



Appeal Decision

Inquiry held between 29 April and 2 May 2025

Site visit made on 9 May 2025

by D R McCreery BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th June 2025

Appeal Ref: APP/H5960/W/24/3358065

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

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Watkin Jones Group against the Council of the London Borough of Wandsworth.
 - The application reference is 2022/1835.
 - The development proposed is application for phased full planning permission for: demolition of all existing buildings and construction of three new buildings, together comprising residential (Use Class C3) and student accommodation (Sui Generis) along with commercial, business and service (Use Class E) and/or local community and learning (Class F) floorspace. Associated works include hard and soft landscaping, car parking and new vehicular access / servicing, and other ancillary works.
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Decision

1. The appeal is allowed, and planning permission is granted for phased full planning permission for: demolition of all existing buildings and construction of three new buildings, together comprising residential (Use Class C3) and student accommodation (Sui Generis) along with commercial, business and service (Use Class E) and/or local community and learning (Class F) floorspace. Associated works include hard and soft landscaping, car parking and new vehicular access / servicing, and other ancillary works at 41-49 Battersea Park Road (Booker Cash & Carry) and 49-59 Battersea Park Road (the former BMW Car Service Garage), London, SW8 5AL in accordance with the terms of the application reference 2022/1835 and subject to the conditions in Annex 3 to this decision.

Applications for costs

2. Applications for costs by Watkin Jones Group against the Council of the London Borough of Wandsworth are the subject of a separate decision.

Preliminary Matters

3. A Case Management Conference (CMC) was held online with the Appellant and Council on 4 March 2025. The purpose was to provide a structure for the ongoing management of the inquiry. No discussion of the merits of the respective cases took place. A note of the CMC was made publicly available shortly after [CDN.01]¹.

¹ See Annex 2 to this decision for cross references to Core Documents and Inquiry Documents that were available to the inquiry

4. The description of development is taken from the planning application form. While the Council changed it during the planning application process, which the Appellant appears to have been aware of, the change was not formally agreed in writing. The agreement of conditions relating to the height and quantum of development resolves a dispute between the parties on the description.
5. An overarching statement of common ground (SOCG) between the Appellant and the Council was agreed initially on 20 March 2025 [CDH.01] and amended during the inquiry to reflect further agreement on conditions [ID.12]. A topic specific statement of common ground on Living Conditions (Living Conditions SOCG) was agreed on 20 March 2025 [CDH.02].
6. Following the CMC the Council indicated that they did not intend to submit further evidence or call any witnesses at the inquiry and would rely on their Statement of Case dated 27 February 2025 [CDG.02]. This had procedural implications for the inquiry, which I set out at Paragraph 8 of my Pre-Inquiry Note (repeated in **Annex D**) and were agreed with the parties ahead of opening.
7. Rule 6 of the Town and Country Planning (Determination by Inspectors) (England) Rules 2000 requires the Council to submit a statement that contains full particulars of the case which they propose to put forward at the inquiry. Rule 11 entitles the Council to appear at the inquiry. Rule 13 relates to proofs of evidence and applies where an entitled party proposes to give evidence. As an entitled party giving evidence is not mandatory, the Council's approach in this regard is permissible.
8. While strictly speaking the Council did not put forward a case at the inquiry, their statement of case cannot be disregarded as it is before me, indeed the Rules mandated the submission of it, and it is material to my decision making. In these circumstances, it is difficult to see practically how I could not pay regard to it. Taking such an approach would present a perverse position under the Rules where a Council is mandated to submit a statement of case under Rule 6 but is only entitled to have it considered if it gives evidence, something that Rule 13 makes optional.
9. I have paid regard to the Council's statement of case, noting the following. That the stated intention to bring forward evidence on various matters was not fulfilled. Also, that the propositions in the statement of case have not been defended through the inquiry process.

Background

10. Applications for planning permission are to be determined in accordance with the development plan for the area unless material considerations indicate otherwise. I have considered the development plan as a whole, including the policies of relevance to the main issues in the London Plan (2021) (London Plan) and the Wandsworth Local Plan (2023-2038) (Local Plan). The National Planning Policy Framework (the Framework) is a material consideration.
11. The site falls within the Nine Elms area addressed by strategic policy PM3 (Local Plan) and embraces much of the Vauxhall Nine Elms Battersea Opportunity Area. It is an area of major regeneration and continuing change, spurred on by significant investment in infrastructure that includes the extension of the Northern Line.

12. Policy NE2 (Local Plan) allocates the site for mixed use development, including residential and commercial uses. It is identified as falling within a tall building zone with the maximum appropriate height range being 8 to 25 storeys.
13. The Council's design review team, characterise the site and surroundings very well:
An important and very challenging site within the Nine Elms and Battersea Opportunity Area. The site is a small but critical piece in the jigsaw as part of the overall vision for the area, providing an important link from the new developments around the Battersea Power Station and newly opened Battersea underground, to the Nine Elms Park and New Covent Garden Market area. [CDK.01]
14. Planning Permission was granted in 2019 for demolition of all existing buildings and construction of new buildings of between 5 storeys and 18 storeys, containing 307 residential units and commercial floorspace², which was the subject of a Certificate of Lawfulness granted in 2023³ (the Extant Permission).
15. Against this backdrop, the SOCG agrees that the principle of developing the site is acceptable. There is also no dispute that the Extant Permission is a material consideration, although there is disagreement about the weight that should be attached to it. However, the Council has not brought forward evidence on this point.
16. While the proposal is to be considered on its own merits it is reasonable to compare it to the Extant Permission, particularly when assessing effects on living conditions, as it is what Mr Stackhouse's Proof [CDI.01] refers to as an appropriate benchmark on the likely acceptability of the appeal scheme. The Council's independent review of sunlight and daylight effects makes a similar comment referring to those issues [CDM.19].
17. During the Inquiry the Council submitted the Wandsworth Local Plan Partial Review (Partial Review) [CDC.05] for examination. I will return to this in the context of whether weight should be given to relevant policies in emerging plans under Paragraph 49 (Framework).

Main Issues

18. Although this is a non-determination case the Council took the scheme to their Planning Committee in January 2025, which led to the following putative reason for refusal⁴:

As a result of its height and close proximity to the neighbouring buildings and the amenity space located at New Mansion Square, the proposed development would result in an overbearing impact upon the residential occupiers of the neighbouring buildings, detrimentally affecting their outlook and increasing overlooking opportunities that would reduce the residential amenity experienced by these neighbouring occupants. Furthermore, the predominant student use as proposed is not considered to be the most appropriate use on the site given the greater demand and need for housing (including affordable housing) in the area. For these reasons, the proposal is considered to be contrary to adopted Council policy LP2 and the Wandsworth Housing Needs Assessments dated December 2020 and December 2024.

² Reference 2015/6813

³ Reference 2022/0719

⁴ Recorded in the Council's letter to the Planning Inspectorate dated 29 January 2025 [CDF.04]

19. Paying regard to this and other documentation, including the SOCG and Living Conditions SOCG, the main issues are:

- Whether the proposal is acceptable in land use terms, paying regard to housing need.
- The effect on the living conditions of occupiers of surrounding properties and users of amenity spaces.

Reasons

Need

20. The SOCG records uncommon ground relating to ‘whether the proposed mix of uses is the most appropriate at the appeal site, in the context of identified need for ‘traditional’ housing vs student housing, and the absence of a Nomination Agreement for the development with a Higher Education Provider (HEP), having regard to Policy H15 (PBSA) of the London Plan and Policy LP28 (PBSA) of the Local Plan’. Policies H15 and LP28 are not in the Council’s putative reason for refusal but are advanced in their Statement of Case.
21. In opening [ID.01] the Council updated their position to confirm that they accept that the S106 would meet the requirements in relation to nomination agreements. This satisfies the relevant requirements in Policy H15 A(3) (London Plan) and Policy LP28, Part A(1) (Local Plan). Paying regard to the contents of the S106, letters from higher education providers, and other evidence I see no reason to disagree. This narrows the disagreement to the question of ‘the most appropriate mix of uses’.
22. To return to basics, to deliver a sufficient supply of homes the Framework sets out that the overall aim is to meet the identified housing needs of an area, including with an appropriate mix of housing types for the local community (Paragraph 61). The minimum number of homes should be informed by a housing needs assessment (Paragraph 62) and the needs of different groups (including students) should be assessed and reflected in planning policies (Paragraph 63). In this context, Purpose Built Student Accommodation (PBSA) is a subset of wider housing need. It is a function of the development plan for the area and the plan making process to establish what the need is and how to meet it, including any policy mechanisms for addressing different types and balancing competing needs. The focus of development management activity is whether a proposed use accords with the development plan.
23. In planning policy terms, Policy H15 (London Plan) says that Boroughs should seek to ensure that local and strategic need for PBSA is addressed. The plan requirement is 3500 PBSA bedspaces per annum⁵, which is not broken down into Borough targets and reflects that locational needs may shift over the plan period. Paragraph 4.15.3 goes on to say that need for PBSA development is demonstrated by having a nomination agreement in place from initial occupation with one or more higher education providers. As discussed above, the parties agree that this requirement will be met. As a matter of planning policy, the proposal demonstrates a need for PBSA.

⁵ Paragraph 4.15.2 (London Plan)

24. Mr Feeney's evidence [CDI.05] highlights the attractiveness of the site's location by reference to a 45 minute student commute time. While not a metric adopted by the GLA or other plan making body, this assumption is reasonable in a London context. The central location, surrounding amenities, and access to transport infrastructure (including the Northern Line) supports a view that the location would be desirable to students who are within a reasonable commuting time to their place of study. These locational factors support the policy position that there is a need for the proposal.
25. The Council's case that there is a significant oversupply of PBSA within the Borough is based primarily on information drawn from their 2020 and 2024 Housing Needs Assessments (HNA) [CDC.03 & 04]. The HNAs are not development plan policy in themselves. As such, despite the suggestion in the Council's putative reason for refusal, the proposal cannot be contrary to them.
26. The information drawn to my attention from the 2020 HNA⁶ is based on engagement with two higher education establishments within Wandsworth. Its parochial nature makes it partial and unconvincing as a source of evidence of need when set against the wider London dynamic described above and the fuller evidence on student demand, commuting patterns, and the higher education market provided by Mr Feeney. The PPGs⁷ encouragement of Local Planning Authorities understanding the student accommodation requirements in their area does not bolster the credibility of the Council's evidence that, for present purposes, does not adequately address the issue of need beyond the Borough boundary.
27. The Council's information from the 2024 HNA⁸ is evidence supporting the Partial Review, which is currently subject to examination. As such, the 70 bedspaces per annum assumption needs to be treated with caution and is not a reliable basis on which to assess delivery against the Council's claimed PBSA completions and pipeline. Even if the assumptions were credible, there is currently no policy basis for constraining delivery of PBSA locally in circumstances where the need is London wide, and the site is favourably located to make a meaningful contribution to meeting it.
28. Overall, while the HNAs postdate the 2017 London SHMA, the evidence drawn to my attention by the Council is not material in altering my view that a need for the proposal is shown through an application of development plan policy. It also does not provide an evidential basis for challenging the level of PBSA requirement in the London Plan and how it should apply in Wandsworth.
29. The oversupply argument does not reflect the position that Boroughs are asked by the London Plan to address both a local and London wide strategic need for PBSA that is not broken down into Borough level targets or capped. At a strategic level, Mr Feeney's evidence [CDI.05] supports a view that PBSA delivery across London has fallen behind the London Plan requirement for a number of years. In these circumstances, even if the Council's evidence on local need and delivery were to be accepted (which I do not) it would not amount to a significant oversupply.

⁶ Paragraphs 5.5-5.7 (Council's Statement of Case)

⁷ Paragraph: 004 Reference ID: 67-004-20190722

⁸ Referenced at paragraphs 5.8-5.12 (Council's Statement of Case)

30. The Council's approach of resisting the proposal based on it not being the most appropriate mix of uses finds no specific planning policy support and is a vague line of argument, seemingly motivated by a preference for conventional housing rather than students. In this case, the mix of land uses proposed (including developing the site for PBSA) accords with the site allocation in Policy NE2 (Local Plan) and, for the reasons set out above, the wider development plan in land use terms. In these circumstances, rejecting it on the basis that it does not propose a subjectively viewed preferable alternative land use is not legitimate. In closing for the Appellant, Mr Taylor summarised the case law on this matter and principles that are well established in the minds of planning practitioners.
31. In any event, the Council has not brought forward evidence to substantiate their assertions about the impact on the delivery of conventional housing⁹. This simplistic approach does not acknowledge the role that PBSA can play by indirectly helping to reduce the pressure on the wider housing stock (in particular, traditional rented homes).
32. In a wider sense, the proposal would contribute to a mixed and balanced neighbourhood, when the 762 PBSA bedrooms, 55 conventional affordable dwellings, and commercial and community floorspace is viewed in the context of significant delivery of conventional housing in the wider opportunity area and a small number of student housing schemes. It would not result in an over concentration of single person accommodation when the Council's preferred metric of an 800 metre radius is adopted. Even if an oversupply of PBSA had been demonstrated, a harmful effect in planning terms is not.
33. In terms of affordable provision, 26% of the student rooms would be let at lower than market rents and all 55 of the conventional homes would be affordable. Overall, when viewed on a habitable room basis, the blended approach set out above offers 39.55% of the accommodation as affordable. The proposal would make an important contribution to meeting an identified need for PBSA and, in wider housing delivery terms, Wandsworth's annual housing target. It would also make a meaningful contribution in affordable housing terms.
34. For these reasons, the proposal is acceptable in land use terms, paying regard to housing need. It accords with the development plan, including Policy H15 (London Plan) and LP28 (Local Plan) which require, amongst other things, that Boroughs seek to ensure that a local and strategic need for PBSA is addressed.

Local plan review

35. The Partial Review proposes an update to Policy LP28 (Local Plan). The approach to establishing whether weight may be given to the updated Policy LP28 as a relevant policy in an emerging plan is set out in Paragraph 49 (Framework).
36. In terms of the stage of preparation, the Partial Review has been submitted for examination. However, it is at an early stage in the process with no hearing sessions held or communication from Inspectors on matters of legal compliance and/or soundness.

⁹ Referenced at Paragraph 5.19 of the Council's Statement of Case.

37. Objections to the Partial Review have been identified from both the Appellant and the GLA¹⁰. The Appellant clearly objects to Policy LP28 (Partial Review). The GLAs response is more mechanical in nature, however, at this point the issues raised are unresolved.
38. Considering the approach in the Framework, the progress made on the Partial Review leads me to conclude that some weight should be given to Policy LP28 (Partial Review). However, the early stage of examination and indication of unresolved objections renders the weight to be given as limited.

Living conditions

39. The Living Conditions SOCG records dispute on the following:
- The effects on outlook from dwellings at Simper Mansions that face the appeal development.
 - The effects on levels of privacy at dwellings at Simper Mansions that face the appeal development.
 - The effect on the enjoyment of open spaces serving Phase 4A of the Battersea Power Station development.
 - The effect on the future enjoyment of proposed deck amenity spaces serving the consented New Covent Garden Market development (NCGM) through overshadowing.
40. The Council's putative reason for refusal alleges conflict with Policy LP2 (Local Plan), which their Statement of Case clarifies as specifically relating to Part B, Criteria 2,3 and 4. While not included in the Council's putative reason for refusal, the Statement of Case also references Policy D6 (London Plan)¹¹, which was clarified in opening as specifically relating to Part B.
41. The Council has not brought forward their own detailed technical assessment on the points in dispute. Instead, they focus on comparison between the Extant Permission and the proposal. For reasons set out elsewhere in this decision, it is reasonable to compare the proposal to the Extant Permission as it is an appropriate benchmark to assist with judging the acceptability of the proposal's effects on living conditions.

Simper Mansions – outlook and privacy

42. Simper Mansions stands at eleven storeys, with an eight-storey shoulder closest to the appeal site. The Appellant's factual evidence on separation distances is not disputed by the Council. The distance between Simper Mansions and Plot 3 of the proposed development is 10.1 metres at the nearest point and 20.3 metres at its longest point, the splay being a product of the building's orientation. This creates a close physical relationship between the eastern side of Simper Mansions and Plot 3 that has the potential to affect the 14 dual aspect homes in Simper that have windows in the east elevation and north facing windows and balconies.

¹⁰ CDM.06 & CDM.07

¹¹ As corrected by the Council from an initial reference to Policy H6.

43. It is relevant that the relationship between the two sites was considered when the development that includes Simper Mansions was approved. The committee report [CDM.01] at Paragraph 8.2 discusses changes to the eastern side of Simper Mansions aimed at not prejudicing the redevelopment of the appeal site, specifically in terms of reducing the potential for overlooking and to increase residential outlook and privacy. It refers to removal of balconies from the eastern side with compensatory increases in amenity space elsewhere, and a reduction and re-positioning of windows with the introduction of the angled projecting windows with partial obscured glazing that can be seen on the eastern elevation of Simper.
44. Figures 59 and 60 of Mr McCartney's proof [CDI.03] compares the separation distances between Simper Mansions and Plot 3 of the proposal and Plot C of the Extant Permission. Again. The Council does not contest the accuracy of the separation distances. Nor is the height and massing comparison set out in Section 4 of Mr McCartney's proof. The Council also recognises that the distances between Simper Mansions and Plot 3 and Plot C are comparable and, in some areas, increased by the appeal proposal.
45. Page 30 of Mr McCartney's proof provides a detailed analysis of the outlook and privacy effects on Simper Mansions, comparing the proposal with the Extant Permission. It was heard in detail at the Inquiry. Reviewing the evidence and visiting the site, Mr McCartney's analysis is a fair and credible assessment.
46. As compared to the Extant Permission, there would be improvements in outlook and privacy terms for potentially affected occupants of Simper Mansion in respect of the north facing windows. This arises because of the differing positioning, massing, and elevation treatment of Plot 2 of the appeal scheme compared to its Extant Permission equivalent.
47. Turning to the kitchens and adjacent bedrooms¹² there would be a worse position in respect of both outlook and privacy. This is due to the positioning of Plot 3, further to the north than it's equivalent in the Extant Permission and additional windows that are not angled as considerably. Given the separation distances, the difference would be more keenly felt in the case of the kitchens. I accept that the improvements to the north facing aspects is a source of mitigation. I also acknowledge that the affects will dissipate the further an occupant moves away from the window.
48. Turning to the two most southernly bedroom windows along, the effects in both privacy and outlook terms would either be an improvement or lead to no material difference when compared to the Extant Permission. This is due to the separation distances and the angle that views from the potentially effected windows are directed towards.
49. In terms of the overall effects on Simper Mansions, it is first important to acknowledge that development of the appeal site at scale is to be anticipated and is supported in principle. This is clear from the allocation in Policy NE2 (Local Plan) that details maximum building height and the location of the site within a major area of regeneration. Thoughtful consideration was given to the development of the site containing Simper Mansions in anticipation that the appeal site would be

¹² Identified as (K) and (B) in Simper Mansion in Fig.66 of Mr McCartney's Proof

developed, there would be a close relationship between the two, and to avoid prejudicing future development.

50. The nature of the relationships that would be created are typical of developments at scale. Section 5.2 of Mr McCarthy's proof illustrates this point in a general sense. Further, in this case, there is also a source of mitigation in respect of an improvement in the northern aspect of relevant properties in Simper Mansions. The resident's self mitigating through window coverings or altering room layout has not factored into my assessment as it cannot be secured or confirmed to be a reasonable expectation.
51. Any noticeable differences for Simper Mansions between the proposal and the Extant Permission arise principally from a change in positioning, orientation, and elevation treatment. Given the difference between the two and how views would be experienced from windows within Simper, height is not a significant contributor. Paragraph 5.1.73 and 5.1.74 of Mr McCarthy's Proof fairly depict the instances where the height difference may be perceived but does not result in an adverse effect. No credible basis has been advanced by the Council for their conclusion that the additional height would be 'problematic'.
52. Weighing up the potential outlook and privacy effects, paying regard to the factors above and the other evidence, the proposal would result in acceptable effects on the living conditions of occupiers of Simper Mansions.

Phase 4A of the Battersea Power Station development open spaces - enjoyment

53. 'Enjoyment' is an imprecise term against which to assess planning impacts. As the Council has not clarified their specific concerns, Mr McCarthy's choice to assess overlooking and sense of enclosure¹³ is reasonable. As is the identification of the northern amenity deck between Simper and Arden Mansions and the southern lawn between Matkin and Tweed Mansions as potentially affected spaces.
54. In respect of overlooking to the northern deck. The absence of balconies on the proposal that were present on the Extant Permission would result in a reduced potential for overlooking that would enhance the feeling of seclusion for users of the deck. The flip side of losing the balconies would be a reduction in sense of natural surveillance of the space. I have my doubts about whether this is a positive aspect of the design but note that this matter is not in dispute and there is no evidence of concerns being raised as part of the design review process. The Metropolitan Police have also not objected to the scheme on this basis. As such, my concerns in this area do not, of themselves, lead me to conclude that the proposal is unacceptable.
55. Turning to sense of enclosure to the northern deck. A reduction in the gap between the north and south towers of the proposed Plot 3, when compared to its equivalent in the Extant Permission, would leave less visible skyline being seen between the towers from the northern deck. Coupled with an increase in the height of the central section of Plot 3, this would result in the northern deck area feeling more enclosed than what might otherwise have been experienced in the Extant Permission.

¹³ Section 5.2 of Mr McCarthy's Proof

56. However, paying regard to the size of the spaces and separation distances, the level of enclosure to the northern deck remains appropriate and consistent with creating a well designed place. I also note that the SOCG agrees that there would be no unacceptable overshadowing impacts to the northern deck.
57. In respect of privacy and sense of enclosure to the southern lawn, the separation distance between it and Plot C would be significant and views would be funnelled/framed by existing buildings within the New Mansion Square development. Within this context, Plot C would appear as part of the backdrop in medium distance views. It would not adversely impact on the southern lawn in privacy or sense of enclosure terms.
58. Weighing up the potential impacts on enjoyment of open spaces, paying regard to the factors above and the other evidence, the proposal would result in acceptable effects on the users of existing amenity spaces.

New Covent Garden Market amenity spaces - overshadowing

59. The Entrance Site to the NCGM development benefits from outline planning permission. Reserved Matters have not been agreed, nor have I been informed that an application to do so is before the Council. The outline approval is subject to conditions restricting the maximum parameters. The Council's objection to the proposal appears to be on the basis of an illustrative scheme for NCGM and the maximum parameters. Neither of these offer a sound basis on which to judge whether the proposal would have an unacceptable impact on the amenity spaces of NCGM in respect of overshadowing.
60. In these circumstances, the Appellant is right to characterise the question as being whether the proposal would prevent an acceptable form of development coming forward on the relevant part of the NCGM site. There is no evidence before the Inquiry to support a view that development of NCGM would be prejudiced by the proposal. Indeed, paying regard to the extent of instances where overshadowing may score lower against the standards based on the known information, if a reserved matters application for the NCGM outline permission were to come forward it is entirely reasonable to assume that a detailed scheme could mitigate the issue.
61. Even if it were appropriate to assess the impacts based on the information in the NCGM outline, Mr Fletcher's evidence shows that the design of the blocks within the NCGM scheme itself place overshadowing limitations on what are shown as podium deck amenity spaces. Against this backdrop, securing strict compliance with the BRE target of 2 hours direct sunlight over 50% of the amenity space would be challenging. As such, also considering the surrounding urban context, judging the proposal as unacceptable on an application of this metric alone is not a reasonable approach.
62. Weighing up the potential for overshadowing effects, paying regard to the factors above and the other evidence, the proposal would result in acceptable effects on future users of communal amenity spaces.

Other living conditions effects

63. Paragraph 3.1 of the Living Conditions SOCG records matters not in dispute between the Council and the Appellant relating to living conditions, including the effects on levels of sunlight and daylight at neighbouring properties, effects at buildings other than Simper Mansions, and effects at Simper Mansions other than levels of outlook and overlooking. Paragraph 4.39 of the SOCG confirms that it is agreed that the daylight and sunlight impact of the development on surrounding built development are acceptable.
64. In terms of outlook and privacy effects other than Simper Mansions, Arden Mansions has elevations with habitable room windows that would face towards Plots 2 and 3 of the proposal. In respect of Plot 2, the angle of the views and considerable separation distance would lead to negligible effects on living conditions. The relationship with Plot 3 would be closer, leading to a greater potential for adverse effects. However, the magnitude of impact would be acceptable within this higher density urban context. For Viridian Apartments, the proposal has been revised as part of the design review process to alter the scale and positioning of Plot 1. These changes have altered the relationship between this building and Veridian to improve both the separation distances and the potential for direct intervisibility between the properties. As a consequence, the proposal would have acceptable outlook and privacy effects on Viridian Apartments.
65. Turning to sunlight and daylight, the Appellant's Sunlight and Overshadowing Assessment [CDA.14] (Light Assessment) has been independently assessed [CDM.19] and includes peer review of the daylight and sunlight impacts on neighbouring properties. This information needs to be read in conjunction with the supplementary drawings that identify the windows referred to in the Light Assessment [CDA.130 to CDA.138]. The Light Assessment pays regard to and applies the relevant guidance and is appropriate in scope.
66. The Council's independent review concludes that the proposal would result in materially adverse impacts on daylight and sunlight to existing and surrounding properties. I would not question this conclusion given the existing condition of the site and the proposal for development at scale. The review goes on to advise that the question of acceptability is one of judgement, that a greater degree of obstruction is to be expected due to the opportunity area location, and that the Extant Permission is an appropriate benchmark to compare the pros and cons of the proposed development.
67. The Light Assessment adopts the standard BRE Guideline approach in respect of both daylight and sunlight. The guidelines should be applied flexibly and take account of the wider context, which in this case is a higher density, urban location in an area of anticipated regeneration.
68. In respect of daylight, the Light Assessment points towards a level of overall compliance for the windows and spaces tested that is comparable to the Extant Permission. However, there are differential affects between the two schemes that effectively re-balances the impacts on different existing buildings when compared to the Extant Permission. This is both in terms of levels of overall compliance with the BRE guidelines and where the degree of magnitude arising from non-compliance is assessed as either medium or high (i.e. a loss of over 30%).

69. When the proposal is assessed and compared to the Extant Permission, Viridian Apartments achieves gains in both overall levels of compliance with the BRE Guidelines and improvements in degree of magnitude where there would be non-compliance. Taken together, Higgs, Tweed, Foots Row, Billington, and Arden Mansions shows similar levels of overall compliance but a worse position on instances of medium or high degrees of magnitude, including the additional number of main living rooms or kitchens affected.
70. While the Light Assessment makes distinguishing between the five buildings difficult, Arden Mansions would appear to be most effected. Simper Mansions achieves similar levels of overall compliance, which are comparatively low in both cases, and a similar position on instances of medium or high degrees of magnitude. The positions for Matkin Mansions and 142-192 Thessaly Road are similar both in terms of overall compliance with the BRE Guidelines and instances of medium or high degrees of magnitude.
71. Concluding overall on daylight, the proposal performs similarly to the Extant Permission in terms of overall accordance with the BRE Guidelines. There are differential effects between the two on potentially effected buildings that amounts to a rebalancing of impacts. This is most obvious in the improvement in position for Veridian Mansions and the worsening for the combination of Higgs, Tweed, Foots Row, Billington, and Arden Mansions (particularly Arden Mansions). Paying regard to the flexibility afforded by the BRE Guidelines, the prevailing context of this densifying area, and the otherwise similar overall performance between the proposal and the Extant Permission, the proposal is acceptable in terms of effects on the daylight conditions of neighbours.
72. Turning to sunlight, Simper Mansions is the only existing building that achieves levels outside the BRE Guidelines as a result of the proposal and, in doing so, performs similarly to the Extant Permission. The majority of these potentially affected rooms serve bedrooms or kitchens. Considering the overall performance between the proposal and the Extant Permission and the prevailing context, the proposal is acceptable in terms of effects on the sunlight conditions of neighbours.

Conclusion on living conditions

73. Taken as a whole, the proposal will adversely affect the living conditions of existing residents nearby when compared to the sites current state. The development plan establishes the principle of developing at scale as part of the areas rapid change. While I have considered the proposal on its own merits, it is right to view the Extant Permission as a benchmark for acceptable development parameters on this site. I have also paid regard to the need to optimise the capacity of the site and the character and form of the area, which is a changing context.
74. The proposal has the potential to differentially and adversely effect the occupiers of a small number of properties, with some mitigation also provided. The degree of severity of such effects is within acceptable levels, paying regard to the specifics of the areas concerned and the surrounding urban context. As such, on an individual property level, the proposal is acceptable. When viewed on a wider level in the context of the number of homes surrounding the site, the proposal performs well at safeguarding the living conditions of residents nearby.

75. Further, for the reasons discussed, the proposal would also have acceptable effects on surrounding amenity spaces.
76. In conclusion, the proposal would have an acceptable effect on the living conditions of occupiers of surrounding properties and users of amenity spaces. There is no conflict with the development plan for the area including Policy D6 (London Plan) and Policy LP2 (Local Plan) which seeks to avoid unacceptable impacts on neighbouring properties.

Other Matters

Interested party comments.

77. I have paid regard to comments in objection and support from other interested parties, made both at the planning application and appeal stages. Comments relating to the main issues have been considered as part of the reasoning elsewhere in this decision. As such, I will not address the issues of need or effects on living conditions here. Some technical matters are the subject of conditions that offer a suitable method of planning related management of potential impacts. This includes construction effects, flood and water management, fire safety, air quality, and energy efficiency of buildings and sustainability. Non planning related matters, such as general concerns about impacts on property values, cannot be afforded material weight.
78. In relation to matters of design, the proposal accords with the parameters set out in the allocation in Policy NE2 (Local Plan). Section 2.2 of Mr McCartney's Proof [CDI.03] sets out the design evolution of the scheme. It includes three stages of design review panel assessment and wider engagement, with specific consideration of height and massing as part of the design review process. I appreciate there are concerns that some of the engagement up to submission of the planning application overlapped with periods where the New Mansion Square development may not have been occupied.
79. While considering design inherently involves a level of subjectivity, the evolution of the scheme and the Appellant's response to feedback received shows that a design led approach has been taken to optimising the capacity of the site while, at the same time, managing the challenges and constraints. The scheme is appropriate in terms of its height, density, detailed design and integration into this evolving context. Within this context the proposal cannot be said to be too high or result in a development that would dominate the skyline. The Westferry Printworks development drawn to my attention had its own context and, therefore, direct parallels cannot be drawn.
80. The proposal is accompanied by a Landscaping Strategy [CDA.34] that, along with other evidence, demonstrates appropriate consideration of the spaces between buildings, access and movement and connections beyond the site. The strategy includes provision for tree planting and preservation. Retention of trees along the Battersea Park Road frontage is a particularly positive aspect of the proposal. Detailed landscaping proposals can be the subject of conditions. Appropriate consideration has been given to biodiversity net gains [CDA.08] which can also be subject to a condition. Management of roof and other plant and equipment and lighting that may detract from the quality of the development or, in the case of lighting, cause a risk of nuisance can also be the subject to conditions, along with other aspects of detailed design.

81. There is no evidence of formal rights to light having been established and, in any event, it is a well established principle that the existence and enforcement of such rights is a private matter, rather than something to pursue through the development management process.
82. For planning purposes, the approach is to instead establish through evidence whether a proposal will potentially have an effect on neighbouring properties and then to reach a balanced view on acceptability, which my conclusions on living conditions do. While I have paid regard to the points made, existence of rights to light is not a material consideration in this appeal.
83. In relation to potential for additional traffic generation, the site is well served by public transport and I have no evidence that capacity constraints would prevent the development (including on the Northern Line). The Appellant's traffic assessment makes a reasonable assessment of likely movement patterns [CDA.46¹⁴] pointing towards a reduction in car trips compared to the Extant Permission and a greater extent of active travel use, in particular pedestrians. This is a logical conclusion given the different user groups. I also note that the arrangements for deliveries and servicing broadly align with the Extant Permission. A key difference will be the potential for additional servicing on student move in/out days. This matter is, therefore, subject to a specific condition along with delivery and servicing arrangements more generally. While arrangements for emergency vehicles were discussed at the Inquiry, in the context of the London Fire Brigade response, for clarity I have also referred to this in the relevant condition.
84. I appreciate the concerns about pedestrian safety, including the width of the footway at key points along Battersea Park Road and the relationship between cycleways and bus stops close to the site, which I observed on my site visit. There is no evidence that the proposal will directly pose a material risk. It will add to the cumulative number of residents in the local area that indirectly influences levels of highway use.
85. This, along with the question of wider infrastructure provision (including community and medical spaces), is a matter best managed at a strategic planning level and for consideration as part of the designation as a major regeneration area. In this regard, I note that the proposal makes various contributions towards local infrastructure, including a TFL contribution towards healthy streets and improvements on Battersea Park Road. While I appreciate the concerns raised, there are no planning related grounds to resist the proposal on the basis of insufficient local infrastructure provision. Nor is there evidence that, at an individual scheme level, the proposal fails to take account of pedestrian congestion.
86. Paying regard to the comments from the Metropolitan Police and other interested parties, It is appropriate to consider ways to manage the risk of vehicles using pedestrian spaces as a cut through as part of detailed landscape design. I have included specific reference to this issue in the relevant condition.
87. I do appreciate concerns that construction work has the potential to impact on wellbeing, and that such impacts can affect people differently. This needs to be balanced against the need for development to take place. Appropriate planning system management of traffic and other impacts related to the construction phases

¹⁴ See figure 6.11, in particular

are capable of management through conditions. Noise impacts associated with the commercial units can also be controlled by restrictions on hours of operation.

88. I understand more general concerns about overdevelopment and overcrowding, particularly in an area that is changing rapidly. While I note comments about the transience of student populations, the evidence does not lead me to conclude that this poses a risk of planning related harm for this area or to the achievement of mixed and balanced communities.
89. I also do not have evidence leading me to conclude that risks of night time disturbance, increases in numbers of delivery drivers, and inconsiderate parking of hire bikes and scooters are issues specific to this user group that needs or is capable of management through the planning system. Similarly, concerns about relative tax contributions of different groups are unsubstantiated and cannot be afforded material weight.
90. Wider management of the student accommodation is an issue addressed in the S106, which requires the agreement of a Student Accommodation Management Plan. In relation to wider community benefits of the scheme, provision is made within the S106 and conditions for community space and local skills and jobs.
91. Other comments have been considered but do not change my conclusions on the main issues.

Legal agreement

92. A signed and duly executed legal agreement under section 106 of the Town and Country Planning Act 1990 (S106) has been submitted. The S106 contains obligations that were discussed at the Inquiry, including relating to affordable housing, student accommodation, early stage viability review provisions, general provisions (accessibility, CCTV, culture, local employment, cycle links, car clubs and travel plans), financial contributions (on carbon setting, employment and skills, TFL healthy streets, and children's play), community space, public open space, connecting to a district heating network, controlled parking zones, a student accommodation management plan, highway works and a local employment agreement. Examining the policy basis and justification for each of the obligations with the aid of the submitted CIL Compliance Schedule [ID.8], I am satisfied that they meet the relevant tests in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010, repeated in paragraph 58 (Framework). I have taken the S106 into account.
93. There remains dispute on an issue relating to affordable housing. Specifically, the 28 units that are to be at London Living Rent and what the main qualifying criteria should be, as specified in the definition of Intermediate Rent Affordability Criteria in the S106. The S106 includes two Options (X and Y) with the facility at Clause 5.4 for me to determine which one should apply.
94. Policy H4 (London Plan) sets the 50 per cent target of all new homes to be genuinely affordable. Paragraph 4.4.1 adds that meeting the target will require an increase in affordable housing contributions from all sources and that all schemes are expected to maximise the delivery of affordable housing.

95. Policy LP23A (Local Plan) repeats the position regarding maximising the provision of affordable housing. Paragraph 17.12 includes London Living Rent amongst the tenures that the Council will seek to prioritise, while also recognising the breadth of possible affordable housing types embraced by the Framework.
96. The paragraph goes on to say that intermediate housing for rent will be required to meet the Council's affordability criteria with upper income thresholds for rent being determined with reference to any revised figures in the London Plan Annual Monitoring Report. The Council's Planning Obligations SPD (SPD), at paragraph 5.14, refers to the annual review of affordability criteria published in an Annual Affordable Housing update report. Evidence of the latest review is provided in Appendix 1 of the Council's issue Position Statement [ID.10]. It includes amendment to their intermediate housing approach to reflect outputs from the GLA.
97. The definition of Intermediate Rent Affordability Criteria (Option X) in the S106 aligns with the longstanding approach in the Council's Intermediate Housing Policy, with levels subject to frequent review in line with what is set out in the SPD. It provides an upper threshold consistent with GLA outputs, with a lower threshold justified locally based on making units available to those within a lower earning bracket (which can include key workers). The lower threshold is subject to the 3 month marketing provision.
98. Overall, the approach in Intermediate Rent Affordability Criteria (Option X) is in line with the Council's long standing requirements that are appropriately articulated in the development plan and supporting documents.
99. Intermediate Rent Affordability Criteria (Option Y) offers an alternative approach. By directly linking to GLA/London Plan data it excludes the Council's Intermediate Housing Policy/ Annual Affordable Housing update report approach. In doing so, it disempowers the Council of the ability to set a locally specific approach to this aspect of affordable housing delivery and departs from the Council's long standing approach as articulated through the development plan and supporting documents. This includes the reference at Paragraph 17.12 (Local Plan) indicating a need to meet the Council's affordability criteria with upper thresholds determined with reference to the London Plan AMR (as opposed to being determined by the AMR or any other GLA document).
100. Viewed on a wider basis, while there may be alternative approaches, the Council has documented a clear basis for setting expectations with developers and allowing them to deliver locally on the wide remit it has to maximise affordable housing. The Council should be afforded discretion on this matter, given their role in affordable housing delivery, provided it is policy compliant and accords with the tests in the Framework which, in this case, it would.
101. While there may be no explicit policy requirement for a PBSA scheme to provide C3 affordable housing, the provision of London Living Rent units in the S106 accords with the development plan, including maximising the provision of affordable housing to meet the London Plan target that requires an increase in contributions from all sources. It is also a benefit of the scheme contributing to my view that the proposal is acceptable, paying regard to housing need.

102. The C3 affordable housing application is also part of the Appellant's 'blended approach' and is characterised as mitigating for the schemes under provision of affordable student housing. It is interwoven into the Appellant's proposal and part of a negotiated approach to housing for a big scheme, to be viewed alongside the wider housing mix and other planning matters, rather than as an added extra. The relevant obligation in the S106 passes the Framework tests and I have paid regard to it.
103. Establishing an appropriate housing mix for a scheme of this scale is a question of negotiation between parties. Inevitably, within that negotiation there will be a range of other policy compliant options. In assessing whether to pay regard to the S106 in front of me it is not for me to determine alternative permutations, including the thresholds that might have been applicable had other routes been followed.
104. I do not have evidence showing that the lower income threshold would render the scheme undeliverable. The email to the Council from Mr Stackhouse dated 12 July 2024 illustrates that the income cap was being contemplated at that time, yet no evidence was produced to support the assertion on viability. The threshold is locally justified and subject to a 3 month marketing limitation and is, therefore, proportionate.
105. The approach adopted at Gwynne Road does not align with the Council's documented approach. I accept at face value, in the absence of a body of evidence to the contrary, that this was an error. Following it for this appeal is not, therefore, justified.
106. The Council's Intermediate Housing Policy and Planning Obligations SPD are not development plan policy. However, for the reasons explained, their relevance to this issue is appropriately rooted in development plan policy. In the absence of evidence of irrelevance or inconsistency, the references in the SPD to older Local Plan policy does not of itself lead me to pay no regard to it.
107. To conclude on this matter, I have paid regard to the S106 with Intermediate Rent Affordability Criteria (Option X) determined as the applicable provision.

Heritage

108. The Appellant's Heritage, Townscape and Visual Impacts Assessment (HTVIA) [CDA.33] appropriately identifies heritage assets that may be affected by the proposal. While none sit within the site itself, I have considered the relevant duty of special regard under Section 66(1) Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) when considering whether to grant permission for development affecting the setting of a Listed Building. I have also considered the duty of special attention in Section 72(1) of the same Act when considering the desirability of preserving or enhancing the character and appearance of a Conservation Area. The HTVIA makes assessment of the contribution of setting to the significance of each asset.
109. The Grade II* Listed Battersea Power Station lies at the heart of the area's regeneration. Its setting has been, and will continue to be, considerably altered. While the site is within the current setting of the Power Station, it is some distance away and is separated by buildings and infrastructure and has limited visual association.

110. The site also does not contribute to the historic understanding of the Power Station and development of it would not impact on the ability to appreciate the station in key river views. The HTVIA includes one such river view from the Thames North Bank that illustrates the relationship between the site and the Power Station and cumulative future development. Other views contributing to its significance would not be restricted in a way that could be regarded as generating harm. The proposal will not harm the setting of this heritage asset.
111. The Grade II Listed Whittington Lodge is some distance from the site. There are intervening buildings of large scale and also infrastructure separating them. The site does not contribute to the special interest of this building and the scope of buildings likely to fall within its setting is narrower than that of the Power Station. Even if the proposal were to fall within the setting of the building, it would not affect it.
112. The Battersea Park Conservation Area is some distance away and separated from the site by intervening residential development that forms part of an establishing backdrop in part of the park. The proposal would form part of this backdrop without imposing itself. It would preserve the character and appearance of the Conservation Area.
113. I have paid regard to the assessments of Dolphin Square and Churchill Gardens Conservation Areas in the HTVIA. They are separated from the site by the river and other buildings. The proposal would form part of the backdrop on the south bank without imposing itself. It would preserve the character and appearance of these Conservation Areas.
114. Taken as a whole, I agree with the statement at 4.31 of the SCOG that the proposal would have no impact upon the setting or significance of heritage assets nearby. I include within this the locally listed buildings referred to in the evidence. Amongst these is the Dutchess Belle Public House. The changes to the scale of Plot 1 of the proposal will improve the relationship with this building and lead to no harm to its setting.
115. Paying regard to the HTVIAs consideration of strategic views, I am satisfied that the proposal would not be harmful in longer views of importance.

Conclusions

116. To assist parties with understanding my conclusions, my discussion of weight and degree of conflict uses the scale - Limited/ Moderate/ Significant / Substantial.
117. The proposal is acceptable in land use terms, paying regard to housing need, and in respect of effects on the living conditions of occupiers of surrounding properties and users of amenity spaces. In these respects, the proposal accords with the development plan for the area.
118. The Appellant concedes there would be conflict with two areas of development plan policy. Without viability justification, it would underprovide against the 35% affordable student accommodation required by Policy H15 (London Plan). Instead, the scheme offers over 39% total affordable housing with a conventional affordable housing element factored in as part of a blended approach. This is a sensible and pragmatic approach to establishing and optimising the housing mix for the site and maximising the benefits.

119. It is also a positive response to the calls from the Council and others for more conventional affordable housing. It accords with the overall aim of maximising the delivery of affordable housing where there is an acknowledged need to do so from all sources. While there is technical conflict with Policy H15, the degree of conflict arising from it is moderate.
120. There is also conflict with Policy LP27 (Local Plan), where there is an acknowledged under provision of private amenity space in Plot 1. The claimed accordance with standards in Policy D6 (London Plan) is not material, as that policy only applies where Borough plans set no higher standards, which LP27 does. I see no policy support for offsetting deficiencies in private outdoor space with communal spaces, to my mind the two serve slightly different functions. Provision of high quality landscaping and public spaces is also a normal expectation of new development, rather than something to be used to justify deficiencies elsewhere. I do, however, accept that the landscape design proposed accords with relevant parts of the development plan, including Policy LP1 and LP20 (Local Plan). Nevertheless, the degree of conflict with Policy LP27 is significant.
121. Notwithstanding the above, the proposal would accord with a wide range of policies in the development plan. The most relevant ones are agreed in Paragraph 3.3 of the SOCG. It would deliver sustainable development of a high quality, meeting established needs, in a key area of regeneration in line with the plan led approach. There is a degree of policy conflict, which is common for large schemes where policy priorities push and pull and compromise is needed. However, overall there is overwhelming compliance that leads me to conclude that the scheme would accord with the development plan as a whole.
122. The Appellant concedes that the proposal would not accord with Policy LP28 (Partial Review). For the reasons set out above, this policy attracts limited weight. It is not a material consideration indicating that a decision should be taken other than in accordance with the development plan.
123. In these circumstances, Paragraph 11 (Framework) indicates to me that the proposal should be approved without delay.
124. For the avoidance of doubt, had the degree of conflict amounted to conflict with the plan as a whole, that would then need to be considered alongside other material considerations.
125. The Framework would be one such consideration where, at Paragraph 125, it is advised that reuse of brownfield land for housing should be approved unless substantial harm would be caused. There is an absence of substantial harm in this case. This would also need to be seen alongside the substantial weight that is to be given to the value of using suitable brownfield land within settlements for homes and other identified needs which, in this case, arises as a result of site allocation in accordance with the plan led approach.
126. In housing delivery terms, the proposal would deliver 55 conventional affordable homes in circumstances where the Council do not contest there is unmet affordable housing need. It would also make a meaningful contribution to meeting the Council's annual housing target. These benefits attract substantial weight.

127. The approach in the Framework and level of housing delivery alone are weighty material considerations indicating that a decision should be taken other than in accordance with development plan conflict.
128. On top of this, there are number of other material considerations. Setting them out serves no purpose as they simply add additional weight. They are identified in Paragraph 10.11 of Mr Stackhouse's Proof. I take no issue with how they are characterised or the weight that Mr Stackhouse attributes.
129. The Council have not brought forward their own planning balance exercise, or evidence to substantiate their claim that the Extant Permission included its own weighing exercise.
130. Overall, the proposal accords with the development plan as a whole. Even if a view were taken that some conflict put it at odds with the whole development plan, there are material considerations indicating that the proposal should be approved.

Conditions

131. I have assessed the need for conditions against Paragraph 57 (Framework). I have paid regard to the list of agreed conditions in the SOCG, making any necessary adjustments for clarity. I will refer to the numbering set out in Annex C.
132. Conditions according with the tests in the Framework are needed in the interests of: clarity [2] [5] [6] [19], demonstrating how the development will be phased in line with good planning principles [3], managing contaminated land and water risks [4] [7] [8], delivering policy compliant sustainable drainage/flood and other water management measures and development [7] [9] [10] [11] [12] [13] [14] [15], understanding and managing known and undiscovered archaeology [16], ensuring necessary infrastructure is in place [17], effective management and monitoring of air quality and construction impacts [18] [20] [21] [48] [61], ensuring a good standard of design, landscaping or provision for nature [22] [23] [24] [25] [26] [31] [32] [33] [34] [62] [63], managing fire and other safety risks [27] [28] [29] [30] [35], energy and waste efficiency and management [36] [37] [38] [39] [40] [41] [42], highway safety and traffic and travel management and servicing [43] [44] [45] [46] [47], noise and other environmental management [49], ensuring satisfactory living conditions and minimising disturbance risks [50] [51] [52] [53] [54] [55] [60] [63], accessibility [56] [57], maximising community benefit and retaining ground floor units for their intended use [58] [59]
133. Pre-commencement conditions are needed to ensure upfront clarity and certainty [3] [19], understanding of contaminated land risks and mitigation [4], and because the matters addressed by the condition may include measures that cannot be easily retrofitted or managed at a later point, [9] [16] [20] [21] [23]. Clear justification exists for withdrawing permitted development rights considering the scale of the buildings and the cumulative effect that equipment may have on the character and appearance of the area [63].

Overall Conclusion

134. For the reasons set out, and paying regard to all the points raised, the appeal is allowed.

D R McCreery

INSPECTOR

Annex A – Appearances

FOR THE APPELLANT:

Counsel for the Appellant - Reuben Taylor KC, Landmark Chambers.

Witnesses:

David Feeney BA (Hons), Cushman and Wakefield (student need)

Paul Fletcher BSc (Hons) MSC, Point 2 Surveyors Ltd (sunlight, daylight and overshadowing)

Alan McCartney BArch BSc Ad.Dip (Dist) RIBA ARB – Howells (design)

Sam Stackhouse MRTPI – Montagu Evans (planning)

FOR THE LOCAL PLANNING AUTHORITY:

Counsel for the Local Planning Authority - Isabella Tafur, Francis Taylor Building Chambers

With contributions from others for both parties as part of the roundtables

INTERESTED PARTIES:

David Barlow, Chair, New Mansion Square Shared Ownership Residents Association Committee

Annex B – Documents

Documents submitted during or after the inquiry

Accepted on the basis that I was satisfied the material was directly relevant to, and necessary for, my decision and that no prejudice arose from accepting them.

Inquiry Document Reference	Document
ID1	Appellant's Opening Statement
ID2	Brewer v Secretary of State for the Environment [1998]
ID3	Council's Opening Statement
ID4	Council's response to Appellant's Costs Application
ID5	Mr Barlow's proposed additions to the Inspector's site visit itinerary
ID6	Appellant's Position Statement on Intermediate Rent Affordability Criteria
ID7	Draft S106 agreement as at 29 April 2025
ID8	Summary of the Section 106 Agreement
ID9	Regulation 122 Compliance Statement
ID10	Council's Position Statement on Intermediate Rent Affordability Criteria
ID11	Appellant's Further Costs Application
ID12	Updated Appendix 2 of the Statement of Common Ground (Final list of conditions)
ID13	Appellant's Closing Submissions

Core documents

Agreed by the parties as core documents ahead of the inquiry and included for reference purposes only. Not all were necessarily drawn upon during the inquiry.

CDA	Application Documents
Final Submission Documents	
CDA.01	Air Quality Assessment (17 January 2024)
CDA.02	Application Covering Letter (26 April 2024)
CDA.03	Application Drawing Schedule (04 December 2024)
CDA.04	Arboricultural Impact Assessment (January 2024)
CDA.05	Arboricultural Method Statement (22 January 2024)
CDA.06	Arboricultural Survey (09 October 2021)

CDA.07	Archaeological Assessment (07 February 2024)
CDA.08	Biodiversity Net Gain Assessment (January 2024)
CDA.09	Car Parking Management Plan (16 January 2024)
CDA.10	CIL Additional Information Form (26 April 2024)
CDA.11	Circular Economy Statement (1 August 2024)
CDA.12	Construction Logistics Plan (23 February 2024)
CDA.13	Cultural Strategy (January 2024)
CDA.14	Daylight, Sunlight and Overshadowing Assessment (January 2024)
CDA.15	Delivery and Servicing Management Plan (11 January 2024)
CDA.16	Design and Access Statement (29 April 2022)
CDA.17	Design and Access Statement Addendum (16 February 2024)
CDA.18	Design and Access Statement Addendum (16 August 2024)
CDA.19	Draft Construction Waste Management Plan (January 2024)
CDA.20	Draft Student Management Plan (January 2024)
CDA.21	Drainage Strategy (15 January 2024)
CDA.22	Energy Statement (12 November 2024)
CDA.23	Environmental Noise and Vibration Assessment (29 January 2024)
CDA.24	Fire Statement Form Block A (01 July 2024)
CDA.25	Fire Statement Form Block BC (01 July 2024)
CDA.26	Fire Statement Form Block DEF (01 July 2024)
CDA.27	Fire Statement Form LPG Block A (01 July 2024)
CDA.28	Fire Statement Form LPG Block BC (01 July 2024)
CDA.29	Fire Statement Form LPG Block DEF (01 July 2024)
CDA.30	Flood Risk Assessment (January 2024)
CDA.31	Full Planning Permission Application Form and Ownership Notices (24 April 2022)
CDA.32	Health Impact Assessment (06 August 2024)
CDA.33	Heritage, Townscape and Visual Impact Assessment (January 2024)
CDA.34	Landscape Strategy (11 April 2024)
CDA.35	Operational Waste Management Strategy (23 January 2024)
CDA.36	Overheating Assessment (12 November 2024)
CDA.37	Planning Statement (April 2024)
CDA.38	Pre-Demolition BREEAM Audit Report (17 July 2024)
CDA.39	Preliminary Ecological Appraisal (January 2024)

CDA.40	Preliminary Ground Investigation Report (27 March 2023)
CDA.41	Purpose Built Student Accommodation Demand Report (January 2024)
CDA.42	Socio-Economic Statement (24 January 2024)
CDA.43	Statement of Community Involvement (April 2022)
CDA.44	Statement of Community Involvement Addendum (March 2024)
CDA.45	Sustainability Statement, BREEAM and HQM Pre-Assessments (22 January 2024)
CDA.46	Transport Assessment (11 January 2024)
CDA.47	Travel Plan prepared (11 January 2024)
CDA.48	Tree Protection Plan (January 2024)
CDA.49	Utilities Statement (22 March 2023)
CDA.50	Whole Life Cycle Carbon Assessment Affordable Residential (Building 1) (29 March 2023)
CDA.51	Whole Life Cycle Carbon Assessment Student Accommodation (Building 2 & 3) (29 March 2023)
CDA.52	Wind Microclimate Assessment (17 January 2024)
Additional Supporting Submission Information	
CDA.53	Separation Distances Plan (with New Mansion Square)
CDA.54	Student and Residential Development in LBW Part of VNEB OA Review (July 2024)
CDA.55	Supplementary Daylight and Sunlight Letter (Plot 01) (16 August 2024)
CDA.56	Surrounding Building Layout Daylight and Sunlight Window Review Drawings (August 2024)
CDA.57	Wider Connections Diagram (22 October 2024)
Responses to Consultation Comments	
CDA.58	Response to Battersea Society (15 July 2024)
ES Screening	
CDA.59	EIA Screening Report (February 2022)
CDA.60	EIA Screening Opinion (21 March 2022)

CDA	Application Drawings		
	Drawing Number	Drawing Title	Rev
Site Plans			
CDA.61	2278-GHA-ZZ-ZZ-DR-A-05001	Site Location Plan	P02
CDA.62	2278-GHA-ZZ-ZZ-DR-A-05010	Existing Site Plan	P02
CDA.63	2278-GHA-ZZ-ZZ-DR-A-05011	Proposed Site Plan	P02
Sections			
CDA.64	2278-GHA-ZZ-ZZ-DR-A-05025	Site Context Sections - Existing (Sheet 1 of 2)	P02
CDA.65	2278-GHA-ZZ-ZZ-DR-A-05026	Site Context Sections - Existing (Sheet 2 of 2)	P02
CDA.66	2278-GHA-ZZ-ZZ-DR-A-05400	Site Context Sections - Proposed (Sheet 1 of 2)	P02
CDA.67	2278-GHA-ZZ-ZZ-DR-A-05401	Site Context Sections - Proposed (Sheet 2 of 2)	P02
CDA.68	2278-GHA-01-ZZ-DR-A-05560	Plot 01 - Section A-A	P01
CDA.69	2278-GHA-02-ZZ-DR-A-05660	Plot 02 - Section A-A	P01

CDA.70	2278-GHA-03-ZZ-DR-A-05760	Plot 03 -Section A-A & B-B	P01
Proposed Site Wide Floor Plans			
CDA.71	2278-GHA-ZZ-00-DR-A-05100	L00 GA Ground Floor Plan	P03
CDA.72	2278-GHA-ZZ-M1-DR-A-05100M	L00 Mezzanine GA Floor Plan	P02
CDA.73	2278-GHA-ZZ-01-DR-A-05101	L01 GA Floor Plan	P03
CDA.74	2278-GHA-ZZ-02-DR-A-05102	L02-L03 GA Floor Plan	P03
CDA.75	2278-GHA-ZZ-04-DR-A-05104	L04 GA Floor Plan	P02
CDA.76	2278-GHA-ZZ-05-DR-A-05105	L05-L06 GA Floor Plan	P02
CDA.77	2278-GHA-ZZ-07-DR-A-05107	L07 GA Floor Plan	P03
CDA.78	2278-GHA-ZZ-08-DR-A-05108	L08-L10 GA Floor Plan	P03
CDA.79	2278-GHA-ZZ-11-DR-A-05111	L11 GA Floor Plan	P02
CDA.80	2278-GHA-ZZ-12-DR-A-05112	L12 GA Floor Plan	P02
CDA.81	2278-GHA-ZZ-13-DR-A-05113	L13-L16 GA Floor Plan	P03
CDA.82	2278-GHA-ZZ-17-DR-A-05117	L17-L18 GA Floor Plan	P03
CDA.83	2278-GHA-ZZ-19-DR-A-05119	L19-L21 GA Floor Plan	P03
CDA.84	2278-GHA-ZZ-RL-DR-A-05122	RL GA Roof Plan	P03
Proposed Plot 01 Floor Plans			
CDA.85	2278-GHA-01-00-DR-A-05500	Plot 01 - L00 Ground Floor Plan	P03
CDA.86	2278-GHA-01-M1-DR-A-05500M	Plot 01 - M1 Mezzanine Floor Plan	P03
CDA.87	2278-GHA-01-01-DR-A-05501	Plot 01 - L01 Floor Plan	P03
CDA.88	2278-GHA-01-02-DR-A-05502	Plot 01 - L02 Floor Plan	P03
CDA.89	2278-GHA-01-03-DR-A-05503	Plot 01 - L03 Floor Plan	P03
CDA.90	2278-GHA-01-04-DR-A-05504	Plot 01 - L04 Floor Plan	P02
CDA.91	2278-GHA-01-05-DR-A-05505	Plot 01 - L05-L10 Floor Plan	P02
CDA.92	2278-GHA-01-11-DR-A-05511	Plot 01 - L11 Floor Plan	P02
CDA.93	2278-GHA-01-RL-DR-A-05512	Plot 01 - RL Roof Plan	P02
Proposed Plot 02 Floor Plans			
CDA.94	2278-GHA-02-00-DR-A-05600	Plot 02 - L00 Ground Floor Plan	P03
CDA.95	2278-GHA-02-01-DR-A-05601	Plot 02 - L01 Floor Plan	P03
CDA.96	2278-GHA-02-02-DR-A-05602	Plot 02 - L02-L03 Floor Plan	P02
CDA.97	2278-GHA-02-04-DR-A-05604	Plot 02 - L04-L06 Floor Plan	P01
CDA.98	2278-GHA-02-07-DR-A-05607	Plot 02 - L07 Floor Plan	P02
CDA.99	2278-GHA-02-08-DR-A-05608	Plot 02 - L08-L13 Floor Plan	P03
CDA.100	2278-GHA-02-14-DR-A-05614	Plot 02 - L14-L15 Floor Plan	P01
CDA.101	2278-GHA-02-16-DR-A-05616	Plot 02 - L16 Floor Plan	P02
CDA.102	2278-GHA-02-RL-DR-A-05617	Plot 02 - RL Roof Plan	P02
Proposed Plot 03 Floor Plans			
CDA.103	2278-GHA-03-00-DR-A-05700	Plot 03 - L00 Ground Floor Plan	P03
CDA.104	2278-GHA-03-01-DR-A-05701	Plot 03 - L01 First Floor Plan	P03
CDA.105	2278-GHA-03-02-DR-A-05702	Plot 03 - L02-L06 Floor Plan	P03
CDA.106	2278-GHA-03-07-DR-A-05707	Plot 03 - L07 Floor Plan	P02
CDA.107	2278-GHA-03-08-DR-A-05708	Plot 03 - L08-L17 Floor Plan	P03
CDA.108	2278-GHA-03-18-DR-A-05718	Plot 03 - L18 Floor Plan	P01
CDA.109	2278-GHA-03-19-DR-A-05719	Plot 03 - L19-L21 Floor Plan	P02
CDA.110	2278-GHA-03-RL-DR-A-05722	Plot 03 - RL Roof Plan	P02
Proposed Elevations			
CDA.111	2278-GHA-01-ZZ-DR-A-05550	Plot 01 - North East & North West Elevations (1 of 2)	P03
CDA.112	2278-GHA-01-ZZ-DR-A-05551	Plot 01 - South East & South West Elevations (2 of 2)	P03
CDA.113	2278-GHA-02-ZZ-DR-A-05650	Plot 02 - North East & North West Elevations (1 of 2)	P02
CDA.114	2278-GHA-02-ZZ-DR-A-05651	Plot 02 - South East & South West Elevations (2 of 2)	P02
CDA.115	2278-GHA-03-ZZ-DR-A-05750	Plot 03 - North East & North West Elevations (1 of 3)	P02

CDA.116	2278-GHA-03-ZZ-DR-A-05751	Plot 03 - South East & South West Elevations (2 of 3)	P02
CDA.117	2278-GHA-03-ZZ-DR-A-05752	Plot 03 - North West & South East Elevations (3 of 3)	P01
Proposed Bay Elevations			
CDA.118	2278-GHA-01-ZZ-DR-A-21100	Plot 01 - Bay Study (1 of 2)	P02
CDA.119	2278-GHA-01-ZZ-DR-A-21101	Plot 01 - Bay Study (2 of 2)	P03
CDA.120	2278-GHA-02-ZZ-DR-A-21105	Plot 02 - Bay Study (1 of 3)	P03
CDA.121	2278-GHA-02-ZZ-DR-A-21106	Plot 02 - Bay Study (2 of 3)	P03
CDA.122	2278-GHA-02-ZZ-DR-A-21107	Plot 02 - Bay Study (3 of 3)	P03
CDA.123	2278-GHA-03-ZZ-DR-A-21110	Plot 03 - Bay Study (1 of 4)	P03
CDA.124	2278-GHA-03-ZZ-DR-A-21111	Plot 03 - Bay Study (2 of 4)	P03
CDA.125	2278-GHA-03-ZZ-DR-A-21112	Plot 03 - Bay Study (3 of 4)	P03
CDA.126	2278-GHA-03-ZZ-DR-A-21113	Plot 03 - Bay Study (4 of 4)	P02
Proposed Apartment Layouts			
CDA.127	2278-GHA-01-XX-DR-A-70550	Plot 01 - Proposed Accessible Apartment Layouts 1B2P	P02
CDA.128	2278-GHA-01-XX-DR-A-70551	Plot 01 - Proposed Accessible Apartment Layouts 2B4P	P02
CDA.129	2278-GHA-01-XX-DR-A-70552	Plot 01 - Proposed Accessible Apartment Layouts 3B5P	P02
Supplementary Daylight and Sunlight Drawings			
CDA.130	P2874/W/01	Windows Location Building A1.2 – Tweed Mansions	15
CDA.131	P2874/W/02	Windows Location Building A1.3 – Foots Row Mansions	15
CDA.132	P2874/W/03	Windows Location Building A1.4 – Billington Mansions	15
CDA.133	P2874/W/04	Windows Location Building A1.5 – Arden Mansions	15
CDA.134	P2874/W/05	Windows Location Building A2 – Matkin Mansions	15
CDA.135	P2874/W/06	Windows Location Building A3 – Simpler Mansions	15
CDA.136	P2874/W/07	Windows Location – 142-192 Thessaly Road	15
CDA.137	P2874/W/08	Windows Location – Viridian Apartments	15
CDA.138	P2874/W/09	Windows Location – Viridian Apartments	15
Proposed Section 38 and Section 247 Highways Plans			
CDA.139	216199/PD04	Section 38 + Section 247 Plan	G
CDA.140	216199/PD05	Section 38 + Section 247 Plan Site Plan Background	G
Proposed Landscaping and Planting Plans			
CDA.141	3082-PLA-XX-XX-DR-L00-0001	General Arrangement Plan	P01
CDA.142	3082-PLA-XX-XX-DR-L00-0002	Ground Floor General Arrangement Plan Sheet 01 of 02	P02
CDA.143	3082-PLA-XX-XX-DR-L00-0003	Ground Floor General Arrangement Plan Sheet 02 of 02	P01
CDA.144	3082-PLA-XX-XX-DR-L00-1001	Ground Floor Hardworks Plan Sheet 01 of 02	P01
CDA.145	3082-PLA-XX-XX-DR-L00-1002	Ground Floor Hardworks Plan Sheet 02 of 02	P01
CDA.146	3082-PLA-XX-XX-DR-L00-2000	Planting Schedules	P01
CDA.147	3082-PLA-XX-XX-DR-L00-2001	Ground Floor Softworks Planting Plan Sheet 01 of 02	P01
CDA.148	3082-PLA-XX-XX-DR-L00-2002	Ground Floor Softworks Planting Plan Sheet 02 of 02	P01
CDA.149	3082-PLA-XX-XX-DR-L00-2003	Ground Floor Tree Planting Plan Sheet 01 of 02	P01
CDA.150	3082-PLA-XX-XX-DR-L00-2004	Ground Floor Tree Planting Plan Sheet 02 of 02	P01
CDA.151	3082-PLA-XX-XX-DR-L00-3000	Ground Floor Furniture Plan Sheet 01 of 02	P02
CDA.152	3082-PLA-XX-XX-DR-L00-3001	Ground Floor Furniture Plan Sheet 02 of 02	P01
CDA.153	3082-PLA-XX-XX-DR-L00-4000	Site Sections Sheet 1 of 3	P01
CDA.154	3082-PLA-XX-XX-DR-L00-4001	Site Sections Sheet 1 of 3	P01
CDA.155	3082-PLA-XX-XX-DR-L00-4002	Site Sections Sheet 1 of 3	P01
CDA.156	3082-PLA-XX-XX-DR-L01-0001	Roof Terrace General Arrangement Plan Level 01	P01
CDA.157	3082-PLA-XX-XX-DR-L07-0001	Roof Terrace General Arrangement Plan Level 07	P01
CDA.158	3082-PLA-XX-XX-DR-ZZ-0001	Roof Terrace General Arrangement Plan Sheet 01 of 02	P01
CDA.159	3082-PLA-XX-XX-DR-ZZ-0002	Roof Terrace General Arrangement Plan Sheet 02 of 02	P01
CDA.160	3082-PLA-XX-XX-DR-ZZ-2001	Roof Terrace General Planting Plan Level 01 + 07	P01

CDA.161	3082-PLA-XX-XX-DR-ZZ-2002	Roof Terrace Tree Planting Plan Level 01 + 07	P01
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CDB	National and Regional Planning Policy and Guidance		
CDB.01	National Planning Policy Framework (December 2024)		
CDB.02	The London Plan (March 2021)		
CDB.03	National Planning Practice Guidance – Paragraph: 007 Reference ID: 66-007-20190722 – What are the wider planning considerations in assessing appropriate levels of sunlight and daylight?		
CDB.04	National Planning Practice Guidance – Paragraph: 004 Reference ID: 67-004-20190722 – How can student housing needs be assessed?		
CDB.05	National Planning Practice Guidance – Paragraph: 025 Reference ID: 68-034-20190722 – How can authorities count student housing in the housing land supply?		
CDB.06	The Mayor’s Purpose-Built Student Accommodation LPG (October 2024)		
CDB.07	The Mayor’s Housing SPG (2016)		
CDB.08	The Mayor’s Accelerating Housing Delivery Practice Note (December 2024)		
CDB.09	Town and Country Planning Act (1990)		
CDB.010	Planning and Compulsory Purchase Act (2004)		
CDB.011	BRE Guide 209 Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (2022)		
CDC	Council and Other Local Planning Policy and Documents		
CDC.01	Wandsworth Local Plan 2023-2038 and Policies Map (July 2023)		
CDC.02	LBW Planning Obligations SPD (October 2020)		
CDC.03	Wandsworth Local Housing Needs Assessment (December 2024)		
CDC.04	Wandsworth Local Housing Needs Assessment (2020)		
CDC.05	Wandsworth Local Plan Partial Review Regulation 19 Consultation Document (January 2025)		
CDC.06	Wandsworth Housing Background Paper (January 2025)		
CDC.07	Wandsworth Local Plan 2023-2038 Site Allocation NE2		
CDD	Greater London Authority Documents		
CDD.01	GLA Stage 1 Report (4 July 2022)		
CDE	Caselaw and Appeal Decisions		
CDE.01	Land at Edgware Road, Church Street, Paddington Green and Newcastle Place (LB of Westminster) - APP/X5990/E/03/1132470 (October 2005)		
CDE.02	The Whitechapel Estate (LB of Tower Hamlets) APP/E5900/W/17/3171437 (February 2018)		
CDE.03	Graphite Square (LB of Lambeth) - APP/N5660/W/18/3211223 (September 2019)		
CDE.04	Avonmouth House (LB of Southwark) - APP/A5840/W/22/3303205 (24 January 2023)		
CDE.05	Mulberry Place Town Hall, (LB of Tower Hamlets) - APP/E5900/W/23/3320336 (1 December 2023)		
CDE.06	17-37 William Road (LB of Camden) - APP/X5210/W/21/3284957 (24 April 2024)		
CDE.07	7-15 Blount Street (LB of Tower Hamlets) - APP/E5900/W/23/3332263 (24 June 2024)		

CDE.08	<i>Mount Cook Land Limited and Mount Eden Land Limited v Westminster City Council</i> [2003] EWCA Civ 1346 (14 October 2003)
CDE.09	<i>MR Dean & Sons (Edgware) Ltd v First Secretary of State</i> [2007] EWCA Civ 1083 (02 November 2007)
CDE.10	<i>Horsham DC v Secretary of State for Communities and Local Government</i> [2015] EWHC 109 (Admin) (23 January 2015)
CDE.11	<i>Rainbird v The Council of the London Borough of Tower Hamlets</i> [2018] EWHC 657 (Admin) (28 March 2018)
CDE.12	<i>Homebase, Syon Lane, Isleworth (LB of Hounslow) - APP/F5540/V/21/3287726 and 3287727</i> (11 December 2023)
CDE.13	<i>Land to the North and South of Goldsworth Road, Woking (Woking Borough Council) – APP/A3655/W/21/3276474</i> (10 January 2022)
CDF	Planning Committee
CDF.01	Wandsworth Officer Report (14 January 2025)
CDF.02	Wandsworth Planning Committee Addendum Report (14 January 2025)
CDF.03	Minutes of the Planning Committee (14 January 2025)
CDF.04	Council's Letter to PINS (29 January 2025)
CDF.05	Transcript of the Planning Committee (14 January 2025)
CDG	Statements of Case
CDG.01	The Appellant's Statement of Case
CDG.02	The Council's Statement of Case
CDH	Statement of Common Ground
CDH.01	The Appellant and Council's Statement of Common Ground
CDH.02	The Appellant and Council's Topic Specific Statement of Common Ground – Living Conditions
CDI	Proofs of Evidence
	The Appellant's Proof of Evidence
CDI.01	Sam Stackhouse – Planning Proof of Evidence
CDI.02	Sam Stackhouse – Summary of Planning Proof of Evidence
CDI.03	Alan McCartney – Design Proof of Evidence
CDI.04	Alan McCartney – Summary of Design Proof of Evidence
CDI.05	David Feeney – Student Need Proof of Evidence
CDI.06	David Feeney – Summary of Student Need Proof of Evidence
CDI.07	Paul Fletcher – Daylight Sunlight Proof of Evidence
CDI.08	Paul Fletcher – Summary of Daylight Sunlight Proof of Evidence
	The Council's Proof of Evidence
CDI.09	Nik Smith – Planning Proof of Evidence (NOT SUBMITTED)

CDI.10	Nik Smith – Summary of Planning Proof of Evidence (NOT SUBMITTED)
CDJ	S106 Agreement
CDJ.01	Section 106 Agreement
CDK	Design Review Panel
CDK.01	Design Review Panel 1 Feedback Letter (04 April 2022)
CDK.02	Design Review Panel 2 Feedback Letter (08 July 2022)
CDK.03	Design Review Panel 3 Feedback Letter (20 February 2023)
CDL	Planning Conditions
CDL.01	List of Planning Conditions
CDM	Other Relevant Documents
CDM.01	Officer's Report in relation to New Mansion Square Scheme (Application Reference 2015/3555)
CDM.02	Officer's Report in relation to the Extant Permission (Application Reference 2015/6813)
CDM.03	Officer's Report in relation to the Royal National Throat, Nose And Ear Hospital Scheme (Application Reference 2020/5593/P)
CDM.04	Officer's Report in relation to Palmerston Court (Application Reference 2020/2837)
CDM.05	Officer's Report in relation to New Covent Garden Market (Application Reference 2014/2810)
CDM.06	Appellant's Wandsworth Local Plan Partial Review Regulation 19 Consultation Written Representations
CDM.07	GLA's Wandsworth Local Plan Partial Review Regulation 19 Consultation Objection Written Representations
CDM.08	New Covent Garden Market Entrance Site Maximum Building Heights Plan (OPA-ES-110_00)
CDM.09	Battersea Power Station Maximum Building Heights Parameter Plan (A01020_16)
CDM.10	Battersea Power Station Maximum Building Heights Parameter Plan (A01020_18)
CDM.11	Daylight and Sunlight Summary Letter (15 December 2022)
CDM.12	New Covent Garden Market (Application Reference 2014/2810) Design and Access Statement Extract
CDM.13	New Covent Garden Market (Application Reference 2014/2810) Daylight and Sunlight Assessment Extract
CDM.14	New Covent Garden Market (Application Reference 2014/2810) Entrance Site Design Guide
CDM.15	New Mansion Square Scheme (Application Reference 2016/3778) Design and Access Statement
CDM.16	Extant Permission (Application Reference 2015/6813) Design and Access Statement
CDM.17	St Georges University of London 2030 Strategic Vision Document
CDM.18	New Covent Garden Market (Application Reference 2014/2810) Environmental Statement Daylight, Sunlight, Overshadowing Light Pollution and Solar Glare Chapter
CDM.19	The Council's Independent Daylight and Sunlight Review by Delva Patman Redler
CDM.20	Officer's_Report_in_relation_to_Battersea_Power_Station_(Application_Reference_2021/0414)

Annex C – Conditions

1. The development hereby permitted shall be begun within 3 years from the date of this permission.
2. The development shall be carried out in accordance with the reports, specifications and drawings detailed:

Documents:

Received 26/05/2022

- Design and Access Statement, prepared by Howells Architects, dated 29 April 2022
- Full Planning Application Form prepared by Montagu Evans, dated 24 April 2022
- Statement of Community Involvement, prepared by Kanda, dated April 2022
- Tree Survey, prepared by Arbtech, dated 9 October 2021

Received 26/04/2024

- A Preliminary Ground Investigation Report For 41-49 Battersea Park Road, Nine Elms (Issue 1.3), prepared by Tier Environmental, dated 27 March 2023
- Air Quality Assessment prepared by Redmore Environmental, dated 17 January 2024
- Application Covering Letter, prepared by Montagu Evans, dated 26 April 2024
- Arboricultural Impact Assessment (Arbtech AIA 03, Rev C), prepared by Arbtech, dated January 2024
- Arboricultural Method Statement, prepared by Arbtech, dated 22 January 2024
- Archaeological Desk Based Assessment (Final), prepared by RPS Group, dated 7 February 2024
- Biodiversity Net Gain Assessment, prepared by Greengage, dated January 2024
- Car Parking Management Plan (Rev 04), prepared by SLR Consulting, dated 16 January 2024
- CIL Additional Information Form, prepared by Montagu Evans, dated 26 April 2024
- Construction Logistics Plan (Rev 04), prepared by SLR Consulting, dated 23 February 2024
- Construction Waste Management Plan (draft), prepared by Watkin Jones Group, dated January 2024
- Cultural Strategy, prepared by Future City, dated January 2024
- Daylight, Sunlight and Overshadowing Assessment prepared by Point 2 Surveyors, dated January 2024
- Delivery and Servicing Management Plan (Rev 04), prepared by SLR Consulting, dated 11 January 2024
- Design and Access Statement Addendum prepared by Glenn Howells Architects, dated 16 February 2024

- Draft Student Management Plan, prepared by Fresh, dated January 2024
- Drainage Strategy (Rev 007), prepared by Apex Consulting Engineers, dated 15 January 2024
- Environmental Noise & Vibration Assessment, prepared by PDA Acoustic Consultants, dated 29 January 2024
- Flood Risk Assessment prepared (Rev 003), by Apex Consulting Engineers, dated January 2024
- Heritage, Townscape and Visual Impact Assessment Part 1-3, prepared by Montagu Evans, dated January 2024
- Landscape Strategy Part 1-8, prepared by Planit I.E., dated 11 April 2024
- Operational Waste Management Strategy (Version C03), prepared by Equilibria Group, dated 23 January 2024
- Preliminary Ecological Appraisal, prepared by Greengage, dated January 2024
- Purpose-built Student Accommodation Demand Report, prepared by Cushman & Wakefield, dated January 2024
- Socio-Economic Statement, prepared by Montagu Evans, dated 24 January 2024
- Statement of Community Involvement Addendum, prepared by Kanda, dated March 2024
- Sustainability Statement, BREEAM and HQM Pre-Assessments (S2F), prepared by Atelier Ten, dated 22 January 2024
- Transport Assessment (Rev 05), prepared by SLR Consulting, dated 11 January 2024
- Travel Plan (Rev 05), prepared by SLR Consulting, dated 11 January 2024
- Tree Protection Plan (Arbtech TPP 03, Rev C), prepared by Arbtech, dated January 2024
- Utilities Statement (Rev S2D), prepared by Atelier Ten, dated 22 March 2023
- Whole Life Cycle Carbon Assessment and Reporting: Affordable Residential (Block 1) (Rev v1.01), prepared by ADW Developments, dated 29 March 2023
- Whole Life Cycle Carbon Assessment and Reporting: Student Accommodation (Block 2-3) (Rev v.1.01), prepared by ADW Developments, dated 29 March 2023
- Wind Microclimate Assessment prepared by GIA Chartered Surveyors, dated 17 January 2024

Received 10/05/2024

- Planning Statement prepared by Montagu Evans, dated April 2024

Received 02/07/2024

- Fire Statement Form Block A, prepared by Atelier Ten, dated 1 July 2024
- Fire Statement Form Block BC, prepared by Atelier Ten, dated 1 July 2024
- Fire Statement Form Block DEF, prepared by Atelier Ten, dated 1 July 2024
- Fire Statement Form LPG Block A, prepared by Atelier Ten, dated 1 July 2024
- Fire Statement Form LPG Block BC, prepared by Atelier Ten, dated 1 July 2024

- Fire Statement Form LPG Block DEF, prepared by Atelier Ten, dated 1 July 2024

Received 17/07/2024

- Pre-Demolition BREEAM Audit Report prepared by ADW Developments, dated 17 July 2024

Received 07/08/2024

- Health Impact Assessment, prepared by Montagu Evans, dated 6 August 2024

Received 09/08/2024

- Circular Economy Statement, prepared by ADW Developments, dated 1 August 2024;
- Windows Location Building A1.2 – Tweed Mansions (P2874/W/01 Rev. 15);
- Windows Location Building A1.3 – Foots Row Mansions (P2874/W/02 Rev. 15);
- Windows Location Building A1.4 – Billington Mansions (P2874/W/03 Rev. 15);
- Windows Location Building A1.5 – Arden Mansions (P2874/W/04 Rev. 15);
- Windows Location Building A2 – Matkin Mansions (P2874/W/05 Rev. 15);
- Windows Location Building A3 – Simpler Mansions (P2874/W/06 Rev. 15);
- Windows Location – 142-192 Thessaly Road (P2874/W/07 Rev. 15);
- Windows Location – Viridian Apartments, 75 Battersea Park Road (P2874/W/08 Rev. 15); and
- Windows Location – Viridian Apartments, 75 Battersea Park Road (P2874/W/09 Rev. 15).

Received 18/11/24

- Design and Access Statement Addendum prepared by Glen Howells Architects, dated 16 August 2024
- Energy Statement, prepared by Atelier Ten, dated 12 November 2024
- Overheating Assessment, prepared by Atelier Ten, dated 12 November 2024
 - Drawings:
- Existing Site Plan (2278-GHA-ZZ-ZZ-DR-A-05010_P02)
- General Arrangement Plan (3082-PLA-XX-XX-DR-L00-0001_P01)
- Ground Floor Furniture Plan (Sheet 01 of 02) (3082-PLA-XX-XX-DR-L00-3000_S1_P02)
- Ground Floor Furniture Plan (Sheet 02 of 02) (3082-PLA-XX-XX-DR-L00-3001_P01)
- Ground Floor General Arrangement Plan (Sheet 01 of 02) (3082-PLA-XX-XX-DR-L00-0002_P02)
- Ground Floor General Arrangement Plan Sheet 02 of 02 (3082-PLA-XX-XX-DR-L00-0003_P01)
- Ground Floor Hardworks Plan Sheet 01 of 02 (3082-PLA-XX-XX-DR-L00-1001_P01)

- Ground Floor Hardworks Plan Sheet 02 of 02 (3082-PLA-XX-XX-DR-L00-1002_P01)
- Ground Floor Softworks Planting Plan Sheet 01 of 02 (3082-PLA-XX-XX-DR-L00-2001_P01)
- Ground Floor Softworks Planting Plan Sheet 02 of 02 (3082-PLA-XX-XX-DR-L00-2002_P01)
- Ground Floor Tree Planting Plan Sheet 01 of 02 (3082-PLA-XX-XX-DR-L00-2003_P01)
- Ground Floor Tree Planting Plan Sheet 02 of 02 (3082-PLA-XX-XX-DR-L00-2004_P01)
- L00 GA Ground Floor Plan (2278-GHA-ZZ-00-DR-A-05100_P03)
- L00 Mezzanine GA Floor Plan (2278-GHA-ZZ-M1-DR-A-05100M_P02)
- L01 GA Floor Plan (2278-GHA-ZZ-01-DR-A-05101_P03)
- L02-L03 GA Floor Plan (2278-GHA-ZZ-02-DR-A-05102_P03)
- L04 GA Floor Plan (2278-GHA-ZZ-04-DR-A-05104_P02)
- L05-L06 GA Floor Plan (2278-GHA-ZZ-05-DR-A-05105_P02)
- L07 GA Floor Plan (2278-GHA-ZZ-07-DR-A-05107_P03)
- L08-L10 GA Floor Plan (2278-GHA-ZZ-08-DR-A-05108_P03)
- L11 GA Floor Plan (2278-GHA-ZZ-11-DR-A-05111_P02)
- L12 GA Floor Plan (2278-GHA-ZZ-12-DR-A-05112_P02)
- L13-L16 GA Floor Plan (2278-GHA-ZZ-13-DR-A-05113_P03)
- L17-L18 GA Floor Plan (2278-GHA-ZZ-17-DR-A-05117_P03)
- L19-L21 GA Floor Plan (2278-GHA-ZZ-19-DR-A-05119_P03)
- Planting Schedules (3082-PLA-XX-XX-DR-L00-2000_P01)
- Plot 01 - L00 Ground Floor Plan (2278-GHA-01-00-DR-A-05500_P03)
- Plot 01 - Section A-A (2278-GHA-01-ZZ-DR-A-05560_P01)
- Plot 01 -Bay Study (Sheet 2 of 2) (2278-GHA-01-ZZ-DR-A-21101_P03)
- Plot 01 -L01 Floor Plan (2278-GHA-01-01-DR-A-05501_P03)
- Plot 01 -L02 Floor Plan (2278-GHA-01-02-DR-A-05502_P03)
- Plot 01 -L03 Floor Plan (2278-GHA-01-03-DR-A-05503_P03)
- Plot 01 -L04 Floor Plan (2278-GHA-01-04-DR-A-05504_P02)
- Plot 01 -L05-L10 Floor Plan (2278-GHA-01-05-DR-A-05505_P02)
- Plot 01 -L11 Floor Plan (2278-GHA-01-11-DR-A-05511_P02)
- Plot 01 -M1 Mezzanine Floor Plan (2278-GHA-01-M1-DR-A-05500M_P03)
- Plot 01 North East & North West Elevations (Sheet 1 of 2) (2278-GHA-01-ZZ-DR-A-05550_P03)
- Plot 01 -Proposed Accessible Apartment Layouts -1B2P (2278-GHA-01-XX-DR-A-70550_P02)
- Plot 01 -Proposed Accessible Apartment Layouts -2B4P (2278-GHA-01-XX-DR-A-70551_P02)
- Plot 01 -Proposed Accessible Apartment Layouts -3B5P (2278-GHA-01-XX-DR-A-70552_P02)
- Plot 01 -RL Roof Plan (2278-GHA-01-15-DR-A-05512_P02)
- Plot 01 -South East & South West Elevations (Sheet 2 of 2) (2278-GHA-01-ZZ-DR-A-05551_P03)
- Plot 02 - Bay study (sheet 1 of 3) (2278-GHA-02-ZZ-DR-A-21105_P03)
- Plot 02 - Bay study (sheet 2 of 3) (2278-GHA-02-ZZ-DR-A-21106_P03)
- Plot 02 - Bay study (sheet 3 of 3) (2278-GHA-02-ZZ-DR-A-21107_P03)
- Plot 02 - L00 Ground Flood Plan (2278-GHA-02-00-DR-A-05600_P03)
- Plot 02 - L07 Floor Plan (2278-GHA-02-07-DR-A-05607_P02)
- Plot 02 - L16 Floor Plan (2278-GHA-02-16-DR-A-05616_P02)

- Plot 02 - North East & North West Elevations (Sheet 1 of 2) (2278-GHA-02-ZZ-DR-A-05650_P02)
- Plot 02 - Section A-A (2278-GHA-02-ZZ-DR-A-05660_P01)
- Plot 02 - South East & South West Elevations (Sheet 2 of 2) (2278-GHA-02-ZZ-DR-A-05651_P02)
- Plot 02 -L01 Floor Plan (2278-GHA-02-01-DR-A-05601_P03)
- Plot 02 -L02-L03 Floor Plan (2278-GHA-02-02-DR-A-05602_P02)
- Plot 02 -L04-L06 Floor Plan (2278-GHA-02-04-DR-A-05604_P01)
- Plot 02 -L08-L13 Floor Plan (2278-GHA-02-08-DR-A-05608_P03)
- Plot 02 -L14-L15 Floor Plan (2278-GHA-02-14-DR-A-05614_P01)
- Plot 03 - Bay study (sheet 1 of 4) (2278-GHA-03-ZZ-DR-A-21110_P03)
- Plot 03 - Bay study (sheet 2 of 4) (2278-GHA-03-ZZ-DR-A-2111_P03)
- Plot 03 - Bay study (sheet 3 of 4) (2278-GHA-03-ZZ-DR-A-21112_P03)
- Plot03 - Bay study (sheet 4 of 4) (2278-GHA-03-ZZ-DR-A-21113_P02)
- Plot 03 - L00 Ground Flood Plan (2278-GHA-03-00-DR-A-05700_P03)
- Plot 03 - L07 Floor Plan (2278-GHA-03-07-DR-A-05707_P02)
- Plot 03 - L19-L21 Floor Plan (2278-GHA-03-19-DR-A-05719_P02)
- Plot 03 – North East & North West Elevations (Sheet 1 of 3) (2278-GHA-03-ZZ-DR-A-05750_P02)
- Plot 03 – North West & South East Internal Elevations (Sheet 3 of 3) (2278-GHA-03-ZZ-DR-A-05752_P01)
- Plot 03 - RL Floor Plan (2278-GHA-03-22-DR-A-05722_P02)
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- Plot 03 -L01 Floor Plan (2278-GHA-03-01-DR-A-05701_P03)
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- Roof Terrace General Arrangement Plan Sheet 01 of 02 (3082-PLA-XX-XX-DR-ZZ-0001_P01)
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- Section 38 + Section 247 plan (216199/PD04 Rev G)
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- Site Context Sections - Existing (Sheet 1 of 2) (2278-GHA-ZZ-ZZ-DR-A-05025_P02)
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- Site Context Sections - Proposed (Sheet 2 of 2) (2278-GHA-ZZ-ZZ-DR-A-05401_P02)
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 - Site Sections Sheet 2 of 3 (5892114-08. 3082-PLA-XX-XX-DR-L00-4001_P01)
 - Site Sections Sheet 3 of 3 (5892116-08. 3082-PLA-XX-XX-DR-L00-4002_P01)
3. Prior to commencement of development, a plan showing the full demolition and construction phasing for the development must be submitted and approved in writing by the Local Planning Authority. The development must be carried out in accordance with the approved phasing plans unless otherwise approved in writing by the Local Planning Authority
4. No development shall take place until a strategy to deal with the potential risks associated with any contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following:
- a) A site investigation scheme, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - b) The results of the site investigation and the detailed risk assessment referred to in (a) and, based on these, an options appraisal and a remediation strategy giving full details of the remediation measures required and how they are to be undertaken and detailing a remediation method statement demonstrating how the site will be made suitable for its intended use by removing unacceptable risks to sensitive receptors.

Prior to the occupation of each phase of the development, the remediation shall be completed and within 3 months of occupation of each phase, a verification report demonstrating the completion of the works set out in the approved remediation statement 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 completed to demonstrate that the site remediation criteria for the approved uses have been met.

5. The development hereby approved shall contain 762 student bedspaces (Sui Generis), 55 residential units (Use Class C3), and 495 sqm (GIA) flexible Commercial, Business and Service (Use Class E) and/or Local Community and Learning (Class F) floorspace, as detailed in the drawings hereby approved.
6. The development hereby approved shall comprise the construction of three buildings ranging from 12 to 22 storeys in height, as detailed in the drawings hereby approved.

7. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted and obtained written approval from the local planning authority for a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the local planning authority.
8. No piling shall take place until:
 - a) A piling risk assessment demonstrating that any piling or other foundation designs would not result in an unacceptable risk to groundwater has been submitted to and approved in writing by the local planning authority in consultation with the Environment Agency; and
 - b) 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 or foundation designs proposed as part of the development must be implemented in accordance with the terms of the approved piling risk assessment and the approved piling method statement.

9. Prior to the commencement of development on each phase (excluding demolition and site clearance), details of the sustainable drainage features, including blue roofs, rain garden and other attenuation features, shall be submitted to and approved in writing by the local planning authority. The submitted details shall:
 - a) provide information about the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - b) include a timetable for its implementation; and
 - c) provide a management and maintenance plan for the lifetime of the development including any other arrangements to secure the operation of the scheme throughout the lifetime of the development.

The sustainable drainage features shall be implemented in accordance with the approved details and thereafter be maintained for the lifetime of the development, unless otherwise agreed in writing by the local planning authority.

10. The development hereby approved shall be built in accordance with the substituted Flood Risk Assessment dated January 2024 (including the implementation of the mitigation measures) and the Substituted Drainage Strategy dated January 2024 both produced by Apex Consulting Engineers and approved by the local planning authority. The mitigation measures shall be fully implemented prior to occupation of each building and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may be agreed, in writing, by the Local Planning Authority.

11. Prior to the occupation of each phase of the development, a detailed Flood Warning and Evacuation Plan (FWEP) shall be submitted to and approved in writing by the local planning authority. The FWEP shall:
- a) State how occupants will be made aware that they can sign up to the Environment Agency Flood Warning services. This should ensure a commitment and methodology so that the occupiers of the buildings sign up and respond to Environment Agency flood warnings, including details of Flood Alert/Warning levels, flood alert notices and a site-specific escalation plan;
 - b) Provide a detailed evacuation procedure (including post-evacuation actions) and relevant maps to highlight evacuation routes shall be provided. Details of temporary refuge sites should be included and also displayed on a map. Details of how occupiers will be made aware of the plan will also need to be included;
 - c) Provide details of how occupiers should respond in the event that they receive a flood warning, or become aware of a flood;
 - d) Provide details of the measures that will be implemented to provide appropriate refuge, as well as safe and efficient evacuation for occupiers in a flood event;
 - e) Include key contact details for emergency services and other relevant organisations who may be involved in the emergency management of the site if a flooding event were to occur;
 - f) Include a commitment from the owner to ensure that the plan is reviewed every year and kept up to date.

The approved FWEP shall be implemented prior to the first occupation of the buildings hereby approved and shall be carried out in accordance with the approved details and remain in place for the lifetime of the development.

12. Prior to the occupation of the development, details shall be submitted and confirmed in writing by the local planning authority in consultation with Thames Water that either:
- a) all water network upgrades (in respect of potable water networks) required to accommodate the additional demand to serve the development have been completed; or
 - b) a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied.

Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

13. The development hereby approved shall not be occupied beyond a peak discharge of 6.8 l/s until confirmation has been provided to the Local Planning Authority that either:
- a) Sufficient capacity exists in the wastewater network to accommodate the additional flows from that phase of the development; or
 - b) All combined wastewater network upgrades required to accommodate the additional flows from the development have been completed; or

- c) A development and infrastructure phasing plan has been agreed with the Local Planning Authority to enable the proposed development to be occupied on a phased basis.

Where a development and infrastructure phasing plan is agreed, no occupation of the dwellings shall commence other than in accordance with the agreed development and infrastructure phasing plan.

- 14. No construction (excluding demolition and site clearance) shall take place within 5m of the water main. If it does, information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.
- 15. No development (excluding demolition and site clearance) shall take place until a Source Protection Strategy detailing, how the developer intends to ensure the water abstraction source (which is located within a Source Protection Zone which is used for potable water sources for public water supply) is not detrimentally affected by the proposed development both during and after its construction has been submitted to and approved by the local planning authority in consultation with the water undertaker. The development shall be constructed in line with the recommendations of the strategy.
- 16. No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works. If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:
 - a) The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
 - b) Where appropriate, details of a programme for delivering related positive public benefits
 - c) The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

The works shall be carried out in accordance with the details agreed.

17. No development shall take place until (except for demolition and site clearance), detailed plans demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure within the development has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved plans and maintained as such in perpetuity.
18. One month prior to the commencement of each phase, details of PM10 continuous monitoring shall be submitted for approval. Parameters to be monitored, duration, locations and monitoring techniques must be approved in writing by Wandsworth Council prior to commencement of monitoring.
19. Full details of existing and proposed site levels shall be submitted to and approved by the Local Planning Authority before the development hereby approved is commenced (excluding demolition and site clearance). The development shall thereafter be carried out in accordance with the approved details.
20. Prior to the commencement of any development, including demolition, a detailed Demolition and Construction Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the Local Planning Authority. The DCEMP shall be written in accordance with the Control of Dust and Emissions during Construction and Demolition SPG 2014 and shall identify the steps and procedures that will be implemented to minimise the creation and impact of noise, vibration, dust and other air emissions resulting from the site preparation, demolition, and groundwork and construction phases of the development. It shall include a Dust Management Plan (DMP), based on an Air Quality and Dust Risk Assessment and a Construction Logistics Plan (CLP), shall be submitted to and approved, in writing, by the local planning authority. The DMP and the CLP will need to detail the measures to reduce the impacts during the construction phase and include the following:
 - a) A description of the types of vehicle to be used;
 - b) An estimate of how many vehicle trips the construction will generate per working day
 - c) Time of vehicle arrival and departure
 - d) Details of traffic management proposals to keep all road users safe throughout the construction period
 - e) Construction traffic routing through the area and the development site and an enforcement system for breach of its provisions
 - f) Vehicle tracking which show how the largest vehicle needing access during demolition and construction can gain safe access and egress from the site without having an impact on other road users or access to adjoining premises
 - g) Details of wheel washing facilities to be provided
 - h) Confirmation that employees will be able to travel to the site by sustainable modes
 - i) Piling or other penetrative methods of foundation design in relation to risks to underlying groundwater
 - j) Measures to monitor, control and mitigate dust and air quality impacts
 - k) Measure to protect controlled waters
 - l) Measures to deal with unexpected contamination on site

- m) Details of security of the construction site in relation to adjacent sites
- n) A construction waste and material management, transportation and disposal strategy
- o) The construction delivery booking and construction vehicle holding arrangements
- p) The construction phasing and agreed routes and timings
- q) A travel plan for staff/personnel involved in construction
- r) Details of crane lighting and, if the crane is 100m or higher, the location, height and start and completion dates.

The development shall not be implemented other than in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

21. Prior to the commencement of development, a Construction Environment Management Biodiversity Plan shall be submitted to and be approved in writing by the local planning authority. The CEMBP shall include measures to mitigate the construction effects as part of a coordinated and collaborative approach with surrounding developments and shall include, but not be limited to, the following details:
- a) If any works are to take place during the nesting season (February-September of each year) a named CIEEM accredited ecologist with experience of working in London, must check for evidence of nesting birds on site (including all buildings, construction materials trees and other vegetation) at least 48 hours prior to the commencement of works in each given year. In the event that a nest is found, an appropriate exclusion zone (generally 5m at ground level or 10m if the nest is in a tree; although this distance will depend on the species present and the Ecologist's professional judgement) should be implemented around it until the young have fully fledged (Wildlife and Countryside Act 1981 (as amended)). The law protects all wild bird species, their eggs and nests.
 - b) Details of measures to be taken to ensure that retained and adjacent habitats, will not be used for storage or impacted negatively by the works (including, but not limited to vehicle movement, lighting, dust, litter, noise etc.);
 - c) A construction lighting plan outlining how lighting will be prevented from negatively impacting any protected and priority species during construction, in particular commuting bats, as well as the nearby railway lines. This construction lighting plan should follow best practice industry guidance outlined in the Bat Conservation Trust (BCT) and Institute of Lighting Professionals (ILP) Guidance Note (2018).
 - d) Details of measures to prevent mammal, amphibian or reptile entrapment or harm on site, including in excavations and construction and waste materials left on site
 - e) An Invasive Non-Native Species (INNS) plan detailing the measures to be taken to manage any INNS discovered onsite (including species on the London Invasive Species Initiative (LISI) list), including but not limited to buddleia (*Buddleja davidii*), in line with best practice for London, including details of the appropriate waste disposal for arising materials and measures to prevent recurrence.

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

22. Notwithstanding the details shown on the approved drawings and documents, prior to commencement of above ground works of each phase, a hard and soft landscaping scheme, to include landscaping and treatment of parts of the site not covered by buildings (including external roof terraces) shall be submitted to and approved in writing by the local planning authority. These details shall include:

- a) Vehicle and pedestrian access and circulation areas;
- b) Hard surfacing materials;
- c) Soft landscaping including the species and height of tree planting and root volumes, shrubs, hedges, and any species included as part of the biodiverse roofs and rain gardens, with priority given to native and wildlife friendly species, including night scented species;
- d) A detailed specification (with annotated dimensions) of play equipment and associated safety features;
- e) Measures designed to prevent vehicles cutting through the pedestrian spaces;
- f) Minor artefacts and structures including furniture, equipment, refuse and other storage units, wayfinding, signage and ecology sensitive lighting in accordance with the Bat Conservation Trust and ILP 2023 Guidance).
- g) Boundary treatments including gates and bollards controlling vehicular access, and
- h) Existing/proposed functional services above and below ground (e.g. drainage power; communications cables, pipelines, indicating lines, manholes, supports).

The landscaping scheme shall be carried out in accordance with the approved details and completed prior to the occupation of the development, or in accordance with any other scheme agreed in writing by the Local Planning Authority.

All planting must be completed within the next planting season after first occupation. Any trees or shrubs planted (including any such replacements) which die within five years from the date of planting shall be replaced in the next planting season with others of similar size, species and maturity unless otherwise agreed in writing by the Local Planning Authority.

23. No development shall take place within each phase until the tree protection measures as detailed in the Arboricultural Method Statement produced by Arbtech dated 22 January 2024 have been installed and these shall be retained as approved throughout the duration of works required to implement the approved development. The applicant shall arrange a pre-commencement meeting with the Local Planning Authority and the applicant's project arboriculturist to allow inspection of the protection measures once in situ. All arboricultural protection information and plans submitted as part of the application and listed in the approved drawings condition, shall be implemented and adhered to at all times during the construction process unless otherwise agreed in writing with the Local Planning Authority.

24. Notwithstanding the details shown on the approved drawings and documents, prior to any above ground works, a Landscape and Ecological Enhancement Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of all measures to provide biodiversity gain onsite and offsite, including (but not limited to):

- a) Details of native and wildlife friendly planting, including mixed native species hedging and border and night scented species. The species list should indicate which species are native the wildlife value;
- b) Details of all biodiverse roofs (including any Biosolar roofs) including details of extensive substrate base, features to be included within the substrate (including logs, rope coils, sand, gravel) and details of any seeding/plug plant choice with an emphasis on wildlife friendly planting (in accordance with The Gro Green Roof Code 2021);
- c) Orientation, target species and location for at least twelve integrated swift bricks/boxes and at least six bat boxes to be integrated with the new buildings;
- d) A bat sensitive post-construction lighting plan, including lux spill diagrams, to ensure that any lighting will be of a specification that minimises its impacts on bats, onsite habitats and the adjacent Wimbledon Common and Putney Heath SINC in accordance with the BCT and ILP 2023 Guidance Note (including having a colour temperature of <2700k and no uplighters).
- e) Details on the management to be implemented post-construction shall also be submitted, which shall include management responsibilities and maintenance schedules for all hard and soft landscaped areas as well as the above-mentioned measures to provide biodiversity gain.

The Ecological Enhancement Management Plan shall also include a management plan to be implemented, which shall include long-term design objectives; management responsibilities and maintenance schedules for all hard and soft landscaped areas as well as the above-mentioned measures to provide biodiversity gain. The approved details shall be implemented prior to the first occupation of the development and maintained thereafter.

25. Notwithstanding the details shown on the approved plans and set out in the supporting information, details of all Biodiversity Net Gain shall be submitted to and approved in writing by the local planning authority prior to above ground works. Details shall include:

- a) Completed Biodiversity Net Gain Plan
- b) Completed statutory metric with the Pre-development and post-development habitat values.

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

26. Prior to the commencement of the above ground works, details of the illumination of the building, including the lighting levels and times of illumination and position and design of methods of illumination, shall be submitted to and approved in writing by the local planning authority. This shall include details of the any lighting being proposed in relation to existing biodiversity features and proposed biodiversity enhancements, including (but not limited to):
- a) Locations of external lighting fixtures;
 - b) details of the design and type of lighting to be used including the power source, the position of luminaries and any dim-down and turn-off times;
 - c) colour coded lux levels plan (showing lux levels in relation to the biodiversity enhancements and the adjacent railway, railway arches and any green roofs); and
 - d) details of how light spill will be prevented from falling onto any biodiversity enhancements such as planting, biodiverse roofs and bat and bird boxes/bricks. (This should include light spill from windows). Along with biodiversity enhancements onsite, light spill on the adjacent railway line and railway arches also needs to be avoided.

This lighting plan must follow best practice industry guidance produced by the Bat Conservation Trust and Institute of Lighting Professionals ('Bats and artificial lighting in the UK (Guidance note 08/18)' (2018) and 'Landscape and Urban Design for bats and biodiversity.' (2012)) See also Annex 3 of the Ecological Appraisal Report (page 30) for further guidance. Light levels around any biodiversity features must be less than 1 lux. The lighting plan shall also demonstrate compliance with the Institute of Lighting Professionals Guidance Note 01/20 'Guidance notes for the reduction of obtrusive light'. The development shall be carried out in accordance with the approved details and retained/managed thereafter.

27. The development hereby approved shall be built out in accordance with the approved Fire Safety Statement dated 1 July 2024 and produced by Scott Hall and approved by the local planning authority.
28. Prior to occupation of each phase, a Fire Safety and Evacuation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall only be carried out in accordance with these approved details.
29. The development hereby permitted shall achieve a minimum silver award of the Secure by Design for Homes (March 2019) and Commercial (2015 Guide Version 2) or any equivalent document superseding the guidance. A certificated Post Construction Review, or other verification process agreed with the Local Planning Authority, shall be provided upon completion, confirming that the agreed standards have been met, unless otherwise agreed in writing by the local planning authority.

30. Prior to the occupation of each phase, a Security Surveillance Equipment Strategy shall be submitted to and approved in writing by the local planning authority. The Strategy shall provide details of any dim-down and turn-off times); and the security surveillance equipment to be installed on the buildings and within all external areas at all levels of the building.

The development shall not be carried out other than in accordance with the approved Security Surveillance Equipment Strategy and the security surveillance equipment shall remain in situ thereafter.

31. Notwithstanding any material specified in the application documents hereby approved, prior to the commencement of above ground works of each phase, details and samples of materials (to include on-site 'mock-up panels' minimum size 2m x 2m) proposed to be used on all external surfaces of each building and the associated hard surfacing materials shall be submitted to and approved in writing by the Local Planning Authority. This shall include detailed drawings of key areas (including, but not limited to, entrances, typical window detail, bay studies and key interfaces at a scale of at least 1:20). The development shall be carried out in accordance with these approved details and be retained thereafter unless otherwise approved by the local planning authority.

32. Notwithstanding the details shown on the approved plans and set out in the supporting information, prior to the commencement of any above ground works (except for demolition works and site clearance) of each phase, detailed cross sectional drawings at a scale of 1:5 together with 1:50 scale contextual drawings of each building shall be submitted to and approved by the local planning authority of the following elements:

- a) Facades (reveals etc.) including:
- b) All façade treatments;
- c) Junctions of exposed structural elements (columns, beams and floors);
- d) Head, cills and jambs of openings;
- e) Parapets and roof edges;
- f) Rooftop balustrades;
- g) Entrances (including any access sashes, security gates, entrance portals and awnings);
- h) Typical windows;
- i) Plant screening/ enclosure; and
- j) Shopfront of the retail/service and the student accommodation foyer; and

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

33. Details of proposed boundary treatment(s) including bollards controlling vehicular access shall be submitted to and approved by the Local Planning Authority prior to their installation on site. Such details to include the siting, height, appearance and material(s). The boundary treatment(s) shall be installed in accordance with the approved details prior to the occupation of each phase of the development and retained as such.

34. Prior to commencement of above ground works of each phase, details of any large transparent windows, glazed balustrades or parapets to be made bird friendly to reduce the chances of collisions through the use of products such as bird-friendly fritted glass, patterned glass, parachute chords, netting, etc. shall be submitted to and approved in writing by the local planning authority.

The development shall then be implemented, retained and maintained in accordance with these details unless otherwise approved in writing by the local planning authority.

35. Prior to the first occupation of any part of the development hereby approved, details of the proposed wind mitigation screens to be installed on the level 7 terraces for buildings 1 and 2 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. All of the measures integrated shall be retained thereafter, unless otherwise agreed in writing by the local planning authority.

36. The development shall be built in accordance with the approved Energy Statement dated July 2024 dated produced by Atelier Ten and the Sustainability Statement and BREEAM & HQM Pre-assessments dated January 2024 produced by Atelier Ten. Prior to occupation of each phase of the development, further details shall be submitted to and approved by the local planning authority to demonstrate how the 'Be seen' policy requirements will be met by the development and to include provisions to monitor, verify and report on the energy performance of the development. Evidence (e.g. photographs, copies of installation contracts and as-built worksheets prepared under SAP or the National Calculation Method) shall be submitted to and approved in writing by the local planning authority to demonstrate that the development has been carried out in accordance with the approved Energy and Sustainability Statement.

The installed measures shall be retained in accordance with the approved details unless otherwise agreed by the local planning authority.

37. Within 3 months of occupation, a post-construction circular economy monitoring report shall be completed in line with the GLA's Circular Economy Statement Guidance and shall be submitted to, and approved in writing by, the local planning authority (in consultation with the GLA).
38. Within three months of occupation, a post-construction whole life-cycle carbon monitoring report shall be submitted to, and approved in writing by, the local planning authority (in consultation with the GLA). The development shall then be maintained in accordance with these approved details.
39. Notwithstanding the details set out in the Energy Statement, prior to occupation of each relevant building, details of the location, layout and specification of the photovoltaic panels to be installed on the roof of the building shall be submitted to and approved in writing by the local planning authority. The approved details shall then be installed prior to the occupation of the development.

40. To achieve appropriate sustainability standards, unless otherwise agreed in writing by the local planning authority:
- a) Within 9 months of commencement of the development, a BREEAM Interim (Design Stage) Certificate, issued by the Building Research Establishment (BRE) or an equivalent accredited body, shall be submitted to and approved in writing by the local planning authority demonstrating that an 'Outstanding' rating will be achieved for the PBSA development, unless otherwise agreed in writing by the Local Planning Authority.
 - b) Within 9 months of first occupation of the development, a BREEAM Final (Post Construction) Certificate, issued by the BRE or an equivalent accredited body, shall be submitted to and approved in writing by the local planning authority demonstrating that an 'Outstanding' rating has been achieved for the development, unless otherwise agreed in writing by the Local Planning Authority.

All of the measures integrated shall be retained for as long as the development is in existence, unless otherwise agreed in writing by the local planning authority.

41. Within 6 months of first occupation of any commercial space within each building, a refurbishment and fit-out certificate demonstrating that an 'Excellent' BREEAM Level has been achieved for all of the commercial uses or if it can be demonstrated that 'Excellent' rating is not technically feasible then a minimum 'Very Good' rating has been achieved through the Building Regulations or other legislation, shall be submitted to and approved in writing by the Local Planning Authority. All of the BREEAM measures introduced in the development shall be retained in the development thereafter.
42. Prior to first occupation of each phase, details/layout of the waste and recycling storage provision and collection arrangements for the student accommodation shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with these approved details and the waste and recycling storage shall be retained for waste and recycling facilities throughout the lifetime of the development.
43. Notwithstanding the details shown in the draft Car Parking Management Plan, prior to the occupation of each building, a Final Car Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Car Parking Management Plan shall include the following:
- a) Details of the car park layout;
 - b) Details of the proposed allocation of and arrangements for the management of parking spaces including disabled parking bays;
 - c) The provision of a cargo bike bay;
 - d) Details of the Management of controlled entry; and
 - e) (Details of the safety and security measures to be incorporated within the development to ensure the safety of the car parking areas.

The car parking shall be provided, retained and managed in accordance with the approved Final Car Parking Management Plan thereafter, unless otherwise agreed in writing by the Local Planning Authority.

44. Notwithstanding the details shown on the approved plans, details of the long and short stay cycle parking spaces shall be submitted to and approved in writing by the local planning authority prior to occupation of each phase of the development. At least 5% of the cycle parking spaces should be larger spaces able to accommodate larger and adapted cycles. All cycle parking should be designed in accordance with the guidance in Chapter 8 of the London Cycling Design Standards. The details hereby approved shall be provided prior to first occupation of the development and retained thereafter for use at all times and shall not be obstructed.
45. Notwithstanding the details in the substituted Travel Plan dated 11 January 2024 produced by SLR, detailed Travel Plans for the residential, commercial and student accommodation shall be submitted to and approved by the Council prior to the occupation each use within of the development. The Travel Plans should include targets for a reduction in car mode share and an increase in sustainable transport modes within the first 5 years and measures to achieve this and should be implemented in accordance with the approved documents which will include arrangements for monitoring and review. This shall demonstrate how employee trips can be made by sustainable modes of transport from year one of the operation of the travel plan. The transport modes shall include details of nearby river bus services and related walking routes.
46. The development shall not be occupied until the proposed public realm works, inset loading bay on the western side of the New Covent Garden Market Access Road, as shown indicatively on Plan No. 3082-PLA-XX-XX-DR-L00-0002-S1-P02: Ground Floor General Arrangement Plan Sheet 01 of 02, have been built and completed in accordance with details that have first been approved in writing by the Local Planning Authority.
47. Notwithstanding the detail shown on the approved drawings and documents, a Final Delivery and Servicing Management Plan shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of each phase of the development. The submitted details must include (but not limited to) the following:
- a) The frequency of deliveries to the site;
 - b) The frequency of other servicing vehicles such as refuse collections;
 - c) The dimensions of delivery and servicing vehicles;
 - d) The proposed loading and delivery locations;
 - e) A strategy to manage vehicles servicing the site; and
 - f) The hours/days of deliveries for vehicles and the precautions and measure to be taken to mitigate noise impacts.
 - g) Provision to make use of electric vehicles or vehicles powered by biofuels.
 - h) Arrangements for access by emergency vehicles.
 - i) Details of any necessary specific arrangements for the effective management of student moving in/out days.

The Delivery and Servicing Management Plan shall thereafter be implemented as approved and retained and maintained thereafter for the lifetime of the development, unless otherwise approved in writing by the local planning authority.

48. No construction work shall take place on site except between the hours of 8am to 6pm Mondays to Friday and 8am to 4pm on Saturdays and not at all on Sundays and Public Holidays.
49. Prior to first occupation of each phase of the development hereby approved a noise control scheme for external building services plant that will form part of the development shall be submitted to and approved in writing by the local planning authority which demonstrates that the following noise design requirements can be complied with and shall thereafter be retained as approved.

The cumulative measured or calculated rating level of noise emitted from the building services plant, shall be 10dB(A) below the existing background noise level, at all times that the mechanical system etc. operates.

The measured or calculated noise levels shall be determined at the boundary of the nearest ground floor noise sensitive premises or 1 metre from the facade of the nearest first floor (or higher) noise sensitive premises, and in accordance to the latest British Standard 4142;

An alternative position for assessment /measurement may be used to allow ease of access, this must be shown on a map and noise propagation calculations detailed to show how the design criteria is achieved.

The development shall then be implemented, retained and maintained in accordance with these details unless otherwise approved in writing by the local planning authority.

50. The building envelope of the development to which the application refers shall be constructed so as to provide sound attenuation against externally generated noise sources including road, rail, and aircraft, so as to achieve the internal ambient noise levels which do not exceed the guideline values contained in Table 4 of British Standard BS 8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings.

The measured or calculated noise levels shall be determined in accordance with British Standard 8233:2014. Any works which form part of the scheme shall be completed in accordance with the approved details before each phase is occupied and shall thereafter be retained as approved. Internal noise levels should be achieved with windows open for rapid ventilation purposes. Where this cannot be achieved alternative means of ventilation and cooling will be required. Where whole house ventilation is provided then acoustically treated inlets and outlets should ideally be located away from the façade(s) most exposed to noise.

The development shall then be implemented, retained and maintained in accordance with these details unless otherwise approved in writing by the local planning authority

51. Prior to first occupation of each phase of the development, a scheme for the sound insulation of the separating floor/ceiling between the ground floor commercial units and the proposed residential units shall be submitted to and approved in writing by the local planning authority. The scheme will reduce the transmission of noise from the use of the commercial units at ground floor and the proposed residential units.

The development shall then be implemented, retained and maintained in accordance with these details unless otherwise approved in writing by the local planning authority.

52. Notwithstanding the details shown on the approved plans, detailed drawings and specifications of the proposed heating and mechanical ventilation system including any internal/external air conditioning units, or any other external plant and equipment, shall be submitted to and approved in writing by the local planning authority prior to installation. Any exhaust flues shall be located at least 10m horizontal distance away from any openable windows and air intakes to ensure that the internal air quality is protected.

The proposed plant shall be designed to ensure that noise emanating from it is at least 10dB below the background noise levels when measured from the nearest sensitive receptors.

The development shall be carried out in accordance with these approved drawings and specifications and retained and maintained thereafter.

53. Notwithstanding the details shown on the approved plans details of screening, sound proofing, and other acoustic design measures shall be submitted to and approved by the local planning authority prior to installation. The details shall thereafter be retained and maintained as approved.

54. The Class E and F premises which are implemented pursuant to this planning permission shall not be open to customers other than between the hours of 0700 and 2330 in respect of any individually defined unit pursuant to this condition, unless otherwise agreed in writing by the local planning authority.

55. The communal roof terrace shall be available for all occupants of the building for the lifetime of the development. The use of the external roof terraces shall not be permitted after the hours of 10.00pm or before 7.00am Monday-Sunday unless otherwise approved in writing by the local planning authority.

56. Prior to the commencement of any above ground works the applicant shall submit written confirmation from the appointed building control body that the standards in BS8300 2:2018 (Design of an Accessible and Inclusive Built Environment) would be met in respect of the student accommodation units listed below. These student bedrooms shall be constructed as 'wheelchair adaptable' in accordance with BS8300 2:2018 and shall be provided prior to occupation and retained thereafter unless otherwise agreed in writing with the Local Planning Authority. The 'wheelchair adaptable' units are to be provided in the following locations:

Plot 02

Level 01: 1no studio
Level 02: 1no studio
Level 03: 1no studio
Level 04: 1no studio
Level 05: 1no studio
Level 06: 1no studio
Level 07: n/a
Level 08: 1no studio
Level 09: 1no studio
Level 10: 1no studio
Level 11: 1no studio
Level 12: 1no studio
Level 13: 1no studio

Plot 03

Level 01: 2no cluster beds
Level 02: 3no cluster beds
Level 03: 3no cluster beds
Level 04: 3no cluster beds
Level 05: 3no cluster beds
Level 06: 3no cluster beds
Level 07: n/a
Level 08: 1no cluster bed
Level 09: 1no cluster bed
Level 10: 1no cluster bed
Level 11: 1no cluster bed
Level 12: 1no cluster bed
Level 13: 1no cluster bed
Level 14: 1no cluster bed
Level 15: 1no cluster bed
Level 16: 1no cluster bed
Level 17: 1no cluster bed

57. Prior to the commencement of any above ground works the applicant shall submit written confirmation from the appointed building control body that the standards in the Approved Document M of the Building Regulations 2015 (as amended) would be met in respect of the residential accommodation units listed below. The residential unit constructed as M4(3)(2)(a) 'wheelchair adaptable' shall be provided prior to occupation and retained thereafter unless otherwise agreed in writing with the Local Planning Authority. The 'wheelchair adaptable' units are to be provided in the following location:

Plot 01

Level 11: 2no 1B2P + 1no 2B4P

The residential units constructed as M4(3)(2)(b) 'wheelchair accessible' equivalent shall be provided prior to occupation and retained thereafter unless otherwise agreed in writing with the Local Planning Authority. The 'wheelchair adaptable' units are to be provided in the following locations:

Plot 01

Level 01: 1no 2B4P

Level 02: 1no 2B4P

Level 03: 1no 3B5P

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

58. Use of the community unit shall not commence until a Community Use Agreement has been submitted to and approved in writing by the Local Planning Authority. The submitted Community Use Agreement shall set out (but not be limited to) measures to ensure the provision of the following:

- a) Details of how internal and external spaces will be used by the community;
- b) Details of management arrangements (including a programme of activities, pricing policy, hours of opening, operation and a mechanism for review)

The development shall be managed and maintained in accordance with the approved details for the lifetime of the development unless otherwise approved in writing by the local planning authority.

59. The units labelled 'Unit 1' and 'Unit 3' on drawing 2278-GHA-ZZ-00-DR-A-05100 Rev.P02 (Ground Floor Plan) shall be used only for purposes within Use Class E with a total gross internal floorspace of 182 sqm and shall not be amalgamated. Those units labelled 'Unit 2' and 'Unit 4' on the same plan shall be used for purposes within Use Classes E and/or F, and for no other purpose and the total gross internal floorspace of these flexible commercial/community units shall not exceed 284 sqm and shall not be amalgamated, unless otherwise agreed in writing with the Local Planning Authority.

60. Prior to occupation of any commercial unit within each building, details of any outside forecourt/outdoor space associated with any of those units shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the location, hours of use, any boundary treatment (temporary or permanent). The outdoor spaces shall be implemented in

accordance with the details approved prior to first occupation of the relevant commercial unit within each building.

61. All Non-Road Mobile Machinery (NRMM) used during the course of the development that is within the scope of the Greater London Authority 'Control of Dust and Emissions during Construction and Demolition' Supplementary Planning Guidance (SPG) dated July 2014, or any subsequent amendment or guidance, shall comply with the emission requirements therein.
62. No water tanks, plant, lift rooms or other permanent structures, satellite dishes, telecommunications masts or equipment or associated structures (unless otherwise shown on the approved plans) shall be erected upon the roof of the approved building unless otherwise agreed in writing with the local planning authority.
63. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking, amending or re-enacting that Order) no satellite dishes, telecommunications masts, antennas or equipment or associated structures, shall be installed on the building hereby approved.

Ends

Annex D

Paragraph 8 - Inspector's Pre-Inquiry Note

8. The main procedural change following the CMC is the Council's indication that they do not intend to submit further evidence or call any witnesses at the inquiry. The Council will rely principally on the written evidence in their Statement of Case dated 27 February 2025. This procedural change will have the following implications for the Inquiry:

- A spokesperson for Council will need to be present throughout the Inquiry (both the in person and virtual sessions). Where we meet in person they will be asked to sit at the main table in the usual way.
- The Council will be able to make a short opening statement based on their Statement of Case.
- The Council will not be entitled to cross examine any of the Appellant's witnesses. The Council will only be able to contribute during witness questioning at my invitation, which will be by strict exception.
- The Council will be able to participate in the roundtable sessions (conditions, obligations, etc) in the usual way.
- The Council will not be entitled to do a closing statement.