

**TOWN AND COUNTRY PLANNING ACT 1990**  
**PLANNING AND COMPULSORY PURCHASE ACT 2004**  
**72 UPPER GROUND, SE1**  
**APPLICATIONS BY MEC LONDON PROPERTY 3 (GENERAL PARTNER) LIMITED**

Inquiry opened 6 December 2022

**APP/N5660/V/22/33306162**

**SAVE OUR SOUTHBANK'S OPENING REMARKS**

1. This is an Inquiry into proposals known as 72 Upper Ground – for most of the local community it was the ITV building, the second tall building visible across much of Waterloo from the 1970s.
2. I am representing and making the case for Save Our Southbank, a loose collective of local groups including the business-led Neighbourhood Forum, Waterloo Community Development Group, Lambeth Estates Residents Association and many other groups and individuals.
3. We are presenting the case that this application is inappropriate, out-of-context and harmful, and hence of poor design; that the harm to heritage is egregious; that the harm to residential amenity – by taking away daylight from homes and sunlight from some of the most popular public realm in the country – is inequitable and unneighbourly; and that the harm to the planet is unconscionable.
4. In calling the application in, the Secretary of State wishes to be informed whether or not the proposal is in accordance with the development plan – we will present evidence that it departs on several key counts.
5. The Secretary of State wishes to be informed of whether or not the proposed development is consistent with government policies for conserving and enhancing the historic environment, in particular, in respect of designated heritage assets. We will present and hear evidence that it is not consistent with such policies, and that, given the considerable significance of these heritage assets that these harms are, in the ordinary use of the term, substantial.
6. We will also present evidence about other issues which you have identified, Ma'am, including
  - the impact of the design on the townscape character and appearance of the area, which is at once both dominating and desultory

- The effect of the proposal on the amenity of nearby residents in terms of daylight/sunlight and outlook, which is at best careless
- Whether the proposed public realm improvements provide a satisfactory environment –we would propose that the benchmark of ‘satisfactory’ is quite simply not satisfactory in one of the very best and most popular areas of public realm in the country
- Whether the scheme’s sustainability and its whole life carbon assessment provide an appropriate strategy in terms of climate change mitigation – we will demonstrate that the requisite evidence on this has simply not been produced by the applicant
- The weight to be given to the public benefits of the proposal – we will readily acknowledge that there are some public benefits, but completely insufficient to outweigh the multiple heritage harms, and that the overall planning balance is clearly tipped against granting approval.

7. We campaigned to get this application called in by the Secretary of State, Ma’am, because our local planning authority failed us – although not our elected representatives, who have all campaigned with us. We warned the local authority a year ago that this application was heading for a car crash, but we were ignored.

8. We haven’t sought a public inquiry. As one of the first neighbourhood plans adopted in London we enjoy a healthy level of engagement about many huge developments, in an Opportunity Area where over half the land has been redeveloped once, if not twice, since the war.

9. We have a thriving planning group, environment group, Forum meetings, public meetings and many others besides, all committed to negotiating the best for our area. We want development: appropriate, contextual, necessary development – good growth as it’s called in the London Plan. We work with developers and the local authority to make those incremental detailed improvements happen. We act consensually – and there is usually a wide range of views to be represented. It is very rare that the community comes together so robustly over a development and says no – the last time was nearly a decade ago over the ill-fated Garden Bridge.

10. The stubbornness of the applicant and the acquiescence of the planning authorities has forced this Inquiry. But now that we are here, we are going to help you, Ma’am, understand why we believe that this planning application is so offensive.

11. It is a sorry tale. We desperately wanted ITV to stay on the South Bank, so did not oppose their over-large scheme in 2017, which would have caused heritage harm – in our view the benefits of 213 new additional homes plus ITV remaining, outweighed those harms. The relatively innocuous design helped.

12. But ITV departed, and the site stood empty, needing serious investment, refurbishment, retrofitting. We were pleased when Mitsubishi bought it in 2019, knowing that they couldn't implement the then-extant permission, so would have to design something afresh.

13. We waited for the conversation, the engagement... but simply heard silence. It was over a year before the first public consultation took place; and still the enormity of what was proposed was not revealed to us. That only happened four months later, in Feb 2021 ... following over 30 closed-door un-minuted meetings with officers, with the political leadership of the council, with a panel of designers (twice!). By the time we were consulted all the key decisions had been taken, and we were told, not consulted

- They weren't planning to refurbish or retrofit a concrete tower less than 50 years old, they were going to tear down
- They weren't planning to provide housing amidst a mix of uses, as per planning policy, it was going to be a huge office development
- They weren't planning to make it slim and relatively innocuous but fat and overbearing and shouty loud.

14. We were horrified. Why had such critical decisions been taken without consultation? Why wasn't retention and refurbishment considered? Why wasn't there a mix of uses including housing? Affordable housing is the number one priority for this area. Why was it so enormous, so dominating, so harmful? And here we were fobbed off:

- 'We decided to do an office scheme, because that's what the market tells us, and what central London needs'. Is it? What about housing?
- 'We looked at retaining and extending the tower for office, but it's not feasible'. Isn't it? Well what about refurbishment for housing?

- ‘We need to build something really big with huge floorplates because that’s what employers want’. Do they? In a borough dominated by SMEs? In a post-pandemic Work-From-Home half-empty City? In a capital with a housing crisis, not an office crisis?
- ‘We designed it to fit in with the South Bank – look, it’s got terraces like Lasdun’s NT’ Has it? Aren’t they just balconies?
- ‘We designed it to respect neighbours and their daylight’ – but it takes up to 63% of existing daylight in some social homes; that’s not acceptable, is it?
- ‘It’s going to be really open, with a big public foyer, and have lots of creative affordable workspace’ – oh that sounds good, at least – but hang about, can you claim both uses for the same space?

15. These are some of the questions which this Inquiry will focus on. Does it harm or preserve our extraordinary heritage assets? Does it harm residential amenity? Does it meet the provisions of the development plan?

16. And does it meet other material considerations? Does it meet the rapidly over-riding material consideration, the very real materiality of climate emergency, the existential threat to our way of life, our civilization, our planet?

17. That is an increasingly difficult question. As events overtake a slow-moving planning process, we need urgent and significant changes to the way we do things. We need to increase densities on brownfield sites with exceptional transport links – like this one – but we really must stop demolishing youthful concrete towers at whim. We must be able to review decisions taken prematurely in a design journey, without a full understanding of carbon emissions of each option, now that we have better information and systems of analysis. We must do better than generating 173,000 tonnes of carbon emissions just through construction - more CO2 than if every one of the 4,000 employees intended for this building were to drive in from Surrey and back daily for 30 years!

18. The climate emergency isn’t the reason the application was called in, of course. It is because of the extraordinary prominence of this site, on the bend in the river where the Saxons first hauled their boats on the farther shore, The Strand, with views arcing around from the Roman capital’s hilltop, where St Paul’s sits, to the Norman powerbase at Westminster. The river is the largest piece of contiguous open space in this world city, and this bend provides the longest untrammelled views across this world city.

19. This extraordinary prominence and these unparalleled long views mean that scattered all around within view of the application site are some of the nation's great treasures. Each was designed to be marveled over and enjoyed. We have innumerable listed buildings in every direction; and we have the most spectacular Grade I listed buildings at St Paul's, at Somerset House and at the Royal Festival Hall. We have the greatest collection of postwar buildings in the country, stretched out along the most popular urban pedestrian area in the country, with the most prestigious national buildings across the other side of the river.
20. And a very singular view actually cuts right through the site – perhaps the most singular view of St Paul's, one of only three Linear views protected in the LVMF – from the steps of Westminster Pier, underneath Big Ben, connecting church and state. The application design purports to respect this view – hence the weird and unsatisfactory lopsidedness of the two proposed fat towers. But by extruding either side of this linear view of St Paul's, inevitably they interfere.
21. For many of us the best view of St Paul's, is the most everyday, from Waterloo Bridge. We have the best views in town from Waterloo Bridge – the view from Waterloo Bridge is the cover of the LVMF – 'as long as I gaze on Waterloo sunset I am in paradise'. But what will the Waterloo sunset be like with the oversized shouty application leering in the middle ground? What will the views of the greatest brutalist building – the National Theatre – be like with this confusing jumble lowering above and behind? What will Betjeman's favourite view of St Paul's be like, the dome revealed against the cuboid flytower of the National Theatre, like the moon rising – a view deliberately designed by Lasdun and a surprise delight to lift the heart every time one crosses the bridge?
22. It is not the height which is damaging, it is the fatness, the girth of these buildings which causes the damage. The previous Hopkins slimline scheme would have been far kinder to residential daylight, and would have been far less conspicuous from multiple views. This is a hulk. And each and every impact is indicative of over-development of the site: of building sideways because constraints dictate you can't go any higher, rather than just acknowledging that this is already a very densely developed site, and that 225% of already dense development just doesn't go.
23. This Inquiry will test all of those things, in words, in pictures, and in walking around, looking and noticing. It will test the impact on townscape, and the impact on amenity, on the amenity of those passing through and on those who live here and contribute to the vibrancy and community with their presence.
24. This Inquiry will also need to test the purported benefits: of the public realm, of the new office accommodation, of the real extent of the benefit of the creative workspace – its affordability, its

extent, its longevity, its purported centrality to placemaking, to creating an identity for an obtuse building which is 94% private in an area of statement public buildings.

25. Everybody locally wants this site back in use. We are proud of our area and believe in its future. What is appropriate for this site? Luckily in this country we have a plan-led system of development, and what is appropriate is set out in great detail in the development plan.
26. We look forward to this Inquiry rigorously testing all of these claims, and testing this application against the development plan, in assisting you to write a report; and in due course we will respectfully ask for you to recommend that permission is refused by the Secretary of State.

**MICHAEL BALL**

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06 December 2022