

WANDSWORTH BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE – 16TH SEPTEMBER 2009

Details of applications for permission to develop on land on south side of Nine Elms Lane including Ponton Road, SW8 together with the Borough Planner’s recommendation on each proposal.

<u>Ref.</u>	<u>Address</u>	<u>Proposal</u>
2009/1506 2009/1507 05 May 2009	Land on south side of Nine Elms Lane incorporating Ponton Road, SW8	A) Redevelopment of an area of 2.15 hectares to provide a new United States Embassy, to a maximum possible height of 97m, associated buildings, and new access road from Nine Elms Lane. (Outline application) B) Formation of new junctions and new road to replace Ponton Road, to be located between Nine Elms Lane and Post Office Way, and associated alterations to Nine Elms Lane.
MH	Queenstown	

List of abbreviations used in this report

ADF: Average Daylight Factor
AOD: Above Ordnance Datum (Sea Level)
AQMA: Air Quality Management Area
ASPH: Annual Sunlight Probable Hours
AVR: Accurately Verified Representations.
BRE: Building Research Establishment
BREEAM: Building Research Establishment Environmental Assessment Method
CABE: The Commission for Architecture and the Built Environment
CAZ: Central Activities Zone.
CCHP: Combined Cooling, Heating and Power
CHP: Combined Heat and Power
CCS: Considerate Constructor Scheme
CMS: Construction Method Statement
CPZ: Controlled Parking Zone
EA: Environment Agency
EDO: Economic Development Officer
EH: English Heritage
EIA: Environmental Impact Assessment
EMI: Electro Magnetic Interference

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EMP: Environmental Management Plan
ES: Environmental Statement
FRA: Flood Risk Assessment
GEA: Gross External Area
GSHP: Ground Source Heat Pump
GIA: Gross Internal Area
GLA: Greater London Authority
HES: Head of Environmental Services
HGV: Heavy Goods Vehicle
LDF: Local Development Framework
LGV: Light Goods Vehicle
LBW: London Borough of Wandsworth Council
LEED: Leadership in Energy and Environmental Design
LPA: Local Planning Authority
LVMF: London Views Management Framework
MGV: Medium Goods Vehicle
NSC: No Sky Contour
OAPF: Opportunity Area Planning Framework.
PTAL: Public Transport Accessibility Levels
PV's: Photovoltaics
QRA: Quantified Risk Assessment
Section 106: Section 106 of the Town and Country Planning Act 1990.
SPG: Supplementary Planning Guidance
SUDS: Sustainable Urban Drainage System
TA: Transport Assessment
TfL: Transport for London
TPC: Travel Plan Co-ordinator
UDP: Unitary Development Plan
VSC: Vertical Sky Component
ZoI: Zone of Influence

SITE: A) 2.15 hectare site of irregular shape, fronted by Nine Elms Lane to the N. with the present Ponton Road passing through the site on a N/S alignment, with the River Thames running 50m to the N and the Vauxhall-Clapham Junction railway viaduct 100m to the S. The Vauxhall transport interchange is some 600m to the NE.

B) Site of 1.29 ha for the new road to replace the existing Ponton Road, running S from Nine Elms Lane to the west and south of the site and including an element of Nine Elms Lane running to the N. of the site.

The site currently comprises 6 one and two-storey buildings, The South Bank Business Centre buildings are to the E. of the existing Ponton Road comprising 4 buildings in a variety of business uses, with a car showroom and service centre to the N. and a fine art storage facility to the S. on the W. side of Ponton Road. Part of the

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site of the new Ponton Road is on land occupied by the vacant six-storey Stationery Office building to the W of the main Embassy site.

To the S of Nine Elms Lane, W of the Embassy site and E of the new Ponton Road would be an area of land of some 4,000 sqm, which is excluded from either planning application, but surrounded by both. No details are given as to how or when this piece of land would be developed.

To the NE of the site is the extensive site of the New Covent Garden Flower Market, with the part single/ part two-storey DHL distribution depot to the SE. To the S are further storage and distribution buildings. Further to the W. is the Royal Mail South London Mail Centre, and beyond the railway viaduct to the S. and SW. is the New Covent Garden Market complex. Across Nine Elms Lane to the N. is Elm Quay, a 34m high, ten-storey residential building, with Riverside Court, a 24m high seven-storey building to the NE.

Middle Wharf and Prescott Wharf fronts the River Thames 80 m to the NW of the site. Bourne Valley Wharf, which is disused, and is not safeguarded, fronts the River to the N. of the site, E of Elm Quay.

The site is identified in the Core Strategy as being within the Nine Elms Opportunity Area, as well as an Archaeological Priority Area, and is identified in the London Plan as being within Vauxhall Battersea Nine Elms Opportunity Area of the Central Activities Zone (CAZ). The site lies within a high flood risk zone (3). The site has a Public Transport Accessibility Level of 4 (where 1 is the least, and 6 the most accessible). The nearest conservation area is St. George's Square, across the River Thames to the N in Westminster facing the site.

HISTORY: South Bank Business Centre, 1 Ponton Road; No relevant history subsequent to construction and expansion in 1970's.

Car showroom and premises, Units 2-4 Ponton Road, 1992; p.p. Use of the building as a car workshop and showroom (with external display area). No relevant subsequent history.

Warehouse, offices and premises, Units 6-12 Ponton Road; 1980 p.p. erection of light industrial and warehousing buildings. No relevant subsequent history.

DETAILS: A). An outline planning application is submitted for redevelopment of an area of land of 2.15 hectares to provide a new Embassy building for the United States of America, with three associated pavilion buildings, with all matters reserved for further consideration with the exception of access. The detailed design of the building is subject to a design competition, which is taking place at present, with 4 U.S. architectural practices having been shortlisted. A number of parameter plans have been submitted with the application, which show the minimum and maximum design

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envelopes of the Embassy and Pavilion Buildings. No detailed elevations or floor plans are therefore provided at this stage. Plans have also been submitted which identify the vehicular access points into the site, as well as indications of the pedestrian access points, and indications of the site layout.

The main Embassy building would provide between 40,477 sqm of Gross Internal Area (GIA) and 51,350 sqm GIA. Drawings have been submitted showing a maximum design envelope, which would have a maximum possible height of 97.2m along a N/S central spine and a minimum design envelope rising to 56m A.O.D. The applicants anticipate that the building will take up approximately 40% of the maximum design envelope, with the height to be in the region of fifteen to twenty-storeys. The building would be in the centre of the site, with its maximum footprint defined by the requirement for a 30m setback between any face of the building and the property boundary as one of its main design parameters. The irregular footprint of the building would have a maximum length of 93.5m (N-S) and a maximum width of 101m (E-W). The Embassy building is proposed to include public and representational spaces, a consular section, diplomatic and governmental agency departments, embassy business and employee support and recreational and social areas. A warehouse, maintenance workshop and residence quarters for a detachment of U.S. Marines are also proposed. In addition to 800 employees it is estimated the Embassy would attract 1,100 visitors per day, comprising 700 visa appointments (100 per hour) and 400 American Citizen Services (ACS) appointments (57 per hour).

The area within the 30m security zone would be landscaped, with the design of such landscaping to be submitted as a reserve matter, although the Design Competition Winners would design this integrally with the building. The applicants have indicated that this security zone could display works of art within the landscaped setting. A security boundary will surround the site, which would have the functions of providing security against unauthorised traffic and ramming, and also to prevent unauthorised pedestrian access, and is likely to be between 2.75 and 4.2m in height. Details of this will also be reserved, and the Design Competition Winners would also design this integrally with the building.

Three smaller pavilion buildings are also proposed adjacent to the perimeter of the site to control separate access and security functions for the building, and would each have a maximum height of 5m. These comprise; P1, to the east of the Embassy which would be between 200 and 450 sqm and would be specifically an entrance for Ambassador, VIP's and staff for both vehicles and pedestrians, accessed by a new estate road internal to, and running along the NE boundary of the site. P2, to the east of the Embassy which would be between 77 and 300 sqm GIA and would be specifically an entrance for day to day visitors to the Embassy such as those obtaining Visas and other such regular functions, and would be a pedestrian only entrance. P3, to the south-west of the Embassy adjacent to the new Ponton Road, which would be between 200 and 600 sqm GIA and would provide an entrance for staff and servicing

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functions of the building for both vehicles and pedestrians. The location of these pavilions is not fixed for the purposes of this application, with locations proposed indicative at this stage.

Pedestrian access is proposed to pavilion P2, to the south of the building, via the new access road to the east of the site. The applicants have proposed a public piazza adjoining the southern boundary of the site, to complement the pedestrian access point to pavilion P2, although this piazza is outside the 'red line' site boundary.

On-site operational parking is proposed within a basement level, with space proposed for 131 cars, with access through P2. These spaces would comprise 7 spaces for maintenance vehicles, 29 spaces for day passes for visiting staff allocated on a permit basis, and 95 spaces occupied by a fleet of official cars operated by the Embassy, with designated drivers with security clearance used for meetings during business hours when required. 4% of the spaces would be reserved for people with disabilities.

The applicants are proposing to provide 8 cycle parking spaces for visitors to the site, which would be provided outside the Embassy compound, adjacent to the S. boundary, within the application site B), along with a hire station with space for 12 cycles for the Mayor's Cycle Hire Scheme. 52 cycle parking spaces for staff would be provided within the basement parking area.

Taxi parking is proposed adjacent to the new Ponton Road to the S of the proposed Embassy.

B). Is a full planning application for the provision of a new Ponton Road of some 200m length running from Nine Elms Lane (where a new signal controlled junction would be provided), to the W. of its present alignment, linking with Post Office Way (which is a private road), and joining the existing Ponton Road to the S. of the Embassy site. The new road would replace the existing Ponton Road, which would become part of the application site for the Embassy building. An 11m wide vehicular roadway would be provided, with pedestrian footways on either side and would provide vehicular access to the Embassy via pavilion P3, as well as the main access to the South London Mail Centre via Post Office Way and other premises to the south on Ponton Way. The new road is proposed to be completed and open for use prior to the closure of the existing Ponton Road, and therefore before any construction work can begin on the new Embassy planned for 2012.

The application also involves improvement to, and widening of a 400m stretch of Nine Elms Lane which fronts the proposed Embassy site, including a new secondary access at the eastern end of the Embassy development. This secondary access would be an arm of some 25m, which would then join with the main application site boundary. The applicants are proposing to provide a replacement access to Elm Quay Court to replace that lost by the removal of the existing Ponton Road, with which it shares controlled signals at present, with the replacement incorporated into the

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proposed new junction but with signals triggered by vehicles entering and leaving the building only. The application boundaries for A) the Embassy and B) the new road abut one another with the exception of the triangular piece of land to the S of Nine Elms Lane, W of the Embassy site and E of the new Ponton Road, which would be retained in the ownership of Ballymore.

The existing sewer under Ponton Road would need to be abandoned and a new sewer to be constructed under the new highway between Post Office Way and Nine Elms Lane, which will need to be acceptable to Thames Water for adoption.

Amendments/Additional Information

Subsequent to the original submission of the planning application, the applicants have submitted further information in respect of the following:-

- 1) Additional information provided in respect of security and assessment of incidents at present Embassy in recent years.
- 2) Amendments to design of proposed Ponton Road junction with Nine Elms Lane in respect of an increase to flares and increase of lane widths to 4.4m.
- 3) Changes to Elm Quay Court access to provide signal controls triggered by vehicle movements.
- 4) Agreement to an informative that the positions of the pavilions are not fixed.
- 5) Removal of signalisation from the E (Ambassadors) access road.

Section 106 Agreement:

A) A draft Section 106 Agreement Heads of Terms in respect of the main Embassy application would cover:-

1. A contribution to transport improvements in the area including; Crossrail or other strategic transport intervention/Northern Line extension
2. A contribution to local transport improvements Increased demand for bus trips between Vauxhall and Nine Elms; impact of increased demand on Vauxhall rail station; increased demand for tube services to and from Vauxhall underground station, increased taxi demand; alterations to CPZ; increased pedestrian flows from Vauxhall to Nine Elms; improvements to Thames Path; promoting cycling/cycle hire and a Travel Plan.
3. Contributions to the Mayor's Cycle Hire scheme
4. Environmental improvements to Nine Elms Lane
5. Delivery of Plaza, of a minimum of 1,250 sqm in area, to adjoin the SE boundary of the site.
6. Linear Park and pedestrian/cycle link/access road between Nine Elms Lane and Wandsworth Road contributions.
7. Local Employment Agreement.
8. Enhancement of open space fronting River Thames to E. of Elm Quay and adjoining Riverside Walk.
9. Commitment to achieving a 30% carbon reduction.

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10. Commitment to further work regarding heating and cooling, and link to district network.
11. Targets for CO2 savings from renewable technologies.
12. Design Review Panel
13. Public Art Installation
14. Applicants commitment to using endeavours to resolve the concerns of RMG.

B) For the new road application S106 Agreement Heads of Terms (including agreements under Sections 38 and 278 of the Highways Act as necessary) would cover;

1. Improvements and alterations to Nine Elms Lane including the installation and alterations to the traffic signal arrangements at the existing and proposed junctions and any alterations to the utility services
2. Stopping up and diversion of Ponton Road
3. Applicant to meet the cost of constructing the new Ponton Road to a design approved by this Council. Design to be fully safety audited. Dedicate the new highway and the Council to adopt it as a public highway and to meet the cost of relaying the footway along the frontages of the development and secondary access.
4. Inspection fees (7%).

Environmental Statement: The applicants have submitted an Environmental Statement (ES) under the Town and Country Planning (Environmental Assessment) (England and Wales) Regulations 1999. The ES is submitted in relation to the outline planning application for the Embassy (2009/1506); the planning application for the road (2009/1507) is not required to be accompanied by an ES, although as the two applications are intrinsically linked, consideration is given to any potential effect of the road reconfiguration cumulative with the Embassy development.

The documents submitted comprise the main text of the Environmental Statement as well as a Townscape, Visual and Built Heritage Assessment as a separate volume together with appendices, a non-technical summary and supporting documents.

The Environmental Statement describes the likely significant environmental effects of the development during construction and following its completion. Where significant adverse effects are identified, the ES sets out methods to prevent, reduce or offset these effects, which are collectively known as mitigation measures.

The ES sets out the methodology for undertaking the EIA, describes the existing land uses, the site selection process and design process, the proposed development and goes on to assess the following broad area:

- Development Programme and Construction.
- Socio-economics
- Transportation and Access
- Air Quality.
- Noise and Vibration.

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- Archaeology.
- Ground Conditions and Contaminants.
- Water Resources and Flood Risk
- Ecology.
- Wind
- Sunlight, Daylight and Overshadowing.
- Telecommunications.
- Townscape, Visual and Built Heritage Assessment.
- Cumulative Effects

A summary of the Environmental Statement can be seen in Appendix 1. In conclusion, the applicant's Environmental Statement has been assessed by officers to ensure it meets the EIA Regulations 1999 and whether it contains sufficient information to determine whether or not planning permission should be granted, and the planning conditions/obligations that need to be attached to a permission.

The Environmental Statement including the further information is considered to meet the EIA Regulations and provide satisfactory levels of information in order for a proper assessment to have been undertaken of the environmental effects of the development proposals. The details in the ES are considered to be sufficiently comprehensive to provide a robust EIA and allow for a comprehensive assessment of the environmental impacts of the proposed development.

CONSULTATION: A) Site and Press Notices. 3000 neighbours letters delivered, 31 neighbour letters of objection,

Loss of residential amenity and visual impact:- Residents in Elm Quay will be directly affected by loss of outlook as upper bedrooms overlook Nine Elms Lane with uninterrupted views of Crystal Palace, Sydenham Hill and of skyline, as existing Jack Barclay Building is only one storey high; loss of privacy; neighbours would be completely overlooked; the proposal would result in loss of view; overshadowing of neighbours building; loss of amenity for occupiers of Millennium House, Belvedere House, Elm Quay, the proposal would be three times the size of Elm Quay ; at 97m high the build would block view and sunlight from the south throughout almost all the day; lead to increase in noise pollution; result in enormous detrimental effect on the homes. Proposed building would look down on neighbouring buildings and not be in keeping with surrounding buildings; the height of the building would be unreasonable and would dwarf all neighbouring buildings; be totally out of scale with the locality with the mass of the structure too great. The proposal would affect strategic and local views, lack of architectural coherence, the proposal would fail to enhance riverside views; will compete with the iconic power station; interfere with many sightlines; offer unwelcome disfigurement to the skyline opposite Pimlico and especially St. George's Square.