Ward: Hammersmith Broadway

Site Address:
West London Magistrates Court 181 Talgarth Road London W6 8DN
Proposed Development: Ground Floor Plan

HOTEL 1

HOTEL 2
Reg. No: 2019/00195/FUL
Case Officer: John Sanchez

Date Valid: 25.01.2019

Committee Date: 15.10.2019

Conservation Area: 

Applicant: Dominvs Project Company 9 LTD (C/O Agent)

Description:
Redevelopment and erection of two buildings, ranging from 6 to 23 storeys and incorporating a basement level; comprising hotel uses (Use Class C1) with ancillary restaurants, roof top bar, conferencing/community facilities; office use (Use Class B1(a); ancillary roof top plant; servicing; cycle parking; creation of a new garden square; wider landscaping improvements and enabling works.

Application Type:
Full Detailed Planning Application

LOCAL GOVERNMENT ACT 2000
LIST OF BACKGROUND PAPERS

All Background Papers held by Andrew Marshall (Ext: 4841):

Application form received: 23rd January 2018

Drawing Nos: See Condition 2 below

Policy documents: National Planning Policy Framework (NPPF) 2019
The London Plan 2016
LBHF - Local Plan 2018
LBHF – Planning Guidance Supplementary Planning Document 2018

Consultation Comments:

Comments from: Dated:
Department For Communities And Local Government 31/01/2019
Greater London Authority – Planning Decisions Unit 18/03/2019
Transport for London (TfL) 20/02/2019
London Underground Limited 06/02/2019
Historic England London Region 15/02/2019
Historic England London Region 19/07/2019
Environment Agency – Planning Liaison 11/02/2019
Thames Water – Development Control 15/02/2019
Neighbour Comments:

Letters from:

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Officer Recommendation:

1) Subject to there being no contrary direction from the Mayor of London that the Committee resolve that the Strategic Director for The Economy be authorised to determine the application and grant permission upon the completion of a satisfactory legal agreement and subject to the conditions listed below; and

2) To authorise the Strategic Director for The Economy after consultation with the Director of Law and the Chair of the Planning and Development Control Committee to make any minor changes to the proposed conditions or heads of terms of the legal agreement, any such changes shall be within their discretion.

CONDITIONS

1. Time Limit

The development hereby permitted shall not commence later than 3 years from the date of this decision

Condition required to be imposed by section 91(1) (a) of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).

2. Approved Drawings

The development shall be carried out and completed in accordance with the following approved drawing numbers:

1470 A-000 000/P1; 1470 A-120 000/P1; 1470 A-120 099/P2; 1470 A-120 100/P2;
1470 A-100 101/P2; 1470 A-100 102/P2; 1470 A-100 103/P2; 1470 A-100 104/P2;
1470 A-100 105/P2; 1470 A-100 106/P2; 1470 A-100 107/P2; 1470 A-100 108/P2;
1470 A-100 109/P2; 1470 A-100 110/P2; 1470 A-100 111/P2; 1470 A-100 112/P2;
1470 A-100 113/P2; 1470 A-100 114/P2; 1470 A-100 115/P3; 1470 A-100 116/P3;
1470 A-100 117/P3; 1470 A-100 118/P3; 470 A-100 119/P3; 1470 A-100 120/P3;
1470 A-100 121/P3; 1470 A-110 001/P3; 1470 A-110 002/P3; 1470 A-110 003/P3;
1470 A-110 004/P3; 1470 A-120 001/P3; 1470 A-120 002/P3; 1470 A-120 003/P2;
1470 A-120 004/P3 and 1470 A-120 005/P3.

To ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with Policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9 and 7.21 of the London Plan (2016) and Policies DC1, DC2, DC3, DC7 and DC8 of the Local Plan (2018).
3. Community Liaison Group

No development shall commence until the establishment of a Community Liaison Group, to be maintained for the duration of the demolition and construction works hereby approved, having the purpose of:

(i) informing nearby residents and businesses of the building programme and progress of demolition and construction works for the development;

(ii) informing nearby residents and businesses of appropriate mitigation measures being undertaken as part of each phase of the development;

(iii) informing nearby residents and businesses of considerate methods of working such as working hours and site traffic;

(iv) providing advanced notice of exceptional hours of work, if and when appropriate;

(v) providing nearby residents and businesses with an initial contact for information relating to the works and procedures for receiving/responding to comments or complaints regarding the development with the view of resolving any concerns that might arise;

(vi) providing telephone contacts for nearby residents and businesses 24 hours daily throughout the works for the development; and

(vii) producing a leaflet prior to the commencement of the development for distribution to nearby residents and businesses, identifying progress of the development and which shall include an invitation to register an interest in the Liaison Group.

The terms of reference for the Community Liaison Group shall be submitted to the Council for approval prior to commencement of any works on site. The Community Liaison Group shall meet at least once every quarter until completion of the development.

To ensure satisfactory communication with residents, businesses, and local stakeholders throughout the demolition and construction of the development, in accordance with the Policies CC10, CC11, CC12, CC13, DC2, and T7 of the Local Plan (2018).

4. Hoardings

No development shall commence until a scheme for temporary fencing and/or enclosure of the site has been submitted to and approved in writing by the Local Planning Authority, and the temporary fencing and/or enclosure has been erected in accordance with the approved details. The temporary fencing and/or enclosure shall thereafter be retained for the duration of the demolition and building works in accordance with the approved details. No part of the temporary fencing and/or enclosure of the site shall be used for the display of advertisement hoardings.
To ensure a satisfactory external appearance and to prevent harm to surrounding residential occupiers, the street scene and public realm, in accordance with Policies 7.1 and 7.6 of the London Plan (2016), policy DC1, DC8 and CC12 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD (2018).

5. Infrastructure Protection – London Underground

Prior to the commencement of the development hereby permitted (excluding site clearance and demolition works), a detailed design and method statement (in consultation with London Underground) for the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), shall be submitted to and approved in writing by the Local Planning Authority in consultation with London Underground which:

- provide details on all structures;
- provide details on the use of tall plant/scaffolding;
- demonstrate that there will at no time be any potential security risk to the railway, property or structures;
- accommodate the location of the existing London Underground structures and tunnels;
- accommodate ground movement arising from the construction thereof;
- mitigate the effects of noise and vibration arising from the adjoining operations within the structures.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the development hereby permitted is occupied.

To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan (2016) Table 6.1, draft London Plan policy T3 and ‘Land for Industry and Transport’ Supplementary Planning Guidance 2012.

6. Demolition Management Plan

Prior to the commencement of the demolition works hereby permitted, a Demolition Management Plan (DMP) shall be submitted to and approved in writing by the Local Planning Authority. The DMP shall include details location of site offices, ancillary buildings, plant, wheel-washing facilities, stacking bays and car parking, storage of any skips, oil and chemical storage, membership of the Considerate Contractors Scheme, delivery locations and the proposed control measures and monitoring for noise, vibration, lighting, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800-1300hrs on Saturdays, advance notification to neighbours and other interested parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works. The details shall also include the use of on road Ultra Low Emission Zone compliant
Vehicles e.g. Euro 6 and Euro VI; provisions within the site to ensure that all vehicles associated with the demolition works are properly washed and cleaned to prevent the passage of mud and dirt onto the highway. Approved details shall be implemented throughout the relevant project period.

To ensure that occupiers of surrounding premises are not adversely affected by noise, vibration, dust, lighting or other emissions from the building site in accordance with policies 5.18, 5.19, 5.20, 5.21, 5.22 and 7.14 of the London Plan (2016) and Policies DC1, DC2, CC6, CC7, CC10, CC11, and CC12 of the Local Plan (2018).

7. Demolition Logistics Plan

Prior to the commencement of the demolition works hereby permitted, a Demolition Logistics Plan (DLP) in accordance with the Transport for London Guidance shall be submitted to and approved in writing by the Local Planning Authority. The works shall cover the following minimum requirements:

- Site logistics and Operations;
- Demolition vehicle routing;
- Details of the estimated number, size and routes of demolition vehicles per day/week;
- Details of the use of Ultra Low Emission Zone (ULEZ) compliant Vehicles e.g. Euro 6 and Euro VI;
- Details of the access arrangements and delivery locations on the site;
- Details of any vehicle holding areas; and other matters relating to traffic management to be agreed as required;
- Efficiency and sustainability measures to be undertaken for the works; and Membership of the Considerate Contractors Scheme.

Approved details shall be implemented throughout the demolition period.

To ensure that occupiers of surrounding premises are not adversely affected by noise, vibration, dust, lighting, or other emissions from the building site in accordance with Policies 6.11 and 6.12 of the London Plan (2016) and T1, T6 and T7 of the Local Plan (2018).

8. Construction Management Plan

Prior to commencement of the development hereby permitted (excluding site clearance and demolition works), a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include a detailed plan showing phasing; relevant foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), contractors' method statements, waste classification and disposal procedures and locations, location of site offices, ancillary buildings, plant, wheel-washing facilities, stacking bays and car parking, details of storage and any skips, oil and chemical storage, membership of the Considerate Contractors Scheme, delivery locations and the proposed control measures and monitoring for noise, vibration, lighting, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800-1300hrs on Saturdays, advance notification to neighbours and other interested
parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works. The details shall include for each phase of works the use of on-road Ultra Low Emission Zone compliant Vehicles e.g. Euro 6 and Euro VI; provisions within the site to ensure that all vehicles associated with the construction works are properly washed and cleaned to prevent the passage of mud and dirt onto the highway. The works shall be carried out in accordance with the relevant approved CMP unless otherwise agreed in writing with the Local Planning Authority. Approved details shall be implemented throughout the project period.

To ensure that occupiers of surrounding premises are not adversely affected by noise, vibration, dust, lighting, or other emissions from the building site in accordance with policies 5.18, 5.19, 5.20, 5.21 and 5.22 of the London Plan (2016), Policies DC1, DC12, CC6, CC7, CC10, CC11 and CC12 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD (2018).

9. Construction Logistics Plan

Prior to commencement of the development hereby permitted (excluding site clearance and demolition works), a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The method statement /construction management plan should include the details for all the relevant foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent). The development shall be carried out in accordance with the relevant approved Construction Logistics Management Plan unless otherwise agreed in writing with the Local Planning Authority.

Each Construction Logistics Plan shall cover the following minimum requirements:

- Site logistics and operations;
- Construction vehicle routing;
- Contact details for site managers and details of management lines of reporting;
- Detailed plan showing phasing;
- Location of site offices, ancillary buildings, plant, wheel-washing facilities, stacking bays and car parking;
- Storage of any skips, oil and chemical storage etc.; and
- Access and egress points;
- Membership of the Considerate Contractors Scheme.

To ensure that appropriate steps are taken to limit the impact of the proposed construction works on the operation of the public highway, the amenities of residents and the area generally in accordance with Policies 6.11 and 6.12 of the London Plan (2016) and T1, T6 and T7 of the Local Plan (2018).

10. Archaeology (GLAAS)

Prior to commencement of the development (excluding site clearance and demolition works), a Written Scheme of Investigation (WSI) shall be submitted to and approved in writing by the Local Planning Authority. No development shall take place other
than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

a) The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.

b) The programme for post-investigation assessment and subsequent analysis, publication & dissemination, and deposition of resulting material. this part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Heritage assets of archaeological interest may survive on the site. The Local Planning Authority wishes to secure the provision of appropriate archaeological investigation, including the publication of results, in accordance with Section 12 of the NPPF, Policy 7.8 of the London Plan (2016), Policies DC1, DC8 of the Local Plan (2018) and key principles within the Planning Guidance Supplementary Planning Document (2018).

11. Contamination: Preliminary Risk Assessment

No development shall commence until a preliminary risk assessment report is submitted to and approved in writing by the Local Planning Authority. This report shall comprise: a desktop study which identifies all current and previous uses at the site and surrounding area as well as the potential contaminants associated with those uses; a site reconnaissance; and a conceptual model indicating potential pollutant linkages between sources, pathways and receptors, including those in the surrounding area and those planned at the site; and a qualitative risk assessment of any potentially unacceptable risks arising from the identified pollutant linkages to human health, controlled waters and the wider environment including ecological receptors and building materials. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policies CC9 and CC13 of the Local Plan (2018) and SPD Key Principles LC1 to LC7 (2018).

12. Contamination: Site Investigation Scheme

No development shall commence within the development until a site investigation scheme is submitted to and approved in writing by the Local Planning Authority. This scheme shall be based upon and target the risks identified in the approved preliminary risk assessment and shall provide provisions for, where relevant, the sampling of soil, soil vapour, ground gas, surface, and groundwater. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.
Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policies CC9 and CC13 of the Local Plan (2018) and SPD Key Principles LC1 to LC7 (2018).


Unless the Local Planning Authority agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until, a site investigation undertaken in compliance with the approved site investigation scheme, a quantitative risk assessment report is submitted to and approved in writing by the Local Planning Authority. This report shall: assess the degree and nature of any contamination identified on the site through the site investigation; include a revised conceptual site model from the preliminary risk assessment based on the information gathered through the site investigation to confirm the existence of any remaining pollutant linkages and determine the risks posed by any contamination to human health, controlled waters and the wider environment. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policies CC9 and CC13 of the Local Plan (2018) and SPD Key Principles LC1 to LC7 (2018).

14. Contamination: Remediation Method Statement

Unless the Local Planning Authority agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until, a remediation method statement is submitted to and approved in writing by the Local Planning Authority. This statement shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved quantitative risk assessment. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policies CC9 and CC13 of the Local Plan (2018) and SPD Key Principles LC1 to LC7 (2018).

15. Contamination: Verification Report

Unless the Local Planning Authority agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall
commence until the approved method statement has been carried out in full and a verification report confirming these works has been submitted to, and approved in writing, by the Local Planning Authority. This report shall include: details of the remediation works carried out; results of any verification sampling, testing or monitoring including the analysis of any imported soil; all waste management documentation showing the classification of waste, its treatment, movement and disposal; and the validation of gas membrane placement. If, during development, contamination not previously identified is found to be present at the site, the Local Planning Authority is to be informed immediately and no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until a report indicating the nature of the contamination and how it is to be dealt with is submitted to, and agreed in writing by, the Local Planning Authority. Any required remediation shall be detailed in an amendment to the remediation statement and verification of these works included in the verification report. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policies CC9 and CC13 of the Local Plan (2018) and SPD Key Principles LC1 to LC7 (2018).

16. Contamination: Onward Long-Term Monitoring Methodology

Unless the Local Planning Authority agree in writing that a set extent of development must commence to enable compliance with this condition, no development (except Enabling Works) shall commence until an onward long-term monitoring methodology report is submitted to and approved in writing by the Local Planning Authority where further monitoring is required past the completion of development works to verify the success of the remediation undertaken. A verification report of these monitoring works shall then be submitted to and approved in writing by the Local Planning Authority when it may be demonstrated that no residual adverse risks exist. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policies CC9 and CC13 of the Local Plan (2018) and SPD Key Principles LC1 to LC7 (2018).

17. Piling Method Statement

No impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling would be carried out including measures to prevent and minimise the potential for damage to subsurface water or sewerage infrastructure, and the programme for the works) has
been submitted to and approved in writing by the Local Planning Authority, in consultation with the relevant water or sewerage undertaker. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

To prevent any potential to impact on local underground water and sewerage utility infrastructure, in accordance with Policies 5.14 and 5.15 of the London Plan (2016), Policies CC3 CC5 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.

18. Air Quality Dust Management Plan (Demolition)

Prior to the commencement of the demolition phase of the development hereby permitted, an Air Quality Dust Management Plan (AQDMP) in order to mitigate air pollution shall be submitted to and approved in writing by the Local Planning Authority. The AQDMP must include an Air Quality Dust Risk Assessment (AQDRA) that considers sensitive receptors off-site of the development and is undertaken in compliance with the methodology contained within Chapter 4 of the Mayor of London ‘The Control of Dust and Emissions during Construction and Demolition’, SPG, July 2014 and the identified measures recommended for inclusion into the AQDMP. The AQDMP submitted must comply with the Mayor’s SPG and should include: Inventory and Timetable of dust generating activities during demolition; Site Specific Dust mitigation and Emission control measures in the table format as contained within Appendix 7 of Mayor’s SPG including for on-road and off-road construction traffic; Detailed list of Non-Road Mobile Machinery (NRMM) used on the site. The NRMM should meet as minimum the Stage IV emission criteria of Directive 97/68/EC and its subsequent amendments. This will apply to both variable and constant speed engines for both NOx and PM. An inventory of all NRMM for the first phase of demolition shall be registered on the NRMM register https://nrmm.london/user-nrmm/register prior to commencement of demolition works and thereafter retained and maintained until occupation of the development; use of on-road Ultra Low Emission Zone (ULEZ) compliant vehicles in accordance with the emission hierarchy (1) Electric (2) Hybrid (Electric-Petrol) (3) Petrol, (4) Hybrid (Electric-Diesel) (5) Diesel (Euro 6 and Euro VI); Details of MCERTS compliant monitoring of Particulates (PM10) used to prevent levels exceeding predetermined PM10 threshold trigger levels. Developers must ensure that on-site contractors follow best practicable means to minimise dust, particulates (PM10, PM2.5) and NOx emissions at all times. Approved details shall be fully implemented and permanently retained and maintained during the demolition phases of the development.

To comply with the requirements of the NPPF, Policies 7.14a-c of the London Plan (2016) and Policy CC10 of the Local Plan (2018).

19. Air Quality Dust Management Plan (Construction)

Prior to the commencement of the construction phase of the development hereby permitted, an Air Quality Dust Management Plan (AQDMP) in order to mitigate air pollution shall be submitted to and approved in writing by the Local Planning Authority. The AQDMP must include an Air Quality Dust Risk Assessment (AQDRA) that considers sensitive receptors off-site of the development and is undertaken in
compliance with the methodology contained within Chapter 4 of the Mayor of London ‘The Control of Dust and Emissions during Construction and Demolition’, SPG, July 2014 and the identified measures recommended for inclusion into the AQDMP. The AQDMP submitted must comply with the Mayor’s SPG and should include: Inventory and Timetable of dust generating activities during construction; Site Specific Dust mitigation and Emission control measures in the table format as contained within Appendix 7 of Mayor’s SPG including for on-road and off-road construction traffic; Detailed list of Non-Road Mobile Machinery (NRMM) used on the site. The NRMM should meet as minimum the Stage IV emission criteria of Directive 97/68/EC and its subsequent amendments. This will apply to both variable and constant speed engines for both NOx and PM. An inventory of all NRMM for the first phase of construction shall be registered on the NRMM register https://nrmm.london/user-nrmm/register prior to commencement of construction works and thereafter retained and maintained until occupation of the development; use of on-road Ultra Low Emission Zone (ULEZ) compliant vehicles in accordance with the emission hierarchy (1) Electric (2) Hybrid (Electric-Petrol) (3) Petrol, (4) Hybrid (Electric-Diesel) (5) Diesel (Euro 6 and Euro VI); Details of MCERTS compliant monitoring of Particulates (PM10) used to prevent levels exceeding predetermined PM10 threshold trigger levels. Developers must ensure that on-site contractors follow best practicable means to minimise dust, particulates (PM10, PM2.5) and NOx emissions at all times. Approved details shall be fully implemented and permanently retained and maintained during the construction phases of the development.

To comply with the requirements of the NPPF, Policies 7.14a-c of the London Plan (2016) and Policy CC10 of the Local Plan (2018).

20. Combustion Plant compliance with Emission Standards

Prior to the first occupation of each Hotel, a report with details of the combustion plant in order to mitigate air pollution shall be submitted to and approved in writing by the Local Planning Authority. The report shall include the following:

a) Details to demonstrate that the termination height of the shared Flue stack for the combustion Plant has been installed a minimum of 2 metres above any openable window and/or roof level amenity area

b) Details of emissions certificates, and the results of NOx emissions testing of each CHP unit, Ultra Low NOx gas boiler and Emergency Diesel Generator Plant to demonstrate that all the CHP Plant, Ultra Low NOx Gas fired boilers, Emergency Diesel Generator Plant and associated abatement technologies shall meet a minimum dry NOx emissions standard of 25 mg/Nm-3 (at 5% O2), 30 mg/kWh (at 0% O2) and 95 mg/Nm-3 (at 5% O2) respectively by an accredited laboratory shall be provided following installation and thereafter on an annual basis to verify compliance of the relevant emissions standards in part b). Where any combustion plant does not meet the relevant emissions Standards in part b) above, it should not be operated without the fitting of suitable secondary NOx abatement Equipment or technology as determined by a specialist to ensure comparable emissions.
c) Details to demonstrate where secondary abatement is used for the Emergency Diesel Generator the relevant emissions standard in part b) is met within 5 minutes of the generator commencing operation. During the operation of the emergency Diesel generators there must be no persistent visible emission. The maintenance and cleaning of the systems shall be undertaken regularly in accordance with manufacturer specifications. The diesel fuelled generators shall only be used for a maximum of 48 hours when there is a sustained interruption in the mains power supply to the site, and the testing of these diesel generators shall not exceed a maximum of 12 hours per calendar year.

Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

To comply with the requirements of the NPPF, Policies 7.14a-c of the London Plan (2016), and Policy CC10 of the Local Plan (2018).

21. Ventilation Strategy

Prior to completion of the above ground core structure works in the development hereby permitted, a Ventilation Strategy report in order to mitigate air pollution shall be submitted to and approved in writing by the Local Planning Authority. The Ventilation Strategy report should include the following information:

a) Details and locations of the air intake locations at rear roof level of the buildings.

b) Details and locations of ventilation extracts, chimney/boiler flues, to demonstrate that they are located a minimum of 2 metres away from the fresh air ventilation intakes, openable windows, balconies, roof gardens, terraces;

c) If a part (a) is not implemented details of the independently tested mechanical ventilation system with Nitrogen Dioxide (NO2) and Particulate Matter (PM2.5, PM10) filtration with air intakes on the rear elevations to remove airborne pollutants. The filtration system shall have a minimum efficiency of 75% in the removal of Nitrogen Oxides/Dioxides, Particulate Matter (PM2.5, PM10) in accordance with BS EN ISO 10121-1:2014 and BS EN ISO 16890:2016;

The whole system shall be designed to prevent summer overheating and minimise energy usage. The maintenance and cleaning of the systems shall be undertaken regularly in accordance with manufacturer specifications and shall be the responsibility of the primary owner of the property. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

To comply with the requirements of the NPPF, Policies 7.14a-c of the London Plan (2016) and Policy CC10 of the Local Plan (2018).

22. Ventilation Strategy (post occupation)

Prior to occupation of each hotel hereby permitted, details of a post installation report of the approved ventilation strategy shall be submitted to and approved in writing by
the Local Planning Authority. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

To comply with the requirements of the NPPF, Policies 7.14a-c of the London Plan (2016) and Policy CC10 of the Local Plan (2018).

23. Ultra-Low Emissions Strategy

Prior to occupation of each hotel hereby permitted, a Ultra Low Emission Strategy (ULES) for the operational phase of the development in order to mitigate the impact of air pollution shall be submitted to and approved in writing by the Local Planning Authority. The ULES must detail the remedial action and mitigation measures that will be implemented to protect receptors (e.g. design solutions). This Strategy must make a commitment to implement the mitigation measures that are required to reduce the exposure of poor air quality and to help mitigate the development’s air pollution impacts, in particular the emissions of NOx and particulates from on-road vehicle transport by the use of Ultra Low Emission Zone (ULEZ) compliant Vehicles in accordance with the emissions hierarchy (1) Cargo bike (2) Electric Vehicle, (3) Hybrid (non-plug in) Electric Vehicle (HEV), (4) Plug-in Hybrid Electric Vehicle (PHEV), (5) Alternative Fuel e.g. CNG, LPG. A monitoring report of the implementation of the ULES shall be submitted on annual basis to the LPA. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

To comply with the requirements of the NPPF, Policies 7.14a-c of the London Plan (2016), and Policy CC10 of the Local Plan (2018).

24. Open Space Green Infrastructure

Prior to the occupation of each hotel hereby permitted, details of the construction of green infrastructure (including details of planting species and maintenance) in order to mitigate air pollution for public and private amenity areas on the site boundaries with Talgarth Road (A4) shall be submitted to and approved in writing by the Local Planning Authority. The green infrastructure shall be constructed and planted in full accordance with the 'Using Green Infrastructure to Protect People from Air Pollution', Mayor of London, GLA, April 2019 guidance document within the first available planting season following completion of the development. Any plants which die, are removed, become seriously damaged and diseased within a period of five years from completion of the development shall be replaced in the next planting season with others of similar size and species. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

To comply with the requirements of the NPPF, Policies 7.14a-c of the London Plan (2016), and Policy CC10 of the Local Plan (2018).
25. **Flood Risk Assessment**

The Flood Risk Assessment (Version 5.0 / March 2019) shall be implemented in accordance with the approved details, and thereafter all approved measures shall be retained and maintained in accordance with the approved details and shall thereafter be permanently retained in this form.

To reduce the impact of flooding to the proposed development and future occupants, in accordance with Policies 5.11, 5.13, 5.14 and 5.15 London Plan (2016), Policies CC3 and CC5 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD (2018).

26. **Revised Drainage Strategy**

Prior to commencement of the development hereby permitted (excluding site clearance and demolition) a revised drainage strategy detailing any on and/or off-site drainage works, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed. Details shall be implemented in accordance with the approved details and thereafter permanently retained in this form.

To ensure that sufficient drainage capacity is made available to cope with the new development; and to avoid adverse environmental impact upon the community in accordance with Policy 5.13 of the London Plan (2016) and Policy CC3 and CC5 of the Local Plan (2018).

27. **Sustainable Drainage Strategy (SuDS)**

Prior to commencement of the development (excluding site clearance and demolition works), a revised Sustainable Drainage Strategy (SuDS), identifying further details of how surface water would be managed on-site in-line with the London Plan Drainage Hierarchy's preferred SuDS measures, shall be submitted to and approved in writing by the Local Planning Authority. Information shall include details on the design, location and attenuation capabilities of the proposed sustainable drainage measures such as permeable surfaces, including green and blue roofs. Details of the proposed flow controls and flow rates for any discharge of surface water to the combined sewer system should also be provided, with the aim of achieving greenfield rates for final discharges. Where feasible, rainwater harvesting should also be integrated to collect rainwater for re-use in the site. The Strategy shall be implemented in accordance with the approved details, and thereafter all SuDS measures shall be retained and maintained in accordance with the approved details and shall thereafter be permanently retained in this form.

To prevent any increased risk of flooding and to ensure the satisfactory storage of/disposal of surface water from the site in accordance with Policy 5.13 of The London Plan (2016); and Policy CC3 of the Local Plan (2018).
28. Blue and Green Roofs

Prior to commencement of relevant works, details of all blue and green roofs within the development; including the identification of further opportunities for these roofs, including details of types of roofs and a planting maintenance plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme has been carried out in accordance with the approved details and shall thereafter be permanently retained in this form.

To ensure the provision of blue/green roofs in the interests of sustainable urban drainage and habitat provision, in accordance with Policies 5.11, 5.13 and 7.19 of the London Plan (2016) and Policy OS5 and CC4 of the Local Plan (2018).

29. Non-return valve

Prior to the occupation of the basement hereby approved, a non-return valve and pump device should be installed to prevent sewage 'back-surging' into the basement in times of heavy rain and to allow the property's sewage to continue to flow properly into the sewer network.

To protect the new units from flooding, as recommended by Thames Water and in accordance with Policy CC4 of the Local Plan (2018).

30. Sustainability

Within 6 months of occupation or any use of each Hotel, a BREEAM (2011) certificate confirming that the buildings achieve an 'Excellent' BREEAM rating shall be submitted to and approved in writing by the Local Planning Authority.

In the interests of energy conservation, reduction of CO2 emissions and wider sustainability, in accordance with Policies 5.1, 5.2, 5.3, 5.6 and 5.7 of the London Plan (2016) and Policies CC1, CC2 of the Local Plan (2018).

31. Updated Energy Strategy

Prior to commencement of the development (excluding site clearance and demolition works), a revised Energy Strategy for the development shall be submitted to and approved in writing by the Local Planning Authority. The revised strategy shall include details of energy efficiency and low/zero carbon technologies and confirm that CO2 emissions would be reduced in line with the London Plan targets. No part of the development shall be used or occupied until it has been carried out in accordance with the approved details and shall thereafter be permanently retained in this form.

In the interests of energy conservation and reduction of CO2 emissions, in accordance with Policies 5.1, 5.2, 5.3, 5.6 and 5.7 of the London Plan (2016), and Policy CC1 of the Local Plan (2018).
32. **Thames Water: Waste Network**

The development shall not be occupied until confirmation has been submitted to and approved in writing by Local Planning Authority in consultation with Thames Water, that either:

- All combined water network upgrades required to accommodate the additional flows from the development have been completed; or
- An infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where an infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed infrastructure phasing plan.

Condition required by Thames Water as the development may lead to the requirement of sewage flooding and network reinforcement works, anticipated necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development and to avoid sewer flooding and/or potential pollution incidents, in accordance with Policy 5.13 of the London Plan (2016).

33. **Thames Water: Water Network**

The development shall not be occupied until confirmation has been submitted to and approved in writing by Local Planning Authority in consultation with Thames Water, that either:

- All water network upgrades required to accommodate the additional flows from the development have been completed; or
- An infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where an infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed infrastructure phasing plan.

Condition required by Thames Water as the development may lead to no/low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development in accordance with Policy 5.13 of the London Plan (2016).

34. **Background Noise Levels from machinery, extract/ventilation ducting, mechanical gates, etc.**

Prior to the installation of any plant within/on each building, details of the external noise level emitted from plant/ machinery/ equipment and mitigation measures as appropriate for that building, shall be submitted to and approved in writing by the Local Planning Authority. The measures shall ensure that the external sound level emitted from plant, machinery/ equipment would be lower than the lowest existing background sound level by at least 10dBA in order to prevent any adverse impact. The assessment shall be made in accordance with BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together.
at maximum capacity. A post installation noise assessment shall be carried out where required to confirm compliance with the sound criteria and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to occupation of each building and thereafter be permanently retained in this form.

To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from plant/mechanical installations/ equipment, in accordance with Policies CC11 and CC13 of the Local Plan (2018).

35. Emergency Generators

Prior to first operational use of each Hotel, details shall be submitted to and approved in writing by the Local Planning Authority to confirm that sound emitted by standby or emergency generators, during power outages or testing does not exceed the lowest daytime ambient noise level $L_{Aeq} (15\text{min})$ as measured or calculated according to BS4142:2014.

To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment, in accordance with Policies CC11 and CC13 of the Local Plan (2018).

36. Anti-vibration mounts and silencing of machinery etc.

Prior to first operational use of each Hotel, details of anti-vibration measures shall be submitted to and approved in writing by the Local Planning Authority. The measures shall ensure that machinery, plant/ equipment and extract/ ventilation system and ducting are mounted with proprietary anti-vibration isolators and fan motors are vibration isolated from the casing and adequately silenced. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration, in accordance with Policies CC11 and CC13 of the Local Plan (2018).

37. Sound Insulation of commercial/ industrial building envelope

Prior to completion of the above ground core structures, details shall be submitted to and approved in writing by the Local Planning Authority, of sound insulation of the building envelopes and other mitigation measures, as appropriate. Details shall demonstrate that noise from uses and activities is contained within the building/ development site and shall not exceed the criteria of BS8233:2014 at neighbouring noise sensitive/ habitable rooms and private external amenity spaces. Approved details for that Phase shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise, in accordance with Policies CC11 and CC13 of the Local Plan (2018).
38. Extraction and Odour Control system for non-domestic kitchens

Prior to occupation of each Hotel, details shall be submitted to and approved in writing by the Local Planning Authority, of the installation, operation, and maintenance of the odour abatement equipment and extract system, including the height of the extract duct and vertical discharge outlet, in accordance with the ‘Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems’ January 2005 by DEFRA. Approved details shall be implemented prior to the commencement of the use of the relevant kitchen and thereafter be permanently retained.

To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by cooking odour, in accordance with Policies CC11 and CC13 of the Local Plan (2018).

39. Acoustic Lobbies

Prior to first operational of each Hotel, details of acoustic lobbies to entrances and exits, which would otherwise allow the emission of internal noise to neighbouring noise sensitive premises, shall be submitted to and approved in writing by the Local Planning Authority. The hotels shall not be used or occupied until the acoustic lobbies have been constructed in accordance with the approved details, and the acoustic lobbies shall thereafter be permanently retained in this form.

To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise, in accordance with Policies CC11 and CC13 of the Local Plan (2018).

40. Hours of Use

Any outdoor seating areas within the ground floor public realm and the roof top terrace shall only be used between 08:00 hours and 23:00 hours daily.

To ensure that control is exercised over the use of these terraces so that undue harm is not caused to the amenities of the occupiers of the development and neighbouring residential properties as a result of noise and disturbance, particularly in the quieter night time hours, in accordance with policy CC11 and CC13 of the Local Plan (2018) and guidance within the Planning Guidance Supplementary Planning Document (2018).

41. Flat roof areas

There shall be no access to the flat roof areas (excluding the roof top terrace identified on the approved plans) provided by the development hereby approved, except for maintenance purposes, and no part of the flat roof areas provided by the development shall be used as a terrace or other accessible amenity space. No walls, fences, railings or other means of enclosure other than those shown on the approved drawings shall be erected around the roofs, and no alterations shall be carried out to the approved building to form access onto these roofs.
To ensure a satisfactory external appearance and so that the use of the building does not harm the amenities of the existing neighbouring residential properties as a result of overlooking, loss of privacy and noise and disturbance, in accordance with Policies DC1, DC2, DC8, CC11 and CC13 of the Local Plan (2018) and Key Principle HS8 of the Planning Guidance Supplementary Planning Document (2018).

42. **Plant/machinery or equipment**

No plant, shall be mounted externally on any part of the buildings outside of the designated plant areas identified on the approved drawings.

To ensure a satisfactory external appearance and to prevent harm to the street scene, in accordance with Policies DC1, DC2 and DC8 of the Local Plan (2018).

43. **Music**

Neither music nor amplified voices emitted from the development shall be audible at any residential/noise sensitive premises. Neither music nor amplified loud voices emitted from the commercial part of the development shall be audible at any residential/noise sensitive premises.

To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise, in accordance with Policies CC11 and CC13 of the Local Plan (2018).

44. **Lighting**

Prior to the installation of any external artificial lighting, details of any proposed external artificial lighting, including security lights shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the number, exact location, height, design and appearance of the lights, together with data concerning the levels of illumination and light spillage and the specific measures, having regard to the recommendations of the Institution of Lighting Engineers in the ‘Guidance Notes for The Reduction of Light Pollution 2011 (or relevant guidance) to ensure that any lighting proposed does not harm the existing amenities of the occupiers of neighbouring properties. No part of the development shall be used or occupied until any external lighting provided has been installed in accordance with the approved details and shall thereafter be permanently retained in this form.

To ensure that the amenity of occupiers of the development site / surrounding premises and natural habitat is not adversely affected by lighting, and to ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies 5.11, 7.1, 7.3, 7.6 and 7.13 of the London Plan (2016) and Policies DC1, DC8, CC12, OS1 and OS2 of the Local Plan (2018).

45. **Lights off**

Prior to the first occupation of each Hotel, a scheme for the control and operation of the proposed lighting (excluding bedrooms), during periods of limited or non-
occupation, shall be submitted to and approved in writing by the Local Planning Authority. Details shall be implemented prior to the occupation of the relevant floorspace and operated only in accordance with the approved details.

To ensure that the building does not cause excessive light pollution and to conserve energy when they are not occupied, in accordance with Policy CC12 of the Local Plan (2018).

46. Materials

Prior to the commencement of the relevant works thereby affected, details of particulars and samples (where appropriate) of all the materials to be used in all external faces and roofs of the buildings; including details of the colour, composition and texture of the brick, stone and metal work; details of all surface windows; balustrades to roof terraces; roof top plant and general plant screening; entrances and ground floor glazing, including window opening and glazing styles and all external hard surfaces including paving, planters and seating shall be submitted to and approved in writing by Local Planning Authority. External material sample panels, including samples of brickwork, stonework, concrete, pointing style, mortar colour and mix shall be erected on site for the inspection by Local Planning Authority’s Conservation Officer and written approval by Local Planning Authority. The development shall be carried out in accordance with the details as approved and thereafter permanently retained in this form.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, and to preserve the character and appearance of the surrounding conservation areas and other heritage assets; in accordance with policies 7.1, 7.6 and 7.9 of the London Plan (2016), policies DC1, DC2, and DC8 of the Local Plan (2018), and guidance contained within the Planning Guidance Supplementary Planning Document (2018).

47. Sample Panels

Prior to the commencement of the relevant works thereby affected, sample panels for both hotels, detailing brick colour, bond, pointing style, mortar colour, stone cladding and curtain walling shall be produced for on-site inspection by Council Officers, along with the submission to the Local Planning Authority of samples of these materials, for subsequent approval in writing. The development shall not be used until works have been carried out in accordance with the submitted material samples and sample panel, and the development shall thereafter be permanently retained and maintained as such.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, and to preserve the character and appearance of the surrounding conservation areas and other heritage assets; in accordance with policies 7.1, 7.6 and 7.9 of the London Plan (2016), policies DC1, DC2, and DC8 of the Local Plan (2018), and guidance contained within the Planning Guidance Supplementary Planning Document (2018).
48. **1:20 Details – Buildings**

Prior to completion of the above ground core structures, detailed drawings at a scale not less than 1:20 (in plan, section and elevation) of typical sections/bays of each of the approved buildings shall be submitted and approved in writing by the Local Planning Authority. These shall include details of the proposed façade and cladding treatment, fenestration (including framing and glazing details), balustrades (including roof terrace), entrances, ground floor restaurants and canopies (including glazing details). The development shall be carried out in accordance with the details as approved and thereafter permanently retained in this form.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, and to preserve the character and appearance of the surrounding conservation areas and other heritage assets; in accordance with policies 7.1, 7.6 and 7.9 of the London Plan (2016), policies DC1, DC2, and DC8 of the Local Plan (2018), and guidance contained within the Planning Guidance Supplementary Planning Document (2018).

49. **1:20 Details – Boundaries**

Prior to the commencement of the public realm surface works, detailed drawings at a scale not less than 1:20 (in plan, section and elevation) of boundary walls, fences, railings and gates shall be submitted and approved in writing by the Local Planning Authority and no part of the development shall be used or occupied prior to the completion of the development in accordance with the approved details.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies 7.1 and 7.6 of the London Plan 2016 and Policies DC1, DC2 and DC8 of the Local Plan (2018).

50. **1:20 Roof Top Plant Enclosures**

Prior to completion of the above ground core structures, detailed drawings at a scale not less than 1:20 (in plan, section and elevation) of the rooftop plant enclosures shall be submitted to and approved in writing by the Local Planning Authority. No part of the relevant hotel shall be used or occupied until the enclosures have been constructed in accordance with the approved details, and the enclosures shall thereafter be permanently retained in this form.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies 7.1 and 7.6 of the London Plan and Policies DC1, DC2 and DC8 of the Local Plan (2018).

51. **Secure by Design**

Prior to completion of the above ground core structures, a statement of how ‘Secure by Design’ requirements are to be adequately achieved shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include, but not be limited to: site wide public realm CCTV and feasibility study relating to linking CCTV with the Local Planning Authority's borough wide CCTV system, access
controls, basement security measures and means to secure the site throughout construction in accordance with BS8300:2009. No part of the development shall be used or occupied until these measures have been implemented in accordance with the approved details, and the measures shall thereafter be permanently retained in this form.

To ensure that the development incorporates suitable design measures to minimise opportunities for, and the perception of crime and provide a safe and secure environment, in accordance with Policy 7.3 of the London Plan (2016), and Policies DC1, DC2 and DC8 of the Local Plan (2018).

52. **Self-Closing Doors**

Prior to first occupation of each hotel building, all external doors shall be fitted with self-closing devices, which shall be maintained in an operational condition; and at no time shall any external door be fixed in an open position.

To ensure that the amenity of occupiers of the development site and surrounding properties are not adversely affected by noise /odour /smoke /fumes, in accordance with Policies CC11 and CC13 of the Local Plan (2018).

53. **Protection of Existing Trees**

The development hereby permitted shall not commence until all the existing trees in the proximity of the development to be retained, have been protected from damage in accordance with BS5837:2012 during both the demolition and construction works.

To ensure that trees on site are retained and to prevent harm during the course of construction, in accordance with accordance with Policies DC1, DC8, OS2 and OS5 of the Local Plan 2018.

54. **Landscaping & Public Realm**

Prior to commencement of the public realm hereby permitted (excluding site clearance and demolition works), details of the proposed soft and hard landscaping of all areas external to the hotel buildings shall be submitted to and approved in writing by the Local Planning Authority. The details shall include: planting schedules and details of the species, height and maturity of any trees and shrubs, including sections through the planting areas; depth of tree pits, containers and shrub beds; details relating to the access of each building, pedestrian surfaces, wayfinding, disabled drop off areas, loading bays, pedestrian crossings means of pedestrian/cyclist conflict resolution, materials, kerb details, external steps and seating, street furniture, bins and lighting columns that ensure a safe and convenient environment for blind and partially sighted people. The landscaping works shall be carried out in accordance with the approved details and shall thereafter be permanently retained in this form.

To ensure a satisfactory external appearance of the development and relationship with its surroundings, and the needs of the visually impaired are catered for in
accordance with the Equality Act 2010, Policies 3.1, 7.1 and 7.6 of the London Plan, and Policies DC1, DC8, OS2 and OS5 of the Local Plan 2018.

55. **Green Wall and greening of the south elevation**

Prior to the completion of the above ground core structure of each hotel building, final details of the construction of the green wall and greening of the south elevation shall be submitted to and approved in writing by the Local Planning Authority. Details shall include system type, planting schedule and a maintenance plan. The green infrastructure shall be constructed and planted in full accordance with the Phyto sensor Toolkit, Citizen Science, May 2018 and the 'First Steps in Urban Air Quality', TDAG, 2017 guidance documents within the first available planting season following completion of Buildings. Any plants which die, are removed, become seriously damaged and diseased within a period of five years from completion of these buildings shall be replaced in the next planting season with others of similar size and species. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

In the interest of air quality and visual amenity, to comply with the requirements of the NPPF, Policies 7.14 a-c of The London Plan (2016) and Policy CC10 of the Local Plan (2018).

56. **Replacement Landscaping**

Any landscaping removed or severely damaged, dying or becoming seriously diseased within 5 years of planting shall be replaced with a tree or shrub of similar size and species to that originally required to be planted.

To ensure a satisfactory external appearance and biodiversity in accordance with policies OS4, DC2 and DC8 of the Local Plan (2018) and in the interest of air quality, to comply with the requirements of the NPPF, Policies 7.14 a-c of The London Plan (2016) and Policy CC10 of the Local Plan (2018).

57. **Landscape Management Plan**

Prior to the commencement of the public realm works, a Landscape Management Plan shall be submitted to and approved in writing by the Local Planning Authority for all of the landscaped areas in the development including the green walls. This shall include details of management responsibilities and maintenance schedules for all landscape areas. The landscape management plan shall be implemented in accordance with the approved details and shall thereafter be permanently retained in this form.

To ensure that the development provides an attractive natural and visual environment in accordance with Policies 7.1 and 7.6 of the London Plan (2016), and Policies DC1, DC8, OS2 and OS5 of the Local Plan (2018).
58. Television Interference

Details of methods proposed to identify any television interference caused by the proposed development, including during the construction process, and the measures proposed to ensure that television interference that might be identified is remediated in a satisfactory manner shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development (excluding site clearance and demolition) hereby permitted. The approved remediation measures shall be implemented immediately that any television interference is identified.

To ensure that television interference caused by the development is remediated, in accordance with Policy 7.7 of The London Plan (2016) and Policies DC2 and DC10 of the Local Plan (2018).

59. Airwaves Interference Study

Prior to commencement of development (excluding site clearance and demolition) the following details shall be submitted to and approved in writing by the Local Planning Authority:

(i) The completion of a Base-Line Airwaves Interference Study (the Base-Line Study) to assess airwave reception within/adjacent to the site; and of required and;
(ii) The implementation of a Scheme of Mitigation Works for the purpose of ensuring nil detriment during the [Demolition Works and Construction Works] identified by the Base-Line Study.

Such a Scheme of Mitigation Works shall be first submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to occupation and shall thereafter be permanently retained in this form.

To ensure that the existing airwaves reception is not adversely affected by the proposed development, in accordance with Policy 7.13 of the London Plan (2016), and Policies DC1, DC2 and DC8 of the Local Plan (2018).

60. Permitted Development Rights - Telecommunications

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that principal Order with or without modification), no aerials, antennae, satellite dishes or related telecommunications equipment shall be erected on any part of the development hereby permitted, without planning permission first being obtained.

To ensure that the visual impact of telecommunication equipment upon the surrounding area can be considered, in accordance with in accordance with Policies 7.6 and 7.8 of the London Plan (2016), and Policies DC1 and DC8 of the Local Plan (2018).
61. **Hotel Signage Strategy**

Prior to the first occupation of each Hotel, an occupier Signage Strategy for the buildings including details of wayfinding and signage proposed around and on each of the buildings shall be submitted to and approved in writing by the Local Planning Authority and all development pursuant to signage shall be carried out in accordance with the approved details.

To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and to ensure a satisfactory external appearance in accordance with Policies DC1 and DC8 of the Local Plan 2018.

62. **Window Cleaning Equipment**

Prior to the occupation of each Hotel, details of the proposed window cleaning equipment for each building shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the appearance, means of operation and storage of the cleaning equipment. Each building shall not be used or occupied until the equipment has been installed in accordance with the approved details and shall thereafter be permanently retained in this form.

Reason: To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies 7.1 and 7.6 of the London Plan, and Policies DC1 and DC8 of the Local Plan 2018.

63. **Blue Badge Parking**

No Hotel hereby approved shall be used or occupied until the provision of no.4 blue badge parking spaces have been provided in accordance with the approved plans. The accessible parking spaces shall be permanently retained for the life of the development for use by disabled staff and visitors.

To ensure the satisfactory provision and retention of disabled car parking facilities, in accordance with Policy 7.2 of the London Plan (2016) and Policy E3, T1 and T5 of the Local Plan (2018).

64. **Cycle Parking**

No Hotel hereby approved shall be used or occupied until the provision of cycle parking spaces have been provided in accordance with the approved plans and made available to visitors and staff, and such cycle storage/parking facilities shall be permanently retained thereafter in accordance with the approved details.

To ensure the suitable provision of cycle parking within the development to meet the needs of future site occupiers, in accordance with policy 6.9 and 6.13 of The London Plan (2016) and Policy T3 of the Local Plan (2018).
65. Cycle Management Plan

Prior to first occupation of each Hotel, a Cycle Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This management plan shall include details of access to cycle parking and how any potential conflicts with vehicles would be resolved or managed. The development shall not be operated otherwise than in accordance with the Cycle Parking Management Plan as approved and shall thereafter be permanently retained in this form.

To ensure an appropriate level, mix and location of cycle parking is achieved for the development and that management arrangements are in place to control its allocation and use in accordance with Policies 5.2, 5.18, 5.19, 5.21, 6.3, 7.14 and 7.15 of the London Plan (2016), Policies CC1, CC2, CC6, CC7, CC9, CC10, CC11, CC12, CC13, T1 and T6 of the Local Plan (2018) and SPD Transport Policies of the Planning Guidance Supplementary Planning Document (2018).

66. Electric Vehicle Charging Point

Prior to first occupation of the development hereby permitted, details of the installation including location and type of active electric vehicle charging points within the car parking area must be submitted to and approved in writing by the Local Planning Authority. The electric vehicle charging points should comprise at least 2 of the total number of car parking spaces provided on site and shall be active electric vehicle charging points; the remaining number of the total number of car parking spaces provided on site shall be passive. The approved electric vehicle charging points shall be installed and retained in working order for the lifetime of the development. The uptake of the active electric vehicle charging points would be regularly monitored via the Travel Plan and if required additional charging points should be installed in place of the passive provision to meet demand.

To encourage sustainable travel in accordance with policies 5.8, 6.13 and 7.2 of the London Plan (2016), Policies T1, T2 and T4 of the Local Plan (2018).

67. Delivery and Servicing Plan

Prior to first occupation of the Development, a Delivery and Servicing Plan (DSP) including vehicle tracking where required, shall be submitted to and approved in writing by the Local Planning Authority. The DSP shall detail the management of deliveries, emergency access, collection of waste and recyclables, times and frequencies of deliveries and collections/ silent reversing methods/ location of loading bays and vehicle movement in respect of each hotel. The approved measures shall be implemented and thereafter retained for the lifetime of the commercial uses in the relevant part of the site.

To ensure that satisfactory provision is made for refuse storage and collection and to ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by noise, in accordance with Policy 6.11 of the London Plan (2016) and Policies T2, CC11 and CC13 of the Local Plan (2018) and SPD Key Principle TR28 (2018).
68. Refuse

Prior to the first occupation of each Hotel, the refuse storage enclosures, including provision for the storage of recyclable materials shall be provided as indicated on the approved drawings. All the refuse/recycling generated by the development hereby approved shall be stored within the approved areas and shall be permanently retained thereafter in accordance with the approved details.

To protect the environment and to ensure that satisfactory provision is made for refuse/recycling storage and collection, in accordance with policy 5.17 of the London Plan (2016) and Policies CC6 and CC7 of the Local Plan (2018) and SPD Key Principle WM1 (2018).

69. Waste Management Strategy

Prior to the first occupation of each Hotel hereby permitted, a Waste Management Strategy shall be submitted and approved in writing by the Local Planning Authority. Details shall include information related to each refuse storage (and provision for the storage of recyclable materials) facilities, show how recycling would be maximised and be incorporated into the facilities of the development. All refuse/recycling generated by the development hereby approved shall be stored within the agreed areas. These areas shall be permanently retained for this use. Refuse and recyclables shall be stored only within the curtilage of the application site. The approved details shall be implemented prior to the occupation of each Hotel development and shall thereafter be permanently retained.

To protect the environment and to ensure that satisfactory provision is made for refuse/recycling storage and collection, in accordance with policy 5.17 of the London Plan (2016) and Policies CC6 and CC7 of the Local Plan 2018 and SPD Key Principles WM1 to WM11 (2018).

70. Hotel - Wheelchair Standards

A minimum of 10% of the hotel bedrooms hereby approved shall be capable of meeting the needs of wheelchair users and shall be designed and capable of adaptation. This arrangement shall thereafter be permanently retained.

To ensure the provision and retention of facilities for all, including disabled people, in accordance with policies 3.8 and 7.2 of the London Plan (2016), and Policy DC1 and HO6 of the Local Plan (2018).

71. Inclusive Access Management Plan

No part of the development hereby approved shall be occupied or used until an Inclusive Access Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall set out a strategy for ongoing consultation with specific interest groups with regard to accessibility of the relevant part of the site. On-going consultation shall then be carried out in accordance with the approved IAMP. The development shall not be operated otherwise than in
accordance with the Inclusive Access Management Plan as approved and thereafter be permanently retained in this form.

To ensure that the proposal provides an inclusive and accessible environment in accordance with the Policy 7.2 of the London Plan (2016) and Policy E3 of the Local Plan (2018).

72. Level Threshold

The ground floor entrance doors to the development and integral lift/stair cores shall not be less than 1-metre-wide and the threshold shall be at the same level as the adjoining ground level fronting the entrances to ensure level access.

To ensure the development provides ease of access for all users, in accordance with Policy 3.1 and 7.2 of the London Plan (2016), and Policy DC1 and HO6 of the Local Plan (2018).

73. Lifts

Prior to first occupation of each Hotel, details of fire rated lifts including details of the loading lifts to the basement levels shall be submitted and approved in writing by the Local Planning Authority. All the lifts shall have enhanced lift repair services, running 365 days/24-hour cover, to ensure no wheelchair occupiers are trapped if a lift breaks down. The fire rated lifts shall be installed as approved and maintained in full working order for the lifetime of the development.

To ensure that the development provides for the changing circumstances of occupiers and responds to the needs of people with disabilities, in accordance with policies 3.8 and 7.2 of the London Plan (2016), and Policy DC1 and HO6 of the Local Plan (2018).

74. Hotel Use

The hotel use shall be used solely for the purposes of a hotel only and for no other purpose, including any other purpose in Class C1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or any subsequent Order or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

In granting this permission, the Council has had regard to the particular circumstances of the case. The Council wishes to have an opportunity to consider such circumstances at that time, and to ensure the uses are compatible with the adjoining land uses and to ensure that the amenity of occupiers residing in surrounding residential properties would be safeguarded in accordance with Policies CF3, DC1, DC2, DC7, DC8, E1, HO11, T1, T2, TLC3, TLC5, CC10, CC11, CC11, CC12 and CC13 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.
75. **Hotel Bedrooms**

The Class C1 (hotel) use hereby approved shall be capped at a maximum 808 bedrooms.

In granting this permission, the Council has had regard to the particular circumstances of the case. The increase in the number of bedrooms could raise materially different planning considerations and the council wishes to have an opportunity to consider such circumstances at that time, in accordance with Policies T1, E3, DC1, DC2, DC8, CC10, CC11, CC11, CC12 and CC13 of the Local Plan (2018).

76. **Class B1 (office)**

The Class B1 (office) use hereby permitted shall be used only and for no other purpose including any other purpose within Class B1 in accordance with the Town and Country Planning (Use Classes Order) 1987 (as amended), or any subsequent Order, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

In granting this permission, the Council has had regard to the circumstances of the case. The conversion of the approved new office accommodation to residential purposes could raise materially different planning considerations and the Council wishes to have an opportunity to consider such circumstances at that time, and to ensure the uses are compatible with the adjoining land uses and to ensure that the amenity of occupiers residing in surrounding residential properties would be safeguarded in accordance with Policies HRA, CF3, DC1, DC2, DC7, DC8, E1, T1, T2, TLC3, TLC5 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD (2018).

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**REASONS**

1) **Land Use**: The principle of the proposed hotel led development is considered to be appropriate in land use terms and would help to promote the vitality and viability of Hammersmith Regeneration Area and regenerate this part of Hammersmith town centre. The loss of former magistrates’ court is considered acceptable under Policy CF2 of the Local Plan (2018). The new hotel development together with the ancillary affordable workspace, meeting rooms, rehearsal/event space, public realm, ancillary restaurants and roof top bar use are considered to be an appropriate use for this town centre location, which is highly accessible by public transport. The proposal is therefore supported in land use terms and is considered to be in accordance with the NPPF, London Plan Policies 2.1, 4.1, 4.2, 4.5 and 4.6, Draft London Plan Policies E1, E2 and E10, and Local Plan Policies HRA, E1, E2, E3, E4, CF1 and CF2.

2) **Local Economy and Employment**: The proposal would continue to provide significant employment opportunities both in the borough and London generally. The development would generate construction related full time equivalent (FTE) jobs over
the build period and some 425 FTE jobs once the development is complete and operational. Affordable space would be secured through the s106 agreement. The development would provide modern and upgraded floorspace and deliver wider benefits by way of increasing local expenditure through increased employment levels, additional visitors through the visit, cultural and leisure uses proposed, and job and job opportunities for residents and companies. The employment and training initiatives secured through the S106 agreement would bring significant benefits to the local area while a local procurement intuitive will be entered into by way of the legal agreement to provide support for businesses. Furthermore, contributions through the community use for borough residents and engage with local schools and colleges would have a positive effect on the borough. The development is therefore in accordance with Policies 3.1 and 4.12 of the London Plan and policies E1, and E4 of the Local Plan (2018).

3) Design and Heritage: It is considered that the proposals will deliver good quality architecture which optimises the capacity of the site with good quality good, hotel and commercial accommodation. The proposal remains in line with both national guidance and strategic and local policies on tall buildings and design considerations. The proposal for a taller building complies with Local plan policies in that it respects the existing townscape context, demonstrates tangible urban design benefits and is consistent with the Council’s wider regeneration objectives, and in doing so is sensitive to the setting of heritage assets. Officers consider that in design terms, the proposed elevations of the two hotel buildings have been refined and provide an architectural character which provides interest across the frontages. The development would connect the site with the surrounding townscape and the relationship between the proposed built form and new public realm would assist in the creation of a sense of place in the town centre. It is not considered that the stepped increases in height would negatively impact surrounding heritage assets. While less than substantial harm has been identified to The Mall and Barons Court Conservation Areas, this is acceptable and outweighed by the public benefits that the scheme delivers as identified. It is considered that this is compliant with Section 66 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal is also in line with national guidance in the NPPF, London Plan Policies 7.1, 7.2, 7.3 7.4, 7.5, 7.6, 7.8 and 7.9 Policies H04, DC1, DC2 and DC8 of the Local Plan (2018).

4) Transport: It is considered that the scheme would not have a significant impact on the highway network or local parking conditions and is thus considered to be acceptable. Satisfactory provision would be made for blue badge car parking and cycle parking. External impacts of the development would be controlled by conditions and section 106 provisions, related to blue badge parking, cycle and refuse storage, construction and demolition logistics plans while the monitoring of the Travel Plans is secured by legal agreement. Subject to the agreement of a hotel management plan secured through the S106 agreement, the development would not generate congestion or disturbance as a deliveries and servicing, coach and drop off/pick up parking. Adequate provision for storage and collection of refuse and recyclables would be provided. The accessibility level of the site is excellent, and the site is well served by public transport... In addition, servicing and road safety and travel planning initiatives would be implemented in and around the site to mitigate against potential issues. The proposed development therefore accords with Policies 6.1, 6.3, 6.9,

5) Impact on Neighbouring Properties: On balance, the impact of the proposed development upon adjoining occupiers is not considered unacceptable. There would be no significant worsening of noise/disturbance and overlooking, no unacceptable loss of sunlight or daylight or outlook to cause undue detriment to the amenities of neighbours. In this regard, the development would respect the principles of good neighbourliness. The proposed development therefore accords with policies 3.5, 3.6, 3.8, 7.3, 7.6, 7.7, 7.14 and 7.15 of the London Plan 2016; Policies DC1, DC2, DC8, CC10, CC11, CC12, CC13 and OS5 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

6) Sustainability and Energy: The proposed development has been designed to meet the highest standards of sustainable design and construction. The application proposes a number of measures to reduce CO2 emissions to exceed London Plan targets, a revised Energy Strategy is secured by condition to ensure the highest levels of savings. The proposal would achieve a ‘excellent’ BREEAM rating and delivering this is secured by condition. The proposal would incorporate green roofs and a revised Sustainable Urban Drainage Strategy would be required by condition to reflect final design detail. The proposal would thereby seek to reduce pollution and waste and minimise its environmental impact. The proposed development therefore accords with Policies 5.1, 5.2, 5.3, 5.6, 5.7, 5.8, 5.9, 5.11, 5.12, 5.13, 5.14, 5.15 and 7.19 of the London Plan 2016, Policies DC1, DC2, DC8, CC2, CC1, CC3, CC10, FRA, SFRRRA1 and OS5 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

7) Air Quality: There will be an impact on local air quality because of the demolition, construction, and operation of the proposed development. However, inclusion of conditions prior to the commencement of above ground works for each phase of the development are included to mitigate the development. During construction and demolition an Air Quality Dust Management Plan for demolition and construction works is required by condition which will mitigate the air quality impacts of the development. The proposed operation of the development will have an air quality impact, however these can be suitably mitigated by siting and design and using appropriate NOx emissions abatement technology to ensure the CHP in the energy centre and other associated plant comply with the strictest emission standards possible; all of which are secured by way of condition. The proposed development therefore accords with London Plan Policy 7.14 and Policy CC10 of the Local Plan (2018).

8) Safety and Access: Condition would ensure the development provides level access, a lift to all levels, suitable circulation space, 10% of hotel rooms to be wheelchair accessible, dedicated parking spaces for wheelchair users and an Inclusive Accessibility Management Plan. Satisfactory provision is therefore made for users with mobility needs, in accordance with Policy 7.2 of the London Plan 2016, Policies DC2 and HO6 of the Local Plan 2018 and Key Principles DA1, DA22 and DA3 of the Planning Guidance SPD 2018.
9) Flood Risk: The site is located in Flood Zone 2/3. A Flood Risk Assessment (FRA) has been submitted which advises standard construction practices in order to ensure the risk of flooding at the site remains low, however mitigation measures are required to be submitted and approved by condition. Sustainable drainage systems (SUDS) would be integrated into the development to cut surface water flows into the communal sewer system. A basement assessment has been included to ensure that the basements of the site are suitably detailed design with water-proofing measures and is appropriately secured by way of condition. The development would therefore be acceptable in accordance with the Policy 5.21 of the London Plan 2016, Policy CC2, CC9 and CC13 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

10) Land Contamination: Conditions will ensure that the site would be remediated to an appropriate level for the sensitive residential and open space uses. The proposed development therefore accords with Policy 5.21 of the London Plan, and Policies CC9 and CC11 of the Local Plan (2018).

11) Archaeology: The site is located close to an Archaeological Priority Area and may have surviving archaeological remains. A condition will secure the implementation of a programme of archaeological work by way of a watching brief throughout relevant construction times. The proposed development therefore accords with Policy 7.8 of the London Plan, and DC1 of the Local Plan.

12) Microclimate: The development would not result in an unacceptable wind microclimate that would cause harm, discomfort or safety issues to pedestrians or the environment around the buildings or surrounding properties. Conditions are secured to provide additional mitigation measures through the materials and landscaping. The proposal is considered to comply with Policies 7.6 and 7.7 of the London Plan and Policies DC3 and CC2 of the Local Plan (2018).

13) Environmental Impact Assessment: The Environmental Statement, and the subsequent Environmental Statement Addendum and the various technical assessments together with the consultation responses received from statutory consultees and other stakeholders and parties, enable the Council to determine this application with knowledge of the likely significant environmental impacts of the proposed development.

14) Objections: Whilst a large number of issues have been raised by objectors to the scheme it is considered, for the reasons explained in the detailed analysis, that planning permission should be granted for the scheme subject to appropriate safeguards to ensure that necessary controls and mitigation measures are established. This decision is taken on the basis of the proposed controls, mitigation measures and delivery commitments contained in the draft conditions and Heads of Terms for the Section 106 Agreement set out in this committee report, which are considered to provide an adequate framework of control to ensure as far as reasonably practicable that the public benefits of the scheme will be realised in accordance with relevant planning policies whilst providing the mitigation measures and environmental improvements needed to address the likely significant adverse impacts of the development.
15) Conditions: In line with the Town and Country Planning Act 1990 and the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, officers have consulted the applicant on the pre-commencement conditions included in the agenda and the applicant has raised no objections.

16) Planning Obligations: Planning obligations to offset the impact of the development and to make the development acceptable in planning terms are secured. Contributions relating to the provision of economic development initiatives, including local training and employment opportunities and procurement are secured. The proposed development would therefore mitigate external impacts and would accord with Policy 8.2 of the London Plan and Policy CF1 of the Local Plan 2018.

INFORMATIVES

That the applicant be informed as follows:

1. Under Section 61 of the Control of Pollution Act 1974, developers and their contractors may apply for ‘prior consent’ for noise generating activities during construction work. The application must contain the details of the works to be carried out, the methods by which they are to be carried out, and the steps proposed to minimise noise resulting from the works. The Council may also attach conditions to the consent and limit its duration.

2. Applications for prior consent must be received at least 28 days prior to the commencement of works and should be submitted to the London Borough of Hammersmith and Fulham, Noise and Nuisance Team, or by email environmental.protection@lbhf.gov.uk

3. Construction and demolition work and associated activities at the development, audible beyond the boundary of the site should not be carried out other than between the hours of 0800 - 1800hrs Mondays to Fridays and 0800 - 1300hrs on Saturdays and at no other times, including Sundays and Public/Bank Holidays, unless otherwise agreed with the Environmental Health Officer.

4. At least 21 days prior to the commencement of any site works, all occupiers surrounding the site should be notified in writing of the nature and duration of works to be undertaken. The name and contact details of a person responsible for the site works should be made available for enquiries and complaints for the entire duration of the works and updates of work should be provided regularly. Any complaints should be properly addressed as quickly as possible.

5. Best Practicable Means (BPM) should be used in controlling dust, particulates (PM10, PM2.5), and NOx emissions, in accordance with the following guidance:
6. No waste materials should be burnt on site of the development hereby approved.

7. Best Practicable Means (BPM) should be used, including low vibration methods and silenced equipment and machinery, in accordance with the Approved Codes of Practice of BS5228:2009 for noise and vibration control on construction and open sites.

Where works involve materials containing asbestos, specialist licensed contractors and carriers should be employed for the safe handling and disposal of asbestos materials.


9. Concrete crushing requires a permit under the Pollution Prevention and Control Act 1990. Please contact the Council’s Environmental Quality team, Environment Services Department on Tel. 0208 753 3454. E-mail: environmental.quality@lbhf.gov.uk

10. All waste materials and rubbish associated with demolition and/or construction should be contained on site in appropriate containers which, when full, should be promptly removed to a licensed disposal site.

11. Under Section 80 of the Building Act 1984, the Council should be given a minimum of 6 weeks’ notice of intention to carry out any works of demolition of the whole or part of a building. A notice of intended demolition should be submitted to the London Borough of Hammersmith and Fulham, Environmental Quality Team, or email Environmental.Quality@lbhf.gov.uk

12. The applicant should contact the Environmental Quality team via e-mail to Environmental.Quality@lbhf.gov.uk or by phone on 0208 753 1081 as soon as possible to discuss the steps necessary to fulfil the contaminated land conditions.

13. A Groundwater Risk Management Permit from Thames Water would be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water would expect the developer to demonstrate what measures would be undertaken to minimise
groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water’s Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.

14. The applicant is advised that a relief storm sewer cross the development site. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water state they will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0203 577 9998 to discuss the options available at this site.

15. The developer can request information to support the discharge of the Thames Water conditions by visiting the Thames Water website at thameswater.co.uk/preplanning and liaises with Thames Water Development Planning Department (telephone 0203 577 9998) for further information.

16. Written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with English Heritage Greater London Archaeology guidelines. They must be approved by the planning authority before any on-site development related activity occurs.

17. Applicant is advised that in order to mitigate the impact of air pollution, public amenity external seating should be located a minimum of 20 metres from the kerbside and orientated away from the northern site boundary on Talgarth Road (A4).

18. To improve flood resilience, the Environment Agency recommend that, where feasible, finished floor levels are set above the 2100 breach flood level, which is 5.1m AOD.

19. In determining the planning application, the Local Planning Authority has had regard to the following supporting documents:

- Existing, Demolition and Proposed drawings;
- Environmental Statement Volume 1 – Main Chapters and Addendum;
- Environmental Statement Volume 2 – Technical Appendices and Addendum;
- Environmental Statement Non-Technical Summary and Addendum;
- Design and Access Statement and Addendum;
- Planning Statement;
- Statement of Community Engagement;
- Hotel Demand Assessment;
- Tree Survey;
• Tree Survey and Arboricultural Method Statement;
• BREEAM – Pre-Assessment – Hotel 1;
• BREEAM – Pre-Assessment – Hotel 2;
• Ventilation and External Plant Assessment;
• Transport Assessment and Addendum;
• Framework Travel Plan;
• Site Vehicle and Site Waste Management Plan;
• Draft Demolition and Construction Management Plan
• Outline Construction Logistics Plan;
• Construction Statement for Basements and Addendum;
• Acoustic Report;
• Additional Acoustic Report (reflected noise);
• Energy Statement;
• Flood Risk Assessment incorporating Sustainable Urban Drainage 
  Statement; and
• Air Quality Assessment.

20. In determining this application, the local planning authority has worked in a 
pro-active and positive manner with the applicant to foster the delivery of sustainable 
development, in accordance with the requirements of paragraphs 186 and 187 of the 
National Planning Policy Framework.
1.0 BACKGROUND

Site Description
1.1 The proposed development relates to the former Hammersmith ('West London') Magistrates Court site. The application site ('the site') is located at the edge of Hammersmith town centre and lies to the south of Talgarth Road and the Hammersmith flyover (A4).

1.2 The site is an irregular shape, approximately 0.67 hectare in area. The site is occupied by a former Ministry of Justice, Magistrates’ Court building. The magistrates court is a purpose built 1990’s, part two/part three storey, red brick/metal clad roof building. There is a secure car park area to the rear. Vehicle and pedestrian access is via the (A4) Talgarth Road slip road. The site is vacant (since the summer 2018), following closure of magistrates’ court.

1.3 The surrounding townscape is a mix of styles and form. Comprises a residential setting to the south and a predominantly commercial character to the north. The site sits within a 'commercial island' block isolated by existing road and rail networks. Bound to the north by Talgarth Road and the eastern section of the elevated section of the A4 (Hammersmith flyover) and the Novotel Hotel beyond. There are low-rise residential properties and an 18 storey tower (Linacre Court) to the north beyond the A4. To the south, the site is bound by the Piccadilly and District open London Underground tracks, running between Barons Court and Hammersmith Broadway stations. Beyond the railway lines, the scale of the built form reduces considerably, next to the rear boundaries and gardens of the terraced properties in Yeldham Road. Margravine Gardens and other surrounding residential streets view the site to the south, comprising low rise properties (typically 2-3 storeys). To the west, the site boundary is lined by several mature trees and adjoins the flank wall of a two-storey office/community building, known as the Lilla Huset Centre and the 'Ark', a large 10 storey office building. To the east, there is a petrol station and beyond is the London Academy of Music and Dramatic Arts complex (LAMDA).

1.4 Hammersmith Broadway is located approximately 450m to the north-west of the site, on the opposite side of the A4 and includes a key transport interchange underground station (District and Piccadilly lines) and bus interchange and approximately 5 minutes’ walk from the Hammersmith and City/Circle line services. The Hammersmith Broadway Shopping Centre is a large indoor shopping centre and a perimeter block of offices surrounded by the Hammersmith gyratory system.

Designations
1.5 The site has no specific site designation in the development plan, however, is situated within Hammersmith Town Centre and the Hammersmith Regeneration Area (HRA). Located within the Environment Agency’s Flood Risk 2/3. The site is not situated in a designated area of archaeological importance. There is however, an Archaeological Priority Area located close by to the west. The mature trees present along the west boundary of the site are the subject of a Tree Preservation Order (TPO’s). There is a Thames Water relief storm sewer which runs through the middle of the site.
Heritage

1.6 The Hammersmith Magistrates Court building is not listed or locally listed, and the site does not fall within a conservation area. However, there are a number of heritage assets in the wider area including several conservation areas nearby. The Barons Court Conservation Area is to the east; the Hammersmith Odeon Conservation Area is to the west, and further west is The Mall Conservation Area. Both the ‘Eventim Apollo’ (former Hammersmith Odeon) theatre venue and St. Paul’s Church located to the west of the site are Grade II* listed buildings. The Barons Court Underground Station to the east and 17 St. Dunstan’s Road to the south are Grade II listed buildings. Margravine Cemetery forms part of the Barons Court Conservation area and is designated as a Nature Conservation Area of Grade I Brough wide Importance. The 16.5 acres of cemetery land contains a number of distinctive monuments, three of which are listed buildings. At a greater distance is the Mall Conservation Area and Hammersmith Bridge, a Grade II* listed building. The ‘Ark’ office building is on the borough’s Local Register of Buildings of Merit and is widely regarded as a local landmark.

Transport

1.7 The site is well served by public transport and has a public transport accessibility level (PTAL) of 6a/6b (excellent) on a scale of zero to 6b. The site is almost equal distance (approximately 300m) between Barons Court underground station and Hammersmith underground/bus stations.

1.8 Vehicular access is via Talgarth Road. The main pedestrian access point is via a segregated footpath into the site on the southern side of Talgarth Road. There are signalised pedestrian crossings located to the west of the site underneath the Hammersmith flyover, providing connections across the gyratory road system to Hammersmith underground/bus stations to the north and the rest of Hammersmith town centre. Part of Talgarth Road forms part of the Transport for London Road Network (TLRN).

Planning History

1.9 The Magistrates Court building was granted permission in May 1989 under a Circular 18/84 (Crown Land and Crown Development) application submitted by the Metropolitan Police (ref: 1988/01940/GOV).

1.10 There has been no significant planning history. Application history relate mostly to tree works.

1.11 An Environmental Impact Assessment (EIA) request for a Scoping Opinion, pursuant to Regulation 15 of the Town and Country Planning (EIA) Regulations 2017 was submitted to the Council in November 2018 (ref: 2018/03820/SCOEIA). Related to the ‘Demolition of the existing building on site and the construction of two buildings ranging in height from 30 metres to 70 metres in height for hotel use (Use Class C1), providing approximately 850 hotel rooms, with ancillary food and beverage units, event space and affordable workspace (Use Class B1). The proposals also include two levels of basement, cycle parking and public open space.’

1.12 The scope of the Environmental Statement (ES) was agreed with by the Council in its decision dated 21st December 2018.
Proposal

1.13 The application is for the re-development of the former Hammersmith Magistrates Court site. The proposal involves the demolition of the existing building and the erection of two hotel buildings, together with community space including affordable workspace and event/rehearsal space, ancillary roof top plant; servicing; cycle parking; creation of a new garden square; landscaping and enabling works. The two hotel buildings would accommodate a total of 808 bedrooms. For the purposes of the report, the two standalone hotels are identified as ‘Hotel 1’ (fronting Talgarth Road) and ‘Hotel 2’ (to the rear/southern end of the site, facing the railway lines).

1.14 In land use terms, the proposed development is defined as a Class C1 (Hotel) use with ancillary Class B1(a) office space. The two hotels are design as standalone operations, however with shared amenity, parking, servicing and delivery arrangements (off Talgarth Road). The proposed 808 bedrooms are divided into Hotel 1 - 408 bedrooms and Hotel 2 – 400 bedrooms. The affordable workspace (18th and 19th floors), meeting rooms (20th floor), a roof garden bar (21st floor), and associated event/rehearsal space (basement level) are all provided in Hotel 1.

1.15 In its original form, the proposed development comprised three distinct lateral blocks of varying heights, ranging between 6 to 26 storeys, split into two standalone hotels and accommodating up to 858 bedrooms. ‘Hotel 1’ included a ground plus 25-storey hotel (and two levels of basement floorspace), with ancillary restaurant, a roof top bar, conferencing facilities, one floor of affordable office workspace, gym, servicing and cycle parking facilities. The second hotel ‘Hotel 2’ is divided into two smaller volumes. A lower part 6 / part 8 storeys element connected to a taller, mid-rise element rising to part 14 / part 15 storeys (and part basement level). The two hotels are linked by public open space, centred around a south facing garden square and delivery/servicing area. Both hotel entrances are located at ground floor level. Hotel 1 entrance would face Talgarth Road, while the entrance to Hotel 2 would be through the garden square. The office and roof top bar entrance is situated on Talgarth Road, but each will have their own dedicated lifts. The proposed event space located at basement level would have its entrance at ground floor on the western elevation of Hotel 1 with dedicated lifts and stairs.

1.16 In response to the comments received during the first consultation, the proposed development was amended. The proposed amendments comprise:

- Hotel 1 has been lowered in height by three storeys and internal uses have been rearrange. The tallest building has been reduced from ground plus 25 storeys to ground plus 22 storeys. The rear building (Hotel 2) remains as per the original submission.
- The second basement level in Hotel 1 has been omitted. The layout of the remaining basement level and proposed event/rehearsal space has been rationalised.
- The number of hotel bedrooms has been reduced from 858 to 808 (a decrease of 50 rooms).
- The affordable workspace provision has been increased from 746 m2 to 1527m2. An additional floor of affordable workspace is provided, and the space would be
located 18th and 19th floors of Hotel 1. These levels would be serviced by their own entrance and lifts, via the west elevation.

- Meeting rooms would be provided on the 20th floor and part of the 21st floor of Hotel 1.
- The 21st floor would comprise a publicly accessible rooftop bar with garden terrace. In addition to this, 2 meeting rooms would be provided on this floor which could also be use as private dining areas for the rooftop bar.

1.17 The proposed floorspace within Hotel 1 has been reduced by 5,005 m2 (GEA) with the reduction in height of the building and basement floor area. As a result of the changes, the proposed development would have an overall total area of 35,779 m2 gross external area (GEA) floorspace for the two buildings, divided in the following form:

<table>
<thead>
<tr>
<th>Type</th>
<th>Revised Total Floor Area (GEA m²)</th>
<th>Previous Total Floor Area (GEA m²)</th>
<th>Net Change (GEA m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hotel 1</td>
<td>20,958</td>
<td>25,963</td>
<td>-5,005</td>
</tr>
<tr>
<td>Hotel 2</td>
<td>14,821</td>
<td>14,821</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>35,779</td>
<td>40,784</td>
<td></td>
</tr>
</tbody>
</table>

1.18 In terms of Class C1 hotel only floorspace, the proposed development would provide 29,020m2 GEA (Hotel 1 - 15,641m2 GEA and Hotel 2 - 13,379m2 GEA). The development would provide 1,793m2 (GEA) affordable office workspace (Class B1(a)) floorspace (Hotel 1 only) and plant, servicing, and cycle parking.

1.19 The main components of the proposed development are summarised in more detail below.

**Hotel 1:**

- 23 storeys (Ground + 22 floors above including plant) and a part single storey basement.
- A 408 bed, full-service hotel (equivalent to 4*).
- The hotel building comprises a long, rectangular form, with a maximum depth of 16m on the upper floors, situated at the front (northern end) of the site, parallel with Talgarth Road and the Hammersmith Flyover. Setback 10-15m from the road by vehicular access, drop off/parking and landscaping.
- The maximum height above ground is 69.85m (down from 77.2m).
- At ground floor level, the hotel’s main entrance which includes the reception lobby would face Talgarth Road. A separate entrance to the basement space is located on the west elevation. Ancillary restaurant and bar open face onto the garden square to the south west corner of the building. Hotel gym is located on the first floor.
- Floors 1-17 accommodate 408 hotel rooms (including 20 accessible and 20 adaptable rooms).
- 1,646m2 (GIA) of affordable office work space (Class B1(a)) would occupy the entire 18th and 19th floor, exclusively for use by small to medium size local businesses with dedicated lifts.
• The entire top floor (22nd floor) provides a rooftop garden and bar, consisting of internal and external seating areas. This use would have a dedicated lift and would be available for public use.
• Single basement level (1,264.5 m² - GIA) to accommodate a variety of ancillary uses, including over 500 m² rehearsal/conference space with a clear ceiling height of 4.5m. It is expected that the facilities would be accessible to both guests and the local community. The events and rehearsal space would have its own dedicated entrance and lifts via the west elevation of Hotel 1.
• The east elevation would be clad with a green wall system one of the tallest green walls in London.
• The building would also provide ancillary roof top plant, cycle parking and servicing.

Hotel 2:

• The hotel would comprise 2 smaller connected rectangular building blocks that step down in scale and height towards the south boundary of the site. The lower part being part 6/part 8 storeys, with the taller element rising to part 14/part 15 storeys (and a part single storey basement level under the mid-rise block).
• A 400-bed limited service hotel (equivalent to 3*), located to the rear of Hotel 1, accessed through the new public realm.
• A internal landscaped courtyard at ground level that provides separation between the two blocks.
• The maximum height of Hotel 2 above ground is 46.9m reducing to 19m to the south.
• The 400 hotel rooms would be located across all the floors. 42 accessible rooms would be provided in total.
• The ground floor would also accommodate a reception area, and a restaurant opening out onto the garden square to the south and west of the building.
• Cycle parking would also be provided.
• Back of house services are located at ground and basement level to the east of both Hotel 1 and 2.

Landscaping Works:

• The proposed development provides public realm within the site. This includes landscaping improvements along Talgarth Road to enhance the route between the site to Hammersmith station.
• A south facing Garden Square shared by hotel and restaurant guests and the wider community.
• Retention of 21 of the 22 existing mature trees on the site, including 8 trees along the northern boundary. One tree to be removed, located in the north-east corner of the site. A further 46 new trees are proposed as part of the landscape strategy to create a green buffer around the site.
• Green roofs on the roof of the lower and mid-rise blocks providing sedum, wildflowers and grasses, forming a range of habitats and foraging opportunities including bird and bat boxes.
• A 60m green wall would span most of the eastern elevation of the of the northernmost building. The living wall system would be made from 100%
organically grown planting and incorporate a fully automatic irrigation system of drainage from the roof of Hotel 1 to allow the wall to have the correct amount of water.

- Provision for a possible future east to west connection link between the Ark and the petrol site between Hotel 1 and Hotel 2.

### Proposed Development Building Heights

1.20 The proposed building heights vary across the blocks. The tallest element located towards the A4 and north of the site would be 70m high. The smaller blocks would be located to the south of the site and range between 19-50m in height. The height of the proposed buildings is as follows:

<table>
<thead>
<tr>
<th>Hotel</th>
<th>Height in metres (AOD)</th>
<th>Height in storeys</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hotel 1</td>
<td>69.85m</td>
<td>23 storeys</td>
</tr>
<tr>
<td>Hotel 2</td>
<td>49.9m</td>
<td>15 storeys</td>
</tr>
<tr>
<td>Hotel 2</td>
<td>41.7m</td>
<td>14 storeys</td>
</tr>
<tr>
<td>Hotel 2</td>
<td>24.7m</td>
<td>8 storeys</td>
</tr>
<tr>
<td>Hotel 2</td>
<td>19m</td>
<td>6 storeys</td>
</tr>
</tbody>
</table>

### Access and Parking

1.21 The development would provide an active frontage along Talgarth Road. The development would have a designated drop off area outside the main hotel entrance and form a one-way through road. The proposed development would be car free apart from 4 no. disabled parking spaces, drop off taxi parking and 2 coach parking spaces located on the northern boundary of the site. A total of 120 cycle parking spaces (108 long stay and 12 short stay) would be provided on site.

### Demolition and Construction works

1.22 The proposed development would be built out in one phase. The demolition and construction works are expected to take approximately 3-4 years. A draft construction management plan, logistics plan and a basement works statement are included in the submission for consideration.

### 2.0 PUBLICITY AND CONSULTATION

#### Resident and Amenity Group Consultation

2.1 Application was advertised as a major development that also affects the character and appearance of neighbouring conservation areas and accompanied by an Environmental Impact Assessment in accordance with EIA Regulations 2017. The application was publicised by way of a site notice (posted 8 February 2019) press advert (published 15 February 2019) and by way of 900 letters.

2.2 A total of 102 objections received. The objections are summarised as follows:

- High density and over-development of the site.
- Development is excessively high. Would dominate and blight views from several hundred surrounding residential properties.
- Intrusive, highly visible over a long distance, and out of scale and character with surrounding buildings.
• Oversized development that overwhelms neighbourhood in a disproportionate manner.
• Overbearing, sense of enclosure and out of context with surrounding residential properties.
• A monstrosity and an eyesore for miles around it.
• Would dwarf the Ark, the Novotel, LAMDA and Charing Cross Hospital.
• Would fill in, interrupt, dominate and blight the skyline; unbalance and reduce views from surrounding residential properties and Margravine Cemetery.
• Hazard to aircraft on the approach to Heathrow.
• Would obscure view of the Ark seen by people leaving London on the A4.
• Should be refused or modified. Welcome a proportionate and thoughtful development.
• Should be no taller than the Novotel or the Ark building.
• Hammersmith town Centre has become cluttered by high-rise buildings, to the detriment of the residential character of the borough.
• Height should be reduced by 5-10 stories and/or the present building.
• Should be set back from the railway lines.
• Ignores the future status of the Hammersmith Fly-over and its replacement by a tunnel should be taken into consideration.
• Not in keeping with the surrounding residential nature or heritage of the area.
• Would have an adverse effect on the character and appearance of the adjacent Barons Court Conservation Area. Does not make a positive contribution to the area.
• Would have an adverse effect on the setting of the Ark and dominate and hid views on the A4.
• Margravine Cemetery would be severely overlooked.
• Development would loom over the cemetery, creating a distracting and overbearing backdrop and have a very negative impact on the open space and cemetery's conservation status.
• Would have an adverse effect on the setting of the Listed Buildings in the cemetery, including the Lyons War Memorial, the Young Mausoleum, the Reception House and 17 St Dunstan's Road.
• Townscape views have been very carefully selected. Do not fully represent the impact of the development. Further views required.
• Many of the views in the conservation area and those incorporating listing buildings and beyond would be severely compromised.
• Design has no architectural merit. Dull and ugly. Lacks flair and creativity. Old fashioned and unimaginative.
• Concrete cladding would weather quickly following a period of exposure in these surroundings.
• Share concerns of the Design Review Panel.
• The ‘Ark’ building is iconic, very unusual and an important part of the Hammersmith townscape.
• The ‘Ark’ is arguably one of the ugliest building in the whole country, is ridiculously high and dominates the skyline.
• Support the objections expressed by the Hammersmith Society, Friends of Margravine Cemetery and the Resident Association of St Dunstan's Road and Margravine Gardens.
• Blocks out daylight and impact on rights of light.
• Brings overshadowing.
• Would Infringe overlooking and privacy standards from height/proximity of proposed bedrooms and roof-top bar.
• Increase noise and vibration effects from operational trains and ‘bounce back’ off the proposed buildings on surrounding residential properties. Development would produce a tunnel effect, creating echo and increasing its disturbing effect. Only solution is covering the railway cutting.
• Increase disruption, noise and dust pollution during construction works.
• Noise and disturbance generated from the roof-top bar/restaurant and associated hotel plant/machinery.
• Noise from outdoors seating for the restaurants on the ground floor.
• Noise would be heard especially in the evening from surrounding residential properties.
• Light pollution emitted from the two hotels at night would affect neighbouring residential properties. Advertising from the Novotel is already visible from surrounding residential streets.
• Development would increase number of persons in the area and have an adverse effect.
• Would affect highway safety with increased traffic generated by deliveries, coaches, minicabs and taxis, with only limited car parking provided on the site.
• Vehicles coming in from the west would seek a route off the Broadway, e.g. via Fulham Palace Road, St Dunstan's Road and Margravine Gardens, before turning left onto this westbound carriageway by Barons Court Station. Rat running motorist would aggravate traffic congestion in the narrow side streets.
• Staff working late-night or early-morning hours would seek to park in surrounding residential streets adversely affecting residents.
• Would add pressure to public transport. Both Hammersmith and Barons Court stations are already struggling to cope.
• Increase traffic congestion on Fulham Palace Road, Talgarth Road, and Hammersmith gyratory. The additional traffic would bring the area to a standstill and impact ambulances to and from Charing Cross Hospital.
• Increase illegal U-turns at Barons Court Station or North End Road.
• Increase traffic problems in the surrounding area during the construction phase.
• Pedestrian environment to the hotel is unattractive and difficult to get to.
• Development would lead to an increase in air pollution. Area already a hotspot.
• 'Public open space’ is tucked away and would be inaccessible to the general public.
• The Magistrates Court is a community building and should be retained.
• No benefit for local residents in use or amenity. Community benefits offered seem paltry.
• Development does not contribute to a mixed economy of the town centre.
• Development should be restricted to a housing use. Should provide genuinely affordable housing, meeting the local needs of young people, including student housing for LAMDA and Imperial College students, families, or the elderly.
• Question necessity for two additional hotels. There are enough hotels and leisure venues in Hammersmith at present.
• The hotels and restaurants would bring little to the area.
• A lower hotel or office building with more trees and greenery would be far more appealing.
• Lower buildings should be considered for the benefit of all the residents.
• Development would provide no benefit to residents as blocked by the railway lines.
• Proposed improvements to the pedestrian environment would not benefit anyone other than those using the hotels.
• Would encourage development to be BREEAM Excellent.
• Developer should create a pedestrian / cycle bridge over the tube lines to the planned gardens from Yeldham Road to give easy access to the public amenity.
• S106 - local schools should be the priority and encourage community engagement.
• Drawings presented by the developer at the exhibition were misleading.

2.3 Upon the receipt of the revised proposals in June 2019, further publicity was undertaken for a period of 30 days in accordance with EIA Regulations 2017. Residents were given the opportunity to comment on the amendments received and the revisions were publicised by way of letters posted 28 June 2019, and a site notice and press advert.

2.4 A total of 37 objections have been received to this second round of consultation in addition to the amenity groups summarised above. In summary, it is considered that the reduction in height of the tallest hotel building does not make the scheme any more acceptable. It is still considered that the proposed development is too large, and out of character with the area and dominating the Hammersmith skyline, towering over all surrounding residential properties and Margravine Cemetery. The height of the nearby Ark building is referenced as a more appropriate guideline. Reference to previous objections relating to increased pressure on the local traffic, greater air pollution and noise and disturbance have also been cited.

2.5 Four responses were received in support of the application and include representations from West London College and LAMDA. In summary, consider the proposed development would bring back the site into a good economic use and; commitment to provide apprenticeship and training opportunities for both the construction phase and the business operations once completed. The site is located close to good public transport links to inner London and Heathrow. The two hotels proposed, would cater for the market that exists in the area. Welcome the conferencing and leisure facilities bringing more people to work and stay in Hammersmith. Opportunities afforded to local businesses and start-ups through the affordable workspace are also supported and make a positive contribution to the availability of quality workspace in Hammersmith and would complement the two hotel uses.

2.6 The following objections from amenity groups/resident groups have been received. The objections are summarised as follows:

2.7 The Hammersmith Society (20/03/2019) & (29/09/2019)

Object to the proposals on the following grounds:
• The proposal offers a poor and uninspiring standard of development for Hammersmith town centre and the surrounding streetscape.
• Contend development of the site solely for a hotel development.
• Layout obstructs view of the Ark building approaching from the east.
• Verified views are selective.
• The scale of the development is dominant from Biscay Road and Yeldham Road. Would have an adverse effect on the amenity of residents on these streets.
• A lower development spreading the mass more evenly over the site would avoid overlooking, light spill, and noise reflection for these streets.
• Despite pre-application discussions the proposals remain unexceptional.
• Architecture reminiscent of 1960’s commercial architecture.
• Re-constituted stone cladding on the tall building is a monotonous repetitive grid form, without visual relief or geometric hierarchy.
• Planning conditions should be included requiring a full size two storey design mock-up to explore design refinement.
• Architectural relief needed to the extensive prominent areas of brick cladding proposed on Buildings 2 and 3. The proposed mixture of materials lack visual coherence.
• Vertical garden ‘wallpaper-like’ treatment (east elevation) on the tall building would be better integrated within the site landscaping, to create a natural appearance.
• Landscape works appear uninviting and have limited recreational public benefit.
• The proposed amendment does not address the fundamental failures of the application design and does not change the view summarised by the amenity group in the previous objection, as the development is considered to be an uninspiring scheme - a very substantial and visible development offering so little to the Hammersmith streetscape. Significant further design work is required before the scheme is worthy of consideration for planning approval.

2.8 Hammersmith & Fulham Historic Buildings Group (15/04/2019 & 15/07/2019)

Object to the proposals on the following grounds:
• Proposals fail to preserve or enhance the character and appearance of the Barons Court Conservation Area.
• Setting of the conservation area would be badly affected by visual intrusion on surrounding streets causing overlooking, loss of privacy, overshadowing, night time and tube line noise and light pollution.
• Adverse visual impact on Margravine Cemetery (particularly western half near to Margravine Road) by sense of enclosure and overlooking.
• Fails to give due regard to setting of the listed buildings in the conservation area and cemetery.
• Visible from 17 St Dunstan’s Road and fills the skyline when viewed from listed buildings in the cemetery.
• Adverse effect on setting of BoM – Lilla Huset and The Ark.
• High density/overdevelopment of the site.
• Poor standard of design in terms of bulk, massing and materials.
• Impact of the proposed development should take into consideration the proposals to replace Hammersmith Flyover.
• Views have either been carefully chosen or do not include relevant views (e.g. outside 17 St Dunstan’s Road).
• Loss of community use should include improvements to the wider environment.
• Absence of on-site car parking would result adverse effects on surrounding streets.
• Development would aggravate traffic congestion in surrounding residential streets to the south.
• The proposed development is contrary to the NPPF (2018), the Planning (Listed Building and Conservation Areas) Act 1990 (Sections 66 and 72), London Plan policies and Local Plan policies (E3, OS1, OS2, DC1, DC2, DC3, DC8).
• Have studied the latest revisions and advise that all their points still remain.

2.9 Friends of Margravine Cemetery (22/03/2019 & 29/07/2019)

Object to the proposals on the following grounds:
• Development looms over the cemetery (particularly western half).
• Adverse effect on the character and appearance of the Barons Court Conservation Area; setting of the cemetery will be badly affected by sense of enclosure and overlooking.
• Adverse effect on setting of the listed buildings in the cemetery - the Lyons War Memorial, the Young Mausoleum, the Reception House and 17 St Dunstan’s Road (just outside the cemetery).
• Bulk, massing and design (detailing and materials) would be visually intrusive and does not reflect context or make a positive contribution to the appearance of the area or respect the setting of Margravine Cemetery.
• Proposed development is overbearing, out of scale and character compared to existing development to the south and east reflecting its location on the edge of the town centre.
• Townscape views (nos. 19, 20 and 21) are selective and do not fully represent the impact in the Barons Court Conservation Area.
• The negative impacts outweigh the economic benefits to the borough.
• The proposal would have the same order of impact on the neighbourhood as Charing Cross Hospital, without any of the mitigating benefits the hospital generates.
• The proposed development is contrary to the NPPF (2018), the Planning (Listed Building and Conservation Areas) Act 1990 (Sections 66 and 72), London Plan policies and Local Plan policies (E3, OS1, OS2, DC1, DC2, DC3, DC8).
• In terms of the revisions to the proposals, the Friends of Margravine Cemetery still find the development unacceptable and the points listed above still remain.

2.10 Margravine Gardens & St. Dunstan’s Rd Residents Association (13/03/2019 & 30/07/2019)

Object to the proposals on the following grounds:
• Adverse effect on residential amenity of the neighbourhood in terms of overlooking, loss of privacy, overshadowing, night-time noise and light pollution.
• Development looms over the houses, particularly those on the northside of Margravine Gardens, St Dunstan’s Road and nos. 86-92 Biscay Road.
• Would have a negative impact on the character of the suburban streets in the Barons Court Conservation Area.
• High density/overdevelopment of the site, squeezed between railway lines/A4 and location opposite residential neighbourhood and locally listed building, the Ark and Lilla Huset.
• Overbearing, out of scale and character compared to existing development to the south and east, reflecting its location on the edge of the town centre.
• Adverse effect on highway safety and inconvenience local users in terms of traffic generated by deliveries, coaches, minicabs, and taxis. Increase traffic levels in Margravine Gardens and St. Dunstan’s Road on amenity of residential streets. would be used as a ‘rat run’ to the two hotels. Will impact on emergency services from Charing Cross Hospital.
• No off-street parking provision would tempt staff and others to park in surrounding residential streets.
• Townscape views do not fully represent the impact of the development on streets in the Barons Court Conservation Area.
• Proposals would have the same order of impact on the neighbourhood as Charing Cross Hospital without any of the mitigating benefits the hospital generates.
• Loss of the existing community use should consider benefit of local residents.
• The proposed development is contrary to the NPPF (2018), the Planning (Listed Building and Conservation Areas) Act 1990 (Sections 66 and 72), London Plan policies and Local Plan policies (E3, OS1, OS2, DC1, DC2, DC3, DC8).
• Reduction of the height of the proposed development would still not be in keeping with sense and intention of the Barons Court Conservation Area.
• Development will result in a ‘white elephant’.

2.11 Land Securities (Landsec & AccorInvest) on behalf of the Hotel Novotel
(15/03/2019 & 01/08/2019)

Object to the proposals on the following grounds:
• The proposed development does not include an element of housing which is considered to be the Council’s “priority land use”, does not provide a true mix of uses and therefore fails to accord with the development plan.
• Insufficient information regarding affordable workspace provision.
• Insufficient information relating to how the hotel would be managed.
• The proposed development would have adverse traffic impacts.
• Insufficient information provided relating to the need for a hotel of this size and scale in this location. Would lead to an over-concentration of visitor accommodation in the area.
• A Hotel Management Plan should be submitted alongside the application.
• Uphold concerns despite revisions to the proposed development.

External Consultees
2.12 The following consultations from external consultees relate to the scheme submitted and are summarised below:
2.13 Acknowledge receipt of the application. Confirm no comments to be made for the Environment Statement.

GLA - Mayoral Referral (Stage I)
2.14 Under the terms of the Town & Country Planning (Mayor of London) Order 2008, the Greater London Authority (GLA) has been notified. The application is within the thresholds of potential strategic importance to London (Category IB.1(b): “Development…with a total floorspace of more than 20,000 square metres” and 1C.1(c): ‘Development which…is more than 30 metres high and is outside the City of London’).

2.15 The Mayor of London formally considered the proposal on 18 March 2019 and issued a Stage 1 report, a summary of which is set out below. The contents of the Stage 1 response have been considered by both the applicant and the Council and there have been discussions with the officers of the GLA and TfL to ensure that their concerns and comments have been properly addressed as far as is reasonably practicable.

2.16 Should planning permission be granted, this application would be referred to the Mayor of London prior to the issue of any decision notice. The Mayor has a period of 14 days from the date of notification to consider the council’s resolution before issuing a decision as to the call-in of the application for the Mayor to act as the local planning authority, or to allow the application to proceed.

2.17 The Mayor’s Stage I supports the proposal in principle and makes the following comments:

- Principles of development: In the absence of need for the existing social infrastructure, the proposed hotel, office, and community floorspace in the town centre site is supported.

- Urban design: The approach to the layout, height, massing and architecture is considered appropriate for this town centre location.

- Sustainable development: The applicant must provide further information and clarification for the carbon savings to be verified and compliance with the London Plan.

- Transport: The Council must secure a Delivery and Servicing Plan, A Construction Logistics Plan, cycle provision and a revised Transport Assessment.

Transport for London (TfL)
2.18 No objection subject to the following information being provided:

- Provide mode share assessment for the different elements of the proposed hotel use.
- Undertake a Stage 1 Road Safety Audit for the proposed modified entry and exit points off Talgarth Road.
- Restrict coaches to no longer than 14 m in length.
- Final Site Vehicle and Service Management Plan (SVSMP) to be conditioned.
- Review cycle parking facilities, to be designed in line with London Cycle Design Standards (LCDS) including provision of shower/changing facilities for staff/workers.
- Walking/Cycling conditions including lighting need to be improved between the site and Hammersmith Station. Section of Talgarth Road forms part of Cycle Future Route 23. Should be secured by the S106 agreement.
- Travel Plan targets need to be more ambitious to increase walking /cycling and need to be reviewed and final Travel Plan should be secured by the S106 agreement.
- Secure the Delivery and Servicing Plan and Construction Logistics Plan by condition.

**London Underground**

2.19 No objection subject to a condition is included requiring a detailed design and method statement for all the demolition, foundations, basement, ground, and any other structures below ground level, including piling have been submitted for approval in consultation with London Underground.

**Historic England (15/02/2019 & 19/07/2019)**

2.20 Unable to support the proposals on the following grounds:

The development’s height and location would likely be highly visible within the surrounding locality, have a negative impact on the skyline and viewpoints; appear prominent in the setting of nearby conservation areas and have an adverse and harmful impact on the historic environment, primarily the character and appearance of The Mall Conservation Area. Historic England urge Council to seek revisions to address harm to this conservation area and views and encourage options to reduce the presence of the tallest block through redistribution of density to the lower block element of the site.

2.21 Historic England acknowledged and welcomed the reduction in height of the tallest block, which would lessen the development’s visual prominence somewhat. However, in light of previous concerns regarding not only the proposed scale of the development, but its inherently modern materiality, Historic England do not consider the revised scheme is sufficient to alleviate the harm previously identified.

**Historic England - Greater London Archaeological Advisory Service**

2.22 No comments received.

**Environment Agency**

2.23 No objection. Recommend that finished floor levels are set above the 2100 breach flood level, which is 5.1m AOD where feasible, to improve flood resilience.

**Thames Water**

2.24 Request conditions be added to any planning permission to determine the waste water infrastructure needs and the existing water supply infrastructure has insufficient capacity to meet the additional demands for the proposed development.
Civil Aviation Authority
2.25 Recommend London Westland Heliport be advised of the proposal. Notice should be served or structures (including temporary such as cranes) above height of 300ft (91.4m) ground level. Crane operator should contact the CAA’s Airspace Regulation (AR) section. Cranes above height of 60m or more would need to be equipped with aviation warning lighting in line with CAA guidance. Also recommend contacting local emergency services Air Support Units through the National Police Air Service (NPAS) organisation.

Crime Prevention Officer
2.26 No comment received.

Disability Forum
2.27 Request a condition be included for an Inclusive Access Management Plan and provided advice relating to the public realm, public areas inside the buildings, provision of accessible and adaptable bedrooms and fire strategy to be incorporated into the design of the proposed development.

Community Engagement
2.28 In respect of community involvement, the applicants undertook a continuous programme of engagement with local stakeholders, local groups and residents throughout a pre-application period of approximately 10 months (March 2018 – January 2019). This included pre-application meetings with officers and a presentation of the emerging proposals to the Design Review Panel on 18 July 2018.

Design Review Panel
2.29 The panel questioned some elements including the use of the public realm and spacing between the buildings and encouraged further design development to enhance the quality. Suggested further work in terms of the connections to and around the site, provide a better relationship with the adjoining ARK building and reduce impact to the residential neighbourhood to the south.

2.30 Officers requested further design amendments and clarification during the pre-application stage. Amendments included a reduction to the height/massing of the most rearward block opposite residential properties on Yeldham Road (to the south), and design changes to the front hotel, including at roof level to conceal the plant.

2.31 The Statement of Community Involvement (SOCI) submitted in support of the planning application summarises the pre-application engagement undertaken by the applicant for proposals to redevelop the site. A two full-day public exhibition of the emerging proposals was held at the Lilla Huset Centre on Friday 23rd November 2018 and Saturday 24th November 2018. A leaflet-style invitation to the exhibition was distributed to 8,298 addresses surrounding the site, including both residential properties and businesses. The exhibition was advertisement in the Ealing Gazette (covering Hammersmith and Fulham), as well as on Get West London online. In addition, stakeholders and amenity groups were invited to the exhibition or to a ‘one to one’ presentation.

2.32 In total the SOCI states there were 40 attendees across the two exhibition days (19 attendees on the Friday and 21 attendees on the Saturday). Feedback was
recorded via questionnaires available to complete in writing or online at the
exhibition. Freepost envelopes were provided for those wishing to return the
questionnaires later.

2.33 In total 8 feedback forms were received. The SOCI confirms that 50% of
attendees were in support of the proposals. Most residents and stakeholders
admired the design, especially the green wall. They also agreed that the garden
square, rooftop bar, affordable workspace and event/meeting space would make a
positive contribution to the local community. Main areas of concern were from
residents living close to the site about the potential impact on views, light and noise;
as well as whether there was a need for more hotels; and the potential obstruction of
views of The Ark.

2.34 A further post submission consultation was carried out by the applicant which
coincided with the start of the Council’s statutory publicity and consultation for the
application. The applicant undertook a further ‘drop-in’ session for residents and
businesses on Friday 1 February and Saturday 2 February 2019. The purpose of the
exhibition was to focus on the design and massing of the proposals, in response to
corns raised during the first public consultation.

3.0 ENVIRONMENTAL STATEMENT

3.1 The development falls within Part 10 (b) (Infrastructure Projects – Urban
Development Projects) of Schedule 2 of the Town and Country Planning

3.2 The threshold for developments under column 1 of Schedule 2, 10(b) are that:
   • The development includes more than 1 hectare of urban development which
     is not dwelling house development; or
   • The development includes more than 150 dwellings; or
   • The overall area of the development exceeds 5 hectares.

3.3 The proposed development falls below the thresholds / criteria set out within
this classification. The site area is 0.67 hectares and provides no dwellings. The
applicant has considered the potential for likely significant environmental effects and
has identified that some technical topics should be addressed through the EIA
process. These relate to climate change; wind microclimate; daylight, sunlight,
overshadowing and solar glare; townscape, heritage, and visual and effective
interactions.

3.4 On this basis, the applicant elected to voluntarily undertake an EIA, and an
Environmental Statement (ES) supports the application. The ES which accompanied
the application was submitted in response to a Scoping Opinion issued by the
Council on 21 December 2018. The original ES was submitted in January 2019 and
the ES Addendum (in response to the changes made to the application) was
submitted in June 2019. The proposed amendments relate to the changes to Hotel 1
and the underground basement.
3.5 The ES comprises:

**Volume I: Main Technical Assessments:** The main body of the ES. Details the results of environmental investigations, effects arising and proposed mitigation measures:

- Chapter 1: Introduction and EIA Methodology
- Chapter 2: Alternatives and Design Evolution
- Chapter 3: The Proposed Development
- Chapter 4: Wind Microclimate
- Chapter 5: Daylight, Sunlight, Overshadowing and Solar Glare
- Chapter 6: Townscape, Heritage and Visual
- Chapter 7: Effect Interactions
- Chapter 8: Likely Significant Effects
- Chapter 9: Mitigation and Monitoring Schedule

**Volume II: Technical Appendices:** See below.

- Appendix Introduction and EIA Methodology
- Annex 1: EIA Scoping Report
- Annex 2: EIA Scoping Opinion
- Annex 3: Preliminary Ecological Appraisal and Bat Survey Report
- Annex 4: Phase 1 Contamination Assessment Report (Ground Contamination)
- Annex 5: Archaeological Desk Based Assessment
- Annex 6: Demolition and Construction Mitigation Measures (Draft CEMP)

- Appendix Wind Microclimate
- Annex 1: Planning Policy Context

- Appendix Daylight, Sunlight, Overshadowing and Solar Glare
- Annex 1: Legislative and Planning Policy Context;
- Annex 2: Methodology and Baseline;
- Annex 3: Drawings;
- Annex 4: Daylight and Sunlight Impact Assessment;
- Annex 5: Overshadowing Assessment; and

- Appendix Townscape, Heritage and Visual
- Annex 1: Townscape, Heritage, and Visual Impact Assessment

**Non-Technical Summary:** Summarises the key findings of the ES in nontechnical language.

3.6 The ES informs readers of the nature of the proposed development and the likely environmental effects. It also presents the measures proposed to eliminate, reduce, or mitigate any likely significant adverse effects on the environment (referred
to as ‘mitigation’ measures). The ES identifies environmental impacts and the effects during the demolition and construction phase, and on completion and occupation of the proposed development.

3.7 The ES (June 2019) Addendum builds on the analysis and assessments presented in the January 2019 ES. Provides updated information where necessary to assess the likely significant effects of the proposed amendments to the development. The assessment is specifically focussed on Chapter 4: Wind Microclimate (confirming no material changes); Chapter 5: Daylight and Sunlight (providing an update to the ES chapter); and Chapter 6: Townscape, Heritage and Visual (providing an update to ES chapter).

3.8 The ‘scale’ of the predicted effects have been classified according to the following scale. The definitions of the scale used follow either that set out below, or, as specified within the individual technical ES chapters:

‘Negligible’: Effects which are beneath levels of perception, within normal bounds of variation or within the margin of forecasting error, these effects are unlikely to influence decision-making, irrespective of other effects;

‘Minor’: These effects may be raised as local issues and may be of relevance in the detailed design of the project, but are unlikely to be critical in the decision-making process;

‘Moderate’: These effects, if adverse, are likely to be important at a local scale and on their own could have a material influence on decision-making; and

‘Major’: These effects may represent key factors in the decision-making process. Potentially associated with sites and features of national importance or likely to be important considerations at a regional or district scale. Major effects may relate to resources or features which are unique and which, if lost, cannot be replaced, or relocated.

3.9 The definitions of the ‘nature’ of the resultant effect which are used throughout the ES are provided below:

‘Adverse’: Detrimental or negative effects to an environmental / socio-economic resource or receptor. The quality of the environment is diminished or harmed;

‘Beneficial’: Advantageous or positive effect to an environmental / socio-economic resource or receptor. The quality of the environment is enhanced; and

‘Neutral’: Where the quality of the environment is preserved or sustained or where there is an equal balance of benefit and harm.

3.10 Effects are also generally assigned a geographic extent (local, regional, or national) and duration (temporary or permanent). In addition, the ES identifies the potential for direct and indirect effects, interactions and cumulative effects.

3.11 The EIA submitted has considered the effects of the proposed development during demolition and construction, and once the development is fully complete and occupied. The ES concludes that during the demolition and construction stages, it is expected that the development would result in effects. In terms of daylight, sunlight, and overshadowing these are expected to be of a temporary nature. Once the proposed development is fully complete and occupied, likely significant adverse
effects are limited to daylight, overshadowing and solar glare. Significant beneficial and neutral effects relate to with townscape views, conservation areas and heritage assets including listed and locally listed buildings.

3.12 Demolition and Construction

The EIA states that during the demolition and construction works, likely significant adverse effects are limited to demolition and construction works and related daylight effects to properties at 63, 65, 73, 77, 79, 82, 87, 89, 90, 91, 92, 93, 95, 96, 97 Yeldham Road and properties 88,90,92 Biscay Road, overshadowing to communal gardens serving properties on Shortlands and Nazareth House Convent.

3.13 Completed Development

The EIA process has demonstrated that, once the Proposed Development is fully complete and occupied, likely significant adverse effects are limited to daylight effects to properties at 63, 65, 73, 77, 79, 82, 87, 89, 90, 91, 92, 93, 95, 96, 97 Yeldham Road and properties 88,90,92 Biscay Road, overshadowing to communal gardens serving properties on Shortlands and Nazareth House Convent, and solar glare effects to three view points along Talgarth Road/A4 Westbound. Once the Proposed Development is fully complete and occupied, likely significant neutral and beneficial effects relate only to Townscape, Heritage and Visual. Significant neutral effects relate to changes in 1 townscape view assessed, 1 Conservation Area and the setting of 1 Listed Building. Significant beneficial effects ranging from moderate to major in scale relate to changes in 13 townscape views assessed, 2 Conservation Areas and the setting of 8 Listed Buildings and 11 Locally Listed Buildings.

3.14 A more detailed summary of the main EIA conclusions is provided in Section 4 below and conditions or planning obligations have been recommended accordingly.

Other Supporting Information

3.15 In addition to the ES the following documents support the application:

• Design and Access Statement and drawings;
• Air Quality Assessment;
• Construction Statement for Basements;
• Draft Demolition and Construction Management Plan;
• Outline Construction Logistics Plan;
• Hotel Need Assessment;
• Flood Risk Assessment, incorporating Sustainable Urban Drainage Statement;
• Noise Impact Assessment;
• Site Vehicle and Service Management Plan;
• Energy Statement;
• BREEAM Pre-Assessment (for Hotel 1 and Hotel 2);
• Transport Assessment;
• Framework Travel Plan;
• Tree Survey;
• Aboricultural Method Statement;
• Ventilation Statement; and
• Statement of Community Involvement.

4.0 PLANNING CONSIDERATIONS

Policy Framework

4.2 Collectively the three Acts create a plan led system which requires local planning authorities to determine planning applications in accordance with an adopted statutory development plan unless there are material considerations which indicate otherwise (section 38(6) of the 2004 Act as amended by the Localism Act).

4.3 In this instance the statutory development plan comprises the London Plan (2016), the Local Plan (2018) and the Planning Guidance Supplementary Planning Document - 2018 (hereafter referred to as Planning Guidance SPD). A number of strategic and local supplementary planning guidance and other documents are also material to the determination of the application.

National Planning Policy Framework (February 2019)
4.4 The revised National Planning Policy Framework was published on 24 July 2018 and updated in February 2019. The application has been evaluated against the Development Plan and the NPPF and the Authority has assessed the application against the core planning principles of the NPPF and whether the proposals deliver “sustainable development.”

4.5 Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development which for decision taking means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

4.6 NPPF Paragraph 118 (in Part 11 Making Effective Use of Land) requires that Planning decisions should (a) encourage multiple benefits from urban land through mixed use schemes and taking opportunities to achieve net environmental gain (et al); (c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs (et al) and (d) promote and support the development of under-utilised land and buildings (et al).

The London Plan
4.7 The London Plan was published in July 2016. It sets out the overall strategic plan for London and a fully integrated economic, environmental, transport and social framework for the development of the Capital over the next 20-25 years. It forms part of the development plan for Hammersmith and Fulham.
The Draft New London Plan (November 2017)

4.8 On 29 November 2017, the Greater London Authority published their Draft London Plan. The consultation period ended on 2 March 2018. In August 2018 the Mayor published a revised version of the draft Plan that includes minor suggested changes. Consultation comments relating to the draft Plan have been reviewed by the independent Planning Inspector appointed by the Secretary of State and the Plan’s formal Examination in Public (EIP) took place from January to May 2019. Following the examination, a draft Plan – Consolidated version was published in July 2019. The 'consolidated' version shows all of the Mayor’s suggested changes following the EIP. All of the suggested changes, along with submitted evidence, would now be considered by the Panel whose examination report was expected to be submitted to the Mayor in September 2019.

4.9 It is expected that the new London Plan will be adopted in early 2020. Once adopted, the new London Plan would replace the policies of the current London Plan (2016) and would become the new regional Spatial Development Strategy.

4.10 The policies within the Draft London Plan carry limited material weight at the time of writing the report however, have been considered and reference to key policies has been made where appropriate.

The Local Plan

4.11 The Council adopted the new Local Plan on 28 February 2018. The policies in the Local Plan together with the London Plan make up the statutory development plan for the borough. The Planning Guidance Supplementary Planning Document (SPD) (February 2018) is also a material consideration in determining planning applications. Provides supplementary detail to the policies and is organised around key principles.

4.12 With regard to this application, all planning policies in the National Planning Policy Framework (NPPF), London Plan, Local Plan 2018, and Planning Guidance Supplementary Planning Guidance (SPD) which have been referenced where relevant in this report have been considered with regards to equalities impacts through the statutory adoption processes, and in accordance with the Equality Act 2010 and Council's PSED. Therefore, the adopted planning framework which encompasses all planning policies which are relevant in officers' assessment of the application are considered to acknowledge protected equality groups, in accordance with the Equality Act 2010 and the Council's PSED.

4.13 The policies within the Local Plan aim to ensure development within the borough accords with the spatial vision of the borough. The key policies relevant to the proposals are:

- Strategic Site Policy HRA – Hammersmith Regeneration Area
- Policy E1 – Range of Employment Uses
- Policy E2 - Land and Premises for Employment Uses
- Policy E3 – Provision of Visitor Accommodation
- Policy E4 – Local Employment, Training and Skill Development Initiatives
- Policy DC1 - Built Environment
- Policy DC2 - Design of New Build
4.14 A Supplementary Planning Document (SPD) is currently being prepared for the Hammersmith Regeneration Area which would guide development taking place within the area up to 2035. The Council has been collaborating with the appointed Hammersmith Residents Working Party and Grimshaw Architects to produce a Masterplan for Hammersmith which sets out a vision and design strategy for regeneration of the area. The SPD would need to be in conformity with the policies in the Local Plan and cannot introduce new policy, targets or site designations.

4.15 The Draft Masterplan and SPD are currently being finalised and are anticipated to be published for public consultation in Autumn 2019. Given the draft status of the Masterplan and SPD at this current time, they have no material weight when assessing planning applications and have therefore not been formally considered by the applicant. However, officers have considered the proposed development in line with the Council’s aspirations for the Hammersmith Regeneration Area.

4.16 The main planning considerations to determine the merit of the proposed development are: land use and acceptability of a hotel development in this location; employment uses; the quantum of the development in terms of its height, scale and massing, the design quality/external appearance, including materials of the proposed buildings; the impact of the development on the street scene and character and appearance of the surrounding conservation areas, the setting of adjacent listed
buildings and buildings of merit and surrounding townscape; impact on the existing amenity of the neighbouring properties in terms of noise, vibration, light, privacy, outlook and glare; traffic generation, servicing and parking; accessibility; energy efficiency and sustainability; and environmental impacts including flood risk and drainage, air quality and land contamination.

Planning Assessment

Principle of Development - Land Use

4.17 The site is located in the Hammersmith Regeneration Area (Policy HRA) and Town Centre. Strategic Policy HRA sets a target of delivering 2,800 homes and 10,000 indicative new jobs within the Hammersmith Regeneration Area and encourages the regeneration of the town centre and building upon the centre’s major locational advantages for office and retail development. Policy HRA seeks to actively engage with residents in delivering benefits for the surrounding area; supports a wide range of retail, office, local government services, leisure, arts, entertainment, community facilities and housing; promotes the continuation of the town centre as a key strategic office location through provision of modernised office blocks; and supports proposals that extend Hammersmith’s arts and leisure offer.

4.18 Policy HRA states that proposals within the regeneration area should respond positively to local character and history, taking opportunities to enhance heritage assets; improve pedestrian and cycle infrastructure; improve the range and quality of specialist shops and services; provide appropriate social, physical, environmental and transport infrastructure; secure economic benefits for the wider community through job opportunities and recruitment; and seek the creation of public spaces, architecture and public realm of the highest quality.

4.19 The application site is situated in the boundary of Strategic Site Policy HRA2 (A4, Hammersmith Flyover, Hammersmith Gyratory and Adjoining land). This strategic policy is however relevant to development proposals coming forward following the release of land for development if the Hammersmith flyover and sections of the A4 are replaced with a tunnel. This policy is not specifically related to the application site and therefore of limited weight.

4.20 The hotel proposals would assist in meeting aspirations to regenerate the town centre of Hammersmith. The proposal seeks to interact with local residents, businesses and creatives arts. In addition, to a publicly accessible roof top garden and bar and ancillary restaurant uses situated on the ground floor of both hotels, open to public use and not limited to hotel patrons only, the proposal would provide an event space open to use by the local community and affordable office workspace and meeting rooms run as a social investment.

4.21 The proposal seeks to meet the strategic employment targets for the regeneration area and would provide a positive contribution to the economy and place making in the town centre, in accordance with Policy HRA. Officers do not raise objection to the principle of the land uses proposed, which are considered appropriate within this town centre location, and are consistent with relevant national, regional, and local planning policies.
Former Magistrates Court Use

4.22 London Plan Policy 3.16 and Draft London Plan Policy S1 seek to protect and enhance social infrastructure provision, including justice facilities. London Plan Policy CF1 of the Local Plan states that unless there is clear evidence that there is no longer an identified need for a particular facility or service, or where that facility or service can be appropriately replaced or provided elsewhere in the locality the existing use would be protected. Policy CF2 requires new community uses to be compatible with and minimise impact on the local environment and be accessible and inclusive to all in the community and Policy CF3 supports enhancement of arts, culture, entertainment, leisure, recreation and sport uses.

4.23 The closure of the Hammersmith Magistrates’ Court was agreed by the Ministry of Justice in February 2017, following a public consultation and review process of its court provision in London by the HM Courts & Tribunals Service in 2016. The consultation concluded that the Hammersmith Magistrates’ Court function was surplus to the MoJ’s requirements and existing services would be consolidated into other existing court facilities. This enable the disposal of the land. The applicant acquired the site in 2017 and the magistrates’ function ceased in September 2017.

4.24 The former court building comprises approximately 6,361 sqm (GIA) floor space spread over the three floors. This is a purpose built building, designed specifically with judicial facilities and security in mind, with the main public facilities limited to the front part of the building at ground floor level and with secure car parking to the rear. In land use terms, the former magistrates court is described as Class D1 space. However, the nature of a magistrates’ court is distinct from other forms of “social infrastructure” uses under a Class D1 classification. Following the closure of the court facilities, the building is vacant and unlikely to attract occupation for a similar use or alternative Class D1 use without significant major refurbishment and cost. The current building does not optimise the site’s development potential and would be difficult to convert, as it is a deep building with areas of no direct daylight. The proposal seeks to replace the redundant, former use with a modern hotel led development. As set out below, a proposed hotel led development is supported in policy terms and would provide significant employment in the local area plus other forms of services and facilities for the community.

4.25 The proposed development provides a range of community benefits in response to the loss of the Class D1 use. The development would provide the following uses:
- Affordable workspace – 18th/19th floors of Hotel 1
- Community Rehearsal space – Basement of Hotel 1
- Meeting rooms 20th and part 21st floors of Hotel 1
- Roof top bar/restaurant – 21st floor of Hotel 1
- New publicly accessible garden square – between Hotel 1 and 2
- Public realm enhancements to Talgarth Road

4.26 The affordable workspace would be provided on the 18th/19th floor of Hotel 1. The space would serve the needs of the local community through the provision of flexible workspace for small to medium local businesses at affordable rates in Hammersmith town centre. In conjunction with the meeting rooms provided, the hotel use would deliver approximately 2,500 m2 office floorspace for local entrepreneurs.
to meet and work at any time of day. It is considered that the proposed facilities would provide and ideal destination for entrepreneurs and start-ups, as well as media and creative businesses, offering informal work space, meeting areas and networking opportunities.

4.27 A particular interest of the development proposals is the potential of supporting the borough's emerging Arts and Cultural Strategy. The applicant has confirmed its support for this strategy and to provide community space within their hotel scheme. The event/rehearsal space in the basement of Hotel 1 would be available for hire to the local community, with the key aim of extending the range and quality of facilities available to leisure and the arts to this part of the town centre. It is expected that the use of this space would be publicly accessible and provide a programmable rental space, serving the local community run in conjunction with the council. Further details on the exact nature and operation of this space need to be agreed through a joint community agreement between the applicant and council and would be secured through the S106 agreement. The proposals would also provide a significant quantum of recreational uses which include the amenities provided in association with space inside the hotels (food and beverage offer and conferencing facilities) and access to an extensive green areas of publicly accessible landscape space in the form of a new garden square. The proposed hotel development therefore accords with the objective of addressing the loss of the former use and complies with London Plan Policy 3.16 and Policy CF1, and CF3 of the Local Plan.

Hotel use

4.28 **Policy 2.15 of the London Plan** seeks to sustain and enhance the vitality and viability of town centres through accommodating economic growth and supporting and enhancing the competitiveness, quality and diversity of town centre retail, leisure, employment and arts and cultural uses. **Draft London Plan Policy SD7** states specifically that major town centres should secure opportunities for higher density employment and leisure development. The proposed hotel led development with ancillary affordable workspace, community space and ancillary restaurant and public open space complies with these policies.

4.29 **Policy 4.5 of the London Plan (London’s Visitor Infrastructure)** supports the visitor economy. The policy states that the Mayor seeks “to achieve 40,000 net additional hotel bedrooms by 2036, of which at least 10 per cent should be wheelchair accessible”. The policy goes on to advise that “beyond the Central Activities Zone (CAZ) [hotels] should be focussed in town centres and opportunity and intensification areas, where there is good public transport access to central London and international and national transport termini”. **Policy E10 in the draft London Plan** identifies an increased demand for hotel bedrooms, setting a target of 58,000 net additional bedrooms by 2041 which is an average of 2,230 bedrooms per annum. The site is located in one of the borough’s town centres and regeneration areas and within proximity to two London Underground stations and bus station. A proposed hotel development on this site is therefore considered to comply with this policy.

4.30 **Local Plan Policy E3** identifies new visitor accommodation and facilities within the three town centres, and the Earls Court and White City Regeneration Areas, subject to compliance with the following criteria:
- The development being well-located in relation to public transport;
- The development and any associated uses not having a detrimental impact on the local area;
- No loss of priority uses such as permanent housing;
- Provision of adequate off-street servicing and pick up points for the type of facility proposed;
- At least 10% of hotel bedrooms designed as wheelchair accessible;
- The facility being of a high standard of design; and
- The scheme adding to the variety and quality of visitor accommodation available locally.

4.31 The proposed development would provide visitor accommodation in the Hammersmith regeneration area and town centre, providing 808 bedrooms across two hotels. The development therefore assists London and its target for additional hotel bedrooms, in accordance with London Plan Policy 4.5. In addition, officers consider the proposed development would meet the criteria set out in Local Plan Policy E3. The site has excellent transport connections. The site is situated within 5 minutes’ walk of Hammersmith underground station, a key interchange for the District, Piccadilly, Circle and Hammersmith and City lines and Barons Court station. Furthermore, there are a number of bus stops, the key bus station at the Broadway and cycle hire stands all in close proximity. The site features no housing and as such none would be lost from the proposal. Due to the physical constraints and characteristics of the site, a residential development would be significantly challenging in policy terms and for the reason of the existing poor air quality and high levels of background noise resulting from the site’s position next to the A4 and underground lines. The principle issue of the loss of the magistrate’s court and the case for consolidation has already been reviewed and agreed by the Ministry of Justice. Adequate off-street servicing and disabled parking would be provided and at least 10% of the hotel bedrooms are designed as wheelchair accessible. As detailed within the report and reports submitted in support of the application, the hotel development and its associated uses would not have a detrimental impact on the local area and is considered to be of an acceptable standard of design. This final point is considered in more detail below.

4.32 A hotel needs assessment has been submitted with the application. The assessment identifies that there is a strong leisure and business demand from both domestic and international travellers in Hammersmith, and there is a limited amount of existing and proposed new visitor accommodation supply, with a lack of upscale quality hotels in the immediate surrounding area. The assessment summarises that the site is in a desirable location, within walking distance of Hammersmith underground and bus stations with good links to Heathrow airport, the M4 and Central London. The applicant states that the intention is for the hotel offer (Hotel 1) to be occupied by visitors at the higher end of the market and Hotel 2 to be occupied by an operator equivalent to a 3 star hotel.

4.33 Whilst other hotels are present or intended within the town centre, the scheme would add to the variety and quality of visitor accommodation available locally while providing a high end facility in a key location both within the centre and within London generally. Visitor accommodation is encouraged and supported by policy as
a use within Hammersmith town centre and would contribute to the vitality and viability of this major town centre. The application site is key component of the proposed regeneration of Hammersmith town centre and Policy HRA supports a comprehensive redevelopment. Unlike most hotel models put forward which are inward focus, the hotel development under consideration look outwards, actively seeking interaction with residents, businesses, and creative uses. In addition to providing publicly accessible affordable workspace and community space, meeting rooms and bars and restaurants, the public would have access to the garden space. The proposed hotel development therefore accords with the objectives within the regeneration area and be beneficial to the town centre as a location for additional visitor accommodation. Therefore, officers consider that a hotel development in this location is suitable in land use terms in accordance with London Plan Policy 4.5 for providing additional accommodation within town centres (and Opportunity Areas) and the criteria outlined in Policy E3 of the Local Plan.

Affordable Workspace - Office Use

4.34 London Plan Policy 4.1 supports new office development across the capital and supports the growth of high quality office stock in inner London to provide an attractive offer to potential occupiers. The draft London Plan continues to support office growth in inner London, directing new office floorspace to town centre locations. Draft London Plan Policy E2 (C) states that the applicant should show how a proportion of low cost and flexible business space would be incorporated into the proposals to provide workspace suitable for small and medium sized enterprises. Draft London Plan policy E3 introduces a strategic focus on the delivery of affordable workspace, defining affordable workspace as that which is provided at rents maintained below market rate for a period and makes reference to rehearsal and performance space. Local Plan Policy E1 relates to employment uses (including offices) It states the Council would support proposals, including mixed use schemes, for new employment uses (including those that recognise the existing strengths in the borough in the creative industry) and would require flexible and affordable space for small and medium enterprises in large new business developments.

4.35 The development would provide 1,646 sqm (GIA) of affordable workspace on the 18th and 19th floor of Hotel 1. The affordable workspace is accessed via its own designated lift within the hotel building. In discussion with the applicant the development propose a strategy and management arrangements for flexible affordable workspace for small and medium size businesses, providing discounted rates and providing collaboration with Council's business support programmes. The affordable workspace meets the policy requirements and would be secured through the S106 Agreement. The flexible workspace would take the form of co-working and either small format or self-contained space and would reduce upfront cost making the space more accessible for small businesses and improve social and economic benefits in the borough. A 35% discount to comparable market rates is proposed, with multiple price options and tailored needs for different users for a 25 year period. The facilities would provide support and networking through engagement and events. The provision is considered a public benefit in accordance with Policy with London Plan Policy 4.1 and Policy E1 of the Local Plan.
Cultural Space

4.36 A conferencing/cultural (event/rehearsal) space would be provided as part of the scheme. Separate access arrangements from the entrance of Hotel 1 would be provided to allow for this to take place. These facilities would be located in the basement of Hotel 1 would be run and maintained by the applicant in conjunction with the council. The space would be accessible to both the guests of the hotels and the wider local community. 50% of the usable time would be available to members of the community; bookable either through the Council or a dedicated portal via the hotel website. It is intended that the space be fitted as rehearsal/studio space with the objective that schools and local theatre groups would have the ability to hire the event facilities. The final terms would be confirmed in a Community Use agreement that would be secured as part of the Section 106 agreement. Officers consider the provision of such facilities is strongly supported by adopted policy, would provide a beneficial use within the proposed development and would be a positive provision within the town centre both within the context of the immediate area and as part of the wider cultural offer within Hammersmith. The provision is therefore considered a further public benefit delivered by the proposal in response to the existing Class D1 use.

Employment Uses

4.37 London Plan Policy 3.1 presents the Mayor’s commitment to ensuring equal life chances for all Londoners, borne out of the recognition that meeting the needs of particular groups and communities is key to addressing inequalities and fostering diverse communities. Policy 4.12 seeks to improve access to employment and employment opportunities for Londoners, supporting local employment, development and training. Local Plan Policy E4 states that the council would seek appropriate employment and training initiatives for local people of all abilities in the construction of major developments and in larger employment generating developments, including visitor accommodation and facilities when these are completed. Local businesses would be encouraged to adopt the London Living Wage.

4.38 During the construction phase, the proposal would generate an estimated 27 apprenticeships, 40 paid work and a further 40 unpaid placements and estimated skills and employment supporting contribution of £374,500. The proposal also has the potential to create new jobs for local people once the development is operational. Hotels run day and night and expected to generate approximately 425 net direct jobs once the development is operational. The applicant seeks to work with the borough and local training, employment and education agencies to maximise local take up of these positions, with a further £38,500 contribution provided towards training and upskilling local people. At least 10% of the project value would be sought to go to local small and medium sized businesses through the local procurement initiative, with a contribution of £12,750 sought to deliver this. In total the contributions sought and agreed with the applicant towards the council’s employment and training strategy is £425,750 which would be secured through the S106 agreement.

4.39 Wider benefits would be delivered by way of increasing local expenditure through increased employment levels with job opportunities for local residents and companies and additional visitors through the borough. It is considered that the social and economic benefits derived from the development are substantial public benefits and represent the delivery of the Council’s spatial vision and strategic
objectives set out within the Local Plan as well as representative of the opportunity the development presents. Officers therefore consider that the proposal, subject to s106 legal agreement to secure the benefits identified and agreed, is in accordance with London Plan Policies 3.1, 4.1 and 4.12 and Draft London Plan Policies E2 and E3 and Local Plan Policies E1 and E4. These benefits however need to be weighed against the design and form of the proposed new build and whether the development would have an unacceptably impact on the amenities of neighbouring properties and the local area or impact significantly on the highway network and the generation of traffic. These points are examined below.

Design, Townscape and Heritage

Policy Context

4.40 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the principal statutory duties which must be considered in the determination of any application affecting listed buildings or conservation areas.

4.41 It is key to the assessment of this application that the decision-making process is based on the understanding of specific duties in relation to the listed buildings and conservation areas required by the relevant legislation, particularly the Section 16, 66 and 72 duties of the Planning (Listed Buildings and Conservation Areas) Act 1990 together with the requirements set out in the NPPF.

4.42 Section 66 of the above act states in relation to listed buildings that: “In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

4.43 Section 72 of the above Act states in relation to conservation areas that: ‘In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.’

4.44 Among the core planning principles of the NPPF are that development should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Furthermore, proposals should conserve heritage assets in a manner appropriate to their significance.

4.45 The significance of each asset has been assessed in accordance with Historic England’s methodology for assessing “significance” as set out in ‘Conservation Principles Policies and Guidance for the Sustainable Management of the Historic Environment’.

4.46 The identified heritage assets that are potentially affected by the redevelopment of the site – the conservation areas, the listed buildings and the Buildings of Merit - are important elements that contribute to the historic character of Hammersmith including ensuring the legibility of the historic development of the town
centre and its characteristic patterns of uses along the main arteries into London. The heritage assets are therefore considered to have historical and aesthetic value by virtue of their architecture and townscape contribution in their characteristic locations.

4.47 When considering the impact of a proposed development on the significance of a designated heritage asset, paragraph 193 of the NPPF states that “…great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be)”. Paragraph 194 further clarifies that “Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification”.

4.48 Paragraph 196 states: “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

4.49 In regard to Buildings of Merit, paragraph 197 states that the “effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset”.

4.50 In this case, the proposed development would result in less than substantial harm to the character and appearance of The Mall Conservation Area and the setting of the listed buildings and Buildings of Merit within it. In addition, less than substantial harm would be caused to the character and appearance of Barons Court Conservation Area and the heritage assets within it that are inter-visible with the proposed development in some views from the western part of Hammersmith Cemetery.

4.51 The other heritage assets identified as potentially affected by the proposals are not considered to be harmed by the proposals. The reasoning is set out below in conjunction with the assessment of the submitted townscape views.

Policies

4.52 The NPPF states that good design is a key aspect of sustainable development and should contribute positively to making places better for people. Part 124 of the NPPF outlines the requirement for good design and Paragraph 127 sets out that planning policies and decisions should ensure that developments:

a) would function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

4.53 NPPF Paragraph 185 which advises that, in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset great weight should be given to the asset’s conservation; the more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or through development within its setting. Paragraph 196 of the NPPF states that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Paragraph 197 states that a balanced judgement would be required having regard to the scale of any harm or loss and the significance of a non-designated heritage asset. Paragraph 200 of the NPPF states that Local Authorities should look for opportunities for new development within Conservation Areas to enhance or better reveal their significance.

4.54 The NPPF states that development should respond to local character and history and the surrounding environment and setting, whilst not preventing innovation – but extends this to recognise a role for change and increased densities. The NPPF advocates a positive strategy for conserving and enhancing the historic environment, taking account of (amongst other things) the desirability of new development to make a positive contribution to local character and distinctiveness. The NPPF state that economic, social and environmental gains are to be sought jointly and simultaneously in order to deliver positive improvements in the quality of the built, natural and historic environment.

London Plan

4.55 London Plan Policy 7.1 'London's Neighbourhoods' requires that all new development is of high quality that responds to the surrounding context and improves access to social and community infrastructure, contributes to the provision of high quality living environments and enhances the character, legibility, permeability and accessibility of the surrounding neighbourhood. Policy 7.4 'Local Character' requires development to 'have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings.' Policy 7.6 'Architecture' relates to architecture and the design of developments. The policy says that 'development should be of a high quality of design, of a scale that is appropriate to its setting, and built using high quality
materials. It should complement the surrounding built form and should not cause unacceptable harm to the amenity of surrounding buildings. **Policy 7.8 D** states that development affecting heritage assets and their settings should conserve their significance by being sympathetic to their form, scale, materials, and architectural detail.

**Local Plan**

4.56 **Local Plan Policy DC1** requires all development within the borough, including in the regeneration areas should create a high quality urban environment that respects and enhances its townscape context and heritage assets. **Policy DC2** builds on the above-mentioned policies and other design and conservation policies, seeking new build development to be of a high standard of design and compatible with the scale and character of existing development and its setting. **Policy DC3** (for Tall Buildings) outlines that the location of tall buildings within the regeneration and opportunity areas and Hammersmith Town Centre is considered to be appropriate. Policy DC3 also requires that tall buildings have a positive relationship to the surrounding townscape context and skyline and should not have an unacceptable impact on views from and to open spaces or heritage assets. **Policy DC7** identifies views within the Borough to be protected and states that applications within the Thames Policy Area will not be permitted if it would cause unacceptable harm to the view from the following viewpoints: From Hammersmith Bridge; the view along the river, foreshore and riverside development and landscape between Hammersmith Terrace to the west and Fulham Football Ground to the south. **Policy DC8** seeks to protect, restore or enhance the quality, character, appearance and setting of the borough’s conservation areas and its historic environment including listed buildings.

**Existing townscape**

4.57 The eastern town centre is characterised by large scale building blocks that are visually and physically isolated by divisive transport corridors. Talgarth Road is characterised by a lack of defined edges and provides a weak and unwelcoming visual entrance into the town centre. The application site is part of the town centre and lies within the diverse setting of modern, commercial buildings. Other than their large scales and the strong horizontal banding of the elevations, there is no uniformity in building types and materials. The Magistrates Court shares an island block with the Ark and Lilla Huset building to the west and the petrol station to the east, and the visual and pedestrian links with its neighbours and between the blocks are of exceptionally poor quality.

4.58 Hammersmith Magistrates Court lies on the southern edge of the town centre that is bounded by the District Line railway tracks to the south. The town centre buildings in the vicinity have 9-15 storeys while the general townscape scale drops down to a mid-height of 3-6 storeys further east and north-east, including the current building on site. The evolving masterplan for the town centre anticipates that heights in some parts of the town centre could rise further to and above the 20 storey mark in order to accommodate the projected economic growth and increasing housing demand.

4.59 The current development on site is of a dated design and lacks positive engagement with the public realm and integration into the town centre. Both in design and environmental terms, the quality of the walkway along Talgarth Road
between the town centre, the site and further east is poor, in particular where there is a distinct lack of activation of the edges of the Magistrates Court site and of the petrol station directly to the east as buildings are set back into the sites. The redevelopment proposal offers the potential to integrate the site with the town centre, to include public access and community facilities, to improve the pedestrian links between the town centre, the site, LAMDA and Baron’s Court and address the poor environmental conditions not only for the benefit of the site but also for its neighbours.

4.60 The design rationale is for a configuration of massing and a contemporary, high quality architecture that responds to both the specific town centre environment and the surrounding residential townscape, that respects the adjacent ‘Ark’ building as well as activates the public realm. Clearly visible and publicly accessible spaces on the ground and within the building including at the top for the public to enjoy would be incorporated to enliven the development and engage with the town centre. Officers consider that the activation of the public realm, improved integration of the island block and measures to address the environmental conditions would significantly contribute to the quality of the town centre.

**Height and Massing**

4.61 As summarised above, the scheme comprises 3 distinct blocks that address the specific site conditions and respond to the emerging town centre context. The northern block, Hotel 1, is a tall, linear form that occupies most of the northern edge of the site along Talgarth Road while the two linear southern blocks are lower and connected by a glazed atrium to form Hotel 2.

4.62 With an overall height of 23 storeys, Hotel 1 would be the tallest building in the town centre. The intention is to provide a visually interesting addition to the series of solitary, commercial buildings in Talgarth Road and shelter to the southern part of the site from the difficult environmental conditions with regard to noise and air pollution associated with the A4. The entrance to the rear of the site with Hotel 2 and the garden square would be located between the western flank wall of Hotel 1 and the Lilla Huset building, animated by the glazed ground floor and the entrance to the proposed event space and by the line of retained mature trees on the site’s western boundary. The proposed massing creates a simple, sculptural form on the town centre, that would contrast with the curvaceous form of the ‘Ark’ and frame the entrance to the town centre.

4.63 Hotel 2 would consist of two parallel arranged, stepped volumes, reducing in height from 16 to 6 storeys, towards the District/Piccadilly line corridor, in line with the height of the tallest LAMDA building element to the east of the site and would be set back from the western boundary to form a protected garden space. The height and massing are designed to moderate between the large scale of the town centre townscape and the small scale of the residential areas to the south. The use of a greater variety of façade elements and materials between the two hotel buildings is intended to further visually break down the scale of the development.

4.64 Hotel 1 would be set back from Talgarth Road by almost 10m to create an arrival area behind the retained and improved line of trees and landscaping on the site boundary. This would protect the ground floor entrances and reception space
from the traffic impacts of Talgarth Road and improve the pedestrian environment. A publicly accessible garden square would be located in the south-western part of the site near the line of retained, mature trees and would be benefit from optimal sunlight conditions. This location would enable a potential link with the Lilla Huset building along its eastern boundary, should this become desirable in the future. The creation of an alternative, pedestrian friendly east-west link between the Ark and the LAMDA site is an aspiration expressed in the draft Hammersmith Town Centre Masterplan which could potentially be implemented through the site with the garden square and the potential pedestrian connection through the gap to be formed between Hotel 1 and 2 at ground level.

**Detailed Design**

4.65 Hotel 1 is designed as a solid, sculptural form that sits on a lighter, metal framed base with large glazed elements. The elevations are designed to respond to the urban town centre location, using alternating stone and glass elements in a strict horizontal order. To achieve texture and refinement, the reconstituted stone cladding and glazing modules would be arranged as chamfered bays within horizontally expressed stone frames. The warm tone and detailing of the metal window framing would contrast with the solid materiality of the stone. The narrow ends of the elongated form would be treated differently: the western end would feature a fully glazed stair and lift core that would enliven the building in views from the town centre while the eastern end would be clad with a full height green wall. This distinctive form of urban greening would provide visual interest, soften the visual impact of the building’s massing from the lower scale townscape to the east and provide environmental benefits. The building is terminated by a lightweight top, containing 2 floors of affordable office floors and 1 floor for a bar, with a high proportion of glazing, at the rear recessed to incorporate a roof terrace. The activation of the top would indicate the public accessible facility and provide visual interest. Further design details and sample mock up panels for Hotel 1 would be sought by conditions.

4.66 The facades of Hotel 2 would in contrast be more of a residential character, moderating between the town centre context and the small scale residential area to the south. The two linear blocks are divided by a 8m gap and only connected at ground level and by a slim, fully glazed bridge structure at the western end of the gap. The blocks would be distinguished by their different heights and types of brick cladding. The massing of the hotel would be further broken down by subtle material changes such as metal cladding to façade recesses and to the top floor elevations. Glazed slots to the east and west elevations would provide further separation between the stepped volumes. The proposed brickwork would be of the same tonal range as the predominant brickwork of the surrounding residential terraces. The windows would be set deep into the reveals to achieve depth and shadow effects that provide a clear rhythm and smaller scale to the facades. The variations in the modelling of the openings ensures that the scale and repetition of the facades is broken down into elements of residential scale. The same, warm tone of the metal framing and metal cladding panels would unify Hotel 1 and 2 that otherwise would appear quite different in character. Further design detail and sample mock up panels for Hotel 2 would be sought by conditions.
4.67 The roofs of Hotel 2 would be covered by extensive green roofs. Plant enclosures are integrated into the building envelope at top level of both Hotel 1 and Hotel 2 and screened across the top.

Open spaces and landscaping

4.68 One of the major public benefits of the development, are the variety of urban greening proposals that have been developed into the proposals that relate to the ground plane, the elevations and the roofscape. The proposals would also include off site opportunities to improve the pedestrian link towards the Broadway with continuous kerb side planting to match the north side of Talgarth Road.

4.69 At ground level, a new publicly accessible garden square with a number of new mature trees and beds would be created in the south-western part of the site where there are ideal sunlight conditions and where the majority of the existing mature trees are located. The square would form a green buffer in views from south and would be accessed from the north-western site boundary in Talgarth Road, announced by a prominent wayfinding sculpture. Both route and the square would be designed with a uniform palette of hard and soft landscaping elements of high quality and would be enlivened by the entrances to the roof bar, two restaurant terraces and the entrance to Hotel 2. The open space layout provides the future opportunity for a protected route from the garden square through the gap between Hotel 1 and 2 to the neighbouring site to the east, that could be designed as an alleyway connecting urban green spaces on the two sites.

4.70 A linear planting scheme of matching detailing along Talgarth Road is designed to protect the arrival area to Hotel 1 and the parallel running footway from the traffic noise and pollution of Talgarth Road. A water feature is incorporated to soften traffic noise to enhance the quality of the public realm.

4.71 The east facing elevation of Hotel 1 is a prominent face of the development in long range views when approaching the town centre. It is proposed to install a full height green wall measuring 60m in height that, together with the contrasting glazing to its side and the strictly geometric form of the building, would create a visually interesting entrance portal to the town centre. Technical details of the wall and precedents have been submitted to ensure that this proposal is deliverable, long-lasting and maintainable. Further opportunities for urban greening on the south facing elevations where appropriate facing residential properties have been discussed with the applicant, to soften the impact of the massing, are requested by condition.

4.72 The roofscape offers further opportunities for urban greening, both intensive planting for the roof terrace and extensive green roofs (sedum and wild flower roofs) on all upper roof levels not specified for plant that would benefit cooling, biodiversity and rainwater attenuation.

4.73 With the exception of 6 trees located along the footway in Talgarth Road, all the other existing trees on the site including all those subject to tree preservation orders would be retained. A large number of new trees (approximately 70 in total) would be planted as part of the landscaping proposals around the boundary of the site, including new planting alongside the east and south boundaries. This buffer of
screening would also be in the interests of noise and air pollution. As such officers consider that the proposed landscaping proposals accords with Policies 7.19 and 7.21 of the London Plan and Policies OS1 and OS5 of the Local Plan in terms of urban greening.

**Design Review Panel**

4.74 As summarised in paragraphs 2.29, the panel commented on an early version of the pre-application scheme and recommended:

- Improvements to the public realm and its links to the surrounding townscape
- The inclusion of community facilities as integral part of the proposals
- Increase of space between the hotel buildings
- Enhancements to the design quality in terms of contextual justification and articulation to the roof silhouette
- A strong contribution to the entrance to the town centre
- Breaking up the length of the massing and an improved response to the domestic scale and architecture of the residential neighbourhood to mitigate visual impacts

4.75 The detailed recommendations have been addressed by the applicants and incorporated into the application scheme. In particular, the landscaping proposals, the community and public facilities have been improved and the elevational design refined to reflect characteristics of the surrounding context as described above.

**Townscape Views and Heritage Impacts**

**Heritage Assets - Conservation areas**

4.76 The site does not lie within a conservation area, however, due to the proposed scale, the development could potentially have an impact on views from or of surrounding conservation areas and hence indirectly on their character and appearance. These conservation areas are:

- Barons Court CA
- Brook Green CA
- Gunter Estate CA
- Hammersmith Broadway CA
- Hammersmith Odeon CA
- Hammersmith Town Hall CA
- The Mall CA
- Fulham Reach CA

4.77 Barons Court, Brook Green and Gunter Estate conservation areas all are characterised by high quality, historic, residential terraces and include mature green spaces such as parks and cemeteries.

4.78 Hammersmith Broadway, Hammersmith Odeon and Hammersmith Town Hall conservation areas are town centre areas of diverse townscape character, centred around the key sites of the Broadway, the former Apollo Theatre and the Town Hall. They include large scale commercial buildings, residential blocks and traditional terraces of various building periods.
4.79 The Mall and Fulham Reach conservation areas lie to the west and south of the town centre. The main historic relevance of the conservation areas lies in the relationship between the river, the riverbank and foreshore, and the views along and across the river that provide the important characteristics of the conservation areas. While Fulham Reach contains mostly modern, large scale residential and mixed use development today that developed on its former industrial sites, The Mall CA is a well preserved historic riverside characterised by a variety of finely grained buildings, many of them listed or designated as Buildings of Merit.

**Listed buildings and Buildings of Merit**

4.80 There is a number of listed buildings and Buildings of Merit in the vicinity of the site, the setting of which may be affected due to a potential inter-visibility with the proposed development. They can be grouped as follows:

- The Grade II* listed Church of St. Paul and the Apollo Theatre located on Talgarth Road to the west of the site. Users of the A4 or the public realm underneath experience the diversity of buildings as they move along this corridor. The context of the heritage assets can only be glimpsed due to the position of the flyover.
- The ‘Ark’, a locally designated as Building of Merit, direct neighbour to the site. This building is located in an isolated and exposed position, and due to its unusual form and architectural features, it is regarded as a local landmark that indicates the entrance to Hammersmith town centre when approaching from eastern direction.
- William Morris Academy, designated as Building of Merit, in Biscay Road to the south of the Underground line and visible from St Dunstan’s Road. This building, designed in the Victorian London Board School style, rises over the surrounding 2-3 storey residential terraces, thereby representing the typical historic relationship between residential and public buildings.
- The cluster of heritage assets near Barons Court Station, including the Grade II listed station, St. Paul’s Studios at Nos 135-149 Talgarth Road, and various houses, terraces and buildings designated as Buildings of Merit in Margravine Gardens, Palliser Road and Talgarth Road. The architectural significance of these buildings and their relationship to each other are of special interest with regard to the building types and the townscape they form as a group. The larger scale, modernity and diversity of the town centre is clearly visible in the background in views from east.
- Buildings, structures, war memorials and tombs, both listed and designated as Buildings of Merit, within Margravine (Hammersmith) Cemetery and the Grade II listed No 17 St. Dunstan’s Road and the street wall, railings and gates in front of it. The setting of these assets is characterised by the location within or on the edge of the leafy cemetery with a low level of overlooking by surrounding development. Some tall buildings, such as Charing Cross Hospital and residential towers to the north and south-west are clearly visible in views from the cemetery.
- The Grade II* listed Hammersmith Bridge.
- Listed buildings and Buildings of Merit located on the river in particular in the eastern part of The Mall Conservation Area, a diverse ensemble of small scale residential houses, sailing and rowing clubs, public houses and mansion blocks.
Heritage related responses

4.81 The Greater London Authority summarises that “whilst the scheme will be a prominent addition to the local skyline, its impact in the existing and emerging contexts would not be adverse”.

4.82 Historic England considers that the development would have an adverse and harmful impact on the historic environment, in particular the character and appearance of The Mall Conservation Area in views from the south bank of the river. Historic England notes that the settings of other heritage assets may also be affected.

4.83 In summary, the local amenity societies/groups have the following objections:
- Visual intrusive impact of bulk and massing on the Barons Court area, the cemetery and residential area to the south.
- Development obscures views to the ‘Ark.’
- Architectural design does not reflect context and does not make a positive contribution to the context.
- Harmful impact on the settings of heritage assets including Margravine Cemetery to the south.

4.84 These comments will be addressed in the Townscape Assessment below.

Townscape Assessment - Views

4.85 To assess the impact of the proposed development, the Environmental Statement includes a Townscape and Visual Impact Assessment which assesses 32 views from an agreed selection of locations around the site. On some of the images, wirelines have been used, where the degree of visibility or impact on the skyline is the most important part of the assessment. However, most of the studies are fully rendered representations of the proposed scheme which indicate the development and the design of the facades in its urban context. For the purpose of this report, the views have been grouped into viewpoint areas that present views which are in similar locations and/or demonstrate very similar levels of impact in terms of the appearance of the new development, its impact on the local townscape and on the setting of conservation areas and listed buildings. Officers have assessed all of the submitted views on site and have paid regard to the comments received and how the impact would change as the viewpoint is varied within each area.

Riverbank views – Nos 01-05

4.86 These views are from the north and south bank of the river looking north-east towards the site and are important views of The Mall and Fulham Reach Conservation Areas and Hammersmith Bridge as well as of a group of listed buildings and Buildings of Merit lining the riverside within The Mall CA.

4.87 The new development would not be visible from the south bank opposite Fulham Reach Conservation Area or from Hammersmith Bridge, however, the building of Hotel 1 would rise above or close to the crow’s nest of the ‘Ark’ when viewed from The Mall open space or the south bank on the opposite side. From here, the building would contribute to an emerging layer of tall buildings in Hammersmith and Fulham that appear in the background of The Mall and Fulham Reach Conservation Areas. The cumulative view of existing and proposed tall
buildings does not indicate a grouping of such tall buildings, therefore the tall buildings that would be visible punctuate the background rather than creating a prominent new skyline. The top of the taller part of Hotel 2 would also become visible in the view from the north bank but it would not be prominent in the context of the trees of Furnivall Gardens that dominate this stretch of the north bank.

4.88 The view of Hammersmith Bridge is not affected as the proposed building would appear at a distance away from the bridge that does not create a notable inter-visibility.

4.89 The crow’s nest of the ‘Ark’ is not a characteristic feature in this view as it is too distant. Equally, the new building would appear in such a great distance that would not allow a distinction of design features. The foreground buildings in the Upper and Lower Mall would remain the characteristic and clearly visible features of the view, in addition to some modern development on or close to the river.

4.90 It is a shared view with Historic England that the proposal clearly would have an impact on the background of the characteristic view of The Mall Conservation Area. However, the conclusion about the degree of identified harm differs. Officers have assessed the level of harm to be less than substantial due to the distance between the riverside and the application site that would result in a recessive appearance of the proposals and emphasise the strong composition of the riverside buildings in the foreground. Therefore, Officers consider that the significant features of the conservation area would remain legible in these views and the settings of the listed buildings and Buildings of Merit within it would remain characterised by their riverside location and small scale, diverse context.

4.91 In addition, the draft Hammersmith Town Centre Masterplan has identified in cooperation with the residents’ working party opportunities for the regeneration and a densification of the most central, accessible parts of town centre to facilitate good growth (as sought in the draft London Plan). The potential impact of this level of growth on relevant townscape views such as the river views has been assessed as part of the masterplan. Considerations of skyline modelling and aesthetic, sustainable design will be of paramount importance to ensure a respectful and positive townscape response to the regeneration and growth of the town centre.

**Town centre views – Nos 07-09 and 14**

4.92 These views demonstrate that the new building would only become visible from the junction of Talgarth Road with Butterwick and when looking down Shortlands from Hammersmith Road where it blends with the general scale and character of the townscape. View 9 shows Hotel 1 in direct context with the ‘Ark’ where its strict geometric form contrasts positively with the rounded form and features of the ‘Ark’ while its horizontal façade features relate to the horizontality of the commercial buildings in the view. When viewed in context with the listed Apollo Theatre from the space under the flyover, Hotel 2 appears behind the crow’s nest of the ‘Ark’ but not rising above it. Officers’ view is that, due to the distance from the viewpoint, the proposed building would not detract from the prominence of the Ark’s crow’s nest.
Brook Green and Olympia views – Nos 11-13
4.93 The proposed development would not be visible in Brook Green views, and, the glimpse of the top of Hotel 1’s flank wall from Olympia would be negligible.

Barons Court and Hammersmith Cemetery views – Nos 15, 16, 19, 20, 21, 24, 27-30
4.94 Approaching the town centre on Talgarth Road from the east, the proposed development would be prominently visible. The slender form of the flank wall of Hotel 1 with its feature green wall would form a visually interesting landmark for the entrance into the town centre. The stepping form of Hotel 2 would also be visible from further away but not stand out from the continuous built form on the south side of the road. The distinctive shape of the ‘Ark’ would be visible either side of Hotel 1’s flank wall and therefore would remain legible in the town centre approach until it comes fully into view closer to the site. Officers consider that the setting of the ‘Ark’ would not be harmed as the flank with the green wall and the strict form of Hotel 1 contrast positively with the ‘Ark’ and add visual interest to the town centre gateway. The journey through the town centre on the A4 would reveal unfolding views of a string of architecturally interesting buildings along the flyover between LAMDA and the Apollo Theatre that strengthen Hammersmith’s identity.

4.95 Outside Baron’s Court the local environment has retained its historic character, however, when looking towards the town centre and the site, taller buildings, such as LAMDA and the residential tower (Linacre Court), come into view. The linear LAMDA development visually acts as a border between the Barons Court Conservation Area and the town centre beyond. The new development of Hotel 1 would appear above the 6-storey LAMDA building but not larger in scale than Linacre Court, and with its green wall softening the visual impact, the proposal would not stand out uncomfortably in this view.

4.96 From the leafy parts of Margravine Cemetery, buildings on Talgarth Road are barely visible even when the trees are not in leaf, with the exception of few glimpses afforded by gaps between trees. Due to the volume of the trees with and without leaves, sightings of the proposed development are not considered to harm the character of the cemetery.

4.97 In contrast, the western part of the cemetery has less trees, and the new development would in its full width appear prominently in the background of those views. This background currently is characterised by low-rise residential terraces but also features the crow’s nest and curved roof of the Ark and glimpses of Linacre Court in the distance. Hotel 1 on its own would appear out of scale in this view, but this impact is reduced by the view of Hotel 2 that would be visible in front of Hotel 1 with its lower scale and warmer brickwork colours that create contrast and distance between Hotel 1 and the cemetery with a separation distance of approximately 230m. High quality façade detailing and greening further soften the impact from this view.

4.98 Officers consider the remaining visual impact to cause less than substantial harm to the significance of Baron’s Court Conservation Area and the heritage assets within it that are inter-visible with the proposed development.
4.99 Officers are of the view that this harm would partially be offset by the fact that the setting of the cemetery already is distinctly urban with a number of large developments visible in southern, western and northern directions. Secondly, as set out above, further tall developments are anticipated within the town centre’s regeneration in the near future, in order to accommodate the projected growth and increasing housing demand, and some of those future developments in the eastern town centre and on the Broadway Centre, site are likely to push into these views. Such a contrast in scale between town centres and adjacent residential areas is not unusual in the London context, and high quality, contextual and sustainable design of new town centre development will be employed to ensure that the view of the town centre edge from these viewing points would be positive and visually interesting.

**North Fulham residents’ views – Nos 22-22c, 23, 25, 26, 26a/b, 31, 32**

4.100 Residents in the area closest to the south of the site have requested a number of views to demonstrate the visual impact of the development on their homes. These views show the proposed high quality design detailing that intends to clearly separate the development between the north orientated town centre side and the lower scale, more refined side facing south. To visually emphasise the considerable distance of a minimum of 72m between the highest part of the development and the closest residents' homes, Hotel 1 and 2 would form a series of steps that are separated by variations in the materials and detailing, and the highest level would have a lightweight design with a landscaped terrace that would create visual interest. The visual impact of the large scale on the homes particularly in Yeldham Road, Biscay Road and parts of Margravine Gardens close to the southern boundary of the site cannot be ignore and appear still substantial in those views. However, in the wider local context, the town centre side and the residential area are clearly physically and visually separated by the underground lines and a close proximity between these two elements is not unusual for a major London town centre. Officers are of the opinion that the development has been designed to reduce the visual impact in a thoughtful and creative manner, and in addition to high quality design detailing and materials, further opportunities for urban greening to the south facing elevations opposite the residential properties have been sought by officers to soften the visual impact and details would be sought by condition.

4.101 The development would affect some views within Barons Court Conservation Area and of the setting of the William Morris Academy, designated as Building of Merit, where the proposal would appear directly behind the school building and directly compete with its intended monumentality. However, the distance between the school’s roofscape or the St Dunstan’s Road and Margravine Gardens properties and the site would reduce the prominence of the background, appearing as a more distant backdrop to the residential neighbourhood. In the future, the town centre skyline is likely to evolve with similarly large scale buildings that will create a clearly defined town centre massing. The William Morris Academy and the terraces in St. Dunstan’s Road and Margravine Gardens would continue to be seen in their traditional setting in views from east and west along the residential streets.

**Design Heritage and Townscape Conclusion**

4.102 The proposed scheme represents an opportunity to regenerate the eastern part of Hammersmith town centre in accordance with the Council’s Local Plan policies. The site currently fails to contribute positively to the town centre’s
townscape, cohesion and identity, and the proposed scheme provides considerable potential to address these issues.

Urban Design and Heritage Balance:

- The proposed height and massing are considered to indirectly cause less than substantial harm to the significance of The Mall Conservation Area and of Barons Court Conservation Area in relation to their character and appearance, and to the setting of some listed buildings and Buildings of Merit within those areas, as described in the townscape views assessment. This impact is considerably lessened by the distance between the conservation areas and the proposed building’s location in the background.

- The proposals would significantly increase the massing on site and appear in the background of the smaller scale residential neighbourhoods close to the eastern town centre. The visual impact has been reduced by placing the tallest element furthest away from the residential terraces, stepping down to a height below that of the Ark building on the edge of the Underground line that marks the town centre’s boundary.

- The proposed height and massing would broadly be in line with the anticipated densities expected for a major London town centre in order to achieve the quantum of development required by the London Plan.

- The configuration, design and materiality of the proposed development is thought to be well considered and would enhance the town centre’s legibility, the definition of historic urban spaces, the townscape character and identity.

- The proposed buildings would provide substantial environmental benefits to the locality by way of offering public amenity spaces and routes protected by the built form and by substantial urban greening and landscaping.

- The proposed development offers to contribute to reinstating the town centre’s historic cohesion and connectivity by improvements to the public realm and provision of publicly accessible internal and external spaces on site with activated frontages.

4.103 In balancing the urban design and heritage impacts, Officers consider that on balance the proposal would result in an overall positive outcome for the town centre regeneration and therefore would be in accordance with the relevant national guidance and regional and local policies.

4.104 Officers have assessed the impact of the proposal on the heritage assets and consider that it is compliant with Section 16, 66 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal is also in line with national guidance in the NPPF and strategic local policies on the historic environment and urban design. It is considered that this is compliant with Section 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposed development is also considered acceptable in accordance with the NPPF, Policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6 and 7.21 of the London Plan and Policies DC1, DC2, DC4, DC7 and DC8 of the Local Plan (2018).
Archaeology

4.105 **London Plan Policy 7.8** states that new development should make provision for the protection of archaeological resources. **Local Plan Policy DC1** states the following: ‘The existing character of the borough is heavily influenced by a variety of historical, landscape and architectural assets. Some of these are of national importance, such as listed buildings and the Fulham Palace Moated Site, whereas others are of borough importance, including archaeological priority areas... and locally listed buildings of merit. However, whether they are of national or local importance, they should be considered in all developments in accordance with the policies of the National Planning Policy Framework (NPPF) and the associated Historic England Historic Environment Planning Practice Guide’. Policy DC8 states that the council would conserve the historic environment by protecting, restoring and enhancing its heritage assets and sets criteria for planning applications. Supporting paragraph 5.2.3 states that where the preservation of remains in situ is not possible or is not merited, ‘planning permission may be subject to conditions and/or formal agreement requiring the developer to secure investigation and recording of the remains and publication of the results’.

4.106 The site is not located with an Archaeological Priority Area. The closest APA is located approximately 300m to the east and comprises Hammersmith Creek, Queen Caroline Street and the Broadway. A desk-based archaeology assessment was prepared. The assessment was submitted with the ES on the basis that the proposal comprises a potentially large major development which could harm heritage assets of archaeological interest, including significant remains which are present on the site. The authors’ view however is that the site has low archaeological potential and due to past activity at the site, it was not considered necessary to prepare a specific EIA chapter on the potential for significant impacts on archaeology. Given the identified low potential for archaeological remains within the site and depth of made ground, archaeological works would likely take the form of a watching brief. If significant archaeological remains were encountered, then further archaeological fieldwork, post-excavation analysis and reporting, including publication may also be required.

4.107 Historic England’s – The Greater London Archaeological Advisory Service (GLAAS) provides archaeological advice to the borough and were consulted. To date no response has been received in respect to this application. Although the site has been identified with a low potential to contain archaeological assets, a watching brief as set out above is recommended by officers to be undertaken during the basement and ground works in accordance with an approved Written Scheme of Investigation (WSI). This would be secured by condition.

Accessibility

4.108 **London Plan Policy 7.2 'An Inclusive Environment'** and **draft London Plan Policy D3** require that all new development achieves the highest standard of accessible and inclusive design. **Local Plan Policy DC1** and **DC” requires all development to be of a high quality and should have an approach to accessible and inclusive urban design. Planning SPD Key Principles DA1, DA4, DA5, DA6, DA7, DA8, DA9, DA11, DA12, DA13 and DA14 requires all applications to ensure the buildings are designed to be accessible and inclusive to all who may visit or use the building, to remove barriers to all members of the community and how the
accessibility would be managed when operational, provide proportion of hotel rooms
to be for use by disabled people, have minimum widths and gradients for accesses,
esential lifts, toilets and other required facilities, fire safety and to engage and
consult with disabled people.

4.109 **London Plan Policy 4.5** and **draft London Plan Policy E10** seek accessible
hotel accommodation including 10% if hotel room are delivered as wheelchair
accessible units.

4.110 Access to and within the proposed buildings has been designed to be
wheelchair accessible and is achieved by the following:

- Hotel 1 would provide 20 accessible and 20 adaptable bedrooms.
- Hotel 2 would provide 42 accessible bedrooms.
- All entrances from the street would be level and internally there would be no
changes in level on any one floor (with the exception of maintenance only
access);
- A wheelchair accessible lift is provided to basement level and upper floors,
corridor widths are designed to accommodate wheelchair users, and fire lobbies
and doors are designed to comply with Building Regulations Approved Document
M;
- Back of house facilities have been designed to be accessible and female and
male changing areas would include accessible shower and changing facilities.

4.111 The applicant met the Disability Planning Forum Group. The forum confirmed
they were pleased with the proposals including the dimensions and layouts of the
wheelchair accessible and wheelchair adaptable bedrooms layouts. In response to
forum recommendations the proposals were further amended to include further
access improvements:

4.112 It is considered that the proposal would provide a high-quality environment for
disabled and impaired members of the community and that 10% of the hotel
accommodation would be accessible or wheelchair adaptable. An Inclusive
Accessibility Management Plan is secured by condition and this is considered
reasonable and necessary to secure appropriate accessibility as these design
element evolve. The commitments within the proposed development are positive and
deliverable by way of conditions. As such the proposal would comply with Local Plan
Policies DC1 and DC2 as well as Planning Guidance SPD Key Principles DA1, DA4,
DA5, DA6, DA7, DA8, DA9, DA11, DA12, DA13 and DA14.

**Secure by Design**

4.113 The NPPF seeks to ensure that planning decisions promote public safety and
take into account wider security and defence requirements. They should anticipate
and address all plausible malicious threats and natural hazards and create safe,
inclusive and accessible places that have high levels of amenity and do not
undermine quality of life, community cohesion and resilience to due crime and
disorder.

4.114 **London Plan Policy 7.13** states that through planning decisions development
proposals should include measures to design out crime in a manner that is ‘in
proportion to the risk, deter terrorism, assist in the detection of terrorist activity and
help deter its effects’. **Local Plan Policy DC1** seeks to ensure that new developments, new publicly accessible open spaces and new community and leisure facilities are inclusive and accessible, contribute to improving quality of life and reducing the incidence of crime and anti-social behaviour (paragraphs 2.57, 10.5 and 12.3).

4.115 Discussions have taken place between the applicant’s design team and the local police Designing Out Crime Officer/Architectural Liaison Officer. The overall security strategy and design intent is considered acceptable at this stage and the next stage of the process is to continue dialogue with the applicant and architects to agree the detail of measures to be incorporated within the development. Full final details of how the proposed development would incorporate crime prevention measures to provide a safe and secure environment would therefore be secured by a condition. The proposed development is considered acceptable in this respect in accordance with policy DC1 of the Local Plan.

**Residential Amenity Impacts**

4.116 This section of the report focuses on the impact the scheme would have on the properties surrounding the site. A number of objections raise concerns about loss of outlook and daylight/sunlight. The NPPF (Paragraph 123-part c) and footnote 37 states that daylight and sunlight guidance should be applied flexibly ‘where they would otherwise inhibit making efficient use of a site’, so long as they continue to provide adequate living standards.

4.117 **Policy 7.6 of the London Plan** states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. This is particularly important for tall buildings. **Policy 7.7** states that ‘tall buildings should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference’. **Draft London Plan Policy D8** reiterates the importance of ensuring that tall buildings do not compromise the comfort and enjoyment of neighbouring residential properties and open spaces to new development.

4.118 There are no policies specifically about daylight, sunlight or overshadowing in the Local Plan. **Policies DC2 and Policy DC3** state that all new builds and tall buildings must be designed to respect good neighbourliness and the principles of residential amenity. **Key Principles HS6 and HS7** of the Planning Guidance SPD seek to protect the existing amenities of neighbouring residential properties, in terms of outlook, light, and privacy.

4.119 The site's immediate residential neighbours are located predominantly to the south, beyond the existing underground lines in Yeldham Road, Biscay Road, Margravine Gardens and St Dunstan’s Road. Residential properties located to the north are situated beyond the A4 flyover. Whilst other residential properties in the wider area would view the proposed development, the residential streets listed above are considered the main neighbours who by their proximity to the site have the potential to be directly affected in terms of amenity implications (i.e. light, outlook,
privacy, and noise/disturbance). The principle impacts due to the orientation of the buildings would be to outlook and daylight.

**Daylight and Sunlight**

4.120 The BRE Guidelines provided in the Building Research Establishment (BRE) document entitled ‘Site Layout Planning for Daylight and Sunlight: A Good Practice Guide’ (2011) are typically used to assess daylight and sunlight. The guideline sets out three methods for assessing existing daylight conditions into a room including the Vertical Sky Component (VSC) method; plotting of the no-skyline (NSL) method and the Average Daylight Factor (ADF) method. The introduction to the guide however stresses that the BRE guidelines should not be used as an instrument of planning policy and should be interpreted flexibly, because lighting is only one design factor for any scheme. Sunlight assessment is based on annual probable sunlight hours (APSH) and winter sunlight hours. In terms of overshadowing of gardens and open spaces the BRE guide recommends that for an open space to appear adequately sunlit through the year, more than half of the space should receive at least two hours of sunlight at the March equinox.

**Assessment**

4.121 An assessment of the daylight, sunlight, and overshadowing effects of the proposed development on surrounding properties and amenity space is contained within Chapter 5: ‘Daylight, Sunlight, Overshadowing and Solar Glare’ of the ES. The proposed amendments have been assessed in terms of daylight and sunlight in the ES Addendum. The ES Addendum has taken into consideration the reduction in height of the tallest building, in terms of the effects on daylight and sunlight. The EIA has however relied on the previous assessment set out in the original ES for solar glare effects and overshadowing. The assessment carried out has considered the impact of the proposed development based on a direct comparison between the 'before' baseline scenario and the 'after' proposed development scenario and other cumulative developments. In the case of the daylight and sunlight assessment, test have been undertaken on those properties most likely to experience impacts from the development, i.e. the nearest residential properties. Potential solar glare impacts (i.e. reflection from surfaces) for sensitive road junctions and rail lines and a light spillage (i.e. light from the site into the surrounding area) for sensitive neighbouring residential properties have been considered.

**Daylight**

4.122 The impact of 57 neighbouring residential properties, including a total of 879 windows (serving 408 rooms) have been assessed to determine the existing/proposed daylight levels. The properties considered in the assessment are located generally to the south of the site, beyond the railway lines. These include 57 to 109B (odd) and 82 to 102 (even) Yeldham Road, 1 Yeldham Villas, 86 to 92 (even) Biscay Road and 50 to 70 (even) Margravine Gardens. Both 191 Talgarth Road and Linacre Court (Great Church Lane) have also been included. All the rooms assessed in Linacre Court meet both VSC and NSL guidelines. For this reason, no further properties located north of the A4 including Colet Gardens or Shortlands were selected for further assessment. Although the Ark building is close by, it is a commercial building and not considered relevant for this assessment.
The reduction in the height of the tallest block fronting onto Talgarth Road (Hotel 1) has been assessed in the ES addendum as a comparison with the results initially included in the ES. The height reduction has resulted in a slight betterment in daylight and sunlight conditions to the neighbouring properties. Four properties (nos. 82, 90, 92 and 96 Yeldham Road) would experience a reduction in effect identified in the ES from minor adverse to negligible due to the proposed amendments. Overall, of the 879 windows assessed for VSC, the ES addendum states that 819 (93.2%) meet the BRE criteria, compared to 802 (91%) in original proposal. Of the 408 rooms assessed, 387 (94.9%) were found to meet the BRE criteria for NSL compared to 383 (94%) included in the January 2019 Daylight and Sunlight ES Chapter.

For those properties considered most sensitive, the proposed amendments result in the majority resulting in a negligible effect and therefore not significant. 35 of the 57 properties would experience no or little alteration in line with the BRE guidelines. There are however 14 instances identified with a minor adverse effect, with 4 instances of moderate adverse effect and no instances of major adverse effects. The four most affected properties identified are nos. 85, 83, 81 and 75 Yeldham Road which all adjoin the railway tracks. The four properties have a total of 37 windows. 18 of the 37 windows (49%) meet VSC guidelines, with the majority of the remaining affected windows experiencing an alteration between 20-39%. Two windows would be in excess of 40%. For NSL 12 of the 20 rooms tested would meet the BRE guidelines with only two rooms considered to have a major adverse effect. It should be noted that all the windows were assessed on the assumption they are used as habitable rooms. However, this is not the case. Some of the windows in question are also positioned to the side of the back additions or close to the rear boundaries of the small gardens opposite the tracks. Therefore, whilst there would be some breaches of the BRE guidelines, officers consider these are small in number and magnitude and would not significantly reduce the overall levels of daylight within the affected properties. On balance, it is considered that the proposal would be acceptable in this respect and the impact of the development on daylight to the surrounding properties would by nature of the location be acceptable.

Sunlight

A total of 213 rooms were assessed to determine the existing/proposed impact on both total and winter sunlight. All windows experience both total and winter PSH experience of little or no change in sunlight levels with the completed development. All effects in relation to sunlight are therefore considered negligible and not significant.

Overshadowing

The results of the BRE overshadowing assessment confirms that all except one of the surrounding existing amenity spaces tested would meet the BRE guideline criteria. This is in relation to the communal gardens serving Nazareth House Convent. Only a small proportion of this space would however be affected in winter months by overshadowing. Therefore, the potential effect of the proposed development on levels of overshadowing to nearby amenity areas would be negligible. Despite a reduction of the height of the tallest building by three floors, the ES Addendum states this space would still experience the same quantity of shadow in December and therefore, the effect to overshadowing would remain unchanged. Overall, officers consider a comprehensive adherence to the BRE guideline
recommendations with respect of overshadowing impacts is attained. As such, it is considered that there would be no adverse overshadowing impacts of the development and therefore the proposals are acceptable in this respect.

**Solar Glare**

4.127 A solar glare assessment has been carried out from signalised railways, road junctions and pedestrian crossings and in total 15 locations were assessed. In total 12 were considered negligible, with 3 locations (Talgarth Road/A4 Westbound) experiencing a significant effect. The ES however states that the effects of solar glare are for brief instances and considered to be of minor adverse effect.

**Conclusion**

4.128 In regard to daylight and sunlight impacts on sensitive neighbouring properties, the development would result in minor adverse effects on some of properties assessed, with some instances of moderate adverse and moderate to major effects. The majority of properties assessed will not experience significant adverse effects and the design has considered the daylight and sunlight amenity typical of an urban context. A number of the retained levels of daylight and sunlight are not uncommon in dense urban areas of London and are therefore considered to be commensurate with the urban location. In terms of overshadowing, whilst there would be slight changes to the baseline overshadowing condition, the development would not result in significant effects. As such, officers consider that the proposal would provide acceptable living conditions to the neighbouring residential properties.

**Outlook/sense of enclosure**

4.129 **Key Principle HS6** of the Planning Guidance SPD states that 'The proximity of a new building or an extension to an existing building can have an overbearing and dominating effect detrimental to the enjoyment by adjoining residential occupiers of their properties' and prescribes a method for assessment of outlook:' Although it is dependent upon the proximity and scale of the proposed development, a general standard can be adopted by reference to a line produced at an angle of 45 degrees from a point 2 metres above the adjoining ground level of the boundaries of the site where it adjoins residential properties. If any part of the proposed building extends beyond these lines, then on-site judgement would be a determining factor in assessing the effect which the extension would have on the existing amenities of neighbouring properties.' Where original rear gardens are less than 9 metres depth, a measurement is taken from ground level at the boundary. Where there are existing circumstances, such as buildings which would be replaced in a redevelopment, it would be inappropriate not to have regard to these.

4.130 The site is located in Hammersmith town centre and is an ‘island’ site, bounded to the north by Talgarth Road and the A4 Hammersmith flyover and to the south by London Underground Railway tracks. Despite being located in the town centre, the site is currently occupied by a low-rise commercial building and an open car park to the rear. At present the majority of the neighbouring residential properties to the south look out across the railway tracks onto unobstructed views, meaning they enjoy daylight and outlook conditions which are more akin to a suburban location rather than an urban environment in central London. It would not be realistic for there to be an expectation that this character should prevail given its location. The height, form and massing of the proposed development has been designed to
respond to existing surrounding conditions, with the tallest element of the proposed development set furthest away from the residential properties to the south, parallel to the Talgarth Road/flyover frontage, and the middle and rear sections dropping down in height through a sequence of blocks towards the southern boundary. The site’s immediate residential neighbours located to the rear are in Yeldham Road, Biscay Road and Margravine Road/Gardens. The properties located opposite the site (nos. 57 to 109B (odd) Yeldham Road) would be deemed to be most affected. Whilst other residential properties in the vicinity of the site would view the proposed development, the residents immediately to the rear are the residents who would be directly affected in terms of amenity implications (i.e. light, outlook, privacy, and noise/disturbance) due to the proximity of the development to these neighbours.

4.131 The proposal introduces a stepped development facing the residential properties. The closest southern (rear) block would be 6 storeys high (19m AOD) stepping up to 8 storeys (24.7m AOD), followed by a mid-rise and a taller block at a maximum height of 23 storeys. In respect to the Council’s 0m/45 standard, the development does not breach a line drawn from the rear elevation of the dwellings in Yeldham Road at ground level towards the new buildings, tracing the angle (45 degrees) and therefore complies with the requirements of this standard. The increased height of the mid-rise and the tallest blocks would also meet the standard. The standards in the Supplementary Planning Document support Local Plan policies, designed as a guide and each application must be considered on its own merits. Where the standards are met, on site judgement should still be taken into consideration. Officers have had regard to the site’s location in the town centre and regeneration area, the benefits of the development and the existing low rise building on the site. In comparison with the existing building the proposed development would be perceived to have an immediate impact on the existing amenities of the occupiers to the south by virtue of its increased height. In this case, the design of the proposed development has been carefully considered to minimise the impacts. The tallest element of the proposed development would be located on the northernmost part of the site and furthest from the residential properties with a separation gap of 72m. Each of the blocks would subsequently step down in height, mass and scale relative to the proximity of the surrounding residential conditions on the opposite side of the railway tracks. Officers consider both the principle and height, scale, design/form of the proposed development to be acceptable and conclude that the development whilst clearly visible from surrounding neighbouring properties would not adversely harm the amenities of surrounding occupiers. Based on on-site judgement, it is considered that the loss of outlook or increase the sense of enclosure would not be to such an extent to warrant the withholding planning permission.

4.132 On balance, whilst acknowledging the objections received, it is considered that the proposed building does not result in a significant loss of outlook to neighbouring properties to warrant refusal of planning permission and as such, it is considered that it complies with Policies DC1, DC2, DC3, HO11 and Key Principle HS6 of the Planning Guidance SPD.

Privacy/overlooking

4.133 Key Principle HS7 (iii) of the Council’s Planning Guidance SPD sets an 18m standard from windows in new development to existing windows, in order to protect privacy. The SPD clarifies that the 18m distance would be measured by an arc of 60
degrees taken from the centre of the proposed new window to ensure that there is no loss of privacy to neighbouring occupiers.

4.134 As a result of the gap formed by the existing railway tracks, none of the existing residential properties situated closest to the application site are within 18m of the proposed development. The closest dwellings to the application site are nos. 71 to 109 (odd) Yeldham Road with a separation distance of approximately 20-21m, followed by nos. 84-102 (even) Yeldham Road, nos. 66-70 Margravine Gardens and nos. 86-92 Biscay Road. Proposed window openings on the south (rearmost) elevation of the 6 storey block serve the hotel corridor on each level and not the bedrooms. These window openings would be set back some 4m from the site boundary and approximately 25m from the rearmost elevation of the Yeldham Road properties. The design and form of each stepped hotel block would result in the window to window separation distances increasing, with the window to window separation for the 7th floor on the 8 storey block set at a minimum distance of 32m. The flat roof above the 6 storey block would also limit views out and down to the neighbouring properties from the 7th floor so that there would be no detrimental impact on residential amenity. Officers are of the opinion that the proposal would have an acceptable impact on the privacy to neighbouring properties.

4.135 It is considered that the gap between the development and closest neighbouring properties would ensure that no loss of privacy or significant overlooking would occur to existing properties. Consequently, officers are of the opinion that the proposal would not have an unacceptable impact on the privacy to neighbouring properties.

Noise

4.136 London Plan Policy 7.15 states that development proposals should seek to reduce noise by minimising the existing and potential adverse impacts of noise on, from, within, or in the vicinity of, a development and promoting new technologies and improved practices to reduce noise. Draft London Plan policies D12 and D13 reiterates that developments should consider how to moderate their noise impacts during construction and use once.

4.137 Local Plan Policy CC11 seeks to control the noise and vibration impacts of developments, requiring the location of noise and vibration sensitive development ‘in the most appropriate locations’. Design, layout and materials should be used carefully to protect against existing and proposed sources of noise, insulating the building envelope, internal walls floors and ceilings, and protecting external amenity areas. Noise assessments providing details of noise levels on the site are expected ‘where necessary’.

4.138 Local Plan Policy CC13 seeks to control pollution, including noise, and requires proposed developments to show that there would be ‘no undue detriment to the general amenities enjoyed by existing surrounding occupiers of their properties’.

4.139 The site is located in the town centre, surrounded by potential noise and vibration sources, including railway lines to the south, traffic noise from the Hammersmith flyover and Talgarth Road to the north and movement of vehicles from the adjacent petrol garage site to the east. The site is therefore in an area with a high
level of background noise. The residential properties nearest to the development are aligned to the south in Yeldham Road/Biscay Road and Margravine Gardens are already exposed to high levels of railway noise from the adjoining underground tracks. However, it is acknowledged that the proposed building and land uses could have its own noise/disturbance impacts, particularly with regard to the proposed uses and the potential for noise from new plant and equipment. Use of rooftop terrace and use of the public square also needs to be considered.

4.140 A noise and vibration impact assessment has been carried out to assess the existing background noise, establish the requirements for noise and vibration reductions to enable suitable indoor conditions for the proposed hotel development and to assess the impact of the development on surrounding properties, particularly with regard to operational noise breakout, deliveries and collections and the potential for noise from plant and equipment. Consideration has been given to the existing noise levels associated with the A4 flyover and underground lines and vibration as a result of the site’s position. The assessment specifies that a hotel use can be reasonably mitigated in this location through building construction and acoustic laminated glazing systems to ensure that ambient noise level remain within guideline limits. The implication of the construction of the proposed development in terms of noise breakout have also been considered and whilst noting there would an increase in noise generation on the site during the duration of the works, it would be unreasonable to refuse planning permission for a development scheme based on the temporary impact. Demolition and construction management plans, and an Air Quality Dust Management Plan would be required to be submitted and agreed by planning conditions, and these documents would be required to take into account the impacts and logistics any existing nearby construction sites. The overall effects from the potential noise impacts associated with plant, equipment and machinery and break out of operation from the rehearsal space in the basement, ancillary restaurants, rooftop bar and open space have been considered. All plant items would be located internally within plant rooms or externally at roof level (7th, 15th and 22nd levels) and would be installed with anti-vibration mounting, acoustic enclosures and louvres to reduce noise impact. Noise from mechanical plant would need to be designed to be capable of achieving compliance with the Council's noise standards (i.e. ensuring that the noise is at least 10dB below background noise) and therefore can be adequately controlled by planning conditions. The design of the ancillary rehearsal space in the basement between the two hotel blocks has been rationalised. The space is now contained with reduced openings above ground level. There is one rooftop terrace on the 21st floor level (approximately 250 sqm) serving the rooftop bar. The roof terrace would be approximately 75m from the closest residents in Yeldham Road. The impact of the terrace is considered to be acceptable, subject to a limit on hours of use, given the potential for late night noise and disturbance. A condition is attached to cover this.

4.141 At night-time, the proposed development would be required to ensure noise does not give rise to sleep disturbance for guest in the development as well as neighbouring residents. In order to achieve, noise levels including music would need to be controlled and should not be audible outside the premises and guest will be prevented from accessing the rear external areas of the hotel after 23:00. Conditions are recommended to limit the hours of use of the outdoor garden space or ancillary bar and restaurant terrace areas. It is therefore considered that with suitable
conditions, the development could be adequately controlled to ensure that there is no harmful impact on local amenity in terms of noise and disturbance.

4.142 Concerns have been expressed about the local noise conditions, including the potential noise impact of the development caused by the ‘bounce back’ sound reflection that may increase railway noise to the residential properties to the south and the proposed hotel development. Residents have informed the impacts associated with the 2 hour operations of the underground services and vibration effects associated with the ‘Ark’ building. An additional noise assessment has been commissioned by the applicant related to the reflected sound from train movements on the underground and its effects on surrounding residential properties. Noise measurements of the passing trains along the Piccadilly and District lines have been undertaken and the impacts of reflected sound from the facades of the adjacent Ark building have been assessed. The most distinct noise source was identified when trains switch rail tracks or from the wheels on the tracks causing bangs and squeals. Computer 3D noise modelling has then been used to calculate and compare the existing acoustic environment and the impacts of reflected sound of the proposed development on the nearest sensitive premises.

4.143 The noise modelling indicates that the increase in noise levels would be negligible, with a maximum increase of only 1dB. For reference, the human ear can only discern a change in noise levels of around 3dB. Officers have considered the assessment in detail and are of the view that the issue raised by residents is not so much to do with the noise levels but due to the delay in the reflected sound being heard, as it appears as an additional noise, although at a lower level. The noise report has considered this ‘echo’ effect and modelled that the reflected sound from the development would arrive at the residential receptors within a few milliseconds of the sound reflected of the Ark building. This means that the additional sound would not be discernible from the existing ambient noise and for this reason the noise impacts from reflected sound are acceptable.

4.144 Officers consider that the impacts for noise and vibration have been satisfactorily assessed. The proposed limits and mitigation measures are acceptable however specific details would be required to be submitted prior to the occupation of the development. It is therefore considered appropriate to require these details, including insulation and anti-vibration measures for machinery and plant by condition. Subject to the inclusion of conditions requiring the implementation of the submitted documents and submission of further information, officers consider that the proposed development accords with Policies 7.15 of the London Plan and Policies DC1, DC2, CC11 and CC13 of the Local Plan and Key Principles NN1 and NN4.

Lighting

4.145 London Plan Policy 7.5 states that ‘London’s public spaces should be secure, accessible, inclusive, connected, easy to understand and maintain, relate to local context, and incorporate the highest quality design, landscaping, planting, street furniture and surfaces’. Paragraph 7.19 notes that the lighting of the public realm requires ‘careful consideration to ensure places and spaces are appropriately lit, and there is an appropriate balance between issues of safety and security and reducing light pollution’. Paragraph 7.22 notes that ‘lighting of, and on, buildings
should be energy efficient and appropriate for the physical context'. Paragraph 7.62 notes that promotion of nature conservation should be integral to development proposals and, in this context, states that the indirect effects of development (which include lighting) need to be considered alongside direct impacts (such as habitat loss). Draft London Plan Policy D7 mirrors the policy and text relating to lighting in the adopted London Plan. Paragraph 3.7.10 further states seeks to ensure that lighting of public realm is appropriate to address safety and security issues and to make night-time activity areas and access routes welcoming and safe, whilst minimising light pollution.

4.146 Local Plan Policy CC12 seeks to control potential adverse impacts from lighting by requiring all development proposals seeking permission for external lighting to submit details to demonstrate they it would be appropriate for the intended use, provide the minimum amount of light necessary to achieve its purposes, be energy efficient, and provide adequate protection from glare and light spill.

4.147 A light strategy for the proposal is summarised in the Design and Access Statement. This sets out the intentions related to illumination of the different elements of the proposed development including the public realm. Such measures are considered appropriate in a town centre location and seek to enhance the public experience of the site. Lighting and signage to any facade of the hotel buildings would need to be sensitively considered and focus on key architectural elements, rather than illumination as a singular object. This would ensure its night time visibility is in keeping with its surroundings, rather than trying to dominate and create a hazard for highway safety or impact on visual amenity. Careful control of the measures proposed will be required to avoid light spillage and excessive illumination on the residential properties located to the south and the A4. This point has been highlighted in some of the objections received in respect to existing lighting on the Novotel hotel located north of the A4 and visible at night from surrounding residential streets and properties. The proposed development would be required to include appropriate lights off measures and an external lighting/advertising strategy at the detailed stage to minimise light pollution however ensure adequate lighting is provided within public amenity spaces.

4.148 Subject to the inclusion of a condition requiring details of the required lighting strategy, officers consider that the proposed development accords with Policies 7.5 of the London Plan and Policies CC12 of the Local Plan.

Transport and Highways
4.149 The NPPF requires that developments which generate significant movement are located where the need to travel would be minimised, and the use of sustainable transport modes can be maximised; and that development should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. All developments that generate significant amounts of movement should be required to provide a travel plan and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

4.150 London Plan Policies 6.1, 6.3, 6.10, 6.11 and 6.13 set out the intention to encourage consideration of transport implications as a fundamental element of
sustainable transport, supporting development patterns that reduce the need to travel or that locate development with high trip generation in proximity of public transport services. The policies also provide guidance for the establishment of maximum car parking standards.

4.151 **Local Plan Policy T1** sets out the Council’s intention to ‘work with strategic partners to improve transport provision, accessibility and air quality in the borough, by improving and increasing the opportunities for cycling and walking, and by improving connections for bus services, underground, national and regional rail’.

4.152 **Local Plan Policy T2** relates to transport assessments and travel plans and states “All development proposals would be assessed for their contribution to traffic generation and their impact on congestion, particularly on bus routes and on the primary route network”. Transport Assessments together with Travel Plans would be required as well as Delivery and Service Plans.

4.153 **Local Plan Policies T3, T4, T5 and T7** relate to opportunities for cycling and walking, vehicle parking standards, blue badge holders parking and construction and demolition logistics. **Local Plan Policy CC7** sets out the requirements for all new developments to provide suitable facilities for the management of waste. **Key Principles WM1, WM2, WM7 and WM11** of the Planning SPD are also applicable which seek off-street servicing for all new developments.

4.154 A Transport Assessment and succeeding addendum have been submitted in connection with the proposed development and amendments involving the removal of three floors of hotel accommodation, increase in affordable workspace and rationalisation of the basemen space.

**Site Accessibility**

4.155 The application site is located on Talgarth Road and opposite the Hammersmith Flyover which forms part of the Transport of London Road Network (TLRN). The site is well served by public transport and as such has a public transport accessibility level (PTAL) of 6a, which is classified as ‘excellent’ in terms of its proximity to the public transport networks, service availability and walking time to public transport, with numerous bus routes servicing Hammersmith Station and Hammersmith and Barons Court stations a short distance from the site.

**Access**

4.156 Currently the site has a separate vehicle entry and exit arrangement, both from Talgarth Road with a one-way road that serves a car park area to the rear. In the proposed development the vehicle access and egress arrangement would be retained. The use of the existing arrangement would minimise the impact on the existing trees. Minor modifications to the existing arrangements are however proposed to enable 14m length coaches and servicing vehicles to enter and exit the site in a forward gear. A one-way internal access road would run alongside the front of the front hotel building and would be used by all vehicular traffic, including coaches, drop off’s and delivery/servicing. A new central access point is proposed off the footway to Talgarth Road and provide a new separate pedestrian and cyclist access/egress to the site. Highway officers accept the principle of access strategy as part of the planning application and is included as part of the Transport Assessment.
TfL have requested that a condition be attached requiring a Stage 1 Road Safety Audit

Trip Generation
4.157 In order to assess the relative traffic impact of the development proposals, the applicant has estimated the number of trips that would be generated by the proposed development. In this case, no information is provided of the trip generation for the former magistrates’ court use as a comparison. Additional sites were sought in lieu of existing trip generation information to ensure a robust assessment.

4.158 The total number of daily trips anticipated to be generated by the proposed development is 5254. It is estimated that most trips to the site would be undertaken by foot. It is estimated that 233 total trips would be generated in the AM peak, with 212 total trips generated in the PM peak and a total of 2355 daily trips by foot (45% of the total trips).

4.159 Aside from servicing, most of the vehicular trips to the site are likely to be by taxi (and private hire vehicle trips). The applicant has predicted the number of motor vehicles (excluding service vehicles) to the site based on data for five hotel sites within London that were on the TRICS database. It is predicated that 44 taxi arrivals and 57 departures in the am peak, 43 taxi arrivals and 45 departures in the pm peak, and a total of 893 taxi daily trips (17% of the total trips) would be generated by the development.

4.160 In response to objections received by local residents, a further analysis of the impact taxis would have on the surrounding highway network was submitted by the applicant. The analysis suggested that it is unlikely that a significant proportion of taxis would ‘rat-run’ to the south of the site. Only taxis approaching the site from the west would be expected to rat-run and many of these taxis would choose to carry out a U-turn at the junction of the A4 with North End Road. The applicant states that in the scenario of 50% of taxis approaching from the west, and with a lot of these U-turning on the A4 only 11 taxis in the AM peak hour would choose to use roads to the south. In addition, it is proposed that the hotel operators would be required to use taxi services located to the east of the site.

4.161 In respect to the applicant’s analysis it is noted that the presence of Heathrow Airport to the west of the site may result in more arrivals from the west than the developer consultant’s 50% assumption. Also, with some satellite navigation applications using real time information to direct motorists the route taken by taxi and private hire companies will vary depending on traffic conditions. It is noted however that the magistrates court when it was functioning would have generated significant levels of taxi trips. Whilst the proposed hotel development is expected to generate an increase in vehicle activity, it is considered that the proposed taxi trips associated with the site is unlikely to have an adverse impact on the amenity of surrounding residential occupiers to warrant refusal of planning permission and can be accommodated within the application site.

Car Parking
4.162 London Plan Policy 6.1 states that proposals should encourage the reduction in the need to travel, especially by car. The London Plan sets no maximum
parking standards for hotels, but notes that in PTAL 4-6 areas, on-site parking should be limited to operational needs, parking for disabled people and the needs for servicing and coach parking (para. 6A.8) as necessary. The proposed development would result in the removal of the existing surface car park which has capacity for up to 28 car parking spaces which serve the former magistrate’s court building. The proposed development is to be car-free, except for car parking spaces for blue badge holders and taxi pick-up/drop off located at ground floor level. The 4 car parking spaces for blue badge holders would be fitted with electric vehicle charging points (2 active and 2 passive) and 5 spaces would be provided off the forecourt for taxi pick-up/drop-off, in accordance with London Plan and Local Plan policies. Officers are supportive of the overall reduction in parking provision within the application site. An Operation Hotels Management Plan is secured by way of the S106 agreement would be required to include measures in relation to impaired and disabled users’ requirements. The car parking spaces would be managed by the hotels and guests and would be required to notify staff of their requirements prior to arrival as part of the hotel’s booking arrangements.

Coach Parking
4.163 The London Plan states that hotel developments should provide one coach space per 50 bedrooms. Two coach bays are proposed and would be located at the eastern end of the site. Swept path analysis for a 12m coach has been tested entering/leaving and parking on the site has been included in the transport assessment. Coach drop offs are likely take place at the hotel entrance outside the peak hours. Coach arrivals would be managed by staff on site to ensure that a maximum of two coaches arrive at the site at any one time. Trip generation estimates a maximum of 3 coach arrivals in the AM peak and 4 coach arrivals in the PM peak. Assuming a dwell time of 30 minutes per coach, it is considered that the coach parking provision is sufficient to accommodate the proposed coach trip generation. TfL have requested that a condition be attached limiting the size of coaches to a maximum 14m. Officers consider this point and management of coaches arriving and leaving the site can be reasonably controlled through the Hotel Management Plan to be secured by the S106 agreement.

Cycle Parking
4.164 Echoing Policy 6.9 of the London Plan, Draft London Plan policy T5, and Local Plan Policy T2 seeks to develop and promote a safe environment for cyclists across the borough to encourage residents and businesses to consider these modes. Policy T3 seeks to increase and promote opportunities for cycling through the provision of convenient, accessible, and safe secure cycle parking within the boundary of the site. Appendix 8 of the Local Plan seek to ensure that satisfactory cycle parking is provided for all developments. The draft London Plan standards require hotels to provide a minimum of 1 space per 20 beds for staff and an additional 1 space per 50 beds for visitors. A minimum 43 long-stay and 17 short stay cycle spaces, with a total minimum of 60 spaces is therefore required.

4.165 The Transport Assessment (TA) sets out the cycle parking requirements for all the land uses on the site (including hotels, event space, offices, and roof top bar). A minimum 104 cycle parking spaces (67 long stay and 37 short stay) is required for the proposed development. A total of 120 cycle parking spaces would be provided which exceeds the minimum required standards set out within London Plan policy.
6.13 and Draft London Plan policy T5. Long stay cycle parking spaces used mainly by staff would be provided in secured cycle store rooms accessed via the service yard. Both hotels buildings would have their own respective cycle storage facilities. Hotel 1 would provide 72 spaces in the basement level and 16 spaces on the ground level and 20 spaces would be provided on the ground floor of Hotel 2 next to the service yard. It is proposed that the storage facilities would be used mainly by staff and serviced by the concierge for any resident guests at the hotel who have cycled. A member of staff would accompany the guest to the cycle store. All 12-short stay visitor cycle parking would be provided at ground floor level in the public realm in the form of six Sheffield style stands.

4.166 The application is supported by a Cycling Level of Service (CLoS) audit, which concludes that the conditions for cycling in the local area are slightly below average. There is access to cycle routes relatively close to the site, however, safety on busy roads such as Fulham Palace Road, Hammersmith Gyratory Talgarth Road and Hammersmith Road affected scores. Nonetheless, the CLoS audit identifies some further enhancements could make cycle use more attractive and ensure that car trips are minimised. A contribution of £50,000 towards Hammersmith Underpass Cycle Hub has been sought and would be secured through the S106 legal agreement.

Public Transport
4.167 The TRICs analysis indicates that public transport (rail/underground and bus) would account for 22% of the proposed trips to the application site. Given the frequency of public transport services the change in travel demand is unlikely to have an effect on existing services. Coach passengers would account for 5% of total trips and cyclists would represent 1% of all proposed trips to the site.

<table>
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<tr>
<th>Method of Travel</th>
<th>Modal Split (Total Daily)</th>
<th>AM Peak Hour (08:00 – 09:00)</th>
<th>PM Peak Hour (16:00 – 17:00)</th>
<th>Daily</th>
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<td>Total</td>
<td>In</td>
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<td>Taxis</td>
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<td>Total</td>
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</tbody>
</table>

4.168 The Council's highways officer has considered the impacts of the proposed development in respect of trip generation alongside the submitted Transport Assessment and addendum and raises no objection to the proposals.

Travel Plan
4.169 A framework Travel Plan has been submitted alongside the transport assessment which sets out the objectives and measures to be incorporated in a full
Travel Plan which would aim to target both staff and guests. As the proposal is a predominantly a car free development, the travel patterns of employees, hotel guests and office employees would have significantly influences. The Council's Highways officer is satisfied with the framework document and recommends a full Travel Plan in line with Transport for London guidance, together with allowance for periodic monitoring by the Council, and revision if necessary. The framework Travel Plan seeks to manage the predicted sustainable travel patterns to and from the site and increase the sustainable travel mode share in place of cars, taxis and private hire vehicles. As part of any S106 agreement, a more detailed Travel Plan for the different elements of the hotel led development would be subject to ongoing monitoring and review, to encourage users of the development to travel by sustainable modes other than the car. It is considered that there is capacity within the existing public transport network to accommodate the trips proposed from this development. Officers welcome the provision of a Travel Plan in support of the proposal for sustainable travel for occupiers of the development. A Construction Workers Travel Plan would also be required with a monitoring fees of £5,000 per annum until completion of works to be secured through the S106 agreement.

Walking

4.170 The application is supported by a Pedestrian Environment Review System (PERS) audit, which concludes that the conditions for walking in the local area and access to the site from nearby public transport nodes are generally good. The existing footway on the southern side of Talgarth Road borders the northern boundary of the site and is opposite the elevated flyover. This footway provides a walking connection between the site and Barons Court Station to the east and the centre of Hammersmith to the west, including all public transport services, to the north-west. There are a series of signalised pedestrian crossings on Talgarth Road, providing various walking routes to the centre of Hammersmith. These crossings mitigate against the severing effects of the Hammersmith gyratory and A4 slip roads. The proposed hotel development is expected to generate an increase in footfall activity in and around the site when compared with the former magistrates’ court. However, this is not considered to be at a scale which would be problematic. The proposed development aims to increase pedestrian permeability into the site by providing internal pedestrian walkways each connected to and centred around the garden square and onto Talgarth Road.

4.171 The PERS audit identifies some further enhancements that could make pedestrian access and wayfinding from the surrounding area to the site more convenient and safer. The underpass has recently been greened using Business Improvement District (BID) funding. It is expected that most trips associated with the development would arrive and depart on foot, connecting to the various public transport options within walking distance of the site at Hammersmith underground and bus stations or Baron Court station. A contribution towards improving the state and quality of surrounding footways from the east and lighting around the underpass are sought by TfL and would be secured through the legal agreement. Contribution towards enhancing the public realm outside our red line boundary along Talgarth Road – the exact delivery of this to be agreed. The land between the site and station is largely in TfL’s remit. TfL potentially seeking public realm improvements on Talgarth Road and further discussion with TfL will be required on this matter to
ensure improvements on the walking/cycling environment in the vicinity and secured through the S106 agreement, in line with Draft London Plan policy T2 Healthy Street.

**Refuse and Servicing/Delivery**

4.172 *London Plan Policy 5.16* seeks to minimise waste and exceed recycling levels. *Local Plan Policy CC7* seeks for all developments to have suitable facilities for the management of waste generated by the development. *Key Principle TR27* of the Planning Guidance SPD seeks off-street servicing for all new developments. Appendix 5d of the SPD sets specific guidance on waste capacity and storage requirements for different commercial uses. It states that for hotels, 7,500 litres of waste storage are required per 1,000m² per week.

4.173 The applicant has submitted a draft delivery and servicing plan. Adequate refuse storage for both the hotel and retail premises is considered to be provided within clearly defined areas on the site. The Council's Highways officer raises no objections in principle to this document, which provides detail on the operational servicing of the premises.

4.174 Delivery and servicing vehicles would be marshalled to the servicing yard upon arrival. The servicing yard is located in the north-east corner of the site and can accommodate one large vehicle (14.6m) without impacting the use of the two proposed coach spaces. It is estimated using the TRICs database that up to 13 delivery and servicing trips would be generated daily, if the proposed hotels coordinate and consolidate deliveries.

4.175 On review of the site vehicle and service management plan and having regard to the existing highway conditions on Talgarth Road, officers are satisfied that through appropriate management and timing of deliveries, the delivery and servicing requirements of the development can be undertaken without prejudice to the use of Talgarth Road. Nonetheless, the applicant is required to update the delivery and servicing plan to include a commitment to prevent delivery/servicing of the site via residential streets. A final Delivery and Servicing Plan would be secured by condition.

**Demolition and Construction Logistic Plans**

4.176 A Draft Construction Environmental Management Plan (CEMP) and Draft Constructions Logistics Plan (CLP) have been submitted by the applicant's contractors in accordance with Policy T7 of the Local Plan. Final documents including works associated with the demolition phase would be required to include demolition details, contractors' construction method statements, site classification and disposal procedures and locations, dust and noise monitoring and control, provisions within the site to ensure that all vehicles associated with the demolition/construction works are properly washed and cleaned to prevent the passage of mud and dirt onto the highway, and other matters relating to traffic management to be agreed. The documents at this stage identifies preliminary proposals to manage the demolition and subsequent construction processes, including details regarding environmental and amenity mitigation, site logistics, traffic management and routing, health and safety, community liaison etc. To minimise the likelihood of congestion during the demolition and construction period, strict monitoring and control of vehicles entering and exiting, and routing and travelling to
and from the site, would need to be implemented through the DLP and CLP. A final plan of proposed routes to and from the site is required with the submission of the detailed CLP. Construction deliveries would also need to be carefully planned with delivery times agreed with each contractor in order to regulate deliveries and eliminate bottle necks on surrounding roads. At this early stage, the information has yet to be fully finalised, and the documents need to be developed. Officers consider this information needs to be provided in compliance with TfL guidelines. The documents would need to be developed to be in accordance with Transport for London (TfL) requirements, which seeks to minimise the impact of construction traffic on nearby roads and restrict construction trips to off peak hours only. These would be secured in conditions.

Conclusions on Highway Matters
4.177 Subject to the submission of the required documents by condition or legal agreement and the mitigation to the impacts of the development required by way of legal agreement, officers consider that the proposed development would be acceptable and in accordance with London Plan Policies 6.1, 6.3, 6.10, 6.11 and 6.13 and Local Plan policies T1, T2, T3, T4, T5, T7 and CC7.

Energy and Sustainability
4.178 The NPPF states that development proposals are expected to comply with local requirements and should take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption and to increase the use and supply of renewable and low carbon energy.

4.179 **London Plan Policies 5.1, 5.2 and 5.3** require developments to make the fullest contribution to the mitigation of and adaptation to climate change, ensure sustainable design and construction and minimise carbon dioxide emissions. **Policies 5.5, 5.6, 5.7 and 5.8** require developments to provide decentralised energy, renewable energy, and innovative energy technologies where appropriate. The [Mayor's Sustainable Design and Construction SPG](#) provides guidance on the implementation of London Plan Policy 5.3 and provides a range of additional guidance on matters relating to environmental sustainability.

4.180 **Draft London Plan Policy SI2** seeks to extend the extant requirement on residential development to non-residential development to meet zero carbon targets. It maintains the expectation that a minimum reduction of 35% beyond Building Regulations to be met on site (10% or 15% of which should be achieved through energy efficiency for residential development, and non-residential development). Where it is clearly demonstrated that the zero-carbon target cannot be met on site, the shortfall should be provided through a cash in lieu contribution to the borough’s carbon offset fund, or off-site provided an alternative proposal has been identified and delivery is certain.

4.181 **Draft London Plan Policy SI3** identifies Heat Network Priority Areas, which include the Fulham Gasworks site. Here, major proposals should have a communal heat system in accordance with a hierarchy that priorities connection to local existing or planned heat networks, followed by: use of available local secondary heat sources; generation of clean heat/power from zero-emission sources; and use of fuel cells. CHPs are ranked fifth of the six options, followed by ultra-low NOx gas boilers.
Supporting text explains that further information about the relevance of CHP in developments of various scales would also be provided in an Energy Planning Guidance document, which would be kept updated as technology changes, however this guidance has not yet been published. The draft Plan states that it is not expected that gas engine CHP would be able to meet the standards required within areas exceeding air quality limits with the technology that is currently available.

4.182 **Draft London Plan Policy SI4** seeks to minimise internal heat gain and the impacts of urban heat island effect through design, layout, orientation and materials. An energy strategy should demonstrate how development proposals would reduce potential for overheating and reliance on air conditioning systems in accordance with a hierarchy that prioritises the minimisation of internal heat generation through energy efficient design and reductions to the amount of heat entering a building.

4.183 **Local Plan Policy CC1** requires major developments to implement energy conservation measures by implementing the London Plan sustainable energy policies and meeting associated CO2 reduction target and demonstrating that a series of measures have been taken to reduce the expected energy demand and CO2 emissions. It requires the use of on-site energy generation to further reduce CO2 emissions where feasible.

4.184 **Local Plan Policy CC2** seeks to ensure the implementation of sustainable design and construction measures by implementing the London Plan sustainable design and construction policies.

4.185 As required for all major development proposals, an energy assessment and addendum statement has been provided with the application. The London Plan Energy Hierarchy has been followed in developing an energy statement for the scheme which has prioritised the inclusion of energy efficiency measures and low carbon energy generation on-site. The long distance to an existing district heating network is not suitable for a connection to this site. The nearest DH network is approximately 7 miles from the site. An on-site Combined Heat and Power (CHP) and Heat Pump option has been considered and would serve the space heating and hot water requirements of the development.

4.186 A Building Regulations compliant scheme has been calculated as emitting 1,884 tonnes of CO2 a year. The proposed energy efficiency measures include improved insulation, better airtightness to reduce heat loss, heat recovery on ventilation systems, energy efficient lighting and an efficient space and water heating system which includes the Combined Heat and Power (CHP) system are calculated to reduce annual CO2 emissions to 1,165 tonnes. At this stage no solar PV’s are included as part of the development which could deliver further carbon dioxide reductions. On-site renewable energy generation is also proposed in the form of Heat Pumps which reduce emissions to 1,093 tonnes a year. The carbon reduction measures provide a 40% reduction in emissions compared to the baseline set by the Building Regulations 2013, which meets the London Plan 35% target.

4.187 As required of a major development, a Sustainability Statement in the form of a BREEAM Pre-Assessment report has been provided with the application. This is in the form of two assessments, one for Hotel 1 and one for Hotel 2. Both assessments
show that if the identified credits are achieved as outlined then the development would achieve a BREEAM rating of "Excellent".

4.188 In addition to the carbon reduction measures outlined in the energy assessment, other measures that would be designed include water efficiency, waste management and recycling facilities, use of building materials with low environmental impacts where possible, including recycled materials where feasible, inclusion of measures to minimise noise pollution and air quality impacts, flood risk and sustainable drainage measures, sustainable transport measures and biodiversity improvements. The development site would also be registered with the Considerate Constructors Scheme to encourage environmentally and socially considerate ways of working and reduce adverse impacts arising from the construction process.

4.189 The proposed approach in terms of energy and sustainability are supported, subject to the implementation of the measures outlined in the Energy Assessment and Sustainability Statement and a requirement for the submission of post construction BREEAM assessments to demonstrate that the “Excellent” rating has been achieved for both hotels. Subject to conditions to ensure that the implementation of the carbon reduction measures as outlined in the energy assessment and sustainability measure are carried out officers consider the proposals would meet planning policy requirements in terms of sustainable design and construction issues and accords with Policies 5.1, 5.2, 5.3, 5.6, 5.7, 5.8, 5.9, 5.11, 5.12, 5.13, 5.14, 5.15 and 7.19 of the London Plan and Policies CC1, CC2 and CC7 of the Local Plan.

**Air Quality**

4.190 The development site is within the borough wide Air Quality Management Area (AQMA), designated in 2000 for exceedance of two pollutants - Nitrogen Dioxide (N02) and Particulate Matter (PM10). The main local sources of these pollutants are road traffic and buildings (gas boiler emissions). The air quality in parts of Hammersmith are poor, particularly close to busy roads. NPPF Paragraph 124 relates to air quality and it states planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan.

4.191 **London Plan Policy 7.14** seeks that development proposals minimise pollutant emissions and promote sustainable design and construction to reduce emissions from the demolition and construction of the buildings; not worsen existing poor-quality air quality. Where additional negative air quality impacts from a new development are identified, mitigation measures would be required to ameliorate these impacts. This approach is consistent with paragraphs 120 and 124 of the NPPF. Further the Mayor of London’s Air Quality Strategy (2010) provides a framework of policy which aims to improve air quality in London.

4.192 **Local Plan Policy CC10** seeks to reduce potential adverse air quality impacts arising from new developments and sets out several requirements.

4.193 As required, an air quality assessment has been provided. The proposed development is for commercial use, with no live-in staff or permanent residents. The annual mean objectives for N02 and PM10 do not apply. The one-hour objective for
NO2 does apply, as there are outdoor locations within the proposals where people are reasonably expected to spend an hour or more. A risk assessment of the potential impacts of the demolition and construction phases of the proposed development on air quality and dust has been undertaken to identify appropriate mitigation measures. The impacts of the demolition, construction and operation phases of the proposed development have been considered. Due to the uplift in floorspace and use of the site there will be an impact with regards to air quality locally, however the overall impact is considered acceptable. Impacts of road traffic generated by the development on the surrounding area has been undertaken together with cumulative impacts. It is anticipated that the impact from road traffic would be low due to the provision of limited on-site parking and proximity to good public transport links. Mitigation measures through the use of travel plans promoting sustainable travel to reduce impacts on road traffic have been proposed. The impact of the emissions from the proposed energy plant on air quality and surrounding properties has been assessed. The energy plant consists of twelve gas fired water heaters, four combined heat and power (CHP) units and two gas fired boiler units. Subject to the inclusion of conditions prior to the commencement of above ground works for each phase of the development to address the above mitigation measures, officers consider that the proposed development can accord with Policies 7.14 of the London Plan and Policy CC10 of the Local Plan.

**Flood Risk and Drainage**

4.194 The NPPF seeks to meet the challenge of climate change, flooding, and coastal change by supporting the transition to a low carbon future in a changing climate taking account of flood risk and coastal change.

4.195 **London Plan Policies 5.11, 5.12, 5.13, 5.14 and 5.15** require new development to comply with the flood risk assessment and management requirements of national policy, including the incorporation of sustainable urban drainage systems, and specifies a drainage hierarchy for new development. Policy 5.3 identifies the efficient use of natural resources (including water) as a principle for informing the achievement of other policies in the London Plan. Policy 5.11 Part A subsection b recognises the role of green roofs and walls in delivering sustainable urban drainage objectives. Policy 5.13 further states that development should utilise SuDS unless there are practical reasons for not doing so and should aim to achieve greenfield run-off rates and manage surface water run-off close to source. Policy 5.14 states that planning decisions must ensure that adequate waste water infrastructure capacity is available in tandem with development. **Draft London Plan Policy SI13** sets out the same requirement and additionally states that proposals for impermeable paving should be refused and that drainage should be design and implemented to address water efficiency, river quality, biodiversity, and recreation.

4.196 **Local Plan Policy CC2** requires major developments to implement sustainable design and construction measures, including making the most efficient use of water.

4.197 **Local Plan Policy CC3** requires a site-specific Flood Risk Assessment (FRA) for developments in Flood Zones 2 and 3 that: (a) addresses the NPPF requirements; (b) takes account of the risk of flooding from all relevant sources; (c) integrates appropriate flood proofing measures where there is a risk of flooding; and
(d) provides structural waterproofing measures in subterranean elements and using non-return valves or equivalent to protect against sewer flooding.

4.198 **Local Plan Policy CC4** (‘Minimising surface water run-off with sustainable drainage systems’) requires all proposals for new development to ‘manage surface water run-off as close to its source as possible and on the surface where practicable, in line with the London Plan drainage hierarchy’. It also requires all major developments to implement SuDS ‘to enable reduction in peak run-off to greenfield run off rates for storms up to the 1 in 100-year event (plus climate change allowance)’ and to provide a sustainable drainage strategy to demonstrate how the strategy would enable these requirements. These are to be retained and maintained for the lifetime of the development, with details of their planned maintenance to be provided. SPD Key Principles FR1, FR2, FR3, FR6 and FR7 are also applicable.

4.199 This site is situated 650m north east of the River Thames and in the Environment Agency's Flood Zones 2 and 3. The east and far south of the site is located within Flood Zone 3. As required, a Flood Risk Assessment (FRA) has been provided with the application which considers a range of flood risks for the site.

4.200 With regards to flood risk from the River Thames, the site is well defended by flood defences in the form of the Thames Barrier and river wall defences. If these were breached or over-topped, Environment Agency modelling suggests the site would not be impacted. The railway cutting to the south of the site would most likely intercept flows in the worst-case scenario. The site is not in a surface water flooding hotspot although there could be some ponding of water in the event of a major storm. Surface water would be managed by implementing a Sustainable Drainage Strategy (SuDS). Basements are proposed, so groundwater and sewer flooding would need to be mitigated.

4.201 The FRA notes that, based on EA guidance, that the Finished Floor Levels (FFLs) should be set above the 2100 breach flood level which is 5.1m AOD. This is based on EA guidance of applying 300mm above the ground level of the site (4.8m AOD). The flow route of flood water is not clear at this stage would be determined by the ground levels of the proposed development. Currently the site is not completely level falling south to north. The FFL should be designed to encourage the flow of water away from buildings and towards the permeable areas. It is also stated that it is recommended that a Flood Action Plan is prepared to provide for safe access and egress procedures during a flood. Other recommendations have also been made for the inclusion of flood resistance measures and flood resilient materials to both the basement and ground floor level. Protection against sewer flooding would be provided by installing a non-return valve and pumped drainage within the basement. A warning bell or alarm system and the preparation of a Flood Evacuation Plan are also included.

4.202 With regards to groundwater flood risks, the FRA states that excavating below the development may result in the basement being susceptible to groundwater flooding when water table levels rise, or to seepage from water percolating and infiltrating through the gravel from the surface. Deep excavation may reach the average water table depth for the aquifer and pumping of water may be required during construction. The FRA recommends that the building is designed in
accordance with flood resilient design principals and states that it is expected that the requirements to meet normal building regulations and satisfy appropriate design criteria would deliver development that is at low risk from groundwater penetration or flooding. Measures recommended include sealing of the basement and the use of pumps with appropriate backup pumps.

4.203 Initially The London Plan Drainage Hierarchy did not follow the SuDS strategy. The proposed use green roofs was noted but no reference to integration of blue roofs was included or details relating to rainwater harvesting. More detail of the SuDS measures proposed for the site were therefore requested to ensure that the SuDS opportunities would be maximised on site and to be included an updated FRA. A number of additional SuDs measures are proposed in the revised FRA. Rainwater harvesting (RWH) is now proposed. Approximately 740 m² of roof area would drain into RWH tanks with 15,000 capacity. Water stored is proposed to be re-used for toilet flushing. Additional information has been provided on the green roof proposals. In total 1,200 m² of green roof space would be provided. Blue roofs are also included, integrated into 995 m² of the green roofs with approximately 95m³ of attenuation provided. Permeable paving and underground tanks would improve attenuation measures. Final discharge of surface water into the public sewer restricted to 2l/s represents a 95-98% improvement compared to the current arrangements. This is welcomed. Given that there are a number of elements where further design work is required, a condition is secured to require the submission of a detailed Surface Water Management Strategy for our approval. This will confirm the details of all SuDS measures to be integrated into the site, provide details of final discharge rates and connection points, quantify the attenuation achieved and provide information on how the SuDS measures will be maintained. Plans showing SuDS measures will also be required.

4.204 Subject to the inclusion of conditions requiring the submission of a Surface Water Drainage Strategy and Flood Risk Assessment officers consider that the proposed approach would be acceptable and in accordance with Policies 5.11, 5.13, 5.14 and 5.15 of the London Plan and policy requiring flood risk assessment and development to mitigate flood risk, Policies CC2, CC3, CC4 and CC5 of the Local Plan which requires development to minimise future flood risk.

Land Contamination

4.205 London Plan Policy 5.21 explains that ‘the Mayor supports the remediation of contaminated sites and would work with strategic partners to ensure that the development of brownfield land does not result in significant harm to human health or the environment, and to bring contaminated land to beneficial use’. For decision-making, the policy requires ‘appropriate measures’ to be taken to ensure that development on previously contaminated land does not activate or spread contamination.

4.206 Local Plan Policy CC9 requires a site assessment and a report on its findings for developments on or near sites known to be (or where there is reason to believe they may be) contaminated. Development would be refused ‘unless practicable and effective measures are to be taken to treat, contain or control any contamination’. Any permission would require that any agreed measures with the
council to assess and abate risks to human health or the wider environment are carried out as the first step of the development.

4.207 **Key Principles LC1-6 of the Planning Guidance SPG** identify the key principles informing the processes for engaging with the council on, and assessing, phasing and granting applications for planning permission on contaminated land. The latter principle provides that planning conditions can be used to ensure that development does not commence until conditions have been discharged.

4.208 A Preliminary Phase 1 Contamination Assessment Report (PRA) was submitted with the application. The site investigation undertaken conclude that none of the pollution linkages were active and therefore the overall risk was confirmed to be low. Further investigations are therefore not considered to be required and remediation works are unlikely to be required or would be limited.

4.209 Officers consider that in principle this report is acceptable. Further detail is however required due to potentially contaminative land uses possibly having occurred at, or near to, this site and these details can be appropriately and reasonably secured by way of conditions.

4.210 Subject to the inclusion of conditions requiring the submission of further information by condition, officers consider that the proposed development accords with Policies 5.21 and Policy CC9 of the Local Plan given that all identified potentially significant effects during the demolition and construction and the operational stages can be suitably adequately mitigated, such that the significance of the residual effects of the proposed development would be negligible and that the land would be suitable for the proposed uses.

**Wind and Microclimate**

4.211 **London Plan Policy 7.6** states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings in relation to (inter alia) wind and microclimate. **London Plan Policy 7.7** states that tall buildings should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing.

4.212 The Mayor's Sustainable Design and Construction SPG recognises at paragraph 2.3.7 that large buildings can alter their local environments and affect the micro-climate and notes that the Lawson Comfort Criteria can be used to assess the impact of a large building on the comfort of the street environment. It further states that developers should assess the potential impacts at ground level of any building that is significantly taller than its surroundings.

4.213 **Local Plan Policy DC3** states that tall buildings should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing. **Local Plan Policy CC2** seeks to ensure that developments are comfortable and secure for users and avoid impacts from natural hazards. In supporting text paragraph 13.7 explains that this policy is intended to ensure that developments help to enhance open spaces and contribute to well-being.
4.214 Draft London Plan further addresses wind and microclimate. Indirectly, draft Policy GG1 requires streets and public spaces to be planned for circulation by the comfort in comfort and safety, and to be welcoming. More directly, draft Policy D8 addresses the environmental impact of tall buildings, requiring careful consideration of the wind (and daylight, sunlight penetration and temperature) conditions around tall buildings and their neighbourhoods so that they do not compromise the comfort and enjoyment of them. Draft paragraph 3.1.2 further states the importance of a comfortable pedestrian environment with regard to levels of sunlight, shade, wind, and shelter from precipitation.

4.215 Chapter 4: ‘Wind Microclimate’ of the ES/ES Addendum considers the likely wind microclimate changes of the proposed development in and around the site. The consequences of the amendments to the proposed development on the wind microclimate assessment involving a reduction in height of the tallest part of Hotel 1 by three storeys have been considered. In the ES Addendum, the wind microclimate assessment states that a reduction in overall building height of Hotel 1 by three storeys would reduce the local wind speed at ground and terrace levels around the proposed development however, the reduction would be small and relatively localised. At worst, the wind microclimate conditions would be no windier than the original ES assessment. For this reason, the proposed wind microclimate is based on the results of the January 2019 ES assessment and have not been updated.

4.216 The existing wind conditions across the site and surroundings have been examined using wind tunnel testing and comparisons have been made with a completed development and landscape and structural mitigation measures.

4.217 During the construction phase wind speeds may increase slightly and locally during periods of demolition, as parts of the site become relatively free of obstructions. The effects of wind during the construction phase of the proposed development are considered to be negligible and therefore no mitigation measures are proposed. Once completed the proposed development is expected to have negligible or moderate effects on the site and surroundings. The windiest conditions are found at the southwest and south-east corner of the tallest building and between Hotel 1 and 2. Negligible effects on building entrances, rooftop terraces and amenity, sitting and play areas are anticipated. The conditions are however considered suitable for walking use. The effects on pedestrian circulation areas within the site have been considered and proposed soft landscaping and boundary treatments would act as a natural wind-break. The ES concludes that there are negligible cumulative effects on wind microclimate due to the size and distance of the committed developments from the development.

4.218 Subject to the inclusion of conditions requiring the implementation the mitigation measures required, officers consider that the proposed development would not result in an unacceptable wind microclimate that would cause harm, discomfort or safety issues to pedestrians or the environment around the buildings and accords with Policies 7.6 and 7.7 of the London Plan and Policies DC3 and CC2 of the Local Plan.
5.0 SECTION 106 HEADS OF TERMS AND CIL

S106 Heads of Terms

5.1 The NPPF provides guidance for local planning authorities in considering the use of planning obligations. It states that ‘authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations and that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition’.

5.2 London Plan Policy 8.2 states that: ‘When considering planning applications of strategic importance, the Mayor would take into account, among other issues including economic viability of each development concerned, the existence and content of planning obligations. Development proposals should address strategic as well as local priorities in planning obligations. Affordable housing and other public transport improvements should be given the highest importance’. It goes onto state: ‘Importance should also be given to tackling climate change, learning and skills, health facilities and services, childcare provisions and the provision of small shops.’

5.3 Local Plan Policy INFRA1 (Planning Contributions and Infrastructure Planning) states: ‘The Council would seek planning contributions to ensure the necessary infrastructure to support the Local Plan is delivered using two main mechanisms: ‘Community Infrastructure Levy The Council would charge CIL on developments in accordance with the CIL Regulations (as amended) and the LBHF CIL Charging Schedule. The Council would spend CIL on:

- infrastructure in accordance with the H&F Regulation 123 (R123) List;
- projects identified for ‘Neighbourhood CIL’; and
- CIL administration expenses (no more than the statutory cap).

5.4 The proposed S106 agreement heads of terms are:

- Affordable Workspace in ‘Hotel 1’ comprising the delivery of 1,646 sqm (GIA) floorspace on the 18th and 19th floors and provision/access to meeting rooms on the 20th and part of the 21st floors at affordable rates.
- Provision of community/rehearsal space in ‘Hotel 1’, free of charge for the local community and strategy for use by local groups/community and art groups, linked to a Community Use agreement.
- Local employment, skills and training comprising 27 apprenticeships, 40 paid & 40 unpaid work placements during the construction phase of the development a contribution of £374,500 towards training, outreach and engagement.
- Contribution of £38,500 towards skills development for local unemployed or underemployed people.
- Local procurement amounting to 10% of the total construction cost and contribution of £12,750 to assist local businesses
- Unrestricted access to new public open space (circa 1,900 sqm).
- Unrestricted access to the general public to the top floor bar of Hotel 1.
• Contribution of £100,000 payable to Transport for London (TfL), towards Healthy Street improvement works on the A4/Talgarth Road, to ensure improvements on the walking/ cycling environment in the vicinity of the application site.
• Provision of a comprehensive Travel Plan with review at years. 1, 3 and 5 and monitoring fees of £3,000 per year.
• Construction Workers Travel Plan monitoring fee of £5,000 per annum until completion of works
• Contribution of £50,000 towards Hammersmith Underpass Cycle Hub.
• Operational Hotel Management Plan including details of coach management arrangements (plus restriction on length of coaches to a maximum 14m) and adequate management arrangements in place to control traffic and minimise disruption to the network from taxis and deliveries.

Mayoral and Local CIL
5.5 This development would be subject to a London wide community infrastructure levy. The Mayor’s CIL (Community Infrastructure Levy) came into effect in April 2012 and new fee rates came into effect in April 2019. This would contribute towards the funding of Crossrail. The GLA expect the Council, as the Collecting Authority, to secure the levy in accordance with London Plan Policy 8.3 and is chargeable in the case of B1 office space at £185 per sqm and £140 per sqm for the hotel space and this is calculated on an uplift in floor space (GIA). The chargeable amount applicable to Local CIL is zero in the case of hotel floorspace and would therefore be only applicable to the Class B1(a) office floorspace at a rate of £80/m2 (GIA).

6.0 RECOMMENDATION

6.1 In considering the planning application, the Local Planning Authority has had regard to the development plan as a whole and planning applications that accord with the development plan should be approved without delay, unless material considerations indicate otherwise and any adverse impacts of doing so would significantly and demonstrably outweigh the benefits

6.2 In the assessment of the application regard has been given to the NPPF, London Plan, and Local Plan policies as well as guidance. It is considered that the proposal is acceptable in land use and design terms. The quantum of the proposed land uses and the resulting nature of the site does not give rise to any unacceptable impacts and will amount to sustainable development in accordance with the National Planning Policy Framework.

6.3 The proposal would result in the demolition of a vacant building, in a prime town centre location and the construction of a two hotel buildings up to 23 storeys in height, affordable workspace and meeting rooms, public accessible roof top bar and garden space and a basement cultural facility. The reasons set out in this report, officers consider the development would have a positive impact on the viability and vitality of the town centre, with substantial public gain with regard to employment opportunities during demolition, construction and operation in addition to the benefits realised by the cultural offer, the introduction of permeability through the site, the public bar and the linkage of the site to the town centre.
6.4 The proposal would contribute strongly to building a strong, responsive and competitive local economy, that would contribute to the function of the town centre and would create further employment opportunities in a mixed and varied way leading to a range of uses. The redevelopment and the proposed uses would also contribute by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being. The proposed development will achieve an excellent sustainability rating, will exceed London Plan target with regards to CO2 savings and would see a reduction of car parking spaces on site with the introduction of 120 cycle spaces and adapting to climate change.

6.5 It is considered that the proposals will deliver good quality architecture which optimises the capacity of the site with good quality good hotel, cultural and commercial accommodation. The development would provide new high-quality public realm. The height, scale and massing of the proposed built form is appropriate and provides a satisfactory design response to the site and surrounding townscape at its edges. The elevations have an architectural character which provides interest across the frontages. The relationship between the built form and public realm would assist in the creation of a sense of place. Where harm has been identified to heritage assets, including both the Mall, and Barons Court conservation areas, it is considered this is outweighed by the substantial social, economic and environmental public benefits that the proposal would deliver.

6.6 The proposed development is considered to have an acceptable impact upon the amenities and living conditions within surrounding properties in respect of daylight, sunlight, over-shadowing, overlooking/privacy, noise, and vibration impacts. Although there are recorded incidences whereby the impacts exceed the BRE technical guide for daylight, there are very few overall transgressions and the extent of level changes are moderate at worst. With regards to noise and privacy impacts, the proposals are acceptable on the basis that planning conditions are secured to limit the additional impacts to arise out of the development, including those during construction and demolition phases. Potential impacts in terms of air quality, light pollution, and noise would be acceptable regarding the various mitigation methods proposed which are secured by condition. In this regard, the development would respect the principles of good neighbourliness.

6.7 Accordingly it is recommended that the proposal be granted subject to the conditions listed, the completion of s106 and no contrary direction from the Mayor of London.