



Appeal Decision

Inquiry held on 17 – 20 and 24 – 26 March 2026

Site visits made on 16, 19 and 23 March and 9 April 2026

by Joanna Gilbert MA (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th May 2026

Appeal Ref: 6002127

The Glassmill, 1 Battersea Bridge Road, Wandsworth, London SW11 3BZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Promontoria Battersea Limited against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref is 2024/1322.
 - The development proposed is comprehensive redevelopment of the site to include demolition of existing building and erection of a part 10 storey, part 28 storey building (plus ground floor and basement levels) comprising residential use (Class C3), office use (Class E), community use (Class F2), and a restaurant (Class E), with associated car parking, cycle parking, public realm, landscaping and other associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Battersea Society was confirmed as a Rule 6 Party and took part in the Inquiry. The Rule 6 Party represents the Battersea Society, the Chelsea Society, the Cheyne Walk Trust, the Friends of Battersea Park, the Putney Society, and the Wandsworth Society. I shall refer to the Battersea Society in this decision.
3. In addition to a familiarisation visit in February 2026, I walked the site visit route on 16 March 2026. Following agreement of a nighttime site visit route, I undertook a second site visit on 19 March 2026 during the evening. A third site visit to Battersea Park was made on 23 March 2026. Finally, I visited Hyde Park on 9 April 2026. All site visits were unaccompanied.
4. On 4 March 2026, the Council adopted the Wandsworth Local Plan Partial Review (WLPPR). This revised six policies, including Policy LP23 on affordable housing. The main parties considered that this did not alter their cases or the planning balance. I have had regard to the WLPPR in reaching my decision.
5. A consultation on reforms to the National Planning Policy Framework (NPPF) closed on 10 March 2026. The main parties had the opportunity to comment on the draft NPPF and I have had regard to this evidence. However, given that it is not known what future changes might occur prior to publication of the updated NPPF, I afford the draft NPPF limited weight as a material consideration.
6. On 25 March 2026, the Government published a package of support for housebuilding in London, while the Mayor of London published the Support for

Housebuilding London Plan Guidance. The main parties were given the opportunity to respond to these documents in writing at and after the Inquiry. I have taken these comments into account in reaching my decision.

7. A completed and signed legal agreement under Section 106 of the Town and Country Planning Act 1990 dated 21 April 2026 is assessed in my decision.
8. On 24 April 2026, the appellant wrote to the Planning Inspectorate and the Ministry for Housing, Communities and Local Government's Planning Casework Unit to request that the appeal be recovered for determination by the Secretary of State. It was confirmed on 29 April 2026 that the appeal would not be recovered.
9. The Inquiry was closed in writing on 27 April 2026.

Main Issues

10. The main issues in this appeal are:
 - a) the effect of the proposal on the character and appearance of the area;
 - b) the effect of the proposal on the significance of heritage assets;
 - c) whether the proposal would make appropriate provision for infrastructure; and
 - d) the overall planning balance, having regard to the development plan and any proposed benefits.

Reasons

a) Character and appearance

The existing site context and proposal

11. Located east of Battersea Bridge and Battersea Bridge Road within Ransome's Dock, the roughly rectangular site contains an up to 6 storey 1980s office building. Largely vacant at present, the building has a basement car park access from Hester Road, while pedestrian access is from Battersea Bridge Road. The River Thames lies north of the site, with the Thames Path providing access along the river's frontage. The access along the river at this point is rather disjointed with a series of ramps, steps, planters and walls.
12. The site and its surroundings have seen significant change from an industrial past with mills, wharves, basins, and warehouses to residential and commercial buildings, including educational use. Recent development has delivered mixed-use spaces with residential, commercial, educational, and cultural uses. A 6 storey residential building, Thames Walk, is located to the east, while the 12 storey Albion Riverside building lies just beyond and further to the east. In addition to residential and mixed use development to the east and west, the Royal College of Art's Battersea campus lies to the south between Hester Road and Parkgate Road. This comprises an impressive, saw-tooth roofed building.
13. The proposal would involve the existing building's demolition and the erection of a mixed-use development comprising a part 10 storey, part 28 storey building plus ground floor and basements. The building would contain 110 residential units, community, restaurant, and office uses, with car and cycle parking.

14. The proposal's 28 storey element plus ground floor would be located fronting the river, while a shorter shoulder block would extend along Battersea Bridge Road towards Hester Road. The proposal's base would provide the building's mixed uses and would have five arches, reflecting neighbouring Battersea Bridge. The taller element of the proposal would have a curved form, while the proposal's lower southern part would be squarer in form with corner balconies.
15. Along the river, the proposal's frontage would see considerable positive change, with a restaurant facing the river to provide an active frontage, as well as an arched colonnade setting the proposal back from the river. In addition, the pedestrian and cycle routes along the river frontage would be improved, creating a more legible situation than exists at present.

Background

16. In 2018, a pre-application scheme was submitted. This did not involve the current appellant or architect. Indeed, pre-application plans were obtained by the appellant's architect after the proposal had been designed. The Council's November 2018 pre-application response related to 26 storey and 8 storey buildings, with a potential 6 storey addition. Amongst other things, the Council's response found that a tall building in this location next to Battersea Bridge, a gateway to the borough, would act as a landmark and reference point. It confirmed that this location is appropriate for a tall building, though mention was made of slimming down the proposal.
17. Produced to support the Wandsworth Local Plan (July 2023) (WLP), Arup published a draft Urban Design Study in December 2020 (the Draft UDS). It sought to assist the Council with a design-led approach to meeting housing targets. The Draft UDS defined tall buildings as 8 storeys or taller; or 50% higher than the character area's prevailing height as per the opportunity map, whichever is less. The opportunity map established each character area's prevailing existing building height and the specific tall building height.
18. Within the Draft UDS, the site fell within Area B2: Battersea Riverside. In Area B2, the existing prevailing height of buildings was described as 2 - 3 storeys and it was confirmed that a tall building would be considered to be 5 storeys. This area was identified as having potential to accommodate clusters of tall buildings including landmarks along the river. The Draft UDS stated that tall buildings must be set back from the river and roads; must respond positively to and protect existing buildings' setting, in particular Battersea Square Conservation Area, St Mary's Church, and Battersea Park; may be more suited to corner plots to respond to adjoining junctions' scale; should have active uses and frontages at ground level; and respond positively to the river's character.
19. After Regulation 18 consultation on the emerging WLP in November 2020 and prior to the Regulation 19 consultation in January 2022, the Urban Design Study (the UDS) was published in December 2021. Though part of the WLP evidence base, rather than policy, it provides helpful analysis of the borough.
20. The UDS defines tall buildings as being 7 storeys or over, or 21m or more from ground level, whichever is lower, while a mid-rise building is 5 – 6 storeys of 15 – 18m from ground level, whichever is lower. Area B2: Battersea Riverside was split up into sub-areas, with the site falling adjacent to the tall buildings area TB-B2-04 and within the mid-rise area MB-B2-02. For neighbouring areas TB-B2-03

(Morgan's Walk¹ and the Montevetro building) and TB-B2-04, the existing prevailing building height is 3 – 18 storeys for TB-B2-03 and 3 – 12 storeys for TB-B2-04, while the appropriate height is 7 – 12 storeys or 21 – 36 metres for both areas. Lower buildings are shown in lighter purple, while capacity for taller buildings are in darker purple. The identified maximum heights do not apply across the whole of each area.

21. The UDS states that the area covered by TB-B2-03 and TB-B2-04 is dominated by Albion Riverside and the Montevetro building, with other existing buildings being more modest in scale. The UDS suggests that the area could receive additional height provided cumulative impact on the river is fully considered, and the settings of Battersea Park and Battersea Bridge are protected. It highlights that the Montevetro building in area TB-B2-03 detracts from St Mary's Church's setting and it is not considered that this height could be replicated anywhere else in this area. It states that apart from recent development at Lots Road Power Station and the World's End Estate, the river's north bank is relatively small scale and green in character and development should respond positively to this. It confirms that development within area TB-B2-04 should be planned carefully in relation to the small scale Ransome's Dock feature and that buildings should step down towards the approaches to Albert and Battersea Bridges. This wording is in keeping with the lighter colouration of land adjacent to the site in area TB-B2-04 in the UDS. The UDS places the site in area MB-B2-02, a mid-rise building zone adjacent to area TB-B2-04.
22. The UDS analysis of area TB-B2-04 indicates that while Albion Riverside's height sits positively along the river, with its scale responding to adjacent uses and the river's width, building heights generally along the river here are considered to be at capacity. Increases in height would risk adversely affecting the river's character, including the north bank. It confirms that taller development would also sit uncomfortably between Albert and Battersea Bridges and would affect views from Battersea Park. The analysis of neighbouring area TB-B2-03 states that this area would have capacity for a positive landmark building up to 12 storeys, provided it allows for appropriate stepping down towards Battersea Bridge and Battersea Bridge Road, as well as nearby conservation areas. It advises that development around an up to 12 storey building should generally be lower than 10 storeys and carefully planned to avoid a canyon effect along the river.
23. Though the appellant has criticised the Council for the absence of scenario testing for tall buildings within the UDS, the appellant's witness Dr Miele also characterised the UDS as robust and detailed, following best practice. It is unsurprising that such a borough-wide study did not ascertain site capacities through scenario testing as such a process would be complex. It would only be likely to occur as a result of specific projects coming forward as in this appeal. Concern was also raised by the appellant with regard to a perceived lack of evidence as to why the site was removed from a tall building zone in the UDS and placed in a mid-rise zone. However, beyond stepping down towards bridges, there was no clarity on this matter and so I have dealt with the evidence before me.
24. There was some discussion during the Inquiry about the scope for the low density estate at Morgan's Walk to come forward for tall buildings as it lies within an area

¹ This housing estate to the west of the site has been referred to as both Morgan's Wharf and Morgan's Walk in evidence. I have used Morgan's Walk through my decision.

considered suitable for tall buildings in townscape terms according to the UDS. However, Morgan's Walk is an occupied housing development. There has been no suggestion that development of tall buildings would occur at Morgan's Walk as there is no allocation for the land in the WLP and no compulsory purchase powers have been used to bring land parcels into a single ownership. Notwithstanding that Morgan's Walk is likely to remain at low density for the foreseeable future, it is necessary for me to deal with the proposal before me on its own merits.

25. Prior to the WLP being examined, submissions were made at both Regulation 18 and 19 consultations by Promontoria Hurlingham Ltd. At the WLP Examination, Promontoria Hurlingham Ltd sought modifications in respect of WLP Policy LP4 as the site was located in a mid-rise area which they considered unjustified based on the previous Local Plan, the then UDS dating from 2011 which supported the previous Local Plan, and 2018 pre-application advice. Furthermore, they considered the emerging WLP Policy LP4 was not consistent with the London Plan 2021 Policy D9 with reference to the Master Brewer judgment².
26. The architecture firm Farrells was formally instructed in 2022. During the proposal's early development, the late Sir Terry Farrell was involved in the proposal. A driving force and a maverick of the architecture world, Farrell's oeuvre includes many buildings across London, such as Chelsea Waterfront, One Embankment Place at Charing Cross, and the MI6 building at Vauxhall Cross. Without doubt, Farrell and his practice have played a significant part in understanding and shaping London's townscape.
27. Throughout the design process, 12 pre-application meetings took place involving Farrells. In April 2023, the proposal was initially for a ground floor plus 12 storey podium and a ground floor plus 35 storey tower. Following other iterations, the planning application submitted in April 2024 consisted of a ground floor plus 33 storey block. In October 2024, the proposal was amended to its current part 10 storey, part 28 storey building plus ground floor and basement levels. This is what was determined by the Council and is what is before me at appeal.
28. Several consultees responded to the original application and the current proposal. These include Historic England (HE), Greater London Authority (GLA), and the Royal Borough of Kensington and Chelsea (RBKC). While these responses represent material considerations in decision-making, I have had regard to case law³ insofar as such responses are not binding, particularly where live evidence is given and tested and those responses have not been subject to the same testing.
29. HE considered the proposal would be a harmful and incongruous addition to the London skyline, with wide-ranging impacts on the historic environment, including to designations of very high significance. Concern was raised that such a proposal could pave the way for other tall building development in the area. HE recommended a significant reduction in the proposal's height to reduce its impact on the historic environment. HE also noted that the proposal would be a very bold architectural statement especially in river views, starkly contrasting with its townscape context due to its enormous height. In November 2024, despite the proposal having reduced in height to the current proposal, HE considered the harm to be broadly similar to that set out previously. Although HE's consultation responses were framed as advice rather than an objection, it would be misguided

² London Borough of Hillingdon, R (on the application of) v Mayor of London [2021] EWHC 3387 (Admin)

³ Newcastle upon Tyne City Council v Secretary of State for Levelling Up, Housing and Communities [2022] EWHC 2752 (Admin).

to read their advice as being positive. I deal with any potential impact on heritage assets later in this decision.

30. The GLA's Stage 1 (July 2024) response refers to the proposal sitting outside a tall building zone. Notwithstanding this, GLA officers highlighted that a landmark building could be an appropriate design principle, but recognised that the proposal, whilst slender and architecturally elegant, would represent a stark new urban typology in its immediate setting. The GLA's Stage 2 (May 2025) response leaves decision-making to the Council.
31. RBKC's November 2024 response highlights the importance of the low-rise nature of the northern and southern embankments in providing an open environment around the river frontage and visual relief for Royal Hospital Gardens, Chelsea Embankment Gardens, and Battersea Park. In RBKC's view, the proposal's height would have a clear and distinct impact on the setting of these areas and would dominate the immediate skyline and river environment. Furthermore, RBKC found that the proposal's dominance and oppressive character would be emphasised by its glazed fabric. Though RBKC did not clearly calibrate heritage harm or undertake a balance, RBKC was a consultee in this instance. The absence of such a balance does not undermine their concerns about townscape or heritage.
32. In addition, the proposal was considered twice by the Wandsworth Design Review Panel (the Panel) in December 2023 and February 2024, with responses issued in January and March 2024 respectively. The appellant and the Council have agreed that the proposal has undergone design review processes consistent with London Plan Policy D4. However, the Panel's earlier response to an up to 38 storey building indicated that they were not convinced about the need for height in this location and did not think the narrative presented was sufficiently clear and robust. Indeed, the Panel strongly questioned whether a building of such scale, height and mass would be appropriate in this location as they failed to see an adequate justification for it. The Panel's later response to an amended proposal for an up to 33 storey building plus ground floor showed that they remained unconvinced by the proposal, despite refinements in the intervening time.

Policy context

33. The NPPF at paragraph 125 c) requires planning policies and decisions to give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land. NPPF paragraph 125 d) seeks to promote and support the development of under-utilised land and buildings, especially if this helps meet identified needs for housing where land supply is constrained and available sites could be used more effectively.
34. NPPF paragraph 131 confirms that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning process should achieve. Good design is a key to sustainable development, creating better places in which to live and work and helping make development acceptable to communities. NPPF paragraph 135 expects decisions to ensure that, amongst other things, developments function well and add to the area's overall quality, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, and are sympathetic to local character and history,

- including the surrounding built and natural environment, while not preventing or discouraging appropriate innovation or change. Additionally, development should establish or maintain a strong sense of place and optimise the site's potential to accommodate and sustain an appropriate amount and mix of development.
35. NPPF paragraph 139 states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government design guidance, considering any local design guidance and supplementary planning documents. Conversely, it confirms that significant weight should be given to development which reflects such policies and guidance; and/or outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally, so long as they fit in with their surroundings' overall form and layout.
 36. London Plan Policy D9 on tall buildings outlines a definition of tall buildings and sets out criteria on locations, impacts, and public access. London Plan Policy D9 Part A confirms that development plans should define what is considered a tall building for specific localities, but should not be less than 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey. London Plan Policy D9 Part B requires boroughs to determine if there are locations where tall buildings may be appropriate. It confirms that any such locations and appropriate tall building heights should be identified on maps in development plans. Furthermore, tall buildings should only be developed in locations that are identified as suitable in development plans.
 37. London Plan Policy D9 Part C sets out details on visual, functional, environmental, and cumulative impacts, while London Plan Policy D9 Part D makes provision for public access. However, the Master Brewer judgment confirms that there is no wording that indicates that Part A or Part B of London Plan Policy D9 are gateways or pre-conditions to Part C of the same policy. Therefore, when considering whether to grant permission for a tall building which does not comply with London Plan Policy D9 Part B 3) in that it is outside an identified tall building zone, it is possible for me to consider the proposal against the criteria set out in London Plan Policy D9 Part C.
 38. For visual impacts, amongst other things, London Plan Policy D9 Part C requires consideration of long, mid-range and immediate views; the local and wider context's spatial hierarchy; wayfinding; architectural quality and materials; and protection and enhancement of the river's open quality, public realm, and views.
 39. WLP Policy LP4 deals with tall and mid-rise buildings. Consistent with London Plan Policy D9, it defines buildings of 7 storeys and over or 21m or more from ground level as tall buildings. It confirms that proposals for tall buildings will only be appropriate in tall building zones identified in WLP Appendix 2, where there would not be any resulting adverse visual, functional, environmental, or cumulative impacts. Underlining the Master Brewer judgment's importance, it states that planning applications for tall buildings will be considered against criteria within London Plan Policy D9 Parts C and D and criteria set out in WLP Policy LP4. The same policy also refers to mid-rise building zones being identified in WLP Appendix 2 and sets out criteria for such development. The proposal is located within a mid-rise building zone MB-B2-02 within WLP Appendix 2, which indicates a height of no more than 6 storeys or 18m in height.

40. The supporting text to WLP Policy LP4 at paragraph 14.32 confirms that the maps in WLP Appendix 2 identify an appropriate tall building height range for each zone and show how heights should be dispersed across the relevant zone. Within each zone, darker colours indicate greater potential for height and lighter colours indicate less potential for height. It states that the identified maximum appropriate height does not apply to the entire zone, with buildings expected to step down towards the zone's edges, unless this is not required due to the local context.
41. Paragraph 14.34 of the supporting text to WLP Policy LP4 deals with mid-rise buildings. It outlines that mid-rise building maps at WLP Appendix 2 show that opportunities for mid-rise buildings are concentrated within five different areas, comprising transition areas to tall building zones; along strategic road corridors; within town centres; within or adjacent to existing estates; and alongside large-scale open spaces.
42. The Inspectors' Report describes the UDS as a benchmark for, amongst other things, setting out where tall and mid-rise buildings will be appropriate. It also states that the UDS is a proportionate and robust response to identifying tall building zones. The UDS's findings on the site resulted in the WLP defining the site as being within a mid-rise buildings zone. This did not change as a result of representations or evidence heard during the WLP Examination. During the examination, no specific proposal for a tall building was made for the site.
43. However, in order to make WLP Policy LP4 consistent with London Plan Policy D9, the Inspectors' Report on the Examination of the Wandsworth Local Plan dated June 2023 (the Inspectors' Report) modified WLP Policy LP4 to delete "will not be permitted" and replace it with "The Council will seek to restrict proposals for tall buildings outside of the identified tall building zones."
44. The Inspectors' Report found that the modification would allow a degree of flexibility and thus, provide opportunities for tall buildings where one can demonstrate other material considerations in support of a tall building beyond an identified tall building zone. Notwithstanding this, the Inspectors' Report highlighted that such opportunities are likely to be extraordinary rather than ordinary. The appellant considers this to mean something very unusual, while the Council views such opportunities as being rare and the Battersea Society sees such opportunities as exceptional. The Inspectors' Report confirmed that the examining Inspectors were not persuaded that the borough should be made a free for all in relation to tall buildings, as this would not accord with the London Plan or be appropriate given heritage, design, and amenity considerations.
45. The strategic placemaking policy for Wandsworth's riverside, WLP Policy PM9 states that proposals for tall or mid-rise buildings will only be supported in zones identified in WLP Appendix 2. WLP Policy PM9 states that development within Wandsworth Riverside will help meet the borough's housing target with a capacity of 904 homes by 2023/2033. The site lies in the Ransome's Dock Focal Point of Activity where WLP Policy PM9 Part B.3 promotes residential-led development, alongside a mixture of uses to increase activity and vibrancy along the riverside.

Height and scale

46. The Council and the Battersea Society have not outlined particular concerns about the proposal's architectural detail as their focus is on the proposal's height

and scale. I have therefore considered this matter, having regard to optimisation of site capacity, landmark buildings and metropolitan markers, and spatial hierarchy.

47. It is evident that the appellant's brief involved optimising site capacity and value. While this is perfectly understandable, it is of concern that the only example of anything being tested at a height remotely close to the mid-rise zone height up to 6 storeys is the retrofit of the existing building for residential use. In suggesting that the existing building was used as a proxy for the mid-rise typology, the appellant's architect confirmed that such a scheme would only yield 30 units with compromised site accessibility and visual permeability. This was not pursued.
48. Instead, a range of schemes for heights of up to ground floor plus 38 storeys were brought forward. Although the proposal now stands at 28 storeys plus ground floor at its maximum extent, the proposal's height has been successively reduced due to its visibility and the appellant's recognition that this is an important and sensitive matter. Apart from the aforementioned retrofit, all working drawings shown in the appellant's Design and Access Statement are for variations of tall or even very tall buildings. While balancing positive and negative features of different types and forms of development will have been necessary, it appears to me that insufficient objective testing of alternatives was undertaken, with little effort to come anywhere close to reasonable policy expectations set out in WLP Policy LP4. This is a significant omission on the appellant's part.
49. At its highest point, the proposal would be some five times greater in height than recommended building height of up to 6 storeys or 18m for the mid-rise zone within WLP Policy LP4 it would stand within. Even if one applied the maximum building height of 12 storeys or 36m for the adjacent tall building zones identified in WLP Appendix 2, the proposal would be some 2.5 times greater in height than that recommended maximum. As such, it is clear that the proposal would be in conflict with the locational elements of London Plan Policy D9, WLP Policies LP4, and PM9.
50. It is therefore necessary to consider whether the proposal would comply with London Plan Policy D9 Part C and WLP Policy LP4 Part B criteria 1 – 19 and Policy LP4 Part D. I am aware that other proposals will have come forward across London since the Master Brewer judgment, including cases in Wandsworth itself. I will address this case relative to the aforementioned policy requirements.
51. In terms of the proposal's potential to provide a landmark or metropolitan marker, HE's Advice Note 4: Tall Buildings (2022) highlights that not all tall buildings can be landmarks, and not all landmarks need to be tall buildings. Indeed, there is no imperative in policy or guidance for tall buildings on bridgeheads, or for a landmark or metropolitan marker here. A landmark could be delivered without it being of the significant height and scale of the proposal.
52. Considering the spatial hierarchy of the area, buildings at Thames Walk and in Hester Road are of up to 6 storeys in height, while Albion Riverside to the east is a larger semi-circular building which would meet the WLP's definition of being a tall building.⁴ The river is wide at this point and is bridged here by an understated but robust Battersea Bridge. Notwithstanding the general findings of the UDS that the wider area of Battersea Riverside has low sensitivity to change, the site is

⁴ Referred to across evidence as either 11 or 12 storeys in height.

- undoubtedly a sensitive one and can be seen from many vantage points, as exemplified by discussion at the Inquiry and in this decision.
53. The proposal would step up considerably from the surrounding area, taking little to no account of the area's spatial hierarchy. It would not provide an effective bankside counterpoint to Albion Riverside, as it would not only be separated visually and functionally from Albion Riverside, but it would tower over Albion Riverside considerably. It would reduce the openness of the river at this point, thereby reducing the prominence of Battersea Bridge within the wider townscape.
54. Within the Ransome's Dock Focal Point of Activity, the existing building is inconsistent with WLP Policy PM9's aim in respect of prompting residential-led development and encouraging a mix of uses to increase activity and vibrancy in this riverside location. The proposal would undoubtedly mark a step change in this respect, given its predominant residential use, active frontages and community, restaurant and office uses, but despite this, the focal point of activity does not necessitate such height and scale to deliver the expected activity and vibrancy.
55. The UDS advises that buildings should step down to Battersea Bridge and the WLP carries this through to WLP Appendix 2 which indicates the site falls within a mid-rise zone and adjacent to a tall building zone. This would effectively mean that if a scheme came forward for the site which was consistent with the heights in WLP Appendix 2, heights would fall from the tall building zone, and from further away from the river to the south to a lower building on the site and adjacent to the river frontage. Though it has been argued that this is purely a heritage matter due to the listed nature of Battersea Bridge, it is not. Stepping down, or failing to do so as in this case, would have a negative effect on the local townscape, drawing the eye away from all other structures, whether low-rise, mid-rise or tall, to the proposal. As the site is in an area of transition between the taller Albion Riverside and the low bridge, it is an entirely suitable device to step down buildings to the bridge and to maintain the river's open character. The stepping down of the proposed shoulder block is not sufficient to address this.
56. To paraphrase another Inspector⁵, when dealing with a tall building proposal, it is necessary to consider whether the site is worthy of the gesture. The site in this appeal is no ordinary site. Few development sites of this type are available in a world city, directly adjacent to a river and multiple bridges, in the setting of an array of historic buildings and features, as well as being located close to more modern, high-quality architecture nearby. However, the proposal is not exemplary, extraordinary, remarkable or distinctive, just tall. It would not adorn the London skyline and would not form part of a ribbon cluster of tall buildings, but would appear alien and isolated in its very height in this location, harming spatial character. It would therefore fail to meet London Plan Policy D9 Part C and WLP Policy LP4 in respect of spatial hierarchy, massing, and failure to protect and enhance the open quality of the river, including views.

Townscape

57. There are numerous tall buildings referred to in the appellant's Design and Access Statement. These vary in height between Chelsea Waterfront at approximately 37 storeys and 17 storey towers such as Ethelburga Tower. There is a difference of opinion as to how one should approach existing tall buildings in determining harm.

⁵ Paragraph 19, APP/A5270/W/21/3268157, decision issued 29 October 2021.

The Council considers that existing tall buildings cause harm to both character and appearance and heritage assets, such as the Montevetro Building, Chelsea Waterfront, and the World's End Estate. The Council has made a cumulative assessment of the proposal's impact with any existing buildings they consider cause harm to townscape due to siting, form, height, and scale.

58. While it may be necessary to consider the effects of cumulative change, that depends to an extent on the ability to agree an appropriate baseline for consideration. No such baseline has been agreed here by the main parties, notwithstanding the recognition in RBKC's evidence base and guidance documents⁶ that buildings such as those at the World's End Estate and Chelsea Waterfront may have negative effects on townscape and heritage assets. In addition, the appellant and the Council agree in the main Statement of Common Ground that the appellant has addressed the cumulative impacts of proposed, consented and planned tall buildings as required by London Plan Policy D9. In the absence of an agreed baseline, it is appropriate to consider the baseline as what is there already. Cumulative effects may occur as a result of development which has not yet been fully implemented.
59. Heritage matters pertaining to designated and non-designated heritage assets will be covered below, but it is relevant to cover townscape character matters here. The appellant has produced a Built Heritage, Townscape and Visual Impact Assessment (April 2024) (BHTVIA) and a Built Heritage, Townscape and Visual Impact Assessment Addendum (October 2024) (BHTVIA Addendum). As the BHTVIA was produced for an earlier iteration of the proposal, I shall refer to the BHTVIA Addendum in the main.
60. Having undertaken several site visits, I have sought to address viewpoints and experiences of the site and its surroundings in an order similar to the agreed daytime and nighttime site visit itineraries. As such, some BHTVIA Addendum views are referred to out of numerical order. There was discussion during the Inquiry about the level of agreement of views for assessment, and whether more views had been requested by the Council but not provided by the appellant. I address only the views set out in the BHTVIA and BHTVIA Addendum with the addition of my site visit experiences.
61. From BHTVIA Addendum view 12 on Chelsea Bridge, it is possible to see the river's expanse upstream with Battersea Park occupying the southern edge of the foreground and the treed Chelsea Embankment (the embankment) on the river's northern bank. Beyond the trees, the low to mid-rise, mainly historic buildings of this part of Chelsea are visible. In the distance, Albert Bridge forms the central point of the view, with the Chelsea Waterfront towers and the World's End estate seen beyond. The proposal would be seen to the southern side of Albert Bridge, breaking the skyline. It would be dominant and negative in this view, due to the proposal's proximity to Chelsea Bridge and its slab-like bulk from this perspective.
62. Several BHTVIA Addendum views (1, 2 and 23) are from within the Royal Hospital Chelsea grounds or from Royal Hospital Road. The hospital buildings are set back from the embankment behind landscaped grounds with trees forming avenues along the perimeter. From within the southern grounds, one can see the trees along the embankment and Battersea Park's treed edge on the river's opposite

⁶ Royal Borough of Kensington and Chelsea Character Study (February 2022) and Building Height in the Royal borough – A Supplementary Planning Document (September 2010).

side, with Battersea Power Station's chimneys further beyond. When viewed from across the Royal Hospital's southern terrace, the proposal would intrude negatively in views of the western range's roofscape. Although there are other taller buildings visible in this direction, the proposal would be taller and bulkier than other existing buildings, rendering it highly noticeable. It would also be visible from the grounds fronting Royal Hospital Road, but would be slightly less invasive from this viewpoint.

63. Further west along Chelsea Embankment, it is possible to see panoramic views of the river and the surrounding townscape on both banks up and downstream. Given the use of the embankment for driving, cycling, running, and walking, the views up and down the river are frequent views for the public, from which the proposal would be highly visible and dominant. The BHTVIA Addendum includes views inside the Chelsea Physic Garden (view 3) and close to Albert Bridge at Cadogan Pier (view 4) towards the site.
64. Located only a short distance from the Royal Hospital, the Chelsea Physic Garden provides a cultivated garden for research and public education close to the river's northern bank. Having walked around the Chelsea Physic Garden, the proposal would be visible from some parts of the garden, but would be more conspicuous close to the embankment.
65. Approaching Cadogan Pier close to Albert Bridge, the proposal would be seen in the context of the Chelsea Waterfront towers. The closer one moves towards the bridge along the embankment, the proposal would be seen separately from the aforementioned towers. The proposal's relationship with Albert Bridge would also change depending on position and the lighting conditions. However, the proposal would cause a dramatic change to the skyline in views along this part of the embankment. Overall, this change would be detrimental and discordant both during daylight hours and after dark when the bridge's lighting on its cables and towers would be diminished by the proposal's lighting behind the bridge.
66. Though somewhat masked from view given the open space's strong treed edge on Carlyle Square, BHTVIA Addendum view 5 would allow for intervisibility between Carlyle Square and the proposal. Given the unity of building heights and types around Carlyle Square, the proposal would appear incongruous and would have an adverse effect. Similarly, Paultons Square is another small residential square with a central open space containing large trees. This is the location of BHTVIA Addendum view 6. While the proposal would be hidden by trees from some vantage points, it would be visible from other views around the square and would reduce the harmony of an otherwise well-balanced space and its terraces.
67. Moving along King's Road, BHTVIA Addendum view 7 shows the junction of Beaufort Street and King's Road looking south. The red brick and stucco Victorian mansion blocks along Beaufort Street close to the junction provide a consistent and coherent townscape, with the existing building visible, but not conspicuous in the long view down Beaufort Street. In contrast, the proposal would introduce a tall tower in this view. While this particular aspect of the proposal is the most architecturally pleasing as it would appear as a relatively slender and rounded tower, it would be extremely dominant along Beaufort Street, detrimentally altering the largely Victorian and Edwardian streetscene's rhythm and balance. The proposal would not celebrate the route as a processional approach.

68. Further north, at the junction of Park Walk and Fulham Road, BHTVIA Addendum view 8 shows terraced low-rise buildings with St Andrew's Church in the middle ground and the Moravian Tower on King's Road behind. The proposal would peek out only slightly from behind the Moravian Tower and the spire of St Andrew's Church, which would prevent any adverse effect from this view. To the north-west, Brompton Cemetery is the location for BHTVIA Addendum view 9, from which the proposal would not be visible due to the presence of large trees.
69. On the river's northern bank, BHTVIA view 11 shows Battersea Bridge and its surroundings from Cheyne Walk. Here the proposal would be prominent adjacent to Battersea Bridge, towering over the rather low-key structure. The difference between the height of existing buildings along Battersea Reach and at Morgan's Walk and the proposal is particularly pronounced in this view. It would be unduly dominant in failing to step down to the bridge as envisaged by the site falling within a mid-rise zone MB-B2-02 and being positioned adjacent to the lighter coloured edge of zone TB-B2-04 in WLP Appendix 2.
70. To the west, Cheyne Walk becomes Cremorne Road, adjacent to the river's northern bank. Located on a bend in the river, BHTVIA Addendum view 10 is of houseboats, with Morgan's Walk, Battersea Bridge, Albion Riverside, and Albert Bridge beyond. Given the sweep of the river, Battersea Bridge is prominent in this view. Though tall buildings are evident at Nine Elms and Vauxhall and further east in the distance, these buildings are less perceptible along this stretch of the river than the large semi-circular structure of Albion Riverside.
71. From this view from Cremorne Road, the proposal would dwarf Albion Riverside, rather than appearing as part of the same composition. This would not only be caused by its significant height, which would be radically different from its surroundings, but also by its bulk from this western aspect as the proposal's full depth along Battersea Bridge Road would be visible here. This would have a significant adverse effect on the townscape, which would be detrimental both during the daytime and in hours of darkness. The skyline's openness would be significantly reduced. Moreover, the layering of lighting on both Albert Bridge and Battersea Bridge would be undermined by the proposal's illumination at night.
72. Much has been made of the counterpoint and curves of Battersea Bridge, Albion Riverside, and the proposal, as well as the contrasting horizontality and verticality, but the proposal would not form part of a successful composition with either the bridge or Albion Riverside due to its significant height which would overwhelm the lower structures.
73. From Chelsea Harbour looking downstream as shown in BHTVIA Addendum view 19, it is possible to see St Mary's Church and the Montevetro building and the towers of the Somerset estate behind. Although the proposal would be obscured in part, it would give rise to the perception of widening the Montevetro building as it would visually merge with the Montevetro building from this viewpoint. Though this would create a slightly larger silhouette for an already prominent building, it would contribute negatively to the townscape to a relatively limited extent.
74. On the river's southern bank, BHTVIA Addendum view 16 is located on the Thames Path west of Battersea Bridge and adjacent to Morgan's Walk. Given its proximity, the proposal would be very dominant and overwhelming in this

- viewpoint. One would view both the proposal's full height and depth at close quarters.
75. BHTVIA Addendum view 17 is described as Devonshire House, but lies close to the Montevetro building and Somerset Nursery School, Battersea Church Road. Both the proposal's height and bulk would be highly visible along Battersea Church Road and would substantially alter this part of the Battersea skyline.
 76. Adjacent to Valiant House off Battersea Church Road, BHTVIA Addendum view 18 looks back across to St Mary's Church with the Montevetro building behind and a relatively low residential block at 116 Battersea Church Road in the foreground. The Moravian Tower and towers of the World's End Estate would be seen in long views across the river at this point. The proposal would interrupt the skyline behind the Montevetro building, but would not be as obtrusive here as in other views. Close by, the BHTVIA Addendum view 25 is located at Battersea Square. However, the proposal would not be visible from this location.
 77. Westbridge Road lies south of the site and serves housing estates as well as older terraced housing. BHTVIA Addendum view 20 is located here. Through the gap in development provided by Bolingbroke Walk, the proposal would protrude into the sky. Its visibility would increase in winter months and after dark. This would have a negative effect on the townscape of the older terraces in particular.
 78. Moving down Westbridge Road towards Battersea Bridge Road, BHTVIA view 21 lies at the junction of the two roads. Presently, the existing building is noticeable only for its rooftop plant and telecommunications masts amongst the mixed form and age of development along Battersea Bridge Road. However, the proposal would be very overbearing in this view, with its stocky shoulder block seen prior to the more rounded tower element. Both elements would be substantially higher than their surroundings on Battersea Bridge Road and would lack a human and pedestrian scale. Further south along Battersea Bridge Road, BHTVIA Addendum view 22 would provide a similar view, but the distance between this viewpoint and the proposal would reduce its overbearing effect here.
 79. Close to Westbridge Road and Battersea Bridge Road, BHTVIA Addendum view 26 at Battersea Church Road adjoins Morgan's Walk. Older 2 - 3 storey terraced housing lies on the south side of Battersea Church Road, while Morgan's Walk dates from the 1980s. The proposal would tower over Morgan's Walk and appear significantly at odds with prevailing building heights in this view.
 80. Within Battersea Park, the BHTVIA Addendum identifies four views (13, 14, 15 and 24). Though lower mansion blocks surround Battersea Park on Prince of Wales Drive and Albert Bridge Road, there are taller, modern apartment blocks on Queenstown Road and Ethelburga and Castlemaine towers are visible from the park. However, the aforementioned buildings are not as tall as the proposal.
 81. BHTVIA Addendum view 13 is from the terraced walk adjacent to the river. Close to the Peace Pagoda, the view looks downstream towards the proposal. From a slightly different vantage point east of the view 13, it is possible to see the Chelsea Waterfront west tower projecting above the trees. However, due to the presence of established trees along the terrace, the proposal would be masked for the most part here. A view from Battersea Park's Central Avenue forms BHTVIA Addendum view 14, while BHTVIA Addendum view 24 is at the bowling green in Battersea Park. From these specific vantage points, the proposal would

not be likely to be seen and the focus of the park's users would likely be on moving through the park.

82. BHTVIA Addendum view 15 at Battersea Park West is a view of the shelter at the junction of several paths with the cherry blossom avenue beyond. The grassed areas are laid out as sports pitches or as recreational grassland. The proposal would be highly visible from this view. While visibility does not necessarily constitute harm, it would project beyond the park's tree belt and would be more prominent than the aforementioned taller buildings given its location and height. This would detrimentally alter the sense of separation and spaciousness that the park provides from London's everyday hustle and bustle, harming one's appreciation of the park. Having walked through the different areas of the park on several occasions and given the size of the park, I concur with the Zone of Theoretical Visibility and with Mr Eley's view that the proposal would be likely to be seen more widely, particularly on the park's western side. This would reduce the sense of *rus in urbe* as the city would intervene more greatly in a park which provides an escape for its users.
83. To summarise, the proposal would cause harm to townscape character in several identified views from different directions and differing distances as outlined above. This would have an adverse effect on the character and appearance of the area. Therefore, it would conflict with Policy D9 Part C in respect of visual impacts from long-range, mid-range, and immediate views. It would also fail to be consistent with WLP Policy LP4 in not respecting and responding to key views and their associated corridors, and by creating substantial visual interruption in areas with otherwise consistent building heights.

Conclusion on character and appearance

84. I conclude that the proposal would have a harmful effect on the character and appearance of the area. It would therefore be contrary to NPPF paragraphs 131, 135 and 139, London Plan Policy D9, and WLP Policies LP4 and PM9 as set out above. I shall deal with NPPF paragraph 125 c) in the planning balance below.

b) Heritage assets

Policy, guidance, and legislative context

85. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision-maker to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Section 72 (1) of the same Act does not apply as the site is not located within a conservation area.
86. When considering a proposal's impact on a designated heritage asset's significance, NPPF paragraph 212 states that great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
87. Furthermore, NPPF paragraph 213 outlines that any harm to, or loss of, the significance of a designated heritage asset, including from development within its setting, should require clear and convincing justification. NPPF paragraph 215 confirms that if a proposal will lead to less than substantial harm to a designated

- heritage asset's significance, this harm should be weighed against the proposal's public benefits, including, where appropriate, securing its optimum viable use.
88. NPPF paragraph 216 requires that the effect on the significance of a non-designated heritage asset is taken into account and that a balanced judgement will be required having regard to the scale of any harm or loss and the heritage asset's significance.
 89. London Plan Policy D9 Part C on tall buildings requires consideration of visual impacts. Amongst other things, criteria d) and e) of this part of the policy state that proposals should take account of, and avoid harm to, the significance of London's heritage assets and their settings. It outlines that proposals resulting in harm will require clear and convincing justification, demonstrating that alternatives have been explored, and that there are clear public benefits that outweigh that harm. Buildings should also positively contribute to the character of the area. In addition, buildings in the setting of a World Heritage Site must preserve, and not harm, the World Heritage Site's Outstanding Universal Value (OUV), and the ability to appreciate it.
 90. London Plan Policy HC1 deals with heritage conservation and growth. Part C of this policy expects development proposals affecting heritage assets, and their settings, to conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. It also asserts that the cumulative impacts of incremental change from development on heritage assets and their settings should be actively managed. Proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early in the design process.
 91. WLP Policy LP3 states that proposals will be supported where they sustain, preserve and, wherever possible, enhance the significance, appearance, character, function and setting of any heritage asset and the historic environment. It confirms that the more important the asset the greater the weight to be given to its conservation. This policy also addresses the need to protect the OUV of World Heritage Sites and to positively contribute to, and whenever possible, enhance the setting and integrity of strategic and local views and valued views and vistas. The WLP's local views include view 2 from Battersea Bridge towards Albert Bridge.
 92. Amongst other things, WLP Policy LP4 on tall and mid-rise buildings requires proposals to respect and respond to key views and their associated corridors to and from strategic landmarks and heritage assets across Wandsworth and neighbouring boroughs.
 93. HE's Good Practice Advice in Planning Note 3 (Second Edition) on the Setting of Heritage Assets (2017) confirms that when assessing any proposal which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change. It also states that where a heritage asset's significance has been compromised in the past by unsympathetic development affecting its setting, consideration still needs to be given to whether additional change will further detract from, or can enhance, the significance of the asset. The note also provides examples of positive and negative change. It was agreed by the main parties that this note along with other guidance notes produced by HE reflect best practice.

94. I have had regard to views from the BHTVIA Addendum, which have already been discussed in main issue a) on character and appearance, but have also undertaken site visits. Where I discuss heritage assets below, they are largely grouped as per the agreed Statement of Common Ground on heritage, with the exception of St Mary's Church and some of Cheyne Walk's listed buildings which I have referred to within the relevant conservation areas.

Westminster World Heritage Site

95. The Palace of Westminster and Westminster Abbey, including St Margaret's Church, have been inscribed as a cultural World Heritage Site due to their architectural, political, and historical importance. The main parties agree that the proposal would not harm the OUV of the Westminster World Heritage Site. I have no reason to disagree with this position.

Albert Bridge

96. Constructed in the 1870s and modified in the 1880s and 1970s, Albert Bridge is Grade II* listed for its architectural and historic interest. An elegant, lightweight, and iconic structure with Gothic embellishment, it combines features of suspension and cable-stayed bridges. It is particularly noticeable after dark due to its lighting. Despite modifications, it is a delicate and attractive structure with original tollbooth structures. These tollbooths were only in use for a short time, but remain in good condition and add to the bridge's historic interest. The bridge is also important historically for linking the north and south of the river at a time of significant change. It post-dates Battersea Park, but is contemporaneous with the embankment's development.
97. Given its design and siting, Albert Bridge is sensitive to change within its setting. In views from Chelsea Bridge, along the embankment and Cremorne Road in particular, the proposal would be very dominant in the skyline, diminishing the elegant lines of Albert Bridge's silhouette, both during the daytime and in hours of darkness. This would cause a moderate level of less than substantial harm to the significance of Albert Bridge, through change within its setting.

Battersea Bridge

98. Dating from 1890, Battersea Bridge (Grade II) is a low-lying bridge with five unequal spans. Designed by Joseph Bazalgette, it is the last of a sequence of bridges along Chelsea Reach and its southern bridgehead adjoins the site. The bridge's value is derived from its architectural interest as an intact example of a cast iron arched bridge design with decorative detailing. It replaced a centuries-old crossing of the river. Though it appears deceptively simple in comparison to other bridges across the Thames, it is attractive both in daylight and at night, when it is lit by Windsor lanterns. Despite its relatively low-key nature, it is seen in wide views up and down the river, respecting the river's openness.
99. The existing building is directly adjacent to Battersea Bridge. Though the parties have varying views on the existing building's architectural quality, it is a rather forlorn, relatively unobtrusive, and unprepossessing structure. Its rooftop plant and telecommunications masts are its most obvious features, with the glass and aluminium curtain walls reflecting their surroundings. However, it is neutral in its effect on the setting of Battersea Bridge.

100. It would be possible to see Battersea Bridge with the proposal from multiple locations, both close to the proposal and at some distance, given the openness of the river and the alignment of Battersea Bridge Road and Beaufort Street. The proposal would undoubtedly dominate Battersea Bridge from close quarters. At a distance, due to the proposal's significant height and scale, it would also fundamentally diminish the openness of the setting of the rather restrained heritage asset. Even with the enhanced public realm along the Thames and the improvements proposed to the footway adjacent to the bridgehead, the proposal overall would cause a moderate level of less than substantial harm to Battersea Bridge, through change within its setting.

Battersea Park Conservation Area, Battersea Park Registered Park and Garden, and associated listed buildings

101. The Battersea Park Conservation Area covers a wider area than Battersea Park itself, comprising development on the park's north, east, and west. This includes Albert and Chelsea Bridges and the river to the borough boundary. Its special character results from the park's interrelationship with surrounding development and the river. Neighbouring development includes mansion blocks, purpose built artists' studios and mews formerly used for horse stabling. Several of the mansion blocks are locally listed as non-designated heritage assets.
102. One of the earliest great Victorian public parks laid out in the 1850s, Battersea Park is a Grade II* registered park and garden which contains several Grade II listed buildings. It is of outstanding landscape interest, with its carriage drives, avenues of mature trees, lakes, a rockery, open space and formal gardens. While it retains elements of its Victorian inception, it contains structures from the 1951 Festival of Britain and the 1980s Peace Pagoda, as well as sports facilities. Around the park to the north and west, large mansion blocks provide a coherent and robust backdrop. They are not dissimilar to mansion blocks to be found north of the river. The park's eastern side is bounded by modern flatted blocks, which replaced industrial land. The park's riverside setting allows for a greater sense of openness for the park than its significant size allows, particularly given the relatively open landscaped frontage of the Royal Hospital Chelsea beyond the river.
103. Given the park's riverside location, it is unsurprising that it would be possible to see the proposal in the context of the park in views across the river and from the various bridges. However, it would also be possible to see the proposal from within the park, particularly on the park's western side. Due to its proximity and scale, the proposal would encroach on the park's well-preserved and verdant nature, introducing a discordant and urbanising influence. The harm caused to the Battersea Park Conservation Area, Battersea Park Registered Park and Garden and the associated listed buildings would represent a moderate level of less than substantial harm, through change within their setting.

Hyde Park Registered Park and Garden and Royal Parks Conservation Area

104. Hyde Park includes a Grade I registered park and garden with associated listed buildings and forms part of the Royal Parks Conservation Area, comprising Hyde Park, St James's Park, Green Park, Buckingham Palace Gardens and Kensington Gardens. Its significance stems from its development over time as land used by the Crown, with the parks then made available for public use. From the mid-18th to

the mid-19th century, Hyde Park saw change to its lakes, wooded paths, avenues, and informal planting as part of the picturesque landscape tradition. It is registered as a park and garden for its historical development and landscape importance.

105. Viewed from Hyde Park's West Carriageway Drive, the proposal would be likely to be seen to the south. Given the intervening distance between Hyde Park and the proposal, harm to Hyde Park Registered Park and Garden and the Royal Parks Conservation Area would be at a negligible level of less than substantial harm in respect of change within the setting of the aforementioned heritage assets.

Battersea Square Conservation Area and St Mary's Church

106. Comprising the earlier remnants of Battersea village and Victorian housing, Battersea Square Conservation Area covers the riverside, the adjacent Grade I listed St Mary's Church, Battersea Square, and access routes to the square. Its significance stems from its earlier buildings dating from its manorial past and from its development into a more industrial locale following the 1770s construction of a bridge over the Thames and the 1860s construction of the railway.
107. The village's 1770s parish church, St Mary's Church is located on the river's sweeping bend. Listed with its churchyard walls and wrought iron gates, it is a symmetrically composed brick church with stone quoins, a tetrastyle Doric pedimented porch, and a tower with an octagonal wooden steeple. Its main elevation faces the river and can be seen from various viewpoints, including the Thames Path and from the Chelsea Waterfront and Chelsea Creek. Although St Mary's Church's significance originates in large part from its age, design, and use, its location and role as a riparian landmark also support its significance considerably.
108. Though the proposal would be seen from St Mary's Church, this view has already seen considerable change over the last century, with the dominant backdrop of the Montevetro building, in particular, ensuring that intervisibility between the church, the conservation area, and the proposal is very limited. This would not detract from the church's prominence from the river at all. Therefore, there would be no harm caused to the significance of the Battersea Square Conservation Area or to St Mary's Church through change within their settings.

Brompton Cemetery Conservation Area, Brompton Cemetery Registered Park and Garden, and associated listed buildings

109. One of seven suburban cemeteries established in the 19th century to alleviate burial ground overcrowding following London's expansion, Brompton Cemetery Conservation Area's significance stems from its historic value as part of a time of change in cemetery provision. Architecturally, its significance is derived from its formal and monumental design and intactness as a cemetery designed by a well-known architect Benjamin Baud. In addition, it is a Grade I listed registered park and garden for the aforementioned historical and architectural reasons.
110. Known for its symmetrical design, verdancy, and tranquillity, it contains a significant ensemble of highly graded listed buildings and structures, monuments and mausoleums which contribute to the significance of the conservation area and registered park and garden. In light of the distance and lack of intervisibility between the cemetery and the proposal, there would be no harm caused to the

Brompton Cemetery Conservation Area, Brompton Cemetery Registered Park and Garden, and associated listed buildings as a result of the proposal.

Chelsea Park/Carlyle Conservation Area and St Andrew's Church

111. Between Fulham Road and King's Road, the Chelsea Park/Carlyle Conservation Area contains streets of terraced, detached and semi-detached residential properties dating from the late Georgian period to the mid-20th century. Much of the conservation area's significance comes from the mixture of housing of different ages and types separated by mature trees, well-planted front gardens and verdant, communal gardens. To the edges of the conservation area, the two main roads have a more commercial or institutional character, which contrasts with the attractive residential streets. There are several Grade II* and II listed buildings within the conservation area, including the Grade II listed St Andrew's Church and several hospital buildings.
112. In the west of the conservation area, Park Walk consists principally of residential properties and St Andrew's Church. From Park Walk's northern end, one would see glimpses of the proposal, but it would be largely obscured by the Moravian Tower and St Andrew's Church's substantial presence. The proposal would cause no harm to the significance of either St Andrew's Church or the conservation area in this regard.
113. However, from Beaufort Street within the conservation area, it would be possible to look south along the ongoing extent of Beaufort Street out of the conservation area towards Battersea Bridge and Battersea Bridge Road. The proposal would loom large in the view down Beaufort Street, detracting from the finer grain and heights along Beaufort Street.
114. In the east of the conservation area, Carlyle Square is separated from King's Road by a treed boundary. There is a considerable contrast between the busy retail and commercial space along King's Road and the relatively tranquil and green character of the square's central garden. The central garden is flanked by roads with terraced, semi-detached and detached dwellings. Although the dwellings are of differing designs, there is a coherence and overall harmony to the square. The proposal would introduce a tower visible from the square and its central garden. Though partially masked by trees at some points, it would reduce the overall strong rhythm and harmony of this part of the conservation area.
115. The proposal would give rise to a low level of less than substantial harm to the significance of the Chelsea Park/Carlyle Conservation Area, through change within its setting. No harm would occur to the setting of St Andrew's Church.

Cheyne Conservation Area, Roper's Garden Registered Park and Garden and various listed buildings

116. The Cheyne Conservation Area lies north of the river. The conservation area's Georgian and Victorian development is of considerable historic significance. Houses on Cheyne Walk, Cheyne Row, Lawrence Street, Upper Cheyne Row and Old Church Street are amongst the oldest and finest buildings in Kensington and Chelsea, with some surviving Georgian details. Victorian development includes a formal garden square at Paultons Square, around which stuccoed terraces were built. Gardens and trees along Cheyne Walk provide verdancy to the embankment, which dates from the late 19th century. Late in the Victorian era,

mansion flats and artists' studios were also built in the conservation area. This is consistent with the area's importance to artists, writers and intellectuals.

117. Within the conservation area, there are several important green spaces and many listed buildings. These include Paultons Square's central garden and Roper's Garden off Danvers Street and the embankment. Roper's Garden is a Grade II registered park and garden, which took its current form in the 1960s. With a known history dating back to the early 1500s, it has historic interest as a post-war urban communal garden, which used the remains of a bomb-destroyed terrace to connect with the past and to screen the sunken garden. Designer Peter Sheppard's structural elements remain largely intact, with later additions. Within Roper's Garden, a 1920s Grade II listed statue 'Awakening' has architectural interest as a finely rendered figurative sculpture and historic interest as a significant early work by Gilbert Ledward.
118. Roper's Garden also offers views of Chelsea Old Church (Grade I) and Crosby Hall (Grade II*). Destroyed during World War II, Chelsea Old Church is a 1958 restored facsimile of a much earlier church with medieval fabric, which was painted by artists J M W Turner and James McNeill Whistler. Stone-built Crosby Hall, a wool merchant's hall, dates from the 15th century with much later red brick additions, but moved to its current site only in 1910. Cheyne Walk runs the length of the conservation area, with its eastern end set back behind the Embankment Gardens. Along Cheyne Walk and the embankment are numerous Grade II* and Grade II listed houses, including 4, 5, 6, and 15 Cheyne Walk and Queens House at 16 Cheyne Walk.
119. Much of the character and significance of the conservation area, the registered park and garden, and the many listed buildings stems from their own history, architecture and associations. However, the river and the open skyline play a role in the setting and therefore the significance of these heritage assets, particularly for heritage assets along the embankment and Cheyne Walk, but also in views out from Paultons Square. Due to its height and scale, the proposal would be an overbearing feature on the skyline from various vantage points along the river and from within the conservation area. This would cause a low level of less than substantial harm to Cheyne Conservation Area, Roper's Garden Registered Park and Garden, and various listed buildings.

Royal Hospital Conservation Area, Chelsea Physic Garden Registered Park and Garden, and associated listed buildings

120. The Royal Hospital Conservation Area is a predominantly residential area between King's Road and the embankment. Dating from the late 1600s, the hospital forms the heart of the conservation area with its extensive buildings and grounds, while much of the conservation area is made up of more modest terraced housing and individual buildings dating from the Georgian and Victorian periods, with the exception of the Duke of York's Headquarters. The conservation area's significance stems from the array of high quality buildings and spaces which have developed over the centuries, many of which are listed in their own right. Uniformity is provided by the use of stucco and brick across the buildings, regardless of age, use and size.
121. Within the conservation area, the formal and symmetrically composed hospital buildings (Grade I) were designed by Sir Christopher Wren, with later additions by

Robert Adam and Sir John Soane. Architecturally, they exemplify British Baroque, while the buildings are historically important as they were designed for the care of sick and injured soldiers, a first of its kind. Its landscaped grounds overlook the river and host the Chelsea Flower Show. West of the Royal Hospital along the embankment, the Chelsea Physic Garden is a Grade I registered park and garden dating from 1673. A small, relatively secluded space, this garden is of historic importance as a medicinal garden that has remained in continuous use for over 350 years. Close to the physic garden, Grade II* listed Swan House and Garden Corner both front the embankment. These are 19th century townhouses associated with architects Richard Norman Shaw and C F A Voysey.

122. Much of the significance of these buildings and spaces is drawn from their form, fabric and interrelationships, but the Royal Hospital in particular can be seen within its grounds from the river, bridges, and Battersea Park, while Chelsea Physic Garden has less intervisibility with its surroundings due to its boundary treatments. Though relatively distant, the proposal would visually distract from the essential qualities of the listed buildings, gardens and spaces in the conservation area as well as the Chelsea Physic Garden. This would give rise to a low level of less than substantial harm to the significance of the Royal Hospital Conservation Area, the Chelsea Physic Garden Registered Park and Garden and associated listed buildings, through change within their setting.

Thames Conservation Area

123. The Thames Conservation Area covers Kensington and Chelsea's southern boundary to the centre of the river. The dominant built structures are the embankment and Albert, Battersea and Chelsea Bridges, which are listed at Grade II or II*. Albert and Battersea Bridges are discussed separately above. In addition to the Victorian granite river walls, balustrades, iron lamp standards, sculptures, mature trees, and informal gardens of the embankment which follow the curve of the river, the conservation area's intrinsic historic value originates from the marine infrastructure of bridges, piers, wharves, boat moorings and their relationship with the river itself.
124. The conservation area has an open character, thanks to both the embankment and the river itself. It provides a setting for other neighbouring conservation areas and listed buildings and has strong historic associations with artists and writers who lived and worked locally. There are open viewing corridors through the conservation area of the various bridges, old Chelsea, and the embankment. Across the river from the conservation area, it is possible to see Battersea Park and Battersea Power Station and looking up and down the river one can see the taller, modern buildings of central London and of Chelsea Waterfront in each direction. From within the conservation area, it is possible to read much of the evolution of the city.
125. The proposal would be very incongruous and would diminish the openness, lower scale, and finer grain of the conservation area. This would cause a moderate level of less than substantial harm to the significance of the Thames Conservation Area, through change within its setting.

The Boltons Conservation Area

126. North of the Chelsea Park/Carlyle Conservation Area, The Boltons Conservation Area's significance stems from the grain and pattern of its largely Victorian

residential character, with two architectural set-piece squares around churches at The Boltons and Redcliffe Square. The Italianate style housing along well-treed streets, with schools, shops, pubs, artists' studios and a cinema all contribute to the area's architectural and historic diversity.

127. However, given the existing siting of St Andrew's Church within the Chelsea Park/Carlyle Conservation Area, the Moravian Tower, and the intervening distance, the proposal would not erode the harmony and composition of The Boltons Conservation Area. Therefore, I find no harm to the significance of The Boltons Conservation Area, through change within its setting.

Three Sisters Conservation Area

128. To the south, the Three Sisters Conservation Area consists predominantly of semi-detached and detached houses dating from the 1870s, with limited terraced housing. The layout of housing is relatively generous, with trees, hedges and gardens adding to the sense of spaciousness. Despite differences in architectural features and detailing, there is a strong rhythm to the housing as a result of their layouts, materials, roof designs, and bay windows. Given the intervening distance and the presence of other existing tall buildings close to the conservation area, there would be no harm to the significance of the Three Sisters Conservation Area resulting from the proposal.

Westbridge Road Conservation Area and associated listed and locally listed buildings

129. Westbridge Road Conservation Area comprises part of Battersea Bridge Road south of the site, as well as parts of Westbridge Road and Battersea Church Road up to Bolingbroke Walk. The area's special character results from its development as an enclave from the early Victorian period onwards with good quality terraced and semi-detached housing and shops, some of which retain their original shopfronts. Within the conservation area, a striking pair of knapped flint faced Gothic villas (Grade II) are located at 2 – 4 Westbridge Road. The significance of the listed buildings is drawn from its form and its surviving fabric in the main, but its setting plays some part in that significance. In addition, Victorian shops or houses at 10 – 14 and 24 – 52 Westbridge Road, 52 – 68 Battersea Bridge Road, and 11 – 35 and 61 – 71 Battersea Church Road are locally listed. All of these locally listed buildings lie within the conservation area.
130. The conservation area and the listed and locally listed buildings within it are domestic in scale. The proposal would be unduly dominant over the rooflines of buildings within the conservation area, including the listed and the locally listed buildings. Accordingly, the proposal would give rise to a moderate level of less than substantial harm to the significance of the Westbridge Road Conservation Area and the associated listed and locally listed buildings, through change within their setting.

Conclusion on heritage assets

131. I have found that there would be no harm as a result of the proposal on the designated heritage assets comprising Westminster World Heritage Site, Battersea Square Conservation Area and St Mary's Church; Brompton Cemetery Conservation Area, Brompton Cemetery Registered Park and Garden, and associated listed buildings; St Andrew's Church; The Boltons Conservation Area; and Three Sisters Conservation Area.

132. However, the proposal would cause less than substantial harm to the significance of the designated heritage assets of Albert Bridge; Battersea Bridge; Battersea Park Conservation Area, Battersea Park Registered Park and Garden, and associated listed buildings; Hyde Park Registered Park and Garden and Royal Parks Conservation Area; Chelsea Park/Carlyle Conservation Area; Cheyne Conservation Area, Roper's Garden Registered Park and Garden and various listed buildings; Royal Hospital Conservation Area, Chelsea Physic Garden Registered Park and Garden, and associated listed buildings; Thames Conservation Area; Westbridge Road Conservation Area and associated listed buildings. This harm varies from negligible to moderate on the spectrum of less than substantial harm for the relevant designated heritage assets. Therefore, there would be conflict with London Plan Policies D9 and HC1 and WLP Policies LP3 and LP4.
133. There would also be a moderate indirect adverse effect on locally listed buildings within the Westbridge Road Conservation Area, which would conflict with London Plan Policies D9 and HC1 and WLP Policies LP3 and LP4.
134. However, London Plan Policy D9 and NPPF paragraph 215 require harm to be weighed against public benefits, where less than substantial harm to a designated heritage asset would occur, while NPPF paragraph 216 and WLP Policy LP3 require a balanced judgement for non-designated heritage assets. The heritage balance and any relevant conclusions on policy compliance will be carried out later in this decision.

c) Infrastructure

135. The relevant parties have entered into a legal agreement under Section 106 of the Town and Country Planning Act 1990, Section 111 of the Local Government Act 1972, Section 16 of the Greater London Council (General Powers) Act 1974, Section 1 of the Localism Act 2011, and Section 33 of the Local Government (Miscellaneous Provisions) Act 1982. The latter three Acts are only relevant insofar as any deed which does not constitute a planning obligation under Section 106 of the Town and Country Planning Act 1990. The legal agreement includes obligations which would come into effect if planning permission were granted.
136. All three tests for planning obligations at NPPF paragraph 58 and Regulation 122 (2) of the Community Infrastructure Levy Regulations 2010 (as amended) (the CIL Regulations) must be met. These tests are that the obligations are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind.
137. General monitoring fees of £21,456 are included in the legal agreement, calculated on the number of financial and non-financial obligations as per the Council's Planning Obligations Supplementary Planning Document (SPD).

Affordable housing and housing standards

138. London Plan Policy H4 sets a strategic target of 50% of all new homes to be genuinely affordable. The policy sets out several measures to achieve this. It also confirms that affordable housing should be provided on site, with off-site provision or financial contributions only in exceptional circumstances.

139. London Plan Policy H5 sets out the threshold approach to major development proposals which triggers affordable housing. To follow the Fast Track Route of the threshold approach, applications must meet or exceed the threshold level of affordable housing on site without public subsidy; be consistent with the relevant tenure split; meet other relevant policy requirements and obligations; and demonstrate that they have taken account of the strategic 50% target in London Plan Policy H4 and have sought grant to increase the level of affordable housing. Fast tracked applications are not required to provide a viability assessment at application stage.
140. London Plan Policy H6 applies the tenure split for affordable housing and expects a minimum of 30% low-cost rented homes, as either London Affordable Rent or Social Rent; a minimum of 30% intermediate products which represent genuinely affordable housing, including London Living Rent and London Shared ownership; and the remaining 40% to be determined by the borough as low-cost rented homes or intermediate products based on identified need.
141. WLPPR Policy LP23 seeks to maximise affordable housing with a strategic target of 50% of all new homes. Where a scheme would provide 50% affordable housing, it is not required to provide viability information at application stage or be subject to a review mechanism, except where an agreed level of progress on implementation has not been made within two years of granting permission. WLPPR Policy LP23's tenure split is for a minimum of 70% social rent and a maximum of 30% intermediate housing, preferably rented intermediate tenure.
142. The proposal includes 54 affordable units (50% affordable housing by habitable room), with affordable housing designed as an integral part of the proposal. There was no requirement during the proposal's pre-application or application processes for a viability assessment to be completed as the proposal meets the 50% strategic target outlined above. The legal agreement defines the affordable housing mix, including housing units meeting M4(3) requirements for wheelchair users. Furthermore, the legal agreement requires details of the registered provider of the affordable units and for the occupation of market housing to be restricted until the affordable units are completed and transferred to the registered provider.
143. The tenure of the proposed affordable housing units is 100% social rent, which differs from WLPPR Policy LP23. However, the committee report confirms that the number and tenure of the affordable housing units has been welcomed by the Council's Director of Housing (Strategy, Compliance and Enabling).
144. Prior to and during the inquiry, scepticism was expressed by both the Council and the Battersea Society that the provision of such a high level of affordable housing would be realised on a high value site where the proposal's height has reduced since its inception and where grant funding is potentially being pursued. Instead, it was posited that there would likely be a further application following grant of planning permission to reduce the level of affordable housing given market volatility and the proposal's reduced height and quantum of development.
145. However, the legal agreement commits the appellant to providing 50% affordable housing generally consistent with London Plan policies H4, H5, and H6 and WLPPR Policy LP23. In the absence of any substantive evidence to the contrary, I must assume that the proposal is viable, consistent with NPPF paragraph 59. I therefore consider the appeal on the basis that 50% affordable housing would be

provided if the appeal were allowed. I shall turn to the weight to be afforded to market and affordable housing provision later in the decision.

146. The legal agreement also requires 90% of the residential units to meet the M4(2) accessible and adaptable housing standard, while the remaining 10% would need to meet M4(3). This is consistent with London Plan Policy D7 which deals with accessible housing. All residential units would be required to meet the Nationally Described Space Standard.

Cultural and community infrastructure

147. The Council's Arts and Culture Strategy 2021 - 2031 highlights that art and culture play a vital role in Wandsworth's prosperity and attractiveness. As the proposal is for over 100 units and lies within the Ransome's Dock Focal Point of Activity, provision should be made towards public art and wider arts and cultural infrastructure. The legal agreement therefore requires an Arts and Cultural Action Plan. However, the legal agreement allows this to be replaced by an arts contribution of up to £110,000, consistent with WLP Policy LP18 and the Council's Planning Obligations SPD.
148. In terms of community space, the legal agreement requires provision of no less than 274m² of community floorspace on site. The floorspace would be fitted out prior to occupation of no more than 80% of the residential units and would be let to community groups at a peppercorn rent. This is supported by WLP Policy LP17 which encourages proposals for new social and community infrastructure subject to a range of criteria being met. Given that the Council has confirmed that three expressions of interest for use of the community space have already been made by local charities, I have no reason to believe that the proposed community space would not meet the requirements of WLP Policy LP17.
149. A healthcare contribution of £30,000 forms part of the legal agreement. The London Healthy Urban Development Unit Planning Contributions Model has been used to calculate the capital cost of additional health facilities to meet increased demand from the proposal, focussed on the Bridge Lane Group Practice. This is consistent with WLP Policy LP17 on social and community infrastructure.

Employment infrastructure and contributions

150. WLP Policy LP38 expects development that provides economic floorspace to contribute to provision of affordable and/or open workspace, in perpetuity or for a minimum of 30 years. This results from increased average rental rates for offices and industrial space. The legal agreement requires not less than 535m² affordable workspace at not more than 80% of market rent and an Affordable Workspace Management Plan.
151. Recognising the importance of an inclusive economy and meeting the expectations of WLP Policy LP38, the legal agreement commits to a Local Employment Agreement and an Employment and Skills Plan which seek to maximise business, employment and training opportunities for local people and businesses. Furthermore, the legal agreement requires provision of a Local Employment Skills and Training contribution of £152,036.50. This is to be used to support the placing of candidates in apprenticeships, training places and jobs, consistent with the Council's Planning Obligations SPD and WLP Policy LP38.

Public realm, amenity areas and play space

152. Several internal and external amenity spaces would be provided as part of the proposal. The legal agreement includes a requirement to provide an amenity areas management plan. Such a plan would address access, inspection, cleaning, maintenance, lighting and security arrangements for the amenity areas. The legal agreement also requires a public realm improvements work specification and provision of public realm improvements. This would include the detailed design, specification and timing for the delivery of the public realm works.
153. The legal agreement includes a play space contribution of £147,300 which would be used to provide, improve and/or upgrade play spaces within 1.5km of the site. Notwithstanding proposed play space on site, this would not meet the GLA's play space calculator and would fail to meet London Plan Policy S4 and WLP Policy LP19. The financial contribution would address the recognised shortfall.

Environmental infrastructure and contributions

154. The legal agreement includes an air quality contribution of £30,000. Payable prior to commencement, it is necessary to address the Council's staffing costs in monitoring, reviewing and responding to air quality monitoring during construction.
155. A carbon off-set contribution of £157,917 is to be paid prior to commencement and prior to first occupation. London Plan Policy SI 2 and WLP Policy LP10 require major development to be net zero-carbon. However, the proposal does not meet this target and a financial contribution is necessary to offset the outstanding 37% carbon reduction, consistent with London Plan and WLP requirements. Such contributions would be spent on measures to reduce carbon emissions locally. If, prior to first occupation, a re-assessment shows that the carbon shortfall position has improved, the remaining offset contribution may be reduced.
156. The Environment Agency (EA) has advised that the proposal would likely lead to an effect on the ecology of the intertidal foreshore and river frontage habitats. In order to mitigate overshadowing of the river, the legal agreement requires a Thames River Wall Enhancements scheme and a costed plan for its implementation. It also requires reasonable endeavours to be made to enter into an agreement with the owner of the flood defence structure to facilitate delivery of the enhancements scheme. In the event that no agreement is reached, a financial contribution can be made towards enhancements instead of delivering the enhancements scheme.
157. For an obligation to be taken into account, it must be effective and able to achieve its intended effect. The Thames Walk Residents' Association (TWRA) is the owner of the flood defence structure. TWRA confirmed on 7 April 2026 that no access would be granted to its land. A contribution towards enhancements would be a likely outcome, given the recognised impasse. This would enable overshadowing effects to be addressed through enhancements elsewhere. Consequently, the obligation would be effective and consistent with WLP Policy LP4 in enhancing ecological value.

Transport infrastructure

158. Transport for London's Healthy Streets approach seeks to enable short and regular trips by walking or cycling. To deliver a signalised pedestrian and cycle

crossing, footway resurfacing, and an enhanced cycle lane, a contribution of £436,812 is part of the legal agreement. This is supported by London Plan Policies T2, T4 and T9 and WLP Policies LP49 and LP50 on sustainable transport infrastructure. In addition, the legal agreement secures highway works for the reconstruction of the highway and footways adjacent to the site's boundaries.

159. Under Section 16 of the Greater London Council (General Powers) Act 1974, the legal agreement restricts future occupiers from being able to apply for parking permits within Controlled Parking Zones, unless they hold a Disabled Person's Badge. Consistent with case law⁷, this is not required to meet the tests set out in NPPF paragraph 58 or Regulation 122 (2) of the CIL Regulations. However, it is reasonable in seeking to mitigate parking stress arising from new development.
160. The legal agreement expects provision of a travel plan to set out mitigation measures and targets for reducing single occupancy vehicle trips and increasing journeys made via sustainable transport modes. A financial contribution of £730 is also secured towards travel plan monitoring. This is an essential part of the implementation of the travel plan.
161. In encouraging sustainable modes of transport, the legal agreement requires the developer to enter into an agreement with a Car Club operator and to provide 12 months' free membership of the Car Club to the first household in each residential unit. In the event that no Car Club is secured following reasonable endeavours, the legal agreement allows for the Car Club requirements to be waived.

Conclusion

162. In conclusion, the proposal would make appropriate provision for infrastructure. Furthermore, with the exception of the restriction on parking permits, the planning obligations would meet the tests set out at NPPF paragraph 58 and Regulation 122 (2) of the CIL Regulations and would be consistent with Local Plan Policy LP62 which seeks to mitigate the effects of development through provision of infrastructure, including affordable housing. Therefore, I take all of the obligations within the legal agreement into account in my decision.

d) Planning balance

Adverse effects

163. The proposal would have an adverse effect on the character and appearance of the area and would conflict with London Plan Policy D9, WLP Policies LP4 and PM9, and NPPF paragraph 131, 135, and 139. The proposal's negative effects on the character and appearance of the area and the associated policy conflicts have very substantial weight.
164. In terms of the proposal's effect on heritage assets and conflict with London Plan Policies D9 and HC1, and WLP Policies LP3 and LP4, there would be less than substantial harm to the significance of designated heritage assets, ranging from negligible to moderate levels. Great weight should be given to the conservation of designated heritage assets, irrespective of the level of harm. There would be moderate harm to the significance of non-designated heritage assets in the Westbridge Road Conservation Area, to which I afford moderate weight.

⁷ R (on the application of Khodari) v Kensington and Chelsea Royal London Borough Council (2017) EWCA Civ 333

Benefits

165. London is a single housing market for strategic purposes, with each borough provided with a ten-year target for housing. The supporting text to London Plan Policy H1 confirms that the London-wide Strategic Housing Market Assessment identified an annual need for 66,000 additional homes. However, the London Strategic Housing Land Availability Assessment has found annual capacity for approximately 40,000 homes on large sites and 12,000 homes on small sites. As a result, meeting capacity is not the same as meeting housing need in London. Indeed, the Panel examining the London Plan highlighted the need for an early review to address the recognised gap between capacity and supply. That early review has not yet taken place, though the Mayor of London has indicated through a consultation on Towards a new London Plan in May 2025 that housing remained a key issue for the capital.
166. On a London-wide basis, housing completions have dropped off considerably, with only 8.1% of an annual target of 52,287 homes completed in 2025/26. This is a dramatic drop when compared to 2021/22 – 2024/25 when completions against the same target were under-delivering, but were between 63% and 76% annually.
167. WLP Policy SDS1 sets out Wandsworth’s spatial development strategy for 2023 – 2038, providing for a minimum 20,311 homes. WLP Policy SDS1 sets out a capacity-based approach to housing delivery. Although the Council has a 5 year housing land supply of 5.5 years and the most recent Housing Delivery Test result was 112%, it is important not to underestimate the importance of housing delivery, notwithstanding minimum targets. WLP Policy PM9 Part B identifies capacity to provide 904 homes by 2032/2033 in Wandsworth’s Riverside.
168. Wandsworth has an annual housing delivery target of 1,950. Between 2021/22 and 2023/24, Wandsworth saw housing delivery at or above target. However, in 2024/25, housing completions were delivered to only 73% of the target, with a lower level of starts on site than in previous years. Any decline in the delivery of market housing inevitably affects affordable housing delivery, for which the need stands at 17,223 social rented dwellings by 2038. Overall, the changing figures for Wandsworth are likely to be indicative of the wider decline across London.
169. London is in a housing delivery crisis, with applications, permissions, and completions at an all-time low. This has led to a deep and understandable concern about the acute need for housing and the consequent economic and social effects. Reflecting the urgent need to address housing delivery in London, a range of measures were confirmed on 25 March 2026. These include a time-limited planning route without viability assessment, relief from CIL for eligible schemes, removal of some constraints on density, expansion of the Mayor’s call-in powers, and introduction of a City Hall Developer Investment Fund to prioritise interventions on stalled sites.
170. The Council has asserted that only moderate weight should be given to the provision of housing as the Council is meeting its own housing needs and it is not the Council’s responsibility to contribute to wider London housing needs. In the light of the worsening housing delivery situation and the minimum nature of housing targets, this appears ill-considered.
171. The proposal would provide 110 units of high-quality market and affordable residential accommodation, with larger accommodation suitable for families and

disabled residents. In addition to the social benefits of market and affordable housing provision on previously developed land, there would be economic benefits in delivery of the residential units as well as in ongoing management and maintenance of those units. Environmentally, the proposal would provide energy efficient residential units, regardless of tenure. Accordingly, I afford substantial weight to the proposal's provision of market housing. Separately, I give substantial weight to the provision of 50% affordable housing within the proposal.

172. Furthermore, the provision of a community facility of 274m² floorspace at a peppercorn rent and without service charges would constitute a social benefit. There has already been local interest from several community groups. I afford this provision significant weight.
173. Although the proposal would give rise to the loss of 4,343m² of office floorspace, the appellant and the Council agree that this would be acceptable and compliant with London Plan Policy E1 and WLP Policies PM9, LP33, LP35 and LP59 in respect of employment floorspace. The appellant has confirmed that there is no reasonable prospect of the building being re-used or re-occupied for office use and there is no evidence before me to contradict this. Indeed, the proposal would provide 535m² of modern serviced office floorspace which would be flexible for a range of tenants, including smaller businesses. This would be consistent with London Plan Policy E3 and WLP Policies LP38 and LP59 on affordable workspace and local employment. This has significant weight.
174. The provision of a 189m² ground floor restaurant would be compliant with WLP Policies PM9 and LP59 in respect of promoting mixed-use development in focal points of activity and providing an active frontage. At ground floor level adjacent to the restaurant, there would be public realm and landscaping enhancements, including to the Thames Path on the site's frontage. It was a subject of discussion during the Inquiry as to whether these were benefits in terms of urban design or to heritage. Although they would predominantly be urban design benefits, they would have a minor positive effect on the setting of Battersea Bridge. As these public realm and landscaping works would provide both social and environmental improvements consistent with WLP Policies PM9 and LP59 and allow greater accessibility for both pedestrians and cyclists, they have significant weight.
175. The proposal would involve a Biodiversity Net Gain of over 39%, which would be well above the 10% requirement in legislation. Additionally, an Urban Greening Factor of 0.4 would be achieved, consistent with London Plan Policy G5 and WLP Policy LP52. These would represent benefits in contrast to the current circumstances on site. I give them moderate weight. I have also had regard to all of the other provisions of the legal agreement which I have discussed above. I have drawn out detail on benefits only where the appellant has done so.
176. It was argued that the UDS should be considered out of date as the methodology used to assess the scope for redevelopment of sites pre-dated the current NPPF and, in particular, NPPF paragraph 125 c) alongside the removal of NPPF paragraph 130 from its 2023 iteration. While I have had regard to the UDS and the mid-rise and tall building zones within the WLP as a part of my decision-making, they represent only part of my consideration of the character and appearance of the area. In any event, even if the next UDS looked very different, I have no new UDS before me and the examining Inspectors could not have reasonably foreseen the change in national policy. Notwithstanding this, the requirement to consider an

area's townscape and capacity for tall buildings alongside good design have not altered in the current NPPF. While this requires balancing, it does not give rise to a free for all, development at any price, or the acceptability of any height of tower⁸.

177. The appellant has referred me to the draft NPPF at S4 and L3, but the draft NPPF at L2 also affords substantial weight to the benefits of making effective use of previously developed land. However, unlike NPPF paragraph 125 c), it does not caveat this weight with reference to substantial harm. For the avoidance of doubt, I have dealt with this appeal on the basis of NPPF paragraph 125 c), with limited weight given to the draft NPPF.
178. In order to consider the requirements of NPPF paragraph 125 c), it is necessary to look at the level of harm I have apportioned to the effect of the proposal on the character and appearance of the area. As I have found very substantial harm in respect of character and appearance, the benefit of re-using brownfield land would not have substantial weight in this instance. Instead, the use of brownfield land has moderate weight.

Other matters

179. Within Flood Zone 3, the site lies adjacent to the river's tidal flood defence wall. The appellant and Council agree that the proposal is acceptable in terms of flood risk management and sustainable drainage. However, the EA and the TWRA have raised objections concerning the tidal flood defence wall. This part of the flood defence is owned by TWRA. To address its outstanding concerns, the EA has put forward conditions which were discussed during the Inquiry. Given my overall decision, I have not considered this matter any further.
180. In terms of daylight and sunlight, concerns were raised by interested parties, including TWRA. Differing evidence was provided by the appellant and Anstey Horne for TWRA. It was not possible to test Anstey Horne's evidence as they were not present at the Inquiry⁹. Based on what I have read, seen, and discussed at the Inquiry and having had regard to case law¹⁰, the proposal's impacts in terms of daylight, sunlight and overshadowing would fall within accepted outcomes for such development in a London context and no harm would be caused.
181. In terms of privacy and outlook, the change of use from offices to residential would alter both building height and use, with differing effects during the day and at nighttime. However, such a change would potentially occur if any residential redevelopment came forward. Given the separation, siting, and location of buildings at Thames Walk, 6 Hester Road and Albion Riverside, there would be little to no change in privacy experienced by neighbouring occupiers as a result of the proposal. This would cause no harm. In terms of outlook, the impact on the neighbouring occupiers would be similar to that experienced currently, given the buildings' separation, siting, and orientation. This would not harm outlook.
182. Highway capacity, parking, demolition and construction can be appropriately managed through conditions and obligations and other regimes such as Building Regulations. While demolition and construction, particularly for larger developments, can give rise to effects on living conditions of neighbouring

⁸ Paragraph 62, APP/M9584/W/24/3350592, decision issued 12 March 2025.

⁹ TWRA and their consultants did not attend the roundtable discussion to which they had been invited.

¹⁰ *Rainbird v The Council of the London Borough of Tower Hamlets* [2018] EWHC 657 (Admin).

residents, these are transitory issues which can be managed through conditions. There is no substantive evidence that the proposal would affect Battersea Bridge's structural stability.

183. Based on the appellant's technical evidence, there are no likely wind safety risks arising from the proposal on site or within the surrounding area. Furthermore, the proposal's design incorporates wind safety measures, which would be required to be submitted for discharge of condition if the proposal were allowed. With such mitigation, no harm would be caused by the proposal.
184. There is no reasonable prospect of the building's existing use continuing, with or without refurbishment. If the appeal were allowed, conditions would have required further information to be submitted in terms of Whole Life Carbon and Circular Economy. Subject to the discharge of such conditions, there would be no harm caused by the proposal in these regards.
185. The site is rated at Public Transport Access Level 3. The stations at Imperial Wharf and Clapham Junction are around a mile away in different directions. Neither station would be highly accessible even when using one of the regular bus services which uses Battersea Bridge Road. Nevertheless, the proposal would have a moderate level of accessibility and this does not cause harm.
186. Other representations were submitted, including need for Environmental Impact Assessment, the proposal's publicity campaign, the effects on Battersea Heliport, and the capacity of local utilities. I have not addressed these matters in any detail, given my overall findings on this appeal.

Heritage balance

187. Having regard to NPPF paragraph 215 and London Plan Policy D9, I must weigh the moderate, low and negligible levels of less than substantial harm to the significance of designated heritage assets, against the public benefits. All the aforementioned benefits should be regarded as public benefits.
188. The benefits of market and affordable housing delivery are substantial. These alone outweigh the harm to significance notwithstanding the considerable importance and weight I give to that harm. While NPPF paragraph 212 indicates that great weight should be afforded to the assets' conservation, there is clear and convincing justification for the harm to these designated heritage assets as required by NPPF paragraph 213.
189. Accordingly, the proposal would have an acceptable effect on the setting and the significance of designated heritage assets. Despite the identified conflict with London Plan Policies D9 and HC1 and WLP Policies LP3 and LP4, the proposal would accord with NPPF paragraphs 212, 213 and 215.
190. Regarding the moderate indirect adverse effect on the significance of 10 – 14 and 24 – 52 Westbridge Road, 52 – 68 Battersea Bridge Road, and 11 – 35 and 61 – 71 Battersea Church Road as non-designated heritage assets and the conflict with London Plan Policies D9 and HC1 and WLP Policies LP3 and LP4, this would be significantly outweighed by the proposal's benefits, having had regard to NPPF paragraph 216.
191. Although the heritage balance has been passed, the harms to the aforementioned heritage assets are included in the overall planning balance below.

Planning balance

192. While I have had regard to the appellant's and the Council's views on full or partial compliance with London Plan Policy D9 or with WLP Policy LP4, I do not pursue this debate further as the proposal clearly fails to comply with several of the elements of London Plan Policy D9 Part C and WLP Policy LP4.
193. The proposal would provide the benefits of market and affordable housing, both of which individually carry substantial weight. There would be other benefits to which I have afforded significant and moderate weight and these are outlined above. However, I have afforded very substantial weight to the adverse effects on the character and appearance of the area. There are moderate, low and negligible levels of less than substantial harm to designated heritage assets which carries considerable weight and moderate indirect adverse effects on non-designated heritage assets which carry moderate weight.
194. Accordingly, the proposal would be contrary to the development plan taken as a whole, and there are no material considerations that indicate that planning permission should otherwise be granted.

Conclusion

195. For the reasons set out above, the appeal is dismissed.

Joanna Gilbert

INSPECTOR

APPEARANCES

For the Appellant:

Russell Harris KC and Anjoli Foster
instructed by Dentons UK and Middle
East LLP

They called:

Peter Barbalov BA (Hons) DipArch ARB RIBA	Farrells
Lloyd Bush	Velocity
David Gaffney	Rockwell
Elizabeth Gladwin	GIA
Rachael Herbert	Dentons UK and Middle East LLP
Jonathan Marginson MA (Hons) MRTPI	DP9 Ltd
Dr Chris Miele RTPI IHBC FRHS	Montagu Evans
James Mortimer	AquaTerra Consulting
Simone Pagani	GIA
Roy Pinnock	Dentons UK and Middle East LLP
Jon Winchester	GIA

For the Council:

Douglas Edwards KC instructed by
Duncan Moors of Ashfords LLP

He called:

Joanna Chambers BA BTP MRTPI	Director of Changing Cities
Ben Eley BA (Hons) MSc (Hist Con)	Senior Conservation and Urban Design
MRTPI RSA	Officer, London Borough of Wandsworth
Nigel Granger	East Area Team Manager, London
	Borough of Wandsworth
Duncan Moors	Legal Director, Ashfords LLP
David Tidley	Head of Transport Strategy, London
	Borough of Wandsworth

For the Battersea Society:

William Walton MRTPI instructed by Dr
Michael Jubb, the Battersea Society

He called:

Dr Michael Jubb MBE	The Battersea Society
Philip Whyte	The Wandsworth Society

Interested parties:

Sarah Basden	Local resident
Stephen Brand	Flood and Coastal Risk Management Officer, the Environment Agency
Shea Bunyan	Planning Advisor, the Environment Agency
Stephen Canning	Local resident
Gerard Connolly	Local resident
Sir Christopher Edwards	Local resident
Sham Marcellin-Fowler	Flood and Coastal Risk Team Leader – Thames Tidal Defences Team, the Environment Agency
Nina Gardiner	Local resident
Amanda Henricks	Chair, Thames Walk Residents Association
Mark Littlewood	Local resident
Rob McGibbon	Local resident and journalist, The Chelsea Citizen
Mr Riddle	Local resident
David Waddell	Local resident

Documents submitted during and after the Inquiry

ID01	List of appearances for the appellant
ID02	List of appearances for the Council
ID03	Appellant's opening submissions
ID04	Council's opening submissions
ID05	The Battersea Society's opening submissions
ID06	David Waddell's statement
ID07	Updated list of appearances for the appellant
ID08	Mr Eley Evidence in Chief document list
ID09	Appellant's list of documents for cross-examination of Mr Eley
ID10	Copy of a development agreement dated 27 November 1981 with covering note from the Thames Walk Residents' Association
ID11	Appellant's note for the Inspector in response to Thames Walk Residents' Association's note and development agreement
ID12	Inspector's Site Visit Route Map – Nighttime
ID13	Appellant's list of documents for cross-examination of Dr Jubb
ID14	Document list for cross-examination of Mr Barbalov
ID15	Rob McGibbon's statement
ID16	Dr Chris Miele Evidence in Chief Documents
ID17	Documents for cross-examination for Dr Miele
ID18	Corrections to Dr Miele's Proof of Evidence
ID19	Document list for Joanna Chambers Evidence in Chief
ID20	Council's Proofs of Evidence - Errata
ID21	Document list for cross-examination of J. Martinson
ID22	Draft S106 Agreement
ID23	Draft Addendum to Planning Obligations – Statement of Compliance with the Community Infrastructure Levy Regulations 2010

- ID24 Further Draft S106 Agreement
- ID25 Further Draft Addendum to Planning Obligations – Statement of Compliance with the Community Infrastructure Levy Regulations 2010
- ID26 Email from Environment Agency dated 25 March 2026
- ID27 Draft S106 Planning Obligation 26 March 2026 – Fifth Draft
- ID28 Redline comparison of the draft S106 legal agreement between the Second Draft and Fifth Draft – including plans
- ID29 Note from the London Borough of Wandsworth summarising changes to the S106 Planning Obligation 26 March 2026
- ID30 Agreed statement between the Council and the appellant on tall building definitions in the draft and final Urban Design Study
- ID31 The Battersea Society’s closing submissions
- ID32 Council’s closing submissions
- ID33 Appellant’s closing submissions
- ID34 Letter dated 7 April 2026 from Farrer & Co on behalf of Thames Walk Residents’ Association
- ID35 Email dated 7 April from the Battersea Society with regard to planning obligations and conditions
- ID36 Draft schedule of conditions dated 7 April 2026
- ID37 Email dated 9 April 2026 from the Council with regard to the Battersea Society’s comments on planning obligations and conditions
- ID38 Email dated 14 April 2026 from the Council regarding recently published Government and Mayor of London policy and guidance changes in respect of housing in London
- ID39 Email and letter dated 14 April 2026 from the appellant regarding recently published Government and Mayor of London policy and guidance changes in respect of housing in London
- ID40 Email and letter dated 14 April 2026 from the appellant in respect of the Thames river wall
- ID41 Letter dated 21 April 2026 from the Council in respect of the appellant’s 14 April 2026 letter regarding recently published Government and Mayor of London policy and guidance changes in respect of housing in London
- ID42 Litera Compare Redline version of the final S106 legal agreement received 21 April 2026
- ID43 Completed and signed S106 legal agreement dated and received 21 April 2026
- ID44 Appellant’s email confirmation received 22 April 2026 that the appellant would not be responding to the Council’s letter of 21 April 2026 regarding recently published Government and Mayor of London policy and guidance changes in respect of housing in London
- ID45 Appellant’s letter dated 24 April 2026 to the Planning Inspectorate regarding appellant’s request for the appeal to be recovered
- ID46 Appellant’s letter dated 24 April 2026 to the Planning Casework Unit requesting recovery of the appeal
- ID47 Appellant’s email dated 24 April 2026 agreement to pre-commencement conditions, excluding condition 12 relating to flood defences.
- ID48 Inspector’s email confirmation on 27 April 2026 that the Inquiry is closed.