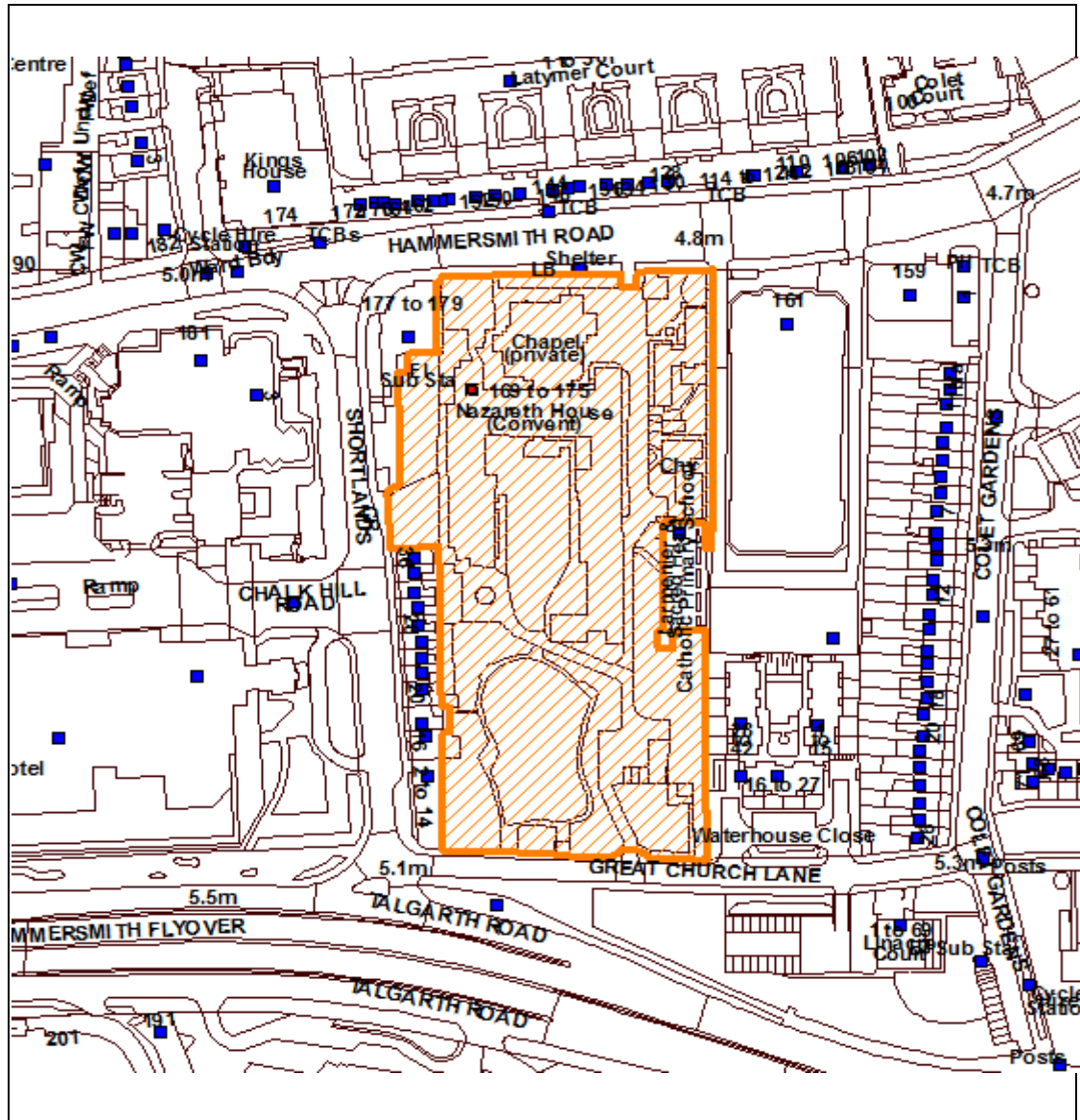


Ward: Avonmore And Brook Green

Site Address:

Nazareth House 169 - 175 Hammersmith Road London W6 8DB



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For identification purposes only - do not scale.

Reg. No:
2017/00392/FUL

Case Officer:
Grace Harrison

Date Valid:
23.03.2017

Conservation Area:

Committee Date:
07.01.2020

Applicant:

Congregation Of The Sisters Of Nazareth Charitable Trust
C/o Agent

Description:

Erection of a part two, part three, part four, part five storey building at the south east corner of the site to provide 37 units of specialist care accommodation for older people (Class C2); for the erection of three (Class C3) two storey high terrace dwellinghouses adjoining and to the north of no.36 Shortlands Terrace; minor external alterations to Nazareth House forming new care home entrance and removing later additions; alterations to the entranceway including modifications to the boundary wall and partial demolition of reception block; creation of car parking, new landscaping and associated works.

Drg Nos: 6649-PL-002 Rev D; 6649-PL-003 Rev N;6649-PL-004 Rev C; 6649-PL-005 Rev C;6649-PL-006 Rev D; 6649-PL-007 Rev D;6649-PL-008 Rev C; 6649-PL-009 Rev C;6649-PL-010 Rev C; 6649-PL-011 Rev C;6649-PL-012 Rev C; 6649-PL-013 Rev C;6649-PL-014 Rev C; 6649-PL-015 Rev C;6649-PL-017 Rev B; 6649-PL-023 Rev N;6649-PL-024 Rev L; 6649-PL-025 Rev N6649-PL-028 Rev G; 6649-PL-029 Rev F;6649-PL-030;6649-PL-031 Rev A; 6649-PL-032 Rev A;6649-PL-033 Rev D; 6649-PL-034 Rev A;6649-PL-034 Rev A; 6649-PL-036 Rev E;6649-PL-045 Rev F; 6649-PL-046 Rev C;6649-PL-050 Rev A; 6649-PL-051 Rev C;6649-PL-055 Rev B; 6649-PL-056 Rev B;6649-PL-057 Rev A; 6649-PL-058 Rev A;6649-PL-059 Rev B; 6649-PL-060 Rev A;6649-PL-068 Rev E; 6649-PL-069 Rev F;6649-PL-072 Rev B; 6649-PL-073;6649-SK-053 Rev D;6649-SK-054 Rev A;6649-SK-055 Rev B;6649-SK-056 Rev A.

Application Type:

Full Detailed Planning Application

Nazareth House Addendum Report

- 1.0 The application, at Appendix 01, was presented to the committee at the meeting held on 13th June 2018. The application was for:

Erection of a part two, part three, part four, part five storey building at the south east corner of the site to provide 37 units of specialist care accommodation for older people (Class C2); for the erection of three (Class C3) two storey high terrace dwellinghouses adjoining and to the north of no.36 Shortlands Terrace; minor external alterations to Nazareth House forming new care home entrance and removing later additions; alterations to the entranceway including modifications to the boundary wall and partial demolition of reception block; creation of car parking, new landscaping and associated works.

- 1.1 Members resolved to grant planning permission for the proposal subject to conditions and the completion of a legal agreement.
- 1.2 Paragraphs 5.7 and 5.64 of the Officer's report to Committee refer to "nomination agreements" for the new specialist care units, and the requirement to include them within the section 106 agreement. However, this was an error as the scheme is entirely private with no public funding and providing specialist care homes. Therefore, in these instances, the local authority will not have any rights to nominate service users for housing within the scheme.

- 1.3 Officers are proposing to amend the Officer's Report to remove reference to "nominations agreements" and replace it with "eligibility criteria". There will still be a requirement for the developer to agree a list of eligibility criteria with the council as part of the section 106 agreement, to ensure that the new extra care housing is only occupied by persons with an identified care need.
- 1.4 All the other heads of terms remain the same as previously agreed, as outlined in para 5.64 of the original report (Appendix 01).

Officer Recommendation:

That the Committee resolve that the Strategic Director, The Economy Department be authorised to grant permission up on the completion of a satisfactory legal agreement and subject to the condition(s) listed below.

The Strategic Director, The Economy Department, 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 heads of terms of the legal agreement or conditions which may include the variation, addition or deletion of the conditions, any such changes shall be within their discretion.

- 1) The development hereby permitted shall not commence later than the expiration of 3 years beginning with the date of this planning permission.

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) The development shall be carried out and completed in accordance with the following approved drawings:

6649-PL-002 Rev D; 6649-PL-003 Rev N; 6649-PL-004 Rev C; 6649-PL-005 Rev C; 6649-PL-006 Rev D; 6649-PL-007 Rev D; 6649-PL-008 Rev C; 6649-PL-009 Rev C; 6649-PL-010 Rev C; 6649-PL-011 Rev C; 6649-PL-012 Rev C; 6649-PL-013 Rev C; 6649-PL-014 Rev C; 6649-PL-015 Rev C; 6649-PL-017 Rev B; 6649-PL-023 Rev N; 6649-PL-024 Rev L; 6649-PL-025 Rev N 6649-PL-028 Rev G; 6649-PL-029 Rev F; 6649-PL-030; 6649-PL-031 Rev A; 6649-PL-032 Rev A; 6649-PL-033 Rev D; 6649-PL-034 Rev A; 6649-PL-034 Rev A; 6649-PL-036 Rev E; 6649-PL-045 Rev F; 6649-PL-046 Rev C; 6649-PL-050 Rev A; 6649-PL-051 Rev C; 6649-PL-055 Rev B; 6649-PL-056 Rev B; 6649-PL-057 Rev A; 6649-PL-058 Rev A; 6649-PL-059 Rev B; 6649-PL-060 Rev A; 6649-PL-068 Rev E; 6649-PL-069 Rev F; 6649-PL-072 Rev B; 6649-PL-073; 6649-SK-053 Rev D; 6649-SK-054 Rev A; 6649-SK-055 Rev B; 6649-SK-056 Rev A.

In order to ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with the policies of the London Plan (2016) and Policy DC1 of the Local Plan (2018).

- 3) The development hereby permitted shall not commence until details and samples of all materials to be used on the external faces of the new apartment building, including walls, roof coverings, windows and doors, have been submitted to and

approved in writing by the Council. Thereafter 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, in accordance with Policies DC1, DC4 and DC8 of the Local Plan (2018).

- 4) The development hereby permitted shall not commence until details and samples of all materials to be used on the external faces of the new Shortlands houses, including walls, roof coverings, windows and doors, have been submitted to and approved in writing by the Council. Thereafter 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, in accordance with Policies DC1, DC4 and DC8 of the Local Plan (2018).

- 5) All new works and finishes and works of making good to the retained historic fabric of Nazareth House, including all boundary walls, shall match existing adjacent original work with regard to the methods used and to materials, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this consent.

In order to ensure a satisfactory external appearance and to preserve the architectural and historical significance of the locally listed Building of Merit, in accordance with Policies DC1, DC4 and DC8 of the Local Plan (2018) and Key Principle BM2 of the Planning Guidance Supplementary Planning Document (2018).

- 6) The development hereby permitted shall not commence until detailed drawings, at a scale of no less than 1:20, of typical bays in plan, section and elevation of the front elevation of the new Shortlands houses, including the junction between the new building and the existing terrace, have been submitted to and approved in writing by the Council. Thereafter 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 prevent harm to the street scene, in accordance with Policies DC1, DC4 and DC8 of the Local Plan (2018).

- 7) The development hereby permitted shall not commence until detailed drawings, at a scale of no less than 1:20, of typical bays in plan, section and elevation of each elevation of the new apartment building have been submitted to and approved in writing by the Council. Thereafter 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 prevent harm to the street scene, in accordance with Policies DC1, DC4 and DC8 of the Local Plan (2018).

- 8) The development shall not commence until detailed drawings, at a scale of no less than 1:10, of a typical bay in plan, section and elevation of the Hammersmith Road

elevation of the north boundary wall, together with a method statement and details of materials, has been submitted to, and approved in writing by, the Council. 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 prevent harm to the street scene, in accordance with Policies DC1, DC4 and DC8 of the Local Plan (2018).

- 9) The development shall not commence until detailed drawings, at a scale of no less than 1:10 in plan, section and elevation of the alterations to the south boundary wall, has been submitted to, and approved in writing by, the Council. 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 prevent harm to the street scene, in accordance with Policies DC1, DC4 and DC8 of the Local Plan (2018).

- 10) The development hereby permitted shall not commence until full details of the green wall and green roof systems to be created on the roof and elevations of the new apartment block have been submitted to, and approved in writing by, the local planning authority. Details shall include sections, including details of how the system would be affixed to the building, as well as a maintenance plan, and no part of the development shall be used or occupied prior to the completion of the development in accordance with the agreed details and all green walls and green roofs shall be retained for the lifetime of the development

To ensure a satisfactory external appearance, in accordance with Policies DC1, DC4 and DC8 of the Local Plan (2018).

- 11) The development hereby permitted shall not commence until full details, including drawings in elevation and section at a scale of 1:20, of the photovoltaic (PV) solar panels to be installed on the roofs of the new Shortlands houses and the new apartment building have been submitted to, and approved in writing by, the Council. Thereafter no part of the development shall be used or occupied prior to the completion of the development in accordance with the agreed details.

To ensure a satisfactory external appearance, in accordance with Policy DC1 of the Local Plan (2018) and Policy BE1 of the Core Strategy (2011).

- 12) Prior to installation of any external artificial lighting, details shall be submitted to, and approved in writing by, the Council. Details shall also be submitted for approval of measures to minimise use of lighting and prevent glare and sky glow by correctly using, locating, aiming and shielding luminaires. Approved details shall be implemented prior to use of the development and thereafter be permanently retained.

To ensure a satisfactory external appearance and to ensure that the amenity of occupiers of surrounding premises is not adversely affected by lighting, in accordance with Local Plan (2018) Policies DC2, DC8 and CC13.

- 13) The development hereby permitted shall not commence until details, and samples of surface materials, of the hard and soft landscaping of all areas external to the

buildings, including planting, planting schedules and paving, and detailed drawings at a scale of not less than 1:20 in plan, section and elevation of all new boundary treatments, fences, gates and other means of enclosure, and details, including samples, of boundary treatment materials have been submitted to, and approved in writing by, the Council. The landscaping shall be carried out in accordance with the approved details and it shall thereafter be permanently retained as such. The approved planting shall be carried out in the first planting season following first use of the development. Any planting removed or severely damaged, dying or becoming seriously diseased within 5 years of planting shall be replaced in the next available planting season with a tree or shrub of similar size and species to that originally required to be planted.

To ensure a satisfactory external appearance and satisfactory provision for permeable surfaces in accordance with Policies OS5, DC1, DC2, DC8 and CC4 of the Local Plan (2018).

- 14) No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works. If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;

B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. this part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

To ensure satisfactory preservation of archaeological heritage, in accordance with Policy DC1 and DC8 of the Local Plan (2018).

- 15) No alterations shall be carried out to the external appearance of any part of the development hereby approved, including the installation of air-conditioning units, ventilation fans or extraction equipment not shown on the approved drawings, without planning permission first being obtained. Any such changes shall be carried out in accordance with the approved details.

To ensure a satisfactory external appearance and to prevent harm to the amenities of the occupiers of neighbouring residential properties, in accordance with Policies DC1, DC2, DC4, DC8 and HO11 of the Local Plan (2018).

- 16) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending, revoking

and re-enacting that Order) 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 that the visual impact of telecommunication equipment can be considered in accordance with Policies DC1, DC2, DC4 and DC8 of the Local Plan (2018).

- 17) The development shall not commence until a statement of how Secured by Design requirements are to be adequately achieved for the new apartment block has been submitted to and approved in writing by the Council. The approved details shall be carried out prior to occupation of the development and permanently maintained thereafter.

To ensure a safe and secure environment for users of the development, in accordance with Policies DC2 and HO11 of the Local Plan (2018).

- 18) The development shall not commence until a statement of how Secured by Design requirements are to be adequately achieved for the new Shortlands houses has been submitted to and approved in writing by the Council. The approved details shall be carried out prior to occupation of the development and permanently maintained thereafter.

To ensure a safe and secure environment for users of the development, in accordance with Policies DC2 and HO11 of the Local Plan (2018).

- 19) With the exception of those units identified as wheelchair units on the approved plans, the all of the residential units hereby permitted shall be created to meet M4(2) Category 2: 'Accessible and adaptable dwellings' of the Building Regulations 2010 Approved Document M 'Access to and use of buildings' (2015 Edition); and be permanently retained as such thereafter.

To ensure that the development provides accessible accommodation in accordance with Policy 3.8 of the London Plan (2016) and Policy HO6 of the Local Plan (2018).

- 20) The residential units within the new apartment block hereby permitted that are identified as wheelchair units on the approved plans shall be created to meet M4(3) Category 3: 'Wheelchair user dwellings' of the Building Regulations 2010 Approved Document M 'Access to and use of buildings' (2015 Edition); and be permanently retained as such thereafter.

To ensure that the development provides accessible accommodation in accordance with Policy 3.8 of the London Plan (2016) and Policy HO6 of the Local Plan (2018).

- 21) With the exception of the areas explicitly identified as roof terraces/balconies on the approved drawings, no part of any other roof of the approved buildings shall be used as a terrace or other amenity space, and the roof terraces as approved shall not be subsequently enlarged prior to the submission and approval in writing of a further planning application. No other part of any roof of the building shall be used as a roof terrace or other form of open amenity space. No alterations shall be

carried out; nor planters or other chattels placed on the roofs in connection with their use as a roof terrace or other form of open amenity space. No railings or other means of enclosure shall be erected on the roofs, and no alterations shall be carried out to any elevation of the application property to form access onto the roofs.

To safeguard the amenities of the occupiers of neighbouring properties, and to avoid overlooking and loss of privacy and the potential for additional noise and disturbance, in accordance with Policies HO11 and CC11 of the Local Plan (2018).

- 22) The development hereby permitted shall not be occupied or used until the flood resilient design measures and sustainable drainage measures identified in the Flood Risk Assessment (FRA) submitted with this application are fully implemented. The measures shall thereafter be permanently retained.

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 of the London Plan (2016), Policy CC3 and CC4 of the Local Plan (2018), the National Planning Policy Framework (2012) and the Technical Guidance to the National Planning Policy Framework (2012)

- 23) Prior to the commencement of the development, an Air Quality Dust Management Plan (AQDMP) shall be submitted to and approved in writing by the Council. The AQDMP must include an Air Quality Dust Risk Assessment (AQDRA) that considers residential receptors on-site and off-site of the development and is undertaken in compliance with the methodology contained within Chapter 4 of the Mayor's of London 'The Control of Dust and Emissions during Construction and Demolition', SPG, July 2014 and the identified measures recommended for inclusion into the site specific AQDMP. The AQDMP submitted must comply with and follow the chapter order (4-7) of the Mayors SPG and should include an Inventory and Timetable of dust generating activities during demolition and construction; Dust and Emission control measures including on-road construction traffic e.g. use of Low Emission Vehicles; Non-Road Mobile Machinery (NRMM). Details of all the NRMM that will be used on the development site will be required and the NRMM should meet as minimum the Stage IIIB 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 must be registered on the NRMM register <https://nrmm.london/user-nrmm/register>. Air quality monitoring of PM10 should be undertaken where appropriate and used to prevent levels exceeding predetermined Air Quality threshold trigger levels. Developers must ensure that on-site contractors follow best practicable means to minimise dust and emissions at all times. The development shall not be occupied until the scheme has been carried out in accordance with the approved details, and it shall thereafter be permanently retained as such.

To comply with the requirements of the NPPF (2012), Policies 7.14a-c of the London Plan (2016) (including 2013 alterations) and Policy CC10 of the Local Plan (2018).

- 24) Prior to the commencement of the development (excluding site clearance and demolition) a Low Emission Strategy shall be submitted to and approved in writing

by the Local Planning Authority. The Low Emission Strategy must detail the remedial action and mitigation measures that will be implemented to protect receptors (e.g. abatement technology for energy plant, design solutions). This Strategy must make a commitment to implement the mitigation measures (including NOx emissions standards for the chosen energy plant) that are required to reduce the exposure of future residents to poor air quality and to help mitigate the development's air pollution impacts, in particular the emissions of NOx and particulates from on-site transport during Demolition, Construction and Operational phases e.g. use of Low Emission Vehicles, and energy generation sources. The strategy must re-assess air quality neutral in accordance with the Mayor of London SPG 'Sustainable Design and Construction' (April 2014) guidance. It must also identify mitigation measures as appropriate to reduce building emissions to below GLA benchmark levels. 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 (2012), Policies 7.14a-c of the London Plan (2016) (including 2013 alterations), Core Strategy (2011) Policy CC4, and Policy DM H8 of the Development Management Local Plan (2013).

- 25) Prior to the commencement of the development (excluding site clearance and demolition) details must be submitted to and agreed in writing by the council of the Ultra Low Nox Gas fired boilers to be provided for space heating and domestic hot water. The Gas fired boilers to be provided for space heating and domestic hot water shall have dry NOx emissions not exceeding 40 mg/kWh (at 0% O₂). Where any installations do not meet this emissions standard it should not be operated without the fitting of suitable NOx abatement equipment or technology as determined by a specialist to ensure comparable emissions. Following installation, emissions certificates shall be provided to the council to verify boiler emissions. The development shall not be occupied until the scheme has been carried out in accordance with the approved details, and it shall thereafter be permanently retained as such.

To comply with the requirements of the NPPF (2012), Policies 7.14a-c of the London Plan (2016) and Policy CC10 of the Local Plan (2018).

- 26) The development hereby permitted shall not be occupied or used until the carbon reduction measures identified in the submitted Sustainability and Energy Statement (dated November 2016) have been fully implemented. The measures shall thereafter be permanently retained.

To reduce the development's carbon emissions and resource use, in accordance with Policies 5.1 and 5.2 of the London Plan (as amended in 2016), National Planning Policy Framework (2012) and the Technical Guidance to the National Planning Policy Framework (2012) and Policy CC1 of the Local Plan (2018).

- 27) Prior to commencement of the development, (excluding site clearance and demolition) a report including detailed information on the proposed mechanical ventilation system with NOx filtration for all habitable rooms on residential floors shall be submitted to and approved in writing by the Council. This report shall specify air intake and air extract locations at rear roof level. The whole system shall be designed to prevent summer overheating and minimise energy usage.

Chimney/boiler flues and ventilation extracts shall be positioned a suitable distance away from ventilation intakes, openable windows, balconies, roof gardens, terraces and receptors. 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. The approved details shall be fully implemented prior to the occupation/use of the residential development and thereafter permanently retained and maintained

To ensure the future occupants of the development are not adversely affected through poor air quality, in accordance with Policy CC10 of the Local Plan (2018).

- 28) No development shall commence until a preliminary risk assessment report is submitted to and approved in writing by the Council. 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 Policy CC9 of the Local Plan (2018).

- 29) No development shall commence until a site investigation scheme is submitted to and approved in writing by the Council. 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 Policy CC9 of the Local Plan (2018).

- 30) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until, following 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 Council. 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 Policy CC9 of the Local Plan (2018).

- 31) Unless the Council 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 Council. 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 Policy CC9 of the Local Plan (2018).

- 32) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until the approved remediation 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 Council. 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 Council is to be informed immediately and no further development (unless otherwise agreed in writing by the Council) 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 Council. 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 Policy CC9 of the Local Plan (2018).

- 33) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until an onward long-term monitoring methodology report is submitted to and approved in writing by the Council 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 Council 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 Policy CC9 of the Local Plan (2018)

- 34) Prior to commencement of development a Delivery and Servicing Management Plan shall be submitted to and approved in writing by the Council. Details shall include times of deliveries and collections.

To ensure that the amenity of occupiers of the development site is not adversely affected by Noise and traffic, in accordance with Policy CC10, CC11, T2 Development Management Local Plan 2018.

- 35) Prior to commencement of the development hereby approved the following shall be submitted to and approved in writing by the council:

(i) A Demolition and Construction Management Plan.

Details shall include control measures for dust, noise, vibration, lighting, delivery locations, 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 numbers, size and routes of demolition and construction vehicles, provisions 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 approved details shall be implemented throughout the project period.

(ii) A Demolition and Construction Logistics Plan.

This shall be in accordance with Transport for London (TfL) requirements and must seek to minimise the impact of demolition and construction traffic on nearby roads and restrict construction trips to off peak hours only. The approved details shall be implemented throughout the project period.

To ensure that demolition and construction works do not adversely impact on the operation of the public highway, and that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the building site, in accordance with Policies T7, CC11 and CC13 of the Local Plan (2018).

- 36) The apartment building shall not be used or occupied before a Refuse Management Strategy detailing arrangements for the storage and collection of refuse and recyclables for the new apartment building has been submitted to, and approved in writing by the local planning authority. Thereafter the development shall be carried out and implemented only in accordance with the agreed details.

To ensure the satisfactory provision of refuse storage and recycling, in accordance with Policy CC7 of the Local Plan (2018).

- 37) Prior to commencement of the development, details shall be supplied of 1 electric vehicle parking space and one space with passive provision within the new car park for the apartment block, and thereafter no part of the development shall be occupied until the provision for electric vehicle parking has been made in accordance with the agreed details, and the provision shall be permanently retained thereafter.

To ensure provision is made for electric vehicles to park on the site in accordance with Table 6.2 of the London Plan, Policy T4 of the Local Plan (2018) and Key Principle TR7 of the Planning Guidance Supplementary Planning Document (2018).

- 38) The development shall not be used or occupied until full details of the dimensions and type of the cycle spaces shown on the approved drawing no. 6649-PL-003 Rev N have been submitted to, and approved in writing by, the Council. The details shall include the type, size and dimensions of the cycle spaces. The facilities shall be implemented prior to occupation or use of the development and shall be permanently retained thereafter.

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

- 39) The development hereby permitted shall not commence until details of the extended crossover to Great Church Lane have been submitted to, and approved in writing by, the Council. Thereafter the all of the works proposed shall be carried out by a Council-approved contractor at the full expense of the applicant.

In order to minimise on street parking in the vicinity of the application site and to ensure that the amenities of neighbouring residential occupiers are not unduly affected, in accordance with Policies DM J1, DM J6, DM H9, DM H11 of the Development Management Local Plan 2013.

- 40) Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of an enhanced sound insulation value $D_{nT,w}$ and $L'_{nT,w}$ of at least 5dB above the Building Regulations value, for the floor/ceiling/wall structures separating different types of rooms/ uses in adjoining dwellings in the new Shortlands houses. The 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 is not adversely affected by noise, in accordance with Policies CC11 and CC13 of the Local Plan (2018).

- 41) Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of an enhanced sound insulation value $D_{nT,w}$ and $L'_{nT,w}$ of at least 5dB above the Building Regulations value, for the floor/ceiling/wall structures separating different types of rooms/ uses in adjoining dwellings in the new apartment block. The 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 is not adversely affected by noise, in accordance with Policies CC11 and CC13 of the Local Plan (2018).

- 42) The development hereby approved shall not commence until details and a sample of the obscure glazing, to be used for the windows identified on the approved apartment floor plans, have been submitted to and approved in writing by the Council. The obscure glazing shall thereafter be installed in accordance with the approved details and the approved planning drawings prior to the occupation of the development and shall be permanently retained thereafter.

In order to prevent harm to the existing residential amenities of the occupiers of neighbouring properties as a result of overlooking and loss of privacy, contrary to Policy HO11 of the Local Plan (2018) and Key Principle HS7 of the Planning Guidance Supplementary Planning Document (2018).

Justification for Approving the Application:

- 1) 1. Land Use: The proposal would achieve a sustainable development by efficiently intensifying the existing use on site, on what is partially previously developed land. The proposal would provide much needed specialist care accommodation for older people as well as improving upon existing care home provision, and would also provide three additional units of mainstream housing. The proposal is considered to be in accordance with Local Plan Policies HO1, HO4, HO6, HO7 and HO11 of the Local Plan (2018).
2. Housing: The quality of accommodation, including internal design and layout of the new residential units, is considered to be of high quality and appropriate for the needs of the intended occupants, having regard to the Mayor's Design Guidelines and London Plan (2016) Policies 3.5 and Table 3.3, together with Policies HO3, HO6, HO7 and HO11 of the Local Plan (2018).

3. Design: The development is considered to comply with Local Plan (2018) Policies DC1, DC2, DC4 and DC8 which require a high standard of design in all new build developments and extensions and alterations to existing buildings, compatible with the scale and character of existing development and its setting, and London Plan policies 7.1, 7.4, 7.6 which seek a high quality in design and architecture, requiring new developments to have regard to the pattern and grain of existing development. The development would preserve and enhance the special architectural and historic features and setting of the Building of Merit on the site, in accordance with Local Plan (2018) Policy DC8 and Key Principle BM2.

4. Residential Amenity: The impact of the proposed development upon adjoining occupiers is considered acceptable. The proposal would not have an unacceptably harmful impact on neighbouring residential amenity in terms of light, outlook or privacy and noise and disturbance. The commercial use would not result in unacceptable noise and disturbance to nearby residents, subject to conditions. In this regard, the development would respect the principles of good neighbourliness, and would therefore be acceptable in accordance with Policies HO11 and DC4 of the Local Plan (2018).

5. Accessibility and Safety: The development would provide a safe and secure environment for all users, and would provide ease of access for all people, including disabled people, in accordance with in accordance with Policies DC1, DC2, HO6 and HO11 of the Local Plan (2018) and Policies 3.8 and 7.2.

6. Highways matters: It is considered that the scheme would not have a significant further impact on the highway network or local parking conditions and is thus considered to be acceptable. Satisfactory provision would be made for cycle parking and future occupiers of the net new units would be prevented from obtaining on-street parking permits, to help prevent overspill of parking onto the local highways. There are available public transport and other services nearby and adequate provision for storage and collection of refuse and recyclables would be provided. The development thereby accords with Local Plan (2018) Policies T1, T3, T4, T5 and T7 as well as CC7 and London Plan 2016 Policies 6.1, 6.3, 6.10, 6.11 and 6.13.

7. Environment: The impact of the development with regards to land contamination, flood risk, tree protection and air quality are considered to be acceptable subject to the recommended conditions, in accordance with Local Plan (2018) Policies CC9, CC10, CC3, CC4 and OS5.

**LOCAL GOVERNMENT ACT 2000
LIST OF BACKGROUND PAPERS**

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

Application form received: 1st February 2017
Drawing Nos: see above

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

Consultation Comments:

Comments from:

Thames Water - Development Control
Historic England London Region

Dated:

10.04.17
21.04.17

Neighbour Comments:

Letters from:

Dated:

2 Waterhouse Close London W6 8DQ	20.04.17
2 Waterhouse Close London W6 8DQ	08.09.17
39 Waterhouse Close London W6 8DQ	21.04.17
115A Latymer Court Hammersmith Road London W6 7JF	10.04.17
31 Waterhouse Close London W6 8DQ	20.04.17

Appendix 01

ORIGINAL OFFICER'S REPORT

1.0 SITE DESCRIPTION

1.1 The application site is located on the southern side of Hammersmith Road and is bounded by Great Church Lane to the south and Shortlands Terrace to the west. Adjoining the site to the east is a group of three storey flatted blocks on Waterhouse Close.

1.2 The Nazareth House site comprises a complex of Victorian buildings which includes an existing 90 bed care home, convent, chapel and ancillary offices and guest accommodation for the religious order. The site also accommodates an empty school building, car parking and areas of landscaped open space towards the south.

1.3 The site is not located within a conservation area. However, it is adjacent to the Brook Green Conservation Area, the boundary of which runs along the middle of Hammersmith Road encompassing the Latymer Court flats directly opposite the site. The Victorian convent and chapel buildings on the site are locally listed Buildings of Merit, but the site does not contain any statutorily listed buildings.

1.4 The site benefits from excellent public transport accessibility (PTAL 6b according to Transport for London methodology) and is also within the Environment Agency's Flood Zones 2 and 3.

2.0 RELEVANT PLANNING HISTORY

2.1 An application was approved for the erection of a single storey office extension to the side of the existing St Michael's Convent, located towards the north east corner of the site, following the demolition of the existing garage (2017/04914/FUL).

2.2 Additional planning history for the site comprises historical applications for minor works only, and these are not of any particular relevance to the current application.

3.0 PROPOSAL

3.1 The application seeks planning permission for the erection of a part two, part three, part four and part five storey building in the south east corner of the site to provide 37no. units of specialist care accommodation for older people (Use Class C2); the erection of 3no. two storey terrace houses (Use Class C3) adjoining the north of No.36 Shortlands Terrace; and minor external alterations to Nazareth House itself forming a new care home entrance and removing later additions; and alterations to the entranceway including modifications to the boundary wall and partial demolition of the reception block. The application also includes the reconfiguration of parts of the wider site including the demolition of a number of minor buildings and structures, the creation of new car parking, landscaping and associated works.

4.0 CONSULTATION RESPONSES

4.1 The application has undergone two rounds of public consultation. In response to the first consultation, carried out in March/April 2017, a total of 4 public comments were received from the following addresses: 2, 31 and 39 Waterhouse Close, and 115A Latymer Court. The comments may be summarised as follows:

Support:

- This is a commendable proposal of benefit to the community and should not impact greatly on the immediate area or surroundings;
- The development is much needed and the Council should adopt a "can-do" attitude to overcome any issues and make it happen.

Objections/ concerns:

- Vehicle flow on Hammersmith Road is easily affected, especially on Friday nights. The work should be contained so they don't create problems here;
- Overshadowing/ loss of daylight to dwellings on Waterhouse Close;
- Loss of privacy for dwellings at Waterhouse Close;
- More traffic using the Great Church Lane entrance could lead to serious congestion issues, it is already quite congested when there is a function at the Novotel hotel nearby;
- Loss of existing views for Waterhouse Close residents;
- The new building would detract from the aesthetic value of the conservation area;
- There is likely to be visiting families for the new residents and there could be noise disturbances for the current residents of Waterhouse Close, particularly in the summer months.

4.2 The application was presented to the Design Review Panel on 22nd August 2017. A summary of the Panel's key comments are as follows:

- Proposals for the refurbishment of Nazareth House are welcomed in principle giving this important historic building a new lease of life;
- Support for alterations/new openings in the front boundary wall to Hammersmith Road;
- Design of the apartment block is not happy or inspiring. It has a cold 'institutional' feel;
- Applicants are encouraged to explore ways of detailing the top of the building;
- Concern about single-aspect north facing units;

- Balconies to the main elevations could help provide much needed detail and articulation to the façade;
- Concerned with the proposal to use timber cladding for the ground floor elevation;
- Cill heights would need to be set an appropriate level for wheelchair users with easily openable windows for disabled residents;

4.3 Following the initial public consultation and feedback from the Design Review Panel, revisions were made to the scheme to help address the comments received. A second public consultation was carried out between August and September 2017. A further two public comments were received from the following addresses: 2 Waterhouse Close and Broadoak Planning Consultants on behalf of Romulus Ltd (owners of 3 Shortlands). The comments may be summarised as follows:

Support:

- This seems to be a helpful development for the local community.

Objections/ concerns:

- The erection of three houses on the northern end of the Shortlands terrace would have a significant impact on the regeneration aspirations of the owners of the site at 3 Shortlands. Planning objections from these new residents are bound to arise when an application is made for the 3 Shortlands site and may create difficulties for the future redevelopment of their site.

4.4 Case Officer response to comments: The principle of a new residential care home on this site is supported in principle. The impact of the development on the amenities of existing neighbouring properties, most particularly Waterhouse Close, is assessed in the report below. The future development at 3 Shortlands is not a material consideration in this case, as no planning application for its redevelopment has yet been received and it is not considered reasonable to refuse the current application on the basis that it may prejudice a future development.

4.5 External consultee comments were as follows:

Thames Water - No objection subject to conditions regarding a drainage strategy and a piling method statement to be submitted.

Historic England - No objection. An archaeology condition is requested to be attached to the decision. This has been attached.

4.6 In addition, the Environment Agency, Metropolitan Police's Crime Prevention Design Advisor, the Hammersmith Society, Hammersmith Residents Association, and the Latymer Court Freehold Company Ltd. were consulted but did not respond.

5.0 PLANNING ISSUES

5.1 The main planning issues to be assessed in this proposal, in accordance with the National Planning Policy Framework (NPPF), London Plan (2016) and Hammersmith and Fulham Local Plan (2018) and Planning Guidance Supplementary Planning Document (2018) are:

- The principle of new residential development;
- Design and visual amenity, including impact on the Buildings of Merit on the site;

- Impact on amenity of neighbouring residential properties;
- Energy efficiency and sustainable construction;
- Flood risk and sustainable drainage;
- Arboricultural impacts including loss of trees;
- Transport and highways;
- Quality of accommodation to be provided within new care home and new houses on Shortlands;
- Environmental matters including land contamination and flood risk.

ALTERATIONS TO BUILDINGS OF MERIT

5.2 The proposed internal works to reconfigure the internal floor plans, and install suspended ceilings and raised floors are designed to improve the residential amenity of the elderly care home residents, most particularly by allowing views out of windows when seated. The interior of the affected parts of the building is plain, and suspended ceilings have been designed so as not to interfere with window openings and would therefore not affect the special features of the Building of Merit. Other external repair works, such as window infills behind glazing, would not harm the special features of the Building of Merit and are also considered to be acceptable.

5.3 The works to improve the main entrance of the existing care home for residents, including the provision of an external ramp and canopy, will have a visual impact on the architectural features of the affected elevation. However, they are considered to be a necessary improvement for residents and would only affect a small proportion of the exterior of the building, and therefore no objections would be raised for this reason.

5.4 The proposal also seeks to demolish part of the 'lean to' reception block to the rear of the north boundary wall, as well as making some alterations to the wall itself in order to open up views into the site itself from the street. The proposed works would retain the significant historic elements of the structure and improve the relationship of Nazareth House with the street scene with sympathetic interventions, such as new windows. For these reasons, the alterations to Nazareth House are considered to be acceptable in accordance with Local Plan (2018) Policies DC1, DC4 and DC8 as well as Key Principle BM2.

NEW CARE HOME APARTMENTS

+ Principle of development

5.5 Local Plan Policy HO7 states that the council will encourage and support applications for new special needs and supported housing, including specialist housing for older people, if it meets the following criteria:

- a. There is an established local need for the facility; where relevant, any evidence of need should consider the full range of special needs, including the frail elderly, people with physical and learning difficulties, and people needing short term support.
- b. The standard of the facilities is satisfactory and suitable for the intended occupants;
- c. There is a good level of accessibility to public transport and other facilities needed by the residents; and
- d. The impact of the proposed development will not be detrimental to the amenity of the local area or to local services.

5.6 The applicant notes that changing demographics in the UK and an ageing population mean there is a critical need for additional care home spaces both nationally and in London in particular. Care home development is also facing increased competition from other, higher value, land uses such as mainstream residential and office development.

5.7 The proposed new apartment block would provide 37 assisted living units (Use Class C2) that would be connected to, but autonomous from the existing care home at Nazareth House. Subject to Criteria B, C and D being satisfied (assessed below), the principle of additional residential care facilities on this site is already established. It is stated that a range of care facilities will be available for residents of the specialist care accommodation for older people from the main Nazareth House Care Home, which provides Care Quality Commission (CQC) registered services. There will also be flexibility for residents to procure their own care arrangements from external bodies who provide CQC registered services. All potential residents will have to undergo a care assessment carried out by a care professional prior to taking up residency. Prospective residents will also have to be of qualifying age (65+ years old). It is recommended that this is secured as part of a legal agreement, together with details of eligibility criteria and nominations arrangements, to be agreed with the Council.

5.8 With regards to affordable housing, Policy HO7 states that the London Plan (2016) includes an indicative benchmark for specialist housing for older people in Hammersmith and Fulham of 60 additional dwellings per annum. This includes 45 specialist dwellings for private sale and 15 for intermediate sale. The Council is working with residents, the NHS and other providers to deliver new types of private and social sheltered housing which will include on-site home and medical care. However there is no policy requirement for affordable housing for applications for new Class C2 uses. The applicant states that the funds from the development of the new care home on site will be used to fund the necessary improvements to the main care home at Nazareth House, where 60% of residents pay discounted care fees to public subsidy levels. As such Officers acknowledge that there is a material public benefit to the scheme in terms of providing additional specialist accommodation and facilitating upgrades to the existing care accommodation on the site and the provision of new specialist care accommodation.

+ Design and appearance

5.9 Local Plan (2018) Policies DC1 (Built environment), DC2 (Design of new build) and DC4 (Alterations and extensions) state that new build development will be permitted if it is of a high standard of design and compatible with the scale and character of existing development and its setting. Alterations and extensions to existing buildings should also be of a high standard of design and successfully integrated into the architectural design of the original building. Local Plan Policy DC8 (Heritage and conservation) is also relevant in this case, in terms of the impact of the development on the special architectural features and setting of the Victorian Nazareth House convent and chapel, which are locally listed Buildings of Merit, as well as the setting of the adjacent Brook Green Conservation Area on the northern side of Hammersmith Road.

5.10 The street scene elevations demonstrate that the scale and massing of the proposed building would sit comfortably in its context and would be perceived of subservient scale and design in the Nazareth House context when viewed from Great Church Lane. It is recommended that final details, colours and finishes of the proposed

façade materials are reserved by condition and will be assessed by material sample boards, viewed on site by Officers against the background of the main Victorian Building of Merit. The applicants have stated that their intent is to choose a brick type and colour that fits into the range of brickwork types on site while providing an element of separation from the Nazareth House brickwork. This is acceptable and will be assessed as part of the conditions.

5.11 The proposed green roof and walls are positive features that would contribute significantly to retaining the park-like setting to the south of Nazareth House. When the green roofs are taken into consideration, the amount of green space on the apartment site would be increased by around 440 sq.m In addition, the enhanced landscaping proposals to the north of the block, to form the secure residents' courtyard garden, would be significant improvement to the current landscaped area on this part of the site. Officers are satisfied that the design and appearance of the new apartment building would preserve the setting of the Building of Merit.

ASSESSMENT OF IMPACT ON HERITAGE ASSETS

5.12 Overall, the works are not causing any harm to the significance of the Building of Merit as later, inappropriate additions would be removed and other interventions are proposed to match existing, such as the windows, or would be simple, discreet and reversible. The proposed works to the Hammersmith Road boundary wall would retain the significant historic elements of the structure and improve the relationship of Nazareth House with the street scene with sympathetic interventions, and therefore are not considered to cause harm to the significance of the Building of Merit. The proposed new building and terrace as well as the landscaping works are considered to be designed in sympathetic styles and materials and therefore would not affect the setting of the Building of Merit or the character and appearance of the adjacent conservation area. Therefore the proposals would be in accordance with the NPPF including para. 134, as well as Local Plan Policies DC1, DC4 and DC8 and Key Principles AH1, AH2 and BL2 and with s. 66 and s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

+ Archaeological impact

5.13 The Greater London Archaeological Advisory Service (GLAAS) provides archaeological advice to boroughs in accordance with the National Planning Policy Framework and GLAAS Charter. The planning application lies in an area of archaeological interest. Although the site is not located within an Archaeological Priority Area (APA), there are archaeological interventions on the Greater London Historic Environment Record (GLHER) nearby. These mostly relate to medieval and post-medieval findspots and sites in the vicinity, with the APA of the historic settlement of Hammersmith located 370m to the south-west and 175m to the north-west of the above site. It is possible that the development may therefore cause harm to heritage assets of archaeological interest. Information on the GLHER suggests it is possible there could be earlier phases of construction present and/or earlier buildings and associated garden features.

5.14 Historic England's appraisal of this application using the Greater London Historic Environment Record and information submitted with the application indicates the need for field evaluation to determine appropriate mitigation. However, although the NPPF envisages evaluation generally being undertaken prior to determination, in this case

consideration of the nature of the development, the archaeological interest and/or practical constraints are such that Historic England consider a condition could provide an acceptable safeguard. The attached condition therefore recommends a two stage process of archaeological investigation comprising evaluation to clarify the nature and extent of surviving remains, followed, if necessary, by a full investigation. This condition would be sufficient to conserve the archaeological interest of the site in accordance with Policy DC8 of the Local Plan (2018).

+ Impact on amenity of neighbouring properties

5.15 Local Plan Policy HO11 (Protection of residential standards) states that proposals will be considered acceptable where it can be demonstrated that there is no detrimental impact on privacy, daylight and sunlight, outlook and sense of openness between properties. Key Principles HS4, HS6, HS7 and HS8 provide further guidance on these within the Council's Planning Guidance Supplementary Planning Document (2018).

5.16 The closest residential properties to the new apartment block are those on Waterhouse Close to the east, most particularly within the block comprising Nos. 28 to 42 where there are a number of flats with west-facing windows, looking towards the application site. These properties have gardens of approximately 6.5 metres depth. Concerns have been raised by two residents of Waterhouse Close about the impact of the development as originally proposed, in terms of daylight and sunlight, as well as loss of privacy and views.

5.17 The design of the building has been amended since the original submission, so that the bulk and massing of the third and fourth floors are now stepped back away from Waterhouse Close, to achieve a greater separation distance. The ground and first floor are in the same position, and the second floor is now slightly closer to the boundary with Waterhouse Close. The building presents a two-storey building adjacent to the eastern boundary, a storey lower in height than the adjacent flatted block at Waterhouse Close. The second floor then steps back from the eastern side boundary by 3.3m, and the third floor steps back by 5.9m and the fourth floor by 9.3m.

5.18 The applicants have submitted a revised Daylight, Sunlight and Overshadowing Report prepared by Syntegra Consulting, testing the impact of the proposed development on the daylight and sunlight to adjoining properties. The report shows that 6 out of 34 windows on the west elevation at 28-42 Waterhouse Close will experience more than a 20% loss in proposed Vertical Sky Component (VSC) values, suggesting that these windows may be adversely affected through loss of daylight. The VSC values for these 6 windows would see losses of between 21% and 50%.

5.19 In addition to the VSC test, the report provides the results of the Average Daylight Factor (ADF) test for four ground floor rooms, which is an indicator of the actual daylight experienced when an occupant is in all parts of the room, rather than at the window. For the purposes of the report, the larger rear rooms are assumed to be kitchens/dining rooms (2% target ADF), and the smaller rooms bedrooms (1%). Officers consider this to be a reasonable assumption. The ADF results for these rooms are as follows:

R01 (Kitchen) 1.5%, R02 (Bedroom) 0.7%, R03 (Bedroom) 0.6%, R04 (Kitchen) 1.3%

5.20 Officers consider that whilst the development would have an impact on some neighbouring properties' light, the impact is not such that would warrant a refusal of

planning permission. Four of the impacted windows/rooms (S13, S16, S25 and S28) are located below a balcony that is itself the significant contributor to these windows failing to comply with the VSC or ADF tests. The two windows that are not affected by balconies but which fail the VSC test (S22 (21% loss) and S31 27% loss) are only marginally affected. With regards to those windows and rooms affected by balconies, the assessment demonstrates that if the VSC and ADF tests are run with the balconies removed from the model, only 2 windows fail the VSC (S25 and S28), and in this scenario both fails would be marginal and all of the rooms would pass the ADF test.

5.21 The report also assesses the likely overshadowing of the three external amenity spaces/ gardens at 28-42 Waterhouse Close. In accordance with BRE guidelines, overshadowing has been assessed during times of the day where the sun's altitude is above 10 degrees (from 7:30am to 5:00pm). For a garden to appear adequately sunlit throughout the year, at least half of a garden should receive at least 2 hours of sunlight on 21st March. If, following a proposed development, the area which can receive this is less than 0.8 times its former value, then the loss of sunlight is likely to be noticeable. The assessment shows that each of the spaces would receive sunlight of 0.87, 0.83 and 0.80 of their former value respectively, and therefore the impact is negligible.

5.22 In terms of privacy and noise disturbance, the flat roofs of the building at second, third and roof level would be green roofs that would not be accessible. There would be a communal terrace at fourth floor level, which would be available to use by all residents as well as being directly accessible from two of the fourth-floor apartments. The separation distance between this terrace and residential windows at Waterhouse Close would be well in excess of 18m, and therefore overlooking is not likely to be a significant issue. The expanse of the intervening building would also prevent direct views. Given the nature of the use as a residential care home for elderly residents, noise disturbance from gatherings of residents on this terrace is not considered to be a significant issue.

5.23 The proposed floor plans for the apartments also indicate that east-facing windows at first and second floor level will be obscurely glazed to prevent overlooking of Waterhouse Close residents and a condition to this effect is attached. These would all be kitchen windows, and therefore their obscuration would not significantly diminish the quality of accommodation within the proposed apartments.

+ Quality of accommodation

5.24 London Plan Policy 3.5 and Local Plan (2018) Policies HO4 (Housing quality and density) and HO11 concern standards for new residential development. Neither the London Plan (2016) nor the Local Plan (2018) gives out specific space standards for care homes or other types of specialist residential accommodation falling within Class C2. However, Local Plan Policy HO7 (Meeting needs of people who need care and support) states that the standard of the facilities must be satisfactory and suitable for the intended occupants. As the application has progressed the level of care being provided by the Class C2 units has been clarified and would amount to 'minimal care' for over-65s, amounting to around 8 hours of care per week. Given the units would be self-contained, it is considered appropriate to apply more rigorous standards to the apartments, with the London Plan (2016) internal space standards providing the benchmark for mainstream housing which it would be appropriate to apply in this instance. All of the units would be single storey and would meet the London Plan (2016)'s minimum gross internal floor area requirements.

5.25 All of the units would provide for full self-containment, with their own living areas and cooking facilities. In addition, there would also be a communal lounge on the ground floor. The lounge will provide space for residents to meet visitors, take part in community events and meet with other residents, as well as simply spend time outside of their units. Communal facilities will also include a 'buggy store' for mobility scooters next to the front entrance, and a warden's office.

5.26 In terms of outdoor amenity space, 18 out of the 37 units would have their own private amenity space in the form of balconies, which would meet the size standards set out in the Mayor's Housing SPG and Key Principle HS1 (i.e. minimum depth and width of 1.5m). There would be no conflicts in terms of overlooking between balconies and habitable room windows in adjoining flats. In addition, communal external amenity space would be provided in the form of a new courtyard garden to provide a safe and secure space for all residents, as well as a communal roof terrace at fourth floor level. Overall, there is considered to be a good level of outdoor amenity space provision for all residents, including those whose apartments do not benefit from private amenity space. Officers note that the provision of good-quality communal amenity spaces, in addition to private ones, will be of particular benefit to the occupants of a care home, in terms of providing space for community and interaction with other residents and care staff.

5.27 None of the units would be single aspect. Three of the new units (Flat 6 at first floor level, Flat 6 at second floor level and Flat 4 at third floor level) would only have windows that face within 45 degrees of north; however, these units would also benefit from their own private balcony space and a good level of outlook over the courtyard garden. To prevent the windows being only directly north-facing, an angled north-east facing window has also been included which will assist with the amount of daylight and sunlight reaching the lounge areas. Overall Officers are satisfied that the standard of accommodation would be acceptable and the development accords with Policies HO4, HO7 and HO11 of the Local Plan.

5.28 Six of the apartments will be compliant with Building Regulations Part M4(3) 'Wheelchair user dwellings' and the remaining apartments will be compliant with Part M4(2) Accessible and adaptable dwellings. Corridors are wide and limited number of doors connected to each corridor provide ease of way-finding and a sense of privacy. The building is provided with two lifts servicing each floor, to provide cover for breakdown or maintenance operations as well as convenience for residents. Window sill heights throughout the flats would be set at 450mm, to allow residents to enjoy views out when seated or in a wheelchair. In terms of accessibility therefore, the development is considered to be sufficient to meet the requirements of Local Plan Policy HO6 (Accessible housing).

5.29 The layout of the flats in the apartment building are generally evenly stacked vertically, but not laterally (i.e. in some instances there are bedrooms in one unit sharing a party wall with a living room and kitchen of a neighbouring flat). Therefore a condition has been attached requiring details to be submitted of enhanced sound insulation between units, to a value of at least 5dB above current Building Regulations Value, to ensure residents are not unduly impacted by noise disturbance in accordance with Local Plan Policy CC11.

+ Arboricultural impacts

5.30 None of the trees on site are currently protected by a Tree Preservation Order. Nevertheless, the arboricultural impacts of the development is a material consideration, and developments will be assessed in accordance with Policy OS5 of the Local Plan, which seeks retention of existing trees and provision of new trees on development sites.

5.31 An Arboricultural Report has been submitted to support the application, prepared by a qualified arboricultural specialist. This document has been reviewed by the Council's Arboricultural Officer, who is satisfied that it is comprehensive and accepts its conclusions and recommendations. The proposed development would necessitate the removal of 45 individual trees (out of 108), five stumps, four hedgerows and the partial removal of one hedgerow. Of the overall removals, 8 are of moderate quality, the majority are of low quality, and four are of poor quality. The report suggests that although the removal of trees within the site is relatively high, these are mainly located internal to the site and the overall impact on the character and appearance of the area will be minimal. The majority of the trees and tree groups being removed are of low/poor quality and are mainly located to the rear of the site. The current layout allows the retention of trees adjacent to residential properties along the western boundary and adjacent to Great Church Lane along the southern boundary. Retaining trees in such locations has allowed for a green buffer to be retained which will ensure a degree of visual separation from the street.

5.32 The report also illustrates the tree protection measures necessary to protect all retained trees during demolition and construction, and the recommended condition requires these to be complied with. Subject to this condition, the development is considered to comply with Policy OS5 of the Local Plan (2018).

+ Transportation and Highways

5.33 With regards to car parking, Policy T4 of the Local Plan states that 'the Council will require any proposed development (including new build) to confirm to its car parking standards; maximum residential parking standards. For 1-2 bedroom units, significantly less than 1 car parking space per unit should be provided. A new car park for the care home apartments would be provided adjacent to the southern boundary, off Great Church Lane. 13 parking spaces are provided, aligned with the Council's parking standards for significantly less than 1 space per unit. 6 of these spaces are for the use of the disabled, and an additional 7 spaces are intended primarily for visitors, visiting care staff, nursing staff and doctors. Given the nature of the use, this is considered to be a reasonable level of provision and it would not be appropriate for there to be no parking at all. Vehicular access would be taken via an existing crossover on Great Church Lane. Level access is proposed from the car park to the front entrance of the apartment building.

5.34 To comply with Key Principle TR7, 20% of all car parking spaces for residential developments must be for electric vehicles, with an additional 20% passive provision for electric vehicles in future. This translates to 1 electric vehicle space and 1 space with passive provision within the new car park for the care home block, and a condition has been attached requiring details of this provision to be submitted.

5.35 The excellent public transport accessibility rating of the site means that future occupiers of the apartment block would not be entitled to apply for street parking permits. It is recommended that this restriction is included within the Legal Agreement for the development.

5.36 In terms of cycle parking, Local Plan Policy T3 and Appendix 8 state that for Class C2 care homes, 1 space is required per 5 staff and 1 space per 20 bedrooms. Provision for six cycles would be provided in the form of a new cycle store close to the front entrance of the apartment building. This level of provision is considered to be acceptable for the new care home (equating to 2 spaces for care home residents/visitors and 4 for up to 20 staff). Further details of the store, including dimensions of the spaces, is requested by condition.

5.37 The application states that the majority of servicing will continue to use the existing access point onto Hammersmith Road, however a smaller amount of servicing is expected to occur from the southern access to the new apartment block onto Great Church Lane. All servicing (including visiting medical and care professionals) will take place off the public highway, and vehicles will be able to enter and exit in forward gear. A final Servicing and Delivery Management Plan is required by condition which will include details of frequency and times of delivery and collection vehicles required to service the development.

5.38 With regards to refuse storage, it is proposed that the existing large refuse store adjacent to the north boundary of the site will continue to provide the main refuse storage area across the whole site, including the new apartments. This is likely to be acceptable, however it is recommended that a final Refuse Management Strategy is required by condition with details of how refuse would be collected and transported to the existing store, including how often and by whom, together with confirmation that there is sufficient capacity within the existing store, and details of increased collections where necessary. Subject to this condition being satisfactorily discharged, no objections are raised in terms of Local Plan Policy CC7.

SHORTLANDS HOUSES

+ Principle of development

5.39 The three proposed houses on Shortlands would contribute to the London Plan's (2016) target of 1,031 new houses in Hammersmith and Fulham per annum, and the principle of new residential development in this location is supported on this basis, and would not result in a loss of green space that makes a significant or meaningful contribution to the setting of Nazareth House itself. The small garden that currently occupies the development site would be relocated northwards, to where there is currently redundant tennis courts, ensuring the overall loss of green space on the site is minimal.

+ Design and appearance

5.40 The proposed terraced houses are designed to continue the scale, materials, and design details of the existing terrace in the street frontage, except for some minor details to the entrances and the pattern of paired entrances and paired projecting bays that is not repeated at the junction of the existing and proposed houses. However, this would not be harmful to the overall uniformity of the terrace or the street scene. The proposed rear elevation would be more modern, but this would not be visible from any public viewing points, and not prominent in views from the gardens of Nazareth House. It is recommended that details of all materials and typical bays of the terrace are required by condition to ensure that the uniformity of the terrace is followed through in

detail, for example, by providing timber sash windows that are appropriate to the street scene context.

+ Impact on neighbouring amenity

5.41 The new houses on Shortlands would adjoin No. 36 which currently forms the end of terrace house. The proposed development is not likely to result in any significant adverse impacts on the residential amenities of the adjoining terraced houses, given it would not project any further to the front or rear compared to the existing houses. On the boundary with No. 36, the ground floor side portion of the proposed house would be approximately 2.8m high, but this property has an existing extension infilling their original side return and therefore no objections would be raised in terms of Criteria (ii) of Key Principle HS7 on the basis that there would be no harmful loss of light or outlook for this property.

+ Quality of accommodation

5.42 Each house would provide a Gross Internal Area (GIA) of approximately 82.5sqm, in exceedance of the London Plan (2016) standard. The floor-to-ceiling height within each house would be approximately 2.6m on both levels which is also in accordance with standards. Unit 1 would have a rear terrace of 16sqm, Unit 2 14sqm and Unit 3 11sqm, and this is considered to be a good level of provision which complies with the Mayor's Housing SPG and also exceeds the size of most of the rear gardens for the existing houses on Shortlands. Outlook, daylight and sunlight would be very similar to the other properties on the street and would therefore be acceptable on this basis.

5.43 The new Shortlands properties are evenly stacked laterally across party walls. No objections would be raised on grounds of noise disturbance between units, subject to a condition requiring enhanced sound insulation between units at least 5dB above the Building Regulations value.

+ Transportation and highways

5.44 The excellent public transport accessibility rating of the site means that future occupiers of the new houses would not be entitled to apply for street parking permits. It is recommended that this restriction is included within the Legal Agreement for the development. There would be reasonable space for refuse and recycling to be stored within either the front or rear garden areas, to be moved to the street on collection day as per the existing arrangements on the rest of the terrace. Similarly, although no dedicated cycle parking is shown on the plans for the Shortlands houses, it is considered that space for one or two cycles could reasonably be accommodated within the rear gardens for the units. As such the development.

OTHER MATTERS

+ Environmental Sustainability

5.45 As required, a Sustainability Statement has been submitted with the application which includes an Energy Assessment. In terms of energy use and associated carbon emissions, the new development is calculated to emit 81.6 tonnes of CO₂ a year if built to meet the minimum requirements of the 2013 Building Regulations, with most of these emissions (75 tonnes) associated with the new care home apartment block. In order to

comply with London Plan policy on carbon reduction, CO₂ emissions should be reduced by 35% compared to this baseline, i.e. carbon reduction measures that will reduce CO₂ emissions by 28.5 tonnes a year should be designed into the new development.

5.46 The Energy Assessment outlines the proposed sustainable energy measures to be implemented which include building elements with improved insulation levels, well beyond the minimum standard requirements of Building Regulations, use of improved air permeability levels to reduce heat loss, use of natural daylight and solar gain where possible through appropriate orientation and building design measures, including shading where necessary to avoid over-heating and use of efficient lighting. Natural ventilation will be used and in the care home block an efficient communal boiler is to be included. The terrace houses will have individual gas boilers for heating but hot water across both block and houses will come from the main heating system. Cooling will be provided in the block via a communal system but will not be provided in the terrace houses. Use of a Combined Heat and Power (CHP) system is not considered feasible, but the proposed communal heating system could be connected in the future if a heat network was developed in the Hammersmith town centre area.

5.47 In terms of renewable energy generation on-site, the use of solar PV panels is considered to be the most suitable approach and it is planned to install panels on the roof of the care home block and the terraced houses. Exact details of the installation are subject to further consideration as part of the attached condition, but in principle the use of PVs to generate electricity, for use on-site and/or export to the grid would be acceptable from an energy policy point of view to contribute to meeting the site's carbon reduction targets.

5.48 The proposed energy efficiency measures, efficient heating and cooling systems and solar PV panels are calculated to reduce site CO₂ emissions by just over 29 tonnes a year compared to a target requirement of just over 28.5 tonnes. This represents an improvement of 35.6% for the development, which meets the 35% target.

5.49 Overall, the proposed carbon reduction measures are acceptable in terms of Local Plan Policy CC1.

5.50 In terms of wider sustainability measures, the Sustainability Statement has provided a BREEAM pre-assessment report for the care home block which shows that the design will meet the "Very Good" BREEAM rating as a minimum and that measures that are equivalent to achieving level 4 of the old Code for Sustainable Homes will be implemented in the 3 new houses. This accords with the requirements of Local Plan Policy CC2.

5.51 In addition to the sustainable energy and carbon reduction measures, measures are also proposed to improve water efficiency, use building materials with good environmental performance (e.g. sustainable timber, low polluting materials etc.), waste generation will be minimised during construction and recycling facilities provided for the operation of the new buildings, trees will be replanted and a new garden created to ensure no loss of biodiversity on the site.

5.52 Overall, the proposed sustainable design and construction measures are acceptable. It is recommended that the implementation of the measures outlined in the Sustainability and Energy Statement are required by condition.

+ Flood risk

5.53 Parts of the site are in the Environment Agency's Flood Zone 2. As required, a Flood Risk Assessment has been provided with the application. The proposed care home block is planned for the south-east corner of the site which is in Flood Zone 1 and the 3 new houses will be on the western side of the site in Flood Zone 2. This indicates a low/medium risk to flooding from the River Thames for the sites where new accommodation is to be provided. Both sites are well protected from tidal flood risk from the river by the Thames Barrier and local river wall defences. If these failed or were breached, the sites would not expect to be impacted by flood waters. No basement level development is planned, so groundwater and sewer flood risks are also low. Although small parts of the site could be susceptible to ponding of surface water during an intense storm, the potential impacts are not significant and no part of the site is classified as a flooding hotspot in terms of surface water.

5.54 No additional flood proofing measures beyond those that would be included in order to comply with Building Regulations are planned, but given the low flood risks on the site, there is no objection to the proposals in respect of flood risk and the development is considered to be in accordance with Local Plan Policy CC3.

+ Sustainable Drainage

5.55 A Surface Water Drainage Strategy has been submitted as part of the Flood Risk Assessment. As this is a major proposal, the integration of sustainable drainage systems (SuDS) is expected and in line with the London Plan and Local Plan policies on management of surface water run-off the scheme should seek to maximise the levels of attenuation of run-off from the site and reduce final discharge rates of surface water to greenfield rates wherever possible. In line with London Plan Drainage Hierarchy, above ground SuDS measures are preferred over collection and storage of rainwater in underground tanks for controlled release into the sewer network.

5.56 The SuDS Strategy is to install permeable paving surfaces at the location of the 3 planned car parks on the site which are stated to provide 200m³ of attenuation and to also integrate a surface level attenuation basin feature which provides 120m³ of storage. This approach could be amended or added to by including soakaways or other infiltration techniques on the site, but this would be dependent on the results of infiltration tests on the ground - to be carried out prior to construction. A living roof has also been incorporated onto the care home block. The inclusion of water butts is also discussed in the Strategy as a potential measure to collect rainwater for re-use to water the soft landscaped areas. The report states that the maintenance of the planned SuDS measures will be undertaken by a private management company. On balance, the revised information is considered to be satisfactory. A condition is attached requiring the submitted Flood Risk Assessment to be implemented, achieving the stated levels of attenuation.

+ Land Contamination

5.57 Potentially contaminative land uses (past or present) are understood to have occurred at, or near to, this site. As such conditions have been attached 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 Local Plan (2018) Policy CC9.

+ Air Quality

5.58 Local Plan Policy CC10 states that the Council will seek to reduce the potential adverse air quality impacts of new development. The development site is within the borough wide Air Quality Management Area (AQMA). The site is in an area of poor air quality due to the road traffic emissions from Hammersmith Road, Shortlands Road and the elevated Talgarth Road (A4). The development proposal will introduce new residential receptors into an area of poor air quality. Policy CC10 states that care homes for the elderly may be especially impacted by poor air quality and therefore this is a key consideration.

5.59 In respect to this development site the air quality specifically the NO₂ concentrations at the proposed residential properties even in the background will be unlikely to comply with the 40ugm-3 air quality objective for NO₂ until 2025. Due to the emissions from transportation sources mitigation will be required in the form of additional ventilation for the proposed habitable rooms with facades on Shortlands Road and Talgarth Road. The fresh air intake for these residential units and Care Home (C2) use should be located at the rear at roof level (there should be no fresh air intakes on any front elevations on Shortlands Road or Talgarth Road). Care will need to be taken to locate the inlets for the ventilation away from any local sources such as boiler and CHP flues and kitchen vents. To avoid contamination of the fresh air intake, supply the Ventilation system of the residential units for should be designed to ensure that all the extracts for the ventilation system are located on the front elevations on Shortlands Road and Talgarth Road at roof level. It is considered that no additional mechanical ventilation is required for the existing residential rooms in the main Nazareth House care home, because this is an existing situation.

5.60 After road transport, buildings are the second largest source of air pollution in London, emitting 44% of the total Nitrogen Oxides in London, or about 2,950t/yr. Buildings are also the second largest anthropogenic source of Particulates after road transport, contributing 18% of London emissions through gas heating, large boilers and Industrial plant. All planning development should comply with London Plan Policy 7.14 (a-e). A minimum benchmark requirement is the provision and installation of Ultra Low NO_x boilers with maximum NO_x Emissions of under 0.040 g/kWh in addition to enhanced fabric insulation in exceedance of Building Regulations Part L 2010. This is required by a recommended condition throughout both the Shortlands houses and the new care home apartment block.

5.61 The demolition and construction works have the potential to create dust and air quality issues. These impacts should be assessed in accordance with the Mayor's SPG 'The Control of Dust and Emissions during Construction and Demolition' July 2014, and appropriate air quality mitigation measures implemented for nearby residential receptors both on-site and off-site of the development.

5.62 The on-road and off-road vehicle emissions (Please see page 4 of the EST attached document) from the demolition, and construction phases of the development will have an impact on local air quality. The Air Quality Dust Management Plan (AQDMP), Construction Logistics Plan (CLP), Servicing and Deliveries Plan already submitted with the application include how Low Emission Vehicles i.e. Non-Diesel will be used during the demolition and construction phases to minimise the impact of these vehicle emissions on local air quality. The applicant will need to submit a AQDMP that

complies with and follows the chapter order (4-7) and appendices (5,7,8,9) of the Majors SPG 'The Control of Dust and Emissions during Construction and Demolition', July 2014. This has been required by condition.

+ Construction and Demolition Impacts

5.63 To ensure that the amenities of residents are protected throughout the construction process, a Construction Management Plan is required through a planning condition for both the proposed apartment block and the Shortlands development, which will include details of controls on hours of operation, dust, and noise in accordance with Policy CC13 of the Local Plan.

LEGAL AGREEMENT

5.64 The heads of terms of the proposed Legal Agreement are summarised below:

- (1) Age restriction on residents occupying the development (65 years or older; except where a unit is occupied by 2 persons, when the requirement need only be satisfied by one of the occupiers; or where a unit is occupied by more than one person and one of the occupiers dies, then the surviving person shall be entitled to remain).
- (2) Details of nomination arrangements (including eligibility criteria and processes that control the nomination of occupants to the new care home apartments) to be formally agreed with the Council.
- (3) Development to be car permit free, to exclude the occupiers of the residential units from obtaining residents' parking permits to park on-street in the controlled parking zone.
- (4) A Jobs, Employment and Business Strategy to be produced and agreed with the Council prior to the commencement of the development, and a financial contribution of £19,800 towards paid work experience and paid apprenticeships during the construction of the development.

6.0 CONCLUSIONS AND RECOMMENDATION

6.1 The proposal is considered to be acceptable in land use terms, in its design and appearance, in its limited impact on traffic generation and parking, having a satisfactory relationship to surrounding buildings and residential properties that would provide quality energy efficient specialist sheltered housing within the borough whilst preserving the setting of the Building of Merit and its landscaped gardens.

6.2 As such it is recommended that planning permission for the proposed development be granted, subject to conditions and a legal agreement.