan November 2017  
Operational Waste Management Strategy November 2017  
Internal Daylight and Sunlight Assessment November 2017  
Daylight and Sunlight Supplementary Report January 2018  
Flood Risk Assessment November 2017  
Drainage Strategy November 2017  
Balconies and Winter Garden Locations January 2018  
Response to TfL Stage 1 Report dated 21 February 2018  
Response to Martin Jones on Energy Matters dated 27 February 2018  
Vauxhall Cross: Applicant Response to TfL Stage 1- Update Following Meeting 05/03/18  
dated 8 March 2018  
Planning Application Ref No 17/05807/EIAFUL -Vauxhall Island Site ('Vauxhall Cross')  
Response to Vauxhall Cross - Independent Review of the Environmental Statement dated 16  
March 2018  
Planning Application Ref No 17/05807/EIAFUL- Vauxhall Island Site ('Vauxhall Cross')  
Response to Request for 'Further Information' under Regulation 25 of the EIA Regulations  
including Attachment A dated 15 October 2018



# Report to the Secretary of State for Housing, Communities and Local Government

by John Braithwaite BSc(Arch) BArch(Hons) RIBA MRTPI

an Inspector appointed by the Secretary of State

Date: 23 January 2020

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**TOWN AND COUNTRY PLANNING ACT 1990**

**COUNCIL FOR THE LONDON BOROUGH OF LAMBETH**

**APPLICATION**

**by**

**VCI PROPERTY HOLDING LIMITED**

Inquiry held on 17-19 December 2019

Land bounded by Wandsworth Road, Parry Street, Bondway and Vauxhall Bus Station, London SW8

File Ref: APP/N5660/V/19/3229531

**File Ref: APP/N5660/V/19/3229531**

**Land bounded by Wandsworth Road, Parry Street, Bondway and Vauxhall Bus Station, London SW8**

- The application was called in for decision by the Secretary of State by a direction, made under section 77 of the Town and Country Planning Act 1990, on 21 May 2019.
- The application was made by VCI Property Holding Limited to the London Borough of Lambeth.
- The application Ref 17/05807/EIAFUL is dated 27 November 2017.
- The development proposed is 'Removal of existing structures and the construction of a mixed-use development comprising two towers of 53 storeys (185m) and 42 storeys (151m), with a connecting podium of 10 storeys (49m), containing office (B1), hotel (C1), residential (C3) and flexible ground floor retail and non-residential institution (A1/A2/A3/A4/D1) uses plus plant, servicing, parking and other ancillary space; the provision of hard and soft landscaping; the creation of a new vehicular access point on Wandsworth Road and a vehicular layby on Parry Street and other works incidental to the development'.

**Summary of Recommendation: The application be allowed and planning permission be granted subject to conditions.**

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**The Site and Surroundings**

1. The site, known as Vauxhall Cross, is a roughly triangular area of mainly scrubby vacant land that is bounded to the north-west by Wandsworth Road, to the south by Parry Street and to the south-east by Bondway. Wandsworth Road is a major multi-lane one-way road leading from Battersea to Vauxhall Bridge whilst Parry Road is also a multi-lane one-way road. These are two of the roads of the Vauxhall gyratory road system. Along the Bondway frontage to the site is the Vauxhall Bus Station, principally a long island with a canopy over and with bus stands on both sides. On the east side of Bondway are terraced buildings in a mix of uses including a hotel and commercial premises. At the north end of the bus station is a plaza where there is access to Vauxhall Railway and Underground Stations.

2. Between Wandsworth Road and the River Thames is a large residential development, St George Wharf, and a residential tower that is 180 metres high. On the opposite side of Parry Street is a site known as Vauxhall Square that is currently under development; the development includes two 49 storey towers rising to a height of 168 metres. Also under development is a site to the west of Vauxhall Square beyond Wandsworth Road; this development, One Nine Elms, includes two towers, one reaching a height of 200 metres. To the east of Vauxhall Square is New Bondway, a development nearing completion that includes a tower of 170 metres.

**Planning policy and emerging planning policy**

3. The Development Plan includes the London Borough of Lambeth Local Plan (LLP), adopted in 2015, and The London Plan (LP), adopted in 2016.

4. Vauxhall is part of the London Mayor's Vauxhall, Nine Elms and Battersea (VNEB) Opportunity Area. An Opportunity Area Planning Framework (OAPF) for the area was adopted in March 2012 and promotes the 'optimum level of development in the area'. For the Vauxhall area the LLP carries forward the OAPF in policy PN2 'Vauxhall', which states that a new district centre will be created at Vauxhall. The

site is one of four development sites in Vauxhall identified in LLP policy PN2 and one of the policy design principles for the site restricts building heights to 150 metres.

5. LLP policy Q26 'Tall and Large Buildings' states that proposals for tall buildings will be supported where, amongst other things, there is no adverse impact on the significance of strategic and local views or heritage assets including their settings, design excellence is achieved, the proposal makes a positive contribution to the townscape and skyline as a contribution to a group, it is of the highest standards of architecture and materials, and it does not have an unacceptably harmful impact on its surroundings.

6. LLP policy H2 'Delivering affordable housing' states that the Council will seek the maximum reasonable amount of affordable housing and that, on sites of 10 units or more without public subsidy, at least 40% of units should be affordable. The policy requires affordable housing to be on site but where this cannot be practically achieved or it would be more effective to meeting the needs of affordable housing, off-site affordable accommodation provided by the developer may be accepted and, exceptionally, a payment in lieu may be accepted. The policy also requires 70% of affordable housing units to be for rent and 30% to be intermediate.

7. LP policy 7.7 'Location and Design of Tall and Large Buildings' states that tall and large buildings should be part of a plan-led approach to changing or developing an area by the identification of appropriate, sensitive and inappropriate locations, and that tall and large buildings should not have an unacceptably harmful effect on their surroundings. With regard to planning decisions, the policy states that applications for tall or large buildings should include an urban design analysis that demonstrates the proposal is part of a strategy that will meet specified criteria. The specified criteria include the requirement that tall or large buildings should only be considered in areas whose character would not be affected adversely by the scale, mass or bulk of a tall or large building.

8. The LP identifies a Central Activities Zone (CAZ) and Vauxhall is within this zone. CAZ Supplementary Planning Guidance (CAZSPG) was published in March 2016. Lambeth Council adopted a Vauxhall Supplementary Planning Document (VSPD) in January 2013, which states that iconic tall buildings of high quality will form a cluster around Vauxhall Cross.

9. The LLP is under review and a Draft Revised Lambeth Local Plan (DRLLP) was published in October 2018. DRLLP policy Q26 'Tall and Large Buildings' maintains the height limit of 150 metres for tall buildings in Central Vauxhall as specified in the LLP. The LP is also under review and the Mayor wrote to the Secretary of State on 9 December 2019 stating his intention to publish a Draft London Plan (DLP).

### **Planning History**

10. The site has an extant planning permission (Ref. 13/01644/VOC) for a mixed use development within two towers of 140 metres and 115 metres. The commencement of the development was confirmed by the issue of a Certificate of Lawful Use or Development (Ref. 15/03769/LDCE) on 13 August 2015.

### **The Proposed Development**

11. The description of the proposed development as stated in the application is set out above. In summary the proposed development would provide:

- 19,695 square metres of office space (Use Class B1);
- 45,940 square metres of hotel floorspace comprising 508 hotel bedrooms and 110 hotel apartments (Use Class C1);
- 687 square metres of retail and community floorspace (Use Classes A1, A2, A3, A4 and D1);
- 28,303 square metres of residential floorspace comprising 257 units, and amenity spaces for residents including winter gardens or balconies and communal areas (Use Class C3); and
- 29 disabled car parking spaces, 757 cycle parking spaces and refuse storage facilities and plant in three basement levels.

12. Part of the application site is required by Transport for London (TfL) to facilitate their proposed removal of the gyratory road system around the site and to create a replacement for Vauxhall Bus Station. Planning permission (Ref. 17/04741/FUL) has been granted for TfL's proposals. The site includes an area of land that is owned by TfL. To facilitate TfL's proposals and the proposed development a land swap deal between TfL and the Applicant has been agreed.

### **Common Ground between the Applicant and the Council**

13. The Applicant and the Council have set out agreed matters in a Statement of Common Ground (included as Inquiry Document (ID) 5). Some of these are:

- Enabling the TfL scheme to replace the gyratory will significantly improve the environment of Vauxhall;
- The proposed development meets the Council's aspirations for Vauxhall town centre by providing a mix of employment generating and active uses on Bondway as well as a new public square to add to the sequence of spaces linking the Nine Elms linear park to Vauxhall Station;
- The proposed development would significantly improve pedestrian movement through the area by opening up the currently hoarded site to the public and by creating wider footpaths around the perimeter of the island site;
- The development would create over 2,000 new jobs in an Opportunity Area and in a preferred employment location adjacent to the railway station;
- The provision of a 618 bed hotel would contribute to tourist accommodation in the area and to town centre vitality;
- The significant growth in retail and office provision would contribute an estimated £5.3 million per annum spend;
- The creation of 257 mixed-tenure homes would contribute towards the Council's recently increased housing target of 1,589 homes per annum;
- The development includes a significant package of Section 106 obligations and CIL contributions including a contribution of about £30 million towards off-site affordable housing.

## **The Case for the London Borough of Lambeth (LBL)**

The material points of the case for the London Borough of Lambeth are:

14. In December 2018 the Council resolved to grant conditional planning permission for the proposed development of the site. No material planning considerations have emerged in the year since warranting a different outcome.

### Policy

15. Development plan policy considerations addressed by the Council included:

- the site's location within the CAZ where LP Policies 2.11 and 4.3 encourage increased office floorspace and mixed-use development;
- the site's location within the Vauxhall Nine Elms Battersea Opportunity Area (VNEBOA) where LP Table A 1.1 of Annex 1 describes Vauxhall as an integral part of the CAZ with potential for significant intensification;
- LLP policy PN2 which proposes a new district centre at Vauxhall where mixed-use employment, housing, hotel, retail and other commercial and community uses will be supported in keeping with the inclusion of Vauxhall in the CAZ and the VNEBOA; and
- The site's location within LLP Site 13 'Vauxhall Island Site' where town centre mixed use development is encouraged and the site is described as 'key to the development of a new Vauxhall town centre.'

16. The OAPF of 2012 'The Vision' promotes high density residential led mixed use in the VNEBOA including major office development at Vauxhall. The OAPF also includes a tall buildings strategy 'supporting an emerging cluster at Vauxhall' and recognises the Vauxhall gyratory as a constraint on traffic capacity.

17. The VSPD identifies the removal of the gyratory and the return to two way working as a key infrastructure requirement for delivering a new Town Centre at Vauxhall. LLP policy PN2 refers to 'working towards the removal of the gyratory', to 'remodelling the bus station' and to 'the development of a cluster of high-quality tall buildings' at Vauxhall. So the development of the application site for tall buildings for office, residential, hotel and retail as part of an emerging town centre, and its contextual association with the proposed gyratory removal works and the remodelling of the bus station, is well founded in development plan policy.

18. Further, the proposed development is "an important opportunity to assist in the realisation of the regeneration of Vauxhall". That opportunity should carry significant weight in circumstances where the development assists the remodelling of the bus station and the removal of the gyratory, which have the benefit of extant planning permissions granted in the public interest.

19. In the Inquiry the 150m height constraint in LLP Site 13 has been explored. The reality is that high rise development at Vauxhall has moved on since 2015, such that the proposed design would integrate well with the existing cluster of tall buildings seen or planned today at Vauxhall. There would no breach of LP Policy 7.7.

20. The Rule 6 party, Kennington, Oval and Vauxhall Forum (KOV), allege a breach of LLP policy EN1 by reason of their claim that the proposed development is temporary open space that would be lost to buildings. There is no evidence beyond

conjecture that the application site is, or has ever been, 'Existing public or private open space' as understood by policy EN1. It is land that has a past history of being developed; it is brownfield land. Further, and in any event, it is a development site that has the benefit of an implemented planning permission.

21. Paragraph 47 of the National Planning Policy Framework (NPPF) states that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. In so far as there are other specific development plan policies that are material to the Secretary of State's decision concerning design, views, sunlight and daylight and transport, LBL rely on the complete and comprehensive evidence given by the Applicant's professional witnesses as demonstrative of none being breached.

22. It follows, that planning permission for the proposed development should be granted in the absence of material considerations indicating otherwise.

#### Conclusion

23. This is a site where the principle of high rise mixed-use development has been found to be acceptable. The evidence submitted demonstrates, beyond rationale argument, that the proposed development accords with the LP and the LLP when read as a whole, and that there are no material planning considerations warranting a decision other than in accordance with those plans. The proposed development accords with the NPPF and would constitute sustainable development meeting the overriding economic, social and environmental objectives of the planning system.

24. The proposed development constitutes an important opportunity to assist in the regeneration of Vauxhall in so far as it would facilitate the transformative works – the remodelling of the Bus Station and the removal of the gyratory, that are both integral to the establishment of the Vauxhall District Centre in the VNEBOA.

#### **The Case for VCI Property Holding Limited**

The material points of the case for VCI Property Holding Limited are:

25. The proposed development has the support of Lambeth Council and the Greater London Authority (GLA), and would represent a major improvement in the way Vauxhall town centre looks and functions.

26. There is virtual unanimity that the Zaha Hadid Architects design for the proposed development is outstanding, and would transform not just the site but the local area more generally. The exemplary design would be combined with a powerful package of benefits, the strength of which derives from a combination of intense re-development for the right uses, on a highly sustainable site.

27. The application site has the benefit of an extant permission. The Council has certified it as lawfully implemented, which is legally determinative of that issue. The extant scheme is a 'fallback' in planning terms because there is a reasonable prospect that it would be implemented in the absence of the present scheme – hence it is agreed to form part of the baseline for assessment of the scheme. However, the extant scheme has been superseded by later planning decisions in several key respects. One of those is that it does not enable the delivery of TfL's gyratory changes; a committed scheme which TfL believes will bring substantial transport and highways benefits to the area.



28. Although the delivery of the development scheme would enable TfL to deliver its highway remodelling scheme (allied to its bus station replacement scheme) the proposed development does not itself comprise either of those other schemes. The highway and bus station schemes are proposals which were clearly considered to be in the public interest. The application for consideration by the Secretary of State does not therefore have to justify them in addition to itself – they are already both justified and permitted.

29. The development proposes the removal of existing structures, and the construction of two towers (53 storeys/185m and 42 storeys/151m) with a connecting podium of 10 storeys/49m in height.

30. In more detail, the development provides 94,625sqm (GIA) of floorspace (excluding plant), comprising:

- 19,695 square metres GIA of office space (Use Class B1);
- 45,940 square metres GIA of hotel floorspace comprising 508 hotel bedrooms and 110 hotel apartments (Use Class C1);
- 687 square metres GIA of retail and community space (A1-4, D1);
- 28,303 square metres of residential floorspace for 257 units, and amenity spaces for residents including winter gardens or balconies and communal areas (Use Class C3) including 23 on site affordable units;
- 29 car parking spaces;
- 757 cycle parking spaces; and
- Refuse storage facilities and plant.

31. The development was subject to full consultation procedures, including extensive pre-application discussions with LBL, the GLA, TfL and Historic England. The scoping of every aspect of the scheme assessment was agreed with the relevant bodies and no methodological disputes exist in relation to the contents of the application or the Environmental Statement.

32. Public consultation was undertaken both before and after the submission of the application. Comments were received from a range of bodies and individuals, although given the scale of the development proposed, it is notable that relatively few responses to the application were lodged. Some relatively minor changes were made to the application after it was submitted but before the LBL resolution.

33. Relevant public bodies have actively participated in what has been a genuinely collaborative exercise, and consequently, the development has the support of LBL and the GLA. The Council resolved to approve the application on 18 December 2018 but it was called in by the Secretary of State on 21 May 2019. LBL has continued to support the scheme.

*The extent to which the proposed development is consistent with Government policies for delivering a sufficient supply of homes*

34. The development would deliver 257 high quality new homes. Quality is assured: the units would meet all relevant design standards in the National Technical Housing Standards and the LP Housing SPG. Furthermore, opportunities to minimise

single aspect units and maximise dual aspect units have been taken, and the presence of some single aspect units is agreed to be acceptable. The development would provide 10% of the residential units as wheelchair accessible or easily adaptable, in accordance with policy objectives.

35. As to other relevant matters affecting the quality of the residential units proposed:

- The density of the development is agreed to be acceptable.
- The arrangement of the towers, and separation distances relevant to the residential units are acceptable.
- The proposed units would receive acceptable levels of daylight and sunlight and not be subject to unacceptable noise.
- Although the amount of play space is below the minimum requirement in policy, the shortfall would be met by Vauxhall Park and Vauxhall Pleasure Gardens, both nearby. A financial contribution toward improving the parks and an annual revenue contribution for 10 years would be secured by legal agreement. The child play space on site is agreed to be acceptable.
- The proposed private and communal amenity space is otherwise considered acceptable.

36. It is a policy requirement that schemes should deliver the maximum reasonable level of affordable housing. What that level may be usually depends on the development viability of the scheme, and indeed the context of the development in general. In this case:

- The LP provides for off-site provision by means of payment in lieu in exceptional cases, which may include the possibility of securing higher provision, or better addressing priority needs for instance for affordable family housing.
- The proposed affordable housing package comprises 30% affordable housing in a policy compliant mix of 30% intermediate, 70% social/affordable rent, with a tenure split comprising 23 intermediate London Living Rent homes (30% - all on site), plus a payment of £30,093,907, which is financially equivalent to 54 on-site social rented homes (the 70%).
- This exceeds the maximum reasonable provision, and it is agreed with LBL and GLA that the circumstances where a part off-site payment in lieu are justified in this case. The Applicant has taken a long-term commercial view of the scheme – which is clearly comprised of more than just housing – when assessing the financial burdens of the planning process.
- An early and late stage review mechanism is included in the Section 106 Obligation which could enable further affordable housing payment to be made; this is a further affordable housing benefit of the proposal.
- Although KOV have expressed scepticism about the Council's track record in delivering affordable housing, provision is made for a very substantial payment which would allow family affordable housing to be provided in a more appropriate location than the highly dense town centre. The evidence is also clear: LBL have delivered units through exactly this mechanism (including but

not restricted to the Homes for Lambeth Lollard Street development of 70 socially rented homes as part of a mixed residential scheme). Providing affordable housing in London is challenging, and if LBL, along with other Boroughs, have faced a challenge in doing so, it only underlines the substantial weight which should be given to the agreed package in this case.

37. There is no question that the proposed housing is needed. The London Wide SHMA identifies the need for 66,000 additional homes in London every year, including 43,500 affordable homes; the emerging London Plan target for LBL is 15,890 over the next 10 years. The recent panel report questioning the reliability of small site residential delivery, and the Mayoral response, again serve to underline why the opportunities of designated high-density areas like VNEB must be taken.

38. The development therefore fully accords with the development plan and with the NPPF's emphasis on delivering a sufficient supply of homes. Broadening the point out, the highly sustainable, high density re-use of the brownfield site is exactly the way to meet housing needs in Lambeth. That is why the Opportunity Area was designated, including this site. Accordance with this aspect of the NPPF should therefore be given significant weight.

*The extent to which the proposed development is consistent with Government policies for building a strong, competitive economy*

39. The proposal includes a very large hotel, just under 20,000 square metres of office floorspace, and just under 700 square metres of retail/community space. The combined effect of those uses would be to generate around 2000 new FTE jobs. The intensity of the re-use of the site again allows these very high figures and large benefits to come forward.

40. As a wider set of economic effects, the attractiveness of the hotel is strongly supportive of the leisure and tourism economy of London, as well as its ability to service the needs of business travellers. It is in line with LP and LLP policies for hotel provision and would represent a major generator of economic spin-off benefits. The GLA Report projecting the need for visitor accommodation in London forecasts demand for accommodation needs to increase from 138.5 million visitor nights in 2015 to 196.4 million nights by 2041, giving rise to the need for an additional 58,140 rooms by then.

41. Similarly, there is no objection to the additional high-quality office space, which would contribute towards meeting the office needs of Lambeth and London in general. The 2017 London Office Policy Review forecasts an increase of 619,300 jobs in Central London by 2041, creating a requirement for over six million square metres of new office space, of which 60% is expected to be in the CAZ and Isle of Dogs. The review identifies Lambeth as a location where demand has outstripped supply and there is a significant need for office space.

42. TfL believes that the re-configuration of the gyratory will improve traffic conditions, and therefore improve the way a major node in central London functions for those moving through it for business purposes. The way the scheme would assist the delivery of the TfL scheme is another factor relevant to the cumulative benefits of the proposal.

43. As a result, the development unquestionably supports, and is consistent with, the Government's policies for building a strong, competitive economy, and it would

be in accordance with paragraph 80 of the NPPF. The extant scheme is quite different as a proposition and far less beneficial for the economy.

*The extent to which the proposed development is consistent with Government policies for ensuring the vitality of town centres*

44. Beginning with the proposed land uses themselves, it is clear that the development proposes town centre uses in a designated town centre. There is complete consistency with land use policy. Indeed, the residential, hotel, retail and office uses would enhance the range of town centre uses and all contribute to the vitality and viability of the town centre.

45. That enhancement is correctly described as “planned” development, because of the policy designations which cover the site: CAZ, Vauxhall District Centre, VNEB Opportunity Area and Site 13 in the Local Plan. All promote the reinforcement of the town centre uses which the development would deliver.

46. The town centre is underpinned by the range of facilities already present and the fact that it contains an exchange between multiple forms of public transport. The score of PTAL 6b is because of the presence of the bus, tube and overground connections. The TfL scheme would link effectively at ground level with the proposed scheme, with substantial room for travellers to move through the open bus station and through to other bus stops, the development itself and on to other parts of the town centre. The high footfall would ensure the commercial attractiveness of the retail and restaurant/café uses that would come forward at ground level.

47. Great effort has been expended in order to ensure proper activation of the ground floor. The result would be a highly active frontage alongside an attractive square in which to pause for refreshment. The square is well-located for sunlight, which would fall in the square at the optimum lunch time period, assisting the attractiveness of the space.

48. Similarly, servicing has been expertly condensed and designed into the scheme, to maximise the use of the basement. TfL and LBL Highways are entirely satisfied with the resulting mix – most servicing provision being within the lower levels of the scheme, with a modicum of alternative provision scattered about the area. There is no evidence that the servicing would give rise to any free flow or safety issues either on or immediately adjacent to the site. The numbers of servicing trips are relatively modest (9 vehicles coming to and leaving the lift area in the peak servicing hour), and in the context of the network, insignificant.

49. The town centre would be significantly boosted by the proposals. Lambeth currently retains only 59% of the spend generated in the Borough and the work carried out by Experian in 2017 for the GLA identifies a need for 45,231 square metres of gross additional retail floorspace in the Borough by 2041. The Experian work identified Vauxhall’s potential future role as a District Centre in the GLA network of centres.

50. KOV has expressed reservations based on the ideas that Bondway would not be a two-sided town centre street, but that would certainly not be the case with the extant scheme, and the town centre environment in and around Bondway would have retail, restaurant and town centre activation on both sides of the street, with the hope and expectation being that the galvanising effect of the scheme would improve the quality of the offer on the other side of Bondway in due course.

51. There is therefore no doubt that the proposals would be consistent with the objectives of the NPPF in relation to town centres.

*The extent to which the proposed development is consistent with Government policies for achieving well-designed places*

52. There has been no material challenge to the quality of the scheme design at the Inquiry. No objection was received from LBL or the GLA (or indeed Historic England) to the design, who all recognised the scheme to be of very high quality.

53. The Zaha Hadid Architects design is compelling, and would mark Vauxhall town centre with a scheme of outstanding merit which would transform the immediate area and create excellent townscape.

54. Dealing with the height of the proposed development first, the towers would represent good design:

- They would comply with criteria in LP policy 7.7 as well as chapter 12 of the NPPF by being planned. The VNEB OAPF and the Vauxhall SPD both countenance this type of development on the site, and the scheme accords with the principles in both documents.
- The heights are a response to the emerging cluster, as consented and built (or in the process of being built). This has moved on markedly since the adoption of the Lambeth Plan, and the maximum height stipulation, whilst exceeded by the scheme, needs to be seen in the context of those changes. This was recognised by the Lambeth Officers' report in this case. Since the adoption of the policy, good design cases have led to the consenting of One Nine Elms at 200m, Vauxhall Square at 168m, and New Bondway at 170m, all in excess of the 150 maximum in the 2015 policy. The SoCG shows that Lambeth and the Applicant agree that this issue does not prevent the scheme being in accordance with the development plan as a whole.
- In design terms the proposed height of the scheme is justified by the way the scheme would fit into the cluster – avoiding a plateau effect, helping to create skyline variety, introducing gaps between the buildings, and ensuring slenderness whilst having a more rectilinear and flat-topped overall aspect.
- The photomontage images show how the scheme would not appear overly tall or monolithic: including the important view from Millbank Riverside Gardens where the buildings step down as the perceived outer edge of the cluster from that position, or the views from Lambeth Bridge and Westminster Bridge, where the proposed buildings would help to articulate the cluster by stepping down to the Albert Embankment towers which form an important part of the context in many views towards Vauxhall.
- Even in views at some distance, the images show that the quality of the scheme would be apparent – although it has been conceived to stand as part of a cluster rather than to stand out from it (as the extant scheme would), the scheme's external appearance, articulation and character would be perceived over a relatively large area, giving Vauxhall a well-defined sense of place and quality. They would be much more than simply 'Vauxhall tall buildings'.
- That is relevant also to the concern voiced by KOV that the scheme would be, or would contribute to, a "wall" effect, particularly when seen from the south in

locations such as Fentiman Road. Plainly, the development of the Opportunity Area at VNEB is visible, indeed prominent in some views, from outside the area. That is the nature of an urban area. However, the proposed development is consistent with, and is a crucial part of, the change embodied in strategic and local planning for the area, and the character of central Vauxhall is quite different from that in, for instance, Fentiman Road. Furthermore, whilst there is some inter-visibility, the distinction between the characters of nearby areas are very clearly demarcated, and it is not the case that the proposal would give rise to a 'wall effect' – that is one of the benefits of the Zaha Hadid Architects design, with its separation and more orthogonal relationship between the proposed towers.

55. Turning to design matters closer to hand:

- The scheme has been well designed in functional terms. No tangible issue has been raised with the basement parking, servicing, or provision for Blue Badge holders. In respect of the latter in particular, the car parking arrangements comply with design standards, as do the cycle parking facilities. The management of the basement, which doors lock, how they might be unlocked, CCTV and surveillance, are all issues for a later date.
- The scheme's ground level has been very carefully designed to maximise the potential for active frontages, and has succeeded in creating a very interesting and engaging townscape, which would also be greened to an extent by several areas of tree and shrub planting. LBL and Applicant agree that there would be a significant amount of new public realm and improved connectivity.
- Seen at closer quarters, the excellence of the design is even more palpable – the frame of the building is articulated to create a single style of branching and framing of solid forms around glass, and would include other features such as 'scoops' at higher level and a cantilevered base. Approaching from the north the scheme would present a highly distinctive gateway to the town centre, and seen from ground level at the Parry Street or Wandsworth Road/Nine Elms Lane junction, it would provide interesting townscape that would elevate the retail, office, hotel and residential uses visible through the buildings' outer surfaces.
- The scheme would also represent good townscape when seen together with the new bus station, town square and revised road network. Vauxhall Cross would be a hugely improved part of the town centre.

56. For these reasons, the scheme will strongly support the objectives of Chapter 12 of the NPPF.

*The extent to which the proposed development is consistent with Government policies for conserving and enhancing the historic environment*

57. There is no objection to the grant of permission by LBL, GLA or Historic England. No harm of any kind, to any designated asset, is suggested by LBL or the GLA; Historic England's consultation response is generally positive about the scheme, but where it suggests that there would be some "further encroachment on the silhouette of the WHS", they appear to have made a mistake – there would be no such effect.



58. Indeed, as far as the Westminster World Heritage Site (WWHS) is concerned – obviously an asset of the very highest importance – there would be no material effect on the Outstanding Universal Value (OUV) of the area through changes to its setting. Its OUV resides in the character and history of the structures themselves, the relationship with the river, views in and out and diurnal and seasonal considerations. The verified views produced show that there would be no impact on the nature or character of the views of the WWHS.

59. No harm is suggested by any public body or expert consultee as far as London Boroughs are concerned. KOV make a point about the proximity of the scheme to Brunswick House, but it is surely right to say that the setting of that building plays no role in its significance now. The effect of the scheme, if anything, would be to provide a better designed and welcoming part of the town centre from which to see the principal elevation of that listed building. No harm is alleged to the character and appearance of any Conservation Area, or to any other listed building or non-designated heritage asset.

60. For these reasons, the development would be consistent with heritage policy in the NPPF.

Other matters

*Daylight and sunlight*

61. Documentary evidence submitted sets out why the development is acceptable in terms of daylight and sunlight, despite causing material worsening of the position for a number of units of accommodation in the area around the site, notably part of St George Wharf and 59 Bondway.

62. The law and recent appeal decisions set out a two-stage process, beginning with a BRE analysis using a variety of different benchmarks within that work, followed by an exercise of judgement based on context, to arrive at an overall view as to whether the impact would be acceptable or unacceptable.

63. The BRE guidance itself must be applied flexibly, particularly in urban locations. The context here is the extant scheme baseline, the OAPF and the kinds of effects (and residual levels) that recently consented schemes achieved.

64. The BRE results for the affected buildings are relatively good. There would be a few rooms/windows which do not achieve BRE 'compliance', but that is generally because of the design of the units (this is especially the case with St George Wharf with balconies) and/or low existing levels.

65. The affected units are not so badly affected, and the overall effects are not so great, as to approach the level of "unacceptable" harm in policy terms.

*Transport and the TfL schemes*

66. KOV and other parties are troubled by the effect of the revised highway network and the bus station re-configuration. However, as above, these are already consented. Despite objector's views having been made the decision was taken by both TfL, in its policy-setting, and LBL, in its decision-taking, that both the gyratory works and the bus station re-configuration are in the public interest.

67. Modelling and detailed trip distribution were scoped out in early discussions with TfL and LBL for the simple reason that the scheme would generate very few movements onto what is an extremely busy part of the network. Its effects would be *de minimis*. This approach, and the contents of the Transport Assessment, were accepted by TfL and LBL's highways officer.

68. No relevant applicable standard would be departed from. Ms Gaunt's allegation that there would be a "downgrading" of standards was intended to contrast the current bus station with the proposed, but TfL clearly do not agree, and apart from the fact that there might be less overhead cover the bus station facilities consented seem admirable. In any event, to the extent that there was a valid difference of opinion between some locals and TfL, that ship has sailed.

69. The management of construction traffic is a valid concern and can be addressed through the imposition of specific conditions.

#### *Development plan compliance*

70. There is unanimity between LBL, the GLA and the Applicant that the proposed development accords with the development plan read as a whole; the breach of the 150m marker is not a matter to which much weight should be given, for the reasons now well explained.

#### *Benefits*

71. Listing the benefits would at this stage be repetitious, but the Secretary of State is directed to the agreed list in the SoCG. It is a very considerable list of benefits, which obviously more than outweighs any harm from some daylight/sunlight impacts or the breach of the 150 metre height limit. Essentially, the benefits depend on the intensity of the proposed development in yielding so many housing, affordable housing, economic and social benefits.

#### *Conclusion*

72. The proposals would represent a huge investment in Vauxhall town centre, satisfying multiple policy priorities at the national, strategic and local levels. They accord with the development plan as part of the OAPF, CAZ and town centre, and unsurprisingly have the support of LBL, TfL and the GLA. The degree of public opposition, whilst genuine and well-articulated, is modest. This is a scheme of importance to London and to the Government's own planning priorities and it deserves to go ahead, bringing its many benefits with it.

#### **The Case for Kennington, Oval and Vauxhall Forum (KOV)**

The material points of the case for KOV are:

73. The proposed development has many merits but should be refused, particularly because it would not deliver a thriving town centre. The developer should think again and return to the original vision for the Vauxhall Cross area.

74. Much has been made of comparing the extant scheme with the proposed development. The Secretary of State should place less weight on this comparison and judge the scheme more on its own merits.



75. Before addressing the specific points raised in the Secretary of State's call-in letter, it is worth commenting that TfL is the owner of approximately 37% of the Vauxhall Island site and did not appear at the Public Inquiry, and the development is dependent on a land swap between the Applicant and TfL.

*The extent to which the proposed development is consistent with Government policies for delivering a sufficient supply of homes*

76. The proposed development would provide 257 homes. High rise homes in this area are renowned for having low occupancy rates with nearby St George Wharf reportedly having an occupancy of around 50%. Homes of this type in this area are likely to have low occupancy.

77. With regard to affordable housing LLP policy H2 states "...at least 50% of units should be affordable where public subsidy is available or 40% without public subsidy...". The proposed development offers the equivalent of only 30% affordable housing of which 8.9% (23 of 257 units) will be on site and the remainder replaced by a payment in lieu of just over £30 million.

78. LBL claim to have an 'exemplary' track record with regards to delivering social housing. On examination, it has been shown that the track record was in fact a list of LBL's future plans. LBL has built only 9 homes (3 houses and 6 flats in Akerman Road) in 10 years. If approved there is no guarantee that the affordable homes would ever materialise. Low weight should be given to the suggestion that offsite provision would result in more homes. Evidence points the other way.

*The extent to which the proposed development is consistent with Government policies for building a strong, competitive economy*

79. It is claimed that the development would "support up to 2,304 new permanent jobs". KOV welcomes new jobs in the area but are concerned that too much weight has been given to high estimated numbers in attempting to justify a planning decision. Similar developments such as St George Wharf and the more recent development at Mount Anvil (Key Bridge House) clearly demonstrate that retail uptake has not been successful in this area.

80. Reliance is placed on footfall whereas the majority of that would be people transferring from one bus to another. This area is first and foremost a transport interchange. Given the dispersions of pedestrians on three sides of the proposed development we conclude small retail shops may well struggle at this location.

*The extent to which the proposed development is consistent with Government policies for ensuring the vitality of town centres*

81. The proposal abandons the original vision for Bondway of being a new High Street as shown in the Vauxhall Supplementary Planning Agreement. What is now emerging is a departure from agreed planning policy.

82. The original plan was to have lots of shops but that is nothing like what is now planned. If we take an imaginary walk along Bondway from the proposed station square, we get a simple walkway to the bus stops with no shops. Then we cross a road to the proposed development. The first section is an entrance to private residences. Visually, there is nothing to entice people in that direction. The proposed development, if approved, would kill off any possibility of a thriving town centre.

*The extent to which the proposed development is consistent with Government policies for achieving well-designed places*

83. The proposed development is well-designed. However, the proposed design of the whole site requires building out into existing public highway and spaces, and materially affects TfL's plans to return to two-way traffic at Vauxhall Cross.

84. TfL did not attend the Inquiry and therefore claims about the transport impacts of the scheme could not be tested. It was agreed at the Inquiry that the developer had undertaken no analysis on how vehicles would approach and leave the site from and to various routes, and they accepted that at least some would necessarily pass through residential streets. It is evident that building out to a point on the junction of Parry Street and Wandsworth Road would prevent a left turn into Parry Street from Wandsworth Road. Whilst the development itself might generate little traffic we saw no insight into the consequences of this design detail.

85. Large volumes of traffic over and above the traffic from the site would end up on residential streets (Wyvil Road in particular which includes a school) and that acts against LBL's ambition to create low traffic neighbourhoods.

86. The proposed public square is such that it will be in full shade for much of the day. Similarly, shaded squares in St George Wharf are underused.

*The extent to which the proposed development is consistent with Government policies for conserving and enhancing the historic environment*

87. We note the extensive views that were produced to support the proposed development. But the public were not asked about what local views were important to them nor were they given a chance to comment on the methodology of assessing those images. A short survey indicates the proposed development would have a negative impact on views from the public's point of view whereas professional assessors were suggesting a more neutral or beneficial assessment.

88. Views from the three Grade II listed buildings in the immediate area; Brunswick House, Vauxhall Bridge and the Royal Vauxhall Tavern would be affected. For almost 50 years the public have been able to enjoy views of Brunswick House from Bondway but these will be totally obscured by the development.

*The extent to which the proposed development is consistent with the development plan for the area including any emerging plan*

89. We consider the principle failure of the scheme is to deliver a thriving town centre. The proposed 'flexible retail' units cover a range of planning classes including non-retail uses distributed along three sides of the site. This would have the effect of dispersing pedestrians thereby undermining the original vision of a town centre focussed on Bondway. This goes against the preferred use for the site as stated in the LLP; retail and other town centre uses on the ground floor and above to form a new high street onto Bondway with active non-retail uses on the Wandsworth Road frontage. Perhaps there would be some small independent shops in the development but there is no evidence that existing independent local businesses have been approached as potential tenants of the 'flexible retail' units. It is likely that these units would be occupied by the usual mix of national chains; estate agents, coffee shops, and convenience stores.

### *Other matters*

90. Paragraph 43 of the NPPF states that the right information is crucial to good decision making and some standard claims around this scheme have been found to be unfounded. The gyratory would not be removed in its entirety; that part which affects local schools would remain. TfL forecast that more traffic will pass through Vauxhall in 2024 than at present and it is likely that several roads will carry more traffic. The removal of the gyratory could be achieved without demolition of the existing bus station and it is only the extent of the proposed development that dictates that these demolition works would be required. The site was let for ten years and is not vacant, and has been used by pedestrians.

### **Third Party Verbal Representations**

The material points of the cases made by third parties at the Inquiry are:

91. The existing bus station is spacious and well-designed and is well-regarded by those who use it. It is sited next to underground and overground railway stations and Vauxhall has one of the best integrated public transport interchanges in London. It is imperative that the development does not result in bus journeys being more difficult. There would be a downgrading of current standards provided by the existing bus station for several reasons. Some bus stops would be a long distance from the replacement bus station facilities, behind a 42 storey tower and next to a six lane road. The placing of stops in such a location exposes bus passengers to pollution and exposes them, particularly children, to health risks. Currently all buses stop under a single canopy whereas all proposed stops would have no cover from stop to bus. This would be especially discomfoting for wheelchair users. Hundreds of schoolchildren use the bus station every day and use of bus stops remote from the proposed bus station could potentially result in an increase in antisocial behaviour and bullying. This would contrast with the current situation where all bus stops are visible from the control room. Security, with terrorism in mind, would be less than is afforded by the current bus station.

92. Servicing of the proposed development relies on three lifts for vehicular access to basement levels and on a schedule of 15 minute slots booked 24 hours in advance. Inevitable traffic delays would render such a tight schedule unworkable and in consequent inconvenience for drivers and pedestrians. There are insufficient and inappropriately located delivery bays proposed and provision for taxis and coaches to park are inadequate.

93. The change from one way to two way traffic around the site results in air quality and safety issues. Pedestrians and cyclists stationary on a traffic island in the middle of a two way road for up to two minutes would be subject to high levels of pollution and would be likely to take risks to cross to the opposite pavement. Basement cycle and car parking provision for the disabled in the proposed development is cramped and unsafe, and some apartments would not meet current space standards. Giving up part of the site to TfL for changes to roads around the site would result in traffic leaving the strategic highway network onto residential streets in the area which do not have the capacity to accommodate increased traffic flows. On these streets are schools and any increase in traffic would be detrimental to the safety of schoolchildren. The proposed development would prevent the implementation of a Lambeth plan to create a high street and a thriving town centre along Bondway.

### **Third Party Written Representations**

The material points of the cases made by third parties in writing, in addition to those made verbally at the Inquiry, are:

94. The proposed towers would reduce daylight and sunlight in apartments in St George Wharf and other apartment buildings to an unacceptable degree and would thus adversely affect the living conditions of residents of those apartments.

95. Support should be given to the scheme for the island site that is well conceived, and which has been evaluated and considered acceptable by the Council's Planning Applications Committee.

### **Conditions and Planning Obligation**

#### Conditions

96. Recommended conditions are included in a Schedule attached to this report. The reason for each condition appears after the condition. They are in line with conditions agreed by the Council and the Appellant though they have been amended, where necessary, to meet the tests set out in the Planning Practice Guidance (PPG) and in the interests of clarity and precision.

#### Unilateral undertakings

97. At the Inquiry the Appellant submitted a Planning Obligation, made under Section 106 of the Act, for the proposed development (ID6). The signed and dated and otherwise completed Obligation was submitted shortly after the close of the Inquiry (ID17). The Council has assessed the Agreement and has concluded that the obligations contained within it comply with Regulation 123(3) of the Community Infrastructure Levy Regulations 2010. The obligations are all necessary to make the development acceptable in planning terms. They are all, furthermore and in accordance with paragraph 56 of the NPPF, directly related to the development, are fairly and reasonably related in scale and kind to the development, and are in place to mitigate the effects of the development. The Legal Obligations therefore comply with Regulation 122 of the Community Infrastructure Levy Regulations 2010.

## Conclusions

*Numbers in square brackets at the end of each paragraph refer to earlier paragraphs in this Report.*

98. The conclusions will respond to the matters the Secretary of State particularly wishes to be informed about, and will then consider other matters followed by an overall conclusion. The extant planning permission for the application site is a significant material consideration.

### Delivering a sufficient supply of homes

99. Whilst also delivering tourist and office space, the proposed development would deliver 257 homes. There is no evidence to indicate that these homes would not be of high quality and would not meet all relevant design standards. In accordance with policy requirements, 10% of the homes would be wheelchair accessible. The density of the development is acceptable and residents would have acceptable living conditions, with regard to daylight, sunlight, privacy and noise. The shortfall in outdoor play space for young residents would be mitigated by the payment of commuted sums for improvements to, and future maintenance of, play space in nearby Vauxhall Park and Vauxhall Pleasure Gardens. These improvements would benefit all young residents of Vauxhall. Private and communal amenity spaces within the development would be acceptable. [34, 76]

100. The proposed housing element of the proposed development includes 30% affordable units. As this is less than 40% and in accordance with LLP policy H2, a financial viability assessment was submitted which demonstrated that 30% is the maximum reasonable amount that can be achieved. Also compliant with policy H2 is the early and late stage review mechanism, which is included as a provision of the Section 106 Obligation, and the provision of 30% on-site intermediate units and 70% off-site social rented units. The Council's delivery of affordable housing in the Borough is a matter of record and includes 70 units at Lollard Street that were delivered as a direct result of the Shell Centre redevelopment. Off-site provision of affordable housing resulting from the payment of commuted sums is a well established mechanism, and there is no reason to suppose that the £30 million payment proposed in this case would not result in the construction of 54 affordable homes to meet the housing needs of the Borough. [36, 77, 78]

101. The provision of 257 homes would contribute to meeting the emerging LP target for Lambeth of 15,890 homes over the next 10 years. 23 of these on-site units would be intermediate homes and the development, via the payment of a commuted sum, would provide, off-site, the equivalent of 54 on-site affordable homes for rent. The proposed provision of market and affordable housing accords with LLP policy H2 and would be consistent with Government policies for delivering a sufficient supply of homes as set out in Chapter 5 of the NPPF. [37, 38]

### Building a strong and competitive economy

102. The proposed hotel would contribute to meeting the identified need for additional hotel accommodation in central London and would be in line with LLP and LP policies for hotel provision. The hotel would support the leisure and tourism economy of the capital. Lambeth has been identified as a location where demand for office accommodation has outstripped supply. The proposed office accommodation would contribute to meeting this demand and the CAZ is identified as an area where it is expected that the majority of demand will be met. [39-41]

103. The hotel and office uses would provide in excess of 2000 job opportunities immediately adjacent to one of the busiest transport hubs in the capital. The increase in footfall through the area would be likely to provide significant support to the local economy. In this regard the proposed development cannot be compared to St George Wharf as this development is to the west of Wandsworth Road and therefore away from the considerable pedestrian activity around the transport hub and between the hub and developments to the south. [42, 79]

104. The proposed development, particularly its hotel and office elements, would be compliant with LLP and LP policy and would be consistent with Government policies for building a strong, competitive economy as set out in Chapter 6 of the NPPF.

#### Ensuring the vitality of town centres

105. The mix of hotel, office and residential uses on the site would be consistent with the Council's aspirations for Vauxhall town centre. Also consistent is the provision of ground floor retail opportunities and the inclusion within the development of a significant public open space alongside Bondway. This would be in direct contrast to the current hoarded site and the open space, a 'public square', would be an active space that would be a pedestrian link between the north end of Nine Elms linear park and developments to the south of Parry Street, and the transport hub. The proposed development is likely to result in property owners on the east side of Bondway responding to increased retailing opportunities and Bondway, whilst it would not be a traditional 'high street', would be the heart of the town centre. There is every reason to suppose that the proposed development would contribute to, and would be a catalyst for improvements elsewhere that would further contribute to, the viability and vitality of the town centre. [44-50, 81, 82]

106. The proposed development would be the last element of a planned urban redevelopment of Vauxhall town centre and, in this regard, would comply with LLP and LP policies. The development is consistent with Government policies for ensuring the vitality of town centres as set out in Chapter 7 of the NPPF.

#### Achieving well-designed places

107. There is virtual unanimity between parties on the proposed development in terms of its contribution to achieving well-designed places. The quality of the architecture is undeniable and, in townscape terms, the scheme would be outstanding. In this regard, the public square that would be part of the scheme would be open to the south and would be sunny for much of each day, particularly during midday, and would always be an attractive place to be. TfL have been involved in the design process and there is no evidence to indicate that their plans for two-way traffic at Vauxhall Cross would be compromised by the proposed development. Views along streets in the wider area, such as Fentiman Street, are already affected by existing tall buildings and the two towers of the proposed development would not materially alter these views. [53, 54, 83]

108. The Council adopted the VSPD in January 2013 which states that iconic tall buildings of high quality will form a cluster around Vauxhall Cross. Tall buildings already form a cluster around Vauxhall Cross, in accordance with the plan-led approach of the LP, the LLP and the VSPD, and several of these buildings exceed the 150 metre height limit that is stated in the design principles for the area, and these buildings have been permitted since the VSPD was adopted. It is, in this regard, surprising that the Council is maintaining the 150 metre height limit for tall buildings



in Central Vauxhall in the DRLLP. The proposed development would comply with design criteria in LLP policy Q26 but would not comply with the height limit for tall buildings in Vauxhall Cross in the LLP and the DRLLP. [19, 54]

109. A thorough urban design analysis was carried out to support the design of the proposed development. This analysis is summarised in Section 4 of Mr Heverin's proof of evidence, which is commended to the Secretary of State, and begins with an evaluation of the evolution of the tall buildings cluster. The first tall building was a 180 metre tower at St George Wharf which was approved as long ago as 2005. The construction of this tower was followed by approval of One Nine Elms (200 metres) in 2012, two towers (173 metres) at Vauxhall Square in 2013, and two towers at New Covent Garden Market (180 metres) and one tower at New Bondway (174 metres) in 2015. The cluster already includes eight towers over 150 metres in height. [55, 84]

110. The extant planning permission for the site was approved when the St George tower was built and One Nine Elms had been approved. Those three towers formed a small cluster of their own at that time, and the two towers at Vauxhall Cross stood apart from them and were designed to be a stand-alone scheme. Time has moved on and the urban landscape at Vauxhall has changed. The two towers of the extant scheme would, if built, take their place alongside a cluster of eight towers. The form, height and monolithic scale of the extant scheme would be inappropriate and would result in the cluster having a weak northern edge at a point, next to the transport interchange, where strength is required. This is clearly demonstrated by the photomontage images in Mr Heverin's proof of evidence. [52-55]

111. The scale, height, massing, design and orientation of the two towers of the proposed development have been very carefully considered through a detailed and iterative design process. This process not only considered the relationship of the proposed towers to the tall building cluster but also the evolution of a town centre. The existing bus station prevents the creation of any form of town centre, centred on Bondway, and the extant scheme for the site was designed to accommodate the retention of the bus station. The approved remodelling of the bus station provided the opportunity to consider the Council's objective to create a new district centre at Vauxhall, as planned in LLP policy PN2. The proposed scheme, which includes a public square, would contribute to the fulfilment of that planned objective.

112. The two towers of the proposed development, in terms of their height, are necessary to ensure the successful completion of the planned cluster of tall buildings in Vauxhall. The development would be architecturally excellent, would enhance the urban townscape, and would contribute to the planning objective of a town centre in Vauxhall. The proposed development is consistent with Government policies for achieving well-designed places as set out in Chapter 12 of the NPPF.

#### Conserving and enhancing the historic environment

113. Brunswick House, a Grade II\* listed building, is situated to the west of the application site on the opposite side of Wandsworth Road. Close behind the listed building is St George Wharf, including the 180 metre tower, and the principal south-east front elevation of the building faces directly towards the two 173 metre towers of Vauxhall Square beyond the cross-roads junction of Wandsworth Road/Parry Street/Nine Elms Lane. In this context the proposed development, on a site that was previously developed, would not cause any harm to the setting of the listed building. The development would not cause any harm to the setting of any other listed or locally listed building in the area, such as Vauxhall Bridge and the Royal Vauxhall

Tavern, or to the character and appearance of any Conservation Area in Vauxhall or elsewhere. [57, 87]

114. The WWHS lies to the north-west on the opposite side of the River Thames. Historic England expressed some concern, in their consultation response, for encroachment on the silhouette of the WWHS. This concern is unfounded. The London View Management Framework (LVMF) Supplementary Planning Guidance of March 2012 established thirteen protected vistas. The proposed development would not intrude in any protected vista and the Outstanding Universal Value of the WWHS would not be harmed. [58, 88]

115. The proposed development would not cause harm to any heritage asset and is consistent with Government policies for conserving and enhancing the historic environment as set out in Chapter 16 of the NPPF.

#### Other matters

116. Part of the current one-way system in Vauxhall, to the east of the transport interchange, would not be altered. However, the removal of the gyratory around the island site to the west of the railway lines has been planned and approved and is a well established objective of the Council and TfL. No evidence has been produced to conclusively indicate that the proposed development, as opposed to change to two way traffic around the island site, would increase traffic on residential roads in the wider area. Even if it did this is a matter for TfL to address in the future. [17, 18]

117. No expert evidence has been produced or submitted to counter that produced by the Applicant on the matter of daylight and sunlight in apartments at St George Wharf and other buildings. There is no reason therefore not to give that evidence significant weight. Some apartments would receive less daylight and sunlight if the proposed development was to be approved and implemented. However, whilst the ultimate assessment of these factors is partly subjective, there is no reason to disagree with the overall conclusion that in no apartment would levels of daylight and sunlight be so low that residents would have unacceptable living conditions. In this regard there is no conflict with planning policy. [61-65, 94]

118. Local residents would prefer that the existing bus station is retained, but they also seek the creation of a town centre with Bondway at its heart. They can't have both, because retention of the bus station would prevent Bondway becoming anything other than it is at present. The proposed replacement bus station would be ideally placed next to the entrances to the overground and underground stations. It would include a large canopy and operations and facilities buildings, and other freestanding canopies would be located nearby on Bondway, Wandsworth Road and Kennington Lane. The proposed bus station, for which planning permission has been granted, would not be the same as the existing bus station but it would provide appropriate and safe facilities for all bus passengers. There is no reason to suppose that TfL would not provide adequate temporary bus stops whilst the replacement bus station or the proposed development is under construction. [66-69, 90, 93]

#### Development plan and emerging planning policy

119. The proposed development accords with policies in the LP, LLP, DLP and DRLLP, other than with the height limitation of 150 metres for tall buildings in policy Q26 of the LLP and the DRLLP. This limitation has been set aside for several other buildings in the planned cluster of tall buildings at Vauxhall and the two towers that



are subjects of the application, in terms of their height, are required to successfully complete the planned cluster. The proposed development therefore accords, as a matter of planning judgement, with the development plan as a whole. If this was to be accepted the planning application, in accordance with paragraph 11 of the NPPF, should thus be approved without delay. [15, 70]

120. If the proposed development is considered not to accord with LLP policy Q26 and therefore not to accord with the development plan, then the application, in accordance with paragraph 2 of the NPPF, should be determined in accordance with the development plan unless material considerations indicate otherwise. The need for the two towers to be as high as proposed, to complete the planned tall building cluster, is compelling and is the material consideration that indicates that the application be determined other than in accordance with the development plan.

#### Conclusion

121. The proposed development, in architecture and urban townscape terms, would be of the highest quality and would successfully contribute to the planned cluster of tall buildings in Vauxhall.

#### **Recommendation**

122. The appeal be allowed and planning permission be granted subject to the conditions set out in the schedule attached to this Report.

*John Braithwaite*

Inspector

## APPEARANCES

### FOR THE LOCAL PLANNING AUTHORITY:

Mr T Comyn	Barrister
He called	
Mr J Holt BA(Hons) MPlan	Principal Planning Officer

### FOR THE APPELLANT:

Mr R Warren	Queens Counsel
He called	
Mr J Heverin BSc(Arch) DipArch RIBA ARB	Director of Zaha Hadid Architects
Professor R Tavernor BA DipArch PhD RIBA	Director of Robert Tavernor Consultancy Limited
Mr J Webb MRICS	Senior Partner at Gordon Ingram Associates
Mr C Mullett BA MSc MCIHT	Associate Director at BuroHappold Engineering

### FOR KENNINGTON, OVAL AND VAUXHALL FORUM (KOV):

Mr M Keane	Resident of Vauxhall
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### INTERESTED PERSONS:

Ms P Gaunt	Local resident
Ms H Holmes	Local resident
Mr S Gibbs	Local resident
Ms D Neil	Local resident

## **INQUIRY DOCUMENTS**

- 1 List of Appearances on behalf of the Appellant.
- 2 Opening Statement on behalf of the LB of Lambeth.
- 3 Applicant's Opening Submissions.
- 4 KOV Opening Statement.
- 5 Statement of Common Ground.
- 6 Draft Section 106 Planning Obligation.
- 7 Summary of Section 106 Agreement.
- 8 Prints of slide show by Mr Webb.
- 9 Report to SoS on APP/N5660/A/11/2157961 – Vauxhall Island.
- 10 Statement by Ms Gaunt.
- 11 Statement by Ms Neil.
- 12 Statement by Ms Holmes.
- 13 Statement by Mr Gibbs.
- 14 Notes by Mr Gibbs on planning conditions.
- 15 Closing Statement on behalf of the LB of Lambeth.
- 16 Applicant's Closing Submissions.
- 17 Section 106 Planning Obligation.

## RECOMMENDED CONDITIONS

1. The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (As Amended).

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

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The development hereby permitted shall not commence, save for demolition and enabling works, until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include details of the following measures:

- an introduction consisting of construction phase environmental management plan, definitions and abbreviations and project description and location;
- a description of management responsibilities;
- a description of the construction programme which identifies activities likely to cause high levels of noise or dust;
- site working hours and a named person for residents to contact;
- detailed site logistics arrangements;
- details regarding parking, deliveries, and storage;
- details of an air quality and dust management plan;
- details noise mitigation measures to be deployed including identification of sensitive receptors and ongoing monitoring;
- details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network; and
- communication procedures with the LBL and local community regarding key construction issues - newsletters, fliers etc.

Construction shall be carried out in accordance with the details and measures approved in the CEMP.

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 EN4 (Sustainable Design and Construction), EN7 (Sustainable Waste Management) & T8 (Servicing) - Lambeth Local Plan 2015).

4. The development hereby permitted shall not commence until a Construction Logistics Plan (CLP) has been submitted to and approved in writing by the local planning authority for each phase. The CLP shall include details of parking, deliveries and storage and confirm that the developer will join the VNEB construction working

group. Development shall be carried out in accordance with the details and measures approved in the CLP for each phase.

Reason: To avoid unnecessary hazard and obstruction to the public highway (Policies EN4 (Sustainable Design and Construction), EN7 (Sustainable Waste Management) & T8 (Servicing) - Lambeth Local Plan 2015).

5. No development other than demolition shall commence until the following components of a scheme to deal with the risks associated with contamination of the site have been submitted to and approved in writing by the local planning authority:

- a site investigation scheme, based on previous findings to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site;
- the site investigation results and the detailed risk assessment;
- an options appraisal and remediation strategy giving full details of any remediation measures required and how they are to be undertaken.

Development shall be carried out in accordance with the approved scheme.

Reason: To safeguard future users or occupiers of this site and the wider environment from irreversible risks and to demonstrate that any work has been carried out effectively and the environmental risks have been satisfactorily managed (Policies 5.21 of the London Plan (2015) and EN4 of the Lambeth Local Plan (2015)).

6. Prior to occupation of any part of the development, a verification report demonstrating completion of the works set out in the approved contamination remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. The report shall also include a plan (a "long-term monitoring and maintenance plan"), if necessary, for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

Reason: To safeguard future users or occupiers of this site and the wider environment from irreversible risks and to demonstrate that any work has been carried out effectively and the environmental risks have been satisfactorily managed (Policies 5.21 of the London Plan 2015) and EN4 of the Lambeth Local Plan (2015)).

7. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how the unsuspected contamination will be dealt with.

Reason: To safeguard future users or occupiers of this site and the wider environment from irreversible risks and to demonstrate that any work has been carried out effectively and the environmental risks have been satisfactorily managed (policies 5.21 of the London Plan (2015) and EN4 of the Lambeth Local Plan (2015)).

8. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written permission of the local planning

authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. Development shall be carried out in accordance with the approved details.

Reason: In order to minimise the risk of contamination (Policy EN5 of the Lambeth Local Plan 2015).

9. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling shall be undertaken in accordance with the terms of the approved piling method statement.

Reason: In order to protect water infrastructure (Policy 5.13 of the London Plan 2016).

10. No drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written permission of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. Development shall be carried out in accordance with the approval details.

Reason: In order to minimise the risk of contamination (Policy EN5 of the Lambeth Local Plan 2015).

11. The development hereby permitted shall not commence until detailed design and method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:

- provide details on all structures below ground level;
- provide details on the use of tall plant/scaffolding;
- accommodate the location of the existing London Underground structures.

Development shall be carried out in accordance with the approved method statements.

Reason: In order to protect public transport infrastructure. (Policy T4 of the Lambeth Local Plan). This is required prior to commencement to ensure no damage is caused to public transport infrastructure.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that order with or without modification) the B1(a) uses hereby permitted shall not change use to C3 residential without the prior written permission of the local planning authority.

Reason: To safeguard the employment floorspace provided by the development (Policies ED1 and ED2 of the Lambeth Local Plan 2015).

13. The flexible commercial units (A1/A2/A3/A4/D1) hereby permitted shall not operate other than between 0730 and 2300 hours.

Reason: In order to protect the amenities of nearby residents (Policy Q2 of the Lambeth Local Plan).

14. The communal roof terraces hereby approved shall not be used between the hours of 2300 and 0600 the following day.

Reason: In order to protect the amenities of nearby residents (Policy Q2 of the Lambeth Local Plan).

15. Prior to the commencement of the relevant part of the development, full details (including elevational drawings) of any 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 manufacturer's 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 Q2 (Amenity) - Lambeth Local Plan 2015).

16. (a) Each use hereby permitted, or the operation of any building services plant, shall not commence until an assessment of the acoustic impact arising from the operation of all internally and externally located plant has been submitted to and approved in writing by the local planning authority.

The assessment of the acoustic impact shall be undertaken in accordance with BS 4142:2014 (or subsequent superseding equivalent) and current best practice, and shall include a scheme of attenuation measures to ensure the rating level of noise emitted from the proposed building services plant is 5 dB less than background.

(b) Each use hereby permitted, or the operation of any building services plant, shall not commence until a post-installation noise assessment has been carried out to confirm compliance with the noise criteria. The scheme shall be implemented in accordance with the approved details and attenuation measures, and they shall be permanently retained and maintained in working order for the duration of the use and their operation.

Reason: To protect the amenities of adjoining occupiers and the surrounding area (policy Q2 of the London Borough of Lambeth Local Plan (2015)).

17. (a) Prior to the commencement of development, a scheme of noise and vibration attenuation shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall achieve the habitable and commercial room standards as detailed in BS8233:2014 with no relaxation for exceptional circumstances and must include details of post construction validation. Development shall be carried out in accordance with the approved scheme. The approved noise and vibration attenuation measures shall thereafter be retained and maintained in working order for the duration of the use in accordance with the approved details.

(b) The scheme of noise and vibration attenuation shall ensure that operational noise levels from the commercial uses and building services plant do not exceed NR25 within potentially adversely affected residential or other noise sensitive locations during typical operations. These activities are considered to include the holding

functions and the playing of live and amplified music (including the screening of sporting events and public address systems) within the commercial uses. The scheme must include details of stages of validation during the construction phase and a post construction scheme of validation and measurement to demonstrate substantive compliance. Details of the post construction validation shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenities of future occupiers and the surrounding area (policy Q2 of the London Borough of Lambeth Local Plan (2015)).

18. Prior to the commencement of development a scheme of measures to ensure that all residential units have access to amenity space within the development where noise levels, as far as practicable, do not exceed 55dB LAEQ(16 hour) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of post construction validation. Development shall be carried out in accordance with the approved details and a separate validation report shall be submitted to and approved in writing by the Local Planning Authority three months prior to occupation.

Reason: To ensure that no nuisance or disturbance is caused to the amenities of future occupiers (Policy Q2, Amenity - Lambeth Local Plan 2015).

19. The non-residential uses hereby permitted shall not commence until a customer management plan for each use has been submitted to and approved in writing by the local planning authority. This should include but not be limited to, hours of operation, management responsibilities during all operating hours, measures to control noise from live and amplified music (including the screening of sporting events and public-address systems) and minimising the effects of patrons coming and going from the building. Each use hereby permitted shall thereafter be operated in accordance with the relevant approved customer management plan.

Reason: To protect the amenities of adjoining occupiers and the surrounding area (policy Q2 of the London Borough of Lambeth Local Plan (2015)).

20. The uses hereby permitted shall not commence until a servicing management plan has been submitted to and approved in writing by the local planning authority. The uses hereby permitted shall thereafter be operated in accordance with the approved management plan. The submitted plan shall include the frequency of deliveries to the site, frequency of other servicing vehicles such as refuse collections, dimensions of delivery and servicing vehicles, proposed loading and delivery locations, and a strategy to manage vehicles servicing the site.

Reason: To protect the amenities of adjoining occupiers and the surrounding area (policy Q2 of the London Borough of Lambeth Local Plan (2015) and to limit the effects of the increase in travel movements (Policy T8 (Servicing) - Lambeth Local Plan 2015).

21. The development hereby permitted shall be carried out in accordance with the mitigation measure included in the approved Flood Risk Assessment (FRA) by BuroHappold Engineering (dated 24 November 2017 with reference 034992, Revision 5). Only 'less vulnerable' uses shall be situated at the ground floor level and below (Sections 3.2.3 and 5), and internal staircase access shall be maintained from all floor levels situated below 4.71 metres above Ordnance Datum (mAOD) (the 2100 maximum likely water level, MLWL) to upper floor levels (Section 3.2.3).



Reason: To reduce the impact of flooding on the development and occupants (Policy EN5 of the Lambeth Local Plan 2015).

22. No development shall commence on site until a detailed Sustainable Drainage System (SuDS) Strategy document has been submitted to and approved in writing by the local planning authority. The Strategy shall be in accordance with the Applicant's submission (Vauxhall Cross - Drainage Strategy 034992 (Revision P01)) and shall include a detailed design and a timetable for implementation. The SuDS Strategy shall also demonstrate the technical feasibility/viability of the drainage system through the use of SuDS to manage the flood risk to the site and elsewhere and the measures taken to manage water quality for the life time of the development. The approved scheme for surface water drainage shall be carried out in accordance with the approved details before the development is first brought into use.

Reason: To ensure the development is provided with a satisfactory means of drainage and in the interests of securing a more sustainable development and to reduce the impact of flooding both to and from the development and third parties (Policy 5.13 of the London Plan 2016 and Policy EN6 of the Lambeth Local Plan 2015).

23. No part of the development shall be occupied until a SuDS management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime, has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved SuDS management and maintenance plan.

Reason: To ensure there are clear arrangements in place for ongoing maintenance over the lifetime of the development (Policy 5.13 of the London Plan 2016 and Policy EN6 of the Lambeth Local Plan 2015).

24. Prior to occupation of the development a flood evacuation plan shall be submitted to and approved in writing by the local planning authority. The flood evacuation plan shall be implemented during the use of the development hereby permitted.

Reason: In order to mitigate the impact of a flood event on users of the development (London Plan Policy 5.12 and Lambeth Local Plan Policy 2015 EN5).

25. A) No development shall take place until the applicant has secured the implementation of a programme of archaeological evaluation in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority and a report on that evaluation has been submitted to and approved in writing by the local planning authority.

B) Under Part A, the applicant (or their heirs and successors in title) shall implement a programme of archaeological evaluation in accordance with a Written Scheme of Investigation.

C) No development shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological mitigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing and a report on that evaluation has been submitted to and approved by the local planning authority in writing.

D) Under Part C, the applicant (or their heirs and successors in title) shall implement a programme of archaeological mitigation in accordance with a Written Scheme of Investigation.

E) The development shall not be used until the on-site archaeological evaluation and monitoring work plus post-site assessment reporting has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Parts (A and C), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: Heritage assets of archaeological interest may survive on the site. The planning authority wishes to secure the provision of appropriate archaeological investigation, including the publication of results, in accordance with Section 12 of the NPPF, London Plan 2016 Policy 7.8 and Lambeth Local Plan Policy Q23.

26. Prior to the commencement of above ground construction works impact studies of the existing water supply infrastructure shall be submitted to and approved in writing by the local planning authority (in consultation with Thames Water). The studies shall determine the magnitude of any new additional capacity required in the system and a suitable connection point.

Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand (Policy 5.15 of the London Plan 2016).

27. Prior to the commencement of above ground construction works, an application for Secured by Design Gold Certification shall be made for the development hereby permitted.

Reason: To ensure that satisfactory attention is given to security and community safety (Policy Q3 of the Lambeth Local Plan (2015)). This is required pre-commencement to ensure that construction work does not prejudice the achievement of Secured by Design certification.

28. Prior to final occupation evidence of the development having achieved Secure by Design Gold certification shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that satisfactory attention is given to security and community safety (Policy Q3 of the Lambeth Local Plan (2015)).

29. Prior to commencement of above ground construction works, a structural blast engineer report shall be submitted to and approved in writing by the local planning authority. The report shall:

- evaluate the building envelope for effects related to air blast (including interior and exterior glazing, exterior wall systems, roof system, car park floors and ceilings) at pre-determined stand-off ranges from a VBIED and LVBIED;
- provide performance specifications for pre-manufactured systems subject to air-blast loading (i.e. precast panels, windows, etc.) in order that the materials used do not add to any fatalities or casualties in the event of an incident;
- provide specialist advice to the structural engineer and other design team members on incorporating blast analysis results into the building design.

The report shall be prepared by a qualified structural blast engineer and development shall be carried out in accordance with the approved details and maintained permanently thereafter.

Reason: In the interest of count-terrorism and community safety (Policy Q3 of the Lambeth Local Plan 2015 and 7.3 of the London Plan 2016).

30. Prior to commencement of above ground construction, a hostile vehicle dynamics assessment shall be submitted to and approved in writing by the local planning authority. The assessment shall demonstrate how hostile vehicle management has been designed into the development.

Reason: In the interest of count-terrorism and community safety (Policy Q3 of the Lambeth Local Plan 2015 and 7.3 of the London Plan 2016).

31. Prior to commencement of the relevant part of the development hereby permitted a soft and hard landscaping scheme including tree planting shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved scheme within 6 months of the date of occupation. All tree, shrub and hedge planting included within the above specification shall accord with BS3936:1992, BS4043:1989 and BS4428:1989 (or subsequent superseding equivalent legislation) and current Arboricultural best practice. The submitted scheme shall include the following:

- the quantity, size, species, position and the proposed time of planting of all trees and shrubs to be planted;
- justification for the chosen species;
- an indication of how they integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance and protection;
- specification of which shrubs and hedges to be planted that are intended to achieve a significant size and presence in the landscape; and
- details of all materials to be used.

Reason: In order to introduce high quality soft landscaping in and around the site in the interests of the ecological value of the site and to ensure a satisfactory landscaping of the site in the interests of visual amenity (Lambeth Local Plan Policy Q9).

32. All planting, seeding or turfing comprised in the approved soft landscaping scheme shall be carried out in the first planting and seeding season following the occupation of the development hereby permitted. Any trees, hedgerows or shrubs forming part of the approved landscaping scheme which, within a period of five years from the occupation or substantial completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

Reasons: In order to introduce high quality soft landscaping in and around the site in the interests of the ecological value of the site and to ensure a satisfactory landscaping of the site in the interests of visual amenity (Lambeth Local Plan Policy Q9).

33. Prior to implementation of the landscaping scheme, a horticultural management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall set out how planting will be managed for a

minimum of five years to ensure full and successful establishment of plants and trees. The plans shall identify all areas that will be under communal management and specify that properly qualified horticulturists will be contracted to manage the site. The planting shall thereafter be managed in accordance with the approved management plan.

Reason: In order to ensure the long term successful establishment of the planting in the interests of ecology and visual amenity (Lambeth Local Plan Policy Q9).

34. Prior to the commencement of the relevant part of the development hereby permitted, the following details of the materials to be used in the external elevations of that part of the development shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. The following details are required:

- a schedule and specifications of the materials;
- a sample panel to be provided on site or at another appropriate location;
- a photographic record of the sample panels, taken on site at midday.

Reason: To ensure that the external appearance of the building is satisfactory (Policies Q2, Q7 and Q8 of the London Borough of Lambeth Local Plan 2015).

35. Notwithstanding the details shown on the approved drawings, prior to the commencement of the relevant work, construction drawings (including sections at 1:10 scale of all external elements of the new structures including rain water goods, soffits, copings, ledges, reveals and balcony screens where required) shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details and retained permanently thereafter.

Reason: To ensure that the external appearance of the building is satisfactory (policies Q2, Q7 and Q8 of the London Borough of Lambeth Local Plan (2015)).

36. Prior to occupation of the development hereby permitted a lighting scheme shall be submitted to and approved in writing by the local planning authority in accordance with the Institute of Lighting Professional's Guidance notes for the reduction of obstructive light. The scheme shall be designed by a suitably qualified person in accordance with the recommendations for environmental zone E3 in the ILP document "Guidance Notes for the Reduction of Obtrusive Light GN01:2011". Development shall be carried out in accordance with the approved scheme and retained and maintained thereafter.

Reason: To protect the amenities of adjoining occupiers and the surrounding area (policy Q2 of the London Borough of Lambeth Local Plan (2015)).

37. Prior to commencement of any A3 or A4 use, details and full specifications of fume extraction equipment installed in all the commercial premises 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 specifications and the use of the commercial premises shall not commence until the approved fume extraction equipment has been installed and is fully operational. The approved fume extraction equipment shall thereafter be retained and maintained in accordance with manufacturer's instructions.

Reason: To protect the amenities of future residential occupiers and the surrounding area (Policy Q2 of the Lambeth Local Plan 2016).

38. Prior to commencement of above ground works, a design stage BREEAM assessment should be submitted to and approved in writing by the local planning authority for each of the non-residential elements of the proposals, showing how the Hotel and Retail space will achieve a score of Very Good with at least 63%, and the Office space will achieve Excellent unless it can be demonstrated that these targets are not technically feasible.

Reason: In order to improve environmental performance (Lambeth Local Plan 2015 Policy EN4).

39. No later than six months after occupation of the building, a Post-Construction Stage assessment should be submitted to and approved in writing by the local planning authority for each of the non-residential elements of the proposals, showing how the Hotel and Retail space has achieved a score of Very Good with at least 63%, and the Office space has achieved Excellent unless it can be demonstrated that these targets were not technically feasible.

Reason: In order to improve environmental performance (Lambeth Local Plan 2015 Policy EN4).

40. Prior to first occupation of the development evidence (schedule of fittings and manufacturer's literature) shall be submitted to and approved in writing by the local planning authority to demonstrate that the development has been constructed so that internal water consumption will not exceed 105 L/person/day in line with The Water Efficiency Calculator for new dwellings from the Ministry of Housing, Communities and Local Government.

Reason: In order to encourage sustainable use of water. (London Plan 2016 Policy 5.15 and Lambeth Local Plan 2015 Policy EN4).

41. Prior to commencement of above ground works, a Site Waste Management Plan should be submitted to and approved in writing by the local planning authority demonstrating how construction waste will be minimised and recycling of materials will be prioritised with construction waste not exceeding 13.3 cubic metres of waste per 100 square metre.

Reason: In order to minimise waste and disposal to landfill in the interest of sustainable development (Policy EN7 Lambeth Local Plan Lambeth Local Plan 2015).

42. Prior to the installation of the green roof, a detailed specification of the green roof shall be submitted to and approved in writing by the local planning authority. The specification shall include details of the quantity, size, species, position and proposed time of planting of all elements of the green roof, together with details of their anticipated routine maintenance and protection. The green roof shall be installed and thereafter maintained in accordance with the approved details.

Reason: In order to promote biodiversity and rainwater attenuation on the site. (Policy 5.11 of the London Plan (2016) and Policy EN4 of the Lambeth Local Plan (2015)).

43. Development shall be carried out in accordance with the approved construction and services details in order to achieve a reduction in carbon emissions of at least 23.9% over that required by Part L of the Building Regulations 2013.

Reason: In order to secure reductions in carbon emissions. (London Plan 2016 Policy 5.2).

44. The development hereby permitted shall be carried out in accordance with the mitigation measures identified in Sections 10.4 and 10.5 of Chapter 10 of the approved Environmental Statement prepared by BuroHappold dated November 2017.

Reason: In order to mitigate the impact on ecology (Policy EN1 of the Lambeth Local Plan 2015).

45. Prior to above ground construction, a scheme of mitigation of the impact of the development hereby permitted on the local wind microclimate shall be submitted to and approved in writing by the local planning authority. The scheme shall incorporate the recommended mitigation measures set out in the Pedestrian Level Wind Microclimate Assessment reference RWDI #1603302 PLW REV-B dated 21st November 2017. Development shall be carried out in accordance with the approved scheme and the measures shall be fully installed prior to occupation and permanently retained and maintained for the duration of the use.

Reason: To protect the amenities of future residential occupiers and the surrounding area (Policy Q2 of the Lambeth Local Plan (2015)).

46. No development shall commence until an Air Quality and Dust Management Plan (AQDMP) has been submitted to and approved in writing by the Local Planning Authority. The AQDMP shall follow the guidance for High Risk sites set out in Appendix 7 of the Control of Dust and Emissions during Construction and Demolition SPG 2014 and both 'highly recommended' and 'desirable' measures shall be included. The AQDMP will form part of the Construction Environmental Management Plan (CEMP). The AQDMP shall include the following for each relevant phase of work (demolition, earthworks, construction and trackout):

- a summary of work to be carried out;
- proposed haul routes, location of site equipment including supply of water for damping down, source of water, drainage and enclosed areas to prevent contaminated water leaving the site;
- inventory and timetable of all dust and NO<sub>x</sub> air pollutant generating activities;
- list of all dust and emission control methods to be employed and how they relate to the Air Quality (Dust) Risk Assessment;
- details of any fuel stored on-site;
- details of a trained person on-site responsible for air quality (with knowledge of pollution monitoring and control methods, and vehicle emissions);
- summary of monitoring protocols and agreed procedure of notification to the local authority; and
- a requirement to maintain a log book for action taken in response to incidents or dust-causing episodes and the mitigation measure taken to remedy any harm caused, and measures employed to prevent a similar incident reoccurring.

No demolition or development shall commence until all necessary pre-commencement measures described in the AQDMP have been put in place and set



out on site. Demolition and development shall thereafter be carried out and monitored in accordance with the details and measures approved in the AQDMP.

Reason: In order to mitigate the impact on air quality Development must not commence before this condition is discharged to manage and mitigate the impact of the development on the air quality and dust emissions in the area and London as a whole, and to avoid irreversible and unacceptable damage to the environment (London Plan policies 5.3 and 7.14, and the London Plan SPGs for Sustainable Design and Construction and Control of Dust and Emissions during Construction and Demolition).

47. Prior to installation, full details of the proposed Combined Heat and Power (CHP) plant and gas boiler system shall be submitted to and approved in writing by the local planning authority. The CHP and gas boiler system shall meet the emission standards set out in the GLA's Sustainable Design and Construction Supplementary Planning Guidance 2014 (or its later versions). The details should be submitted using the Combined Heat and Power System information request form. The development shall be implemented in accordance with the approved details and maintained permanently thereafter.

Reason: To ensure that air quality is not adversely affected by the development in line with London Plan policy 7.14 and the Mayor's SPG: Sustainable Design and Construction SPG 2014.

48. No non-road mobile machinery (NRMM) shall be used on the site unless it is compliant with the NRMM Low Emission Zone requirements (or any superseding requirements) and until it has been registered for use on the site on the NRMM register (or any superseding register).

Reason: To ensure that air quality is not adversely affected by the development in line with London Plan policy 7.14 and the Mayor's SPG: The Control of Dust and Emissions during Construction and Demolition.

49. Prior to commencement of above ground works, details of the proposed bus shelters for Vauxhall Bus Station shall be submitted to and approved in writing by the local planning authority. The bus shelters shall be completed prior to first occupation of the development.

Reason: In order to secure the appropriate design of the bus shelters (Policy Q6, Q7, Q8 and T4 of the Lambeth Local Plan 2015).

50. Prior to occupation of the development, full details of a car parking management strategy for the management of parking within the development, including the provision of an additional Blue Badge Space, shall be submitted to and approved by the Local Planning Authority. Operation of the carpark shall thereafter be carried out solely in accordance with the approved details.

Reason: In order that the Local Planning Authority and Transport for London may be satisfied as to the effects of the scheme on the adjacent road network so as to avoid hazard or obstruction to the public highway (Policy T7 of the Lambeth Local Plan 2015).

51. Prior to occupation of the development, full details of a cycle parking management strategy, including the provision of additional cycle spaces within the development, shall be submitted to and approved in writing by the local planning authority. Operation of the cycle parking shall thereafter be carried out solely in accordance with the approved strategy.

Reason: In order that the Local Planning Authority and Transport for London may be satisfied as to the effects of the scheme on the adjacent road network so as to avoid hazard or obstruction to the public highway (Policy T7 of the Lambeth Local Plan 2015).

52. 20 per cent of all residential parking spaces shall be fitted with active electric vehicle charging points and 20 per cent shall be fitted with passive electric vehicle charging points.

Reason: In order to encourage the uptake of electric vehicles to reduce local emissions (London Plan 2016 Policy 6.13).

53. Prior to the commencement of above ground construction, details of the refuse storage areas shall be submitted to and approved in writing by the local planning Authority. The development shall be implemented in accordance with the approved details and retained permanently thereafter.

Reason: To ensure suitable provision for the users of the development, to encourage the sustainable management of waste and to safeguard the visual amenities of the area (Policy Q12 of the Lambeth Local Plan (2015)).

54. The development hereby permitted shall be operated in accordance with the approved Operational Waste Management Strategy prepared by BuroHappold dated November 2017.

Reason: To ensure suitable provision for the occupiers of the development, to encourage the sustainable management of waste and to safeguard the visual amenities of the area (Lambeth Local Plan 2015 Policy Q12).

55. Prior to the occupation of the development, an Estate Management Plan shall be submitted to and approved in writing by the local planning authority. The development hereby permitted shall thereafter be managed and maintained in accordance with the Management Plan. The submitted plan shall include details of how the development will be managed including security, cleaning and maintenance regimes and the co-ordination of refuse, deliveries, removal and access for trades people.

Reason: To ensure that the development is maintained properly in the interest of safety and residential amenity (Lambeth Local Plan 2015 Policies Q2 and Q3).

56. At least 90 per cent of the residential flats hereby permitted shall be designed so that they meet building regulation M4 (2) - 'accessible and adaptable dwellings' and at least 10 per cent of the residential flats hereby permitted shall be designed so that they meet building regulation M4 (3) 'Wheelchair user dwellings'.

Reason: To secure appropriate access to housing for disabled people, in accordance with Policy 3.5 of the London Plan (2016).

57. All communal spaces and entrances to buildings shall be fully wheelchair accessible.

Reason: To ensure the development is accessible to all users. (London Plan 2016 Policy 7.2 and Lambeth Local Plan 2015 Policy Q1).

58. No construction shall commence on site, unless there has been submitted to and approved in writing by the local planning authority and by the Radar Operator - NATS (En-route) plc, either:



- detailed plans for the proposed buildings in the construction stage, demonstrating that there would be no detrimental impact upon the operation of the Heathrow H10 SSR Radar; or,
- details of a 'Radar Mitigation Scheme' (including a timetable for its implementation during construction) to mitigate any detrimental impact upon the Heathrow H10 SSR Radar.

Where a 'Radar Mitigation Scheme' has been required, no construction above 50m above ground level shall take place on site, unless the 'Radar Mitigation Scheme' has been implemented. Development shall not take place other than in accordance with the approved scheme.

Reason: In the interests of air traffic safety.

59. No construction work shall commence on site until a Crane Operation Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the Radar Operator. Construction on site shall thereafter be operated in accordance with the approved Crane Operation Plan.

Reason: In the interests of air traffic safety.

60. Details of a Road Safety Audit Stage 2 shall be submitted to and approved in writing by the local planning authority prior to commencement of above ground works. The development shall be carried out in accordance with the approved audit and retained permanently thereafter. Road Safety Audit stage 3 shall be carried out on completion of all highway works that affect the proposed development. Road Safety Audit stage 4 shall be carried out 1 year after completion of highway works to ensure that all aspects of highway/pedestrian safety are taken into account and remedial works undertaken.

Reason: In order that the Local Planning Authority and Transport for London may be satisfied as to the effects of the scheme on the adjacent road network so as to avoid hazard or obstruction to the public highway (Policy T7 of the Lambeth Local Plan 2015.)

## Schedule referred to in recommended condition 2

2464\_DO\_EDW\_MP\_10\_200\_001A; 2464\_DO\_EDW\_MP\_10\_100\_101;  
2464\_DO\_EDW\_MP\_20\_001\_101; 2464\_DO\_EDW\_MP\_20\_002\_101;  
2464\_DO\_EDW\_MP\_20\_003\_101; 2464\_DO\_EDW\_MP\_20\_004\_101;  
2464\_DO\_EDW\_MP\_30\_001\_101; 2464\_DO\_EDW\_MP\_30\_002\_101;  
2464\_DA\_020\_MP\_10\_100\_101C; 2464\_DA\_050\_BS\_10\_096\_201B;  
2464\_DA\_050\_BS\_10\_097\_201C; 2464\_DA\_050\_BS\_10\_098\_201D;  
2464\_DA\_050\_BS\_10\_099\_201C; 2464\_DA\_050\_PD\_10\_100\_201C;  
2464\_DA\_050\_PD\_10\_101\_201B; 2464\_DA\_050\_PD\_10\_102\_201A;  
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2464\_DA\_070\_GN\_20\_005\_401A; 2464\_DA\_080\_NT\_30\_001\_101B;  
2464\_DA\_080\_ST\_30\_001\_101A; 2464\_DA\_080\_NT\_30\_001\_201B;  
2464\_DA\_080\_NT\_30\_001\_202B; 2464\_DA\_080\_ST\_30\_001\_201A;  
2464\_DA\_080\_ST\_30\_001\_202A; TOWN668(02)3001; TOWN668(02)3101

Covering Letter dated 28 November 2018  
Design and Access Statement November 2017  
Planning Statement November 2017

Sustainability Statement November 2017  
Energy Statement November 2017  
Transport Assessment November 2017  
Statement of Community Involvement November 2017  
Environmental Statement November 2017  
Revised Wind Microclimate chapter October 2018  
Revised Socio-economics chapter September 2018  
Revised Cumulative and Interactive Effects chapter October 2018  
Revised Residual Effects and Conclusions chapter October 2018  
Environmental Statement Non-technical summary October 2018  
Construction Logistics and Environmental Management Plan November 2017  
Site Waste Management Plan November 2017  
Operational Waste Management Strategy November 2017  
Internal Daylight and Sunlight Assessment November 2017  
Daylight and Sunlight Supplementary Report January 2018  
Flood Risk Assessment November 2017  
Drainage Strategy November 2017  
Balconies and Winter Garden Locations January 2018  
Response to TfL Stage 1 Report dated 21 February 2018  
Response to Martin Jones on Energy Matters dated 27 February 2018  
Vauxhall Cross: Applicant Response to TfL Stage 1- Update Following Meeting  
05/03/18 dated 8 March 2018  
Planning Application Ref No 17/05807/EIAFUL -Vauxhall Island Site ('Vauxhall Cross')  
Response to Vauxhall Cross - Independent Review of the Environmental Statement  
dated 16 March 2018  
Planning Application Ref No 17/05807/EIAFUL- Vauxhall Island Site ('Vauxhall Cross')  
Response to Request for 'Further Information' under Regulation 25 of the EIA  
Regulations including Attachment A dated 15 October 2018

## CORE DOCUMENTS

The core documents were provided electronically.

### CD.A

1. National Planning Policy Framework (February 2019)

### CD.B

1. The London Plan (March 2016)
2. LBL Adopted Policies Map (September 2015)
3. LBL Local Plan (September 2015)
4. LBL Draft Revised Lambeth Local Plan (October 2018)
5. LBL Proposed Changes to Policies Map
6. Draft New London Plan – Consolidated Suggested Changes Version (July 2019)

### CD.C

1. Vauxhall Area SPD (2013)
2. Lambeth Refuse and Recycling Storage Guidance Note SPG (2013)
3. Lambeth Viability SPD (2017)
4. Lambeth Employment and Skills SPD (2018)
5. Waste Storage and Collection Requirements - Technical Specification (2013)
6. Vauxhall Conservation Area Statement (2016)
7. Air Quality Guidance Note
8. Vauxhall, Nine Elms and Battersea Opportunity Area Planning Framework (2012)
9. London View Management Framework SPG (2012)
10. Culture and Night-Time Economy SPG (2017)
11. Homes for Londoners Affordable Housing & Viability SPG (2017)
12. Housing SPG (2016)
13. Central Activities Zone SPG (2016)
14. Social Infrastructure SPG (2015)
15. Shaping Neighbourhoods: Accessible London: Achieving an Inclusive Environment SPG (2014)
16. The Control of Dust and Emissions during Construction and Demolition SPG (2014)
17. Town Centres SPG (2014)
18. Character and Context SPG (2014)
19. London Planning Statement SPG (2014)
20. Sustainable Design and Construction SPG (2014)
21. Land for Industry and Transport SPG (2012)
22. Shaping Neighbourhoods: Play and Informal Recreation SPG (2012)
23. All London Green Grid SPG (2012)
24. London World Heritage Sites SPG (2012)
25. Planning for Equality and Diversity in London SPG (2007)
26. Transport Strategy (2018)
27. Healthy Streets for London
28. Vision Zero action plan

CD.D

1. Application forms and Certificate C
2. Design and Access Statement
3. Planning Statement
4. Sustainability Statement
5. Energy Statement
6. Transport Assessment
7. Statement of Community Involvement
8. Environmental Statement: Volume 1
9. Environmental Statement: Volume 2
10. Environmental Statement: Volume 3
11. Environmental Statement Non-Technical Summary
12. Construction Logistics and Environmental Management Plan
13. Site Waste Management Plan
14. Operational Waste Management Strategy
15. Internal Daylight and Sunlight Assessment
16. Flood Risk Assessment
17. Drainage Strategy
18. Affordable Housing Delivery Statement
19. Drawings and plans
20. Not used.
21. Framework Delivery and Servicing Management Plan
22. GIA Daylight and Sunlight Report dated 19 January 2018
23. Framework Travel Plan
24. Revised drawings submitted March 2018
25. Revised drawings submitted June 2018
26. Revised Wind Microclimate chapter, October 2018
27. Revised Socio-Economics chapter, September 2018
28. Revised Cumulative and Interactive Effects chapter, October 2018
29. Revised Non-Technical Summary, October 2018
30. Revised Residual Effects and Conclusions chapter, October 2018
31. Applicant response to independent review of Environmental Statement, dated 16 March 2018
32. Applicant response to request for further information under Regulation 25 of the EIA Regulations including Attachment A, dated 15 October 2018
33. Historic England letter dated 9 October 2017
34. BNPP Draft Report—Review of Affordable Housing Delivery Statement, on behalf of LB Lambeth, prepared by BNPP, dated February 2018
35. Quod Response - Letter from Thomas Hatch (Quod) to Anthony Lee (BNP Paribas) dated 8 March 2018
36. Final BNPP Note - Vauxhall Island Financial Viability Addendum, prepared by BNPP, dated 14 December 2018
37. Balconies and winter garden locations, explanatory note dated 23 January 2018
38. Response to Martin Jones on Energy Matters, dated 27 February 2018
39. Vauxhall Cross: Applicant Response to TfL Stage 1—Update Following Meeting 05/03/18 dated 8 March 2018
40. LBL Committee Report (6 December 2018)

41. LBL Committee Report First Addendum (14 December 2018)
42. LBL Committee Report Second Addendum (18 December 2018)
43. Mayoral Stage I referral report (19 February 2018)
44. Mayoral Stage II referral report (18 March 2019)
45. VCI Statement of Case
46. LBL Statement of Case
47. KOV Statement of Case
48. Statement of Common Ground between VCI and LBL
49. Viability Statement of Common Ground
50. KOV comments on Statement of Common Ground between VCI and LBL

CD.E

1. Extant Scheme Section 73 Decision Notice (ref. 13/01644/VOC)
2. TfL Gyratory Scheme Decision Notice (ref. 17/04741/FUL)
3. Not used
4. Housing White Paper: Fixing our broken housing market (February 2017) (DCLG)
5. Building Research Establishment Guidelines 2011
6. Appeal Decisions on Graphite Square (PINS Refs APP/N5660/W/18/3211223 & APP/N5660/W/19/3225761)
7. Appeal Decision on White Chapel Estate (Appeal Ref: APP/ES900/W/17/3171437)
8. Albert Embankment Decision (LBL Ref: 16/00795/FUL)
9. Vauxhall Square Decision (LBL Ref: 15/05619/VOC)
10. Grand South (Belmont) Decision (LBL Ref: 16/05114/FUL)
11. Rainbird v The Council of the London Borough of Tower Hamlets (2018)
12. Unlocking London's Residential Density – GIA Paper
13. TfL Vauxhall Cross Bus Station and Gyratory Changes Consultation Document, December 2015
14. TfL Vauxhall Bus Station Planning Application Design and Access Statement, October 2017
15. Mayor of London: London Housing Design Guide – Interim Edition, August 2010
16. Certificate of Lawfulness (ref. 15/03769/LDCE) confirming implementation of permission 13/01644/VOC
17. Core Five Cost Model – 1st November 2019
18. Knight Frank Hotel and Serviced Apartments Report - 1st November 2019
19. Knight Frank Office & Retail Report - 1st November 2019
20. Knight Frank Residential Report - 1st November 2019

CD.F

1. Officer's report to the Planning Applications Committee (17/05807/EIAFUL) [see CD/D/40-42]
2. Officer's report to the Planning Application Committee for Vauxhall Bus Station (17/04741/FUL)
3. Officer's report for EIA Screening Opinion for gyratory works and Vauxhall bus station (17/00562/EIASCR)
4. Plan showing heights of tall buildings in Vauxhall

5. Planning Practice Guidance – Viability (September 2019)

CD.G

1. Proof of Evidence of Jim Heverin, Zaha Hadid Architects
2. Proof of Evidence of Robert Tavernor, Tavernor Consultancy
3. Appendices of Robert Tavernor
4. Summary Proof of Evidence of Robert Tavernor
5. Proof of Evidence of Jerome Webb, GIA
6. Appendices of Jerome Webb
7. Summary Proof of Evidence of Jerome Webb
8. Proof of Evidence of Chris Mullett, Buro Happold
9. Summary Proof of Evidence of Chris Mullett
10. Proof of Evidence of Chris Goddard, DP9
11. Appendices of Chris Goddard
12. Summary Proof of Evidence of Chris Goddard
13. Proof of Evidence of Jeffrey Holt, LBL
14. Summary Proof of Evidence of Jeffrey Holt
15. Proof of Evidence of Anthony Lee, BNPP
16. Kennington and Oval Forum Proof of Evidence - Contents
17. Kennington and Oval Forum Proof of Evidence – Part A Preamble
18. Kennington and Oval Forum Proof of Evidence – Part B Land Swap
19. Kennington and Oval Forum Proof of Evidence – Part C Environmental and Other Factors
20. Annexes of Kennington and Oval Forum

CD.H

1. Title Deed TGL 18067
2. Title Deed TGL 2666
3. Title Deed TGL 34670

CD.I

1. Town and Country Planning (Environmental Impact Assessment) **R**egulations 2017

CD.J

1. 'Call-in Letter' to Applicant dated 21 May 2019
2. Regulation 25 Further Information Request dated 5 September 2019

CD.K

1. Volume 1
2. Volume 2 Appendices
3. Non-Technical Summary





# Ministry of Housing, Communities & Local Government

[www.gov.uk/mhclg](http://www.gov.uk/mhclg)

## 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 for permission 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

With the permission of the High Court 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. 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 for leave under this section must be made within six weeks from the day after the date of the decision.

### SECTION 2: ENFORCEMENT APPEALS

#### Challenges under Section 289 of the TCP Act

Decisions on recovered enforcement appeals under all grounds can be challenged under section 289 of the TCP Act. To challenge the enforcement decision, permission must first be obtained from the Court. If the Court does not consider that there is an arguable case, it may refuse permission. Application for leave to make a challenge must be received by the Administrative Court within 28 days of the decision, unless the Court extends this period.

### SECTION 3: AWARDS OF COSTS

A challenge to the decision on an application for an award of costs which is connected with a decision under section 77 or 78 of the TCP Act can be made under section 288 of the TCP Act if permission of the High Court is granted.

### SECTION 4: 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 Inspector's report of the inquiry or hearing within 6 weeks of the day after 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.