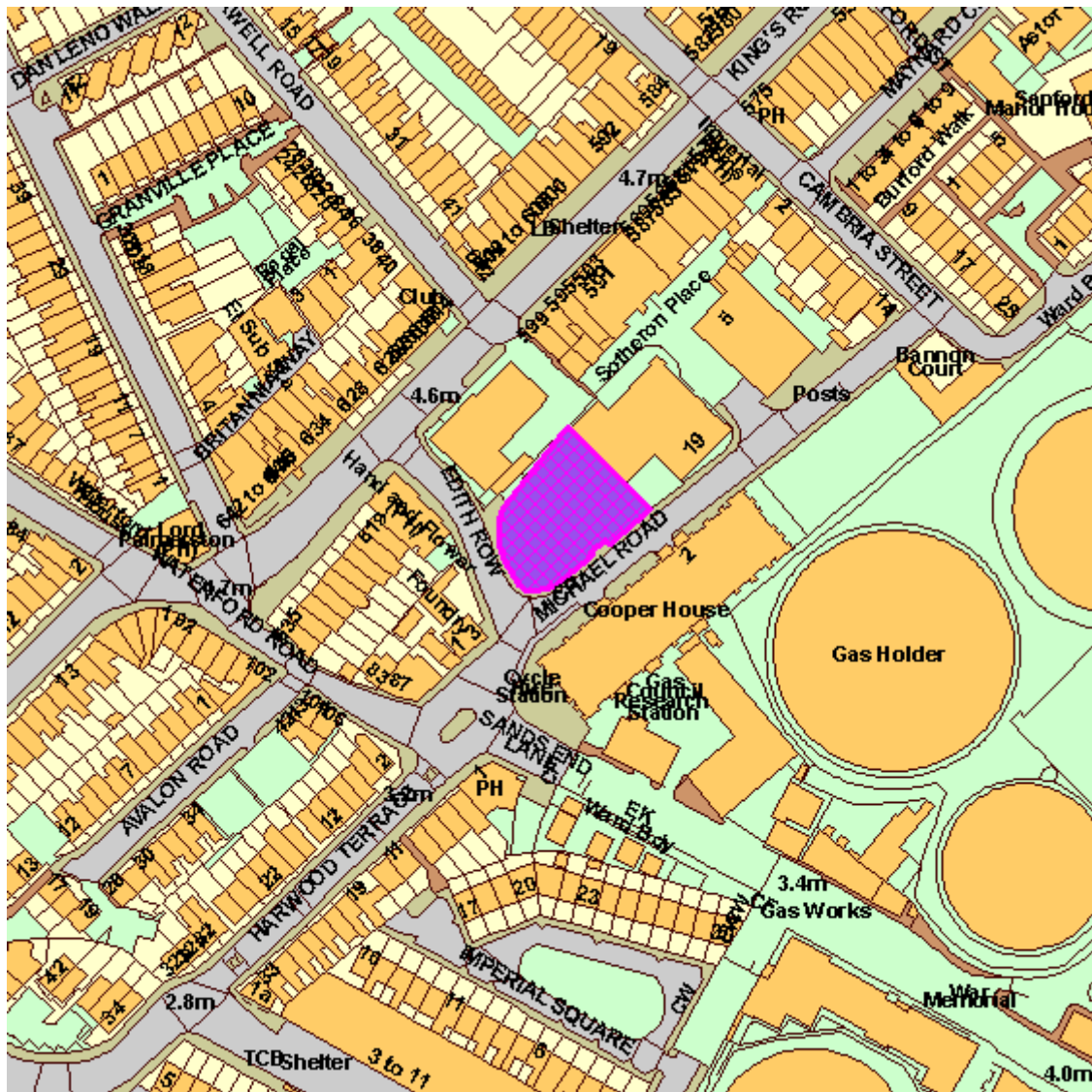


Ward: Parsons Green And Walham

Site Address:

5 - 17 Michael Road And 611 King's Road London SW6 2ER



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For identification purposes only - do not scale.

Reg. No:
2019/02662/FUL

Case Officer:
Grace Purnell

Date Valid:
24.10.2019

Conservation Area:

Committee Date:
28.09.2020

Applicant:

Mr J Warr

C/o Luken Beck Mdp Ltd Carlton Crescent Southampton SO15 2EW

Description:

Erection of a two-storey rear extension to provide an additional accommodation (333sqm) ancillary to the existing motorcycle retail showroom on the ground floor and mezzanine floor levels and B1 office space (184sqm) at first floor level; change of the use of existing ancillary office on the first floor level to provide 2 x 2-bedroom self-contained flats (Class C3); erection of a two-storey extension above the first floor level to provide 1 x 1 bedroom and 6 x 2 bedroom self-contained flats; formation of balconies at first, second and third floor levels and roof terrace at fourth floor level.

Drg Nos:

1904: _P34 REV B; P18 REV A; P26 REV B; P33 REV B; P37 REV A; P38 REV A; P36 REV A; P35 REV A; P39; P32 REV A; P13; P14; P20; P25 REV A

Flood Risk Assessment (Appendix E, D&A Statement); Environment Assessment Statement (Appendix B, D&A Statement); M&E/ Energy Strategy 27/08/19 (within D&A Statement); Sustainability Strategy 22/08/19 (within D&A Statement); Daylight Sunlight Report and Addendum.

Application Type:

Full Detailed Planning Application

Officer Recommendation:

That the Committee resolve 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;

To authorise 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.

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

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

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

1904: _P34 REV B; P18 REV A; P26 REV B; P33 REV B; P37 REV A; P38 REV A; P36 REV A; P35 REV A; P39; P32 REV A; P13; P14; P20; P25 REV A

In order to ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with Policies DC1 and DC4 of the Local Plan (2018).

- 3) No plumbing, extract flues or pipes other than rainwater pipes shall be fixed on the front elevations of the building(s) hereby approved.

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

- 4) 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 building(s) hereby permitted.

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

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

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

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

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

- 7) No development shall commence until a site investigation scheme is submitted to and approved in writing by the Council. This scheme shall be based upon and target the risks identified in the approved preliminary risk assessment and shall provide provisions for, where relevant, the sampling of soil, soil vapour, ground gas, surface and groundwater. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

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

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

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

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

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

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

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

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

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

- 12) The development hereby permitted shall not be occupied, until details and samples of the obscure glazed separation screen, the angled fins and the timber clad screening, as identified on the approved plans, have been submitted to and approved in writing by the Council. The use of the terraces shall not commence until the screening, as approved has been installed and it shall be permanently retained as such thereafter.

To prevent harm to the existing residential amenities of the occupiers of neighbouring properties as a result of loss of privacy, contrary to Policies HO11 and CC11 of the Local Plan (2018).

- 13) Prior to occupation of the Development hereby permitted, an updated Delivery and Servicing Plan (DSP) shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the management and times of deliveries, emergency access, collection of waste and recyclables, times and frequencies of deliveries and collections, silent reversing methods, quiet loading/unloading measures, location of loading bays and vehicle movements. The approved details shall be implemented prior to occupation and the DSP hereby permitted shall thereafter operate in accordance with the approved details. The DSP shall be regularly monitored and reviewed and any subsequent modifications or alterations to the DSP should be submitted to and approved in writing by the LPA.

To ensure that satisfactory provision is made for refuse storage and collection and to ensure that the amenity of occupiers of the surrounding premises and the development are not adversely affected by noise and that servicing activities do not adversely impact on the highway, in accordance with Policy 6.11 of the London Plan and Policies T2, T4, T5, CC11 and CC13 of the Local Plan 2018.

- 14) Prior to commencement of the development hereby approved, a Construction Logistics Plan shall be submitted to, and approved in writing by, the Council. This must be in accordance with Transport for London (TfL) requirements and should seek to minimise the impact of construction traffic on nearby roads and restrict construction trips to off-peak hours only. Thereafter the approved details shall be implemented throughout the project period.

To ensure that construction works do not adversely impact on the operation of the public highway, in accordance with Policies T1 and T7 of the Local Plan (2018)."

- 15) The development hereby permitted shall not be occupied or used until the energy efficiency and carbon reduction measures specified within the submitted Energy Statement (M&E Planning Report by Max Fordham) have been fully implemented. The measures shall thereafter be permanently retained for the life of the development.

To ensure the implementation of sustainable design and construction measures, in accordance with Policies 5.1 and 5.2 of the London Plan (2016), the National Planning Policy Framework (2019) and Policies CC1 and CC2 of the Local Plan (2018)."

- 16) Prior to the occupation of the development a flood warning and evacuation plan shall be submitted to and approved in writing by the council. The development shall be carried out in accordance with the remaining details contained within the Flood Risk Assessment submitted with this application. All flood prevention and mitigation measures should be installed in accordance with the approved details prior to the occupation of the development.

To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site, and to reduce the impact of flooding to the proposed development and future occupants, in accordance with Policy CC2 and CC3 of the Local Plan (2018)."

- 17) The development hereby approved shall not commence until details of a revised Surface Water Management Strategy. Details should review the inclusion of rainwater harvesting for re-use. The measures shall thereafter be permanently retained for the life of the development.

To reduce the impact of flooding to the proposed development and future occupants, in accordance with Policies CC2 and CC3 of the Local Plan (2018).

- 18) Prior to commencement of the development, a noise assessment shall be submitted to the Council for approval of external noise levels incl. reflected and re-radiated noise and details of the sound insulation of the building envelope, orientation of habitable rooms away from major noise sources and of acoustically attenuated mechanical ventilation as necessary to achieve internal room- and (if provided) external amenity noise standards in accordance with the criteria of BS8233:2014. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure that the amenity of occupiers of the development site is not adversely affected by noise from transport [industrial/ commercial noise sources], in accordance with Policies CC11 and CC13 of the Local Plan (2018).

- 19) Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of an enhanced sound insulation value $D_{nT,w}$ and $L'_{nT,w}$ of at least 5dB above the Building Regulations value, for the floor/ceiling/wall structures separating different types of rooms/ uses in adjoining dwellings. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

- 20) 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 commercial part(s) of the premises from dwellings. Details shall demonstrate that the sound insulation value $D_{nT,w}$ is enhanced by at least 15dB above the Building Regulations value and, where necessary, additional mitigation measures are implemented to contain commercial noise within the commercial premises and to achieve the criteria 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).

- 21) 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 roof plant room from dwellings. Details shall demonstrate that the sound insulation value $D_{nT,w}$ is enhanced by at least 15dB 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).

- 22) Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of the external sound level emitted from plant/ machinery/ equipment and mitigation measures as appropriate. 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.

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).

- 23) Prior to commencement of the development, details of anti-vibration measures shall be submitted to and approved in writing by the Council. 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.

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

- 24) Prior to commencement of the development, details of external artificial lighting shall be submitted to and approved in writing by the Council. Lighting contours shall be submitted to demonstrate that the vertical illumination of neighbouring premises is in accordance with the recommendations of the Institution of Lighting Professionals in the 'Guidance Notes For The Reduction Of Light Pollution 2011'. Details should also be submitted for approval of measures to minimise use of lighting and prevent glare and sky glow by correctly using, locating, aiming and shielding luminaires. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

- 25) Prior to commencement of the development hereby approved, a construction management plan shall be submitted to and approved in writing by the Council. Details shall include control measures for dust, noise, vibration, lighting, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800 -1300 hrs 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. Approved details shall be implemented throughout the project period.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the building site, in accordance with Policies CC11 and CC13 of the Local Plan (2018).

- 26) Prior to commencement of above ground works in the development a Ventilation Strategy Report to mitigate the impact of existing poor air quality for B1 and C3 use class shall be submitted to and approved in writing by the Local Planning Authority. The report shall include the following information:

- a) Details and locations of the air ventilation intake locations at rear roof level
- b) Details of sealed windows (except for emergency purge ventilation) Habitable rooms (bedrooms, Living Rooms) for C3 use class on front elevations with Michael Road, Edith Road and Kings Road
- c) Details of sealed windows for B1 use class
- d) Details and locations of ventilation extracts, to demonstrate that they are located a minimum of 2 metres away from the air ventilation intakes, openable windows, terraces
- e) Details of the independently tested mechanical ventilation system with Nitrogen Dioxide (NO₂) and Particulate Matter (PM_{2.5}, PM₁₀) filtration for C3 use class to remove airborne pollutants. The filtration system shall have a minimum efficiency of 75% in the removal of Nitrogen Oxides/Dioxides, Particulate Matter (PM_{2.5}, PM₁₀) in accordance with BS EN ISO 10121-1:2014 and BS EN ISO 16890:2016.

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

In the interests of air quality, in accordance with Local Plan (2018) Policy CC10.

- 27) Prior to occupation of the development, details of a post installation report of the approved ventilation strategy as required by condition 26 to mitigate the impact of existing poor air quality shall be submitted to and approved in writing by the Local Planning Authority. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

In the interests of air quality, in accordance with Local Plan (2018) Policy CC10.

- 28) Prior to occupation of the development, details of the installation of the Zero Emission Air /Water Source Heat Pump and Electric Boilers to be provided for space heating and hot water shall be submitted to and approved in writing by the Local Planning Authority. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

In the interests of air quality, in accordance with Local Plan (2018) Policy CC10.

- 29) Prior to occupation of the development hereby permitted a Ultra Low Emission Strategy (ULES) for the operational phase of the development in order to mitigate the impact of existing poor air quality shall be submitted to and approved in writing by the Local Planning Authority. The Ultra Low Emission Strategy must detail the remedial action and mitigation measures that will be implemented to protect receptors (e.g. design solutions). This Strategy must make a commitment to implement the mitigation measures that are required to reduce the exposure of poor air quality and to help mitigate the development's air pollution impacts, in particular the emissions of NOx and particulates from on-road vehicle transport by the use of Ultra Low Emission Zone (ULEZ) compliant Vehicles in accordance with the emissions hierarchy (1) Cargo bike (2) Electric Vehicle, (3) Alternative Fuel e.g. CNG, Hydrogen, LPG, (4) Hybrid (Electric/Petrol) (5) Diesel/Petrol Euro 6 (AIR Index (<https://airindex.com/>) Urban NOx rating A) and Euro VI. A monitoring report of the implementation of the ULES shall be submitted on annual basis to the LPA. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

In the interests of air quality, in accordance with Local Plan (2018) Policy CC10.

- 30) Prior to occupation of the development hereby permitted, details of the installation and location of the active charging electric vehicle points (22-50 kW) for all loading bays for B1 and Retail/Workshop use class must be submitted to and approved in writing by the Local Planning Authority. The approved electric vehicle charging point shall be installed and retained in working order for the lifetime of the development. The uptake of the active electric vehicle charging points would be regularly monitored via the Travel Plan.

In the interests of air quality, in accordance with Local Plan (2018) Policy CC10.

- 31) Prior to the commencement of the construction 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. The Non-Road Mobile Machinery (NRMM) used on the site shall include CESAR Emissions Compliance Verification (ECV) identification and shall comply with the minimum Stage IV NO_x and PM₁₀ emission criteria of The Non-Road Mobile Machinery (Type-Approval and Emission of Gaseous and Particulate Pollutants) Regulations 2018 and its subsequent amendments. This will apply to both variable and constant speed engines for both NO_x and PM. An inventory of all NRMM for the first phase of construction shall be registered on the NRMM register <https://london.gov.uk/non-road-mobile-machinery-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 e.g. Diesel/Petrol Euro 6 (AIR Index (<https://airindex.com/>) Urban NO_x rating A, B) and Euro VI; Details including calibration certificates of MCERTS compliant monitoring of Particulates (PM₁₀) used to prevent levels exceeding predetermined PM₁₀ threshold trigger levels. Developers must ensure that on-site contractors follow best practicable means to minimise dust, particulates (PM₁₀, PM_{2.5}) and NO_x emissions at all times. Approved details shall be fully implemented and permanently retained and maintained during the construction phases of the development.

In the interests of air quality, in accordance with Local Plan (2018) Policy CC10.

32) No properties shall be occupied until confirmation has been provided that either:-

1. Capacity exists off site to serve the development, or

2. A housing and infrastructure phasing plan has been agreed with Thames Water. Where a housing and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan, or

3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed.

The development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development, to avoid sewer flooding and/or pollution incidents, in accordance with Policy CC3 of the Local Plan (2018).

33) No works above ground level shall commence until a statement of how Secured by Design requirements are to be adequately achieved has been submitted to and approved in writing by the council. The development shall be carried out and completed in full accordance with the approved details and permanently retained as such.

To ensure a safe and secure environment for users of the development, in accordance with Policies DC1 and DC2 of the Local Plan (2018).

34) A minimum of 10% of all dwellings hereby approved shall be capable of meeting the needs of wheelchair users and shall be designed and capable of adaptation, in accordance with the Council's Supplementary Planning Guidance.

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

35) Other than the areas explicitly identified on the approved drawings as a balcony, no other part of any roof of the new buildings shall be used as a roof terrace or other form of open amenity space. No alterations shall be carried out; nor planters or other chattels placed on the roofs. No railings or other means of enclosure shall be erected on the roofs, and no alterations shall be carried out to any elevation of the application properties to form access onto the roofs.

The use of the roofs as a terrace would increase the likelihood of harm to the existing residential amenities of the occupiers of neighbouring properties as a result of noise and disturbance and loss of privacy contrary to Policies HO11 and CC11 of the Local Plan (2018).

36) Details of the cycle parking provision the location, type and manufacturer's details shall be submitted to and agreed in writing by the Local Planning Authority prior to occupation of the development.

The cycle storage shall be installed in accordance with the approved details prior to occupation and permanently retained thereafter for users of the development. To ensure the suitable provision of cycle parking within the Development and to promote alternative, sustainable forms of transport, in accordance with Policies 6.9 and 6.13 of the London Plan (2016) and Policy T3 of the Local Plan 2018.

- 37) Prior to commencement of the development, a full and detailed Travel Plan shall be submitted to and approved in writing by the Council and thereafter the development shall be carried out and operated in accordance with the agreed details contained within the plan.

To ensure and promote sustainable and active travel to and from the site and thereby reduce negative impact on traffic, congestion and parking stress in the local area, in accordance with London Plan policies and policy T2 and T3 of the Local Plan (2018).

Justification for Approving the Application:

- 1) 1. Land Use: The principle of the proposed mixed use commercial and residential development is acceptable. The proposals would achieve a sustainable development by providing much-needed housing that would contribute to the Borough housing targets. The additional commercial space would help to retain the existing employment generating use that would have a positive impact on the local economy. The proposal is considered to be in accordance with Policies HO1, HO4, HO11, E2 and E4 of the Local Plan (2018).
2. Housing: The quality of accommodation, including internal design and layout of the new residential units, is considered to be of high quality having regard to the Mayor's Design Guidelines and London Plan (2016) Policies 3.5 and Table 3.3, together with Policies HO3, HO6, and HO11 of the Local Plan (2018).
3. Design: The development is considered to comply with Local Plan (2018) Policies DC1 and DC4 which require a high standard of design in all new build developments, compatible with the scale and character of existing development and its setting, and London Plan policies 7.1, 7.4, 7.6 which seek a high quality in design and architecture, requiring new developments to have regard to the pattern and grain of existing development.
4. Residential Amenity: The impact of the proposed development upon adjoining occupiers is considered to be acceptable. The proposal would not have an unacceptably harmful impact on neighbouring residential amenity in terms of light, outlook or privacy and noise and disturbance. The commercial use would not result in unacceptable noise and disturbance to nearby residents, subject to conditions. In this regard, the development would respect the principles of good neighbourliness, and would therefore be acceptable in accordance with Policies HO11 and DC4 of the Local Plan (2018).

5. Accessibility and Safety: Subject to appropriate conditions, the development would provide a safe and secure environment for all users, and would provide ease of access for all people, including disabled people, in accordance with in accordance with Policies DC1, DC2, HO6 and HO11 of the Local Plan (2018) and Policies 3.8 and 7.2 of the London Plan (2016).

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

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

LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

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

Application form received: 6th September 2019

Drawing Nos: see above

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

Consultation Comments:

Comments from:

Thames Water - Development Control
Environment Agency - Planning Liaison
Royal Borough Of Kensington And Chelsea
Transport For London - Land Use Planning Team

Dated:

07.11.19
12.11.19
14.11.19
18.11.19

Neighbour Comments:

Letters from:

Dated:

26 Richmond Park Rd London SW14 8JT	20.11.19
23 Chalgrove Road Sutton SM2 5JT	08.11.19
27 rumbold road fulham sw6 2hx	20.11.19
555, Kings Road London SW62EB	20.11.19
30 Fleet Street City Of London EC4Y1AA	01.11.19
Flat 5 Steeple Court 36 St Marys Road Wimbledon SW19 7BP	05.11.19
59 Richmond Park Road Kingston Upon Thames KT2 6AQ	05.11.19

OFFICER REPORT

1.1 The existing site (approximately 0.123 hectares), has been in use as the Harley Davidson Showroom and Workshop (Class Sui Generis) since the 1990s. The site includes a two storey building comprising the motorcycle showroom and workshop at ground floor level with ancillary storage and office floorspace at first floor level. A single storey workshop is located to the northwest of the site. The site is situated at the junction of Michael Road and Edith Row.

1.2 The site is surrounded by a mixture of uses, including two new residential developments, business, commercial and industrial uses. Apart from two road frontages, the application site adjoins a petrol filling station to the north-west and a large storage/B1 building to the east. On the south side of the roundabout is a public house and residential development along Harwood Terrace. To the west, 1 - 3 Michael Road, a four storey mixed use commercial and residential development and to the south, Fulham Gasworks, which comprises an extensive redevelopment (2018/02100/COMB) has commenced.

1.3 The site has a PTAL score of 6 using Transport for London's methodology, indicating that it has an excellent level of public transport accessibility.

1.4 The site was designated within the Health & Safety Executive's Land Use Planning Consultation Inner Zone surrounding the Fulham North gasholder site. However, the Hazardous Substances Consent relating to the Gasholder site was formally revoked by the Secretary of State in March 2017.

1.5 The site is not within a conservation area but is adjacent to the Moore Park Conservation Area (which lies north of the site) and within Flood Risk Zone 2 and 3.

1.6 Relevant Planning History:

1.7 In 1990, planning permission (1989/01747/FUL) was allowed on appeal for a redevelopment to provide a predominantly three storey building, comprising retail and office (B1) floorspace, and car parking (43 spaces) and servicing at basement level. This permission was not implemented and has since lapsed.

1.8 In 1992 planning permission (1991/01498/FUL) was granted for a single storey motorcycle repair/workshop building on the site. This permission was implemented.

1.9 In 1995 planning permission (1994/02188/FUL) was refused for a predominantly four storey (plus basement) building, comprising a motorcycle showroom, workshop, and ancillary offices, together with ten flats and parking for 23 cars. Permission was refused primarily on the grounds of overdevelopment of the site and the introduction of residential accommodation into an employment zone. A subsequent appeal against the Council's decision was withdrawn by the appellants, prior to it being determined.

1.10 In 1997 planning permission (1997/00520/FUL) was granted for a two storey building comprising a motorcycle showroom with associated workshop, offices, and storage. The building would be used in connection with the existing adjacent workshop building. This development has been implemented.

1.11 In 1999 planning permission (1999/00990/FUL) was granted for a single storey rear extension to the building (to provide additional workshop floorspace), including the installation of mechanical plant on the roof of the extension, surrounded by a louvre screen. This extension was not built.

1.12 In 2002, planning permission (2002/00379/FUL) was granted for an extension/enlargement to the existing two storey motorcycle showroom building, ancillary workshop, and office facilities. The proposal involved the enlargement of the ground floor, additional offices at first floor, formation of a full basement level, accessible via a ramp off Michael Road to provide motorcycle repairs/servicing areas, parking bays, canteen plus loading/unloading and storage areas.

1.13 In 2010, planning permission (2010/01096/FUL) was refused for erection of a six storey building plus basement; comprising of motorcycle showroom, workshop and storage at ground and mezzanine floor and ancillary parking at basement; offices at mezzanine and first floors and 18 flats between second and fifth floors. The application was refused on public safety grounds due to its location within the HSE (Health and Safety Executive) Inner Zone. The subsequent appeal was dismissed in 2012 on public safety grounds. At that time, the Inspector also concluded that the £200k contribution in lieu of affordable housing and circa £240k Mayoral CIL would render the proposal unviable.

1.14 In 2018, planning permission (2013/00474/FUL) was granted subject to a legal agreement for the erection of a six storey building plus basement, comprising the following elements: - motorcycle showroom, workshop, storage and ancillary parking at basement; offices at mezzanine and first floors and 18 flats between second and fifth floors. The s106 legal agreement included a financial obligation of £1,125,000 towards off-site affordable housing provision.

Current Proposal:

1.15 The current proposal involves various extensions and alterations to the existing commercial motorcycle retail showroom to create a mixed use commercial and residential development. A two-storey rear extension would be added to the retail showroom to provide additional commercial floorspace (333sqm) at ground and mezzanine floor levels, and B1 office space (184sqm) at first floor level. The proposals also involve changing the use of existing ancillary B1 offices at first floor level to provide 2 self-contained flats (both 2-bed) (Class C3). A two-storey extension is proposed above the first floor level to provide 7 flats (1 x 1 bed and 6 x 2 bed). Balconies would be introduced at first, second and third floor levels and roof terrace at fourth floor level.

2.0 PUBLICITY AND CONSULTATION

2.1 The application has been advertised by means of a site notice and a press advert, and 402 individual notification letters have been sent to the occupiers of neighbouring properties. 7 letters of support have been received. No objections received. The support comments can be summarised as follows:

- increase the vitality of the area
- proposals would save a local business
- the development is visually appealing

3.0 PLANNING CONSIDERATIONS

3.1 The main planning considerations in light of the London Plan (2016), and the Local Plan 2018 (hereafter referred to as LP 2018) and the Planning Guidance Supplementary Planning Document 2018 (hereafter referred to as Planning Guidance SPD), include: the principle of the development in land use terms; quantum and intensity of development, including affordable housing contribution; heritage, design and appearance; existing residential amenities of neighbouring properties; environmental matters; and traffic impact on the highway network.

3.2 The draft London Plan was published for public consultation in 2017. Following an Examination in Public of the draft Plan from January to May 2019, the Panel issued their report and recommendations to the Mayor in October 2019. In December 2019, the Mayor of London submitted his "Intend to Publish" version of the London Plan to the Secretary of State for his consideration. The 'Intend' version includes a schedule of which recommendations the Mayor is intending to accept or not. The Secretary of State responded to the Mayor on 13 March 2020 setting out a schedule of further amendments he is minded to direct upon that he considers are necessary to bring the new London Plan into conformity with National Policy. These proposed changes are being considered by the Mayor with a view to further discussions with the Secretary of State on finalising the wording to go into the final document. Once adopted, the new London Plan will supersede the current London Plan. As the document is in its late stages towards adoption, it is considered that relatively significant weight should be applied to the 'Intend to Publish' draft policies that the Secretary of State has not sought directions upon in determining this application

LAND USE:

Harley Davidson Showroom, Workshop, and Offices:

3.3 London Plan Policy 4.1 (Economy) promotes the development of a strong, sustainable and diverse economy to ensure the availability of suitable workspaces for all sizes of business. Policy 4.3 (Mixed use and office development) supports consolidation and enhancements of the quality of the remaining office stock. Draft London Plan Policy E1(A).

3.4. Policy E1 (Range of employment) of the Local Plan (2018) supports the retention, enhancement, and intensification of existing employment uses. It also requires flexible accommodation that is available for all sizes of business including small and medium size enterprises. Policy E2 seeks to retain land and premises capable of providing

continued employment or local services. Policy E1(A) of the draft London Plan states; improvements to the competitiveness and quality of office space of different sizes (for micro, small, medium-sized and larger enterprises) should be supported by new office provision, refurbishment and mixed use development.

3.5 The uses on the ground floor would remain unchanged and the additional floorspace would be ancillary. The existing motorcycle showroom (Class Sui - Generis), would be enlarged (155sqm) as a result of the two-storey rear extension. The ancillary workshop at ground floor would be retained. The existing mezzanine floor level would be increased (178sqm), to provide additional retail showroom space in connection with the Sui-Generis use. Overall, the proposed increase in floorspace (333 sqm) is modest when considered against the existing floorspace on site (397sqm showroom) and would result in an improved layout and workspace for the existing business. The retention of the showroom and workshop is appropriate in this location and is supported on land use grounds. At first floor level it is proposed to retain B1 office space (184sqm) (now Class E as of 01/09/2020), in association with the ground floor use.

3.6 The enhanced office facilities (Sui-Generis and Class E) will enable this local business to stay in the borough. This element of the proposals complies with Policy 4.3 of the London Plan and policies E1 and E2 of the Local Plan (2018) and Policy E1(A) of the draft London Plan

Residential Development:

3.7 Policy 3.3 of the London Plan (2016) states that 42,000 net additional units should be delivered per annum in London. Of this, LBHF has a target to deliver 1,031 net additional dwellings per annum, which is reflected in Local Plan (2018) Policy HO1. The draft London Plan policies H1 and H2 consolidate the approach to increase housing supply on smaller sites of under 0.25 hectares. The proposal would result in a net increase of 9 residential units which would contribute to the Borough's targets in accordance with the above mentioned policies. Overall the proposed mix use of uses is acceptable in principle.

Residential Mix:

3.8 Policy HO5 of the LP 2018 requires a mix of housing types and sizes in development schemes, the policy states that the council will work with house builders to increase the supply and choice of high quality residential accommodation that meets local residents' needs and aspirations and demand for housing. In order to deliver this accommodation, there should be a mix of housing types and sizes in development schemes, including family accommodation.

3.9 The proposed residential mix of 8 x 2 beds, 1 x 1 bed flats is acceptable for this scale of development on this site. The proposals accord with Policy HO5 of the Local Plan (2018).

Density:

3.10 London Plan Policy 3.4 and Local Plan Policy HO4 seek to ensure that development proposals achieve the optimum intensity of use compatible with local context, design principles and with public transport capacity, with consideration for the density ranges set out in Table 3.2 of the London Plan.

3.11 The site is in Public Transport Accessibility Level (PTAL) 6 using Transport for London's methodology, indicating that it is very accessible by public transport. Per the London Plan density matrix, the site is considered to be set in an urban area with predominantly dense development such as, for example, terraced houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of two to four storeys, located within 800 metres walking distance of a District centre or, along main arterial routes. This would support a density of between 200 and 700 habitable rooms per hectare (hr/ha), or 70-260 units per hectare (u/ha).

3.12 The proposed development site, (approximately 0.1229 hectares) would have approximately 27 habitable rooms which would result in a residential density of 219 hr/ha (equivalent of 76 unit/ha), which falls within the density range stipulated in the London Plan.

3.13 The proposed development would not result in an excessive built environment on site, and layout and provides a satisfactory quality of residential environment and an acceptable level of accommodation for future occupiers of the development, complying with London Plan Policy 3.4, Policy HO4 of the Local Plan (2018).

AFFORDABLE HOUSING:

3.14 London Plan Policy 3.13 (Affordable Housing Thresholds) normally requires that affordable housing be provided on sites which include 11 or more homes and that negotiations should take account of development viability. The Draft London Plan policy H5 relates to the delivery of affordable housing and this is supported by Local Plan Policy HO3 which states that to maximise affordable housing supply, the Council will seek affordable housing contributions on schemes of 11 or more dwellings. Under Policy HO3, in negotiating for affordable housing, the Council will seek the maximum reasonable amount of affordable housing and take into account: site size and site constraints; financial viability, applying the principles set out in the Viability Protocol; individual circumstances and characteristics of the site.

3.15 The Council will need to be satisfied whether the proposal is optimising the site appropriately and why the number of units is not higher to incorporate affordable housing.

3.16 The 2018 permission (2013/00474/FUL) included a £1,125,000 off-site affordable housing financial contribution which at that time equated to 25% of the total proposed residential units. That offer was considered reasonable and consistent for this site on the basis that the resulting mixed use development enabled the retention of an existing local business with improved facilities that would continue to provide local jobs.

3.17 The current mixed use proposal relates to a smaller development that includes the provision of 9 residential units which falls below the threshold of 11 where affordable housing is normally considered appropriate. Notably, the justification to Policy HO3 (Paragraph 6.26) makes clear that on schemes of 10 or less dwellings which have a maximum combined gross floorspace of more than 1000 square metres (GIA), the Council will also seek for affordable housing where there is considered to be capacity for more units.

3.18 In this case, the proposed residential floorspace (1340qm) combined with the additional commercial floorspace (333 sqm) means that a contribution to affordable housing needs to be considered.

3.19 Whilst the planning history demonstrates, that this brownfield site can accommodate more development, each application must be considered on its own merits. The current proposals no longer involve a new 6 storey building - the proposed extensions result in a smaller 4-storey building. The volume of proposed extensions is restricted by the maximum structural loading limitations of the existing building.

3.20 The applicant's structural engineers have carried out a detailed analysis of the structure of the existing building and assessed that it could support a maximum of two extra floors of broadly similar construction. The current proposals have therefore been designed on the basis that the existing building can only support the two additional storeys. This loading constraint restricts the potential for further floors to provide additional residential units.

3.21 The provision of 9 flats is intended to enable the applicant to modernise their facilities so that they are competitive with other locations both within and outside London. Whereas the previous scheme involved demolition and rebuild, this application is for various extensions to the existing building. Based on an assessment of property values in the locality, the size of the site and its constraints, officers together with colleagues in the Council's housing department consider that an off-site contribution of £325k towards the provision of an affordable housing unit in the locality is acceptable in this case. This figure is based on the development cost for a 2 bed social rented home which represents the type of affordable housing most needed within the borough.

3.22 It is considered that the submitted 9-unit mixed-use commercial and residential scheme together with an off-site affordable housing contribution, represents the most effective and efficient use of this site in relation to this development. Officers consider that it would not be appropriate in this case to include further units within the proposed development to meet the affordable housing threshold.

3.23 The affordable housing negotiations have taken account of the individual circumstances including development viability and it is considered that the off-site offer accords with the objectives of Policy 3.13 of the London Plan and Policy HO3 of the Local Plan (2018) and draft London Plan policy H5.

DESIGN AND APPEARANCE:

3.24 In respect of design, among the core planning principles of the NPPF are that development always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

3.25 Section 72 of the Planning [Listed Buildings and Conservation Areas] Act 1990 requires that special attention should be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area. The site is adjacent to the Moore Park Conservation Area.

3.26 London Plan Policy 7.1, 7.2, 7.4, 7.5 and 7.6 requires all new development to be of high quality that responds to the surrounding context and improves access to social and community infrastructure contributes to the provision of high quality living

environments and enhances the character, legibility, permeability, and accessibility of the surrounding neighbourhood. Policy 7.8 D states that development affecting heritage assets and their settings should conserve their significance by being sympathetic to their form, scale, materials, and architectural detail.

3.27 Local Plan Policy DC1 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 demonstrates how good design, quality public realm, landscaping, heritage assets and land use can be integrated to help regenerate places.

3.28 Local Plan Policy DC4 (Alterations and Extensions), states that 'the council will require a high standard of design in all alterations and extensions to existing buildings. These should be;

- compatible with the scale and character of existing development, neighbouring properties and their setting;
- successfully integrated into the architectural design of the existing building; and
- subservient and should never dominate the parent building in bulk, scale, materials or design

3.29 Policy DC8 (Heritage and Conservation) aims to conserve the significance of the borough's historic environment by protecting, restoring and enhancing its heritage assets. The site is not within a conservation area but is immediately adjacent to the Moore Park conservation area.

3.30 The design of the scheme been reduced in size and massing from the previous approval (2013/00474/FUL). Unlike that application, it is not proposed to demolish the existing two storey building. The existing building presents a visually interesting response to the site which is characterised by its curve.

Townscape:

3.31 The site is immediately adjacent to the Moore Park Conservation Area and sits south of King's Road on the junction between Edith Row and Michael Road. The site is of townscape interest in that it is located at a key position on a staggered junction. It sits one block behind to the principal road frontage of Kings Road, which in this stretch consists of a commercial terrace of low two storey properties. Immediately to the north, lies a petrol filling station which disrupts the townscape, forming a break in the Kings Road terrace, and an open context for the application site. The gap in the frontage allows views through to the existing building. The site also has an important townscape role in addressing and enclosing the views along Harwood Terrace. The immediate built context is extremely varied both in scale and typology.

Height, Scale, and Massing:

3.32 Views to the site are limited, but those which are afforded would benefit from a building which has a stronger presence that commands the site and improves the legibility of the townscape. The context of Michael Road is an area in transition due to its proximity to the Fulham Gasworks site. The gasworks site accommodated several gas holders prior to its decommissioning, therefore, the backdrop to Michael Road was until recently industrial in nature with some structures of significant height and mass.

Immediately west of the site, 1 - 3 Michael Road sits a four storey mixed use development (2016/01448/FUL) and the three storey extension at the Hand and Flower site (2016/00842/FUL). To the south of the site, full redevelopment of the gasworks site was approved (2018/02100/COMB).

3.33 It is proposed to erect a two-storey extension to the existing building located on part of the footprint of the site. The application site occupies a prominent position at the junction of Michael Road and Edith Row. The massing, when compared to the previously approved 6-storey scheme, is now more comparable to the height of the 1 - 3 Michael Road scheme. It is considered that the proposed two storey extension would provide a positive contribution to this corner site. The proposed building height was tested in key views and found to be either not visible, or to have an acceptable impact on the local townscape. Officers believe that the proposal would be more appropriate in townscape terms than the existing smaller building and retains the quality of the existing design for the lower element. It is considered that the proposal would improve the legibility, character and appearance of the area through its increased height, massing and detailed design and materiality.

Elevations and Materials:

3.34 The proposed upper extension is largely an extrusion of the existing curved form. The primary façade material will be red bricks to match the façade of the existing building. The brickwork will be profiled on the curved part of the facade to add further visual interest and distinction to the most prominent part of the façade. The residential part of the top floor will be largely rendered to create a distinct top for the building and will be recessed to reduce the impact of its mass. The tallest part of the extension around the stair-tower will also be faced with matching red bricks and articulated with brick clad balconies. It will be set back from the street and recessive in the overall composition to the primary curved facade. The façade of the curved latter part will be attractively articulated with projecting window bays with metal frames to match the fenestration colour of the existing building. The ground floor façade of the infill part will be faced in high quality black glazed bricks to emphasise the commercial use and provide a strong visual base for the red brick façade above. This will also be articulated with a full width balcony and modulated with 2 setbacks (including the top floor).

3.35 The development would be divided into three uses including motorcycle showroom/ workshop (ground and mezzanine), office (first floor) and residential between the first and third floors. Level access to the showroom would be from the west side of the building. Residential access is from the north west and is separate to the showroom access.

3.36 Given the existing context, officers are of the opinion that the proposed building would not appear out of scale or over-dominant, particularly when viewed from Kings Road and from the adjacent Moore Park conservation area. The design is contemporary whilst complimenting the character of the existing distinctive building. It is considered that the proposal development would be a high quality development which would make a positive contribution to the urban environment in this part of the Borough and will protect and enhance the adjacent conservation area.

3.37 The development would therefore be acceptable in accordance with the NPPF (2012), London Plan Policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6 and 7.8 and Local Plan policies DC1, DC4 and DC8 (2018).

QUALITY OF THE PROPOSED ACCOMMODATION

3.38 London Plan Policy 3.5 places a significant focus on internal space standards for dwellings. The purpose of the policy is to ensure that all new homes are fit for purpose and offer the potential to be occupied over time by households of all tenures.

3.39 Local Plan Policies HO4 and HO5 seeks to ensure that all housing development is provided to a satisfactory quality. This approach is reflected in Local Plan Policy HO11, and is supported by Housing Standards Key Principles HS1 and HS2 of the Planning Guidance SPD

Size of Units:

3.40 The London Plan Policy 3.5 places a significant focus on internal space standards for dwellings. The purpose of the policy is to ensure that all new homes are fit for purpose and offer the potential to be occupied over time by households of all tenures.

3.41 Key Principle HS2 outlines internal space standards for new development, this is based on the following London Plan minimum requirements: 1-bed-2 person dwelling (50sqm) and a 2-bed-4 person dwelling (70sqm). The proposed 1 bed unit measures 90.5sqm and the proposed 2-bed units' range between 94sqm - 170sqm. The development accords with the minimum sizes set out in the London Plan and the Council's Planning Guidance SPD (2018)

Aspect and Outlook:

3.42 London Plan Housing SPG paragraph 2.3.31 recognises that a home with opening windows on at least two sides has many inherent benefits, including better daylight, a greater chance for direct sunlight for longer periods, natural cross ventilation, mitigating pollution, offering a wider choice of views, access to a quiet side of the building, greater flexibility in the use of rooms, and more potential for future adaptability by altering the use of rooms. The preference is therefore for dwellings to be dual aspect. SPD Key Principle HS2 states that North facing (i.e. where the orientation is less than 50 degrees either side of north) should be avoided wherever possible. In this case, none of the proposed units face solely in a northerly direction. The units are predominantly south-west/south-east facing, with some units north-west facing also. The aspect of all the units is considered satisfactory.

3.43 As all the proposed dwellings would generously exceed the minimum dwelling size requirements of Policy 3.5 of the London Plan and provide good levels of outlook, they are considered to accord with Policy HO4 of the Local Plan and Key Principle HS2 of the Planning Guidance SPD (2018).

Daylight/Sunlight of New Dwellings:

3.44 BRE guidance provides a method for calculating the luminance of a room called Average Daylight Factor (ADF). The BRE sets the following recommended ADF levels for habitable room uses: - 1% Bedrooms; - 1.5% Living Rooms; - 2.0% Kitchens

3.45 The applicant has provided a sunlight and daylight analysis that provides ADF figures for habitable rooms at the lowest level of the development. Officers have considered these proposals conclude that all habitable rooms satisfy the target daylight levels set out in the BRE.

Floor to Ceiling Heights:

3.46 The London Plan (2016) states that units should have 75% of their floor area with a minimum floor to ceiling height of 2.5m and above. The proposal accords with this requirement.

Amenity space:

3.47 The Mayor's Housing SPG (2017) states that 'A minimum of 5sqm of private outdoor space should be provided for 1-2-person dwellings and an extra 1sqm should be provided for each additional occupant.' Policy HO4 of the Local Plan and Key Principle HS1 seek that new dwellings benefit for suitable and appropriate external amenity space. Policy requires that where balconies/terraces are provided they must be designed to respect visual and neighbouring amenity. Any balconies provided to meet amenity space requirements should have a minimum depth and width of 1500mm.

3.48 All the units would have access to a communal amenity area at fourth floor level (47sq m). Flat 7 would have access to a balcony (8sqm) and a private roof garden (90sqm). Flat 8 would have access to a balcony (4.5sqm) and a private roof garden (90sqm). The remaining units would all have direct access to external amenity areas, each having a private balcony ranging in size, from 4-sqm-26sqm. The provision of external space and the generous internal floor areas for all the proposed flats, is considered to provide an acceptable standard of accommodation and amenity space.

3.49 Given the physical constraints of the site, the outdoor provision is considered acceptable and accords with the Policy HO4 of the Local Plan and Key Principle HS1 of the Planning Guidance SPD (2018).

Access:

3.50 Policy HO6 of the Local Plan (2018) seeks to secure high quality accessible homes in all developments that include housing. London Plan (2016) Policy 3.8 (Housing Choices) seeks to ensure that 90% of new housing meet Building Regulation requirement M4(2). To comply with this requirement developments should be step free access and should normally have a lift where a dwelling is accessed above or below the entry level.

3.51 All the proposed flats include and internal layout that has been arranged in compliance with the spatial requirements and minimum room circulation space sizes complying with Part M of the Building Regulations. The flats and offices above ground floor would be accessed by a new lift. The proposed arrangements are considered acceptable and in line with London Plan Policy 3.8 and Local Plan policy HO6 (2018).

Secure by Design:

3.52 London Plan Policy 7.3 and Local Plan Policy DC2 requires proposals to meet Secured by Design principles. The submitted Design and Access Statement does not include much detailing regarding safety measures for access, however dedicated bicycle parking spaces are provided off the access corridors for each flat.

3.53 Full details of how the proposed development will incorporate crime prevention measures to provide a safe and secure environment would be secured by condition.

Noise disturbance to new units:

3.54 Local Plan Policies HO11 and CC11 are aimed at ensuring that residents of future housing are not unduly affected by noise and disturbance from adjoining sites or the wider setting. SPD Noise Key Principle NN3 concerning the sound insulation between dwellings states that "...careful consideration should be given to stacking and layout of rooms in relation to adjoining walls/floors/ceilings.

3.55 To safeguard the amenity of occupiers of the development in terms of noise from transport/commercial/mechanical/residential noise sources conditions attached require the submission of a noise assessment including external noise levels, and details of the sound insulation of the building envelope, and of acoustically attenuated mechanical ventilation. Subject to conditions the proposed development would not unduly harm the amenities of future provide a satisfactory quality of residential accommodation for future occupiers, in accordance with Policies HO11 and CC11 of the Local Plan, and Key Principle NN3 of the Planning Guidance SPD.

RESIDENTIAL AMENITY:

3.56 Local Plan Policy DC2 states all proposals must be formulated to respect the principles of good neighbourliness. Key Principles HS6, HS7, and HS8 of the Planning Guidance SPD seeks to protect the existing amenities of neighbouring residential properties in terms of outlook; daylight, sunlight, and overshadowing, privacy, and noise and disturbance.

3.57 Policies CC11, CC12 and CC13 concern environmental nuisance and require all developments to ensure that there is no undue detriment to the general amenities enjoyed by neighbouring occupiers.

3.58 The nearest adjacent properties are along Michael Road, Edith Row, Harwood Terrace and King's Road.

Outlook:

3.59 Planning Guidance SPD Key Principle HS6 notes that the proximity of a development can have an overbearing and dominating effect detrimental to the amenities of adjoining residential occupiers. 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 at ground level or at 2m on the rear curtilage. On-site judgement will be a determining factor if any part of the proposed building extends beyond these lines.

3.60 To the west the neighbouring residential properties along Harwood Terrace lie some 60m away from the site and King's Road is more than 30m away. The resulting 4 storey building is 2 storeys less than the 2018 permission (2013/00474/FUL).

3.61 To the west of the site are the Hand and Flower (2016/00842/FUL), 1 - 3 Michael Road site (2016/01448/FUL) and the gasworks site (2018/02100/COMB). In terms of outlook, it is considered that the proposed 4-storey height would have an even more acceptable impact than the 2018 approval for a 6-storey building on the application site. The proposed increase in height to the existing building is not out of keeping with the urban context. The current proposal would be of a much smaller scale than the adjacent gasworks development which forms a significant backdrop to the application site. On the basis of on-site judgement, officers are satisfied that the development would not have an overbearing and dominating effect on adjoining properties.

3.62 The proposed development accords with Policy DC2 and HO11 of the Local Plan, and Key Principle HS6 of the Planning Guidance SPD.

Daylight and Sunlight:

3.63 The British Research Establishment (BRE) guide on 'Site layout planning for daylight and sunlight', sets out good practice for assessing daylight and sunlight impacts for new development. In urban and city centre areas, BRE Guidelines advise that the guidance be applied flexibly. The applicant's Daylight and Sunlight report which has been carried out in line with BRE and considers the potential impacts of the proposed development on daylight, sunlight and overshadowing on existing neighbouring residential buildings. The report takes into account the closest residential properties including recently built developments at 1 - 3 Michael Road (2016/01448/FUL) and the Hand and Flower Site (2016/00842/FUL). In urban and city centre areas, BRE Guidelines advise that the guidance be applied flexibly and there are circumstances that will exist where a greater degree of obstruction to light can on occasion, be acceptable. Officers have considered the applicant's report in terms of impact on habitable rooms. An addendum to the original report, assessing the impact on the approved Fulham Gasworks site (2018/02100/COMB) was also submitted, see para 3.75 for assessment of this.

Daylight

3.64 The BRE Guidance sets out three different methods of assessing daylight to or within a room, the Vertical Sky Component (VSC) method, the plotting of the no sky-line (NSL) method and the Average Daylight Factor (ADF) method.

Vertical Sky Component (VSC)

3.65 The VSC method measures the amount of sky that can be seen from the centre of an existing window and compares it to the amount of sky that would still be capable of being seen from that same position following the erection of a new building. The measurements assess the amount of sky that can be seen by converting it into a percentage. An unobstructed window will achieve a maximum level of 40% VSC. The BRE guide advises that if the VSC is greater than 27% then enough skylight should still be reaching the window of the existing window. If the VSC is both less than 27% and less than 80% of its former value, occupants of the existing building will notice the reduction in the amount of skylight. However, the Guidance makes clear that these

values are advisory and para 2.2.1 states that 'Different criteria may be used based on the requirements for daylighting in an area viewed against other site layout constraints. Another important issue is whether the existing building is itself a good neighbour, standing a reasonable distance from the boundary and taking no more than its fair share of light.'

Daylight Distribution (DD/NSL)

3.66 No Sky-Line NSL measures the distribution of daylight within a room. It indicates the point in a room from where the sky cannot be seen through the window due to the presence of an obstructing building. The NSL method is a measure of the distribution of daylight at the 'working plane' within a room. In houses, the 'working plane' means a horizontal 'desktop' plane 0.85 metres above floor level. This is approximately the height of a kitchen work surface. The NSL divides those areas of the working plane in a room which receive direct sky light through the windows from those areas of the working plane which do not. For houses, the rooms to be assessed should include living rooms, dining rooms and kitchens. Bedrooms should also be analysed, although in terms of NSL they are considered less significant in terms of receiving direct sky light. Development will affect daylight if the area within a room receiving direct daylight is less than 80% of its former value.

Average Daylight Factor (ADF)

3.67 The ADF involves values for the transparency of the glass, the net glazed area of the window, the total area of room surfaces, their colour reflectance and the angle of visible sky measured from the centre of the window. This is a method that measures the general illumination from skylight and considers the size and number of windows, room size, room qualities and room use. The BRE test recommends an ADF of 5% for a well day lit space or 2% for a partly day lit space. The minimum standards for ADF recommended by the BRE for individual rooms are 2% for kitchens, 1.5% for living rooms and 1% for bedrooms. The BRE Report (Appendix F) states that 'Use of the ADF for loss of light to existing buildings is not generally recommended'.

Sunlight

3.68 To assess loss of sunlight to an existing building, the BRE guidance suggests that all main living rooms of dwellings, and conservatories should be checked if they have a window facing within 90 degrees of due south. The guidance states that kitchens and bedrooms are less important, although care should be taken not to block too much sun. The Annual Probable Sunlight Hours (APSH) predicts the sunlight availability during the summer and winter for the main windows of each habitable room that faces 90 degrees of due south. The summer analysis covers the period 21 March to 21 September, the winter analysis 21 September to 21 March. The BRE Guidance states a window may be adversely affected if the APSH received at a point on the window is less than 25% of the annual probable sunlight hours including at least a 5% of the annual probable sunlight hours during the winter months and the percentage reduction of APSH is 20%

3.69 The main difference between the previous 2018 permission and the current application is that the proposed building has been reduced in height by 2 storeys. The 2018 permission included a daylight and sunlight assessment of the following properties 1 - 3 Michael Road (14 rooms/39 windows); 619 King's Road (4 rooms/5 windows); and the Hand and Flower Public House (9 rooms/37 windows). The physical site

circumstances between the application site and those adjoining residential properties remains largely the same.

3.70 In respect of the 2018 permission, the VSC for 1-3 Michael Road, 17 of the 39 individual windows tested would result in a reduction of VSC. While all 17 windows that failed served habitable rooms, 15 of these windows are double or triple width with a full floor to ceiling height windows which enable improved daylight distribution. Notably, 11 of the 15 windows are not the sole windows to the habitable rooms that they serve. On this basis, overall only 2 of the 17 windows fail to comply with VSC and these include a full floor to ceiling height window design which serve separate 2 bedroom flats at first and second floor level. The BRE, acknowledges VSC is less important for bedrooms when compared to main living areas. In terms of DD and sunlight the levels of daylight are compliant with the BRE.

3.71 Regarding, the Hand and Flower Public House, the 2018 permission concluded that 5 of 37 windows result in a reduction of VSC and none of these windows are the sole windows to the 2 habitable rooms affected. In terms of DD and sunlight the windows in accordance with the BRE. Similarly, the 2018 permission concluded that in respect of 619 King's Road, none of the 5 windows assessed result in a reduction of VSC and comply with DD and sunlight in accordance with the BRE.

3.72 Since the 2018 permission, the office block at Cooper House on the opposite side of Michael Road, has been demolished. In February 2019, the Council granted planning permission 2018/02100/COMB for a major mixed use residential redevelopment on the Gasworks site and that permission is now being implemented (and involved the demolition of Cooper House). Within that redevelopment, the maximum number of storeys fronting Michael Road is 6 storeys (ground plus 5) and this element includes residential properties with windows facing the southern side of the Harley Davidson site.

3.73 The planning assessment for the Gasworks application, included a daylight and sunlight analysis which took into account the 2018 (6-storey) permission for the Harley Davidson site and concluded that its impacts were acceptable. As it stands, the principle of a 6 storey building on Harley Davidson site is acceptable, by virtue of the 2018 permission which remains extant and it follows therefore that the current proposals which results in a smaller 4 storey building would have a reduced daylight and sunlight impact on the Gasworks redevelopment .

3.74 Overall, Officers consider that the habitable rooms and windows in adjoining properties would have sufficient access to daylight and sunlight after the development has been constructed comply with Policy HO11 of the Local Plan (2018) and guidance set out in the Building Research Establishments' (BRE) Report 2011 "Site Layout Planning for Daylight and Sunlight - A guide to good practice".

Privacy:

3.75 Planning Guidance SPD Key Principle HS7 states that new windows should normally be positioned so that they are a minimum of 18 metres away from existing residential windows as measured by an arc of 60 degrees taken from the centre of the proposed window. In addition, it states that a roof terrace/balcony is unacceptable if it would result in an additional opportunity for overlooking and consequent loss of privacy.

3.76 To the south, Nos 1 - 3 Michael Road includes residential units at first, second and third floor level facing Edith Row, which oppose the application site. The Fulham Gasworks redevelopment also includes residential units with windows facing the application site. Officers are satisfied that the proposed windows would be no closer to windows on the opposite side of the roads than that previously approved in 2018. Furthermore, the separation between the proposed development and the existing residential properties on the opposite side of the road is typical of an urban context - (11m from 1-3 Michael Road and 17m from Fulham Gasworks site). However, the proposed terraces at first and second floor levels facing Michael Road would be installed with angled fins, to prevent overlooking and loss of privacy, as per the extant scheme. The proposal would have no undue loss of privacy or overlooking and therefore accords with Policy DC2 and HO11 of the Local Plan, and Key Principle HS7 of the Local Plan in this respect.

Noise and Disturbance:

3.77 Planning Guidance SPD Key Principle HS8 adds that roof terraces or balconies likely to cause harm to the existing amenities of neighbouring properties by reason of noise and disturbance will not be supported.

3.78 All of the properties would have access to a terrace or roof garden space. The proposed terraces vary in size from 4sqm to 90sqm and are located between first and fourth floor levels. Generally, the terraces have been designed as narrow strips to run along the outer edge of the of the development. Due to the size and form of the terraces, it would not be possible for large groups to congregate. There is one terrace with a larger irregular shape (26sqm) at second floor facing the gasworks site to the south and parking area to the east, the elevation facing east does not oppose residential properties, and to the south would be set 17m away from the Gasworks site. At roof level, two private gardens and one communal garden are proposed. Within the previously approved 2018 scheme, a roof garden of 90sqm was permitted. As such, officers are satisfied that the proposed size of the private garden and communal garden would be acceptable and within the parameter of that already approved at the site.

3.79 It is difficult to predict with any accuracy the likely level of noise/disturbance that would be generated by the use of the proposed balcony/terrace areas, however, on balance, having regard to the design of the proposed terraces, location and the relationship with adjoining properties, it is not considered that the terraces would be likely to harm the existing amenities of adjoining occupiers as a result of additional noise and disturbance.

3.80 The additional commercial floorspace is modest in scale and would have no undue noise impact from the established commercial use

3.81 The proposed development would have no significant adverse impact on residential amenity in accordance with Policies DC4, HO11, and CC11 of the Hammersmith and Fulham Local Plan (2018), and Key Principle HS8 of the Planning Guidance Supplementary Planning Document (2018).

TRAFFIC AND HIGHWAYS

Trip Generation

3.82. The TRICS analysis provided indicates that the proposed expansion of the showroom and provision of B1 office space would generate up to 98 two-way vehicle trips across the course of a day, which equates to 6 two-way trips in the AM peak and 5 two-way movements in the PM peak. The TRICS analysis also indicates that the residential element to the development proposals could generate up to 6 two-way vehicle trips over the course of a day, though this is controlled through the car-free and permit-free nature of the proposed development. It is concluded that the trip generation information submitted is sufficient and that trips generated by the proposed development are not likely to impact the local highway network.

Car Parking:

3.83. Policies 6.1, 6.3, 6.9, 6.10, 6.11 and 6.13 of the London Plan seek that developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. The policies also provide guidance for the establishment of maximum car parking standards and cycle standards. Local Plan Policy T1 seeks to ensure that traffic generated by new development is minimised so that it does not add to parking pressures on local streets or congestion or worsen air quality; and relates the intensity of development to public transport accessibility and highway capacity. Policy T4 states that [inter alia] '...The council will also require car parking permit free measures on all new development unless evidence is provided to show that there is a significant lack of public transport available.'

3.84. Whilst consideration is afforded to localised parking stress levels, paragraph 14.19 supporting Policy T4 provides further justification and states that '...The council will only consider the issuing of permits for on street parking in locations where the PTAL level is considered 2 or lower (TfL's public transport accessibility level) ... The levels of local parking stress must also be considered when assessing the impact of additional on street parking.' The above is also referenced within Key Principle TR3 of the Planning Guidance SPD.

3.85. The proposal does not include the provision of off-street parking. The site is located within a PTAL 6A zone indicating it has an excellent level of public transport accessibility. In this instance, having regard to Policy T4, the Council consider that the PTAL rating and relatively convenient access to public transport, diminishes the need for the development to benefit from on-street parking permits. Therefore, to be in accordance with The Local Plan 2018 Policy T4 and The London Plan, all the residential units proposed must be made car permit free. This will be secured through the Section 106 agreement.

Cycle Parking:

3.86. Local Plan Policy T3 seeks to increase and promote opportunities for cycling and walking and states that new development to include provision of accessible and safe secure parking within the boundary of the site. The application indicates that 18 cycle spaces are to be provided for the residential part of the site. The existing cycle parking

spaces associated with the existing uses of the site will be re-provided. Implementation of this will be secured by condition.

Delivery and Servicing:

3.87. A condition is attached to ensure that satisfactory details on delivery and servicing are submitted, to include full details of measures to minimise the impact of delivery and servicing activities on the public highway and to encourage deliveries and servicing outside of peak hours.

Construction Traffic:

3.88. A condition is attached to ensure that satisfactory details on construction logistics are submitted, to include full details of measures to minimise the impact of construction traffic on nearby roads and restriction of construction trips to off-peak hours only. Overall, in terms of highways and transport implications, subject to appropriate conditions, the proposal is judged to comply with Policies CC7, T1, T2, T3 and T7 of the Local Plan and relevant Transport Key Principles of the Planning Guidance SPD.

ENVIRONMENTAL QUALITY CONSIDERATIONS:

Flood Risk and Sustainable Urban Drainage Systems (SuDS)

3.89 The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. London Plan Policy 5.11, 5.12, 5.13, 5.14 and 5.15 requires 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. Local Plan Policy CC3 requires that new development is designed to take account of increasing risks of flooding. Policy CC4 states that new development will be expected to minimise current and future flood risk and that sustainable urban drainage will be expected to be incorporated into new development to reduce the risk of flooding from surface water and foul water.

3.90 The site is in the Environment Agency's Flood Zone 3. As required, a Flood Risk Assessment (FRA) has been submitted with the application. A Flood Zone 3 rating indicates a high risk of flooding from the Thames. Land in this zone has a 1 in 100 or greater annual probability of river flooding (>1%), or a 1 in 200 or greater annual probability of flooding from the sea (>0.5%) in any year. This indicates a high risk of flooding from the Thames, although this designation does not take into account the high level of flood protection provided by the Thames Barrier or local river wall defences which defend the site so that the annual probability of flooding from the Thames is 0.1% or less. Should these defences ever fail or be breached, the site is not at risk of rapid inundation by flood waters.

3.91 The residential units are planned for 1st to 3rd floor levels with retail at ground floor and offices at first floor. The more vulnerable residential use is therefore at floor levels that are well away from flood risk. Site users will be signed up to the Environment Agency's free Flood Warning Service so that if flooding is expected, occupants will be warned and can plan accordingly

3.92 The proposed flood risk mitigation measures are acceptable, and their implementation will be conditioned, along with the submission of a flood warning and evacuation plan prior to occupation for approval by the council.

3.93 The current site is 100% impermeable, meaning that the main method of managing stormwater on the site is to direct it into the sewer network. The redevelopment of the site provides an opportunity to reduce this surface water run-off and reduce the pressure on the sewer system and also help to reduce the risk of surface water and sewer flooding.

3.94 Sustainable Drainage Systems (SuDS) are proposed in the form of blue roofs which will be collect stormwater and release it into the sewer system at a controlled and reduced rate. 2 options have been put forward - (1) blue roof on the new extension with other roofs cascading onto these areas or (2) blue roofs on the extension and the existing building. The depth of the blue roof required varies depending on which of these options is implemented. As the final approach has not been decided at this stage, officers will condition the submission of further details and a revised Surface Water Management Strategy.

Energy Assessment:

3.95 Policy 5.2 (Minimising Carbon Dioxide Emissions) in The London Plan states that the Mayor will work with boroughs and developers to ensure that major developments meet the following targets for CO₂ emissions reductions in buildings. The policy outlines stringent CO₂ reduction targets compared to the Building Regulation minimum requirements and requires that major development proposals include a detailed energy assessment to demonstrate how the targets for CO₂ emissions reduction are to be met. Policy 5.3 of The London Plan also states that major developments should meet the minimum standards for sustainable design and construction as outlined in the Mayor's SPG, this is supported by Draft London Plan policy SI2 which relates to Minimising greenhouse gas emissions.

3.96 Energy demand has been minimised as has heat loss through inclusion of measures such as high levels of insulation, good airtightness, heat recovery on the ventilation system, use of energy efficient LED lighting and use of external shading to prevent over-heating. Hot water for the refurbished showroom/office space will be provided by energy efficient instantaneous electric water heaters which provide hot water on demand rather than heating and storing high volumes of hot water. Heating will be provided by replacing the existing gas boilers with more efficient condensing gas boilers. New showroom/office space will be heated by including an Air Source Heat Pump (ASHP) which will also provide cooling when required. Mechanical ventilation will be provided in the refurbished office/showroom as well as the new space. ASHPs will also be used in the residential units to provide heating and hot water, with the latter also involving a Water Source Heat Pump. Cooling will be provided to these units as well. Mechanical ventilation is also included. There is no heat network to connect to in this part of the borough, so this does not form part of the approach. However, renewable energy generation will be provided by 80m² of solar PV panels on the roof. The submitted sustainability report confirms that the development achieves an average reduction in CO₂ emissions of 36%. This meets the London Plan CO₂ reduction target that applies to major schemes, which is 35%.

Air Quality:

3.97 London Plan Policy 7.14 and Policy CC10 of the Local Plan seek to reduce the potential adverse air quality impacts of new developments by requiring appropriate consideration and mitigation of air quality issues.

3.98 The development site is within the borough wide Air Quality Management Area (AQMA). The site is in an area of very poor air quality due to the road traffic emissions from Michael Road, Edith Road and Kings Road. The Council's Environmental Quality team have considered the proposal and have recommended conditions relating to Air Quality Dust Management Plan, ventilation Strategy, Zero Emission heating and Energy Plant, Ultra Low Emission Strategy for the reduction of operational phase vehicle emissions associated with the development. This will be secured via condition.

Contamination:

3.99 Policy 5.21 of the London Plan and Local Plan Policy CC9 state that the Council will support the remediation of contaminated land, and that it will take measures to minimise the potential harm of contaminated sites and ensure that mitigation measures are put in place.

3.100 Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. Conditions could be attached if the Council were minded granting permission to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policy CC9 of the Local Plan.

COMMUNITY INFRASTRUCTURE LEVY:

Mayoral CIL:

3.101 Mayoral CIL came into effect in April 2012 and is a material consideration to which regard must be had when determining this planning application. This development will be subject to a London-wide community infrastructure levy. The relevant Mayoral CIL rate for new development Hammersmith and Fulham is £50 per sqm (GIA) of floorspace created.

3.102 An estimate of £128,480.00 based on the new residential and commercial floorspace has been calculated. The GLA expect the Council as the collecting authority to secure the levy in accordance with London Plan Policy 8.3.

Local CIL:

3.103 The Council has also set a CIL charge from September 2015. An estimate of £509,600.00 based on the new residential and commercial floorspace has been calculated.

PLANNING OBLIGATIONS:

3.104 London Plan Policy 8.2 recognises the role of planning obligations in mitigating the effects of development and provides guidance of the priorities for obligations in the context of overall scheme viability.

3.105 In the event that planning permission were to be acceptable, in accordance with Section 106 of the Town and Country Planning Act 1990 (As Amended) the applicant would be required to enter into a legal agreement. The Legal Agreement will include the following Clauses:

(1) Developer to pay £325,000 contribution towards off-site affordable housing provision

(2) Any reconfiguration to increase the total number of residential units be subject to a revised affordable housing financial appraisal.

(3) Parking permit free development.

4.0 CONCLUSION

4.1 The proposed development would result in a well-designed mixed use - residential scheme that would complement its setting and protect the character of the adjacent conservation area. The proposed extensions would complement the appearance of the site and the surrounding area. The development has an acceptable impact on neighbouring living and working conditions. The impact of the development subject to conditions would not have a significant impact on the highway, parking, flooding or the environment. As such the proposal is considered to be in accordance with relevant national guidance, London Plan policies, the Local Plan and Planning Guidance Supplementary Planning Document Key Principles.

5.0 RECOMMENDATION

1) That the Committee resolve 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) To authorise 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.