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Dear Ms Glancy,

HEARING STATEMENT – MAIN MATTER 10: WANDSWORTH RIVERSIDE

On behalf of our client – Heliport London Ltd – we hereby issue the following Written Statement ahead of the public examination of the London Borough of Wandsworth’s draft Local Plan. Our client has a contractual position on the land currently accommodating Heliport House and made representations on the Site Allocation which Heliport House falls within – RIV2 (Dovercourt site, York Road, SW11) – and Appendix 2 (Tall and Mid-rise Building Map) at the regulation 19 stage of the Local Plan Review.

As set out in our previous representations, our client is seeking a change to the wording of the Site Allocation RIV2 and amendments to the Tall and Mid-rise Building Map in Appendix 2 to facilitate greater flexibility to provide increased height on the Dovercourt site (henceforth: “the site”).

This Statement is made with respect to Main Matter 10: Wandsworth Riverside and is structured to address the questions raised by the Inspector in the Main Matters, Issues and Questions document. Each question is quoted in bold and italics, with a response provided below.

“Is the area strategy and are the site allocation policies for Wandsworth Riverside justified by appropriate available evidence, having regard to national guidance, local context, and are they in ‘general conformity’ with the LP?”

The site represents a unique opportunity to optimise a well-located site with a high quality design in an area that has a low sensitivity to tall buildings. However, the current wording of Site Allocation RIV2 is overly restrictive and does not allow for this opportunity to be realised and does not reflect the general necessity for tall buildings policies to incorporate flexibility with respect to specific design proposals. Paragraph 11.31 of the allocation states that:

“11.31. Building heights - In accordance with the tall building maps in Appendix 2, part of the site is located in tall building zone TB-B2-05. The maximum appropriate height range for the zone is 7 to 10 storeys, and the maximum appropriate height range for the site must be in accordance with the tall building maps in Appendix 2. The height of developments within that

zone should not exceed the heights of, and be in accordance with, the tall building maps in Appendix 2, which set out the identified maximum appropriate heights in line with Policy LP4. Development proposals for tall buildings or mid-rise buildings will only be appropriate within the identified zone where they address the requirements of Policy LP4 (Tall and Mid-rise Buildings).”¹

Map 23.9 at Appendix 2 sets a height range of 7-10 storeys for the area in which the site is located². It is our client’s position that this height range is not justified by the appropriate available evidence.

In this case, the evidence upon which the Council have justified this height limit is the Urban Design Study (henceforth: UDS) published by Arup in December 2021. An executive summary of this document was submitted by the Council to the Planning Inspectorate with reference SD-054.

The UDS assessed the sensitivity to and probability of tall buildings in areas within LB Wandsworth, from which a ‘development capacity’ was derived. It is this development capacity that determines the height ranges specified in the draft Local Plan. In general, specifying rigid height limits does not afford sufficient flexibility to assess proposals on their individual merits.

It is clear that the site falls within an area with low sensitivity to tall buildings. Figure 1 below shows a selection of existing sites (in green) and consented sites (in yellow), in the immediate vicinity of the Dovercourt site (in red). The maximum height in storeys within each site is also shown on Figure 1. It should also be noted that there is an implemented consent³ for a 20-storey building at Heliport House, within the Dovercourt site.

¹ Draft Local Plan Site Allocation RIV2, p. 240

² Draft Local Plan, Map 23.9, p. 447

³ Ref: 2013/6052, varied by 2016/2315, implementation confirmed by 2018/5315

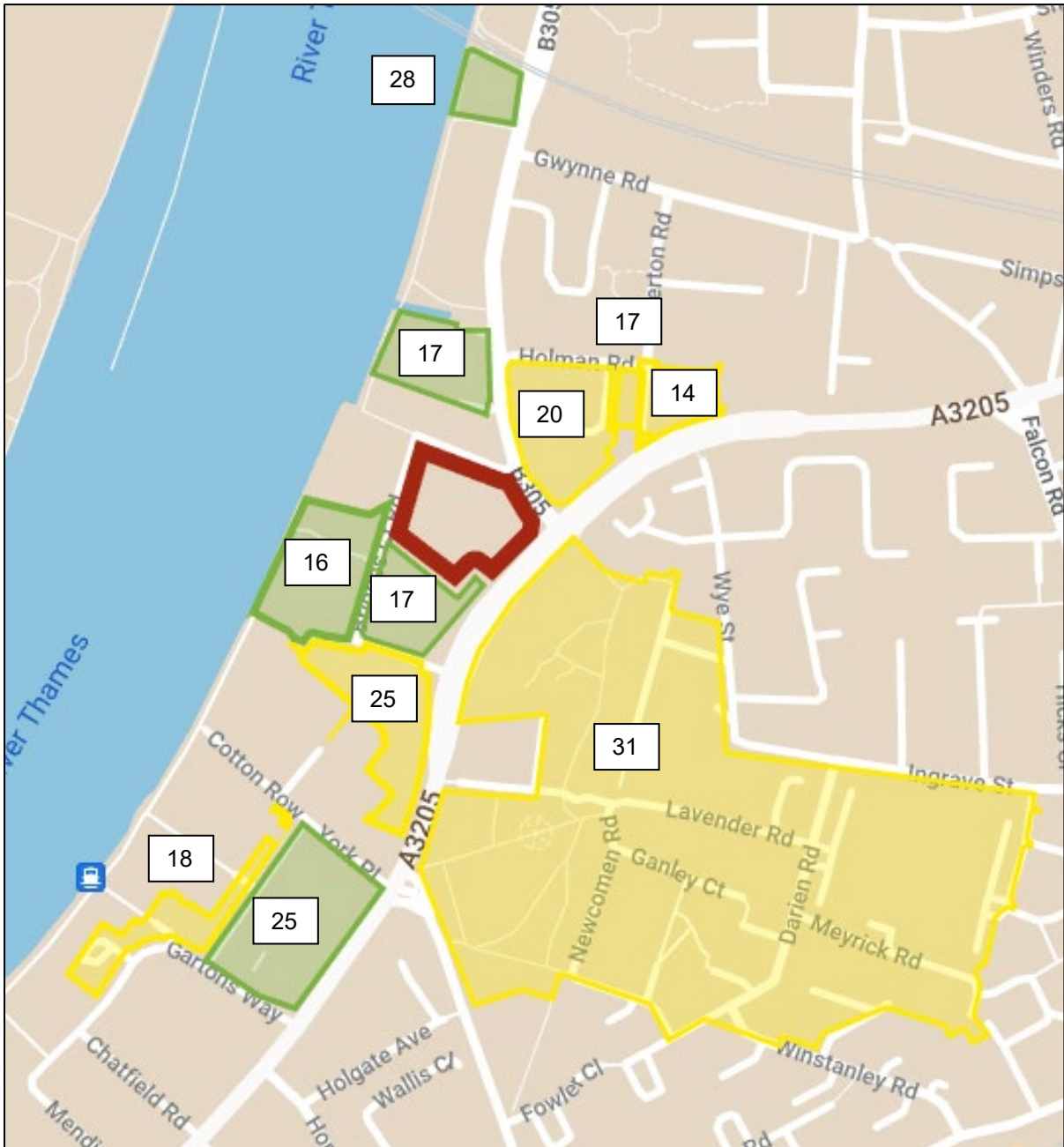


Figure 1: Existing (Green) and Consented (Yellow) Buildings and Sites in the Vicinity of the Dovercourt Site with Maximum Height in Storeys

In addition, Figure 2 below demonstrates the emerging context in a 3D space and emphasises that the character of the local context is defined by tall buildings, with several exceeding 20 storeys. The images include an indicative 10-, 20- and 30-storey mass at Heliport House:

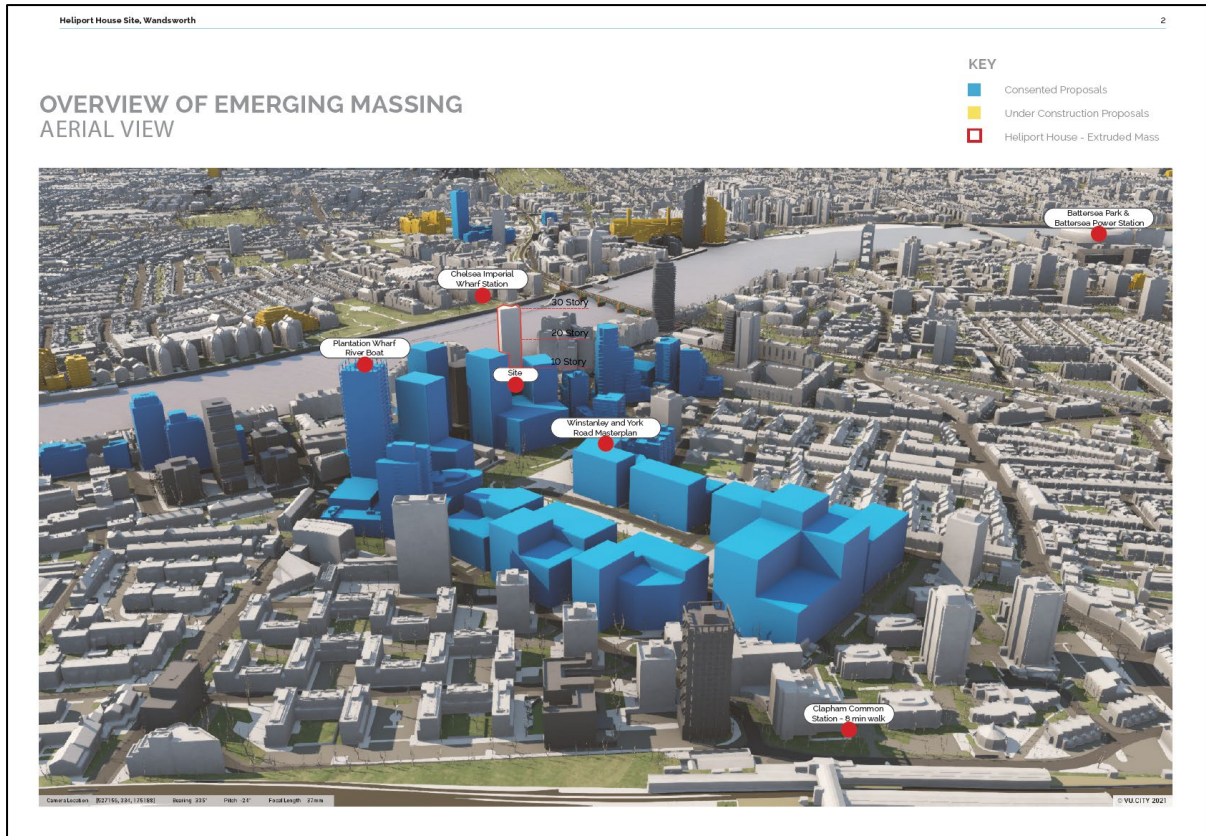


Figure 2: Aerial View of Emerging Context

Map 23.9 in the draft Local Plan acknowledges this, stating that the existing prevailing height is “2-20+ storeys”⁴. Furthermore, the UDS itself confirms that the site is within an area of low sensitivity, by concluding that “overall, Battersea Riverside has a low sensitivity to change with potential for targeted growth, with the exception of Battersea Square Conservation Area, which has high sensitivity.”⁵ As is demonstrated by Figure 3, the site (outlined in red) is circa 300 metres to the south of the Battersea Square Conservation Area and circa 300 metres to the east of the Sands End Conservation Area, both of which are marked in green:

⁴ Draft Local Plan, Map 23.9, p. 447

⁵ Urban Design Study (2021), p. 63

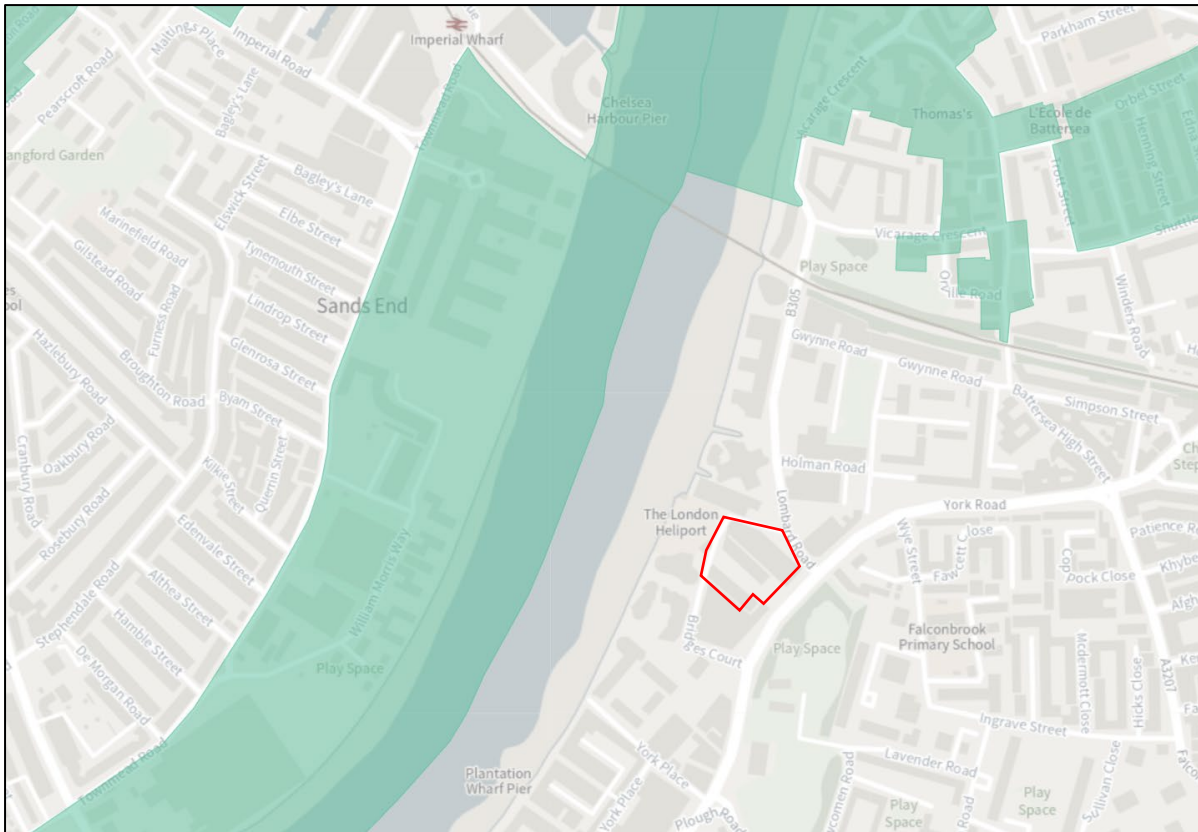


Figure 3: Distance of the Site (outlined in red) from the Nearest Conservation Areas (in green)

Figure 3 provides further street evidence that the site has a low sensitivity to development.

The height range defined in Site Allocation RIV2 and Appendix 2 appears to have instead been derived by the perception that the site has a lower 'probability' of development. As explained above, the site has an implemented consent for a 20-storey building. It is allocated within the adopted Local Plan⁶ and is draft allocated (Site RIV2) within the emerging Local Plan. It has the highest possible PTAL score of 6b. These factors are listed in the methodology of the UDS as being indicators of sites with a higher probability for development.

Using the methodology of the UDS itself, the site has a high capacity for development and buildings up to and possibly exceeding 20 storeys would be appropriate, as it has low sensitivity and high probability of development. Nevertheless, the UDS states that *"to preserve the character of the retained period buildings and to avoid over-development of the River Thames frontage, the appropriate height range for further buildings is considered to be 7-10 storeys."*⁷

This directly contradicts the earlier conclusion of the UDS that the area has a low sensitivity to change. It is also not clear which 'period buildings' are being referred to here and Figure 3 shows that the nearest Conservation areas are circa 300 metres away. Figure 4 below displays that there are no statutorily listed buildings (shown by blue triangles) within a 300-metre radius of the site (circled in red) using Historic England's mapping tool.

⁶ Site Specific Allocations Document (2016), Site 10.3, p. 198

⁷ Urban Design Study (2021), p. 181

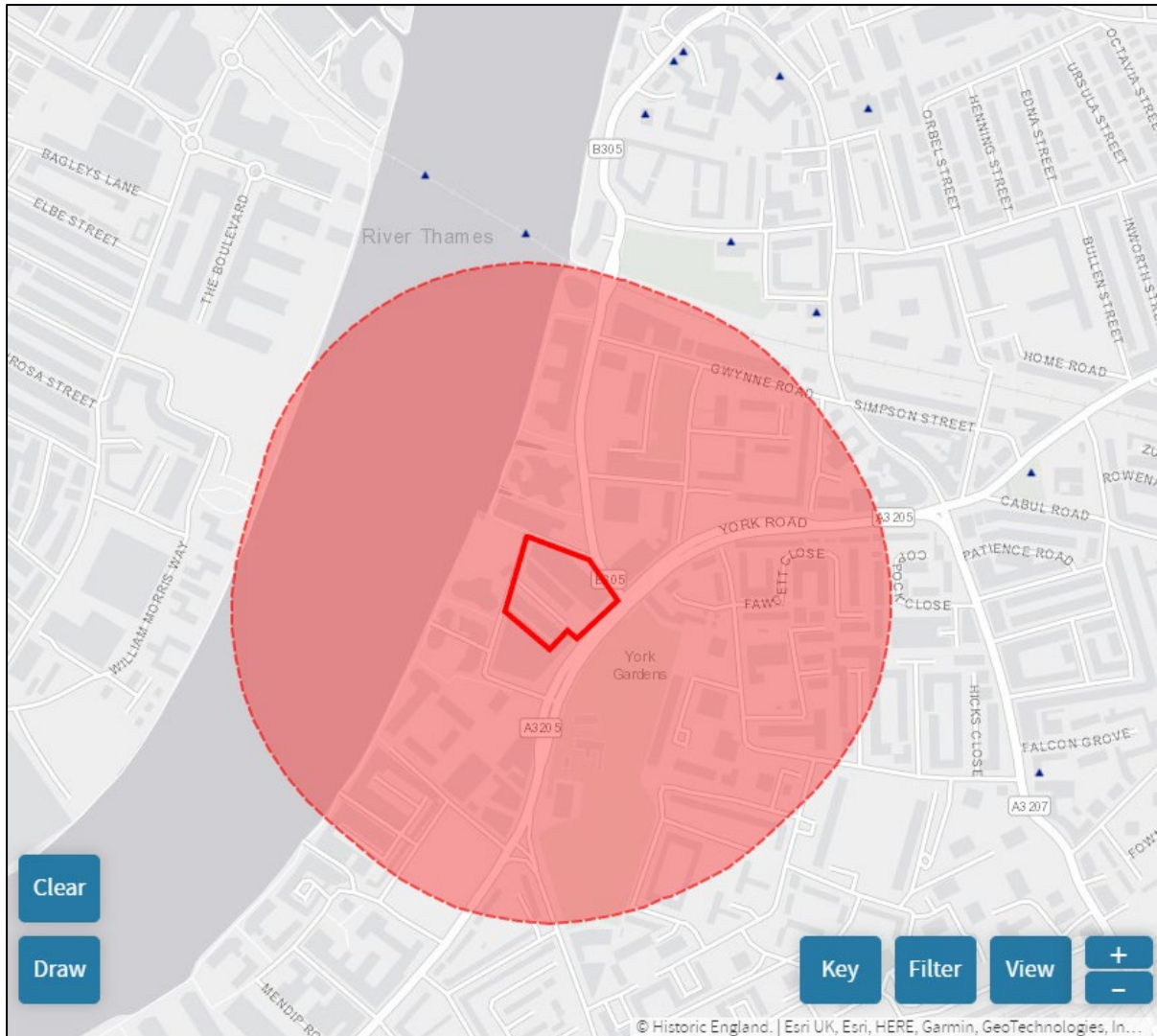


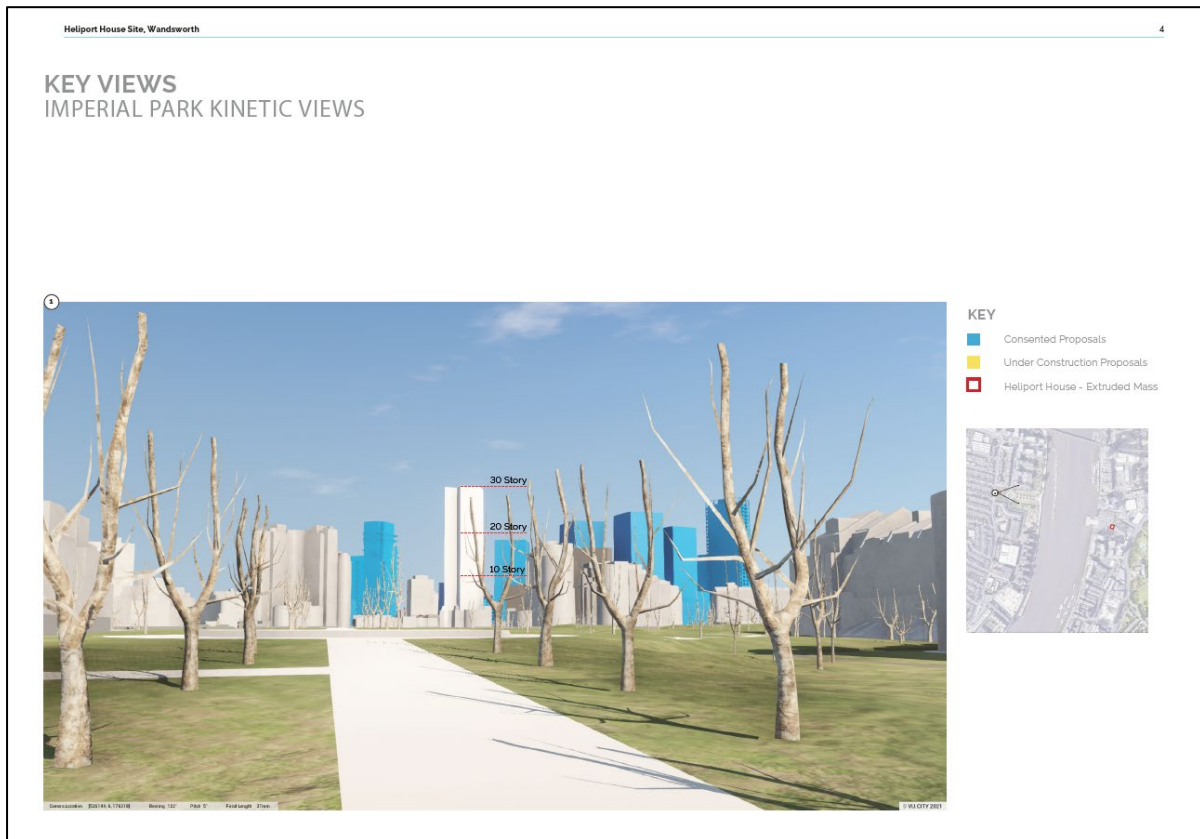
Figure 4: Historic England Map of Listed Buildings within a 300m Radius of the Dovercourt Site

Some locally listed heritage assets fall within this range, including the Harroway Gardens open space 150 metres to the north of the site, but this is a weak justification to impose a 10-storey height restriction on the entire area and contradicts the earlier position of the UDS that the area has low sensitivity to development. In any case, the Dovercourt site would likely not be visible from Harroway Gardens if the consented developments reaching 20, 17 and 14 storeys to the northeast of the site (see Figure 1) are constructed.

A similar contradiction is made on page 235 of the UDS which states that *“there is not considered capacity for any further very tall buildings over 10 storeys in the zone, principally due to the potential impacts on the character of the River Thames which is already substantially developed with tall buildings both up and downstream.”*⁸ This appears to justify the height restriction in terms of sensitivity – but it has already been concluded earlier in the UDS (on page 63) following objective analysis that the area has a low sensitivity to development. The conclusion made by the UDS is therefore divorced from its own analysis and is therefore spurious.

⁸ Urban Design Study (2021), p. 235

In response to UDS comment relating to a perceived 'over development of the River Thames Frontage', Figure 5 below shows six indicative views of the site with a 10-, 20- and 30-storey building on the Heliport House portion of the Dovercourt site, each taken from the opposite side of the river:



KEY VIEWS IMPERIAL PARK KINETIC VIEWS

2



KEY

- Consented Proposals
- Under Construction Proposals
- Helipoint House - Extruded Mass



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KEY VIEWS RIVER SIDE KINETIC VIEWS

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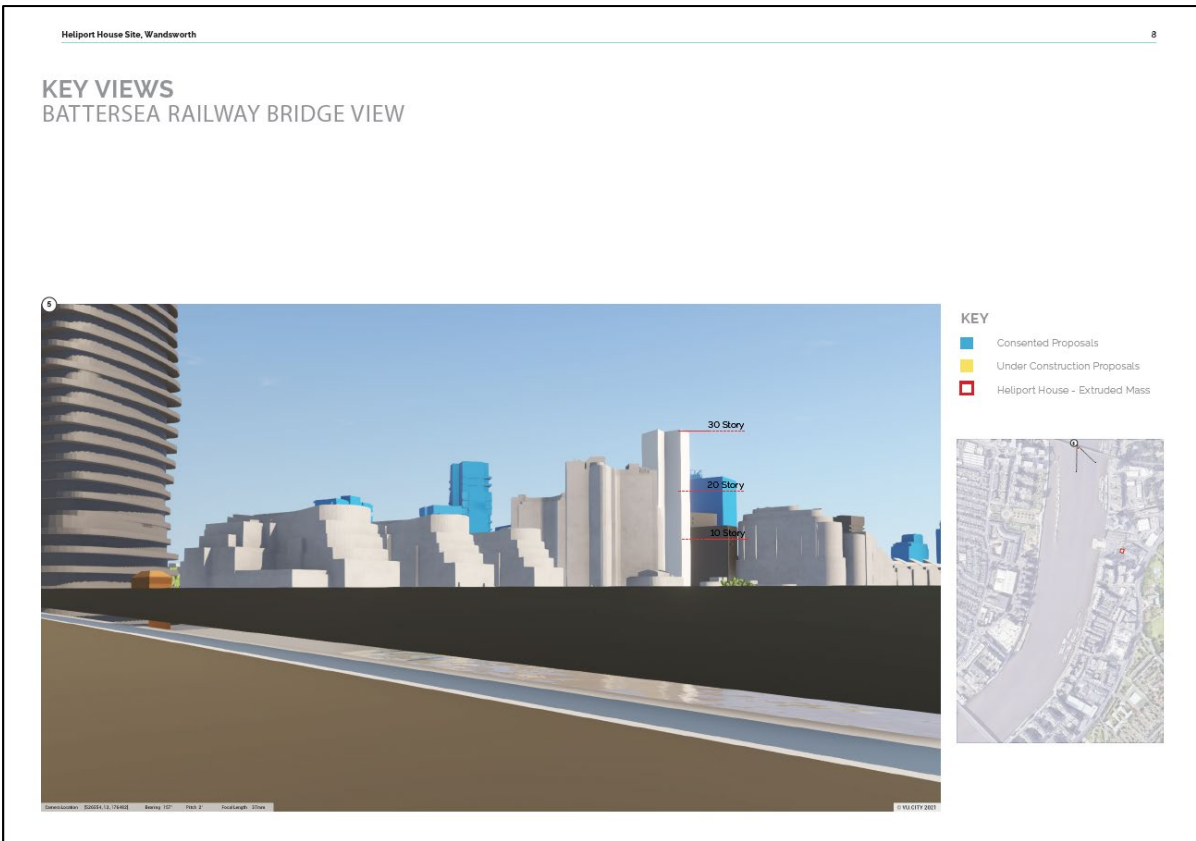
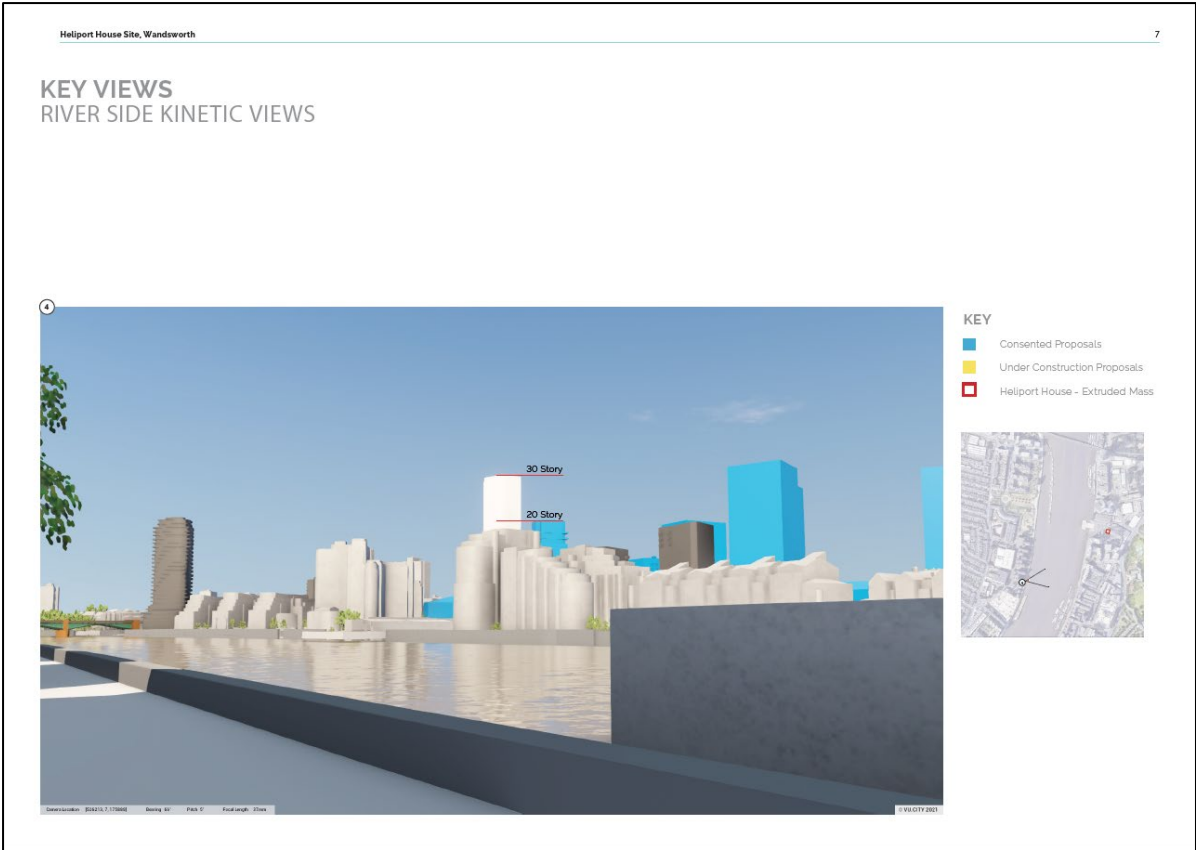


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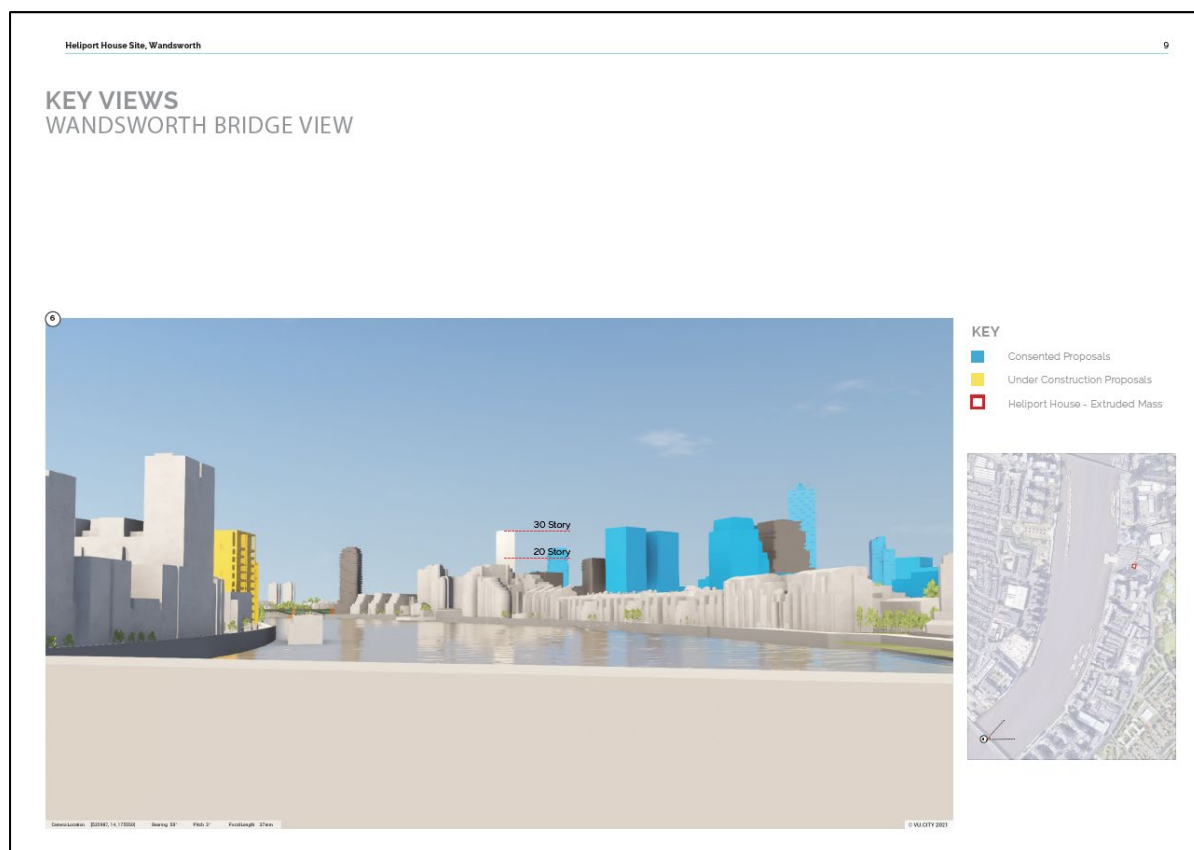


Figure 5: 6 Key Views of a 10-, 20- and 30-Storey Mass at Heliport House

Figure 5 demonstrates that even a 30-storey building would sit comfortably with the surrounding building heights and would not constitute over-development of the River Thames frontage. The red lines on each view indicate that a 20-storey mass would also be acceptable in townscape terms. Once again, it must be emphasised that a building 20 storeys tall in this location has already been consented.

It is also clear from these images that a 10-storey building at Heliport House or the wider Dovercourt site would not optimise the land, given the low sensitivity of the local context and therefore setting a 10-storey limit on the site would be contrary to London Plan Policy D3, which emphasises the need to deliver high density developments in sustainable locations. Furthermore, the height restrictions stipulated by Site Allocation RIV2 and Appendix 2 are contrary to Paragraph 125(a) of the NPPF, which states that: “plans should *optimise* the use of land in their area and meet as much of the identified need for housing as possible”⁹ (emphasis added). Site Allocation RIV2 and Appendix 2 would therefore not accord with national guidance.

It is also important to consider Site Allocation RIV2 in the context of London Plan Policy D9. Part B of Policy D9 defines the ‘plan-making’ guidance on the locations of tall buildings. The Policy defers to the boroughs to determine the locations of buildings and appropriate heights. There is little guidance for how to prescribe height recommendations as Paragraph 3.9.2 of the supporting text for Policy D9 simply states that: “Boroughs should determine and identify locations where tall buildings may be an appropriate form of development” and that “in these locations, [boroughs should] determine the maximum height that could be acceptable”.

⁹ NPPF (2021), Paragraph 125(a)

It is already agreed that the Dovercourt site is an area that is suitable for tall buildings, but it is the appropriate maximum height of the site that is in question. On this latter point, Policy D9 and its supporting text offers limited guidance. It is assumed therefore that height ranges should be justified through appropriate evidence based on the local context. The arguments set out earlier in this letter demonstrate the limitations of the evidence available and that the site's low sensitivity to and high probability of development indicate that a height range of 7-10 storeys is not appropriate.

London Plan Policy D9 instead places more emphasis on the criteria for assessing specific development proposals in the context of their surroundings. This suggests that the specific circumstances of a site and the proposed design are more important considerations in assessing the acceptability of tall buildings than height restrictions defined in advance without regard for these more detailed aspects. The intention of London Plan Policy D9 is therefore to set a criteria relating to specific development proposals, rather than to impose height restrictions.

For all of these reasons, it remains our client's position that the following changes (in italics and underlined) should be made to Site Allocation RIV2 to afford sufficient flexibility to accommodate additional height than is specified in Appendix 2:

11.31 Building heights - In accordance with the tall building maps in Appendix 2, part of the site is located in tall building zone TB-B2-05. The *general* maximum appropriate height range for the zone is 7 to 20 ~~40~~ storeys, and the *general* maximum appropriate height range for the site must be in accordance with the tall building maps in Appendix 2, *unless sufficient justification is provided to demonstrate that this threshold can be exceeded. Unless such justification is provided,* the height of developments within that zone should not exceed the heights of, and be in accordance with, the tall building maps in Appendix 2, which set out the identified maximum appropriate heights in line with Policy LP4. Development proposals for tall buildings or mid-rise buildings will only be appropriate within the identified zone where they address the requirements of Policy LP4 (Tall and Mid-rise Buildings).

Similarly, Map 23.9 should disaggregate Tall Building Zone TB-B2-05 from the other Tall Buildings Zones it is grouped with (TB-B2-02 and TB-B2-06). Once disaggregated, the appropriate height for TB-B2-05 should be listed as 7-20 storeys, rather than 7-10 storeys.

The case of the Dovercourt site serves to emphasise that it is not prudent to rigidly specify maximum heights in advance and that tall buildings policies should accommodate flexibility. It should be noted that there is a useful precedent for providing the appropriate amount of flexibility on tall building policy by LB Brent Council. LB Brent adopted its Local Plan in February 2022, which included Policy BD2 (Tall Buildings), which was endorsed by the Local Plan Inspectors. Paragraph 6.1.15 of the supporting text of this policy states that height ranges are specified as "*the heights likely to be generally acceptable to the Council*" and that "*proposals will still need to be assessed in the context of other policies to ensure that they are appropriate in that location*". It also states that "*there might however also be circumstances where the quality of design of a development and its impact on character is such that taller buildings in these locations could be shown by applicants to be acceptable*"¹⁰.

The approach taken by LB Brent is sensible guiding the maximum general heights appropriate whilst building in some flexibility for to allow individual site considerations to be factored, in line with the intentions of London Plan Policy D9.

¹⁰ LB Brent Local Plan (2022), Paragraph 6.1.15

For all the reasons given above, draft Site Allocation RIV2 should be amended in accordance with our suggested text.

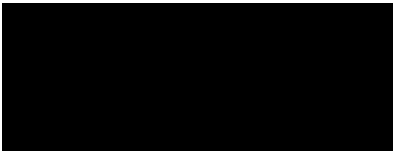
“Are the housing land site allocations in Wandsworth Riverside deliverable and do they show how they will contribute to the achievement of the WLP’s overall housing requirement of at least 20311 new homes and its timescale for delivery?”

The restriction of the height associated with Site Allocation RIV2 would likely undermine the deliverability of a development proposal on the site. However, this has not been tested in detail and our client’s objection to the allocation principally relates to its lack of justification, as outlined above.

Conclusion

We consider that the proposed revisions are justified and would bring LB Wandsworth’s draft Local Plan into soundness, in accordance with Paragraph 35 of the NPPF. We look forward to hearing from you in due course.

Yours sincerely,



Tarun Cheema
Planner
Centro Planning Consultancy