

Dear Planning Inspectors

We submit our further response to the Wandsworth Local Plan (WLP).

**Question:**

**Main Matter 1 - Legal Requirements and Overarching Issues**

**Does the WLP meet all other legal requirements, specifically:**

- Has WLP consultation complied with the Statement of Community Involvement and public consultation requirements in the Town and Country Planning (Local Plan) (England) Regulations 2012?

**Our response: Consultation**

Our first representation on the WLP dated 1 March 2021 is not included in the Publication documents shown on London Borough of Wandsworth's website.

We refer to document 'SD-0004 Statement of Consultation Regulation 18'. We (May Hale and Mark Hale) are listed as consultees on page 126 and 127 (comment number 1606,1607) of Appendix 5: Responses to Local Plan Pre-Publication Consultation & Officer Comments. Under the comments section, there is a note stating 'See attachment for full representation'. Although the Council's response has been published, there is no attachment showing online displaying our representation dated 1 March 2021.

Our second representation dated 28 February 2022 included and was attached to our 1 March 2021 representation as it makes reference to it. However, in document WBC-006 Schedule of Representation and the Council's responses - only the first part of our submission dated 28 February 2022 is published in this document.

We are therefore concerned that our full representations have not been submitted to the Planning Inspectors for consideration, nor published online for the respective process. Therefore, we attach below our representation addressed to [planningpolicy@wandsworth.gov.uk](mailto:planningpolicy@wandsworth.gov.uk) dated 1 March 2021 for the Planning Inspector to read in conjunction with our representation published in document WBC-006.

**Questions:**

**Main Matter 1 - Legal Requirements and Overarching Issues**

**Consistent with National Policy:**

- Has it been positively prepared 'in a way that is aspirational but deliverable?' (paragraph 16 of the NPPF)

**Main Matter 4 - Nine Elms (Policies PM3, NE1 to NE13)**

- Is the area strategy and are the site allocation policies for Nine Elms justified by appropriate available evidence, having regard to national guidance, local context, and are they in 'general conformity' with the LP?

**Our response:****Stakeholder and Viability Deliverability:**

Our representations dated 1 March 2021 and 28 February 2022 demonstrate that London Borough of Wandsworth (LBW) has not proven the Nine Elms Pimlico Bridge (NEPB) is deliverable.

LBW's response (WBC - 006 page 267,270) to our 28 February 2022 representation states that:

*'...Paragraph 31.8 of the newly adopted Westminster Local Plan promotes the bridge and states that any new bridge should have robust evidence of strategic transport need and create a positive impact on the urban realm at its landing sites, as well as being designed for pedestrians and cyclists only. The proposed bridge satisfies these requirements, with the requisite transport evidence being located in the Stage 1 and 2 reports, and in TfL's 2013 feasibility study.'*

However, LBW's response is both misleading and inaccurate, and only presents a partial extract of paragraph 31.8 of the newly adopted Westminster Local Plan. Furthermore, 31.8 needs to be read in context with 31.7. Full extract of 31.7 and 31.8 below:

*'31.7 / Development that encroaches over or into waterways will normally be resisted due to impacts on openness, unless it demonstrates overriding strategic benefits such as water quality improvements (such as the Thames Tideway), enhanced flood defences, or increased river transportation.'*

*'31.8 / This approach means that as a matter of principle we do not favour proposals for new river crossings in Westminster. Any proposals for new or replacement crossings that do come forward will be required to demonstrate that they meet a robustly evidenced strategic transport need on a scale sufficient to outweigh the importance of protecting our waterways' open character. Where a new bridge meets land it will make a positive contribution to existing open space and the urban and environmental fabric such as conservation areas and listed buildings and protected trees and parks. Where this need is evidenced, proposals should be designed for pedestrians and cyclists only, and link to the public transport network to incentivise sustainable travel. Proposals should be designed to respect the strategic importance of the setting and ecological value of the Thames, the important character and amenity of surrounding residential areas, and reflect aspirations to increase the use of the river by passengers and freight. '*

Contrary to what LBW state, Westminster Local Plan **does not** promote the bridge. In 31.8, Westminster clearly state that they **do not** favour proposals for new river crossings in Westminster. Furthermore, in the Statement of Common Ground between LBW and Westminster City Council (WCC); LBW confirm the point that WCC **do not favour** new river crossings and that there is disagreement between the parties, extract below from WBC-005:

'5.32. The Local Plan area strategy for Nine Elms promotes the development of the Nine Elms Pimlico Bridge, with the Kirtling Street area of Nine Elms identified as the preferred landing site on the south bank. The bridge would connect the community in Pimlico with the new developments in Nine Elms and create new opportunities for active travel. Westminster has stated in its City Plan (adopted 2021) that, 'as a matter of principle we do not favour proposals for new river crossings in **Westminster**'. Disagreement with respect to ambitions for the bridge is noted, though both boroughs **agree** to continue to liaise on the issue should the scheme progress.'

With regard to 'robust evidence of strategic transport need', we demonstrated in our 1 March 2021 submission that the evidence was not robust and in need of further studies prior to Stage 3 and prior to being included in the WLP; extract below:

'We note:

The TFL study was based on **theoretical** demand and moreover states: '**It should be noted that in practice the number users is not expected to match the theoretical demand**'.

- Demand for the bridge in the Stage 2 report is based on AECOM's in-house Urban Space Strategic Pedestrian Tool (USSPT) to estimate pedestrian demand and TFL's Cynemon model for the cycle demand on the new bridge and noted of up to 6,400 - 10600 combined pedestrian and cyclists for the preferred location per 12 hour day.

- April 2018: Stage 1 report - **option 4c is expected to have approx 40% less demand than either option 2 and 3** yet both the November 2018 exhibition boards and the Stage 2 report showed option 2 and 4c having similar forecast demand of up to 10600 combined pedestrians and cyclists per 12 hour day. We note the figures from Nov 2018 exhibition and Stage 2 report as below:

- Option 2 2,500 - 4,400 pedestrians, 4,500 - 6,200 cyclists, 7,000 -10,600 combined pedestrian and cyclists per 12 hour day
- Option 3 3,000 - 5,500 pedestrians, 4,800 - 6,900 cyclists, 7,800 -12,400 combined pedestrian and cyclists per 12 hour day
- Option 4c 3,200 - 5,700 pedestrians, 3,200 - 4,900 cyclists, 6,400 -10,600 combined pedestrian and cyclists per 12 hour day
- Based on the figures above given by NEPB - approx 40% less demand would mean option 4c would have an estimated 4,200-6,360 combined pedestrian and cyclists compared to option 2 and an estimated 4,680 - 7,440 combined pedestrian and cyclists compared to option 3. Yet the forecast is predicted at 6,400-10,600 combined pedestrian and cyclists per 12 hour day. Such disparity in the reporting of usage needs to be investigated and verified before the preferred location is progressed.

- The Stage 2 report assessment however confirms .... 'The assessment to date has sought to make best use of the data currently available. In order to refine the pedestrian and cycle demand forecasts at Stage 3 additional and updated data and information will be required. **This is expected to include undertaking a new questionnaire survey on Vauxhall and Chelsea bridges and travel surveys of various Nine Elms developments which have recently been completed in order to provide updated information on existing desire lines and travel patterns in the local area. Additional pedestrian and**

***cycle counts will also be undertaken in order to provide a better indication of current pedestrian and cycle demand in the local area.'***

*It would seem that until the actual surveys noted in the Stage 2 report (the 4th bullet point above) are carried out to determine and refine actual pedestrian and cycle demand in particular for the preferred location that NEPB should not be progressed nor included and promoted in the Draft Local Plan. Otherwise expenditure and resources are wasted as the transport assessment has been based on outdated modelling which NEPB themselves confess to needing additional up to date surveys. These actual studies should be carried out **prior to Stage 3** as it is fundamental to evidencing the need for NEPB.*

*Furthermore, such additional surveys and data may well prove that preferred location option 4c is **NOT** viable and should not have been chosen as the preferred option.'*

**We therefore contend that LBW's response to ourselves is misleading as there is no evidence that Westminster City Council promotes the bridge or that Westminster City Council are satisfied with the Stage 1, Stage 2 report findings or TFL's 2013 study. NEPB should not be allowed to progress until further travel surveys are carried out to understand the pedestrian and cycle counts in the local area as noted in the Stage 2 report and prior to Stage 3.**

**We conclude that until there is robust evidence that the bridge is deliverable and that there is actual viable demand for a bridge in this location on both sides of the river, the NEPB should be removed from the WLP.**

**Deliverability:**

LBW's response to our objection to NEPB; extract below (WBC - 006 page 267,270):

*'The Local Plan refers to the bridge as 'proposed' throughout and does not consider it a certainty. A non-bridge eventuality is not an appropriate consideration for a Local Plan as it is too hypothetical.'*

We consider LBW's response to be irrational. Throughout the WLP, LBW promote the NEPB, yet their response to us suggests they do not consider NEPB to be a certainty. LBW should explain the reasons for the uncertainty. To better understand whether the uncertainty is in fact indicative that NEPB is not deliverable and therefore should be excluded from the WLP. A non-bridge eventuality was suggested by LBW themselves in Wandsworth's Council Paper 20-383, which states that masterplanning and place making will allow for a **'Bridge or non-Bridge eventualities'** and that **..'a number of studies being carried out in the area that are considering scenarios that both include and exclude the Bridge coming forward'**.

**Design deliverability and Consultation:**

The Stage 2 report shows that the spiral design at the southern landing of the NEPB **would** be detrimental to the houseboats at Nine Elms Pier - as evidenced in our two representations, and moreover, as evidenced by the NEPB team themselves who in their presentation and Stage 2 report had unilaterally removed an existing houseboat at

the extreme west of the houseboat moorings in order to clear a path for the bridge - which would otherwise have gone straight through the boat. Furthermore, other houseboats would be effectively 'locked in' - unable to navigate safely to and from their moorings at the western end of Nine Elms Pier, as indicated on the plans in the Stage 2 report.

It was on the basis of the spiral design of the NEPB that the public were consulted so we assert any redesign of the NEPB eliminating the spiral should be put back to the public in terms of choice of site based on landing. The model shown in the exhibition promoted only the spiral design ... this being the most accessible means for a lay person to understand the NEPB in context.

Despite the obvious harms, LBW's response (WBC-006 page 267/270) states:

*'The Nine Elms-Pimlico Bridge Feasibility Study Stage 2 report also outlines that Option 4c will not have any impact on the existing houseboat community and therefore amending the Local Plan at this stage to include reference to protecting the existing houseboat community is considered unnecessary.'*

We assert LBW's response is both wholly misleading and wholly inaccurate; please refer to our two submissions which clearly set out the detrimental impact on Nine Elms Pier, the relevant part is extracted below for ease of reference:

- **Design and Navigation Impact**

- *The design impact on the river has been ignored - a longer curved bridge for location option 4C provides more visual obstruction of the River Thames The navigational impact relating to houseboats moored at the west of Nine Elms Pier shows one boat is shown permanently relocated and the four remaining houseboats would have restricted access. There is insufficient space between Cemex Pier and Nine Elms Pier for the spiral incline and associated impact protection piles to coexist with the five houseboats insitu. Although the houseboats are generally static, they need regular maintenance and servicing in addition to emergency access, which all requires sufficient space for safe navigation. We contend that the spiral design at the Kirtling Street landing will not fit in the space between the houseboats and mooring infrastructure at Nine Elms Pier and the Cemex Pier structure without compromising navigational safety or displacing houseboats.*
- *Given the known inconsistencies and early stage design, the impacts at Nine Elms Pier may be even greater, requiring more of the houseboats to be permanently relocated to make way for the NEPB. At the November 2018 exhibitions, the NEPB Project advised us that the spiral will be in the order of 30m diameter at the Kirtling Street landing based on initial concept design and that the spiral incline had a gradient of 1:21 or maximum 1:20 measured 900mm in from the outer edge of the 8m wide spiral. In addition to the spiral there would also be a series of permanent impact piles located outside of the spiral, which would further reduce the navigable space by, in our opinion, another ± 5-10m. Based on the 30m diameter spiral, and leaving space to clear Cemex Pier and the impact piles, this would leave approx ±5m to navigate through which would be inadequate space for the houseboats to safely navigate, and it would restrict emergency services access. Furthermore, NEPB may have under-calculated the diameter of the spiral incline landing shown at Kirtling Street, in order to try to make it fit within already tight site constraints. Our understanding is that the gradient should be measured from the inside of the spiral **not** the outside. Otherwise, the inside gradient of the spiral would be much steeper than the permitted maximum 1:20 gradient - making it unsafe for users, particularly disabled and ambulant disabled people. It is a fundamental design principle to address the worse case scenario in any spiral, be it a ramp, slope or staircase. It is unacceptable for the main spiral gradient to be steeper than 1:20 - it should not be the case that the NEPB Project looks for ways to increase the gradient at the Kirtling Street spiral landing to make the design fit the tight site constraints as there*

should be equal treatment at both sides of the river. Additionally, there does not appear to be any landings on the spiral incline - landings required within the gradient of 1:21/1:20 would also have the impact of making the spiral bigger. A ramp steeper than 1:20 would also necessitate more landings to ensure user safety. If design regulation is met, whereby the spiral gradient of 1:21 (preferably less) or maximum 1:20 is measured 900mm **from the inside** of the spiral, the spiral would have to be much larger than indicated by the NEPB Project and, by way of example, in our estimation, would be of the order of  $\pm 43$ m diameter excluding landings (extrapolated from NEPB project's figures of 30m diameter, 8m wide ramp split into 2m, 4m, 2m lanes for pedestrian-cycles-pedestrian and 1:20 gradient). On top of this measurement, you would need to add the impact piles set outside of the spiral as shown on the Nov 18 exhibition boards. Therefore, the spiral design of  $\pm 43$ m diameter will not fit into the site constraint of approx  $\pm 45$ m once necessary ramp landings, impact piles and navigational space for the houseboats and clearance around Cemex jetty have been taken into account. These points were raised by ourselves in our previous consultation response to Stage 1 but we have had no response on these matters from NEPB. At the 13 February 2019 Finance and Corporate Resources Overview and Scrutiny Committee Refpaper 19-79 clause 34b (page 9 of 16) ....'a small package of work is commissioned from the Design Team to further refine the case for the recommended location and further development of the design proposals to demonstrate buildability and address stakeholder concerns ....'. We understand the conclusion of the studies has not been shared with residents and stakeholders adding concern that the consultation process is flawed and not inclusive as residents and stakeholders should be kept informed during all stages. Residents and stakeholders have not had the opportunity to comment on the further findings. LBW presumably assume there is no need to consult on the further work prior to NEPB's inclusion into the Draft Local Plan leading to an unfair undemocratic process. Attempting to squeeze a spiral incline between Cemex Pier and Nine Elms Pier and its house boats creates an undesirable congested urban townscape at the south landing of option 4c - not something which was envisioned for the competition winning bridge design and not befitting a 'landmark'.

• **We conclude there is inadequate space at the river side of the Kirtling Street landing for the NEPB. The townscape and urban landscape becomes congested and maximises the impact at the Kirtling Street landing. This is contrary to the design concept which aims to provide minimal impact on each bank.**

• **Light pollution**

- Detrimental impact on residents at Nine Elms Pier particularly for those living at the western and northern sides of Nine Elms Pier
- Detrimental impact on residents at Riverlight and the proposed Phase 7 residential buildings at Battersea Power Station
- More impact on the aquatic environment than any other option due to unnecessary elongated curved length of the bridge due to the unsuitable preferred location

• **Noise Pollution**

- Significant increase in number of people in the area will add to noise pollution and harm the amenity of local residents

• **Loss of privacy/overlooking**

- **Significant increase in pedestrian/cycle traffic is expected both on the bridge and Tideway Walk. Loss of privacy and overlooking onto Nine Elms Pier and its residents and harm the amenity of local residents**

• **Security**

- Significant increase in number of people in the area could bring security and crime issues.

- **Loss of amenity**

- *NEPB blocks river views and river aspect from the river walk. Not everyone will want to cross NEPB.*

• **Heritage And Townscape Assessment***The Streetscape image shown in the Stage 2 report reveals the preferred option to be a poor choice because of the tight site constraints of Nine Elms Pier and its houseboats and Cemex Pier. In reality, the NEPB on the south side at option 4c is crammed in between Nine Elms Pier and its houseboats and Cemex Pier, if the spiral design can even fit into the space.*

- **Planning Assessment**

- *The Mayor of London, Sadiq Khan, has stated the NEPB requires ‘the support from all affected authorities’ and Westminster Council remain strongly opposed to the NEPB.*
- *According to Churchill Ward labour councillors, the Deputy Mayor from Transport has issued the following statements to provide clarity on the Mayor’s position;*
  - *‘This scheme is being developed by the London Borough of Wandsworth and the Nine Elms Vauxhall Partnership. It will require the support of the London Borough of Westminster and residents on both sides of the river if it is to be taken forward.’*
  - *‘This is not a TFL or City Hall scheme and TFL is not currently undertaking any work on the project. Any scheme would require support from all affected local residents and authorities before being progressed.’*
  - *‘Also, just to add further clarity, there is currently no money assigned in the TFL budget for this project, nor are there any plans to provide financial support from TFL or the GLA.’*

- **Deliverability and Maintenance**

- *The extensive list of exclusions demonstrates that the total cost of the bridge is not known at this stage, and neither has an estimate of total cost been given. Who pays for the bridge? Option 4c is the most expensive option - it being curved and the longest bridge. It is very likely to remain expensive when technical constraints, substantive land acquisition and compensation costs are factored in, alongside planning costs.*

- *There is no information on how NEPB would be fully funded and who will manage and pay for ongoing maintenance.*

- *The Garden Bridge spent over £40 million before it was aborted due to escalating costs and trustees may be subject to legal challenge due to a lack of duty of care. We also understand the Diamond Jubilee bridge was started some while ago but has not yet found sufficient finance to progress to complete.*

- *It is reported that Hammersmith Council may have to contribute £64 million towards the estimated ±£140 million repair bill of Hammersmith Bridge, which could cost residents an extra £800 each in council tax to meet costs. It highlights where the cost burden is placed on bridge repairs. This evidences the need for more robust cost benefit analysis studies before Wandsworth and Pimlico residents are subjected to unfair repair costs. It would be a travesty to waste public funds and a similar fate of the Garden Bridge to befall NEPB because of spiralling complexity and costs, particularly in the face of fierce opposition to NEPB from many parties.*

- **Detrimental impacts suffered during construction***There is no mention of detrimental impacts suffered during construction, which would almost certainly mean temporarily relocating at least 5 houseboats and its residents during construction works. Furthermore, the preferred option is likely to be subject to high mitigation costs for residents at Nine Elms Pier, both during and after construction due to the proximity and impact of construction and completed works - as has been the case for Thames Tideway Tunnel works close to Nine Elms Pier.’*

End extract.

We also refer to the Stage 2 report comments on location 4c of the NEPB:

***'Deliverability***

*A site where the owner is unwilling to sell or surrender the land, could lead to complications for delivery of the project and the analysis has identified that Location 4C could potentially be the least constrained in this regard.'*

This demonstrates that the location 4c has been chosen where it considers it can either buy or force occupants to surrender the land with the least opposition. In this regard, as houseboat owners, we are a vulnerable group with much less protection than land owners.

**We therefore repeat our request that specific wording is included in the WLP to protect the houseboat community and houseboats at Nine Elms Pier and that the houseboats will not be displaced by the NEPB, particularly given the concerns we have raised and LBW's rather hollow assurance that ...'The Nine Elms-Pimlico Bridge Feasibility Study Stage 2 report also outlines that Option 4c will not have any impact on the existing houseboat community and therefore amending the Local Plan at this stage to include reference to protecting the existing houseboat community is considered unnecessary.'**

**Hearings**

We confirm we would like to participate in the hearing sessions on the 15 and 16 November 2022 if these are the two most appropriate dates relative to our concerns noted above.

This submission represents two individuals; one from May Hale and one from Mark Hale.

Thank you.

Kind regards

**May Hale and Mark Hale**

Residents and Houseboat Owners at Nine Elms Pier