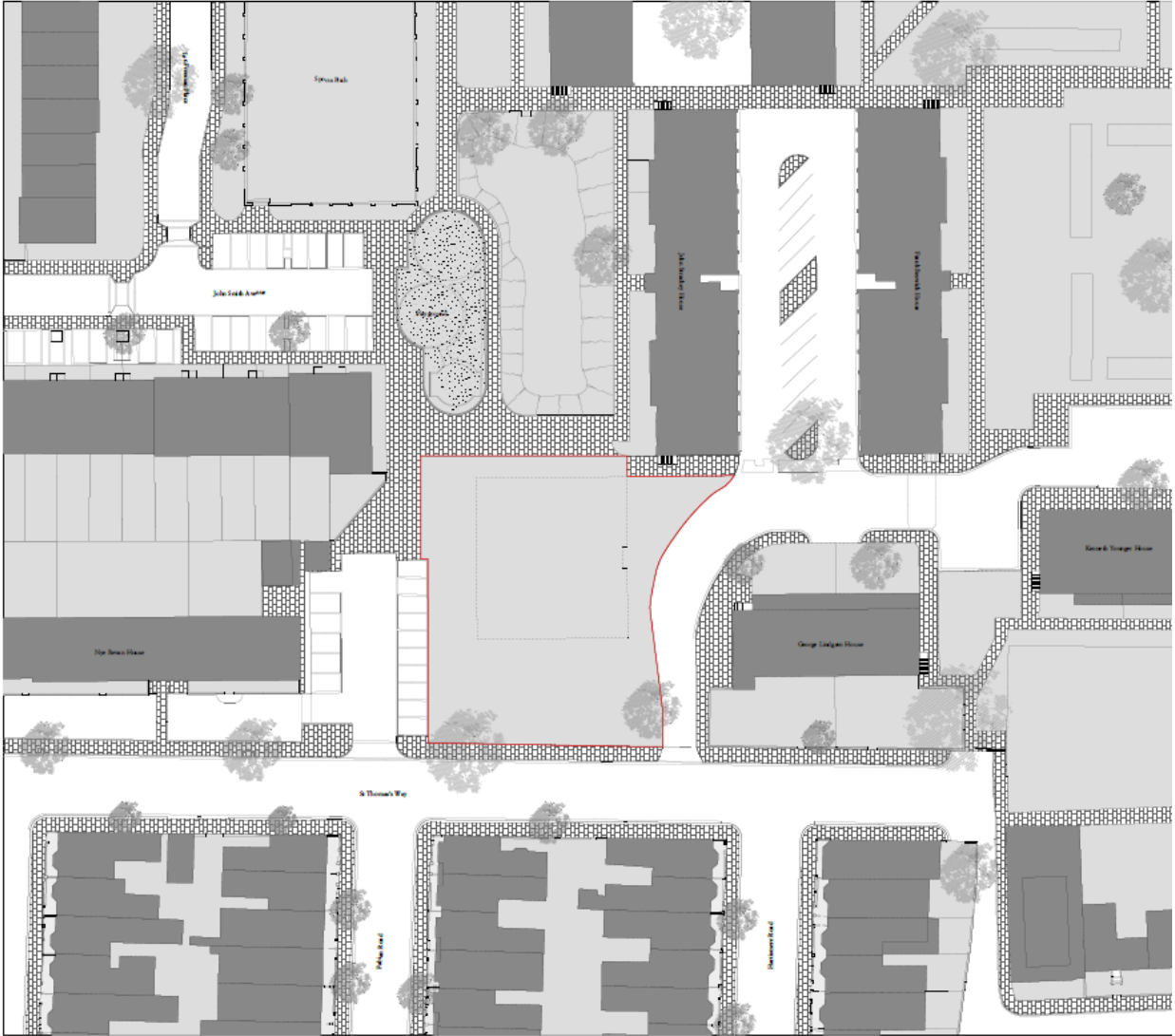


**Ward:** Fulham Broadway

**Site Address:**

Edith Summerskill House Clem Attlee Court Lillie Road London SW6 7TD



**Reg. No:**  
2020/01283/FUL

**Case Officer:**  
Peter Wilson

**Date Valid:**  
07.07.2020

**Conservation Area:**  
N/A

**Committee Date:**  
28.09.2020

**Applicant:**  
HFS Developments 2 Limited

**Description:**  
Erection of a 20 storey tower (plus plant) with single storey basement and ground floor mezzanine for residential use, ancillary community use at ground floor level, hard and soft landscaping and associated works.

**Application Type:**  
Full Detailed Planning Application

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

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

Application form received: 22<sup>nd</sup> May 2020  
Drawing Nos: See Condition 2 below

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

**Consultation Comments:**

<b>Comments from:</b>	<b>Dated:</b>
Fulham Society	09.08.20
Greater London Authority - Planning Decisions Unit	27.07.20
Crime Prevention Design Advisor - Hammersmith	28.07.20
Thames Water - Development Control	21.07.20
Greater London Archaeology Advisory Service	08.09.20
Historic England London Region	10.08.20

**Neighbour Comments:**

**Letters from:** **Dated:**

105 Rylston Road London SW6 7HP	17.07.20
77 Hartismere Road London SW6 7UE	14.08.20
77 Hartismere Road London SW6 7UE	16.08.20
70 Hartismere Road Fulham London SW6 7UD	17.08.20
14 Frank Soskice House Clem Attlee Court Fulham SW6 7SL	04.08.20
55 Hartismere Road London SW6 7UE	03.08.20
27 Hartismere Road London SW6 7ub	14.08.20
64 Hartismere Road Fulham Broadway SW6 7UD	15.08.20
26 Tournay Road London SW67UF	09.08.20
46 Fabian Road London SW6 7TZ	18.07.20
65 Hartismere Road London SW6 7UE	10.08.20
65 Hartismere Road London SW6 7UE	09.08.20
63 Fabian Road Fulham SW67TY	23.07.20
8 Epirus road London SW6 7UH	25.07.20
14 Hartismere Road London SW6 7UD	14.08.20
62 Hartismere Road Fulham SW6 7UD	15.08.20
Epirus Road	29.07.20
23 Hartismere Road Fulham SW6 7UB	03.08.20
79 Mirabel Road Kington London SW6 7EQ	18.07.20
55 Epirus road London SW67UR	26.07.20
58 Fabian Road London SW6 7TZ	08.08.20
59 Epirus Road London SW6 7UR	05.08.20
58 Gowan Avenue London SW6 6RF	07.08.20
57 Hartismere Road London SW67UE	12.08.20
59 Epirus Road London SW6 7UR	27.07.20
8 Epirus road London SW6 7UH	25.07.20
52 Hartismere Road Fulham SW6 7ud	07.08.20
57 Hartismere road London SW6 7UE	16.08.20
73 Hartismere Road London SW6 7UE	13.08.20
7 Fabian Road London SW6 7TY	15.08.20
59 Epirus Road 1st floor maisonette London SW6 7UR	22.07.20
Flat 7 99 Rylston Road London SW6 7HP	16.08.20
52 Haldane Road Fulham London SW6 7EU	24.08.20
52 Haldane Road Fulham London SW6 7EU	24.08.20
66 Hartismere Road London SW6 7UD	10.08.20

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**Officer Recommendation:**

**1) Subject to there being no contrary direction from the Mayor for London that the Chief Planning Officer be authorised to grant planning permission upon the completion of a satisfactory legal agreement and subject to the conditions listed below.**

**2) That the Chief Planning Officer after consultation with the Head of Law and the Chair of the Planning and Development Control Committee be authorised 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 conditions, any such changes shall be within their discretion.**

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## CONDITIONS

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In line with the Town and Country Planning Act 1990 and the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, officers have consulted the applicant on the pre-commencement conditions included in the agenda and the applicant has raised no objections.

### 1. Time Limit

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

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

### 2. Approved Drawings

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

9\_1307\_P\_001\_B; 9\_1307\_P\_100\_B; 9\_1307\_P\_110\_B; 9\_1307\_P\_120\_A;  
9\_1307\_P\_121\_A; 9\_1307\_P\_122\_A; 9\_1307\_P\_123\_A; 9\_1307\_P\_200\_B;  
9\_1307\_P\_201\_C; 9\_1307\_P\_202\_A; 9\_1307\_P\_203\_A; 9\_1307\_P\_204\_A;  
9\_1307\_P\_205\_A; 9\_1307\_P\_206\_A; 9\_1307\_P\_207\_A; 9\_1307\_P\_300\_A;  
9\_1307\_P\_301\_A; 9\_1307\_P\_302\_A; 9\_1307\_P\_303\_A; 9\_1307\_P\_400\_A;  
9\_1307\_P\_401\_A; 9\_1307\_P\_402\_A; 9\_1307\_P\_403\_A; 9\_1307\_P\_404\_A;  
9\_1307\_P\_405\_A; 9\_1307\_P\_500\_A; 9\_1307\_P\_501\_A; 9\_1307\_P\_502\_A;  
9\_1307\_P\_510\_A; 9\_1307\_P\_511\_A; 9\_1307\_P\_512\_A; 9\_1307\_P\_513\_A;  
9\_1307\_P\_514\_A; 9\_1307\_P\_515\_A; 9\_1307\_P\_516\_A; 9\_1307\_P\_517\_A;  
9\_1307\_P\_518\_A; 9\_1307\_P\_519\_A

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

### 3. Community Liaison Group

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

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

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

- (iii) informing nearby residents and businesses of considerate methods of working such as working hours and site traffic;
- (iv) providing advanced notice of exceptional hours of work, if and when appropriate;
- (v) providing nearby residents and businesses with an initial contact for information relating to the works and procedures for receiving/responding to comments or complaints regarding the development with the view of resolving any concerns that might arise;
- (vi) providing telephone contacts for nearby residents and businesses 24 hours daily throughout the works for the development; and
- (vii) producing a leaflet prior to the commencement of the development for distribution to nearby residents and businesses, identifying progress of the development and which shall include an invitation to register an interest in the Liaison Group.

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

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

#### **4. Materials**

The development shall not commence (save for below ground works) until particulars and samples (where appropriate) of all the materials to be used in all external faces of the buildings; including details of the colour, composition and texture of the metal and stone work; details of all surface windows; balustrades to roof terraces; roof top plant and general plant screening; shop front treatments, including window opening and glazing styles and all external hard surfaces including paving, have been submitted and approved in writing by the Local Planning Authority. These details will have reference to and include the mitigation measures identified within the submitted Pedestrian Level Wind Microclimate Assessment RWDI #1700556 PLW REV-D April 25<sup>th</sup> 2017 The development shall be carried out in accordance with the details as approved and thereafter permanently retained in this form.

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

#### **5. 1:20 Details**

The development shall not commence (save for below ground works) until detailed drawings at a scale not less than 1:20 (in plan, section and elevation) of typical sections/bays of each of the approved buildings have been submitted and approved in writing by the Local Planning Authority. These shall include details of the proposed cladding, fenestration (including framing and glazing details), balustrades (including roof terraces), shop front and entrances and roof top plant and plant screening. The development shall be carried out in accordance with the details as approved and thereafter permanently retained in this form.

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

## **6. 1:20 Roof Top Plant Details**

The development shall not commence (save for below ground works) until detailed plans, sections and elevations at a scale of 1:20 of the rooftop plant have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details as approved and thereafter permanently retained in this form.

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

## **7. Construction Management Plan**

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



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

## **8. Construction Logistics Plan**

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

Each Construction Logistics Plan shall cover the following minimum requirements:

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

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

## **9. Cycle Parking**

No part of the development hereby approved shall be occupied or used prior to the provision of the cycle storage arrangements for not less than 228 long stay and 4 short stay, as indicated on the approved drawings and set out within the submitted Transport Assessment, to serve the development have been fully provided and made available to visitors and staff and such storage facilities shall be permanently retained thereafter in accordance with the approved details.

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

## **10. Cycle Parking Management Plan**

No part of the development hereby approved shall be occupied or used until a Cycle Parking Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall not be operated otherwise than in

accordance with the Cycle Parking Management Plan as approved and shall thereafter be permanently retained in this form.

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

## **11. Refuse**

No part of the development shall be occupied prior to the provision of the refuse storage enclosures, as indicated on the approved drawings and shall include provision for the storage of recyclable materials. All the refuse/recycling generated by the development hereby approved shall be stored within the approved areas and shall be permanently retained thereafter in accordance with the approved details.

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

## **12. Waste Management Strategy**

No part of the development hereby approved shall be used or occupied until a Waste Management Strategy has been submitted and approved in writing by the Local Planning Authority. Details shall include how recycling will be maximised and be incorporated into the facilities of the development. All approved storage arrangements shall be provided in accordance with the approved details and shall be permanently retained thereafter in accordance with the approved details and shall thereafter be permanently retained in this form.

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

## **13. Delivery and Servicing Management Plan**

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

Reason: To ensure that satisfactory provision is made for refuse storage and collection and to ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by noise, in accordance with Policy 6.11 of the

London Plan (2016) and Policies T2, CC11 and CC13 of the Local Plan (2018) and SPD Key Principle TR28 (2018).

#### **14. Hoardings**

No development shall commence until a scheme for temporary fencing and/or enclosure of the site has been submitted to and approved in writing by the Local Planning Authority, and the temporary fencing and/or enclosure has been erected in accordance with the approved details. The temporary fencing and/or enclosure shall thereafter be retained for the duration of the demolition and building works in accordance with the approved details. No part of the temporary fencing and/or enclosure of the site shall be used for the display of advertisement hoardings.

Reason: To ensure a satisfactory external appearance and to prevent harm to surrounding residential occupiers, the street scene and public realm, in accordance with Policies 7.1 and 7.6 of the London Plan (2016), Policies DC1, DC8 and CC12 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD (2018).

#### **15. Contamination: Preliminary Risk Assessment**

No development shall commence until a preliminary risk assessment report is submitted to and approved in writing by the Local Planning Authority. This report shall comprise: a desktop study which identifies all current and previous uses at the site and surrounding area as well as the potential contaminants associated with those uses; a site reconnaissance; and a conceptual model indicating potential pollutant linkages between sources, pathways and receptors, including those in the surrounding area and those planned at the site; and a qualitative risk assessment of any potentially unacceptable risks arising from the identified pollutant linkages to human health, controlled waters and the wider environment including ecological receptors and building materials. All works must be carried out in compliance with the approved details 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.

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

#### **16. Contamination: Site Investigation Scheme**

No development shall commence until a site investigation scheme is submitted to and approved in writing by the Local Planning Authority. This scheme shall be based upon and target the risks identified in the approved preliminary risk assessment and shall provide provisions for, where relevant, the sampling of soil, soil vapour, ground gas, surface and groundwater. All works must be carried out in compliance with the approved details 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.

Reason: Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks

are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policies CC9 and CC13 of the Local Plan (2018) and SPD Key Principles LC1 to LC7 (2018).

### **17. Contamination: Quantitative Risk Assessment Report**

Unless the Local Planning Authority agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until (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 Local Planning Authority. This report shall: assess the degree and nature of any contamination identified on the site through the site investigation; include a revised conceptual site model from the preliminary risk assessment based on the information gathered through the site investigation to confirm the existence of any remaining pollutant linkages and determine the risks posed by any contamination to human health, controlled waters and the wider environment. All works must be carried out in compliance with the approved details 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.

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

### **18. Contamination: Remediation Method Statement**

Unless the Local Planning Authority agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until a remediation method statement, if required, is submitted to and approved in writing by the Local Planning Authority. This statement shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved quantitative risk assessment. All works must be carried out in compliance with the approved details 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.

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

### **19. Contamination: Verification Report**

Unless the Local Planning Authority agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until the approved remediation method statement has been carried out in full if required, and a verification report confirming these works has been submitted to, and approved in writing, by the Local Planning Authority. This report shall include: details of the remediation works carried out; results of any verification sampling, testing or

monitoring including the analysis of any imported soil; all appropriate waste Duty of Care documentation and the validation of gas membrane placement. If, during development, contamination not previously identified is found to be present at the site, the Local Planning Authority is to be informed immediately and no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until a report indicating the nature of the contamination and how it is to be dealt with is submitted to, and agreed in writing by, the Local Planning Authority. Any required remediation shall be detailed in an amendment to the remediation method statement and verification of these works included in the verification report. All works must be carried out in compliance with the approved details 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.

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

## **20. Contamination: Onward Long-Term Monitoring Methodology**

Unless the Local Planning Authority agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until an onward long-term monitoring methodology report, is submitted to and approved in writing by the Local Planning Authority where further monitoring is required past the completion of development works to verify the success of the remediation undertaken. If required, a verification report of these monitoring works shall then be submitted to and approved in writing by the Local Planning Authority when it may be demonstrated that no residual adverse risks exist. All works must be carried out in compliance with the approved details 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.

Reason: Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The 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, and in accordance with Policy 5.21 of the London Plan, Policy CC4 of the Hammersmith and Fulham Core Strategy (2011), Policies DM H7 and DM H11 of the Development Management Local Plan (July 2013) and SPD Amenity policies 2-17 of the Planning Guidance Supplementary Planning Document (July 2013).

## **21. Secure by Design**

The development hereby permitted shall not commence (save for below ground works) until a statement of how 'Secure by Design' requirements are to be adequately achieved has been submitted to and approved in writing by the Local Planning Authority. Such details shall include, but not be limited to: site wide public realm CCTV and feasibility study relating to linking CCTV with the Council's borough wide CCTV system, access controls, basement security measures and means to secure the site throughout construction in accordance with BS8300:2009. No part of the development shall be used or occupied until these measures have been implemented in accordance with the

approved details, and the measures shall thereafter be permanently retained in this form.

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

## **22. Landscaping**

The development hereby permitted shall not commence (save for below ground works) until details of the proposed soft and hard landscaping of all areas external to the building(s) have been submitted to and approved in writing by the Local Planning Authority. The details shall include: planting schedules and details of the species, height and maturity of any trees and shrubs, including sections through the planting areas; depth of tree pits, containers and shrub beds; details relating to the access of each building, including pedestrian surfaces, materials, kerb details, external steps and seating that ensure a safe and convenient environment for blind and partially sighted people. The details shall reference and include the mitigation measures as set out in the submitted Pedestrian Level Wind Microclimate Assessment RWDI #2002211 REV B 24 February 2020. The landscaping works shall be carried out in accordance with the approved details and shall thereafter be permanently retained in this form.

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

## **23. Landscape Management Plan**

The development hereby permitted shall not commence until a Landscape Management Plan (save for below ground works) has been submitted to and approved in writing by the Local Planning Authority for all of the landscaped areas. This shall include details of management responsibilities and maintenance schedules for all landscape areas. The landscape management plan shall be implemented in accordance with the approved details and shall thereafter be permanently retained in this form.

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

## **24. Protection of Existing Trees**

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

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

## **25. Lighting**

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

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

## **26. Background Noise Levels**

The development hereby permitted shall not commence (save for below ground works) until details of the external noise level emitted from plant/ machinery/ equipment and mitigation measures as appropriate have been submitted to and approved in writing by the Local Planning Authority. The measures shall ensure that the external sound level emitted from plant, machinery/ equipment will be lower than the lowest existing background sound level by at least 10dBA in order to prevent any adverse impact. The assessment shall be made in accordance with BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. A post installation noise assessment shall be carried out where required to confirm compliance with the sound criteria and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained in this form.

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

## **27. Anti-vibration Measures**

No part of the development hereby approved shall be used or occupied until details of anti-vibration measures has been submitted to and approved in writing by the Local Planning Authority. The measures shall ensure that machinery, plant/ equipment, extract/ ventilation system and ducting are mounted with proprietary anti-vibration isolators and fan motors are vibration isolated from the casing and adequately silenced. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained in this form.

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

## **28. Internal Room Noise**

The noise level in rooms at the development hereby approved shall meet the noise standard specified in BS8233:2014 for internal rooms and external amenity areas.

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

## **29. Residential Sound Insulation**

The development hereby permitted shall not commence (save for below ground works) 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, namely between the differing layouts of the flats on the 5th, 6th and 7th floors. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

## **30. Basement Floor/Ceiling/Wall Insulation**

Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of the sound insulation of the floor/ ceiling/ walls separating the basement plant room from dwellings. Details shall demonstrate that the sound insulation value  $D_{nT,w}$  is enhanced by at least 10dB above the Building Regulations value and, where necessary, additional mitigation measures implemented to contain commercial noise within the commercial premises and to achieve the criteria  $L_{Amax,F}$  of BS8233:2014 within the dwellings/ noise sensitive premises. 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/ adjacent dwellings/ noise sensitive premises is not adversely affected by noise, in accordance with Policies CC11 and CC13 of the Local Plan (2018).

## **31. Air Quality Dust Management Plan**

Prior to the commencement of the development hereby permitted, an Air Quality Dust Management Plan (AQDMP) in order to mitigate air pollution shall be submitted to and approved in writing by the Local Planning Authority. The AQDMP must include an Air Quality Dust Risk Assessment (AQDRA) that considers sensitive receptors off-site of the development and is undertaken in compliance with the methodology contained within Chapter 4 of the Mayor of London 'The Control of Dust and Emissions during Construction and Demolition', SPG, July 2014 and the identified measures recommended for inclusion into the AQDMP. The AQDMP submitted must comply with the Mayor's SPG and should include: Inventory and Timetable of dust generating activities during construction; Site Specific Dust mitigation and Emission control



measures in the table format as contained within Appendix 7 of Mayor's SPG including for on-road and off-road construction traffic; Detailed list of Non-Road Mobile Machinery (NRMM) used on the site. The NRMM should meet as minimum the Stage IV emission criteria of Directive 97/68/EC and its subsequent amendments. This will apply to both variable and constant speed engines for both NO<sub>x</sub> and PM. An inventory of all NRMM for the first phase of construction shall be registered on the NRMM register <https://nrmm.london/user-nrmm/register> prior to commencement of construction works and thereafter retained and maintained until occupation of the development; use of on-road Ultra Low Emission Zone (ULEZ) compliant vehicles in accordance with the emission hierarchy (1) Electric (2) Hybrid (Electric-Petrol) (3) Petrol, (4) Hybrid (Electric-Diesel) (5) Diesel (Euro 6 and Euro VI); Details of MCERTS compliant monitoring of Particulates (PM<sub>10</sub>) used to prevent levels exceeding predetermined PM<sub>10</sub> threshold trigger levels. Developers must ensure that on-site contractors follow best practicable means to minimise dust, particulates (PM<sub>10</sub>, PM<sub>2.5</sub>) and NO<sub>x</sub> emissions at all times. Approved details shall be fully implemented and permanently retained and maintained during the construction phases of the development.

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

### **32. CHP & Gas Boiler Compliance with Emission Standards**

Prior to the commencement of the development (save for below ground works) details must be submitted to and agreed in writing by the council of the Ultra Low NO<sub>x</sub> 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 NO<sub>x</sub> emissions not exceeding 30 mg/kWh (at 0% O<sub>2</sub>). Where any installations do not meet this emissions standard it should not be operated without the fitting of suitable NO<sub>x</sub> abatement equipment or technology as determined by a specialist to ensure comparable emissions. Following installation, emissions certificates will need to be provided to the council to verify boiler emissions. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained

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

### **33. Roof Equipment**

The development hereby permitted shall not commence (save for below ground works) until detailed drawings at a scale not less than 1:20 (in plan, section and elevation) of the rooftop plant enclosures shall be submitted to and approved in writing by the Local Planning Authority. No part of the relevant hotel shall be used or occupied until the enclosures have been constructed in accordance with the approved details, and the enclosures shall thereafter be permanently retained in this form.

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

### **34. Access Management Plan**

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

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

### **35. Lifts**

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

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

### **36. Revised Flood Risk Assessment**

The development hereby permitted shall not commence until a revised Flood Risk Assessment (FRA) demonstrating suitable basement waterproofing and flood proofing measures has been submitted to and approved in writing by the Local Planning Authority. The FRA shall be implemented in accordance with the approved details, and thereafter all approved measures shall be retained and maintained in accordance with the approved details and shall thereafter be permanently retained in this form.

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

### **37. Revised Drainage Strategy**

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

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

### **38. Window Cleaning Equipment**

The development hereby permitted shall not be occupied or used until details of the proposed window cleaning equipment have been submitted and approved in writing by the Local Planning Authority. The details shall include the appearance, means of operation and storage of the cleaning equipment. No part of the development shall be used or occupied until the equipment has been installed in accordance with the approved details and shall thereafter be permanently retained in this form.

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

### **39. TV Interference**

The development hereby permitted shall not commence (excluding below ground works) until details of the methods proposed to identify any television interference caused by the proposed works on each stage, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the measures proposed to ensure that television interference which might be identified, is remediated in a satisfactory manner. The approved remediation measures shall be implemented for each Stage immediately that any television interference is identified.

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

### **40. Airwaves Interference Study**

The development shall not commence (excluding below ground works) until the following details have been submitted to and approved in writing by the Local Planning Authority:

- i. The completion of a Base-Line Airwaves Interference Study (the Base-Line Study) to assess airwave reception within/adjacent to the site; and
- ii. The implementation of a Scheme of Mitigation Works for the purposed of ensuring nil detriment during the Construction Works identified by the Base-Line Study. Such a Scheme of Mitigation Works shall be first submitted to and approved in writing by the Local Planning Authority.

The development shall be implemented in accordance with the approved details prior to occupation and shall thereafter be permanently retained in this form.

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

#### **41. Addresses**

The development hereby permitted shall not be occupied until the Council has been notified in writing (and has acknowledged such notification) of the full postal address of the residential units hereby approved. Such notification shall be to the Council's Head of Development Management and shall quote the planning application number specified in this decision letter.

Reason: In order that the Council can update its records to ensure that parking permits are not issued to the occupiers of the proposed residential units and thus ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the high level of on-street car parking stress in the area, in accordance with Policy T1 the Local Plan 2018

#### **42. Obscured Glass**

The window glass at ground level in the development shall not be mirrored, painted or otherwise obscured.

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

#### **43. No roller shutters**

No roller shutters shall be installed on any entrance or display facade hereby approved.

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

#### **44. No advertisements**

No advertisements shall be displayed on or within any elevation of the building(s), forecourt or public spaces of the development hereby approved without details of the advertisements having first been submitted to and approved in writing by the Local Planning Authority.

Reason: In order that any advertisements displayed on the building are assessed in the context of an overall strategy, to ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, and to preserve the character and appearance of the surrounding conservation areas and other heritage assets; in accordance with policies 7.1, 7.6 and 7.9 of the London Plan (2016), policies DC1, DC2, and DC8 of the Local Plan (2018), and guidance contained within the Planning Guidance Supplementary Planning Document (2018).

#### **45. Replacement Trees, shrubs etc**

All planting, seeding and turfing approved as part of the agreed soft landscaping scheme shall be carried out in the first planting or seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or shrubs which die, are removed or become seriously damaged or diseased within 5 years of the date of the initial planting shall be replaced in the next planting season with other similar size and species.

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

#### **46. No plant, water tanks**

No plant, water tanks, water tank enclosures or other structures, that are not shown on the approved plans, shall be erected upon the roofs of the buildings hereby permitted.

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

#### **47. Changes to the external appearance of the new buildings**

No alterations shall be carried out to the external appearance of the buildings, including the installation of air-conditioning units, ventilation fans or extraction equipment not shown on the approved drawings.

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

#### **48. External entrance doors**

All external entrance doors facing the public highway in the building(s) hereby approved shall be designed and installed so that they only open inwards and shall thereafter be permanently retained in this form.

Reason: To prevent obstruction of the public highway in accordance with the Highways Act 1980.

#### **49. PD Rights**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that principal

Order with or without modification), no aerials, antennae, satellite dishes or related telecommunications equipment shall be erected on any part of the development hereby permitted, without planning permission first being obtained.

Reason: To ensure that the visual impact of telecommunication equipment upon the surrounding area can be considered, in accordance with policies 7.1, 7.6 and 7.9 of the London Plan (2016), policies DC1, DC2, and DC8 of the Local Plan (2018), and guidance contained within the Planning Guidance Supplementary Planning Document (2018).

## **50. No music**

No music nor amplified sound (including voices) emitted from the development hereby permitted shall be audible at any residential/noise sensitive premises.

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

## **51. Level Threshold**

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

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

## **52. Piling**

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

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

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## REASONS

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- 1) Land Use: The proposed residential land use for affordable housing is strongly supported by adopted and emerging national, regional and local policy. Officers consider that the residential use is appropriate in this location and would replace a previous use of the same type in a residential area, making use of a vacant brownfield, publicly owned site. The ancillary community facility is suitable within the building and for the benefit of residents. The proposal is therefore supported in land use terms subject to the satisfaction of other development plan policies and is considered to be in accordance with the NPPF, London Plan Policies 2.1, 2.13 and 3.3, Local Plan Policies HO1 and HO4.
- 2) Housing: The proposal would help to regenerate the wider estate whilst delivering 133 affordable residential units with 79% being at social rent and the remainder being at intermediate rent. The 133 affordable properties are at a range of affordable rent sizes which are considered to respond positively to the site characteristics and the demand for social rented accommodation for households with moderate to severe housing needs. Whilst 100% affordable, the proposal introduces 20% intermediate rent and, given consideration to the wider demographics, would not lead to a monotenure development and maintain a mixed and balanced ward. The amenity proposal would provide a high quality of private and communal amenity for future occupants together with a high standard of residential accommodation. The density is acceptable, given the location and transport accessibility of the site and the resultant acceptable quality of the residential accommodation which will deliver social rented homes. The proposal is therefore considered to be in accordance with the NPPF, London Plan Policies 3.3, 3.4, 3.5, 3.6, 3.8, 3.9, 3.10, 3.11 and 3.12, and Local Plan policies DC2, HO2, HO3, HO4, HO5, H06, OS1, OS2 and OS3
- 3) Design and Heritage: The proposed scheme represents an opportunity to regenerate a vacant site within the Clem Atlee estate in accordance with the Council's Local Plan policies. The site currently fails to contribute positively to the permeability, legibility and identity of the estate overall and the proposed scheme provides considerable potential to address these issues. In balancing the urban design and heritage impacts, it is acknowledged that the application site is not within an area identified for development of a tall building and therefore would in part conflict with Local Plan Policy DC3. Notwithstanding this conflict, the development is not considered to have a disruptive and harmful impact on the skyline and would comply with the framework of parts B-E of London Plan Policy 7.7 and with Policy 7.7 considered as a whole. Furthermore, it is considered that the proposal would result in an overall positive outcome for the Clem Atlee Estate in terms of its regeneration and in accordance with relevant national guidance and regional and local policies. The harm caused to setting and significance of Central Fulham Conservation Area and the Grade II\* listed Church of St. Thomas of Canterbury and buildings within its curtilage is identified at the lower end of less than substantial and, in line with local policy and the NPPF, this level of harm has been considered against the public benefits coming forward as part of the scheme and detailed elsewhere within this report. It is considered this is harm outweighed by the substantial public benefits that the proposal would deliver. The impact of the proposal on the heritage assets and it is considered appropriate to grant planning permission having regard to and applying the statutory provisions in Section 66 of the Planning (Listed

Buildings and Conservation Areas) Act 1990. The proposal is also considered to be in line with national guidance in the NPPF and strategic local policies on the historic environment and urban design. Although some elements of conflict with policy have been identified above, overall the proposed development is considered acceptable having regard to the NPPF, Policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7 and 7.21 of the London Plan and Policies DC1, DC2, DC3, DC4, DC7 and DC8 of the Local Plan (2018).

4) Transport: The proposal is car free. There would be no adverse impact on traffic generation and the scheme would not result in congestion of the road network. Conditions would secure satisfactory provision of cycle and refuse storage, construction and demolition logistics and management while a Travel Plan is secured by legal agreement. Adequate provision for storage and collection of refuse and recyclables would be provided. The accessibility level of the site is very good and is well served by public transport. External impacts of the development would be controlled by conditions and section 106 provisions. In addition, servicing and road safety and travel planning initiatives would be implemented in and around the site to mitigate against potential issues. The proposed development therefore accords with Policies 6.1, 6.3, 6.9, 6.10, 6.11, 6.13, of the London Plan (2016), Policy, CC6, CC7, T1, T2, T3, T4, T5 and T7 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

5) Impact on Neighbouring Properties: On balance, the impact of the proposed development upon adjoining occupiers is considered acceptable. There would be no significant worsening of noise/disturbance and overlooking, no unacceptable loss of sunlight or daylight or outlook to cause undue detriment to the amenities of neighbours. In this regard, the development would respect the principles of good neighbourliness. The proposed development therefore accords with policies 3.5, 3.6, 3.8, 7.3, 7.6, 7.7, 7.14 and 7.15 of the London Plan 2016; Policies DC1, DC2, DC8, CC10, CC11, CC12, CC13 and OS5 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

6) Sustainability and Energy: The proposed development has been designed to meet the highest standards of sustainable design and construction. The application proposes a number of measures to reduce CO2 emissions to exceed London Plan targets, a revised Energy Strategy is secured by condition to ensure the highest levels of savings. A revised Sustainable Urban Drainage Strategy would be required by condition to reflect final design detail. The proposal would thereby seek to reduce pollution and waste and minimise its environmental impact. The proposed development therefore accords with Policies 5.1, 5.2, 5.3, 5.6, 5.7, 5.8, 5.9, 5.11, 5.12, 5.13, 5.14, 5.15 and 7.19 of the London Plan 2016, Policies DC1, DC2, DC8, CC2, CC1, CC3, CC10, FRA, SFRA1 and OS5 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

7) Air Quality: There will be an impact on local air quality because of the construction and operation of the proposed development. However, conditions are proposed to ensure that prior to the commencement of above ground works for each phase of the development appropriate measures will be taken to mitigate the impact of the development. During construction an Air Quality Dust Management Plan for construction works is required by condition which will mitigate the air quality impacts of the development. The proposed operation of the development will have an air quality impact, however this can be suitably mitigated by siting and design and using appropriate NOx emissions abatement technology to ensure the CHP in the energy centre and other associated plant comply with the strictest emission standards possible;



all of which are secured by way of condition. The proposed development therefore accords with London Plan Policy 7.14 and Policy CC10 of the Local Plan (2018).

8) Access: A condition would ensure the development provides level access, a lift to all levels, suitable circulation space, 10% of units to be wheelchair accessible and an Inclusive Accessibility Management Plan. Satisfactory provision is therefore made for users with mobility needs, in accordance with Policy 7.2 of the London Plan 2016, Policies DC2 and HO6 of the Local Plan 2018 and Key Principles DA1, DA22 and DA3 of the Planning Guidance SPD 2018.

9) Flood Risk: A Flood Risk Assessment has been submitted which advises standard construction practices in order to ensure the risk of flooding at the site remains low. Sustainable drainage systems would be integrated into the development to cut surface water flows into the communal sewer system. Further information on surface water drainage, basement and flood proofing are secured by condition. The development would therefore be acceptable in accordance with the Policy 5.21 of the London Plan 2016, Policy CC2, CC9 and CC13 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

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

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

12) Local Economy and Employment: The development would generate construction related full time equivalent (FTE) jobs over the build period. The employment and training initiatives secured through the S106 agreement would bring significant benefits to the local area while a local procurement initiative will be entered into by way of the legal agreement to provide support for businesses. The development is therefore in accordance with Policies 3.1 and 4.12 of the London Plan and policies E1, and E4 of the Local Plan (2018).

13) Objections: Whilst a large number of issues have been raised by objectors to the scheme it is considered, for the reasons explained in the detailed analysis, that planning permission should be granted for the scheme subject to appropriate safeguards to ensure that necessary controls and mitigation measures are established. This decision is taken on the basis of the proposed controls, mitigation measures and delivery commitments contained in the draft conditions and Heads of Terms for the Section 106 Agreement set out in this committee report, which are considered to provide an adequate framework of control to ensure as far as reasonably practicable that the public benefits of the scheme will be realised in accordance with relevant planning policies whilst providing the mitigation measures and environmental improvements needed to address the likely significant adverse impacts of the development.

14) Conditions: In line with the Town and Country Planning Act 1990 and the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, officers have consulted the applicant on the pre-commencement conditions included in the agenda and the applicant has raised no objections.

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

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## **1.0 BACKGROUND**

### **1.1. The Site**

1.2. The application site is on St Thomas's Way which is to the south and is within the Clem Attlee Estate with residential properties to the east and west. To the north of the site is the Clem Attlee Community Hall on Len Freeman Place, the 4 storey Nye Bevan House is the west, the 4 storey George Lindgren House to the east and John Strachy House to the north. An area of public realm and a playground occupies the adjacent land immediately north of the site. To the south of the site are a series of perpendicular residential roads of Victorian 2 storey terraced houses at Fabian Road and Hartismere Road

1.3. The Clem Attlee Estate itself is made up of several tower blocks and some lower rise blocks interspersed with green space. The surrounding area to the south is predominately low rise residential properties, with the commercial units of North End Road to the east. To the north of the site are three tower blocks: the 18 storey Herbert Morrison House, and two 11 storey tri-axial buildings.

#### Existing Site

1.4. The site is currently vacant with the previous Edith Summerskill House having been demolished in 2018. This previous building was a 68 unit residential building standing at 18 storeys high and had been vacant since 2011 with the council determining that refurbishment was unviable.

### **1.5. Designations**

1.6. The site is within Flood Zone 2, but is not within a conservation area and is not subject to any other heritage designation. The Central Fulham Conservation Area lies to the west, Sedlescombe Road Conservation Area lies to the east and Walham Green Conservation Area to the south. St Thomas' Church is Grade II\* listed building and is to the west

#### Transport

1.7. The site is located around 0.5 mile from both Fulham Broadway and West Brompton tube stations with bus stops to Lillie Road to the north and Dawes Road to the south. The site has a Public Transport Accessibility Level (PTAL) of 4, which reduces to 3 at the rear of the site. PTAL is a measure of the accessibility of a point to the public transport network. The method is essentially a way of measuring the density of the public transport network at particular points. A PTAL score can range from 1a to 6b, where a score of 1a indicates a "very poor" level of accessibility and 6b indicates an "excellent" accessibility level.

### **1.8. Planning History**

1.9. The site forms part of the wider Clem Attlee Estate which was built during the 1960s. The relevant planning history is limited and comprises:

- 1.10. 2004/00946/FR3 – planning permission granted for the renewal of the roof, installation of replacement windows and ancillary works.
- 1.11. 2014/03515/FR3 – planning permission granted for the erection of a temporary hoarding at a height of 2.44m around the boundary of the vacant building.
- 1.12. 2016/03746/DEM - Application as to whether prior approval is required under Part 11 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 for the demolition of a 17 storey block of flats (Edith Summerskill House). Lapsed and as such prior approval granted.
- 1.13. 2017/02100/FUL – Planning permission granted 27 September 2017 for the creation of a parking layby to accommodate two new accessible parking spaces on the public highway, the relocation of an existing speed bump and associated works along the Clem Atlee access.
- 1.14. 2018/01849/FUL – planning permission was granted by committee on 10<sup>th</sup> October 2017 and the permission and s106 agreement issued 3<sup>rd</sup> October 2019 for the erection of a 20 storey tower (plus plant) with single storey basement and ground floor mezzanine at a maximum height of approximately 80.27m2 AOD, comprising of 133 residential (Class C3) units up to a maximum of approximately 16,262 m2 (GEA); ancillary community use at ground floor level; hard and soft landscaping and associated works. Following the issue of planning permission, a claim for judicial review was brought by a local resident. LBHF consented to judgment and the permission was subsequently quashed by the High Court on 9<sup>th</sup> December 2019.
- 1.15. **Mayoral Referral**
- 1.16. Under the terms of the Town & Country Planning (Mayor of London) Order 2008, the Greater London Authority has been notified as the application is within the thresholds of potential strategic importance to London.
- 1.17. The Mayor of London formally considered the proposal 7<sup>th</sup> July 2020 and issued a Stage 1 report, a summary of which is set out within the Consultations section of this report. Should planning permission be granted, this application would be referred to the Mayor of London prior to the issue of any decision notice. The Mayor has a period of 14 days from the date of notification to consider the council's resolution before issuing a decision as to the call-in of the application for the Mayor to act as the local planning authority, or to allow the application to proceed.

## **2.0 PROPOSAL**

- 2.1. The application seeks full planning permission for the erection of a 20 storey (78.77m AOD) residential tower comprising:
- 133, 100% affordable residential units (15,740m2 GEA)
  - 105 social rented units (79%)
  - 28 intermediate rent units (21%)
  - Single storey basement
  - Ancillary community room and kitchen at ground floor level

- Public realm, landscaping and highway improvement within and surrounding the site
- 2.2. The building is composed of two and three storey precast concrete columns and arches with the double height bays feature at floors 1-6 and triple height bays at floors 7-19. The top floor features a projecting open frame in a continuation of the piers below. At the base of the building is a rusticated brick distinct from the above concrete treatment. The applicant contends that the composition of the facades addresses this through the creation of three distinct facade treatments: a large single storey plinth at ground level responds to the immediate context; double storey bays across floors 1-6 respond to the scale of the streetscape; triple storey bays on the upper levels have a civic presence at an urban scale..
- 2.3. The proposal features 133 affordable rented units, 106 of which are for social rent and the remaining 27 at intermediate rent. No private market units are included. The number of units proposed is as follows:

<b>Unit Size</b>	<b>Proposed No.</b>
<b>1b2p</b>	38
<b>1b2p WA</b>	7
<b>2b3p</b>	31
<b>2b3p WA</b>	6
<b>2b4p (corner)</b>	14
<b>2b4p</b>	37
<b>Total</b>	133

- 2.4. As such there is focus upon 1 and 2 bed properties for 2-4 people and all of the units would exceed the London Plan space standards. The proposed footprint is 718sqm GEA.
- 2.5. At ground level the proposal features a covered arcade to the eastern elevation which will feature the entrance and foyer. To the northern elevation a community space will face onto the adjacent playground. Waste collection is from the western elevation car park onto Nye Bevan House.
- 2.6. The footprint of the building is designed as two overlapping squares around a central core, the result being that the majority of units will be dual aspect.
- 2.7. The residential levels repeat the same floorplate of 7 units per floor through floors 1-19 arranged around a central core and lobby area. Each core features two linked lobby areas, three accessible lifts, a services room and the central stairwell. A total of 13 of the 133 units are wheelchair flats comprising the flats on the 1<sup>st</sup> and 4<sup>th</sup> floors; all other units are accessible and adaptable to conform with building regulations M4(2).
- 2.8. Each flat is centred around an open plan living area in the corners of each unit to create a dual aspect for the majority of the flats. Windows are large with Juliet balconies, the external amenity space being internalised due the high rise nature of the development and to increase living space.

- 2.9. All dwellings will be level throughout and served by three wheelchair accessible lifts. Doors, corridor widths, kitchens and sanitary facilities have all been designed according to the building regulations. The evacuation strategy for the dwellings is 'stay put', and the common areas will be fitted with sprinklers. At the ground floor, level access is provided throughout. The refuse store has been located on the ground floor to simplify access for residents including wheelchair users, and a ground floor recumbent cycle store has been incorporated for disabled bicycle users.
- 2.10. The mezzanine features cycle storage and the ground floor of the building accommodates a variety of communal and common areas: a generous entrance foyer, reception, building management office and meeting room, a large community space with adjoining kitchenette and WC's, bin storage, recumbent cycle store and a number of ancillary plant rooms including an electricity substation.
- 2.11. The main entrance to the building is located beneath the sheltered arcade which means it can be intuitively found and easily accessed from all approaches. Bin storage is at ground floor level rather than in the basement. Access for waste collection is via the adjacent car park.

#### Community Space

- 2.12. A community space is accommodated at ground level and entered at the north end of the arcade. This flexible double height space provides a community asset that can be used by residents of the building and the wider estate. The space is designed around three picture windows which frame the public space beyond. The adjacent kitchenette has sliding windows, allowing it to serve as a kiosk during events, creating a visual and physical relationship with the adjacent external amenity space.

#### Transport

- 2.13. The proposal is car free, with car parking spaces within the Clem Estate to be utilised subject to the estate parking permit application process. There is long term storage for 224 regular bikes, with provision for 8 larger bikes. There is a further ground floor cycle store that can house 4 larger bikes with direct access into the communal lobby. 4 additional spaces for visitors are incorporated externally in the public realm. The mezzanine is accessed by the same central core as well as a bicycle wheeling stair is also provided with an integrated ramp which leads from the main double height lobby to the mezzanine.
- 2.14. **Submitted Documents**
- 2.15. In support of the planning application the applicant has submitted the following documents:
- Application Forms and Certificate (submitted via the portal, reference PP-08407581);
  - CIL form;
  - Covering Letter, prepared by Gerald Eve LLP;
  - Planning Application form prepared by Gerald Eve LLP;

- Community Infrastructure Levy Form prepared by Gerald Eve LLP;
- Design and Access Statement, prepared by HHbR;
- Drawings, prepared by HHbR;
- Acoustic Report by Arup;
- Air Quality Assessment by Aecom;
- Amenity, Education and Primary Health Note, prepared by Aecom;
- Arboricultural Report by Aecom;
- Basement Construction Method Statement by Arup;
- Construction Management Plan by Arup;
- Daylight and Sunlight Statement by GIA;
- Desk Based Contamination Report by Arup;
- Ecology Statement, prepared by Aecom;
- Energy Strategy by Arup;
- Flood Risk Assessment by Arup;
- Fire Strategy, prepared by Arup;
- Heritage Statement, prepared by Cogent Heritage;
- Planning Statement, prepared by Gerald Eve LLP;
- Pedestrian Level Wind Assessment, prepared by RWDI
- Statement of Community Involvement by George Cochrane;
- Sustainability and BREEAM (Including SUDS) by Arup;
- Townscape, Heritage and Visual Impact Assessment by Tavernor Consultancy; and
- Transport Assessment (including waste) by Vectos.

#### 2.16. **Public Engagement**

2.17. The applicant has submitted a Statement of Community Involvement.

2.18. In summary it is stated that the proposals for Edith Summerskill House have been presented to the Fulham Society, the H+F Disability Planning Forum and discussed with local politicians and a wide range of local residents at two rounds of public drop-ins held in September / October and early December 2016. Some 143 people attended the two rounds of consultation, following 1,800 fliers.

2.19. The applicant states that all of those consulted are supportive of the redevelopment of Edith Summerskill House and are very positive about putting the site back into use. Further, there was support for the fact that the new homes will be affordable with 79% being social rent and for residents of Hammersmith and Fulham for local people, introduction at ground floor of a community space and dedicated management offices. There is support for the 21% low cost home ownership or rent. The applicant further states that responses received to consultation appear supportive of the appearance and layout of the new building. The design of the façade is liked and the building is thought to be a positive addition to the area. The new landscaping, particularly along St Thomas's Way, is also supported.

2.20. The principal concerns reported by the applicant, felt by a considerable number of those that attended the consultation, relate to the height of the new building and the lack of parking being proposed.

### 3.0 **PUBLICITY AND CONSULTATIONS**

## Consultation Responses

### Greater London Authority (GLA)

- 3.1 The Mayor of London Stage 1 response is summarised below:
- 3.2 Principle of development: The development of a vacant site for residential use, providing 133 genuinely affordable housing units is strongly supported. The proposals would involve full replacement of the social rented units that previously existed on the site, plus significant uplift in social rented accommodation. The proposals also include an uplift in intermediate affordable accommodation, producing a more balanced tenure mix on the site.
- 3.3 Affordable housing: 100% affordable housing is proposed, including 105 social rent units and 28 intermediate units, which is strongly supported. The proposed rent levels and income thresholds for the social rent and intermediate units should be confirmed and secured.
- 3.4 Design and heritage: The tall building complies with London Plan Policy 7.7. It is not proposed in an area that is designated as being suitable for tall buildings, contrary to draft London Plan policy D9. However, the design and impact of the building is acceptable and the proposal is supported on balance. There would be less than substantial harm to heritage assets, which is outweighed by the substantial public benefits of the scheme. An amended fire statement should be submitted
- 3.5 Sustainable development: Further information is required relating to energy efficiency, overheating, renewable energy, sustainable drainage and urban greening
- 3.6 Transport: Further information on blue badge parking required. A travel plan, construction logistics plan and delivery and servicing plan must be secured by condition.

### TfL

- 3.7 Further to the Stage 1, TfL submitted detailed comments summarised as follows:
- TfL have no concerns with the proposed access
  - The site design is in line with the Healthy Streets indicators
  - The development provides traffic free amenity space which is welcomed
  - Cycle parking is supported
  - The applicant states that due to constraints on site there is not space to provide passive parking provision. This does not fully conform with ItP LP Policy T6.1 and the number of spaces should be increased. The TA states that should there be a requirement for future provision, spaces on St Thomas Way can be converted. TfL request the applicant commits to this via planning condition.
  - The applicant should enter into a permit-free agreement with LBHF to restrict future residents from obtaining a parking permit



- The proposed quantum of trips to be undertaken by public transport will not have a significant impact on the local public transport network and therefore no mitigation is required in line with ItP London Plan Policy
- A framework travel plan has been prepared containing measures that would support the sustainable travel objectives of the MTS and London Plan. This is welcomed and the final travel plan should be secured, with ambitious mode share targets
- The Delivery and Servicing Plan should be to revised to provide off-street servicing

### 3.8 Historic England:

- Historic England's remit to comment on this application is in relation to the impact the proposals would have on the setting of the grade II\* listed Church of St Thomas of Canterbury. We acknowledge the application site was previously occupied by a 1960s tower block before its demolition. Therefore Historic England has no issues with the principle of redeveloping this particular location. However, in accordance with Paragraph 200 of the National Planning Policy Framework (NPPF, February 2019), new developments within the setting of heritage assets should seek to 'enhance or better reveal their significance'. The assessment demonstrates that the proposed development would be clearly visible behind the church in axial views from within the churchyard and within the surrounding townscape in which the spire of the church is visible against the open sky.
- In these principal churchyard views the proposed development would prominently intrude behind the church tower and its roofline, acting as a distracting feature which diminishes one's ability to appreciate the architectural qualities of the church. These are a key element of its significance, which are presently framed against the open sky. In our view the development would not only reaffirm the negative impacts that the previous Edith Summerskill House had on the skyline behind the church, but would build upon them through the increase in its height and overall mass.
- Views 7, 8 and 9 illustrate the impact the development would have in relation to the church in the wider local townscape. In these fleeting views, whilst the development would not prevent the church spire from being appreciated against open sky, its close proximity, scale and mass would create an overbearing juxtaposition, to such an extent that it would distract from the church, drawing the eye of the viewer to the proposed development, thereby undermining the church as a local landmark.
- Whilst we accept that the proposals would not cause any physical harm to the listed buildings, we consider that this impact would cause serious harm to the listed building through development within its setting. Under the terms of the NPPF, this harm is 'less than substantial'.
- This harm does not equate to a less than substantial objection, and still requires you to give it great weight in determining the application. The weight given to this harm should be particularly great considering the high significance of the listed building affected.
- We acknowledge that this development offers important affordable housing for the borough. We therefore consider this to be all the more reason to ensure that any development brought forward is plan-led, and

harmful impacts to the significance of heritage assets are avoided, and the proposals are compliant with the national and local planning policy.

- For the reasons set out in this letter, we consider that development would cause serious harm to the setting of the Church of St Thomas of Canterbury, which we do not consider has clear and convincing justification as required by paragraph 194 of the NPPF, particularly in the absence of the application's compliance with key local planning policies. We therefore object to this application on heritage grounds.

3.9 Thames Water: No objection

3.10 Metropolitan Police: Request a condition for Secure by Design

### **Residents and Amenity Groups**

3.11 The development has been advertised by means of a site notices posted around the site on 22<sup>nd</sup> July 2020, press advert published 16<sup>th</sup> July 2020 and approximately 771 individual notification letters sent to the occupiers of properties around the application site on 13<sup>th</sup> July 2020. An extended period of 35 days, beyond the statutory period of 21 days, was allowed for comments to be received. A total of 34 responses have been received, including representations from local amenity groups. The contents of these representations are summarised below.

#### Objection

3.12 34 objections received to date on the detailed application. These have been summarised below:

- The height is far too tall
- Noise, dust and traffic during construction
- Already too many tower blocks
- The roads in the area are already dangerous
- A negative impact on the surrounding area and house prices
- Will be imposing on the skyline and ugly
- Too many flats
- Extra burden on existing drainage and sewers
- More pressure on already full streets with parking
- No green area
- Impact on light
- Increase in traffic and footfall
- Impact on value of my property
- Impact on enjoyment of my property
- Out of line with neighbouring properties
- Overrealm the neighbourhood
- Out of character with the Victorian architecture
- Materials are not modern
- Need a mix of social and private housing
- Lack of light inside the proposed flats
- Harmful to the views of St Thomas of Canterbury and St Johns Walham Green

- Not an area identified for tall buildings
- Invasion of privacy
- No real consultation
- Conflict of interest for the council
- Possible issues with winds and overshadowing
- Density exceeds the London Plan target
- Fire safety needs to be checked
- Setting a precedent for the area
- Creation of a social housing cluster and increase in general insecurity
- Harm to listed building and conservation area
- Disappointing the scheme has not been rethought following high court decision
- No clear analysis of the impact on local services
- The proposal is at odds with thinjning on social integration
- No effort to regenerate just an increase in population
- Covid has demonstrated the impact of a lack of access to outside space
- The scheme no longer seems to parking permit free
- It is not clear why the council is ignoring its own report on tall buildings is being ignored
- The proposal does not accord with the council's spatial strategy
- Townscape, visual impact and heritage reports are flawed by the lack of specificity
- Previous building should be replaced with a low rise building
- The area has benefitted from the previous tower being removed and this would undo that
- The solid facades do not look welcoming
- How will the winds impact local properties
- Questionable amount of space for intended occupiers
- How will this be financed
- The proposal does not enhance the character and identity of the local area
- Noise nuisance and crime
- Local parks will increase in noise bad behaviour and will not be safe
- The arched area could be a site for anti social behaviour

3.13 The Fulham Society have commented that they are pleased that this site will be retained for social housing and consider the design to be both interesting and attractive. However, concerns are raised as to the height of the building and it setting a precedent within the surrounding area, the impact upon light to neighbouring properties. Concern is also raised to the lack of balconies, only one entrance, graffiti to the arcades and possible weathering.

#### **4.0 PLANNING POLICY FRAMEWORK**

4.1 The Town and Country Planning Act 1990, the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011 are the principal statutory considerations for town planning in England.

4.2 Collectively the three Acts create a plan led system which requires local planning authorities to determine planning applications in accordance with an adopted statutory development plan unless there are material considerations

which indicate otherwise (section 38(6) of the 2004 Act as amended by the Localism Act).

- 4.3 In this instance the statutory development plan comprises the London Plan (2016), the Local Plan 2018. A number of strategic and local supplementary planning guidance and other documents are also material to the determination of the application.
- 4.4 The National Planning Policy Framework (NPPF) came into effect on 27 March 2012 and was revised in 2019 and is a material consideration in planning decisions. The NPPF, as supported by the Planning Practice Guidance (PPG), sets out national planning policies and how these are expected to be applied.
- 4.5 The NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up to date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.
- 4.6 The NPPF is aimed at safeguarding the environment while meeting the need for sustainable growth. It advises that the planning system should:
- a) plan for prosperity by using the planning system to build a strong, responsive and competitive economy, by ensuring that sufficient land of the right type, and in the right places, is available to allow growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
  - b) plan for people (a social role) - use the planning system to promote strong, vibrant and healthy communities, by providing an increased supply of housing to meet the needs of present and future generations; and by creating a good quality built environment, with accessible local services that reflect the community's needs and supports its health and well-being; and
  - c) plan for places (an environmental role) - use the planning system to protect and enhance our natural, built and historic environment, to use natural resources prudently and to mitigate and adapt to climate change, including moving to a low-carbon economy. The NPPF also underlines the need for councils to work closely with communities and businesses and actively seek opportunities for sustainable growth to rebuild the economy; helping to deliver the homes, jobs, and infrastructure needed for a growing population whilst protecting the environment.
- 4.7 The NPPF sets out a presumption in favour of sustainable development. For decision-taking this means:
- approving development proposals that accord with the development plan without delay; and
  - where the development plan is absent, silent or relevant policies are out of date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

4.8 The draft London Plan was published on 29 November 2017. The Plan's consultation ended on 2 March 2018. The Examination in Public (EiP) on the London Plan was held between 15th January and 22nd May 2019. The Panel of Inspectors appointed by the Secretary of State issued their report and recommendations to the Mayor on 8th October 2019. The Mayor has considered the Inspectors' recommendations and, on the 9th December 2019, issued to the Secretary of State his intention to publish the London Plan. On 13th March 2020, the Secretary of State wrote to the Mayor to make specified changes to the Intend to Publish London Plan, following the conclusion of the plan's examination. The Mayor cannot publish the plan until he has incorporated these changes, or the Secretary of State has withdrawn the Direction following further negotiation. The regional component of the Development Plan therefore remains the London Plan.

4.9 Policies contained within the Intend to Publish London Plan, that were published in December 2019 and that are not subject to a direction by the Secretary of State carry significant weight. With the exception of Policy D3 (Optimising site capacity through the design-led approach), the other policies on which the Mayor has directed changes are not considered directly relevant to this application. In respect of Policy D3, the Secretary of State's direction increases the emphasis on optimising development density.

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

## **5.0 PLANNING ASSESSMENT**

The main considerations material to the assessment of this application have been summarised as follows:

- 5.1 Principle of Land Use
- 5.2 Housing
- 5.3 Design and Heritage
- 5.4 Daylight, Sunlight, Overlooking and Amenity
- 5.5 Highways
- 5.6 Sustainability and Energy
- 5.7 Flood Risk and Drainage
- 5.8 Ground Contamination

- 5.9 Air Quality
- 5.10 Noise and Vibration
- 5.11 Wind and Microclimate
- 5.12 Arboriculture, Ecology and Biodiversity
- 5.13 Accessibility
- 5.14 Socio Economics and Community Effects

## 5.1 Principle of Land Use

- 5.1.1. **The NPPF 2018** states that applications should be considered in the context of a presumption in favour of sustainable development which meets social, economic and environmental needs and that development proposals which accord with the development plan should be approved without delay. **Paragraph 118** sets out that planning should encourage effective use of land by reusing land which has been previously developed and promotes and supports the development of underutilised land and buildings. The NPPF also promotes mixed-use development and encourages patterns of growth which focus significant development in locations which are, or can be made, sustainable.
- 5.1.2. **Paragraph 80** of the NPPF states that the planning system should place significant weight on the need to support economic growth and productivity with **Paragraph 81** requiring planning policies to set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth.
- 5.1.3. **London Plan Policy 2.1** states that the Mayor and the GLA group will ensure that London retains and extends its global role as a sustainable centre for business, innovation, creativity, health, education and research, culture and art and as a place to live, visit and enjoy.
- 5.1.4. **London Plan Policy 3.3 (Increasing Housing Supply)** states that The Mayor recognises the pressing need for more homes in London in order to promote opportunity and provide a real choice for all Londoners in ways that meet their needs at a price they can afford and that boroughs should seek to achieve and exceed the relevant minimum borough annual average housing target. **Policy 3.3B** states that an annual average of 42,000 net additional homes should be delivered per annum in London. Within this overall aim, Table 3.1 sets an annual target of 1,031 net additional dwellings for Hammersmith and Fulham (excluding an increment in provision in the Earls Court West Kensington Opportunity Area). **London Plan Policies 2.13 and 3.3** state that minimum housing targets should be exceeded.
- 5.1.5. **Draft London Plan GG2** stipulates that in order to make the best use of the land, development on brownfield land should be enabled. Policy GG2 focuses on sites which inter alia have good transport links and public sector owned sites.
- 5.1.6. **Draft London Plan Policy GG4** seeks to ensure that the homes Londoners need are delivered. The ten year target set for LBHF has been raised to 16,090 over the same period.
- 5.1.7. **Draft London Plan Policy H1** references Table 4.1, which sets the borough's ten year housing target of 16,090 units, and states that this should be achieved

through a number of criteria including the optimisation of housing delivery on suitable and available brownfield sites and the delivery of small sites.

- 5.1.8. **Draft London Policy H2** states that boroughs should pro-actively support well-designed new homes on small sites, which are defined as those under 0.25 hectares and should significantly increase the contribution of such sites in meeting London's housing needs.
- 5.1.9. **Local Plan Policy HO1** states that the council will seek to exceed their London Plan housing target of 1,031 additional homes annually until 2025.
- 5.1.10. **Local Plan Policy HO4** sets out the Council's expectation that all housing development will respect the local setting and context, provide high quality residential environment, be well designed, be energy efficient and provide a good range of housing types and sizes. The policy states that high density housing may be appropriate in locations with high levels of public transport accessibility (PTAL 4-6).

#### Assessment

- 5.1.11. The application proposes 133 residential units, all of which will be provided as affordable homes at a mix of 79% social rent and 21% intermediate rent, and would see the redevelopment of publicly owned, brownfield land in an accessible location.
- 5.1.12. There is a pressing need for additional housing in London, and particularly a need for significant new levels of affordable housing. The site was previously in residential use, at 100% social rented tenure, having been vacated prior to demolition due to the sub-standard accommodation provided by the former building. The site has been vacant since 2018. The proposal would reintroduce residential units and would be 100% affordable housing. Officers consider the need to provide additional housing and in particular the provision of much needed social rented accommodation to address the local need is acceptable in principle.
- 5.1.13. The site was previously occupied by affordable housing. This land use is well established, consistent with policy and, as such, residential-led redevelopment of the site is considered appropriate in light of adopted and draft policies in accordance with the requirements of the NPPF, regional and local planning policy (see further comments within the following sections).
- 5.1.14. The community space is ancillary to the residential use and is to be operated by the appointed registered provider. It is considered this is a complementary function and that such a facility would provide a beneficial use within the proposal and a positive provision within the context of the immediate area of the Clem Attlee Estate. The provision is considered a public benefit delivered by the proposal.
- 5.1.15. The proposed residential land use for affordable housing is strongly supported by adopted and emerging national, regional and local policy. Officers consider that the residential use is appropriate in this location and would replace a previous use of the same type in a residential area, making use of a vacant

brownfield, publicly owned site. The ancillary community facility is suitable within the building and for the benefit of residents. The proposal is therefore supported in land use terms subject to the satisfaction of other development plan policies and is considered to be in accordance with the NPPF, London Plan Policies 2.1, 2.13 and 3.3, Local Plan Policies HO1 and HO4. However, it is also necessary to consider the design and form of the proposed new build and whether the development would have an unacceptable impact which is subsequently assessed below.

## 5.2 HOUSING

- 5.2.1. At the regional level, the London Plan emphasises the need for more homes in the capital at a range of tenures and of a range of sizes. As such there are several planning policies that seek to support the development of residential properties across the city.
- 5.2.2. **London Plan Policy 3.9** (Mixed and Balanced Communities) states that a more balanced mix of tenures should be sought in all parts of London, particularly in neighbourhoods where social renting predominates and there are concentrations of deprivation.
- 5.2.3. **London Plan Policy 3.9** goes on to state that communities, mixed and balanced by tenure and household income, will be promoted across London through incremental small scale, as well as larger scale developments which foster social diversity, redress social exclusion and strengthen communities' sense of responsibility for, and identity with, their neighbourhoods. They must be supported by effective and attractive design, adequate infrastructure and an enhanced environment.
- 5.2.4. **London Plan Policy 3.10** outlines that affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.
- 5.2.5. **London Plan Policy 3.10** defines affordable housing as: "social rented, affordable rented and intermediate housing (para 3.61), provided to eligible households whose needs are not met by the market. ..." and defines each as follows:
  - Social Rented Housing - is owned by local authorities or registered providers, for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Mayor. Social rent is lower than affordable rent.
  - Affordable Rented Housing is that which is let by local authorities or registered providers of social housing and is subject to controls requiring a rent of no more than 80% of the local market rent (including service charges where applicable).
  - Intermediate Housing - is available for sale or rent at a cost above social rent, but below market levels. These can include shared equity (shared ownership and equity loans), other low cost homes for sale and



intermediate rent, but not affordable rent. Households whose annual income is in the range £18,100-£66,000 should be eligible for new intermediate homes. For homes with more than two bedrooms, which are particularly suitable for families, the upper end of this eligibility range will be extended to £80,000. These figures will be updated annually in the London Plan Annual Monitoring Report.

- 5.2.6. **London Plan Policy 3.11** (Affordable Housing Targets) sets a London wide affordable housing target of at least 13,200 more affordable homes per year. The policy advises that 60% of new affordable housing should be provided for social or affordable rent and 40% for intermediate rent or sale, with priority accorded to the provision of affordable family housing. The London Plan addresses the introduction of affordable rent, with further guidance set out in the Housing SPG. With regard to tenure split the Mayor's position is that both social rent and affordable rent should be within the 60%.
- 5.2.7. **London Plan Policy 3.12** (Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes) seeks negotiation to secure the maximum reasonable amount of affordable housing within new development taking account of the individual circumstances including development viability.
- 5.2.8. **The Mayor's Affordable Housing and Viability SPG and Policy H8 of the intend to publish London Plan** also make it clear that, with applications relating to housing estate renewal, schemes are required to ensure that existing affordable housing is replaced on an equivalent basis. This means that where social rented floorspace is lost, it should be replaced by general needs affordable housing with rent levels based on that which has been lost, and the delivery of additional affordable housing should be maximised.
- 5.2.9. Key principles for estate regeneration are also set out in detail in **the Mayor's Homes for Londoners**: good practice guidance for estate regeneration key requirements are that estate regeneration proposals ensure no loss of affordable housing, full consultation with existing residents, and appropriate compensation (where schemes involve the loss and replacement of homes).
- 5.2.10. **The Mayor's Affordable Housing and Viability Supplementary Planning Guidance (SPG)** seeks to increase the provision of affordable housing in London and embed affordable housing into land prices. The SPG introduced a threshold approach to viability which is now incorporated within **London Plan Intend to Publish Policy H5**: schemes which provide the relevant threshold level of affordable housing on site, without public subsidy, having explored potential additionality through grant funding and which meet the specified tenure mix are not required to submit viability information nor be subject to a late stage review. Additionally, Policy H5 and the Mayor's Affordable Housing and Viability SPG state that developments which provide 75 per cent or more affordable housing may follow the Fast Track Route where the tenure mix is acceptable to the borough or the Mayor where relevant.
- 5.2.11. **Draft London Plan Policy H4** states that at least 50% of new homes on public sector land should be affordable. **Draft London Plan Policy H6** states that a sites should deliver a minimum of 30% affordable rent, 30% intermediate rent

and that the remaining 40% should be determined by the Borough based on the identified local need.

- 5.2.12. **Local Plan Policy HO3 (Affordable Housing)** states that housing schemes should increase the supply and improve the mix of affordable housing to help achieve more sustainable communities. Stating that at least 50% of housing units should be affordable, of which 60% should be social or affordable rent and 40% should be for intermediate housing.

### **Affordable Housing**

- 5.2.13. The development will deliver 133 new affordable dwellings. The tenure of the proposed units will be 79% social rented and 21% intermediate rent with controlled rent levels so as to accessible to households on lower incomes. The site previously featured a residential tower block comprising 61 social rented and 7 private (by right to buy) units.

- 5.2.14. The proposed development delivers 15,740m<sup>2</sup> of residential floorspace with 133 units as follows:

<b>Social Rented (units)</b>	<b>Intermediate Rent (units)</b>	<b>Private (units)</b>	<b>Total</b>
105	28	0	133
79%	21%	0%	100%

- 5.2.15. The affordable housing provision exceeds the minimum 50% affordable threshold set out in Policy HO3, with the 100% proposed being welcomed. Whilst the social rented provision exceeds the 60% set out, this provides an additional 25 units and is considered to successfully respond to the council's need for socially rented accommodation. Draft London Plan Policy H6 sets out that a minimum of 30% of affordable homes should be social rent, a minimum 30% should be intermediate rent, and that the remaining 40% should be determined by the borough as low cost or intermediate products based on identified local need. There is a presumption stated within draft Policy H6 that the 40 per cent to be decided by the borough will focus on social rent and London Affordable Rent given the level of need for this type of tenure across London.
- 5.2.16. Although the overall percentage of intermediate units is below the 30% target in draft Policy H6, it is considered that the intention of the policy is to provide a range of affordable tenures to meet local needs. The 40% locally determined proportion is stated as being preferred as social rent, or LAR, which would result in a 70/30 social rent to intermediate split which is broadly in line with the proposal. The proposed tenure split is considered to be in accordance with the identified local need and as such is considered to be in accordance with this Policy H6.
- 5.2.17. Officers consider that the proposed units accord with Policies 3.9, 3.10, 3.11, 3.12 and 3.14 of the London Plan, the Mayor's Affordable Housing and Viability Supplementary Planning Guidance (SPG), draft London Plan Policies H4 and H6 of the Draft London plan and Policy HO3 of the Local Plan.

## Housing Mix

- 5.2.18. The NPPF requires new development to deliver sustainable, inclusive and mixed communities in accessible locations. To achieve mixed communities, the NPPF advises that a variety of housing should be provided in terms of size, type, tenure and price and also a mix of different households such as families with children, single-person households, people with disabilities, service families and older people.
- 5.2.19. **London Plan Policy 3.8** seeks to promote housing choice by supporting residential development proposals which provide a mix of unit sizes and types.
- 5.2.20. **Draft London Plan Policy H6** sets out that affordable housing tenure should be split into 30% intermediate units, 30% social rent and that the remaining 40% should be determined by the Borough based on local need. **Draft London Plan Policy H10** encourages local need to be the basis of the delivery of a choice of housing sized and types.
- 5.2.21. **Draft London Plan Policy D7** promotes housing choice for London's diverse population, including the disabled, older people and families and that at least 10% of dwellings meet Building Regulation requirement M4 (3).
- 5.2.22. **Local Plan Policy HO5** states that the council will work with Registered Providers and other house builders to increase the supply and choice of high quality residential accommodation that meets local needs. Developments should aim to meet the following mix subject to viability, locational characteristics and site constraints being considered on a site by site basis:
- a. For social and affordable rented housing approximately:
    - 10% 1 bedroom
    - 40% 2 bedrooms
    - 35% 3 bedrooms
    - 15% 4+ bedrooms
  - b. For intermediate housing approximately:
    - 50% 1 bedroom
    - 35% 2 bedrooms
    - 15% 3 or more bedrooms
  - c. For market housing, a mix of unit sizes including larger family accommodation
- 5.2.23. **Local Plan Policy HO6** states that the Council will seek to secure high quality accessible homes in all developments that include housing and will require that 10% of new dwellings are wheelchair user dwellings provided in proportion to the tenure mix.
- 5.2.24. The following table sets out the applicants proposed housing mix:

Unit Size	Proposed No.
1b2p	38
1b2p WA	7
2b3p	31
2b3p WA	6
2b4p (corner)	14
2b4p	37
3b3p	N/A
<b>Total</b>	<b>133</b>

5.2.25. The Housing Register confirms that 2 bedroom properties are the highest demand among applicants in housing need. As such, it is considered that the proposals would deliver suitable social housing to meet the evidenced demand and deliver a higher proportion of two bedroomed properties. The proposed tenure is of complementary tenures with one core. Officers support this approach and the delivery of as much affordable floorspace as possible to meet housing need and provide the replacement provision required both social rented and intermediate rental.

Unit Size	No.
Bedsits	35 (6%)
1 bed	181 (30%)
2 bed	195 (32%)
3 bed	193 (32%)

5.2.26. The site is within the Clem Attlee Estate and the existing housing provision is set out in the table above. The wider Clem Attlee Estate currently has 193 three bedroom units (32%), or 3% under the 35% policy recommendation set out in Policy HO5 for affordable rent units. As shown the the Estate as a whole contains a good mix of units in accordance with Policy HO5 for both social rent and intermediate rent units.

5.2.27. Officers consider that the proposal provides a range of affordable rent unit sizes which are considered to respond positively to the site characteristics and the demand for social rented accommodation for households with moderate to severe housing needs. Whilst 100% affordable, the proposal introduces 20% intermediate rent to the previously 100% social rented building and, given consideration to the wider demographics, would not lead to a monotenure development and maintain a mixed and balanced ward. The proposed housing mix is considered to be acceptable and in accordance with the relevant planning policy.

### Density

5.2.28. **The NPPF (paragraph 47)** states that in order to boost significantly the supply of housing, local planning authorities should set out their own approach to housing density to reflect local circumstances.

5.2.29. **The London Plan (para. 2.62)** highlights scope for large sites to determine their own character in terms of residential densities. **London Plan Policy 3.4** (Optimising Housing Potential) seeks to ensure that housing developments

achieve the maximum intensity of use while taking account of local context and character, public transport accessibility and the attainment of a high quality design. Density guidance is provided in Table 3.2. London Plan Policy 3.4 seeks to ensure that development optimises housing output for different types of location taking into account local context and character, design principles and public transport capacity.

- 5.2.30. **The Mayor's Housing SPG 2016** states the potential for increased densities should be positively explored and enabled on large sites and in opportunity areas.
- 5.2.31. **The Draft London Plan** takes a new approach to density and dispenses with the density matrix of Table 3.2, citing the inherent conflict with the design-led approach now advocated in which density is based upon local context, infrastructure capacity and connectivity.
- 5.2.32. **Draft London Plan Policy D2** requires that development is proportionate to the site's connectivity and accessibility by walking, cycling and public transport to jobs and services.
- 5.2.33. **Draft London Plan Policy GG2** promotes the creation of successful sustainable mixed-uses places that make the best use of land and states that inter alia, development should be proportionate to the site's connectivity and accessibility by walking, cycling and public transport to jobs and services. In addition, the policy states that opportunities should be explored to intensify the use of land to support additional housing, promoting higher densities particularly in well-connected locations.
- 5.2.34. In Section 4 of this report, reference was made to Policy D3 of the Draft London Plan, which relates to the optimisation of site capacity through the design led approach. The Secretary of State, in his letter to the Mayor of London dated 13 March 2020, makes comments on the Draft London Plan policy in relation to density and states that development should be brought forward to maximise site capacity in the spirit of and to compliment the surrounding area, not to its detriment. The letter states that sites cannot be looked at in isolation and that Londoners need to be given the confidence that high density developments will be directed to the most appropriate sites; maximising density within this framework. In the annex to the letter modifications were made to the density policy to align the Draft London Plan with National Policy.
- 5.2.35. **Draft London Plan Policy D3** as modified by the Secretary of State, now states that developments should seek to optimise site capacity by taking the most appropriate form for the site, stating that higher density developments should be promoted in areas that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling. Part D of the policy specifically encourages gentle densification of low and mid-density locations to achieve a change in density in the most appropriate way. The policy states that this policy text should be interpreted in the context of Draft Policy H2.
- 5.2.36. **Draft London Plan Policy H2** states that Boroughs should pro-actively support well-designed new homes on small sites, defined as those under 0.25 hectares, and should significantly increase the contribution of such sites in meeting

London's housing needs. Under Part B of the Policy, it states that boroughs should recognise in their Development Plans that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites.

- 5.2.37. **Local Plan Policy HO4** (Housing quality and density) states that LBHF will expect all housing development to respect the local setting and context, provide a high-quality residential environment and be well designed and energy efficient. In terms of density, LBHF will take account of London Plan Policy 3.4. New housing will be expected to be predominantly low to medium rise and it is recognised that other typologies of residential development may be suitable for its context" and "some high density housing with limited car parking may be appropriate in locations with high levels of public transport accessibility.

#### Assessment

- 5.2.38. The site has a Public Transport Accessibility Level (PTAL) of 2 and this indicates a guideline density range of 300-450 HR/Ha. The proposed development has a density of 477 HR/Ha and 1,079 units per hectare and is therefore slightly in excess of the guideline density range as set out in the London Plan. This is nevertheless considered to be an appropriate density for the site, given that it is in practice very accessible by public transport and within walking distance of Fulham Broadway (Fulham Town Centre). This approach to maximise the delivery of housing on the existing site is supported by the GLA.
- 5.2.39. Detailed assessment of the design, heritage and townscape impacts of the proposal is set out within section 5.3 below, however the scheme is considered to have a positive relationship with the existing development in the area in terms of both massing and design with regard to London Plan design principles and public transport capacity, albeit through a higher density than suggested, to deliver a scheme that makes optimal use of the site in an accessible location.
- 5.2.40. As set out in Draft London Plan Policy D3 it is considered that the scheme will contribute to the gentle densification of the area by way of the delivery of a new tower occupying a vacant site providing well-designed new homes on a small site, which draft Policy H2 states should significantly increase the contribution of such sites in meeting London's housing needs. The proposal would be occupied by a much-needed high-quality residential building designed to reinforce and enhance the positive characteristics of the surrounding townscape. The proposal is considered to optimise site capacity by taking the most appropriate form for the site, delivering a higher density development in an area that is well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling
- 5.2.41. In conclusion, whilst the proposed density is higher than the recommended guide, officers consider the density is acceptable, given the location and transport accessibility of the site and the resultant acceptable quality of the residential accommodation which will deliver social rented homes. The proposed residential density is considered to be acceptable and would broadly accord with London Plan Policy 3.4, Draft London Plan Policies D2, D3, GG2 and H2, and Local Plan Policy HO4.

## Standard of Accommodation

- 5.2.42. **London Plan Policy 3.5** (quality and design of housing developments) requires that housing be of the highest quality. The Housing SPG (2016) sets out the Mayor's Housing Standards, incorporating the latest national technical standards.
- 5.2.43. Table 3.3 accompanies Policy 3.5 of the London Plan and provides minimum sizes for residential units. The unit sizes within the proposed development all meet or exceed the minimum space standards. The development is considered acceptable in this regard.
- 5.2.44. **Draft London Plan Policy GG1** seeks to build strong and inclusive communities through ensuring that the new buildings and the spaces they create, are designed to reinforce or enhance the identity, legibility, permeability and inclusivity of neighbourhoods, and are resilient and adaptable to changing community requirements. **Policy D6** encourages the delivery of good design and states that the number of dual aspect units should be maximised.
- 5.2.45. **Local Plan Policy DC2** states that all proposals must be designed to respect:
- a. the historical context and townscape setting of the site, and its sense of place;
  - b. the scale, mass, form and grain of surrounding development and connections to it;
  - c. the relationship of the proposed development to the existing townscape, including the local street pattern, local landmarks and the skyline;
  - d. the local design context, including the prevailing rhythm and articulation of frontages, local building materials and colour, and locally distinctive architectural detailing, and thereby promote and reinforce local distinctiveness;
  - e. good neighbourliness and the principles of residential amenity;
  - f. the local landscape context and where appropriate should provide high quality landscaping and public realm with good permeability;
  - g. sustainability objectives; including adaptation to, and mitigation of, the effects of climate change;
  - h. the principles of accessible and inclusive design; and
  - i. principles of Secured by Design".
- 5.2.46. **Local Plan Policy HO4** states that housing developments should respect the local setting and context, provide a high quality residential environment and be well designed internally and externally, be energy efficient, and provide a good range of housing types and sizes. All new housing must take account of the amenity of neighbours and must be designed in accordance with London Plan internal space policies. Ground level family housing should have access to private gardens or amenity space, while those on upper floors should have access to shared amenity space.
- 5.2.47. **Local Plan Policy HO6** requires that all new homes be built to be accessible and built to "Lifetime Homes" standards. All developments should seek to ensure 10% of dwellings are wheelchair accessible or easily adaptable for residents who are wheelchair users. In line with this, there should be car parking spaces provided on site for blue badge holders".

5.2.48. The majority of units will be dual aspect, with generous living spaces occupying the corners allowing for maximisation of ventilation and daylight. The proposed 133 units would all exceed London plan space standards. The amenity space required has been internalised and as such is in addition to the minimum internal space.

Unit Size	Proposed Sqm GIA	No. Units	London Plan Standard
1b2p	56	38	50
1b2p WA	67	7	-
2b3p	67	31	61
2b3p WA	78	6	-
2b4p (corner)	77.5	19	70
2b4p	78	32	70
<b>Total</b>		<b>133</b>	

\*WA = Wheelchair Accessible

5.2.49. The submitted internal daylight, sunlight and overshadowing report assesses the levels of light within the proposed scheme through the use of the Average Daylight Factor (ADF), No Sky Line (NSL) and Room Depth Criterion (RDC). The report concludes that all habitable rooms within the proposed scheme will meet or exceed BRE's recommendations for ADF and will achieve levels of NSL in line or above guidance. The levels of sunlight within the proposed residential accommodation, all windows orientated within 90 degrees of due south and serving a living room have been assessed for Probable Sunlight Hours, both annually (APSH) and in winter (WPSH). It also outlines that an assessment of 'Sun Hours on Ground' has been undertaken for the main amenity space and it is concluded that the totality of the area will receive in excess of 6 hours of direct sunlight during the spring equinox and summer solstice.

5.2.50. officers are satisfied that the proposal would provide an acceptable standard of accommodation for its residents.

### Amenity Space

5.2.51. **Policy 3.6 of the London Plan** requires that adequate playspace for children is required. The GLA's Shaping Neighbourhoods: Play and Informal Recreation' SPG (2012) requires the provision of play space for children within new residential development commensurate with the child yield of the development and identifies different needs for children of different ages.

5.2.52. **Draft London Plan Policy S4** also outlines that children and young people should have access to good quality, well-designed, secure and stimulating play and informal recreation provision. **Draft Policy S4** states that at least 10m<sup>2</sup> of play space should be provided per child and sets out criteria for that space. **Draft London Plan Policy D6** sets out that dwellings should have access to amenity space.

5.2.53. **Local Plan Policy OS1** aims to protect, enhance and increase the provision of parks, open spaces and biodiversity in the borough by improving existing parks,



open spaces and recreational facilities. **Local Plan Policy OS2** sets out that Council will seek to reduce open space deficiency and will protect and enhance the quality of, and access to, existing open space.

- 5.2.54. **Local Plan Policy OS3** states that development proposals should not result in the loss of existing children and young people's playspace or result in an increased deficiency in the availability of such playspace. The policy states that new residential developments that provide family accommodation must provide proportionate, accessible and inclusive, safe and secure communal playspace on site that is well designed and located and caters for the different needs of all children.

#### Assessment

- 5.2.55. The private amenity spaces for each unit have been internalised and the required floorspace added to the internal layout of the property. Given the nature of the building this is considered acceptable and is a positive design response.
- 5.2.56. Areas of open space are provided within the wider estate. Clem Atlee Playground B is within 100m of the Site and Clem Atlee Playground A, Normand Park Playground and Lancaster Court MUGA are located within 400m. Clem Atlee Garden is the closest open space to the proposed development and provides approximately 0.11ha of open space suitable for passive recreational use.
- 5.2.57. The GLA's play space calculator establishes that the scheme is identified as producing a yield of 288 with 78 children. 10sqm of play space per child is required and therefore the quantum triggered by the proposed scheme would be 780sqm.
- 5.2.58. Due to the footprint of the proposal the opportunities for delivering suitable playspace on-site are limited. As such a contribution is secured through the s106 agreement towards the provision of improved public realm, the submission identifies Clem Atlee Playground in particular and includes possible designs for the enhancement of this space. Officers consider this acceptable both in terms of the delivery of provision for the proposed development but also in delivering a large benefit to the wider estate and its residents.
- 5.2.59. Officers consider that the amenity and play space provided accords with the above policies and would provide a high quality of private and communal amenity for future occupants.

#### Housing Summary

- 5.2.60. The proposal would help to regenerate the wider estate whilst delivering 133 affordable residential units with 79% being at social rent and the remainder being at intermediate rent. The 133 affordable properties are at a range of affordable rent sizes which are considered to respond positively to the site characteristics and the demand for social rented accommodation for households with moderate to severe housing needs. Whilst 100% affordable, the proposal introduces 20% intermediate rent and, given consideration to the wider demographics, would not lead to a monotenure development and maintain a

mixed and balanced ward. The amenity proposal would provide a high quality of private and communal amenity for future occupants together with a high standard of residential accommodation. The density is acceptable, given the location and transport accessibility of the site and the resultant acceptable quality of the residential accommodation which will deliver social rented homes. The proposal is therefore considered to be in accordance with the NPPF, London Plan Policies 3.3, 3.4, 3.5, 3.6, 3.8, 3.9, 3.10, 3.11 and 3.12, and Local Plan policies DC2, HO2, HO3, HO4, HO5, H06, OS1, OS2 and OS3.

### 5.3 DESIGN, HERITAGE AND TOWNSCAPE

#### Design

5.3.1 **The NPPF** seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. The NPPF also requires that proposals should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

5.3.2 The NPPF states that good design is a key aspect of sustainable development and should contribute positively to making places better for people. **Part 12 of the NPPF** outlines the requirement for good design and **Paragraph 127** sets out that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

5.3.3 **Chapter 7 of the London Plan** (2016) sets out the Mayor's policies on a range of issues regarding places and space, setting out fundamental principles for design. **Policy 7.1 (Lifetime Neighbourhoods)** states that the design of new buildings and the spaces they create should help reinforce or enhance the character, legibility, permeability, and accessibility of the neighbourhood. **Policy 7.2 (An Inclusive Environment)** requires all new development in London to achieve the highest standards of accessible and inclusive design. **Policy 7.3 (Designing out crime)** seeks to ensure that developments reduce the opportunities for criminal behaviour and contribute to a sense of security, without being overbearing or intimidating.

- 5.3.4 **Policies 7.4 (Local character), 7.5 (Public realm), 7.6 (Architecture) and 7.7 (Location and design of tall and large buildings) of the London Plan** are all relevant and promote the high-quality design of buildings and streets. **Policy 7.4** states that development should have regard to the form and function, and structure of an area, place or street and the scale, mass, and orientation of surrounding buildings whilst **Policy 7.6** states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings. **Policy 7.7** promotes a plan-led approach to the development of tall and large buildings and provides a framework to assess the impacts of such developments; such buildings should not have an unacceptably harmful impact on their surroundings.
- 5.3.5 **Chapter 3 (Design) of the Draft London Plan (2019)** seeks to secure the delivery of good design through a variety of ways. **Draft Policies D4 (Delivering Good Design), D8 (Public Realm) and D9 (Tall Buildings)** are particularly relevant to the consideration of this application. **Policy D4** highlights that where appropriate, visual, environmental and movement modelling/assessments should be undertaken to analyse potential design options for an area, site or development proposal. These models, particularly 3D virtual reality and other interactive digital models alongside use of design review should, where possible, be used to inform decision-taking, and to engage Londoners in the planning process. **Policy D8**, sets a series of criteria to ensure that ensure the public realm is well-designed, safe, accessible, inclusive, attractive and well-connected. **Policy D9** promotes a plan-led approach to tall buildings and a framework to assess the impacts of such developments.
- 5.3.6 **LBHF Local Plan Policies DC1, DC2 and DC3** are particularly relevant to the assessment of design. **Policy DC1 (Built Environment)** states that all development within the borough should create a high-quality urban environment that respects and enhances its townscape context and heritage assets. There should be an approach to accessible and inclusive urban design that considers how good design, quality public realm, landscaping and land use can be integrated to help regenerate places. **Policy DC2 (Design of New Build)** sets out to ensure that new build development will be of a high standard of design and compatible with the scale and character of existing development and its setting. **Policy DC3 (Tall Buildings)** identifies four areas within which tall building may be appropriate, including Hammersmith Town Centre; the policy also sets a framework to assess proposals for tall buildings in those areas.

### **Existing townscape**

- 5.3.7 The application site is currently vacant following the recent demolition of Edith Summerskill House, an 18-storey tower. The site forms part of the wider Clem Atlee Estate a post-war housing development featuring a mix of housing blocks, landscaping and public spaces.
- 5.3.8 The northern section of the estate features a cluster of taller buildings; the 18-storey tower block, Herbert Morrison House and two 11-storey Y-shaped, (tri-axial) blocks, (Jim Griffiths House and Tom Williams House). Elsewhere within

the estate, the prevailing heights of blocks are of a lower scale, varying between 3-7 storeys overall. The architectural and townscape quality of the individual blocks also varies and is comparable to other examples of post-war architecture throughout the borough.

- 5.3.9 Due south of the application site and St Thomas's Way, the prevailing townscape is characterised by buildings of a lower scale, including a proportion of higher quality, two-storey Victorian terraces. Beyond the immediate context of the site, the Central Fulham Conservation Area and Grade II\* Church of St Thomas of Canterbury, (located to the south-west of the site), are key heritage assets in this area.

### **Design of proposal**

#### Layout

- 5.3.10 The building footprint is arranged as two overlapping squares and its southern façade on St. Thomas's Way is aligned to reaffirm the building lines of the adjacent George Lingren and Nye Bevan Houses, creating a legible edge to the street.
- 5.3.11 The overlapping arrangement of the floorplan assists in creating an efficient internal layout to the scheme, providing seven units per core, maximising dual-aspect accommodation and providing generous internal access and circulation space.
- 5.3.12 At ground floor level the building layout introduces several new/enhanced public and community uses, including a double-height community room/kitchenette which provide activity and frontage to the northern extent of the site. Similarly, to the southern extent a meeting room and reception office will provide additional activity and natural surveillance to a new public forecourt on to St Thomas's Way. The main residential entrance to the development is celebrated by a large public arcade and double height reception area.

#### Scale and massing

- 5.3.13 The proposal scheme has an overall height of 20 storeys, to approximately 78.77m AOD. As mentioned above the scale and massing of the proposal scheme would be higher than the prevailing heights of the local area. The overlapping square arrangement of the building floorplate would allow the overall massing of the scheme to have more slender and elegant proportions when viewed within the surrounding townscape.

#### Architecture and building design

- 5.3.14 The architectural approach of the scheme has been sensitively designed to create a high-quality development with its own sense of character; whilst also respecting the character of neighbouring developments.
- 5.3.15 In terms of the design of individual façades, these are expressed as a series of double and triple height bays expressed as a series of arches. This approach seeks to break-up the form of the building and allows for the building to read

legibly both as a whole and at a variety of scales when viewed within the surrounding context.

- 5.3.16 Façades are designed to incorporate a double skin which adds to the layering a depth of the elevations overall. The outer skin is expressed as a pre-cast concrete system with notable arch detailing which will give the building a strong and uniform appearance overall. The secondary skin of the building is composed of a framed glazing, Juliet balconies and spandrel panels to complement the order and composition of the external skin.
- 5.3.17 At the base of the building, the ground floor is treated with brickwork to contrast with the concrete treatment at upper floor level and give the base a grounded appearance within the surrounding streetscene and to provide additional animation/interest to the both the building façade and pedestrian arcade.
- 5.3.18 Consequently, the building has a strong expression within its base, middle and top which adds to its quality overall. The triple height bays and framing of the crown of the building would be a particularly positive addition to the skyline.

#### Landscaping and Public Realm

- 5.3.19 At ground floor the building has been designed to maximise activity and overlooking to redesigned external amenity areas and landscaping, with the main entrance to the development accessed from a covered arcade; which links to the treatment of the public realm, providing a complete treatment to the building overall.
- 5.3.20 To the north of the building, community uses will provide activity and frontage onto a new area of hard landscaped public realm. To the southern edge of the site fronting St Thomas's Way, a new public forecourt will serve to better integrate the development and the Clem Atlee estate with its surroundings.
- 5.3.21 The arcade will provide a new north-south pedestrian link, improving permeability between the estate and the surrounding residential context.

#### Tall Building

##### Assessment – Local Policy DC3

- 5.3.22 **Local Plan Policy DC3** states that tall buildings, which are significantly higher than the general prevailing height of the surrounding townscape and which have a disruptive and harmful impact on the skyline, will be resisted by the council. The policy also identifies a series of regeneration and opportunity areas, alongside Hammersmith Town Centre where tall buildings may be appropriate. The policy provides a framework to assess proposals for tall buildings within these areas – criteria a-j of DC3.
- 5.3.23 The application site is not situated within any of the areas identified by Local Plan Policy DC3 and therefore the criteria of this policy are not directly applicable to this application. In view of the location of the site outside the identified areas, the scheme is considered to conflict with this policy overall. . However, in order to assess the extent and significance of this conflict and its

implications, it is also necessary to give consideration to whether the proposed development would have a disruptive and harmful impact on the skyline. .

5.3.24 The townscape and heritage sections of this report (below) address the impacts upon key views and the skyline.

5.3.25 Whilst the assessment below concludes that the development would result in some moderate changes to the skyline and views of the site within the local area, these changes are not considered to be disruptive or harmful to the skyline overall. This is not therefore a proposal which Policy DC3 says should be resisted.

Assessment – London Plan Policy 7.7

5.3.26 London Plan Policy 7.7 states:

#### Strategic

A Tall and large buildings should be part of a plan-led approach to changing or developing an area by the identification of appropriate, sensitive and inappropriate locations. Tall and large buildings should not have an unacceptably harmful impact on their surroundings.

#### Planning decisions

B Applications for tall or large buildings should include an urban design analysis that demonstrates the proposal is part of a strategy that will meet the criteria below. This is particularly important if the site is not identified as a location for tall or large buildings in the borough's LDF.

C Tall and large buildings should:

a generally be limited to sites in the Central Activity Zone, opportunity areas, areas of intensification or town centres that have good access to public transport

b only be considered in areas whose character would not be affected adversely by the scale, mass or bulk of a tall or large building

c relate well to the form, proportion, composition, scale and character of surrounding buildings, urban grain and public realm (including landscape features), particularly at street level;

d individually or as a group, improve the legibility of an area, by emphasising a point of civic or visual significance where appropriate, and enhance the skyline and image of London

e incorporate the highest standards of architecture and materials, including sustainable design and construction practices

f have ground floor activities that provide a positive relationship to the surrounding streets

g contribute to improving the permeability of the site and wider area, where possible

h incorporate publicly accessible areas on the upper floors, where appropriate

i make a significant contribution to local regeneration.

D Tall buildings:

- a should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference
- b should not impact on local or strategic views adversely

E The impact of tall buildings proposed in sensitive locations should be given particular consideration. Such areas might include conservation areas, listed buildings and their settings, registered historic parks and gardens, scheduled monuments, battlefields, the edge of the Green Belt or Metropolitan Open Land, World Heritage Sites or other areas designated by boroughs as being sensitive or inappropriate for tall buildings.

- 5.3.27 The scheme is not a plan-led tall building and therefore would not comply with the first part of the strategic element of part A of London Plan Policy 7.7. In applying part A it is also necessary to consider whether the proposals would have an unacceptably harmful impact on its surroundings.
- 5.3.28 Parts B - D of the policy set out an assessment framework for applications for tall and large buildings which applies to all proposals for tall buildings but is particularly important on sites which are not identified by a plan-led approach, i.e. in the Local Plan. The following commentary assesses the proposed development against these criteria:

Criteria (a) – Location of tall/large buildings

- 5.3.29 The application site is not within an opportunity area, area for intensification or a town centre. Although, having a PTAL level of 4 does benefit from good access to public transport.
- 5.3.30 Criteria (b) – effects upon the character of the area
- 5.3.31 The character of the local area is not uniform; with the Clem Atlee Estate having a separate and unique character to that of the surrounding environment and a number of Conservation Areas.
- 5.3.32 Further details of the assessment of impact of the development upon local character, can be found within the Townscape and Heritage sections of this report. Overall the scheme is not considered to adversely affect the character of the local area overall and would aid the regeneration of the Clem Atlee Estate.

Criteria (c) – relationship with the surrounding buildings and public realm

- 5.3.33 As described above, the context of the development site varies significantly between the modern high-density scale and design of buildings within the Clem Atlee Estate and the development to the south of the site which is typified by Victorian terraces. The scale of the block would respond well to large/taller buildings located to the northern extent of the estate, whilst also respecting the Victorian context, being set-back from the frontage to St Thomas's Way and aligned with the building lines of adjacent blocks. Given this variation in context, the development is considered to create a positive relationship and balance to

the surrounding context overall. The building is set-back from the frontage to St Thomas's Way and aligned with the building lines of adjacent blocks.

5.3.34 The overlapping arrangement of the block coupled with its proportions and hierarchy of elevation treatment serves to complement the scale of adjacent buildings both at street level and within the wider urban context. This represents a high-quality development overall.

5.3.35 The public realm is well designed to offer enhanced pedestrian links through the estate to the surrounding environment; also offering new and improved public spaces for the benefit of the wider community. These spaces are also successfully activated by new internal community and management facilities within the development.

Criteria (d) – improving the legibility of the area and enhance the skyline/image of London

5.3.36 As discussed above, the architectural quality of the scheme, coupled with its height will provide additional legibility to the Clem Atlee estate overall, complementing the form and group value of other tall/large buildings within the estate. Given the visibility of the development from several viewpoints, the development would aid wayfinding from key town centres/public transport interchanges to the site. As such the scheme is considered to have a beneficial impact to the skyline overall.

Criteria (e) – incorporate the highest standards of architecture

5.3.37 For the reasons summarised above, the development is considered to incorporate the highest quality of architecture both in terms of its treatment and materiality. The use of a pre-cast concrete construction will help to minimise future maintenance of the building and provide a more durable approach throughout the lifetime of the development.

Criteria (f) – have ground floor activities that provide a positive relationship to surrounding streets

5.3.38 The ground floor of the building incorporates a variety of activities which will activate and provide passive surveillance of new and improved public spaces and pedestrian routes. To the north of the site the new community room and kitchenette will activate enhanced public realm and to the eastern and southern extent of the site, the residential lobby, reception and office spaces will activate the new public square and covered arcade.

Criteria (g) – contribute to improving permeability

5.3.39 Existing pedestrian routes within the Clem Atlee estate, particularly north-south routes offer limited permeability to the more successful grid structure of surrounding terraced streets. The layout of the proposal scheme, incorporating a covered arcade to the eastern extent of the site, will provide improved north-south permeability overall.

Criteria (h) – incorporate publicly accessible areas on the upper floors



5.3.40 Given the residential use of the development, for safety and security reasons it is not considered appropriate to provide public access to the upper floors of the development.

Criteria (i) – make a significant contribution to local regeneration

5.3.41 As set out above, the development of this vacant site is considered to make a significant contribution towards the regeneration of the Clem Atlee estate. The development will provide new housing, and a high-quality development at the interface with adjacent residential terraces. Enhancements to the public realm through provision of new public space, landscaping and provision of new pedestrian routes will better integrate the site and the estate within its surroundings.

Part C Criteria (a) - should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference

5.3.42 Full discussion of the environmental considerations of the scheme are provided within later sections of this report. In summary the impacts are considered acceptable subject to appropriate conditions.

Criteria (b) - should not impact on local or strategic views adversely

5.3.43 The subsequent townscape and heritage sections of the report provide additional commentary upon the issue of local and strategic views.

5.3.44 In summary, the proposed development would not result in any adverse impact upon strategic views. Considering local views, the development would result in some changes to views of the site within the local area. Overall the impact upon these views would be either negligible or beneficial.

5.3.45 The proposal is in conflict with the first sentence of Part A of London Plan Policy 7.7 that requires tall buildings to be brought forward as part of a plan-led approach, although it is in compliance with the second sentence of Part A because the proposal is not considered to have an unacceptably harmful impact on its surroundings. The proposal does comply with the remainder of the policy and as such it is considered that the proposal does accord with all parts of Policy 7.7 of the London Plan apart from the first sentence of Part A. Policy 7.7 does not state that tall buildings will be resisted or would be unacceptable outside of those areas identified as appropriate in the borough's Local Plan and as such it is considered that despite some conflict the proposed scheme does comply with London Plan Policy 7.7 overall. It is also noted that the GLA conclude within the Mayor's Stage 1 report that although the proposed tall building is not in a location identified as suitable for tall buildings by the borough, the impacts of the tall building are acceptable in this instance and that the proposal complies with Policy 7.7

### **Tall Building Conclusion**

- 5.3.46 The development of a tall building at this location would not have a disruptive or harmful impact on the skyline for the purposes of Policy DC3, but would conflict with the policy when taken as a whole, given that the site is not a plan-led location for a tall building.
- 5.3.47 However, the scheme is considered to provide a positive addition to the skyline and the townscape of the Clem Atlee estate and Fulham and to comply with the framework set out in parts B-E of London Plan Policy 7.7. Given that it would not have a disruptive and harmful impact on the skyline the significance and extent of the conflict with Local Plan Policy DC3 is reduced to some extent.
- 5.3.48 The scheme is considered to provide a positive addition to the skyline and the townscape of Fulham and overall to comply with London Plan Policy 7.7. The significance and extent of the conflict with Local Plan Policy DC3 is reduced by the absence of any disruptive or harmful impact on the skyline.

### **Heritage and Townscape**

- 5.3.49 **The Planning (Listed Buildings and Conservation Areas) Act 1990** sets out the principal statutory duties which must be considered in the determination of any application affecting listed buildings or conservation areas.
- 5.3.50 It is key to the assessment of these applications that the decision making process is based on the understanding of specific duties in relation to listed buildings and Conservation Areas required by the relevant legislation, particularly the s.66 duties of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the requirements set out in the NPPF.
- 5.3.51 **s66 of the Planning (Listed Buildings and Conservation Areas) Act 1990** requires that:

In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

- 5.3.52 **Paragraph 184 of the NPPF** states:

Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

- 5.3.53 **Paragraph 190 of the NPPF** states:

Local Planning Authorities should identify and assess the significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account

when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

**5.3.54 Paragraph 192 of the NPPF states:**

In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

**5.3.55 Paragraph 193 of the NPPF states:**

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

**5.3.56 Paragraph 194 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:**

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

**5.3.57 Paragraph 195 of the NPPF states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:**

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

**5.3.58 Paragraph 196 of the NPPF states:**

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

**5.3.59 Paragraph 197 of the NPPF states:**

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

- 5.3.60 The NPPF makes a clear distinction between the approach to be taken in decision-making where the proposed development would affect the significance of designated heritage assets (listed buildings, conservation areas, Registered Parks and Gardens) and where it would affect the significance of non-designated heritage assets (buildings of local historic and architectural importance).
- 5.3.61 The NPPF also makes a clear distinction between the approach to be taken in decision-making where the proposed development would result in 'substantial' harm and where it would result in 'less than substantial' harm.
- 5.3.62 Case law indicates that following the approach set out in the NPPF will normally be enough to satisfy the statutory tests. However, when carrying out the balancing exercise in paragraphs 195 and 196, it is important to recognise that the statutory provisions require the decision maker to give great weight to the desirability of preserving designated heritage assets and/or their setting.
- 5.3.63 The Planning Practice Guidance notes which accompany the NPPF remind us that it is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed.
- 5.3.64 The scheme would impact indirectly on heritage assets. These impacts are considered separately in the following sections.
- 5.3.65 Impacts are mainly focussed upon the setting of several heritage assets, including statutory Listed Buildings, Conservation Areas and non-designated Locally Listed, (Buildings of Merit). In order to fully assess the proposal scheme, officers have agreed the scope of supporting documents with the applicant. The applicant's statements submitted with the application, identifies the significance of designated/non-designated heritage assets within a study area surrounding the application site, within Hammersmith & Fulham.
- 5.3.66 In the first instance, the assessment to be made is whether the development within the setting of a designated heritage asset will cause harm to that designated heritage asset or its setting. If no harm is caused, there is no need to undertake a balancing exercise. If harm would be caused, it is necessary to assess the magnitude of that harm before going to apply the balancing test as set out in paragraphs 195 and 196 of the NPPF as appropriate.

5.3.67 **Local Plan Policy DC8 (Heritage and Conservation)** states that the council will conserve the significance of the borough's historic environment by protecting, restoring and enhancing its heritage assets. These assets include listed buildings, conservation areas historic parks and gardens, the scheduled monument of Fulham Palace Moated site, unscheduled archaeological remains and buildings and features of local interest. When determining applications affecting heritage assets, the council will apply the following principles:

- a. the presumption will be in favour of the conservation, restoration and enhancement of heritage assets, and proposals should secure the long-term future of heritage assets. The more significant the designated heritage asset, the greater the presumption should be in favour of its conservation;
- b. applications affecting designated heritage assets, including alterations and extensions to buildings will only be permitted if the significance of the heritage asset is conserved or enhanced;
- c. applications should conserve the setting of, make a positive contribution to, or reveal the significance of the heritage asset. The presence of heritage assets should inform high quality design within their setting;
- d. applications affecting non-designated heritage assets (buildings and artefacts of local importance and interest) will be determined having regard to the scale and impact of any harm or loss and the significance of the heritage asset in accordance with paragraph 135 of the National planning Policy Framework;
- e. particular regard will be given to matters of scale, height, massing, alignment, materials and use;
- f. where changes of use are proposed for heritage assets, the proposed use, and any alterations that are required resulting from the proposed use should be consistent with the aims of conservation of the asset's significance, including securing its optimum viable use;
- g. applications should include a description of the significance of the asset concerned and an assessment of the impact of the proposal upon it or its setting which should be carried out with the assistance of a suitably qualified person. The extent of the requirement should be proportionate to the nature and level of the asset's significance. Where archaeological remains of national significance may be affected applications should also be supported by an archaeological field evaluation;
- h. proposals which involve substantial harm, or less than substantial harm to the significance of a heritage asset will be refused unless it can be demonstrated that they meet the criteria specified in paragraph 133 and 134 of the National Planning Policy Framework;
- i. where a heritage asset cannot be retained in its entirety or when a change of use is proposed, the developer should ensure that a suitably qualified person carries out an analysis (including photographic surveys) of its design and significance, in order to record and advance the understanding of heritage in the borough. The extent of the requirement should be proportionate to the nature and level of the asset's significance;
- j. the proposal respects the principles of accessible and inclusive design;
- k. where measures to mitigate the effects of climate change are proposed, the applicants will be required to demonstrate how they have considered the significance of the heritage asset and tailored their proposals accordingly;
- l. expert advice will be required to address the need to evaluate and conserve archaeological remains, and to advise on the appropriate mitigation measures in cases where excavation is justified; and
- m. securing the future of heritage assets at risk identified on Historic England's national register, as part of a positive strategy for the historic environment.

5.3.68 **The Council's Supplementary Planning Guidance SPD** is relevant, in particular Key Principles AH1 (Information Requirements for applications for consent affecting heritage assets); AH2 (Protection of Heritage Assets); CAG1 (Land Use in Conservation Areas); CAG2 (Urban Design in Conservation Areas) and CAG3 (New Development in Conservation Areas). These Key Principles provide guidance which seeks to ensure that heritage assets are conserved in a manner appropriate to their significance in accordance with the NPPF.

#### **Application site – Heritage constraints**

5.3.69 The application site is not located within a Conservation Area and does not feature any designated/non-designated heritage assets.

#### **Approach to assessment of heritage and townscape**

The assessment deals with heritage and townscape issues in two ways. Firstly, there is a review of the wider of wider townscape implications of the development; focussed in part upon consideration of key heritage receptors. Secondly, the assessment reviews the impact of the development upon the character, significance and setting of heritage assets.

5.3.70 Given that the application site is not located in a Conservation Area and does not contain any listed buildings, the main considerations of the scheme relate to the impact of the development upon the setting of surrounding heritage assets. To support the assessment of these impacts, as discussed above, the applicant has submitted a fully detailed Heritage Statement and Townscape and Visual Impact Assessment to supplement their Planning Statement.

5.3.71 Details of the outcome of these assessments are considered below.

#### **Townscape Assessment – Views**

5.3.72 To assess the impact of the proposed development, the application includes a Townscape and Visual Impact Assessment which assesses 28 views from an agreed selection of locations around the site. Within some of the images, wirelines have been used, where the degree of visibility or impact on the skyline is the most important part of the assessment. However, most of the studies are fully rendered representations of the proposed scheme which indicate the development and the design of the facades in its urban context.

5.3.73 For the purpose of this report, the views have been grouped into viewpoint areas that present views which are in similar locations and/or demonstrate very similar levels of impact in terms of the appearance of the new development, its impact on the local townscape and on the setting of conservation areas and listed buildings. Officers have assessed the submitted views and have paid regard to the comments received and how the impact would change as the viewpoint is varied within each area.

#### **Riverbank views**

5.3.74 Views from the Thames River Path adjacent to London Wetlands Centre looking east bound have been tested, from these views the development would have negligible/limited visibility overall.

Fulham reach/Fulham Palace Road views

5.3.75 Views looking eastbound have been tested and again the development would be visible in background views behind existing terraces. The impact from these views would be negligible to neutral.

Central Fulham views

5.3.76 A range of views have been tested within central Fulham; overall the cumulative impact of the development upon these views ranges from negligible to neutral change. Where adverse townscape impacts are identified, these largely relate to the impact upon heritage assets. The harm caused to the heritage significance of these receptors, or the ability to appreciate that significance, is assessed in the following sections of this report..

5.3.77 Beneficial impacts are identified in views towards the Clem Atlee estate where the scheme design and its quality are considered to enhance townscape views.

Barons Court/Queens Club Gardens views

5.3.78 A range of south-bound views have been tested, cumulative impact of the development upon these views, ranges from negligible to beneficial. Beneficial impacts relate to the building creating a positive relationship to existing tall/large buildings situated within the northern extent of the Clem Atlee Estate.

North End Road/Sedlescombe Road views

5.3.79 Views within this area looking westbound have been tested, again the impact upon these views is considered to be negligible to beneficial overall. The development will occupy background views behind existing terraces.

Walham Green/Walham Grove views

5.3.80 Townscape impacts of views looking north-west within this area have been tested and are considered to have a neutral impact overall.

5.3.81 Further consideration of the impact of these views upon heritage assets are considered in the subsequent section of this report.

### **Impacts on Heritage Assets**

5.3.82 The proposal site is not situated within a Conservation Area and does not feature any designated/non designated heritage assets.

5.3.83 Given the scale and massing of the proposed development, there is a need to consider wider impacts upon the setting, character and significance of surrounding Conservation Areas and heritage assets.

## Heritage Assets - Conservation areas

5.3.84 Based upon due consideration of the Planning Statement, Heritage Assessment and Townscape and Visual Impact Assessment submitted in support of the application, assessment of the impact upon the following Conservation Areas is required:

- Central Fulham CA
- Sedlescombe Road CA
- Walham Green CA
- Parsons Green CA
- Crabtree CA
- Turneville/Chesson CA
- Queen's Club Gardens CA
- Barons Court CA
- Walham Grove CA
- Barclay Road CA
- Moore Park CA

5.3.85 Furthermore, assessment of the proposal should also consider the impacts of the development upon the following Conservation Areas within Kensington and Chelsea:

- Brompton Cemetery CA
- Billings and Brompton Cutting CA
- Philbeach CA

### Conservation Areas within Hammersmith and Fulham

#### Central Fulham

5.3.86 Central Fulham Conservation Area draws its significance from the scale and form of the grain of Victorian terraces. The existing setting of the Conservation Area does include some examples of post-war blocks which sit in background views of the Conservation Area; including the Herbert Morrison House and the Lannoy and Hartopp Point blocks.

5.3.87 The introduction of an additional tall/large building within this setting would in part cause some harm to the overall uniformity of the grain of the Victorian terraces. Given the inter-visibility of the proposed development from a number of views across this area, officers agree with the outcomes of the Heritage Assessment, that there would be some harm caused to the setting and significance of this Conservation Area; albeit that this would be towards the lower end of the scale of less than substantial harm; considering the NPPF test.

#### Sedlescombe Road

5.3.88 The setting of the Sedlecombe Road Conservation Area from its designation in March 1981, is typified by notable examples of large-taller buildings occupying or terminating background views throughout the area; key examples being the Empress State Building and Herbert Morrison House. In these existing views the significance of the Conservation Area, namely the Arts and Crafts



townscape remains preserved and legible in foreground and middle ground views.

- 5.3.89 Given this setting, the introduction of a new tall building at the proposal site, would create a similar relationship to existing tall/larger buildings and would in part terminate a number of key views in a positive manner without having any harmful impact upon the significance or setting of the Conservation Area overall.

#### Walham Green

- 5.3.90 The setting of the Walham Green Conservation Area features a wide variety in the scale of buildings overall, with several tall/large buildings terminating and occupying key views within the area.
- 5.3.91 Considering the impact of the proposal upon this setting, the development would serve to terminate the vista of Fulham Broadway, (looking north-west) and would also be highly visible along Vanston Place. In both instances, the development would be situated in the background of this view, and would allow existing buildings both historic and modern to retain their prominence overall.
- 5.3.92 As such, the proposal scheme would result in negligible harmful impacts to the setting and significance of the Conservation Area.

#### Parsons Green

- 5.3.93 The development would be visible within background views taken from Parsons Green itself and Eel Brook Common. Within these views existing tree cover would in part screen the development from these views, however when not in leaf, the development would be more visible within these spaces. Given the distance between the proposal site and these public spaces, the development would be generally screened by existing developments. As such, the proposal scheme would not result in any harmful impact to the setting or significance of the Conservation Area.

#### Crabtree

- 5.3.94 The development would have some visibility from open spaces and along key vistas from streets within the Conservation Area. Considering views from Fulham Cemetery and Lillie road Recreation Ground visibility of the development would be limited by the extent of tree cover and the prominence of other tall/large buildings in mid/background views of the site.
- 5.3.95 Views of the development from streets, situated perpendicular to the west of Fulham Palace Road would generally be filtered views, with portions of the development visible in the background.
- 5.3.96 As such, the proposal scheme would not result in any harmful impact to the setting or significance of the Conservation Area.

#### Turneville/Chesson

5.3.97 The proposed development would result in some nominal change to the setting of this Conservation Area overall. However, given the inter-visibility of the new development with existing taller buildings situated to the northern extent of the Clem Atlee Estate, the proposal scheme would not result in any harmful impact to the setting or significance of the Conservation Area.

#### Queens Club Gardens

5.3.98 The development would be visible from several viewpoints within the Conservation Area and would in part have a similar degree of visibility in background views, like existing taller buildings in this area. Overall the visibility of the proposal within these views would not result in any harmful impact to the setting or significance of the Conservation Area.

#### Barons Court

5.3.99 The development would have limited visibility either in views towards this Conservation Area or in views from within it; particularly from key views in Magravine Cemetery and the surrounding residential streets. Consequently, the proposal would not have any harmful impacts upon the setting or significance of this Conservation Area.

#### Walham Grove

5.3.100 The development would not be visible either in views towards this Conservation Area or in views from within it. Consequently, the proposal would not have any harmful impacts upon the setting or significance of this Conservation Area.

#### Barclay Road

5.3.101 The development would have limited visibility, mainly from the back gardens of some terraces along Barclay Road itself. The submitted heritage assessment notes that tree screening would in part limit any visibility of the development in this setting. Consequently, the proposal would not have any harmful impacts upon the setting or significance of this Conservation Area.

#### Moore Park

5.3.102 The development would not be visible either in views towards this Conservation Area or views from within it. . Consequently, the proposal would not have any harmful impacts upon the setting or significance of this Conservation Area.

#### Conservation Areas in Kensington and Chelsea

##### Brompton Cemetery, Billings and Brompton Cutting and Philbeach

5.3.103 The development would have limited visibility from Brompton Cemetery and very little visibility from the Billings and Brompton Cutting Conservation Area. Similarly, given the orientation and of buildings and intermittent land use between the application site and the Philbeach Conservation Area, the development would also have very little visibility within this setting.

5.3.104 Overall, it is considered that the development would have limited visibility either in views towards these Conservation Area or in views from within them. Consequently, the proposal would not have any harmful impacts upon the setting or the significance of these Conservation Areas.

#### Assessment of harm

5.3.105 The proposal scheme, at 20 storeys will be visible from a number of adjacent Conservation Areas and therefore careful assessment of the harm to the setting and protection of these assets has been undertaken.

5.3.106 Many of the Conservation Areas from which the development would be visible, feature either a significant degree of variation within their scale and grain or, their setting is already characterised by the presence of several existing tall/large buildings occupying mid-range/background views. Cumulatively, within these areas, the development would not be considered to cause harm to the character or appearance of these Conservation Areas. In terms of their setting, whilst some mid-range/background views would be subject to change; it is considered that the nature and extent of these changes would be limited, and the change would not be harmful to the setting of these assets.

5.3.107 The exception is the Central Fulham Conservation Area where the scale and grain of the Conservation Area is generally typified by Victorian Terraces. The introduction of a new tall building would result in harm to this setting. However, given the proximity of several other tall buildings within post-war housing estates, it is considered that this harm is towards the lower end of the scale of less substantial harm overall.

#### Heritage Assets – Statutory Listed buildings and Locally Listed (Buildings of Merit)

5.3.108 There are several listed buildings and Locally Listed, Buildings of Merit in the vicinity of the site, the setting of which may be affected due to a potential inter-visibility with the proposed development.

5.3.109 The Heritage Assessment supporting the application, references approximately 56 designated heritage assets which are situated within a 1km radius of the application site and the applicant has undertaken a desk-based assessment to consolidate those assets where an assessment of harm to their significance is required. This assessment follows the principles of Historic England's Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets (GPA 3).

5.3.110 As such the consolidated list of assets are referenced as follows:

- The Grade II listed Church of St. Thomas of Canterbury and group of buildings within its curtilage; St Thomas' Presbytery (grade II); Harwath Mausoleum (grade II); War Memorial (grade II); and Tombstone to Warrington Taylor.
- The Grade II listed Church of St John, Walham Green
- Fulham Baptist Church a Locally Listed, Building of Merit
- 284-288 North End Road a Locally Listed, Building of Merit

- Sir John Lillie School a Locally Listed, Building of Merit

#### Assessment of Harm

- 5.3.111 The development would result in less than substantial harm to the setting and significance of the Grade II\* listed Church of St. Thomas of Canterbury and group of buildings within its curtilage. Given the situation and massing of the proposal scheme, the setting and views of the church and its curtilage will be subject of change. The setting of the church would be particularly impacted from views within the cemetery, (not publicly accessible), where the building form would significantly alter the appreciation of the church and its features. The spire of the church would however retain its prominence overall.
- 5.3.112 Outside of the curtilage of the church, other dynamic views of the development would be less significantly impacted, with the new building serving to frame the church in a similar manner to the Herbert Morrison tower.
- 5.3.113 As such officers agree with the applicant's assessment that harm to the setting of the Grade II\* listed church would be towards the lower end of less than substantial harm following the NPPF test of Paragraph 96 and Local Plan Policy DC8. Historic England also confirm that the harm would be less than substantial in their representations.
- 5.3.114 Harm to the Grade II Church of St John, Walham Green, would again be based upon a consideration of dynamic views of the church, particularly within the Central Fulham Conservation Area. Considering views from Fulham Broadway and Jerden Place, whilst the setting of the Church would change to some degree and would be framed by the new development in mid-range views, its significance and setting would not be harmed and it would still be visible as a key landmark for Central Fulham. Consequently, the development would not cause harm to the significance of the heritage asset.
- 5.3.115 In terms of impacts upon Locally Listed, Buildings of Merit, proposals not result in any harm to the setting of Fulham Baptist Church, 284-288 North End Road or Sir John Lillie School.

#### **Design, Heritage and Townscape Conclusion**

- 5.3.116 The proposed scheme represents an opportunity to regenerate a vacant site within the Clem Atlee estate in accordance with the Council's Local Plan policies. The site currently fails to contribute positively to the permeability, legibility and identity of the estate overall and the proposed scheme provides considerable potential to address these issues.
- 5.3.117 Urban Design and Heritage Balance:
- The application site is not located within an area identified for a tall building and as such there would be conflict with Local Plan policy DC3 overall and part of London Plan Policy 7.7. However, officers conclude that the proposed development would not result in a disruptive and harmful impact on the skyline and would comply with the framework of parts B-E of London Plan Policy 7.7 and with Policy 7.7 considered as a whole.

- The proposed height and massing are considered to cause less than substantial harm to the setting and significance of Central Fulham Conservation Area and the Grade II\* listed Church of St. Thomas of Canterbury and buildings within its curtilage.
- The setting of other statutory Listed Buildings and Locally Listed, Buildings of Merit; with impacts largely related to the inter-visibility of the proposal within short and mid-range views from these heritage assets. The change in the view is not considered harmful.
- The configuration, design and materiality of the proposed development is thought to be well considered and would provide a high-quality development which would enhance the appearance of the Clem Atlee Estate overall, improving the legibility of the estate, the definition of urban spaces, the townscape character and identity of the estate overall.
- The proposed buildings would provide substantial environmental benefits to the locality by way of providing public amenity spaces and enhanced pedestrian routes protected by the built form, and by substantial urban greening and landscaping.

5.3.118 In balancing the urban design and heritage impacts, it is acknowledged that the application site is not within an area identified for development of a tall building and therefore would in part conflict with Policy DC3. Notwithstanding this conflict, the development is not considered to have a disruptive and harmful impact on the skyline and would comply with the framework of parts B-E of London Plan Policy 7.7 and with Policy 7.7 considered as a whole. Furthermore, officers consider that the proposal would result in an overall positive outcome for the Clem Atlee Estate in terms of its regeneration and in accordance with relevant national guidance and regional and local policies. The harm caused to setting and significance of Central Fulham Conservation Area and the Grade II\* listed Church of St. Thomas of Canterbury and buildings within its curtilage is identified at the lower end of less than substantial and, in line with local policy and the NPPF, this level of harm has been considered against the public benefits coming forward as part of the scheme and detailed elsewhere within this report. It is considered this is harm outweighed by the substantial public benefits that the proposal would deliver.

5.3.119 Officers have assessed the impact of the proposal on the heritage assets and consider that for the reasons summarised above it is appropriate to grant planning permission having regard to and applying the statutory provisions in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal is also in line with national guidance in the NPPF and strategic local policies on the historic environment and urban design.

5.3.120 Although some elements of conflict with policy have been identified above, overall the proposed development is considered acceptable having regard to the NPPF, Policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7 and 7.21 of the London Plan and Policies DC1, DC2, DC3, DC4, DC7 and DC8 of the Local Plan (2018).

## **5.4 Daylight, Sunlight, Amenity and Overlooking**

5.4.1. **The NPPF (Paragraph 123 part c) and footnote 37** states that daylight and sunlight guidance should be applied flexibly 'where they would otherwise inhibit

making efficient use of a site', so long as they continue to provide adequate living standards.'

- 5.4.2. **London Plan Policy 7.6** requires new buildings and structures to ensure that they do not cause unacceptable harm to the amenity of surrounding land and buildings in relation to a number of factors, including overshadowing. **Policy 7.7** further states that tall buildings should not adversely affect their surroundings in terms of overshadowing and reflected glare. **Draft London Plan Policy D6** in relation to residential quality and standards, states that schemes should provide sufficient daylight and sunlight to new and surrounding residential housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space. **Draft London Plan Policy D8** reiterates the importance of ensuring that tall buildings do not compromise the comfort and enjoyment of neighbouring residential properties and open spaces to new development.
- 5.4.3. **The Mayor's Housing SPG** makes clear that 'an appropriate degree of flexibility' should be applied when assessing the impacts of new development on surrounding properties and within developments. In particular paragraph 1.3.45 states 'Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time.' Paragraph 1.3.46 further states 'The degree of harm on adjacent properties and the daylight targets within a proposed scheme should be assessed drawing on broadly comparable residential typologies within the area and of a similar nature across London. Decision makers should recognise that fully optimising housing potential on large sites may necessitate standards which depart from those presently experienced, but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm.'
- 5.4.4. **Local Plan Policy HO11** addresses detailed residential standards and, in seeking a high standard of design, seeks to ensure the protection of existing residential amenities; 'including issues such as loss of daylight, sunlight, privacy and outlook'. **Local Plan Policies DC2 and Policy DC3** state that all new builds and tall buildings must be designed to respect good neighbourliness and the principles of residential amenity.
- 5.4.5. **Key Principles HS6 and HS7** of the Planning Guidance SPD seek to protect the existing amenities of neighbouring residential properties, in terms of outlook, light, and privacy.
- 5.4.6. **The BRE Guidelines** are typically used to assess daylight and sunlight. The Guideline sets out three methods for assessing daylight into a room including the Vertical Sky Component (VSC) method, the No Sky Line (NSL) method. and the Average Daylight Factor (ADF) method. The introduction to the guide however stresses that it should not be used as an instrument of planning policy and should be interpreted flexibly because lighting is only one design factor for any scheme. Sunlight assessment is based on annual probable sunlight hours (APSH) and winter sunlight hours. In terms of overshadowing of gardens and open spaces the BRE guide recommends that for an open space to appear

adequately sunlit through the year, more than half of the space should receive at least two hours of sunlight at the March equinox.

### **Daylight, Sunlight and Overshadowing Assessment**

5.4.7. The submitted Daylight and Sunlight report assesses the impacts using VSC, NSL and APSH and concludes that there is near full compliance with BRE Guidance for daylight and sunlight, with the exception of a small number of minor transgressions away from the BRE guidance.

5.4.8. The assessment has taken into account the following properties:

- 64 Fabian Road;
- 62 Fabian Road;
- 60 Fabian Road;
- 58 Fabian Road;
- 63 Fabian Road;
- 59 Fabian Road;
- 57 Fabian Road;
- 61 Fabian Road;
- 62 Mirabel Road;
- 60 Mirabel Road - Flat 3;
- 58 Mirabel Road;
- 26 John Smith Avenue;
- 24 John Smith Avenue;
- 1-23 Nye Bevan House;
- 77 Hartismere Road;
- 79 Hartismere Road;
- 75 Hartismere Road;
- 73 Hartismere Road;
- 76 Hartismere Road;
- 72 Hartismere Road;
- 74 Hartismere Road;
- 70 Hartismere Road;
- 32-46 John Smith Avenue;
- 30 John Smith Avenue;
- 28 John Smith Avenue;
- Kenneth Younger House;
- 1-8 George Lindgren House;
- John Strachey House; and
- Frank Beswick House.

5.4.9. Of these the following properties adhere to the numerical values set out within the BRE Guidelines:

- 62 Fabian Road;
- 60 Fabian Road;
- 58 Fabian Road;
- 59 Fabian Road;
- 57 Fabian Road;

- 72 Hartismere Road;
- 60 Mirabel Road - Flat 3
- 70 Hartismere Road; and
- 28 John Smith Avenue.

- 5.4.10. 64 Fabian Road - This 2 storey end of terrace property is located on the corner of Fabian Road and St Thomas's Way directly to the south of the site. Of the seven rooms identified, four will achieve BRE compliance in relation to the BRE criteria and as such there will be no harm to the daylight and sunlight levels. The three rooms that will experience breaches of the BRE Guidance have been identified as a living room, kitchen and unknown use. The three rooms that will experience breaches of the BRE Guidance have been identified as a living room, kitchen and unknown use. The living room, situated on the ground floor, is served by three windows, two of which will adhere to the BRE Guideline values for VSC. One will experience an alteration of c.28%. When considering the VSC to the room the change will be less than 20%. When considering the NSL and APSH calculations, BRE Compliance would be achieved. The kitchen located on the ground floor is served by three windows. This kitchen is less than 13sqm and as such it is not considered a habitable space in accordance with LBHF policy. We have, however, included the results within our report and discussed the impact on this room. The windows serving the kitchen will experience a c.40-55% change in VSC.
- 5.4.11. The NSL analysis illustrates that the room will not experience a change greater than 20%. The kitchen does not require sunlight analysis due to the orientation of the windows to the site. The kitchen does not achieve daylight BRE compliance, however, given that it is not considered to be a habitable space, one could argue lesser weighting should be applied. One room which is of unknown use, located on the second floor, is understood to be served by four windows. Three of the four windows would adhere to the BRE criteria for VSC. The window that experiences a change beyond the BRE Guideline figures would see a c.45% alteration in the VSC value. When considering the VSC to the room the change will be less than 20%. When considering the NSL and APSH values BRE compliance would be achieved. Although there are BRE breaches, in relation to daylight as a result of the re-development of the site it is considered that these changes are not unusual in an urban location and all rooms except the kitchen would experience less than a 20% change from the existing situation. As such it is considered that there would not be unacceptable harm in consideration of the urban location.
- 5.4.12. 63 Fabian Road – Of the four rooms that include windows that face the site, two will adhere to the BRE Guidance for daylight and sunlight and as such there will be no harm to these rooms. Two ground floor room will experience changes in daylight. One located on the ground floor, is served by one window. The change to the VSC is 24% which is greater than the 20% as per the BRE Guidance. When considering the NSL analysis there would be less than 20%. Given the orientation of this window to the site, sunlight is not a consideration. One ground floor room is served by two windows and both will experience a change to the VSC beyond the BRE Guidance of c.25-27%, by comparison to the 20% as per the BRE Guidance. The NSL will adhere to the criteria as per the BRE for this room. Sunlight is not a consideration given the orientation of this window to the site. It is considered that there are BRE breaches in relation to daylight, as a



result of the re-development of the site, but these would not lead to unacceptable harm in consideration of the urban location.

61 Fabian Road - This residential two storey terraced property is located on Fabian Road, immediately adjacent to 63 Fabian Road and has windows on the front elevation that could be affected by the proposed redevelopment. Of the two identified rooms within this property that include windows that face the site and are therefore required for assessment. Both rooms will experience transgressions from the BRE Guidance in relation to daylight (VSC). This property has been assessed as not requiring sunlight consideration due to the orientation of the windows to the site. One room located on the ground floor, is served by one window which will experience a c.21% change in relation to the VSC assessment. The BRE Guidance allows for a 20% change. This room will adhere to the BRE Guide in relation the NSL assessment. The other room located on the first floor is served by two windows. One window will experience a change in VSC of c.23%, however the VSC to the room as a whole would not be a greater than 20% change. This room will adhere to the BRE target figures in relation to the NSL assessment. It is considered that there are BRE breaches in relation to daylight, as a result of the re-development of the site, but these would not lead to unacceptable harm in consideration of the urban location.

5.4.13. 62 Mirabel Road - This property is located on the corner of Mirabel Road and St Thomas' Way and has windows to the main rear elevation which could be affected by the proposed redevelopment. Seven rooms are identified that include windows that face the site, of which six will adhere to the BRE Guide in relation to daylight and sunlight. One room located on the second floor, is served by two windows one will experience a change in VSC of c.22% change in comparison to the 20% change as per the BRE Guide, with the change in VSC to the room as a whole less than 20%. Both the NSL and APSH tests adhere to the BRE Guidance in relation to the first floor. It is considered that there are BRE breaches in relation to daylight, as a result of the re-development of the site, but these would not lead to unacceptable harm in consideration of the urban location..

5.4.14. 60 Mirabel Road - This property is located immediately to the south of 62 Mirabel Road and has windows to the main rear addition and rear elevation which could be affected by the proposed redevelopment. Seven rooms are identified within this property that include windows that face the site. Sunlight is not considered for this property due to the orientation of these windows to the site, Three of the seven rooms will adhere to the BRE Guidance for daylight. The four rooms that experience BRE transgressions, will see changes in daylight (VSC) of between c.21-39%. When considering the NSL assessment all rooms with the exception of one on the ground floor will adhere to the BRE Guidelines for this daylight assessment. This room will experience a c.40% change in NSL from the existing situation. While there is an impact to this property and the availability of skylight, this property is located in an urban setting and is currently facing a vacant site. It is identified that there is a breach of the BRE Guidelines in relation to daylight, however it not considered that this would lead to unacceptable harm in consideration of the urban location.

5.4.15. 24John Smith Avenue - This three storey apartment block is located immediately to the west of the site and has windows on the south-east elevation and the

south-west elevation that could be affected by the proposed redevelopment. Of the four rooms identified within this property that include windows that face the site, three will adhere to the BRE Guidance for daylight and sunlight and as such there will be no harm to these rooms. One room located on the ground floor, is served by three windows. Two of these windows will experience a breach of the Guidance, however the absolute change in VSC is c.1%. The reason for the breach from the guideline criteria is due to the lower existing values causing disproportionate overall percentage changes. This room will adhere to the NSL and APSH target criteria as per the BRE Guidance. It is identified that there is a breach of the BRE Guidelines in relation to daylight, however it not considered that this would lead to unacceptable harm in consideration of the urban location.

- 5.4.16. 77 Hartismere Road - This two storey residential property is located on Hartismere Road immediately to the south east of the site will have windows on the front elevation that could be affected by the proposed redevelopment. Of the 11 rooms identified within this property that include windows that face the development site, eight of the rooms will adhere to the BRE Guidance for daylight and sunlight. Of the three rooms that experience changes in daylight by reference to the VSC, the VSC alterations are c. 20-39%. All rooms are served by at least one window that experiences less than a 20% change from the existing VSC value. When considering the VSC to the room, two rooms would experience less than a 20% change to the VSC with the remaining room experiencing a c.21% change from the existing condition when considering the VSC analysis by room. All three rooms would adhere to the guideline values for the NSL assessment. One of the first two rooms would experience a c.21% change in sunlight to one of the windows, however, the room would not experience a greater than 20% change. The other two rooms would meet the BRE target values for the APSH assessment. It is identified that there is a breach of the BRE Guidelines in relation to daylight and sunlight, however it not considered that this would lead to unacceptable harm in consideration of the urban location.
- 5.4.17. 79 Hartismere Road – This two storey residential property is located on Hartismere Road immediately to the south east of the site with windows on the front elevation that could be affected by the proposed redevelopment. Of the six identified rooms within this property that include windows that face the development site, three of the rooms will adhere to the BRE Guidance for daylight and sunlight and as such there will be no harm to these rooms. Three rooms will experience daylight changes where there are daylight transgressions to the VSC the alterations are c.21%-24%. All rooms with the exception of one on the ground floor would adhere to the BRE Guidance in relation to the NSL assessment. This room would adhere to the VSC analysis, however, there would be a c.21% change to the NSL. As such BRE compliance is not achieved. All rooms relevant for the sunlight assessment would achieve BRE compliance. It is identified that there is a breach of the BRE Guidelines in relation to daylight, however it not considered that this would lead to unacceptable harm in consideration of the urban location
- 5.4.18. 75 Hartismere Road - This two storey residential property is located on Hartismere Road immediately to the south east of the site with windows on the front elevation that could be affected by the proposed redevelopment. Of the four rooms assessed two will adhere to the BRE Guidance in relation to the

daylight and sunlight assessments. The remaining two rooms are served by multiple windows, one by three windows. Two of the windows would adhere to the BRE test for VSC. The third window serving this room would experience a 30% change from the existing VSC value. The VSC impact to the room as a whole would be less than a 20% change. The other room is served by six windows. Five of the windows would adhere to the BRE test for VSC. One window serving this room would experience a c. 30% change from the existing VSC value, the VSC impact to the room as a whole would be less than a 20% change. One window serving this room would experience an alteration in sunlight beyond the BRE Guidance. This window would see a c.33% change in APSH from the existing value, however, the APSH impact by reference to the room as a whole would be less than a 20% change. All rooms would adhere to the NSL test. It is identified that there is a breach of the BRE Guidelines in relation to daylight and sunlight, however it not considered that this would lead to unacceptable harm in consideration of the urban location.

- 5.4.19. 73 Hartismere Road – This two storey residential property is located on Hartismere Road immediately to the south east of the site with windows on the front elevation that could be affected by the proposed redevelopment. Two rooms include windows that face the site and are therefore subject to daylight and sunlight assessments. Both rooms will experience a change in daylight beyond the criteria within the BRE Guidelines. The two rooms are served by multiple windows, one window in each room will not comply with the BRE Guideline figures in relation to the VSC test, seeing a change from the existing value of c. 29-31%. However, the VSC to the room as a whole would be less than a 20% change to the VSC. Both rooms will adhere to the BRE Guidance in relation to the NSL and APSH assessments. It is identified that there is a breach of the BRE Guidelines in relation to daylight, however it not considered that this would lead to unacceptable harm in consideration of the urban location.
- 5.4.20. 76 Hartismere Road - This two storey residential property is located on Hartismere Road immediately to the south east of the site with windows to the main rear elevations and rear additions that could be affected by the proposed redevelopment. Three rooms require daylight and sunlight consideration. Two of the rooms would adhere to the target criteria for both daylight (VSC and NSL) and sunlight. One room which has been identified as a living room is served by four windows. Three of the four windows will adhere to the target criteria with one window experiencing a breach of the Guidance. This window will see a change of c.33% from the existing VSC value. However, the impact to the room would be less than a 20% change. This room will adhere to the BRE Guidance in relation to the NSL and APSH analysis. It is identified that there is a breach of the BRE Guidelines in relation to daylight, however it not considered that this would lead to unacceptable harm in consideration of the urban location.
- 5.4.21. 74 Hartismere Road – This two storey residential property is located on Hartismere Road immediately to the south east of the site with windows to the main rear elevations and rear additions that could be affected by the proposed redevelopment. There are three rooms that include windows that face the site, of which two of the rooms would adhere to the target criteria for both daylight (VSC and NSL) and sunlight assessments. One room which has been identified as a kitchen is located on the ground floor and will experience transgressions of the VSC analysis. It should be noted that this room is smaller than 13sqm. The

kitchen is served by 10 windows, four of which would adhere to the guideline figures. Six windows would experience BRE changes of c. 24-34%. However, the VSC to the room would be less than a 20% change. Both the NSL and APSH tests are BRE Compliant. It is identified that there is a breach of the BRE Guidelines in relation to daylight, however it not considered that this would lead to unacceptable harm in consideration of the urban location.

- 5.4.22. 32-43 John Smith Avenue - This three four storey block is located immediately to the north west of the site. The property has 26 rooms that include windows that face the site and are therefore relevant for our technical assessment. All rooms, with the exception of one will experience a change in daylight and sunlight beyond the target criteria in the BRE. Where there are changes to the VSC the alterations are c.22-41% and the windows will largely retain VSC values of c.20% plus. In relation to the NSL assessment, the majority of rooms will adhere to the guideline figures. Where there are changes in NSL beyond the guidelines figures these are, in instances, alterations of c.50%. The majority of windows will also adhere to the APSH target values. Where there are alterations in the APSH beyond the guideline figures the change is c.22-30%. There are changes that the occupants that may be noticeable and there is a breach of the BRE Guidelines in relation to daylight and sunlight. However it not considered that this would lead to unacceptable harm in consideration of the urban location.
- 5.4.23. 30 John Smith Avenue – This three storey property is located the west of the site and has three rooms that include windows that face the site and are therefore relevant for assessment. Two of the three rooms will adhere to the BRE Guidelines in relation to both daylight and sunlight assessments. One room located on the ground floor is served by two windows. One window will adhere to the BRE guide in relation to the VSC assessment and one will experience a 20% change from the existing situation and thus breaches the BRE Guidelines. When considering the change in daylight (VSC) to the room there would be less than a 20% change from the existing situation. This room will experience NSL and APSH compliance. There are changes in daylight to one room that technically breaches the BRE guide. It is unlikely that this alteration will be noticeable given the small alteration beyond the guide. There are changes that the occupants that may be noticeable and there is a breach of the BRE Guidelines in relation to daylight and sunlight. However it not considered that this would lead to unacceptable harm in consideration of the urban location.
- 5.4.24. Kenneth Younger House - This four storey apartment block is located to the east of the site and has windows to the flank elevation which could be affected by the proposed redevelopment. There are 18 rooms that include windows that face the site and are therefore relevant for our technical assessment. 14 of these 18 rooms will adhere to the BRE Guidelines in relation to both daylight and sunlight assessments. Of the four rooms that experience alteration in light, the VSC changes to the windows are between 20-50%. The NSL changes to the rooms that do not adhere to the BRE values are c.24-46%. In consideration of the APSH analysis, only one window would experience a BRE transgression. The change to the APSH would be c.40% and to the WPH c.60%. This window will retain an APSH of 20%. There are changes that the occupants that may be noticeable and there is a breach of the BRE Guidelines in relation to daylight and sunlight. However it not considered that this would lead to unacceptable harm in consideration of the urban location.

- 5.4.25. 1-8 George Lindgren House - This property is located immediately to the east of the site and consists of a four storey apartment block with windows in the flank elevation and north-west facing elevation that could be affected by the proposed redevelopment. Of the 43 rooms that face the site, 39 rooms will adhere to the BRE Guidelines in relation to both daylight and sunlight assessments. Four will experience breaches of the BRE Guide with the alteration in VSC to the windows impacted c. 45-70%. Three of these rooms would also see a change to the NSL of c.46-77%. All windows, with the exception of two will adhere to the BRE Guidelines for sunlight. One room is served by 11 windows relevant for sunlight assessment, 9 of the windows would adhere to the BRE Guide. Two would experience a change of c.46-69% to the APSH. However, the sunlight to the room would be less than a 20% change from the existing
- 5.4.26. position. There are changes that the occupants that may be noticeable and there is a breach of the BRE Guidelines in relation to daylight and sunlight. However it not considered that this would lead to unacceptable harm in consideration of the urban location.
- 5.4.27. John Strachey House - This property is located immediately to the north of the site and has windows in the south-west and southeast facing elevations that could be affected by the proposed redevelopment. Of the 37 rooms tested 35 will adhere to the guide for NSL. The two rooms that experience changes in NSL beyond the 20% value set in the BRE will see alterations of c. 33% from the existing situation. Of the 36 windows relevant for the sunlight test, 26 will adhere to the BRE test. Where there are changes in sunlight these will be c. 40-60% in APSH. There are changes that the occupants that may be noticeable and there is a breach of the BRE Guidelines in relation to daylight and sunlight. However it not considered that this would lead to unacceptable harm in consideration of the urban location.
- 5.4.28. Frank Beswick House - This property is located immediately to the north west of the site and consists of a four storey apartment block with windows on the east and south facing elevations which could be affected by the proposed redevelopment. Of the 33 rooms that face the site 9 will adhere to the BRE daylight test (VSC and NSL). Where there are changes in VSC the alterations are c.21-45%; three windows will see a 100% loss however it is noted that all three have an existing VSC of 0.2% or less. All rooms would adhere to the NSL assessment. Of the 26 windows relevant for the sunlight test, 24 will adhere to the BRE test. Where there are changes in sunlight these will be c. 45% in APSH. There are changes that the occupants that may be noticeable and there is a breach of the BRE Guidelines in relation to daylight and sunlight. However it not considered that this would lead to unacceptable harm in consideration of the urban location.

#### Summary

- 5.4.29. The proposal will result in some surrounding properties experiencing changes outside of the BRE recommendations. Although in instances these alterations would be noticeable to the occupant, where there is development in urban areas this is not unexpected. When considering the site as a whole, of the 293 rooms tested, 185 (c.63%) would adhere to the BRE Guidelines in relation to the daylight assessments and of the 266 windows tested, 246 (c.93%) would adhere to the BRE Guidelines in relation to the sunlight assessment. Based on the

context of the site, the proposal is considered to be within what would be expected for a reasonable development on a vacant site. Against this backdrop and in consideration of the urban location, it not considered that the proposal would lead to unacceptable harm in consideration of the urban location

- 5.4.30. Therefore officers consider that the proposal would not result in detrimental impacts in terms of loss of daylight or sunlight nor result in harm from overshadowing within the assessment carried out under BRE guidelines and with reference to the context of the location.

### **Amenity and Overlooking**

- 5.4.31. **London Plan Policy 7.6** states that schemes should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, and tall buildings.
- 5.4.32. **Local Plan Policy HO4** states that all housing schemes should take account of the amenity of neighbours and must be designed in accordance with the London Plan internal space standards. **Policy DC2** states that a high standard of design should be secured that is compatible with the scale and character of existing development and its setting. Part e) specifically promotes 'good neighbourliness' and the principles of residential amenity.
- 5.4.33. **Key Principle HS6** of the Planning Guidance SPD states that 'The proximity of a new building or an extension to an existing building can have an overbearing and dominating effect detrimental to the enjoyment by adjoining residential occupiers of their properties' and prescribes a method for assessment of outlook.' Although it is dependent upon the proximity and scale of the proposed development, a general standard can be adopted by reference to a line produced at an angle of 45 degrees from a point 2 metres above the adjoining ground level of the boundaries of the site where it adjoins residential properties. If any part of the proposed building extends beyond these lines, then on-site judgement would be a determining factor in assessing the effect which the extension would have on the existing amenities of neighbouring properties.' Where original rear gardens are less than 9 metres depth, a measurement is taken from ground level at the boundary. Where there are existing circumstances, such as buildings which would be replaced in a redevelopment, it would be inappropriate not to have regard to these. **Key Principle HS7 (iii)** of the Council's Planning Guidance SPD sets an 18m standard from windows in new development to existing windows, in order to protect privacy. The SPD clarifies that the 18m distance would be measured by an arc of 60 degrees taken from the centre of the proposed new window to ensure that there is no loss of privacy to neighbouring occupiers.
- 5.4.34. The site is currently vacant and as such a development coming forward on the site is likely to result in an increase in overlooking although it is noted that the former residential tower on the site was demolished with a view to redevelopment. The proposal has been designed so that beyond the first five storeys, which is comparable to the maximum height of adjoining properties, the angle of the residential windows and increasing building height results in future occupiers will not be able to look into the windows of surrounding properties with a relative reduction in the ability to see into neighbouring gardens. The level of

overlooking is therefore considered to be commensurate with a development of the site within an urban location.

- 5.4.35. Whilst acknowledging the objections received, it is considered that the proposed building does not result in a significant loss of outlook, privacy or overlooking to neighbouring properties to warrant refusal of planning permission and as such, it is considered that it complies with Policies DC1, DC2, DC3, HO11 and Key Principle HS6 and HS7 of the Planning Guidance SPD.

## 5.5 Highways

- 5.5.1. **The NPPF** requires that developments which generate significant movement are located where the need to travel would be minimised, and the use of sustainable transport modes can be maximised; and that development should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.
- 5.5.2. **London Plan Policies 6.1, 6.3, 6.10, 6.11 and 6.13** set out the intention to encourage consideration of transport implications as a fundamental element of sustainable transport, supporting development patterns that reduce the need to travel or that locate development with high trip generation in proximity of public transport services. The policies also provide guidance for the establishment of maximum car parking standards.
- 5.5.3. **Local Plan Policy T1** sets out the Council's intention to 'work with strategic partners to improve transport provision, accessibility and air quality in the borough, by improving and increasing the opportunities for cycling and walking, and by improving connections for bus services, underground, national and regional rail'.
- 5.5.4. **Local Plan Policy T2** relates to transport assessments and travel plans and states "All development proposals would be assessed for their contribution to traffic generation and their impact on congestion, particularly on bus routes and on the primary route network".
- 5.5.5. **Local Plan Policies T3, T4, T5 and T7** relate to opportunities for cycling and walking, vehicle parking standards, blue badge holders parking and construction logistics. Policies 5.16 and 5.17 are relevant to waste and recycling. **Local Plan Policy CC7** sets out the requirements for all new developments to provide suitable facilities for the management of waste. **Planning SPD (2018) Key Principles WM1, WM2, WM7 and WM11** are also applicable which seek off-street servicing for all new developments.
- 5.5.6. A Transport Assessment and succeeding addendum have been submitted in connection with the proposed development.

### Site Accessibility

- 5.5.7. A part of the wider Clem Attlee Estate, the site is bound by residential properties to the west and north, an unnamed estate access road to the east and St. Thomas's Way to the south.
- 5.5.8. The nearest section of the Transport for London Road Network (TLRN) is the A4 West Cromwell Road, which is 1.3km north of the site. The nearest section of the Strategic Road Network (SRN) is A304 Fulham Road, 600m south west.
- 5.5.9. There are 3 bus stops within a 300m walk of the site. These are located on Dawes Road, North End Road and Lillie Road. These three stops offer 48 services per hour combined, and this increases to 63 services per hour for all of the bus stops within acceptable walking distance (640m). Fulham Broadway Underground Station is located approximately 850m south east of the site, serving the District Line. Consequently, the site has a Public Transport Accessibility Level (PTAL) of 4, representing a "Good" level of access.
- 5.5.10. Pedestrian and cycle access to the building will remain unchanged, with residents accessing the building from the entrance on the unnamed estate access road.

#### Car Parking

- 5.5.11. No car parking is proposed for the development; however two blue badge parking spaces have been secured under planning permission ref 2017/02100/FUL.
- 5.5.12. The s106 legal agreement will restrict future residents from obtaining a parking permit except for blue-badge permit holders in the wider area. However, the site is within a council-controlled estate and the parking spaces are not for wider public use, with the estate management having control over permit allocation within the Clem Attlee estate.

#### Cycle Parking

- 5.5.13. The proposed location of the cycle parking is on the mezzanine floor which has two large cycle stores with space for 244 long stay cycle including 8 larger cycle spaces. This is accessed by lifts. In addition, the stairwell will have a bike rail as an alternative means of access. There is a further ground floor cycle store that can accommodate a further 4 spaces for larger cycles or recumbent cycles that has direct access into the communal lobby. 4 additional spaces for visitors are incorporated externally in the public realm. The overall quantum of cycle parking meets the London Plan standards. The cycle parking will be secured via condition.

#### Pedestrians

- 5.5.14. The submission of a PERS audit is welcomed. This audit did not identify any elements of the pedestrian environment in need of improvement – the lowest score was slightly above average.

#### Trip Generation



- 5.5.15. In proposed development will see the majority – 55% - of trips occur via Underground or Rail. 17% will be made by bus, 19% will walk, 6% will cycle and the remaining 3% are split between motorcycle and car use. Combined, 97% of trips made to and from the development will be by sustainable modes of transport.
- 5.5.16. The applicant has undertaken a trip generation exercise using 2011 Census data and interrogating the TRICS database; this has culminated in trip generation data which is considered to be robust. The proposed development will generate 41 Underground/Rail trips in the AM peak and 25 in the PM peak, along with 12 and 8 bus trips in each respective peak. This quantum of trips will not have a significant impact on the local public transport network, which has enough spare capacity to accommodate these trips.

#### Travel Plan

- 5.5.17. The submitted Travel Plan Statement requires further information regarding the baseline modal split, and have targets linked directly to each objective. As part of the S106 agreement, a more detailed Travel Plan will be secured for the development with ongoing monitoring and review, to encourage users of the development to travel by sustainable modes other than the car. It is considered that there is capacity within the existing public transport network to accommodate the trips proposed from this development. Officers welcome the provision of a Travel Plan in support of the proposal for sustainable travel for occupiers of the development. The Travel Plan would also be required with a monitoring fees of £3,000 for year 1, 3 and 5 secured through the S106 agreement.

#### Refuse and Servicing/Delivery

- 5.5.18. London Plan Policy 5.16 seeks to minimise waste and exceed recycling levels. Local Plan Policy CC7 seeks for all developments to have suitable facilities for the management of waste generated by the development. Key Principle TR27 of the Planning Guidance SPD seeks off-street servicing for all new developments. Appendix 5d of the SPD sets specific guidance on waste capacity and storage requirements for different commercial uses.
- 5.5.19. The submission of a Delivery and Servicing Plan (DSP) is welcomed. The eleven proposed servicing and delivery vehicles expected daily will utilise the existing on-street loading provision. This is acceptable, along with the refuse collection arrangements. The DSP will be secured by condition.

#### Construction

- 5.5.20. The Construction Logistics Plan includes details of the routes which construction vehicles will take, minimising where possible the impact of construction vehicles on the local road network. The Construction Logistics Plan will be secured by condition.

#### Highway works

5.5.21. The s106 agreement will secure the repaving of the frontage of the Site including reconstruction of two cross-overs.

### Summary

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

## **5.6 Energy and Sustainability**

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

5.6.2 **London Plan Policies 5.1, 5.2 and 5.3** require developments to make the fullest contribution to the mitigation of and adaptation to climate change, ensure sustainable design and construction and minimise carbon dioxide emissions. **Policies 5.5, 5.6, 5.7 and 5.8** require developments to provide decentralised energy, renewable energy and innovative energy technologies where appropriate.

5.6.3 **The Mayor's Sustainable Design and Construction SPG** provides guidance on the implementation of London Plan Policy 5.3 and provides a range of additional guidance on matters relating to environmental sustainability.

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

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

- 5.6.6 **Draft London Plan Policy SI4** seeks to minimise internal heat gain and the impacts of urban heat island effect through design, layout, orientation and materials. An energy strategy should demonstrate how development proposals will reduce potential for overheating and reliance on air conditioning systems in accordance with a hierarchy that prioritises the minimisation of internal heat generation through energy efficient design and reductions to the amount of heat entering a building.
- 5.6.7 **Local Plan Policy CC1** requires major developments to implement energy conservation measures by implementing the London Plan sustainable energy policies and meeting associated CO2 reduction target and demonstrating that a series of measures have been taken to reduce the expected energy demand and CO2 emissions. It requires the use of on-site energy generation to further reduce CO2 emissions where feasible.
- 5.6.8 **Local Plan Policy CC2** seeks to ensure the implementation of sustainable design and construction measures by implementing the London Plan sustainable design and construction policies.

### Energy

- 5.6.9 As required, an Energy Assessment has been provided with the application. The scheme is mixed use, although the majority of the floorspace will be for residential use. The London Plan Energy Hierarchy has been followed in developing the strategy for the site.
- 5.6.10 The building fabric design values for the new block are better than the minimum requirements of the Building Regulations in terms of insulation levels and building air tightness. Natural daylighting will be utilised wherever possible without creating overheating, using solar control glass where necessary. High efficiency LED lighting is planned throughout the building. Motion sensors will be used in communal corridors etc to reduce lighting use to when it necessary. A mechanical ventilation and heat recovery system is proposed for the residential units. windows will also be openable to boost ventilation when required. Use of mechanical ventilation is not a preferred method of helping to manage ventilation and overheating in residential units (as outlined in Intend to Publish London Plan Policy SI 4 on Managing Heat Risk) however, it is stated in the cooling and overheating section of the report that use of openable windows only to provide ventilation creates an issue in terms of noise levels, hence the use of mechanical ventilation although not mechanical cooling.
- 5.6.11 The energy efficiency measures are calculated to reduce CO2 emissions by 13% in the residential units which meets the Intend to Publish London requirement (set in Policy SI 2) to reach a 10% reduction in CO2 emissions through these measures. The non-residential element of the proposals is calculated to reduce CO2 emissions by 6%. The Intend to Publish London Plan requires a 15% reduction. The GLA have requested that the applicant submit the GLA's Carbon Emission Reporting spreadsheet, which has been done further to Stage 2 consideration. The GLA Stage 1 also requests that additional energy efficiency measures are modelled to aspire to meet the 15% target.

- 5.6.12 There are no current heat networks for the site to connect into. A communal heat pump based heating system is proposed for the building which will be designed so that it can connect to a wider network in the future should one be developed in this part of the borough. Generating energy on site in this way is calculated to reduce CO2 emissions by 52% for the residential units and 2% for the non-residential aspects of the proposal. The GLA have requested drawings showing the heat network connections and these have been requested prior to Stage 2. The cumulative reduction in CO2 emissions for the whole site is calculated to be 65%. This meets the minimum requirement of 35% reduction through on-site measures. The remaining CO2 emissions are proposed to be covered via an offset payment which is calculated to be £148,460.48.
- 5.6.13 In broad terms, the approach is acceptable in energy policy and CO2 reduction terms although there may be scope to revise the approach with regards to on-site energy generation. As such a revised Energy Assessment is considered appropriate prior to the commencement of the relevant works and secured by condition.

### Sustainability

- 5.6.14 A Sustainability Statement has been submitted with the application, which focuses on 3 key issues - resource management, climate change adaptation and pollution management - and also refers to other supporting documents such as the Design & Access Statement, Transport Statement and Energy Assessment.
- 5.6.15 The development is on previously developed land and will be replacing the residential tower that used to be on the site which was demolished several years ago. Construction works will be carried out under the Considerate Constructors Scheme to control the environmental impacts. Measures will be implemented to manage noise impacts from the operational use of the development and minimise impact on neighbours. Light pollution from external lighting will be minimised by being turned off when not needed for safety and security. New tree planting and soft landscaping are proposed which will improve the green infrastructure around the site.
- 5.6.16 There is good public transport access for the site, and a high number of cycle parking spaces are to be provided. CO2 reductions have been minimised through the use of energy efficiency measures and on-site renewable energy generation. The scheme design minimises micro-climate impacts. Water efficiency measures will be implemented to conserve water in line with the London Plan water use targets.
- 5.7.17 Building materials will be sustainably sourced and construction will use recycled materials where possible. Some pre-fabricated elements will be used for the facade, which helps reduce waste. Recycling will be encouraged in the block once operational by integrating internal space for storage of recyclable and compostable waste. Other measures are proposed to manage flood risk and surface water drainage, contaminated land and air quality. Officers will comment on these issues and Sustainable Transport issues separately.

5.6.18 Subject to the inclusion of conditions requiring the implementation of the submitted documents as set out above, requiring submission of Sustainability and Energy Statements, officers therefore consider that the proposed development accords with Policies 5.1, 5.2, 5.3, 5.6, 5.7, 5.8, 5.9, 5.11, 5.12, 5.13, 5.14, 5.15 and 7.19 of the London Plan and Policies CC1, CC2 and CC7 of the Local Plan.

## **5.7 Flood Risk and Drainage**

- 5.7.1 **The NPPF** seeks to meet the challenge of climate change, flooding and coastal change by supporting the transition to a low carbon future in a changing climate taking account of flood risk and coastal change.
- 5.7.2 **London Plan Policies 5.11, 5.12, 5.13, 5.14 and 5.15** require new development to comply with the flood risk assessment and management requirements of national policy, including the incorporation of sustainable urban drainage systems, and specifies a drainage hierarchy for new development. Policy 5.3 identifies the efficient use of natural resources (including water) as a principle for informing the achievement of other policies in the London Plan. Policy 5.11 Part A subsection b recognises the role of green roofs and walls in delivering sustainable urban drainage objectives. Policy 5.13 further states that development should utilise SuDS unless there are practical reasons for not doing so and should aim to achieve greenfield run-off rates and manage surface water run-off close to source. Policy 5.14 states that planning decisions must ensure that adequate waste water infrastructure capacity is available in tandem with development.
- 5.7.3 **Local Plan Policy CC2** requires major developments to implement sustainable design and construction measures, including making the most efficient use of water.
- 5.7.4 **Local Plan Policy CC3** requires a site-specific Flood Risk Assessment (FRA) for developments in Flood Zones 2 and 3 that: a. addresses the NPPF requirements; b. takes account of the risk of flooding from all relevant sources; c. integrates appropriate flood proofing measures where there is a risk of flooding; and d. provides structural waterproofing measures in subterranean elements and using non-return valves or equivalent to protect against sewer flooding.
- 5.7.5 **Local Plan Policy CC4** ('Minimising surface water run-off with sustainable drainage systems') requires all proposals for new development to 'manage surface water run-off as close to its source as possible and on the surface where practicable, in line with the London Plan drainage hierarchy'. It also requires all major developments to implement SuDS 'to enable reduction in peak run-off to greenfield run off rates for storms up to the 1 in 100-year event (plus climate change allowance)' and to provide a sustainable drainage strategy to demonstrate how the strategy will enable these requirements. These are to be retained and maintained for the lifetime of the development, with details of their planned maintenance to be provided.
- 5.7.6 **Draft London Plan Policy SI13** sets out the same requirement and additionally states that proposals for impermeable paving should be refused and that

drainage should be design and implemented to address water efficiency, river quality, biodiversity and recreation.

- 5.7.7 This site is in the Environment Agency's Flood Zone 2. As required, a Flood Risk Assessment (FRA) has been provided (although it identifies the site as being in Flood Zone 3). With regards to flood risk from the River Thames, the site is well protected by flood defences such as the Thames Barrier and local river wall flood defences. If these were breached or over-topped the site would not be likely to be impacted by flood water from the Thames. The site is not in a flooding hotspot in terms of surface water, although some parts of the site and wider estate could experience ponding of water during heavy storms. There is a basement planned, so sewer and groundwater flood risks are potential issues for the scheme. However, the basement plan shows that only plant rooms etc are proposed at this level with no habitable spaces. This reduces the risks of any potential flooding at this level. The residential units are proposed at 1st floor level and above with the ground floor for community use.
- 5.7.8 Ground floor finished floor levels will be set 300mm above the modelled levels of the Thames tidal breach for the year 2100 which will help protect these levels from flood water entering the building. The FRA states that non-return valves (in the absence of pumped discharge) should be installed to prevent backflow from the sewers. With regards to groundwater flood risks, the FRA does not include any details of the proposed structural water-proofing measures but these are covered in the Basement Construction Statement although not finalised at this point. Applications that include basements are required to provide details of the structural measures to be integrated to protect the property and neighbouring properties from potential groundwater impacts. If this cannot be provided at this point, then a condition requiring the submission of this information will be required. Surface water run-off and flood risk will be managed by implementing a SuDS Strategy which will be commented on separately.
- 5.7.9 The proposed final discharge rate of 2 l/s is acceptable and the inclusion of SuDS Tree Pits is welcomed. Prioritised Sustainable Drainage Systems (SuDS) such as Rainwater harvesting (RWH), living roofs with or without blue roof storage, infiltration or use of other permeable surfaces such as permeable paving (even if lined) do not currently form a significant part of the SuDS approach. Further consideration should be given to whether these features can be integrated.
- 5.7.10 Subject to the inclusion of conditions requiring the submission of a Surface Water Drainage Strategy and adherence to the submitted Flood Risk Assessment officers consider that the proposed approach would be acceptable and in accordance with Policies 5.11, 5.13, 5.14 and 5.15 of the London Plan and policy requiring flood risk assessment and development to mitigate flood risk, Policies CC2, CC3, CC4 and CC5 of the Local Plan which requires development to minimise future flood risk.

## **5.8 Air Quality**

- 5.8.1 LBHF was designated as an Air Quality Management Area (AQMA) in 2000 for two pollutants - Nitrogen Dioxide (NO<sub>2</sub>) and Particulate Matter (PM<sub>10</sub>). The main local sources of these pollutants are road traffic and buildings (gas boiler

emissions). Paragraph 124 relates to air quality and it states planning decisions should ensure that any new development in air Quality Management Areas is consistent with the local air quality action plan.

- 5.8.2 **London Plan Policy 7.14** seeks that development proposals minimise pollutant emissions and promote sustainable design and construction to reduce emissions from the demolition and construction of the buildings; not worsen existing poor quality air quality. Where additional negative air quality impacts from a new development are identified, mitigation measures will be required to ameliorate these impacts. This approach is consistent with paragraphs 120 and 124 of the NPPF. Further the Mayor of London's Air Quality Strategy provides a framework of policy which aims to improve air quality in London.
- 5.8.3 **The Mayor's Air Quality Strategy (2010)** seek to minimise the emissions of key pollutants and to reduce concentrations to levels at which no, or minimal, effects on human health are likely to occur.
- 5.8.4 **Local Plan Policy CC10** seeks to reduce potential adverse air quality impacts arising from new developments and sets out several requirements.
- 5.8.5 The development site is within the borough wide Air Quality Management Area (AQMA). The cumulative impact of the demolition, construction and operation of the proposed development because of increased vehicle and combustion based energy plant emissions will result in exceedance of the annual mean APEC B (38ug/m<sup>3</sup>) for NO<sub>2</sub> at existing off-site residential receptors and future on-site B1 and C1 receptors.
- 5.8.6 The Air Quality Assessment shows that there is no significant impact on local air quality during the operation phase. It is noted that there is not expected to be an exceedance of the one-hour objective at any onsite location where there is relevant exposure. Conditions are proposed for various air quality control measures in relation to both construction and operational phases of the proposal.
- 5.8.7 Due to the uplift in floorspace and use of the site there will be an impact with regards to air quality locally, however the overall impact is considered acceptable. Subject to the inclusion of conditions prior to the commencement of above ground works for each phase of the development to address the above mitigation measures, officers consider that the proposed development can accord with Policies 7.14 of the London Plan and Policy CC10 of the Local Plan.

## 5.9 Contamination

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

- 5.9.2 **Local Plan Policy CC9** requires a site assessment and a report on its findings for developments on or near sites known to be (or where there is reason to believe they may be) contaminated. Development will be refused 'unless practicable and effective measures are to be taken to treat, contain or control any contamination'. Any permission will require that any agreed measures with the council to assess and abate risks to human health or the wider environment are carried out as the first step of the development.
- 5.9.3 **Key principles LC1-6 of the Planning Guidance SPG** identify the key principles informing the processes for engaging with the council on, and assessing, phasing and granting applications for planning permission on contaminated land. The latter principle provides that planning conditions can be used to ensure that development does not commence until conditions have been discharged.
- 5.9.4 The Phase 1 Contamination Assessment notes that the Site is reported to have a number of potentially contaminative historic and current land, with the area surrounding the site being uses as a number of potentially contaminative land uses (both historical and current). It is considered appropriate to attach conditions in relation to risk assessment and remediation.
- 5.9.5 Subject to the inclusion of conditions requiring the implementation of the submitted documents and submission of further information, officers consider that the proposed development accords with Policies 5.21 and Policy CC9 of the Local Plan given that all identified potentially significant effects during the demolition and construction and the operational stages can be suitably adequately mitigated, such that the significance of the residual effects of the Proposed Development will be negligible and that the land will be suitable for the proposed uses

## **5.10 Noise**

- 5.10.1 **London Plan Policy 7.15** states that development proposals should seek to reduce noise by minimising the existing and potential adverse impacts of noise on, from, within, or in the vicinity of, a development and promoting new technologies and improved practices to reduce noise.
- 5.10.2 **Local Plan Policy CC11** seeks to control the noise and vibration impacts of developments, requiring the location of noise and vibration sensitive development 'in the most appropriate locations. Design, layout and materials should be used carefully to protect against existing and proposed sources of noise, insulating the building envelope, internal walls floors and ceilings, and protecting external amenity areas. Noise assessments providing details of noise levels on the site are expected 'where necessary'.
- 5.10.3 **Local Plan Policy CC13** seeks to control pollution, including noise, and requires proposed developments to show that there will be 'no undue detriment to the general amenities enjoyed by existing surrounding occupiers of their properties'.
- 5.10.4 Officers consider that the impacts for noise and vibration have been satisfactorily assessed The proposed limits and mitigation measures are acceptable however specific details will be required to be submitted for each phase of the



development. It is therefore considered appropriate to require these details, including insulation and anti-vibration measures for machinery and plant by condition.

- 5.10.5 Subject to the inclusion of conditions requiring the implementation of the submitted documents and submission of further information, officers consider that the proposed development accords with Policies 7.15 of the London Plan and Policies CC11 and CC13 of the Local Plan.

## 5.11 Wind and Microclimate

- 5.11.1 **London Plan Policy 7.6** states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings in relation to (inter alia) wind and microclimate. London Plan Policy 7.7 states that tall buildings should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing.
- 5.11.2 **The Mayor's Sustainable Design and Construction SPG** recognises at paragraph 2.3.7 that large buildings can alter their local environments and affect the micro-climate and notes that the Lawson Comfort Criteria can be used to assess the impact of a large building on the comfort of the street environment. It further states that developers should assess the potential impacts at ground level of any building that is significantly taller than its surroundings.
- 5.11.3 **Local Plan Policy DC3** states that tall buildings should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing.
- 5.11.4 **Local Plan Policy CC2** seeks to ensure that developments are comfortable and secure for users and avoid impacts from natural hazards. In supporting text paragraph 13.7 explains that this policy is intended to ensure that developments help to enhance open spaces and contribute to well-being.
- 5.11.4 **Draft London Plan** further addresses wind and microclimate. Indirectly, draft **Policy GG1** requires streets and public spaces to be planned for circulation by the comfort in comfort and safety, and to be welcoming. More directly, draft Policy D8 addresses the environmental impact of tall buildings, requiring careful consideration of the wind (and daylight, sunlight penetration and temperature) conditions around tall buildings and their neighbourhoods so that they do not compromise the comfort and enjoyment of them. Draft paragraph 3.1.2 further states the importance of a comfortable pedestrian environment with regard to levels of sunlight, shade, wind, and shelter from precipitation.
- 5.11.5 The submitted Pedestrian Level Wind Microclimate Assessment outlines that the meteorological data for the site indicates prevailing winds from the south-west quadrant throughout the year with secondary winds from the north-east direction, which are more prevalent during the spring months. The report explains that in the baseline scenario during the windiest season, wind conditions on thoroughfares within and around the site range from suitable for sitting to standing use. The report goes on to outline that wind conditions at surrounding roadways and car parks range from sitting to standing use. It is observed that, generally, wind conditions are one category calmer during the

summer season and therefore a larger proportion of the site is suitable for sitting use.

- 5.11.6 In the case of the proposed development, the majority of thoroughfares, entrances, roadways and car parks within and around the site would be suitable for the intended use during the windiest season. The report states that the exception to this would be at thoroughfares at the north-west and north-east corners of the proposal and the entrance to the north-west, which will have windier than suitable conditions. Strong winds exceeding the 15m/s threshold for more than 2.2 hours per year are identified in two locations and as such, these areas require mitigation.
- 5.11.7 The report sets out that with the inclusion of existing and proposed landscaping the site would no longer exceed the safety threshold, however, that the exceedance on the thoroughfare identified would persist and require further wind mitigation. The report outlines that this area will be landscaped to restrict pedestrian access using a planter.
- 5.11.8 During the windiest season, the report identifies that the thoroughfares along the south-east and north-east of the façade of the proposal would be suitable for the intended use, but that the thoroughfare would remain one category windier than suitable, necessitating the landscaping as described above, as suitable mitigation. During the summer season, the report states that the majority of amenity spaces would have similar wind conditions to those without the proposed and existing landscaping, within an exception where it would be calmer and suitable for sitting use.
- 5.11.9 With the mitigation measures in place, all locations at ground floor level within and around the site have wind conditions that are suitable for their respective uses except for one which has windier than desired. This location is to be landscaped to restrict pedestrian access.
- 5.11.8 Subject to the inclusion of conditions requiring the implementation the mitigation measures required, officers consider that the proposed development accords with Policies 7.6 and 7.7 of the London Plan and Policies DC3 and CC2 of the Local Plan in terms of wind and microclimate.

## **5.12 Arboriculture, Ecology and Biodiversity**

- 5.12.1 **The NPPF (Paragraphs 168 and 173)** explains that pursuing sustainable development involves (inter alia) 'moving from a net loss of bio-diversity to achieving net gains for the future'. **Paragraph 99** requires new developments to be planned to avoid increased vulnerability to climate change impacts, which include changes to biodiversity. **Paragraph 109** states that the planning system should contribute to 'minimising impacts on biodiversity and providing net gains in biodiversity where possible'. Planning decisions should encourage opportunities to incorporate biodiversity in and around developments and refuse development resulting in harm where this that cannot be adequately mitigated – or as a last resort, compensated. **Paragraphs 170 and 175** relate to conserving and enhancing the natural environment. Of particular relevance is Paragraph 170 which advises that planning policies and decisions should contribute to and enhance the natural and local environment.

- 5.12.2 **London Plan Policy 7.19** requires development proposals to make positive contributions to biodiversity (its protection, enhancement, creation and management) wherever possible and to prioritise improving access to nature in arrears deficient in accessible wildlife sites. **Policy 7.21** of the London Plan supports the retention of existing trees of value and encourages the provision of additional trees, particularly large-canopied species, in new developments.
- 5.12.3 **Local Plan Policies OS1 and OS5** seeks to enhance biodiversity and green infrastructure in LBHF by (inter alia) maximising the provision of gardens, garden space and soft landscaping, and seeking green and brown roofs and planting as part of new development; seeking retention of existing trees and provision of new trees on development sites; and adding to the greening of streets and the public realm.
- 5.12.4 **Draft London Plan** sets more ambitious targets for ecology and urban greening, which includes a target to increase tree cover in London by 10% by 2050.
- 5.12.5 **Draft London Policy G5** states that major development proposals should 'contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage'. Boroughs should develop an Urban Greening Factor (UGF) to identify the appropriate amount of urban greening required in new developments, based on Urban Greening Factors set out in Table 8.2 of the draft Local Plan. Higher standards of greening are expected of predominately residential developments (target score 0.4).
- 5.12.6 **Draft London Policy G7** states that existing trees of quality should be retained wherever possible or replace where necessary. New trees are generally expected in new development, particularly large-canopied species.
- 5.12.7 The existing site features hardstanding and has limited vegetation. One tree is located to the site boundary with two invasive on-native species of buddleia and cherry laurel. Outside the red line boundary blocks of amenity grassland containing four trees are identified. The arboricultural report outlines that the proposal to remove the single tree within the site is acceptable on the basis that this tree (T10) is classed as low quality (Category C) and will be replaced with new high quality landscaping containing new tree planting that will increase the quality, impact, diversity and resilience of the local tree stock. Officers support this position.
- 5.12.8 The report also identifies that it will be necessary to remove one moderate quality tree (T4) which is located outside of the red line boundary of this site and therefore, not included within the scope of this planning application. The relevant permissions to remove this tree will need to be sought separately. The ecology report concludes that the site supports habitats with limited value for wildlife, stating that the trees within the site have negligible bat potential and as such do not represent a constraint to development. The report suggests the use of native, near native and wildlife friendly species within the soft landscaping, along with bat and bird boxes.

5.12.9 As such the site is currently of low ecological value and a single low quality tree is to be removed. The proposal therefore represents an opportunity to secure improved ecological value and biodiversity on the site by way of condition.

5.12.9 Subject to the inclusion of conditions officers consider that the proposed development accords with Policies 7.19 and 7.21 of the London Plan and Policies OS1 and OS5 of the Local Plan in terms of ecological and urban greening.

## **5.13 Accessibility**

5.13.1 **Local Plan Policy DC1** requires all development to be of a high quality and should have an approach to accessible and inclusive urban design. **Policy D2** requires new buildings to follow the principles of accessible and inclusive design. **Planning SPD Key Principles DA1, DA4, DA5, DA6, DA7, DA8, DA9, DA11, DA12 and DA13** requires all applications to ensure the buildings are designed to be accessible and inclusive to all who may visit or use the building, to remove barriers to all members of the community and how the accessibility will be managed when operational, provide proportion of hotel rooms to be for use by disabled people, have minimum widths and gradients for accesses, essential lifts, toilets and other required facilities and to engage and consult with disabled people.

5.13.2 The tower will have level access at the main entrance and lifts will provide visitors and residents with access to all floors of the building. In addition 13 units will be wheelchair accessible which equates to 10% of the units within the building. Two off-street accessible parking spaces will be provided, situated to the north east of the building, and accessed from the Clem Attlee Estate link road from St Thomas' Way and this is further assessed in the Transport section of this report. 90% of the units have been designed to meet building regulations M4(2) and 10% have been designed to meet M4(3).

5.13.3 An Inclusive Accessibility Management Plan, as requested by the Disability Forum, is secured and this is considered reasonable and necessary to secure appropriate accessibility as these design elements evolve. Officers consider these provisions satisfy the requirements of the above policies and the proposal is acceptable in accessibility terms.

5.13.4 It is therefore considered that the proposal will provide a high quality environment for disabled and impaired members of the community and the commitments within the Access Statement are positive and deliverable by way of conditions and reserved matters applications. As such the proposal will comply with Local Plan Policies DC1 and DC2 as well as Planning Guidance SPD Key Principles DA1, DA4, DA5, DA6, DA7, DA8, DA9, DA11, DA12 and DA13.

## **5.14 Socio-Economic and Community Effects**

5.14.1 **London Plan Policy 3.1** presents the Mayor's commitment to ensuring equal life chances for all Londoners, borne out of the recognition that meeting the needs of particular groups and communities is key to addressing inequalities and fostering diverse communities. **Policy 4.12** seeks to improve access to

employment and employment opportunities for Londoners, supporting local employment, development and training. **Draft London Plan Policy E2 (C)**, states that the applicant should show how a proportion of low cost and flexible business space would be incorporated into the proposals to provide workspace suitable for small and medium sized enterprises. **Local Plan Policy E4** requires the provision of appropriate employment and training initiatives for local people of all abilities in the construction of major developments including visitor accommodation and facilities.

- 5.14.2 The proposal also has the potential to create new jobs for local people during construction. The Council will secure 10% of the construction costs which will be offered as local procurement contracts and are secured for the local economy together with delivering by way of a contribution secured by obligation 25 apprentices, 64 work placements and 30 full-time operational phase workers
- 5.14.3 It is considered that the social and economic benefits derived from the development are significant public benefits and represent the delivery of the council's spatial vision and strategic objectives set out within the Local Plan as well as representative of the opportunity the development presents. Officers therefore consider that the proposal, subject to s106 legal agreement to secure the benefits identified and agreed, is in accordance with London Plan Policies 3.1 and 4.12 and Draft London Plan Policy E2 and Local Plan Policy E4.

## **6.0 SECTION 106 HEADS OF TERMS AND CIL**

### **S106 Heads of Terms**

- 6.1 **The NPPF** provides guidance for local planning authorities in considering the use of planning obligations. It states that 'authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations and that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition'.
- 6.2 **London Plan Policy 8.2** states that: 'When considering planning applications of strategic importance, the Mayor will take into account, among other issues including economic viability of each development concerned, the existence and content of planning obligations. Development proposals should address strategic as well as local priorities in planning obligations. Affordable housing and other public transport improvements should be given the highest importance'. It goes on to state: 'Importance should also be given to tackling climate change, learning and skills, health facilities and services, childcare provisions and the provision of small shops.'
- 6.3 **Local Plan Policy INFRA1** (Planning Contributions and Infrastructure Planning) advises that the council will seek planning contributions to ensure the necessary infrastructure to support the Local Plan is delivered using two main mechanisms 'Community Infrastructure Levy (CIL) and Section 106 Agreements (s106). The application site does not attract local borough CIL so relies on s106 for necessary infrastructure.
- 6.4 The application Heads of Terms are as follows:

- Economy/jobs/local procurement contribution of £450,000 comprising local employment, skills and training targeting: 21 apprentices, 64 work placements and 30 full-time operational phase workers.
  - Each apprentice and work placement attracts a contribution of £3,500 with a contribution of £311,500
  - Each full-time operational worker attracts a contribution of £3,500 with a contribution of £105,000
  - Local procurement amounting to 10% of the total construction cost
  - Local procurement fee of £8,250
  - Non-compliance with the agreed number of apprentices and placements attracting a contribution of £7,000 per apprentice/placement not created
- No parking permits
- Carbon off-setting payment of £148,460.48 subject to a revised Energy Assessment
- Tenure, number and location of affordable housing
- Provision of 10% wheelchair units
- Public realm contribution
- Travel Plans for each land use to be monitored at years 1, 3 and 5 at a monitoring fee of £5,000 per submission (£15,000 in total)
- Travel Plan for the construction period with a monitoring fee of £5,000 per year of construction (estimated at £15,000 in total)
- Highway works by s278 agreement

## **Local and Mayoral CIL**

6.5 This development involves the provision of 100% affordable housing and as such is exempt from the LBHF local CIL. In accordance with draft London Plan Policy T9, MCIL2 was introduced in April 2019. All qualifying development in LBHF is charged at a rate of £80 per sqm.

## **7.0 CONCLUSION**

7.1 In considering planning applications, the Local Planning Authority needs to consider whether or not the proposed development accords with the development plan as a whole and any other material considerations. The NPPF explains that planning applications that accord with the development plan should be approved without delay.

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

7.3 The proposal would result in the redevelopment of a vacant site to deliver 133, 100% affordable housing units which is a significant strategic priority within the council's Local Plan. The proposal is of a design that is considered to be of a

very high standard that would enhance and preserve the area. The residential units would be in excess of policy requirements with a communal amenity facility in addition to renewal of existing public realm for the wider public benefit. The proposal brings a vacant site back into residential use and realises the aims and objectives of national, regional and local policy.

- 7.4 The approach to tenure is not considered to undermine the mix of housing type in the area and would deliver a significant contribution of much needed housing by maximising the development potential of the site. The proposed development is considered to have an acceptable impact upon the amenities and living conditions within surrounding properties in respect of daylight, sunlight, overshadowing, overlooking/privacy, and noise impacts.
- 7.5 The redevelopment would also contribute beneficially to the local area and the borough by creating a high quality built environment, delivering an excellent sustainability rating, will exceed London Plan target with regards to CO2 savings and would see a car free development with policy compliant cycle spaces and adapting to climate change.
- 7.6 The height, scale and massing of the proposed built form is appropriate and provides a satisfactory design response to the site and surrounding townscape, delivering an appropriate level of density with regard to its location and the size of the site. The elevations have an architectural character which provides interest across the frontages and the relationship between the built form and public realm would assist in the creation of a sense of place.
- 7.7 Where harm has been identified to the setting of heritage assets, the church of St Thomas of Canterbury and the Central Fulham Conservation Area, it is identified at the lower end of less than substantial and, in line with local policy and the NPPF, this level of harm has been considered against the public benefits coming forward as part of the scheme. It is considered this is harm outweighed by the substantial social public benefits that the proposal would deliver.
- 7.8 It is a matter of judgement as to whether or not the granting of planning permission would accord with the development plan when taken as a whole with due regard to the importance of the policies complied with or breached, and the extent of compliance or breach.
- 7.9 In this case, as explained above, there is conflict with the plan-led element of Local Plan Policy DC3, but the extent and significance of policy conflict is reduced by the absence of any disruptive or harmful impact on the skyline. The proposed development also accords with the tall buildings policy of the London Plan, Policy 7.7. Officer's views on those matters are consistent with the conclusions reached in the Mayor of London's Stage 1 Report.
- 7.10 The spatial strategy of locating tall buildings in identified areas is considered to be an important element of the policy as the supporting text explains that the proper location of tall buildings is an integral part of the long term spatial vision for the borough. Members should also note that the plan-led approach is strengthened in Policy D9 of the Intend to Publish London Plan, and this is relevant to the importance of the identified element of policy conflict. Although

the scheme would not disrupt or harm the skyline, the importance of the spatial strategy for the distribution of tall buildings is such that the conflict with Policy DC3 is nevertheless afforded significant weight. However, that needs to be weighed against the substantial extent of compliance with other important and relevant policies as set out above, including the strategic tall buildings policy in the adopted London Plan. Having regard to the overall picture it is not considered that the policy conflict that has been identified results in the proposal being in conflict with the development plan when read as a whole.

- 7.11 Even if a different conclusion was reached in respect of compliance with the plan as a whole, the overall planning balance would nevertheless weigh in favour of the grant of planning permission when regard is had to the extent of policy compliance and the impacts of the proposal, and the other material considerations summarised below.

#### Other Material Considerations

- 7.12 Consideration must be given to other material considerations when deciding whether or not to grant planning permission.
- 7.13 As demonstrated in the above assessment, the proposal would be acceptable against the criteria set out in London Plan Policy 7.7.
- 7.14 Local Plan DC3 and the Intend to Publish London Plan Policy D9 also each set out a framework of criteria for assessing the impact and acceptability of a tall building which comes forward within an area identified as appropriate for a tall building. As the site falls outside of such an area it is considered that the respective frameworks do not apply to the assessment of this scheme for the purpose of determining compliance or otherwise with those policies. However, it is noted that the purpose of the criteria is to guide an assessment of the acceptability of tall building proposals by reference to relevant factors. As such, an assessment of the impact of the proposal against those criteria is considered to be a useful exercise as an other material consideration and is set out below.

#### Local Plan DC3 – Tall Buildings

- 7.15 *a. has a positive relationship to the surrounding townscape context in terms of scale, streetscape and built form*
- 7.16 As described in the design, heritage and townscape section above, the context of the development site varies significantly between the modern high-density scale and design of buildings within the Clem Atlee Estate and adjacent the context of development to the south of the site, typified by Victorian terraces.
- 7.17 The scale of the block would respond well to large/taller buildings located to the northern extent of the estate, whilst also respecting the Victorian context, being set-back from the frontage to St Thomas's Way and aligned with the building lines of adjacent blocks.
- 7.18 Given this variation in context, the development is considered to create a positive relationship and balance to the surrounding context overall.



- 7.19 *b. is of the highest quality of architectural design and materials with an appropriate form and silhouette which contributes positively to the built heritage and image of the borough*
- 7.20 The architectural approach of the scheme has been sensitively designed to create a high-quality development with its own sense of character; whilst also respecting the character of neighbouring developments.
- 7.21 Overall the building has a strong character and expression, use of pre-cast concrete and framed glazing are considered high-quality materials. As a tall building the proposal includes a variety in detailing from its base, middle and top which adds to its quality overall. The triple height bays and framing of the crown of the building would be a particularly positive addition to the skyline.
- 7.22 *c. has an acceptable impact on the skyline, and views from and to open spaces, the riverside and waterways and other locally important views and prospects*
- 7.23 As discussed above, the architectural quality of the scheme, coupled with its height will provide additional legibility to the Clem Atlee estate overall, complementing the form and group value of other tall/large buildings within the estate. Given the visibility of the development from several viewpoints, the development would aid wayfinding from key town centres/public transport interchanges to the site. As such the scheme is considered to have a beneficial impact to the skyline overall.
- 7.24 *d. has had full regard to the significance of heritage assets including the setting of, and views to and from, such assets, has no unacceptable harmful impacts, and should comply with Historic England guidance on tall buildings*
- 7.25 The application is supported by a fully detailed Heritage Assessment, which appraises the impacts of the development upon surrounding heritage assets. The outcome of this assessment is that the scheme would cause harm to setting and significance of Central Fulham Conservation Area and the Grade II\* listed Church of St. Thomas of Canterbury and buildings within its curtilage is identified at the lower end of less than substantial and, in line with local policy and the NPPF, this level of harm has been considered against the public benefits coming forward as part of the scheme and detailed elsewhere within this report. It is considered this harm is outweighed by the substantial social public benefits that the proposal would deliver.
- 7.26 *e. is supported by appropriate transport infrastructure*
- 7.27 As assessed in the relevant section above, the proposal is a car free development with a focus on cycle provision. A transport Assessment has been submitted and it is considered that the appropriate infrastructure is in place to support the proposal
- 7.28 *f. has an appropriate design at the base of the tall building and provides ground floor activity*
- 7.29 The ground floor of the building incorporates a variety of activities which will activate and provide passive surveillance of new and improved public spaces

and pedestrian routes. To the north of the site the new community room and kitchenette will activate enhanced public realm and to the eastern and southern extent of the site, the residential lobby, reception and office spaces will activate the new public square and covered arcade.

- 7.30 *g. interacts positively to the public realm and contributes to the permeability of the area*
- 7.31 The public realm is well designed and serves to offer enhanced pedestrian links through the Clem Atlee estate to the surrounding environment; also offering new and improved public spaces for the benefit of the wider community. These spaces are also successfully activated by new internal community and management facilities within the development.
- 7.32 *h. is of a sustainable design and construction, including minimising energy use and the risk of overheating through passive design measures, and the design allows for adaptation of the space*
- 7.33 *i. does not have a detrimental impact on the local environment in terms of microclimate, overshadowing, light spillage and vehicle movements*
- 7.34 As assessed in the environmental considerations sections of this report the impacts from microclimate are acceptable and appropriately mitigated by the secured condition. Daylight, sunlight and overshadowing impacts are considered to be acceptable. Light spillage will be commensurate with a residential building and is not considered to result in unacceptable impacts. The scheme is car free and as such car ownership will be low, further restrictions are in place by way of permit restrictions in the wider area secured by legal agreement.
- 7.35 *j. respects the principles of accessible and inclusive design.*
- 7.36 13 of the proposed units will be wheelchair accessible and level access is provided at entrance level as well as lifts.
- 7.37 The above analysis demonstrates that the proposal meets the majority of these criteria and it is noted that the criteria of Policy DC3 and London Plan Policy 7.7 are significantly similar.

Intend to Publish London Plan Policy D9 Tall buildings

- 7.38 An assessment against the criteria framework of Draft Policy D9 Part C has also been carried out for completeness to assess the impact of the proposal.

*Visual impacts*

*a) the views of buildings from different distances:*

*i long-range views – these require attention to be paid to the design of the top of the building. It should make a positive contribution to the existing and emerging skyline and not adversely affect local or strategic views*

*ii mid-range views from the surrounding neighbourhood – particular attention should be paid to the form and proportions of the building. It should make a*

*positive contribution to the local townscape in terms of legibility, proportions and materiality*

*iii immediate views from the surrounding streets – attention should be paid to the base of the building. It should have a direct relationship with the street, maintaining the pedestrian scale, character and vitality of the street. Where the edges of the site are adjacent to buildings of significantly lower height or parks and other open spaces there should be an appropriate transition in scale between the tall building and its surrounding context to protect amenity or privacy.*

- 7.39 A fully detailed Townscape and Visual Impact assessment has been submitted with this application which assesses the impact of the scheme from a variety of local to long-range views. In summary, the proposed development would not result in any adverse impact upon strategic views. Considering local views, the development would result in some changes to views of the site within the local area. Overall the impact upon these views would be either negligible or beneficial.
- 7.40 *b) whether part of a group or stand-alone, tall buildings should reinforce the spatial hierarchy of the local and wider context and aid legibility and wayfinding*
- 7.41 As described in the design, heritage and townscape section above, the context of the development site varies significantly between the modern high-density scale and design of buildings within the Clem Atlee Estate and adjacent the context of development to the south of the site, typified by Victorian terraces.
- 7.42 Consequently, the scale of the block would respond well to large/taller buildings located to the northern extent of the estate, whilst also respecting the Victorian context, being set-back from the frontage to St Thomas's Way and aligned with the building lines of adjacent blocks. The development is considered to aid wider wayfinding to the Clem Atlee Estate, particularly from central Fulham; in turn this would also aid the legibility of the Estate overall.
- 7.43 *c) architectural quality and materials should be of an exemplary standard to ensure that the appearance and architectural integrity of the building is maintained through its lifespan*
- 7.44 Overall the building has a strong character and expression, use of pre-cast concrete and framed glazing are considered high-quality materials. As a tall building the proposal includes a variety in detailing from its base, middle and top which adds to its quality overall. The triple height bays and framing of the crown of the building would be a particularly positive addition to the skyline. The detailing and future maintenance of the building has been considered as part of the development of these proposals.
- 7.45 *d) proposals should take account of, and avoid harm to, the significance of London's heritage assets and their settings. Proposals resulting in harm will require clear and convincing justification, demonstrating that alternatives have been explored and that there are clear public benefits that outweigh that harm. The buildings should positively contribute to the character of the area*

- 7.46 The application is supported by a fully detailed Heritage Assessment, which appraises the impacts of the development upon surrounding heritage assets. The outcome of this assessment is that the scheme would cause harm to setting and significance of Central Fulham Conservation Area and the Grade II\* listed Church of St. Thomas of Canterbury and buildings within its curtilage is identified at the lower end of less than substantial and, in line with local policy and the NPPF, this level of harm has been considered against the public benefits coming forward as part of the scheme and detailed elsewhere within this report. It is considered this harm is outweighed by the substantial social public benefits that the proposal would deliver.
- 7.47 *e) buildings in the setting of a World Heritage Site must preserve, and not harm, the Outstanding Universal Value of the World Heritage Site, and the ability to appreciate it*
- 7.48 The proposal is not within the setting of any World Heritage Site.
- 7.49 *f) buildings near the River Thames, particularly in the Thames Policy Area, should protect and enhance the open quality of the river and the riverside public realm, including views, and not contribute to a canyon effect along the river*
- 7.50 The proposal is not within the setting of the River Thames.
- 7.51 *g) buildings should not cause adverse reflected glare*
- 7.52 The materiality of the building is not considered to give rise to solar glare due to the absence of reflection from solid materials.
- 7.53 *h) buildings should be designed to minimise light pollution from internal and external lighting*
- 7.54 Light spillage will be commensurate with a residential building and is not considered to result in unacceptable impacts.

*Functional impact*

- 7.55 *a) the internal and external design, including construction detailing, the building's materials and its emergency exit routes must ensure the safety of all occupants*
- 7.56 A Fire Statement is submitted in support of this application, which sets out details of the building's construction, means of escape, features which reduce fire risk, access for fire services personnel and the provision of fire appliances within the curtilage of the building. The safety (including fire safety) of occupants has been satisfactorily considered,
- 7.57 *b) buildings should be serviced, maintained and managed in a manner that will preserve their safety and quality, and not cause disturbance or inconvenience to surrounding public realm. Servicing, maintenance and building management arrangements should be considered at the start of the design process*

- 7.58 The Design and Access Statement submitted sets out that the materials to be used are of a high quality materials that minimise maintenance requirements over its lifetime and are virtually maintenance free. Details of materials are secured by condition. The building is positioned on the site to provide access to all elevations and allow abseil access for window cleaning and maintenance work without impacting on the surrounding area. The refuse collection and servicing strategies propose to utilise currently used pickup points minimising any impact on local residents and details of these strategies are secured by condition.
- 7.59 *c) entrances, access routes, and ground floor uses should be designed and placed to allow for peak time use and to ensure there is no unacceptable overcrowding or isolation in the surrounding areas*
- 7.60 As a residential building it is not considered that overcrowding is likely to be an issue, however the entrance lobby is considered to be satisfactory in terms of its size and layout.
- 7.61 *d) it must be demonstrated that the capacity of the area and its transport network is capable of accommodating the quantum of development in terms of access to facilities, services, walking and cycling networks, and public transport for people living or working in the building*
- 7.62 As assessed in the relevant section above, the proposal is a car free development with a focus on cycle provision. A transport Assessment has been submitted and it is considered that the appropriate infrastructure is in place to support the proposal
- 7.63 *f) jobs, services, facilities and economic activity that will be provided by the development and the regeneration potential this might provide should inform the design so it maximises the benefits these could bring to the area, and maximises the role of the development as a catalyst for further change in the area*
- 7.64 This relates to commercial development and is not considered relevant. However, economic opportunities through the construction period are secured by way of obligation in the form of jobs and local procurement.
- 7.65 *g) buildings, including their construction, should not interfere with aviation, navigation or telecommunication, and should avoid a significant detrimental effect on solar energy generation on adjoining buildings*
- 7.66 A Construction Logistics Plan has been submitted and a further detailed version of this is secured by condition. This will ensure the construction of the development does not interfere with aviation, navigation or telecommunication. In terms of solar energy generation of adjacent buildings, as there was historically a tower on site, the neighbouring buildings do not have any solar energy devices on the buildings that would be overshadowed by this proposal.

#### *Environmental impact*

- 7.67 *a) wind, daylight, sunlight penetration and temperature conditions around the building(s) and neighbourhood must be carefully considered and not compromise comfort and the enjoyment of open spaces, including water spaces, around the building*
- 7.68 As assessed in the environmental considerations sections of this report the impacts from microclimate are acceptable and appropriately mitigated by the secured condition. Daylight, sunlight and overshadowing impacts are considered to be acceptable.
- 7.69 *b) air movement affected by the building(s) should support the effective dispersion of pollutants, but not adversely affect street-level conditions*
- 7.70 As assessed in the relevant section above, the air quality impacts of the proposal are considered acceptable and conditions are secured in relation the construction phase to mitigate impacts.
- 7.71 *c) noise created by air movements around the building(s), servicing machinery, or building uses, should not detract from the comfort and enjoyment of open spaces around the building*
- 7.72 As assessed in the relevant section above, the proposal is not considered to result in unacceptable noise impacts and the scheme is not considered to result in harm to the enjoyment around the surrounding area. Conditions are secured relating to machinery and internal noise.

#### *Cumulative impacts*

- 7.73 *a) the cumulative visual, functional and environmental impacts of proposed, consented and planned tall buildings in an area must be considered when assessing tall building proposals and when developing plans for an area. Mitigation measures should be identified and designed into the building as integral features from the outset to avoid retro-fitting*
- 7.74 The cumulative impacts of this scheme with the other tall buildings in the wider context have been assessed visually in the Townscape report. While there are other towers within the vicinity, the environmental and functional impacts will not be significant due to their distance away and the use of the buildings being residential rather than commercial.

#### *Public access*

- 7.75 *D Free to enter publicly-accessible areas should be incorporated into tall buildings where appropriate, particularly more prominent tall buildings where they should normally be located at the top of the building to afford wider views across London.*
- 7.76 Given the residential use of the building, it is not considered appropriate to have a public viewing area at the top of such a tower, with the space used to provide affordable housing.

- 7.77 Given the assessment of the proposed building against the criteria framework set out to assess the acceptability of a tall building under Draft Policy D9, it is considered that this demonstrates that the proposed development would be acceptable in terms of its impacts.
- 7.78 For the reasons set out in this report, officers consider that this is a suitable site for the proposed tall building notwithstanding the fact that it is located outside those areas identified in Local Plan Policy DC3.

#### Public Benefits

- 7.79 There are a number of significant public benefits that will be delivered including:
- 100% affordable housing scheme delivering 79% social rented and 21% intermediate in response to local need;
  - 133 much needed new affordable housing units;
  - The redevelopment of a vacant brownfield site;
  - A high-quality building of architectural excellence;
  - Delivering a scheme that will become an integral part of Hammersmith's townscape creating a landmark building that will aid wayfinding;
  - Creation of an ancillary community hall for use by the residents of the building and the wider estate;
  - Improved engagement of the building with the public realm within the site;
  - Improving the pedestrian experience and connectivity with the surrounding public realm, especially through the Clem Attlee Estate;
  - Significant enhancements to offsite public realm and playspace; and
  - Off-site high-quality landscaping.

#### Balance

- 7.80 While an element of conflict has been identified with Policy DC3 and significant weight is accorded to that conflict, having regard to the extent of the compliance with other important and relevant development plan policies as set out above, officers consider this does not result in the proposal being in conflict with the development plan when read as a whole. The proposed development is therefore considered to accord with the development plan when considered as a whole.
- 7.81 There are other important material considerations that support the grant of planning permission. As summarised above, these include the delivery of a number of significant public benefits and the acceptability of the proposed development when assessed on a systematic basis against relevant factors identified in policy.
- 7.82 The other material considerations set out above should be afforded significant weight, and in the view of officers this would be sufficient to justify the grant of planning permission even if a different judgment was reached on the question of overall compliance with the development plan.
- 7.83 Accordingly, it is recommended that the proposed development be granted planning permission subject to the conditions listed and the completion of s106 and no contrary direction from the Mayor of London.

