

Planning Applications Committee

Agenda

Wednesday 16 December 2009

7.00 pm

Committee Room 1 - Hammersmith Town Hall

MEMBERSHIP

Administration:	Opposition
Councillor Alex Chalk (Chairman) Councillor Victoria Brocklebank-Fowler (Vice-Chairman) Councillor Michael Adam Councillor Lucy Ivimy Councillor Andrew Johnson Councillor Alex Karmel Councillor Ali de Lisle	Councillor Colin Aherne Councillor Michael Cartwright Councillor Wesley Harcourt

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http://www.lbhf.gov.uk/Directory/Council_and_Democracy

Members of the public are welcome to attend. A loop system for hearing impairment is provided, along with disabled access to the building.

For queries concerning a specific application, please contact the relevant case officer.

Date Issued: 7 December 2009

Planning Applications Committee Agenda

16 December 2009

<u>Item</u>		<u>Pages</u>
1.	MINUTES To approve as an accurate record, and the Chairman to sign, the minutes of the meeting of the Committee held on 24 November 2009.	1 - 9
2.	APOLOGIES FOR ABSENCE	
3.	DECLARATION OF INTERESTS If a Councillor has any prejudicial or personal interest in a particular report he/she should declare the existence and nature of the interest at the commencement of the consideration of the item or as soon as it becomes apparent. At meetings where members of the public are allowed to be in attendance and speak, any Councillor with a prejudicial interest may also make representations, give evidence or answer questions about the matter. The Councillor must then withdraw immediately from the meeting before the matter is discussed and any vote taken, unless a dispensation has been obtained from the Standards Committee. Where members of the public are not allowed to be in attendance, then the Councillor with a prejudicial interest should withdraw from the meeting whilst the matter is under consideration, unless the disability has been removed by the Standards Committee.	
4.	PLANNING APPLICATIONS	10 - 129



London Borough of Hammersmith & Fulham

Planning Applications Committee Minutes

Tuesday 24 November 2009

PRESENT

Committee members: Councillors Alex Chalk (Chairman), Victoria Brocklebank-Fowler (Vice-Chairman), Michael Adam, Colin Aherne, Michael Cartwright, Lucy Ivimy, Andrew Johnson, Alex Karmel and Ali de Lisle

Other Councillors: Stephen Cowan

Officers:

1. **MINUTES**

RESOLVED THAT:

The minutes of the meeting of the Planning Applications Committee held on 27 October 2009 be confirmed and signed as an accurate record of the proceedings.

2. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Wesley Harcourt.

3. **DECLARATION OF INTERESTS**

The following interests were declared: -

Shepherds Bush Common, Shepherds Bush Green; applications 2009/00758/FR3, 2009/00768/LBC, and 2009/00769/CAC: -

Councillor Alex Chalk declared a personal and prejudicial interest as a ward councillor for Shepherds Bush Green and as chairman of the stakeholders meetings at which these proposals were discussed. He left the meeting when these items were discussed and took no part in the discussion or the voting.

11 and 12 Lower Mall, London W6 9DJ Hammersmith Broadway; application

2009/01741/FUL: - Councillor Michael Cartwright declared a personal interest as he was personally acquainted with the architect who had worked on the application. He abstained from voting.

Hurlingham Club, Ranelagh Gardens, London SW6 3PR, Palace Riverside, applications 2009/02131/FUL and 2009/02494/CAC: - Councillors Victoria Brocklebank-Fowler and Alex Karmel declared personal and prejudicial interests as members of the Hurlingham Club. They left the meeting when these items were discussed and took no part in the discussion or the voting.

4. RE-ARRANGEMENT OF THE AGENDA

The Chairman announced that applications 2009/00314/FUL (Rockley Court, Rockley Road, W14 0DB, Addison); and 2009/02013/FUL (Depot North Entrance, Old Oak Common Lane, NW10 6DQ College Park and Old Oak); had been included in the agenda in error and were therefore not for consideration on this agenda.

Councillor Stephen Cowan, Ward Councillor for Hammersmith Broadway, asked if application 2009/01741/FUL (11 and 12 Lower Mall, London W6 9DJ, Hammersmith Broadway) could be considered first. This was agreed. The minutes reflect the order of the meeting.

5. PLANNING APPLICATIONS

5.1 11 and 12 Lower Mall, London W6 9DJ, Hammersmith Broadway, 2009/01741/FUL

The Committee voted on the above planning application and the results were as follows:

For: 8

Against: 0

Abstain: 1

RESOLVED THAT:

Planning Application 2009/01741/FUL be refused for the reasons set out in the report.

5.2 Shepherds Bush Common, Shepherds Bush Green, London, Shepherds Bush Green 2009/00758/FR3

Please see the Addendum attached to the minutes.

Councillor Alex Chalk declared a personal and prejudicial interest as he was ward councillor for Shepherds Bush Green and had chaired stakeholder meetings at which this proposal had been discussed. He left the meeting and took no part in the voting or the discussion.

Councillor Victoria Brocklebank-Fowler took the chair.

Councillor Alex Karmel moved an amendment (seconded by Councillor Colin Aherne) to remove the installation of a duplicate bronze war memorial plaque from the proposal. The amendment fell (3 for, 5 against.)

Councillor Michael Cartwright moved an amendment (seconded by Councillor Colin Aherne) to remove the construction of a café from the proposal. The amendment fell (2 for, 6 against.)

The Committee voted on Planning Application 2009/00758/FR3 and the results were as follows: -

For: 6 (Cllrs Brocklebank-Fowler, Adam, Ivimy, Johnson, Karmel, de Lisle)

Against: 2 (Cllrs Aherne and Cartwright.)

RESOLVED THAT

the application be approved subject to the conditions set out in the report.

5.3 Shepherd's Bush Common, Shepherd's Bush Green, London Shepherd's Bush Green 2009/00768/LBC and 2009/00769/CAC

The above two applications were considered together.

Please see the addendum attached to the minutes for further details.

Councillor Alex Chalk declared a personal and prejudicial interest as he was ward councillor for Shepherds Bush Green and had chaired stakeholder meetings at which this proposal had been discussed. He left the meeting and took no part in the voting or the discussion.

Councillor Victoria Brocklebank-Fowler took the chair.

RESOLVED THAT:

For Applications 2009/00768/LBC and 2009/00769/CAC, the Committee note the proposal and that the applications then be made to the Secretary of State for formal consent.

5.4 Kelvin House 63 - 75 Glenthorne Road London, W6 0LJ Hammersmith Broadway 2009/01480/FUL and 2009/01483/CAC

The above two applications were considered together.

Please see the addendum attached to the minutes for further details.

Councillor Cowan, Ward Councillor, spoke against the application.

The Committee voted on applications 2009/01480/FUL and 2009/01483/CAC and the results were as follows: -

For: 7 (Cllrs Chalk, Brocklebank-Fowler, Adam, Ivimy, Johnson, Karmel, de Lisle)

Against: 2 (Cllrs Aherne, Cartwright)

RESOLVED THAT:

Planning Application 2009/01480/FUL be approved, subject to the conditions in the report and the addendum and the completion of a satisfaction legal agreement.

Conservation Area Consent 2009/01483/CAC be approved, subject to the conditions in the report.

**5.5 83 Goldhawk Road London W12 8EG Hammersmith Broadway
2009/01668/FUL and 2009/01669/FUL**

The above two applications were considered together.

RESOLVED THAT:

Applications 2009/01668/FUL and 2009/01669/FUL be refused for the reasons given in the report.

(Councillor Adam was not present for the above items)

**5.6 Hurlingham Club Ranelagh Gardens London SW6 3PR Palace Riverside
2009/02131/FUL and 2009/02494/CAC**

The above two applications were considered together.

Please see the addendum for further details and additional conditions.

Councillors Victoria Brocklebank-Fowler and Alex Karmel declared personal and prejudicial interests as members of the Hurlingham Club. They left the meeting when these items were discussed and took no part in the discussion or the voting

RESOLVED THAT:

Applications 2009/02131/FUL and 2009/02494/CAC be approved, subject to the conditions set out in the report and the additional conditions contained in the addendum.

(Councillor Adam was not present for the above items)

- 5.7 16 Leamore Street London W6 0JZ Hammersmith Broadway
2008/00608/ACTWKS**

RESOLVED THAT:

The Head of Legal Services be authorised to institute appropriate enforcement and/or legal proceedings for the reasons set out in the report.

(Councillor Adam was not present for the above item)

- 5.8 64 Aldbourne Road London W12 0LN Wormholt And White City
2009/00376/COMPWK**

RESOLVED THAT:

The Head of Legal Services be authorised to institute appropriate enforcement and/or legal proceedings for the reasons set out in the report.

(Councillor Adam was not present for the above item)

- 5.9 358 Uxbridge Road London W12 7LL Shepherd's Bush Green
2009/00567/COMPWK**

RESOLVED THAT:

The Head of Legal Services be authorised to institute appropriate enforcement and/or legal proceedings for the reasons set out in the report.

(Councillor Adam was not present for the above item)

6. WESTFIELD WHITE CITY

Please see the addendum attached to the minutes for further details.

The Committee voted on the proposed variation of the Westfield S106 Legal Agreements and the results were as follows:

FOR – 6 (Cllrs Chalk, Brocklebank-Fowler, Ivimy, Johnson, Karmel, de Lisle)
AGAINST – 2 (Cllrs Aherne and Cartwright.)

Councillor Adam was not present for the vote.

RESOLVED THAT:

The proposed variation of the Westfield S106 Legal Agreements dated 7 July 2000, 23 December 2002 and 16 August 2007 be approved.

Meeting started: 7.05 pm
Meeting ended: 9.05 pm

Chairman

Contact officer: Jenni Atkinson
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**PLANNING APPLICATIONS COMMITTEE 24 NOVEMBER 2009
ADDENDUM**

<u>Reg. No:</u>	<u>Site Address:</u>	<u>Ward</u>	<u>Page</u>
2009/00314/FUL	Rockley Court, Rockley Road, W14	Addison	10
Page 10	NOT FOR CONSIDERATION ON THIS AGENDA		
2009/00758/FR3	Shepherd's Bush Common, W12	Shepherd's Bush Green	18
Page 25	Late letters received from the Hammersmith Society (20 th November) and the Hammersmith and Fulham Historic Buildings Group (24 th November).		
2009/00768/LBC	Shepherd's Bush Common, W12	Shepherd's Bush Green	38
Page 39	Delete the officer recommendation and replace with the following officer recommendation: 'That the committee note the proposal and that the application then be made to the Secretary of State for formal consent'.		
2009/00769/CAC	Shepherd's Bush Common, W12	Shepherd's Bush Green	41
Page 42	Delete the officer recommendation and replace with the following officer recommendation: 'That the committee note the proposal and that the application then be made to the Secretary of State for formal consent'.		
2009/01480/FUL	Kelvin House, 63-75 Glenthorne Road, W6	Hammersmith Broadway	44
Page 51	Add the following justification for approving the application: The proposal would be of an acceptable visual appearance, and would result in the regeneration of an underused site, in close proximity to the Hammersmith Town Centre, to the benefit of the appearance of the street scene and views from the adjoining conservation areas. The new residential accommodation would include affordable housing and would provide satisfactory living conditions for prospective occupiers, and it is not considered that the scale and massing of the building would have an unacceptable impact on the existing amenities of the occupiers of neighbouring properties, or on existing traffic and road safety conditions in		

the area. In this respect the development is judged to be acceptable assessed against Policies 3A.3, 3A.5, 3A.9, 3A.10, 4A.7 of the London Plan, amended 2008 and Policies EN2B, EN8, EN10, TN13, TN15 and EN21 of the Unitary Development Plan, as amended 2007.

Page 51

Para 3.25: Delete and replace item (i) with the following 'Contribution of £100k for (i) highway/environmental works to improve the site's vehicular and pedestrian accessibility, including a new crossover and re-instatement of the footway in the vicinity of the site in accordance with the council's street smart guidance (ii) towards the cost of repair/renewal of the railings in Cambridge Grove.'

2009/02013/FUL

**Depot North Entrance,
Old Oak Common Lane,
NW10**

College Park & Old Oak

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Page 83

NOT FOR CONSIDERATION ON THIS AGENDA

2009/02131/FUL

Hurlingham Club, Ranelagh Gardens

Palace Riverside

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Page 89

Add additional conditions no. 16 & 17

16) No development shall commence until a desktop study, site investigation scheme, intrusive investigation and risk assessment relating to contamination have been submitted to and approved in writing by the Council. The desk study will identify all previous site uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors and any potentially unacceptable risks arising from contamination at the site. The site investigation scheme will provide information for an assessment of the risk to all receptors that may be affected, including those off site. The risk assessment will assess the degree and nature of any contamination on site and to assess the risks posed by any contamination to human health, controlled waters and the wider environment. A detailed method statement for any required remediation works will need to be submitted to, and approved in writing, by the Council. All works must be carried out by a competent person conforming to CLR 11: Model Procedures for the Management of Land Contamination (DEFRA 2004).

To ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policies G0, G4, EN20A and EN21 of the Unitary Development Plan, as amended 2007.

17) No development shall commence until any required remediation works have been completed and a validation report to verify these works has been submitted to, and approved in writing, by the Council unless otherwise authorised. 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 should be detailed and verified in an amendment to the remediation statement. All works must be carried out by a competent person conforming to CLR 11: Model Procedures for the Management of Land Contamination (DEFRA 2004).

To ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policies G0, G4, EN20A and EN21 of the Unitary Development Plan, as amended 2007.

Page 90	Paragraph 1.4, line 2: Replace '299 sq.m" with "'182 sqm.".
Page 91	Paragraph 1.7, line 4 : Replace "496 sqm" with "322 sqm"
Page 93	Paragraph 3.9 , line 8: Delete "The building would include existing accessories..." Insert "The building would include accessories such as...".
Page 95	Paragraph 3.10, line 1: Replace "timber framed" with "brick" Paragraph 3.14, line 6: Replace "insulated" with "attenuated"

	Westfield Shopping Centre Development, Shepherd's Bush London, W12	Shepherd's Bush Green	112
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Page 113	Paragraph 3.2 - delete £2.385k in second line and replace with £2.82m
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Agenda Item 4

London Borough Of Hammersmith & Fulham

Planning Applications Committee

Agenda for 16th December 2009

Index of Applications, Enforcement Actions, Advertisements etc.

WARD: REG NO:	SITE ADDRESS:	PAGE:
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Ravenscourt Park 2009/02758/CAC	282 - 288 Goldhawk Road London W12 9PF	42
College Park And Old Oak 2009/02013/FUL	Depot North Entrance Old Oak Common Lane London NW10 6DQ	45
Avonmore And Brook Green 2009/00179/FUL	6 - 12 Gorleston Street London W14 8XS	61
Avonmore And Brook Green 2009/01215/CAC	6 - 12 Gorleston Street London W14 8XS	78
Town 2009/02022/FUL	212 New King's Road London SW6 4NZ	81
Town 2009/02023/CAC	212 New King's Road London SW6 4NZ	111
Confirmation of Tree Preservation Order T363/07/09 Land at Thames Reach, 80 Rainville Road, W6		114
Enforcement Performance Review – April to Sept 2009		123

Ward: Ravenscourt Park

Site Address:

282 - 288 Goldhawk Road London W12 9PF



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For identification purposes only - do not scale.

Reg. No:
2009/02757/FUL

Case Officer:
Denuka Gunaratne

Date Valid:
12.11.2009

Conservation Area:
Ravenscourt And Starch Green Conservation Area
- Number 8

Committee Date:
16.12.2009

Applicant:

Places For People
305 Grays Inn Road London WC1X 8QR

Description:

Demolition of existing buildings and redevelopment of the site by erection of four blocks of part 1-storey to 4-storey in height to provide 66 residential units comprising 1 x 1 studio flat, 48 x 1 bed flats/houses (including 7 wheelchair dwellings), 15 x 2 bed houses and 2 x 3 bed houses; together with provision of an underground car park with 38 parking spaces with vehicular access from Ashchurch Park Villas and provision of amenity space, refuse stores, cycle parking and landscaping.

Drg Nos: 084_L_101 rev A; 084_L_110 rev B; 084_L_111 rev A; 084_L_112 rev A; 084_L_113 rev A; 084_L_114 rev A; 084_L_130; 084_L_131; 084_L_132; 084_L_133; 084_L_134; 084_L_135; 084_L_300 rev B; 084_L_301 rev B; 084_L_302 rev B; 084_L_303 rev B; 084_L_304 rev B; 084_L_350 rev A; 084_L_400 rev A; 084_D_001 084_L_115

Application Type:

Full Detailed Planning Application

Officer Recommendation:

That the Committee resolve that the Director of the Environment Department be authorised to determine the application and grant permission up on the completion of a satisfactory legal agreement

- 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 not be erected otherwise than in accordance with the detailed drawings which have been approved.

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 EN2 and EN8 of the Unitary Development Plan, as amended 2007.

- 3) The development hereby permitted shall not commence until particulars and samples of materials to be used in all external faces of the building(s), and all surface treatments, have been submitted and approved in writing by the Council. The development shall be carried out in accordance with such details as have been approved.

To ensure a satisfactory external appearance, in accordance with Policies EN2 and EN8 of the Unitary Development Plan, as amended 2007.

- 4) The development hereby permitted shall not commence before detailed plans, elevations and sections of the units to a scale of 1:20 have been submitted to and approved in writing by the council and the development works shall be implemented in accordance with the approved details.

To ensure a satisfactory external appearance in accordance with Policies EN2 and EN8 of the Unitary Development Plan, as amended 2007.

- 5) The development hereby permitted shall not commence before details at a scale of 1:50 showing the treatment of all areas of landscaping, boundary walls and other means of enclosure, annotated to indicate particulars of materials and planting to be used have been submitted to and approved in writing by the council. The development works shall be implemented in accordance with the approved details.

To ensure a satisfactory external appearance and relationship with its surroundings, in accordance with Policies EN2 and EN8 of the Unitary Development Plan, as amended 2007.

- 6) The landscaping scheme approved pursuant to condition 5 shall be implemented in the winter season following the first occupation or use of any part of the development.

To ensure a satisfactory external appearance and prevent harm to the street scene, in accordance with Policies EN2, EN8 and EN26 of the Unitary Development Plan, as amended 2007.

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

To ensure a satisfactory provision for planting in accordance with Policies EN2, EN8 and EN26 of the Unitary Development Plan, as amended 2007.

- 8) Prior to the commencement of any works (construction or demolition) on site a chestnut paling fence or similar barrier of a height not less than 1.5 metres shall be erected at a radius of no less than 3 metres from the trunk of each tree to be retained; the area thus enclosed shall be kept clear of all excavated materials, building materials, plant and rubbish. Further, the destruction by burning of materials shall not take place within 10 metres of the furthest extent of the canopy of any tree on the site or adjoining land.

In order to adequately safeguard the trees in the vicinity of the building works and in the interests of visual amenity, in accordance with policies EN2, EN8 and EN25 of the Unitary Development Plan, as amended 2007.

- 9) The development shall not be occupied before a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas, other than small, privately owned domestic gardens and terraces has been submitted to and approved in writing by the council. The landscape management plan shall be carried out in accordance with the approved details.

To ensure that the development provides an attractive natural environment in accordance with Policy EN29 of the Unitary Development Plan, as amended 2007.

- 10) A minimum of 10% of the dwellings shall be capable of meeting the needs of wheelchair users and shall be constructed and designed in accordance with the Council's Supplementary Planning Guidance (Access for All). The remainder of the dwellings shall be designed to conform to Lifetime Homes standards and shall be constructed accordingly.

To ensure a satisfactory provision for dwellings, meeting the needs of people with disabilities, in accordance with the Council's Supplementary Planning Guidance (Access for All) and Policy 3A.5 of The London Plan, as amended 2008.

- 11) The development shall not commence before details of the means by which wheelchair access is provided to all buildings, dwellings and open amenity spaces, including private terraces and balconies as appropriate and communal garden areas and parking spaces, have been submitted to and approved in writing by the council. Such details as approved shall be carried out prior to any use or occupation of the buildings or open spaces to which the approved details relate.

To ensure satisfactory access provision is made for people in wheelchairs, in accordance with policies HO6 and TN4 of the Unitary Development Plan, as amended 2007.

- 12) The development shall not commence until details of refuse storage, including provision for the storage of recyclable materials, have been submitted to and approved in writing by the council. Such details as approved shall be implemented prior to the occupation of the development and thereafter permanently retained.

To ensure the satisfactory provision of refuse storage and recycling in accordance with Policy EN17 of the Unitary Development Plan, as amended 2007.

- 13) The whole of the parking accommodation shown on the approved drawings shall be provided and retained thereafter for the accommodation of motor vehicles of the occupiers and users of the residential buildings on the application site and

shall not be used for any other purpose. Allocation of the spaces shall be in accordance with a Parking Management Plan, which shall be submitted to and approved in writing by the council prior to first occupation of the development. The development shall thereafter be carried out in accordance with the Parking Management Plan.

To ensure the provision and permanent retention of the parking spaces so as to ensure the development does not result in additional on-street parking stress detrimental to the amenity of surrounding residents, in accordance with Policy TN13 and standard S18 of the Unitary Development Plan, as amended 2007.

- 14) The development shall not commence until details of the numbers and location of all secure bicycle parking stores for the use of residents and users of the development have been submitted to and approved in writing by the council. The bicycle stores as approved shall be provided prior to the occupation or use of the development. Such spaces shall be permanently retained thereafter.

To ensure the provision of bicycle parking spaces, in accordance with Policy TN6 and standard S20.1 of the Unitary Development Plan, as amended 2007.

- 15) No development shall commence until a statement of how Secured by Design requirements are to be achieved has been submitted to and approved in writing by the council. The approved details shall be carried out before any use of that part of the development to which the approved details relate.

To ensure a safe and secure environment in accordance with Policy EN10 of the Unitary Development Plan, as amended 2007.

- 16) The development shall not commence before details of the design and location of all external lighting and lighting of the basement car park and CCTV cameras have been submitted to and approved in writing by the council. Such details as approved shall be carried out prior to the use of the open spaces and parking areas to which the details relate and shall be retained thereafter.

To ensure a safe and secure environment and a satisfactory external appearance, in accordance with Policies EN8 and EN10 of the Unitary Development Plan, as amended 2007.

- 17) Notwithstanding the provisions of Part 1 of Schedule 2 to The Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order no aerials, antennas, satellite dishes or related telecommunications equipment shall be erected on any part of the development hereby permitted.

To ensure a satisfactory external appearance, in accordance with policies EN2 and EN8 of the Unitary Development Plan, as amended 2007.

- 18) No water tanks, water enclosures or other structures shall be erected on the roofs of the buildings hereby permitted, without the prior permission of the council.

The council wishes to exercise future control over development which may detract from the appearance of the buildings, in accordance with Policy EN8 of the Unitary Development Plan, as amended 2007.

- 19) No development shall commence until a desktop study, site investigation scheme, intrusive investigation and risk assessment have been submitted to and approved in writing by the Council. The desk study will identify all previous site uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors and any potentially unacceptable risks arising from contamination at the site. The site investigation scheme will provide information for an assessment of the risk to all receptors that may be affected, including those off site. The risk assessment will assess the degree and nature of any contamination on site and to assess the risks posed by any contamination to human health, controlled waters and the wider environment. A detailed method statement for any required remediation works will need to be submitted to, and approved in writing, by the Council. All works must be carried out by a competent person conforming to CLR 11: Model Procedures for the Management of Land Contamination (DEFRA 2004).

To ensure that any contaminated land on the application site is identified and remediated in accordance with Policies G0, G3, EN20A and EN21 of the Unitary Development Plan, as amended 2007.

- 20) No development shall commence until any required remediation works have been completed and a validation report to verify these works has been submitted to, and approved in writing, by the Council unless otherwise authorised. 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 should be detailed and verified in an amendment to the remediation statement. All works must be carried out by a competent person conforming to CLR 11: Model Procedures for the Management of Land Contamination (DEFRA 2004).

To ensure that any contaminated land on the application site is identified and remediated in accordance with Policies G0, G3, EN20A and EN21 of the Unitary Development Plan, as amended 2007.

- 21) The development hereby approved shall be constructed in accordance with the sustainable design and construction measures outlined in the Sustainability and Code for Sustainable Homes Report, and the buildings shall not be occupied until such measures have been implemented.

To ensure the construction of a sustainable development, in accordance with Policy 4A.3 of The London Plan, amended 2008.

- 22) Notwithstanding the provisions of Part 1 of Schedule 2 to The Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order) no extensions or other form of enlargement to the residential development hereby permitted, nor erection of porches, outbuildings, hardstandings or storage tanks shall be carried out within the residential curtilages.

To enable the Council to retain control over any future development in view of the site layout and visual amenity and the effect of such development on the residential amenities of surrounding properties, in accordance with policies EN2 and EN8 and standard S13.2 of the Unitary Development Plan, as amended 2007.

- 23) Details of the operation of the one-way system to be used in connection with the access ramp to the basement car park shall be submitted and approved in writing by the council prior to the commencement of the development. In addition, further details of the gradient of the ramp serving the basement car park shall also be submitted and approved in writing by the council prior to the commencement of the development. The development shall thereafter be carried out in accordance with the agreed details and retained in this form.

In the interests of public safety and to avoid vehicle/pedestrian conflict, in accordance with Policy TN15 and standard S18 of the Unitary Development Plan, as amended 2007.

- 24) The development shall not commence until a Demolition and Construction Management Plan has been submitted to and approved in writing by the Council. The details shall include (i) any external illumination of the site during demolition and construction (ii) contractors' method statements for demolition and construction (iii) waste classification and disposal procedures and locations (iv) dust, noise and vibration monitoring and control (v) provisions within the site to ensure that all vehicles associated with the construction works are properly washed and cleaned to prevent the passage of mud and dirt onto the highway (vi) working hours (vii) any other matters relating to traffic management required necessary by the council. All demolition and construction works shall be carried out in accordance with the approved details.

To ensure no unacceptable adverse effect on the amenities of surrounding occupiers and on the highways network, in accordance with Policies EN21, EN20A, EN20B, EN20C and TN15 of the Unitary Development Plan, as amended 2007.

- 25) The development shall not commence until details of obscure and fixed shut glazing to the windows above ground level in the western facing (rear) elevation of the property at plot no.8 have been submitted to and approved in writing by the council. Such details as approved shall be implemented prior to the occupation of the development and thereafter permanently retained.

To protect the amenities of surrounding residents from overlooking, in accordance with policy EN8 and standard S13 of the Unitary Development Plan, as amended 2007.

- 26) Prior to commencement of the development hereby approved, details shall be submitted to and approved in writing by the Council, of a Noise Exposure Category (NEC) assessment (according to Planning Policy Guidance 24), including details of sound insulation measures for the building envelope and silenced mechanical ventilation with air intake from the cleanest aspect, if necessary in order that internal room and external amenity noise standards will be achieved, in accordance with BS8233:1999. The approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure that the amenity of occupiers of the development site is not adversely affected by noise/vibration/dust from dominant transport noise sources, in accordance with policies EN20A, EN20B and EN21 of the Unitary Development Plan, as amended 2007.

- 27) Prior to commencement of the development hereby approved, details shall be submitted to and approved in writing by the Council, of the noise and vibration levels of existing industrial/commercial noise sources, building services plant including appropriate noise mitigation measures to ensure that the external noise level at noise sensitive premises is 10dBA Leq below background LA90, as measured according to BS4142:1997 and internal room and external amenity noise standards will be achieved in accordance with BS 8233:1999. 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/vibration from dominant noise sources, in accordance with policies EN20A, EN20B and EN21 of the Unitary Development Plan, as amended 2007.

- 28) Prior to commencement of the development hereby approved, details shall be submitted to and approved in writing by the Council, of proposed external artificial lighting within the site. Details shall demonstrate that the recommendations of the Institution of Lighting Engineers in the 'Guidance Notes For The Reduction Of Light Pollution 2005' will be met. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by external lighting, in accordance with policies EN20A, EN20C and EN21 of the Unitary Development Plan, as amended 2007.

- 29) No other flat roofs (apart from those identified on the approved plans) within the development hereby approved may be converted into or used as a terrace or other

open amenity space. No railings or other means of enclosure shall be erected around any flat roofs (apart from those identified on the approved plans) and no alterations shall be carried out to the property to facilitate access onto any other flat roofs.

To enable the Council to retain control over any future development in view of the site layout and visual amenity and the effect of such development on the residential amenities of surrounding properties, in accordance with policies EN2 and EN8 and standard S13 of the Unitary Development Plan, as amended 2007.

- 30) The development shall not commence until details of enclosures to the terraces within the development have been submitted to and approved in writing by the council. Such details as approved shall be implemented prior to the occupation of the development and thereafter permanently retained.

To protect the amenities of surrounding residents and in the interest of visual amenity, in accordance with policies EN2 and EN8 and standard S13 of the Unitary Development Plan, as amended 2007.

Justification for Approving the Application:

- 1) 1. Land Use: The proposed development would achieve a sustainable development with efficient use of land. The proposal would co-ordinate land use and transportation, conserving and enhancing environmental quality, ensuring a choice of housing accommodation, including for those on low incomes. There would be no net loss of residential accommodation and no loss of a type of accommodation for which there is a continuing and known need. The proposal would provide an acceptable level of wheelchair users accommodation, and provide a mix of family and non-family units and increased number of supported housing over current levels. The scheme would help to meet The London Plan target of 30,500 net additional homes delivered per annum in London and the local targets of 450 and 650 net additional dwellings per annum and The London Plan strategic targets for affordable housing and the aims of PPS3 which seeks to create sustainable, inclusive, mixed communities in all areas. Policies HO1, HO6, HO10 of the Unitary Development Plan as amended 2007, and Policies 3A.1, 3A.9 and 3A.11 of The London Plan as amended 2008 and PPS1 and PPS3 are thereby satisfied.
2. Density: The proposal is of an acceptable density which would maximise the potential of the site and would be compatible with the local context and with public transport capacity; and would the design principles for a compact city. The proposal thereby satisfies London Plan policies 4B.1 and 4B.3, as amended 2008.
3. Design: The proposal would be of a high standard of design which be consistent with the scale and height and complement the character of the existing development and its setting. It would also be sustainable and durable and would enhance the public realm. The proposal would preserve and enhance the

character and appearance of the conservation area. Policies EN2, EN8 of the Unitary Development Plan as amended 2007 and Policy 4B.1 of The London Plan as amended 2008 would thereby be satisfied.

4. Highways matters: There would be no adverse impact on traffic generation and the scheme would not result in congestion of bus routes and the primary road network. The proposed vehicular access arrangements to the site, which would utilise one existing access, would not unacceptably impact on the existing highway layout and satisfactory provision would be made for the segregation of vehicles and pedestrians. Ease of access would be provided for disabled people and others with impaired mobility to and from public transport facilities and car parking areas that directly serve the development. Satisfactory provision would be made for parking and cycle parking and future occupiers would be prevented from obtaining on-street parking permits, to help prevent overspill of parking onto the local highways. The accessibility level of the site is good, and there are available public transport and other services nearby and adequate provision for storage and collection of refuse and recyclables is provided. The proposal is thereby in accordance with policies EN17, TN4, TN6, TN13, TN15 and Standards S18.1, S19, S20.1, S22, S23 of the Unitary Development Plan as amended 2007.

5. Amenity: The proposed units would have sufficient internal floor space and sufficient amount of private amenity space and semi-private spaces to meet the requirements of future users of the proposed units. Although no children's play space is provided, Ravenscourt Park is situated immediately to the south of the site. The proposal also involves enhancements of the public open space at Starch Green. The proposal thereby satisfies the requirements of Policy EN23 and standards S5A.1, S5A.2, S7.1, S7.A and S13.3 of the Unitary Development Plan as amended 2007.

6. Access: The development would provide a safe and secure environment for all users in accordance with Policy EN10 of the Unitary Development Plan as amended 2007.

7. Sustainability: The application seeks to build the development to meet level 3 of the Code for Sustainable Homes (CfSH) which requires a number of sustainable features to be integrated within the scheme. The scheme also has renewable energy measures incorporated. The proposal would thereby seek to reduce pollution and waste and minimise its environmental impact. Policy GO and G3 of the Unitary Development Plan as amended 2007 and Policy 4A.3 and 4A.7 of The London Plan are thereby satisfied.

8. Flood Risk: A Flood Risk Assessment (FRA) has been submitted and has considered all possible risks of flooding to the site, and has identified adequate preventative measures, in accordance with Planning Policy Statement (PPS) 25.

9. Residential Amenity: The impact of the proposed development upon adjoining occupiers is considered acceptable. In this regard, the development would be of high quality design which, amongst other things, respects the principles of good neighbourliness, and thereby satisfies policy EN8 and standards S12 and S13 of the Unitary Development Plan, as amended 2007.

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

All Background Papers held by Michael Merrington (Ext: 3453):

Application form received: 9th November 2009

Drawing Nos: see above

Policy documents: The Revised London Plan 2008
Unitary Development Plan as amended September 2007.

Consultation Comments:

Comments from:	Dated:
Hammersmith & Fulham Historic Buildings Group	25.11.09
Brackenbury Residents' Association	30.11.09

Neighbour Comments:

Letters from:	Dated:
28 Percy Road London	06.12.09
12 Ashchurch Grove	06.12.09
13 Ashchurch Grove London W12 9BT	29.11.09
12 Ashchurch Grove London W12 9BT	29.11.09
11 Ashchurch Grove London W12 9BT	30.11.09
29 Ashchurch Grove London W12 9BT	29.11.09
Flat 3 Ashchurch Court Ashchurch Grove London W12 9BS	18.11.09
42 Ashchurch Grove London W12 9BU	29.11.09
32 Ashchurch Grove London W12 9BU	27.11.09
17 Ashchurch Terrace London W12 9SL	25.11.09
4 Ashchurch Park Villas London W12 9SP	29.11.09
269 Goldhawk Road London W12 8EU	30.11.09
8 Ashchurch Park Villas London W12 9SP	30.11.09
3 Ashchurch Park Villas London W12 9SP	28.11.09
2 Ashchurch Park Villas London W12 9SP	23.11.09
31 Ashchurch Park Villas London W12 9SP	26.11.09
16 Ashchurch Grove London W12 9BT	30.11.09
4 Rylett Crescent	04.12.09
NAG	27.11.09
NAG	28.11.09
NAG	29.11.09
18 Ashchurch Park Villas London W12 9SP	30.11.09
42 Rylett Road London W12 9ST	30.11.09

NAG	30.11.09
11 Ashchurch Park Villas London W12 9SP	30.11.09
31 Ashchurch Park Villas London W12 9SP	26.11.09
5 Ashchurch Terrace London W12 9SL	26.11.09
5 Ashchurch Terrace London W12 9SL	25.11.09
21 Rylett Rd, London	01.12.09
151 Parkway Welwyn Garden City Herts	03.12.09
28 ASHCHURCH PARK VILLAS, LONDON	04.12.09
15 Ashchurch Park Villas	02.12.09
19 Rylett Crescent, London W12 9RP	01.12.09
12 Ashchurch Park Villas	07.12.09
23 Ashchurch Park Villas London W12 9SP	01.12.09
Flat 10 Ashchurch Court Ashchurch Grove London W12 9BS	02.12.09
28 Ashchurch Park Villas London W12 9SP	02.12.09
13 Ashchurch Park Villas London W12 9SP	03.12.09
30 Ashchurch Park Villas London W12 9SP	03.12.09
22 Ashchurch Terrace London W12 9SL	01.12.09

OFFICERS' REPORT

1.0 BACKGROUND

1.1 The subject property is located on the northern side of Goldhawk Road, c. 30 metres east of the public open space known as Starch Green and directly opposite Ravenscourt Park. The site is approximately 0.37 hectares in size and lies between Ashchurch Grove and Ashchurch Park Villas. There is a two storey vacant former residential care home on site and a two storey sheltered housing building (known as Elizabeth Finn House) which has been decanted by H&F Homes. There is an existing vehicular access into the site off Ashchurch Park Villas, and a pedestrian access off Goldhawk Road.

1.2 The site is located within Ravenscourt and Starch Green Conservation Area. The site is also located within Flood Risk Zone 2 and the southern and western edges are within Flood Risk Zone 3. There are a number of trees on the site including seven mature trees. However there are no Tree Preservation Orders attached to any trees on site. The site is neighboured primarily by residential property, which vary in appearance and height (two storey up to four and five storeys). There is a residential hostel to the west at 292 Goldhawk Road and a council day care centre to the east at 280 Goldhawk Road.

1.3 There is no planning history pertaining to the site which is relevant to the consideration of the current scheme.

1.4 At July 16th 2007 Cabinet it was agreed that the properties on site were surplus to the Community Services Department's requirements. In September 2007 an advert was placed in the Estates Gazette inviting expressions of interest to procure the site. Following appraisal of the pre-qualification questionnaires from interested parties, five bidders were selected to be invited to negotiate and work up full bids and development proposals for the site in line with a Development Brief. The five bidders submitted detailed submissions by March 31st 2008 and the Council held a two day public exhibition on 9th and 10th May 2008 for the local community to comment on the

proposed developments. After an assessment of the bids by council officers and their advisors, CB Richard Ellis (CBRE) who assisted council officers in the marketing and tendering of the site, a report to Cabinet in October 2008 recommended Places for People as the preferred bidder.

1.5 Following their selection, Places for People invited representatives from the local community, amenity groups, residents associations and other stakeholders to sit on a steering group to consider aspects of Places for People's proposed scheme for the site prior to the submission of a planning application. During 2009, the steering group met three times to discuss different themes of the development and this was then followed by two public open events in premises close to the site to present and demonstrate the changes to the scheme that had taken place during the consultation period.

1.6 In support of the application, the applicant has submitted a 'Consultation Statement' which summarises the comments made as a result of consultation, a schedule of consultation undertaken and the summary, notes and minutes of the public consultations. The applicant's consultation statement also provides a summary of changes made to the proposal as a result of the consultation:-

- Originally proposed shop and workshop removed - the scheme is now wholly residential and the number of units proposed has been reduced from 68 to 66
- Hedges added to front gardens along Goldhawk Road (formerly they were to be low walls)
- Front gardens (with hedges) added to houses along Ashchurch Grove (formerly there were no front gardens)
- The Supported Housing building was re-designed to accommodate retention of a silver maple tree to the northwest of the site
- A wider variety of new trees is now proposed introducing a greater number of trees than would be removed (including grey alder, Italian alder, green vase, field maple, silver maple, ornamental pear, etc. Previously primarily flowering cherry trees were proposed)
- A previously proposed 5th storey to the building fronting Starch Green (corner of Ashchurch Grove and Goldhawk Road) has been removed
- Changes to the elevational design, including window numbers/sizes, heights of houses rationalised for consistency, and more refined elevations developed
- Detailed landscaping proposals worked up. The mews streets would have planters in front of each house.
- Hard landscaping details to ensure the proposal is accessible for all, including designed areas for tactile paving, front garden gates to be inward opening so as not to obstruct pavements, signage to be high contrast, no parking spaces to be provided at ground level, separation between vehicular and pedestrian routes
- The name of the development originally stated as 'Goldhawk Village', amended to 'Ashchurch Place', due to concern of residents about the former name

1.7 The applications seek planning permission and conservation area consent for the demolition of existing buildings on site and for redevelopment of the site comprising the erection of four blocks of part 1-storey to 4-storey in height to provide 66 residential units comprising 1 x 1 studio flat, 31 x 1 bed flats/houses (including 5 wheelchair dwellings), 15 x 2 bed houses and 2 x 3 bed houses (The scheme includes 17 x 1 bed sheltered housing units, 4 socially rented and 15 intermediate units), together with provision of an underground car park with 38 parking spaces with vehicular access from

Ashchurch Park Villas and provision of amenity space, refuse stores, cycle parking and landscaping.

1.8 The development would be laid out around 3 mews streets and 2 public squares, and would comprise of the following form:-

1) Two blocks on the Goldhawk Road frontage to the south:

a) A main block would extend from the south-eastern part of the site, approximately 35 metres to the west along the Goldhawk Road frontage, with a depth ranging from c.11 metres on the south-eastern corner to c.25 metres to the west. This block would have a 4-storey building on the south-eastern corner, with a consistent pattern of smaller scale intermittent 3 and 4 storey height buildings to the west. This block would have terrace frontages to Goldhawk Road to the south and to the proposed pedestrian mews streets to the north and west. Twenty three residential units would be situated within this block, comprising of 9 x 1 bed houses, 9 x 2 bed houses, 1 x 3 bed house and 4 x 1 bed flats.

b) A smaller block would be approximately 10 metres wide on the Goldhawk Road frontage and would be situated on the south-west corner of the site. The block would extend northwards to a depth of c.36 metres and would form terrace frontages to Goldhawk Road and to a proposed mews street to the east (labelled as Pear Tree Mews on the proposed plans). This block would be of 4 and 3 storey height buildings on the Goldhawk Road elevation and 1, 3 and 4 stories on the mews elevation facing east. A 2-storey unit accessed from the access road to the site would be situated to the rear of the Pear Tree Mews terrace. This block would contain 9 residential units comprising 6 x 1 bed houses and 3 x 2 bed houses. The vehicular access road to the basement car park would be situated to the west behind the block.

2) Two blocks on Ashchurch Grove elevation to the east:

a) A block situated to the centre of the site would extend approximately 24 metres north to south along the Ashchurch Grove site frontage, and extend, in a triangular shape, to a depth of approximately 27 metres westwards. It would form frontages to Ashchurch Grove and the proposed mews frontages within the scheme, labelled as Sycamore Mews and Cedar Mews. This block would be of part 3 storeys and part 4 storeys on the Ashchurch Grove frontage, with 2.5 storeys, 3 and 4 storeys on the remainder of the block. This block would contain 13 units comprising of 5 x 1 bed houses, 3 x 2 bed houses, 1 x 3 bed houses and 4 x 1 bed flats.

b) A block situated to the north would have frontage of approximately 13 metres to Ashchurch Grove and would have a length of approximately 39 metres, creating its main frontage to the proposed mews street labelled as Sycamore Mews. This block would be primarily 4 storeys with smaller part, 1, 2 and 3 storey elements. This block would contain 3 x 1 bed flats, 1 x 1 bed studios and the 17 x 1 bed supported housing units.

1.9 This report covers planning and conservation area matters raised by both the planning application and the conservation area consent application (ref: 2009/02758/CAC).

2.0 PUBLICITY AND CONSULTATIONS

2.1 The application was advertised by way of site notices and a press advert. In addition, individual notification letters were sent to neighbouring and local residents; amenity groups and local residents groups.

2.2 21 number of letters have been received from residents in objection to the proposal, which raise the following planning issues:

- The design of the scheme is inappropriate and out of character with conservation area and will be more at home in the Mediterranean. The buildings have excessive heights and are pushed to the edges of the site, irrespective of the established building line.
- The development would have an excessive density for this site and would put strain on local facilities and will generate extra traffic, putting pressure on surrounding roads, and will endanger pedestrians in an area where there has already been considerable number of accidents.
- Loss of trees, some with TPO's, and mature hedge, which will detract from the visual amenities of the area. The existing trees will face danger from construction of the development and from the proposed basement car park.
- Inadequate amenity space and no play space provision and over reliance on amenity space at Starch Green and/or at Ravenscourt Park which is already heavily oversubscribed.
- Roof terraces do not form an acceptable form of amenity spaces for families with young children. Noise and disturbance to neighbours from roof terraces.
- Fails to comply with UDP. The development will set an unacceptable precedent.

2.3 Other comments/matters raised are:

- The development should comply with GLA Code for Sustainable Homes Level 4.
- Assurance sought regarding construction and excavation and its potential impact on adjoining properties.
- The community involvement mentioned in the applicants submissions has been superficial and consultation inadequate. Of the 80 residents who attended the 2008 exhibition, only 30 completed the feedback form, therefore this cannot be considered an approval of the scheme.
- Inadequate consultation period on the application.
- A request to see a comprehensive policy on the management of construction traffic - congestion and safety on this family residential road is already a major issue.

2.4 The Hammersmith and Fulham Historic Buildings Group have written to object to the development. They are concerned about the relationship to adjoining buildings, the street building lines and open spaces, and do not think that the character and appearance of the conservation area would be preserved or enhanced by the scheme in its present form. They are also concerned about a lack of landscaping, the loss of 16 trees, and the failure to recognise the potential of exploiting the adjoining open space of Starch Green within the development. Their view is that the buildings have been pushed to the edges of the site, irrespective of the established building line and that there should be a greater adherence to the original building footprint, particularly at the rear, as it would go a long way to safeguarding many of the trees and it would also improve the relationship of the new buildings with their neighbours. They also ask that the applicant should be asked to make amendments, taking account of strong local views expressed.

2.5 The Ashchurch Residents' Association have written to ask about timescales for residents to respond. Officers have responded.

2.6 Thames Water have reported that with regard to water infrastructure and sewerage infrastructure there is no objection to the proposal. Informatives for these matters, and also with regard to surface water drainage are recommended.

2.7 Construction hours would be controlled under separate legislation, and an informative is recommended in this matter. Planning issues raised by consultees and residents will be considered in the officers' report below.

3.0 PLANNING CONSIDERATIONS

3.1 The main issues in the consideration of this proposal are the acceptability of the proposal in land use terms; whether the proposal is of acceptable density, tenure, standard of accommodation and appearance (including tree matters); whether it is acceptable in terms of traffic and parking and its impact on amenities of surrounding occupiers and energy and contamination matters.

LAND USE and TENURE

3.2 The site was previously used as a residential care home for the elderly and vulnerable and twelve supported care units. The site has been vacant since 2006 and the tenants have been re-housed into other Council facilities. The facilities were not considered to meet modern standards and were surplus to requirements. Disposal of the land was agreed by the Council in 2008. The proposed scheme includes the provision of 17 supported units, 5 more units than were provided within the site previously.

3.3 UDP Policy HO1 states that planning permission will not normally be granted for developments which would result in a loss of permanent residential accommodation as a result of redevelopment. Where the redevelopment of residential accommodation is proposed, unless there are very special circumstances, the council will require: (i) No net loss of residential accommodation when measured in dwellings, bedspaces and residential floorspace and no loss of a type of accommodation for which there is a continuing and known need; (ii) The replacement of that residential in accordance with policy HO5 Affordable Housing and policy HO6 Housing Mix and Special Needs.

3.4 The proposal to provide 66 residential units would comply with policy HO1 in that there would not be a net loss of residential accommodation. The proposal would in fact represent a net gain in residential accommodation within the site.

3.5 UDP policy H010 states that development that would result in the loss of special needs housing will only be permitted if the development would be wholly for permanently available affordable housing. Given that the current site has been vacant for two years, that the units did not meet current standards and that the proposal would increase the number of supported housing units over previous levels, it is considered in this instance that the redevelopment of the site for a mixture of tenures would be acceptable. PPS3 states that the Government is 'seeking to create sustainable, inclusive, mixed communities in all areas'. The re-provision and increase in the number of supported housing units within a mixed tenure is therefore considered acceptable on this basis and in this instance.

3.6 Policy 3A.1 of The London Plan states that 30,500 net additional homes should be delivered per annum in London. Of this, the London Borough of Hammersmith and Fulham has a target to deliver 450 net additional dwellings per annum. The local minimum target would increase to 650 additional dwellings per annum as identified in the Local Development Framework, Core Strategy Preferred Options paper. The proposed redevelopment to provide 66 residential units would contribute to these targets.

3.7 Policy 3A.11 of The London Plan states that boroughs should normally require affordable housing provision on a site which has capacity to provide ten or more homes. Policy 3A.9 of The London Plan states that the Mayor's strategic target for affordable housing provision is that 50% should be affordable and within that, 70% should comprise social rented accommodation and 30% intermediate accommodation. The Draft Replacement London Plan proposes that the affordable housing split should be 60:40 social rented to intermediate. Policy 3A.10 advises that Councils should seek the maximum reasonable amount of affordable housing, having regard to their targets adopted in line with Policy 3A.9, and taking into account the need to encourage, rather than restrain residential development and the individual circumstances of the site. The London Plan also recognises that targets should be applied flexibly, taking account of individual site costs, the availability of public subsidy and other scheme requirements.

3.8 The applicant proposes to provide 17 supported housing units (all of which are affordable), representing 26% of the total housing stock. In addition, the applicant proposes to provide 4 social rented units and 22 intermediate units, representing a further 39% of the total housing stock. In total, the applicant is therefore proposing a total of 65% affordable housing. The social rent accommodation represents close to 10% of the affordable element. However, it might not be unreasonable to also count the affordable sheltered housing in the social rented provision, as it is certainly more akin to this than to intermediate/shared ownership accommodation. On that basis the scheme would provide a split of 49%:51% social rented to intermediate split, which is closer to the Draft Replacement London Plan's requirements. Although the intermediate accommodation would form a larger proportion than normally expected by the Mayor of London, the higher proportion (ie 65% provided as against the 50% London Plan requirement) of affordable housing is considered to help counterbalance this and the affordable tenures structure has been developed in liaison with the borough's housing department and represents the local housing needs in the area. In terms of policies 3A.11 and 3A.9 of The London Plan, officers thereby consider that the scheme is justifiable and acceptable.

3.9 Policy H06 of the UDP states that 'in developments for 20 or more residential units, permission will only be granted if:

- a) 10% of the units are designed to be suitable for occupation by wheelchair users, and
- b) A mixture of unit sizes is provided to meet the needs of family and non-family households'.

3.10 With regard to point a), seven 1 bedroom units (including 2 units in the supported housing building) would be accessible for wheelchair users, and the proposal would therefore exceed the 10% target. With regard to point b), the proposal would be providing a mixture of one, two and three bed units which meets the criteria. Policy H06 is therefore satisfied.

DENSITY

3.11 Policy 4B.3 of The London Plan seeks to maximise the potential of sites and states that 'the Mayor will, and boroughs should, ensure that development proposals achieve the highest possible intensity of use compatible with local context, the design principles in Policy 4B.1 and with public transport capacity'.

3.12 The site is located in Public Transport Accessibility Level (Pta) 3. The site is within easy access of bus routes on Goldhawk Road (route nos.94 and 237), and Askew Road and is within walking distance (c.10 minutes) of the underground's District line at Stamford Brook and Ravenscourt Park stations and Goldhawk Road (Hammersmith & City Line) underground station. With reference to the GLA Density Matrix, table 4B.1, the site is considered to be an urban site, located along a transport corridor and also located quite close to a town centre, in this case Shepherd's Bush. This would allow a density of between 300-450 habitable rooms per hectare.

3.13 The proposed development site comprises 0.37 hectares (3,700 square metres) and would have 155 habitable rooms which would result in a residential density of 419 habitable rooms per hectare, which is in line with the GLA Density Matrix. London Plan Policy 4B.3 recognises that 'the density matrix sets a strategic framework for appropriate densities in different locations aiming to enhance existing local character by relating the area's accessibility to appropriate development and the number of car parking spaces that should be provided'. As such officers have considered the development not solely on density per se but a number of factors such as design, environmental quality, the amount and quality of open amenity space provision, the capacity of existing services and facilities to accommodate the development, the impact on on-street parking and access to the site from a range of transport modes and impact on the amenities of neighbouring residents. By satisfying these parameters the scheme can be considered acceptable. These matters will be considered below.

DESIGN, EXTERNAL APPEARANCE and CONSERVATION ISSUES

3.14 Government Guidance to local authorities in relation to design and conservation issues is set out in Planning Policy Statement 1: Delivering Sustainable Development (PPS 1) and Planning Policy Guidance: Planning and the Historic Environment (PPG 15). The proposal must therefore be considered against both of these documents, as well as London Plan and UDP design policies.

3.15 PPS1, 'key principles', paragraph 13 (vi) states that 'Planning Policies should promote high quality inclusive design in the layout of new developments and individual buildings in terms of function and impact, not just for the short term but over the lifetime of the development. Design which fails to take the opportunities available for improving the character and quality of an area should not be accepted'.

3.16 PPS1 states that 'Design Policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout and access of new development in relation to neighbouring buildings and the local area more generally. Local planning authorities should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles'.

3.17 PPG 15 paragraph 2.14 states that 'the design of new buildings intended to stand alongside historic buildings needs very careful consideration. In general it is

better that old buildings are not set apart, but are woven into the fabric of the living and working community. This can be done, provided that new buildings are carefully designed to respect their setting, follow fundamental architectural principles of scale, height, massing and alignment, and use appropriate materials. This does not mean that new buildings have to copy their older neighbours in detail; some of the most interesting streets in our towns and villages include a variety of building styles, materials, and forms of construction, of many different periods, but together forming a harmonious group'.

3.18 PPG 15 paragraph 4.17 states that 'Many conservation areas include gap sites, or buildings that make no positive contribution to, or indeed detract from, the character or appearance of the area; their replacement should be a stimulus to imaginative high quality design, and seen as an opportunity to enhance the area. What is important is not that new buildings should imitate earlier styles, but that they should be designed with respect for their context, as part of a larger whole which has a well established character and appearance of its own'.

3.19 Policy 4B.1 of The London Plan 'Principles of design for a compact city' states that 'boroughs should seek to ensure that developments: -

- Maximise the potential of sites
- Create or enhance the public realm
- Provide or enhance a mix of uses
- Are accessible, usable and permeable for all users
- Are sustainable, durable and adaptable
- Are safe for occupants and passers-by
- Respect local context, character and communities
- Are practical and legible
- Are attractive to look at and, where appropriate, inspire, excite and delight
- Respect the natural environment
- Respect London's built heritage'

3.20 Policy EN8 of the UDP states that 'Development will not be permitted unless it is of a high standard of design and compatible with the scale and character of the existing development and its setting'. Schemes are expected to be formulated to 'respect the historical context of the area and its sense of place, the scale, mass, form and grain of the surrounding development, relationship to the existing townscape, rhythm and articulation of frontages, local building materials, sustainability objectives and the principles of good neighbourliness'.

3.21 Policy EN2 of the UDP requires that particular regard is given to details such as scale, massing, bulk, height, materials, vertical and horizontal emphasis and the relationship to adjoining buildings, to street building lines and open spaces and states that 'New developments in conservation areas must, where possible, respect the historic context, volume, scale, form, materials and quality' as they are of particular importance to the historic context.' Also, when considering developments within a conservation area, the Council has a statutory duty to pay special attention to the need to preserve or enhance the character and appearance of that area which it is considered desirable to preserve or enhance in compliance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This is reiterated in the requirements of Policy EN2 of the UDP.

3.22 The UDP states that 'The council is committed to excellence in urban design in all new development within the borough. This includes consideration of both buildings and open spaces and the relationship between the two; a balance between the need for neighbourliness and the scope for design freedom'. It is further stated that 'New development should embrace sustainable principles and contribute positively to the public domain at all levels; improving legibility and permeability, respecting the overall height and form of neighbouring development; its massing as well as its rhythm and articulation of facades.'

3.23 The site is located within the Ravenscourt and Starch Green Conservation Area, designated on 20th February 1974 and extended in September 1982, January 1990 and March 1991. The conservation area character profile for this conservation area was approved as supplementary planning guidance by Planning Applications and Transport Committee on 2nd July 1997.

3.24 The character profile in paragraph 5.68, page 14, states 'Modern developments, concentrated within this area on the north side of Goldhawk Road east of Stamford Brook Road are of a functional design and whilst unobjectionable in their own right do not present a consistent townscape in such a prominent and well trafficked location. John Betts' House has been altered recently by the addition of a mansard roof with dormers. This has helped form some enclosure of the western arm of Goldhawk Road'.

3.25 The site as it is seen now contains low lying residential buildings of two storeys which replaced war damaged large Victorian Villas, left derelict and demolished in the early 1970's. The surrounding developments vary considerably in scale and architectural design.

3.26 The conservation area contains a variety of Edwardian and Victorian villas and terraced housing ranging from two to five storeys, as well as a plethora of architectural styles. Materials in the locality also vary considerably; there is red brick, light and darker yellow stock brickwork, off-white stucco, pastel coloured render and combinations of brick with render detailing. There is therefore no strong or overriding architectural style to follow that would require a pastiche development, although any proposals should complement its surroundings. Goldhawk Road itself has buildings up to 6 storeys in height, two and three storey modern buildings and Victorian villas of two storeys. The application site is on a wide section of Goldhawk Road, close to Starch Green and the junction of Askew Road. It is a site that is capable of supporting a certain scale, and an appropriately designed modern housing scheme.

3.27 The design and layout of the proposed development is based on the principles of permeability and legibility. It is an open piece of townscape which would provide clearly defined streets and well overlooked landscaped public spaces, accessible to all, and encouraging a well used and safe environment. It would predominantly contain mews type terraced housing with front doors onto the street, while on Goldhawk Road and Ashchurch Grove the front doors open from small front gardens, bounded by hedges.

3.28 The building line would be slightly forward of the neighbouring property in the street block; this is considered acceptable in this location and in townscape terms as Goldhawk Road is particularly wide here, and widens in character still further at Starch Green. The disposition of the development on this site would add interest to views both

east and west along Goldhawk Road, and would create a landmark quality in this location.

3.29 The architectural design is modern and picturesque, with articulated facades, complementing the local streetscape of terraced and semi-detached houses with their variation in window styles, rooflines and decoration. The buildings would be typically three and four storeys high with the roofline broken by gaps forming roof terraces. This would reflect the varied rooflines found for example in terraced housing with gables or lower side extensions between them, and would reduce the impact of the roofline on views in the street scene. Corner buildings would be curved and have a greater variety of fenestration following the precedent set by the Victorians, for example, on the existing corner buildings which are a feature around Starch Green. The Goldhawk Road and Ashchurch Grove elevations would be in a pale brick with plaster surrounds, while the internal elevations would in off-white render. All tenures of housing would blend together in their design.

3.30 Overall it is considered that the application proposals demonstrate a well thought out design, specific to the site, and responding well to its surroundings. It is further considered that the proposal meets the requirements of PPG 15 and the relevant policies contained within The London Plan and the UDP, and that the scheme would enhance the character of the conservation area.

TREES

3.31 There are 19 existing trees on the site, 7 of which are mature and of visual prominence. The application proposal would result in the loss of 15 trees in total (including 3 mature trees). However, 19 new trees are proposed; so there would be a net gain of 4 trees on site. In addition a hedge is proposed to be planted along the site frontage at Goldhawk Road. The mature trees that would be retained are a silver maple to the northwest at the rear of 37 Ashchurch Park Villas, a sycamore, a copper beech and an atlas cedar, to the east of the site at Ashchurch Grove. The mature trees that would be lost are a silver maple to the northeast at Ashchurch Grove, a robinia to the southeast at Ashchurch Grove and a silver maple to the northwest at the rear of 38 Ashchurch Park Villas. The 19 new trees proposed to be provided are: 3 x grey alder, 1x copper beech, 1x italian alder, 3 x green vase, 3 x flowering cherry, 4 x ornamental pear, 1x silver beech and 3 x field maple. A cluster of 5 replacement trees within the Mews area would be placed in planters due to the proposed underground car park. Officers note that this would inhibit their growth. However, due to these trees being located in the centre of the site their visibility from surrounding properties and public vantage points would be limited. It is considered that the replacement planting would soften the development and provide an enhanced arboricultural environment.

HIGHWAYS ISSUES

3.32 The application site is within accessibility level 3 and is located along the busy Goldhawk Road which is a London Distributor Road and forms part of the London Bus Initiative. The site is well connected by a number of bus routes in Goldhawk Road, and on nearby Askew and Paddenswick Road. In addition to the number of bus routes that run close to the site, there are other transport modes relatively close by. Stamford Brook and Ravenscourt Park (District Line) and Goldhawk Road (Hammersmith & City Line) underground stations are all within 10 minutes walking distance. A westbound bus stop is located opposite the site on Goldhawk Road, whilst an eastbound bus stop is located on Goldhawk Road to the east of the site, beyond the zebra crossing. Buses passing

the site serve Ravenscourt Park and Shepherd's Bush tube stations and other stations further afield.

3.33 It is considered that the level of access to and from the site by a number of different modes of transport is sufficient to support the development.

3.34 UDP Policy TN13 requires that all development proposals be assessed against their contribution to traffic generation and other impacts on congestion, particularly on bus routes and the primary road network, and against the present and potential availability of public transport and its capacity to meet increased demand.

3.35 UDP Policy TN4 states that 'development will not be permitted unless in terms of its design and layout it would facilitate ease of access by disabled people and others with impaired mobility to and from public transport facilities and car parking areas that directly serve the development'. Policy TN6 makes similar requirements for cyclists whilst Policy TN15 is also relevant and requires that any proposed development conforms to the Council's approved car parking standards set out in Standard S18 and in particular Table 12.1. Standard S18.1 outlines the car parking requirements for each land use type. Standard S18.1 and Table 12.1 say that a lower level of car parking could be acceptable subject to the availability of public transport and local services, providing the applicant is willing to accept a requirement for the development to be 'car permit free', i.e. the residents would not be entitled to a permit for parking on-street. Standard S19 also applies with respect to parking layout.

3.36 The A402 Goldhawk Road is classed as a London Distributor Road in Appendix 5.1 of the UDP. Policy TN8 states that 'development will not be permitted if it would prejudice the effectiveness of the road to provide links to the Strategic Route network, provide access to and between town centres, and distribute traffic to and around, but not within, local areas'.

3.37 The scheme would utilise an existing vehicular access on Ashchurch Park Villas, giving access to the proposed underground car park. A second, new vehicular access point is proposed to serve the site which would be located onto Goldhawk Road, opposite no.281; which would be an emergency access. Pedestrian routes would be created within the scheme, which would open up two access points on Ashchurch Grove. The access arrangements would not adversely impact on the existing highway layout and officers are satisfied with the layout and that satisfactory provision is made for segregation of vehicles and pedestrians and for emergency service vehicles. In this respect the proposal would satisfy the requirements of UDP standards S22 and S23 and policy TN15.

3.38 Traffic Assessment documents have been provided in support of the proposal. Officers have assessed these documents and agree that the level of traffic generation arising from the development would not be excessive, and that it could readily be accommodated on the local network.

3.39 The development proposes 38 parking spaces within the basement car park, including 5 spaces for disabled people. The proposed 17 supported housing units would fall within Use Class C2 (Residential Institutions) and in the UDP standards there is no stated requirement for provision of car parking for such uses. The applicant has stated that 3 spaces would be designated for occupiers/users of the supported housing building. There would therefore be 35 spaces for the remaining 49 market and

affordable flats/houses, which represents a 71.4 % overall provision. However if each market property were allocated 1 car parking space (ie 23) and the parking allocation for the social rent and shared ownership was set at 25% (which the UDP allows) then the demand would be 29.5 car parking spaces; and there would be an extra 5.5 spaces, for use say by visitors to the development.

3.40 The scheme would also accord with The London Plan Density Matrix which requires less than 1 parking space per unit in such locations. Details of the management of the car parking spaces would be subject to condition. In addition, the applicant has agreed that residents of the entire development would also be subject to a legally binding agreement preventing access to on-street parking permits, to help prevent potential overspill of parking onto the local highways. Officers are therefore satisfied that car parking provision within the site is acceptable.

3.41 The site lies within Controlled Parking Zone I, which operates from Monday to Friday between the hours of 9am and 5pm. There is therefore the potential for some new residents or visitors to try and park in the surrounding streets outside of these hours (such as overnight and/or at weekends), although it is considered that the number of people who are likely to do so will be low. The 2009 parking stress survey indicates that there are a number of free car parking spaces available overnight on both Ashchurch Park Villas and Ashchurch Grove.

3.42 Access to the basement car park is to be provided by means to a one way ramp, with passing spaces, barriers and traffic light control at the top and bottom of the ramp. Further details on how the system would operate in practice could be satisfactorily secured by condition. The car park ramp would have a gradient of 1 in 8, with 3m long transition gradients of 1 in 16 at the top and bottom of the ramp to prevent vehicle grounding. Whilst the maximum acceptable gradient is normally 1 in 10 this is not mandatory and in this particular instance it is considered acceptable. The ramp would typically be 3.1m wide, widening to 3.7m where it curves, with a 0.5m wide safety strip. Further details of the ramp gradient could be secured by condition.

3.43 Cycle storage areas would also be provided within the development. All the dwellings would be provided with secure cycle storage spaces at basement level, with visitor cycle parking at ground level. The provision of cycle storage is in accordance with standard S20.1 and the proposal therefore makes acceptable provision for secure and covered bicycle parking facilities, which is sustainable, and could reduce car dependency and encourage a more balanced modal split. The proposed vehicular and cycle parking layout is considered to be satisfactory and compliant with policies TN4, TN6 and TN15 and standards S18, S19 and S20 of the UDP.

REFUSE AND RECYCLABLES

3.44 The proposal makes adequate provision for refuse storage in accordance with UDP policy EN17. The houses fronting Goldhawk Road and Ashchurch Grove would have space for collection and storage bins in the front gardens; though the development proposes communal refuse stores and eurobin collections within centrally located points. A turning head is proposed accessed via the vehicular access way from Ashchurch Park Villas to allow for satisfactory collection.

ACCESS ISSUES

3.45 Policy H06 states that in developments for 20 or more residential units, permission will only be granted if 10% of the units are designed to be suitable for occupation by

wheelchair users. The development proposes seven 1 bedroom units (including 2 units in the supported housing building) which are accessible for wheelchair users and the proposal would therefore meet the 10% target. Five 1 bedroom units would be located in the main block facing Goldhawk Road, and the central block facing Ashchurch Grove. Each flat would have lift access. The two 1 bedroom units within the supported housing building would be situated at ground floor level.

3.46 Six parking spaces for people with disabilities are proposed within the development. These parking spaces would be conveniently located close to the lifts which would access the buildings within which the wheelchair units would be located.

ENVIRONMENTAL QUALITY, SPACE and AMENITY

3.47 Each of the proposed affordable and market units have been designed to meet or exceed the space standards as outlined in Standard S7A which range from 44.5 square metres for a one bedroom units with 2 habitable rooms and 94 square metres for a five habitable room unit and would also comply with lifetime homes principles. The supported housing units would have floor areas ranging from 40 sq.m to 51sq.m. The amount of floor space proposed for these units is consistent with the brief set by the council, which takes account of the particular user requirements of this housing provision. The facility would also have communal spaces including kitchen facilities, lounge, TV room etc provided within the building.

3.48 In relation to aspect, UDP standard S13.3 states that no dwelling should have all its habitable room windows facing exclusively in any northerly direction. In this context it is noted that within the block located to the south of the site at Goldhawk Road, there are two 4 storey and one 3 storey houses facing on to the proposed Cedar Mews, which would be single aspect facing north. However these 3 units would each have a terrace at roof level with a roof light which would provide additional lighting to the living rooms below, which also have large north facing windows. Given these factors and the fact that these 3 and 4 storey units have windows (albeit north facing) at each floor level, it is considered that these units would receive satisfactory levels of day light and sunlight, therefore no objections are raised on these grounds.

3.49 Policy EN23 of the UDP states that all new developments will be required to make provision for open space to meet the needs of the occupiers and users. These will need to be in accordance with standards S5 and S7 of the UDP. Standard S5A.1 and S5A.2 of the UDP identifies amenity space requirements for family and non-family units which are located at ground level and requires an area of private open amenity or garden space of not less than 36 square metres for family units and 14 square metres for non-family units. For family units the space should be directly accessible from the dwelling. Such space may be in the form of a roof terrace but its provision should ensure that the amenities of neighbouring properties are adequately protected. Standard S7.1 requires that all residential developments on sites of over 0.2 hectares, which includes accommodation for at least 10 children, shall also include at least one appropriately equipped play area. Policy EN23 gives an exception to the requirement to provide open space where this would lead to unduly fragmentary provision and the inefficient use of development land. In such circumstances provision may be made as a contribution to the establishment of, or enhancement of, nearby open space.

3.50 An assessment of the private amenity space provision reveals that 16 of the proposed units would comply with the standard (these are 16 x 1 bed units); 17 units would not need any private amenity spaces (the supported units) though 2 out of 3

located at ground floor level would have some private amenity space provided; 9 units have no requirement for amenity space (flats being located above ground level) and 24 would not comply with the private amenity space standard (6 x 1 bed, 16 x 2 bed and 2 x 3 bed).

3.51 In order to address the shortfall in amenity space and in support of the planning application the applicant has given the following information: 'The number of dwellings proposed on the site (which is in line with the Mayor's required density) would more often be arranged as a large block of flats (the other proposed schemes from the competition were arranged as a large block of flats with small balconies for external amenity space). We have therefore assessed the size of the private external space provided in the proposed scheme against the UDP requirements for houses as well as for a development of similar density with similar constraints on land use, i.e. block of flats' (The applicants Design and Access Statement).

3.52 The applicant points out that the proposed scheme would include a 1,280 sq.m area of usable external amenity space, in addition to private gardens and private roof terraces. It is stated that the public open space within the proposed scheme would be arranged as un-adopted public mews and squares to be enjoyed by residents who live in Ashchurch Place and also by the local community. It is stated that in addition, the development is well sited in respect of its proximity to the public amenity space of Ravenscourt Park and Starch Green; both within a 1 minute walk from the development.

3.53 In judging the acceptability of amenity space, officers note that nearly all the units that have requirement for amenity space would be provided with an area of amenity space ranging from 9 sq.m to 58 sq.m. Only 6 units (not including the supported accommodation) would have no amenity space, only 3 of which would have accommodation at ground floor level and therefore have a requirement; whilst 5 units which do not have a requirement for private amenity space would have between 2 and 58 sq.m. provided. In view of the fact that the open space within the site is pedestrian only and not accessible to motor vehicles, officers consider that its inclusion in calculating amenity space provision is acceptable as it can effectively function as a semi-private area. Overall, the level of amenity space within the site is considered to be sufficient.

3.54 Although the site is larger than 0.2 hectares, it is not proposed to include a children's playground in the development. However, in lieu of this, officers have negotiated a contribution towards improvement works to Starch Green located to the east of the site, at close proximity. (See legal agreement section below). It is considered that this matter is therefore acceptable and that it would therefore meet policy EN23 in terms of open space requirement.

SUPPORTED HOUSING

3.55 The development would provide 17 supported 1 bedroom supported units within the block situated to the north of the site, comprising of 2 wheelchair flats at ground floor level and 15 flats on the upper 3 floors. The layout of these flats has been agreed with the Council's Housing Department.

3.56 The supported housing units would provide accommodation for people with complex mental health needs. The proposed accommodation would be secure and have privacy from neighbouring buildings, but would have a non-institutional design and have homely features. There would be communal and staffing areas that allows for

maximum circulation, staff oversight of the building and entrances and for service users to have space where they may engage with staff and each other. The design of the scheme is 'future proofed', and it would be easy for it to be converted to general needs or private flats if required in the future.

3.57 Staff facilities would be provided at a central point to the building with views into the entrance lobby and reception area open. Staff facilities would include a manager's office, staff room, staff kitchenette and a serviced a sleep-over room. The communal area would have a living / lounge area with television/activity space, keywork/CPA room and a training kitchen. A communal courtyard garden space of 41sq.m would be provided for the occupiers, in addition to 15 sq.m of private amenity space for both of the two wheel chair flats located at ground floor level.

SECURE BY DESIGN

3.58 The development would need to provide a safe and secure environment for all users. The scheme has been developed in liaison with the Crime Prevention Officer of the Metropolitan Police and his recommendations have been incorporated within the design, to accord with Policy EN10 of the UDP. Conditions would be added requiring details of CCTV and security lighting to be used externally within the development.

SERVICES and FACILITIES

3.59 Officers have considered the impact of the proposed development on the existing services and facilities in the area. It is noted that there are primary schools at Brackenbury School, Greenside and Addison and that a new secondary school is under construction (the recently approved Academy in Cathnor Road).

3.60 In terms of shopping facilities, there is a range of commercial premises close to the site in Goldhawk Road and nearby Askew Road to meet everyday local needs whilst further away, within 10-15 minutes of the site, are the town centre facilities of Shepherd's Bush including Westfield Shopping Centre and slightly further away the centre of Hammersmith. Access to the underground public transport network is provided at Goldhawk Road (Hammersmith and City Line) to the east and Ravenscourt Park (District Line) and Stamford Brook (District Line) to the southeast and southwest. It is therefore considered that in relative terms the site is reasonably well served by existing local and town centre shopping facilities with easy access to central London for specialist shops and services.

IMPACT ON NEIGHBOURS (outlook, privacy, outlook)

3.61 Policy EN8 of the Unitary Development Plan relates to the design of new development with emphasis on the principles of good neighbourliness. As such the scheme's impact on neighbours in respect of outlook, privacy as well as daylight and sunlight and shadowing have been assessed. The applicants have undertaken a comprehensive survey of the impact that the proposed development would have on the surrounding residents in terms of daylight measuring light levels to windows which serve habitable rooms in the adjoining properties with reference to the Building Research Establishment's 'Site Layout Planning for daylight and sunlight, a guide to good practice'. The BRE states that the advice in the guide is not mandatory and should not be used as an instrument of planning policy. Although giving numerical guidelines, the guide states that they should be interpreted flexibly because natural lighting is only one of many factors in site layout design.

3.62 Standard S13.1 relates to loss of outlook and states that 'a building's proximity can have an overbearing and dominating effect, detrimental to the enjoyment by residential occupiers of their properties'. Although dependent upon the proximity and scale of the proposed development a general standard can be adopted by reference to a line produced at an angle of 45 degrees from a point 2 metres above the adjoining ground level of the boundaries of the site where it adjoins residential properties. Where any part of the proposed building extends beyond these lines then on-site judgment will be a determining factor in assessing the effect which the development will have on the existing amenities of neighbouring properties. Standard S13.2 of the UDP relates to privacy and overlooking. Normally a distance of 18m should be achieved between windows in a new development and existing residential windows.

3.63 In relation to the impact of the development on the properties to the south in Goldhawk Road, there are distances of approximately 18 metres to 26 metres between the proposed development and the nearest affected properties which are situated across the road on the south side of Goldhawk Road. Because of the distances involved it is ascertained that there is no demonstrable loss of outlook to adjoining properties in Goldhawk Road and no unacceptable overlooking or loss of privacy. The main private gardens of these Goldhawk Road properties are situated to the rear of these buildings; therefore the development would not impinge on or overshadow any usable private amenity space.

3.64 In terms of impact on daylight and sunlight on Goldhawk Road properties to the south, in accordance with the BRE provisions, the first and most simple test is to check whether the proposed buildings obstruct a line drawn at 25 degrees to the horizontal from a ground floor window. If, for any part of the development, this angle is more than 25 degrees, then a more detailed check is necessary to demonstrate that no more than 20% reduction in daylight would result.

3.65 In this case, the applicants BRE study demonstrates that overall the new development would not have any significant impact on the existing residential buildings to the south. Officers agree with these findings. The main affected building would be No. 279 Goldhawk Road, which at ground floor level would see a greater level than recommended at 23% reduction, but for the first floor windows of this property there would be a 16% reduction, which is within guidelines. The property also has a long rear open garden with many windows to the rear. Overall, in officers' view, the daylighting environmental conditions of this property would remain acceptable for the occupiers.

3.66 In relation to the impact of the development on the properties to the east, the nearest affected properties are 280 Goldhawk Road and 42 Ashchurch Grove. No. 280 which is a day centre is sited at distances ranging from approximately 18 metres to 24 metre and No. 42 Ashchurch Grove some 18 metre distance from the proposed development building line. The significant distances involved results in no material loss of outlook for these properties. The separation distances also ensure that there is no material overlooking involved.

3.67 As regards to daylight and sunlight impact, it is noted that 280 Goldhawk Road is not in residential use (a day centre), therefore there are no habitable windows affected. In relation to 42 Ashchurch Grove, the applicants BRE indicate that acceptable levels of light would still be received by this property. Officers concur with these results.

3.68 The adjoining buildings to the north of the site at Ashchurch Court is a 3- storey block of flats. Ashchurch Court has communal gardens of approximately 14 metres deep to its eastern frontage with Ashchurch Grove and a 14 metres garden to the rear (west). To its south side there is a distance of 3.8 metres between its building line and the boundary with the application site. The proposed development on this boundary would be single storey with a 3 metre height. It is also noted that there is an existing flat-roof two storey building on the application site which comes all most up to the boundary with Ashchurch Court. In officers opinion the impact of the proposed development on Ashchurch Court is no greater than currently experienced. The existing large communal garden areas of Ashchurch Court would remain largely unaffected by the development with no undue overshadowing or loss of outlook over and above existing levels.

3.69 The south side elevation of Ashchurch Court has no windows to it facing towards the new development. There are windows on the rear and front elevations of Ashchurch Court, but due to its orientation in relation to the development site, there would be limited impact on these windows in terms of overlooking and privacy or loss of light. In terms of assessing loss of light to Ashchurch Court, the nearest affected windows are on the ground floor level at the rear of this property, where there is a large glazed area and on the front elevation also at ground floor level. The BRE study indicates, and officers agree, that the VSC is well above recommended levels and therefore reduction in light would be minimal.

3.70 In relation to impact on buildings to the west, the buildings concerned here are 37-38 Ashchurch Park Villas a two storey residential block; and 292 Goldhawk Road, a two storey hostel building. 37-38 Ashchurch Park Villas has communal gardens of approximately 15 metres coming up to the boundary with the application site, and from this site boundary to the proposed building line, there is a distance of 5.8 metres. The communal garden area of this property is subdivided north to south into plots. The plot nearest to the development site is largely overgrown, and appears to be un-used. Large areas of these communal areas at No.37-38 Ashchurch Park Villas would remain unaffected. It is also noted that there are relatively large tracts of garden area to the front of this property. A distance in excess of 18 metres would also be maintained between the windows of this property and the proposed habitable windows on the west side of the development, therefore preventing any material loss of privacy and overlooking. Given the separation distances, in officers' view there would not be any material loss of outlook to this property.

3.71 In relation to impact on daylight and sunlight of 37-38 Ashchurch Park Villas the BRE study indicates, and officers agree, that windows at rear of this property closest to the higher building in the new development are expected to receive good standard of day lighting.

3.72 The property at 292 Goldhawk Road has a communal garden area toward the centre of this site at its eastern side along a c.10 metre length boundary with the development site, with a garden depth of approximately up to 13 metres. It is considered that in view of the relatively long depth and width of the communal garden area of 292, no undue loss of outlook would be faced by that property. Officers note that there are some western facing windows to the new development that are situated less than 18 metres from existing habitable windows of 292 Goldhawk Road. The proposed west facing windows at upper levels of the proposed development are considered to present overlooking and privacy issues, therefore a planning condition is proposed requiring all these windows to be obscure glazed and fixed. The rooms within the new

development which these windows relate to also have other (non western) facing windows, therefore the obscure glazing would not result in unacceptable aspect to these rooms.

3.73 In relation to impact on light of 292 Goldhawk Road, the BRE study indicates that some habitable windows would be affected but they are within BRE guidelines.

3.74 The terraces to properties within the scheme would be situated some distance away from neighbouring residential habitable rooms and are of limited size. Therefore, in officers' view, the normal domestic use of these terraces is unlikely to result in any undue noise and disturbance to adjoining residents. Details of enclosures to these areas which would further prevent adverse impact on neighbours, would be submitted for council agreement by way of a condition.

SUSTAINABILITY and ENVIRONMENTAL MATTERS

3.75 Policy G0 of the Unitary Development Plan deals with sustainable development and states that the Council will apply the principles of sustainable development through planning policies with particular regards to co-ordinated land use and transport including conserving and enhancing environmental quality and biodiversity, reducing pollution, controlling waste and promoting energy and resource conservation; whilst policy G3 deals specifically with the environment and seeks to reduce pollution and waste to reduce environmental impact.

3.76 London Plan Policy 4A.3 relates to sustainable design and construction and states that '...the Mayor will and boroughs should ensure future developments meet the highest standard of sustainable design and construction and reflect this principle in policies including making most efficient use of land and existing buildings, reducing carbon dioxide and other emissions that contribute to climate change, design buildings for flexible use throughout their lifetime, avoiding internal overheating and excessive heat generation, making effective and sustainable use of water, aggregates and other resources, minimising energy use by passive solar design, supplying energy efficiently and using renewable energy where feasible, reducing air and water pollution and managing flood risk'. Policy 4A.7 of The London Plan assumes that developments will achieve a reduction in carbon dioxide emissions of 20% from on site renewable energy generation unless this provision is not feasible.

3.77 Energy efficiency measures are discussed in the applicant's sustainability report. Consideration has been given to the use of a Combined Heat and Power system (CHP), but rejected in favour of a community heating system based around a Ground Source Heat Pump (GSHP) and centralised gas boilers. GSHP is a form of renewable energy that draws heat out of the ground for use in under floor heating or via radiators. Heat recovery ventilation systems would be used in the kitchens/bathrooms. Appliances would be A and A+ rated, which are the most energy efficient and low energy light bulbs would be used in at least 75% of the fittings. Daylight and occupancy sensors would also help reduce emissions by controlling lighting. The stated aim is to reduce CO2 emissions from all measures by 44%, including a 20% contribution from the use of renewables on-site. Energy matters are considered acceptable.

3.78 In terms of wider sustainable design and construction issues, it is intended to build the development to meet level 3 of the Code for Sustainable Homes (CfSH) which requires a number of sustainable features to be integrated. For example, building materials with low environmental impacts would be used where possible, including

recycling of aggregate materials, sustainably sourced timber, use of insulating materials with low pollution impacts etc. Low water appliances would be installed to reduce potable water use and consideration is to be given to collecting rainwater for use flushing toilets. Permeable paving would be used for most of the hard surfaces to avoid run-off of surface water into the drainage system. Green roofs are planned for the flat roof areas of the development which would also help reduce run-off as well as provide additional habitat on the site. Space would be provided both internally and externally for waste and recycling facilities and during construction a Site Waste Management Plan will be implemented to promote resource efficiency and minimise waste. Implementation of the sustainable design features outlined in the sustainability report would be ensured through a planning condition.

CONTAMINATED LAND

3.79 Potentially contaminative land uses are understood to have occurred at, or near to the site. Conditions are recommended in order to ensure that no unacceptable risks are caused during or following the development works, and in accordance with UDP policies G0, G3, EN20A and EN21.

FLOOD RISK

3.80 To accord with Planning Policy Statement (PPS) 25 all planning proposals of a major scale partially or wholly located within flood risk zones 2 and 3 require a flood risk assessment to be submitted as part of a planning application to develop a site. The site is within Flood Risk Zone 2 and partly, though only at its extremities, within Flood Risk Zone 3. The Flood Risk Assessment (FRA) submitted has considered all possible risks of flooding to the site and the proposal is considered to be acceptable in this matter.

LEGAL AGREEMENT

3.81 The draft heads of terms of the proposed legal agreement are summarised below:

- Securing affordable housing, including a nominations agreement
- Securing the allocation of parking
- Ensuring that future occupiers do not have access to on-street parking permits
- Payment of works to the local highways at the site
- Securing a financial contribution towards improvements to Starch Green

4.0 CONCLUSION AND RECOMMENDATION

4.1 The proposed development accords with Council's Unitary Development Plan and London Plan policies. The scheme seeks to maximise the potential of the site in an acceptable manner. The residential tenure split is considered to be acceptable and would provide a balanced community, meeting local needs and contributing to local and London Plan housing targets. The scheme would have minimal impact on adjoining residents or on traffic and parking stress in the area. The design and external appearance of the scheme would enhance the character and visual amenity of the conservation area, important trees would be retained and additional trees would be incorporated into a landscaping plan which would link the development into Starch Green open space, which would also be enhanced.

4.2 Officers consider that planning permission should be granted subject to the conditions appearing in this report and following the completion of a satisfactory 106 agreement.

4.3 It is not considered that the demolition of the existing buildings would have a harmful effect on the character or appearance of the conservation area, on the basis that planning permission can be granted for the erection of satisfactory replacement buildings.

4.4 As such it is recommended that conservation area consent also be granted, subject to appropriate conditions.

Ward: Ravenscourt Park

Site Address:

282 - 288 Goldhawk Road London W12 9PF



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Reg. No:
2009/02758/CAC

Case Officer:
Denuka Gunaratne

Date Valid:
12.11.2009

Conservation Area:
: Ravenscourt And Starch Green Conservation
Area - Number 8

Committee Date:
16.12.2009

Applicant:

Places For People
305 Grays Inn Road London WC1X 8QR

Description:

Demolition of existing buildings
Drg Nos:

Application Type:

Conservation Area Consent

Officer Recommendation:

That the application be approved subject to the condition(s) set out below:

- 1) The works hereby granted consent shall not commence later than the expiration of 3 years beginning with the date upon which this consent is granted.

Condition required to be imposed by Section 18(1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended by section 91 of the Planning and Compensation Act 2004).

- 2) The demolition of the buildings hereby permitted shall not be undertaken unless:
(i) planning permission 2009/02757/FUL remains valid for the redevelopment of the site, and (ii) a building contract for the redevelopment of the site has been entered into in accordance with that planning permission, and (iii) notice of demolition in writing and a copy of the aforementioned building contract has been submitted to the Council, and (iv) details of all conditions of the aforementioned planning permission which require prior approval before commencement of the development have been submitted to and approved by the Council.

In order to ensure that the buildings on the site are not demolished before a replacement is scheduled to be built which would otherwise result in a vacant site which would harm the appearance of the area, in accordance with Policies EN2 and EN8 of the Unitary Development Plan, as amended 2007.

- 3) None of the demolition works hereby granted consent shall be undertaken before a scheme for temporary fencing and/or enclosure of the site has been submitted to and approved in writing by the Council, and such enclosure has been erected in accordance with the approved details. The enclosure of the site shall remain in place for the duration of the works.

To ensure that the site remains in a tidy condition during and after demolition works and during the construction phase and to prevent harm to the street scene and character and appearance of the conservation area, in accordance with policies EN2 and EN2B of the Unitary Development Plan, as amended 2007.

Justification for Approving the Application:

- 1) It is not considered that the demolition of the existing buildings would have a harmful effect on the character or appearance of the conservation area, on the basis that planning permission has been granted for the erection of satisfactory replacement buildings. In this respect the demolition is considered to comply with Policy EN2 of the Unitary Development Plan, as amended 2007.

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

All Background Papers held by Michael Merrington (Ext: 3453):

Application form received: 12th November 2009
Drawing Nos: see above

Policy documents: The Revised London Plan 2008
Unitary Development Plan as amended September 2007.

Consultation Comments:

Comments from:

Dated:

Neighbour Comments:

Letters from:

Dated:

For joint report see ref: 2009/02757/FUL.

Ward: College Park And Old Oak

Site Address:

Depot North Entrance Old Oak Common Lane London NW10 6DQ



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For identification purposes only - do not scale.

Reg. No:
2009/02013/FUL

Case Officer:
Laurence O'Keeffe

Date Valid:
17.08.2009

Conservation Area:

Committee Date:
16.12.2009

Applicant:

Crossrail Ltd
25 Canada Square London E14 5LQ

Description:

Use for a temporary period of 3 years as a bus storage depot for 155 buses; erection of buildings comprising 1,967 sq metres for use as fuel, wash and maintenance facilities, staff administration and accommodation facilities; erection of lighting columns and CCTV facilities; provision of 44 staff (and visitor) car parking spaces.

Drg Nos: PO9-055-SP01RevA; AR-CV-PL-0010Issue 01; PL09-055-PL002; PL09-055-PL003; PL09-055-PL001; AR-CV-XS-30; AR-CV-XS-31; AR-CV-XS-40; AR-CV-XS-41:5083317-081-002; AR-CV-PL-0020Issue01; AR-CV-PL-0021Issue01; CR-PN-HMF-CN-ST-00005; CR-PN-HMF-CN-ST-00010; CR-PN-HMF-CN-ST-00007; CR-PN-HMF-CN-AP-00005; CR-PN-HMF-CN-RT-00001; CR-PN-HMF-CN-AP-00004; Planning Statement; Design and Access Statement; Environmental Statement; Transport Assessment; Energy Assessment; Energy Statement; Flood Risk Assessment

Application Type:

Full Detailed Planning Application

Officer Recommendation:

That the application be approved subject to the condition(s) set out below:

- 1) The site shall be used as a temporary bus storage depot with associated buildings for a limited period only and shall be discontinued on or before 16th December 2012, upon which the buildings shall be removed from site and the site shall be restored to its former condition.

In granting this permission, the Council has had special regard to the special circumstances of the case. The use of the site for a temporary period as a bus storage facility would ensure that bus services within central London could continue to operate without disruption whilst meeting a critical need in delivering Crossrail. In this respect the proposal is considered to accord with policies 2A.7, 3C.9 and 3C.12 of The London Plan, amended 2008 and policies TN13 and TN23 of the Unitary Development Plan, as amended 2007.

- 2) The building development shall not be erected otherwise than in accordance with the detailed drawings which have been approved.

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 policy EN8 of the Unitary Development Plan, as amended 2007.

- 3) The development shall be constructed in accordance with the recommendations of the following supporting documents accompanying the application, Planning

Statement, Design and Access Statement, Environmental Statement, Transport Assessment, Energy Assessment, Energy Statement and Flood Risk Assessment and any mitigation measures outlined in the documents shall be undertaken prior to occupation.

In order to ensure full compliance with the planning application hereby approved and to prevent harm arising as a result of the use, in accordance with policies 2A.7, 3B.4, 3C.2, 3C.3, 3C.9, 3C.12, 3C.17, 3C.25, 4A.2, 4A.3, 4A.4 and 4B.5 of The London Plan, amended 2008, policy 2.17B of the Draft Replacement London Plan, policies EN2B, EN8, EN10, EN17, EN20A, EN20B, EN21, EN27, EN40, G3, TN6, TN13, TN15, TN23 and Standard S18.3 of the Unitary Development Plan, as amended 2007.

- 4) The development hereby permitted shall not commence until details of the refuse storage, including provision for storage of recyclable materials, have been submitted to and approved in writing by the Council. The development shall not be occupied or used until the refuse storage arrangements are in place in accordance with such approval. The refuse and recycling storage shall be permanently retained for the life of the development.

In order to ensure a satisfactory provision for refuse and recycling, in accordance with Policy EN17 of the Unitary Development Plan as amended 2007.

- 5) No development shall commence on site until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Council. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

To prevent the increased risk of flooding, to ensure future maintenance of these structures and to reduce the amount of surface water run off from the site, in accordance with Planning Policy Statement 25, as required by the Environment Agency.

- 6) No development shall commence until a desktop study, site investigation scheme, intrusive investigation and risk assessment have been submitted to and approved in writing by the Council. The desk study will identify all previous site uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors and any potentially unacceptable risks arising from contamination at the site. The site investigation scheme will provide information for an assessment of the risk to all receptors that may be affected, including those off site. The risk assessment will assess the degree and nature of any contamination on site and to assess the risks posed by any contamination to human health, controlled waters and the wider environment. A detailed method statement for any required remediation works will need to be submitted to, and approved in writing, by the Council. All works must be carried out by a competent person conforming to CLR 11: Model Procedures for the Management of Land Contamination (DEFRA 2004).

To ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policies G0, G3, EN20A and EN21 of the Unitary Development Plan, as amended 2007.

- 7) No development shall commence until any required remediation works have been completed and a validation report to verify these works has been submitted to, and approved in writing, by the Council unless otherwise authorised. 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 should be detailed and verified in an amendment to the remediation statement. All works must be carried out by a competent person conforming to CLR 11: Model Procedures for the Management of Land Contamination (DEFRA 2004).

To ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policies G0, G3, EN20A and EN21 of the Unitary Development Plan, as amended 2007.

- 8) The approved energy efficiency measures shall be implemented in accordance with the details contained in the Environmental Statement dated August 2009 and retained for so long as the development shall exist unless otherwise approved in writing by the Council. In the event that such measures are not implemented, a revised energy strategy shall be submitted identifying alternative means of achieving the total carbon dioxide savings of 43% beyond a Building Regulations compliant development. The site shall not be occupied until such measures have been implemented.

To ensure an energy efficient development and to help to reduce the proposal's carbon dioxide emissions, in accordance with policies 4A.2, 4A.3 and 4A.4 of The London Plan, as amended 2008.

- 9) The development shall not commence before details of the design and location of all external lighting have been submitted to and approved in writing by the Council. Such details as approved shall be carried out prior to the commencement of the use hereby permitted and shall be retained for the life of the development.

To ensure a safe and secure environment in accordance with policy EN10 of the Unitary Development Plan, as amended 2007.

- 10) The development hereby permitted shall not commence until details of all external hard surfaces, boundary walls, fences and other means of enclosure, have been

submitted to and approved in writing by the Council, and the development shall not be occupied or used until such details as are approved have been carried out.

To ensure a satisfactory external appearance, in accordance with Policy EN8 of the Unitary Development Plan, as amended 2007.

- 11) The development shall not commence until details of the external noise level emitted from plant/machinery/equipment and mitigation measures have been submitted to and approved in writing by the Council. The measures shall ensure that the external noise level emitted from plant/machinery/equipment will be lower than the existing background noise level by at least 10dBA, as assessed according to BS4142:1997 at noise sensitive premises, with all machinery operating together. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained, unless subsequently otherwise approved in writing by the Council.

To ensure that noise from mechanical installations/equipment and their use does not adversely affect occupiers of the development site and surrounding premises, in accordance with policies EN20B and EN21 of the Unitary Development Plan, as amended 2007.

- 12) The development hereby permitted shall not commence until a Construction Logistics Plan has been submitted and approved in writing by the Council in accordance with Transport for London (TfL) requirements. The development shall be carried out in accordance with the approved details.

In order to minimise the impact of construction traffic on nearby roads and restrict construction trips to off peak hours only and ensure that the development does not cause danger and inconvenience to users of the adjoining highway in accordance with policy 3C.17 of The London Plan, as amended 2008 and policies G4 and EN21 of the Unitary Development Plan, as amended 2007.

- 13) The development hereby permitted shall not commence until a delivery and servicing plan has been submitted to and approved in writing by the Council. The development shall be carried out in accordance with the approved details.

To ensure adequate provision is made for servicing and deliveries to the site and avoid interference with the free flow of traffic around the site in accordance with policy 3C.25 of The London Plan, as amended 2008 and standard S21 of the Unitary Development Plan, as amended 2007.

Justification for Approving the Application:

- 1) Summary of reasons for granting planning permission and a summary of the policies and proposals in the development plan which are relevant to the decision.

1. The proposed development would facilitate a critical need in delivering Crossrail by freeing up part of an existing bus storage facility in Westbourne Park to permit the storage of machinery for tunnelling equipment. The temporary facility would ensure that bus services within central London can continue to operate without disruption.

2. Principle of Development: The following London Plan Policies are relevant; Policy 2A.7 Areas of Regeneration: Requires Boroughs to identify Areas for Regeneration and set out integrated spacial polices that bring together regeneration, development and transport proposals with improvement in learning and skills, health, safety, access, employment, environment and housing; Policy 3B.4 Industrial Locations: With strategic partners, the Mayor will promote, manage and where necessary protect the varied industrial offer of the Strategic Industrial Locations as London's reservoir of industrial capacity whilst Boroughs should identify Strategic Industrial Locations in their Development Plan Documents; 3C.12 New Cross London links within an enhanced London National rail network: The Mayor will work with strategic partners to improve the strategic public transport system in London including cross London rail links to support future development and regeneration priority areas and increase public transport capacity. Relevant UDP policies are TN23 Public Transport: Safeguarding land for future transport schemes: Safeguarding directions issued by the former department of transport identify The Chelsea Hackney line project (Cross Rail 2); the east west rail project (Crossrail 1), The Channel Tunnel rail link siding for Eurostar trains along with other local schemes.

The sidings are safeguarded for the Crossrail project. They are currently vacant but were previously used as a rail maintenance depot. Temporary reuse of the brownfield site in the Strategic Industrial Location for the storage and maintenance of buses is considered to be a similar transport related activity which would not prejudice the future use of the land for regeneration opportunities. In this respect the proposals are considered to be compliant with the policies above.

3. Transport: The following London Plan policies are releveant; 3C.2 Matching Development to transport capacity: The Mayor and Boroughs should consider proposals for development in terms of existing transport capacity both at corridor and local level. Proposals with significant transport implications should include a Transport Assessment and Travel Plan; 3C.3 Sustainable transport in London: The Mayor and strategic partners should support measures that encourage shifts to more sustainable modes of transport and appropriate demand management; 3C.9 Increasing the capacity, quality and integration of public transport to meet London's needs: The Mayor and strategic partners will work to improve existing public transport whilst increasing capacity by 50% in the plan period; 3C.17: Tackling Congestion and reducing traffic: The Mayor and strategic partners will aim to reduce weekday traffic in Central London by 15%, achieve zero growth across the rest of London and reduce growth in outer London by a third and seek zero growth in outer London and Boroughs DPD's should contain policies to help

achieve this. Relevant UDP policies and standards are; TN6 Transportation & Provision for cyclists: Development will not be permitted unless provision is made for safe and secure provision for cyclists including parking and changing facilities; TN13 Transport Impact Assessment: All development will be assessed for its contribution to traffic generation and congestion and present and potential availability of public transport; TN15 Vehicle Parking Standard: The Council will require development to conform to its approved parking standards as a condition of granting planning permission; S18.3 Method of Provision: Car parking spaces shall normally be provided within the development site.

Use of the sidings as a bus storage facility would enable existing bus services from Westbourne Park Depot to be maintained. A Transport Assessment submitted with the application indicates that bus, staff and ancillary traffic movements will not contribute significantly to traffic movements and congestion due to traffic movements being outside peak periods. A travel plan encourages staff to travel to the site by sustainable modes of transport although car parking for 10% of staff and cycle parking is proposed. In this respect the proposals comply with the policies above.

4. Design and Appearance: The relevant London Plan policies are; 4B.5 Creating and Inclusive environment: The Mayor will require future development to meet the highest standards of accessibility and inclusion and DPD policies should integrate and adopt the principles of inclusive design. The relevant UDP policies are; G3 Environment: The Council will seek to conserve, protect and enhance the quality, character and identity of the Boroughs built and open environment; EN8: Design of New Development: Development will not be permitted unless it is of a high standard of design, and compatible with the scale and character of existing development and its setting; EN10 Designing out Crime: Development will not be permitted unless it provides users with a safe and secure environment; EN17 Waste Collection and Disposal: Development will not be permitted unless suitable facilities are incorporated for the storage and collection of segregated waste.

The bus storage depot would be located within a wider disused railway sidings area, containing dilapidated railway buildings and bounded by security fencing. Five buildings are proposed, the temporary nature of which is reflected in the design, being simple, single storey structures of metal construction and cladding but incorporating inclusive design principles. Security fencing, CCTV and lighting are driven by HSC requirements and reflect the appearance of surrounding industrial landscape. In this respect the proposals are considered to be compliant with the policies above.

5. Climate Change and Air Quality: The relevant London Plan policies are; 4A.2 Mitigating Climate Change: The Mayor will and Boroughs should work towards the long term reduction of carbon dioxide emissions by 60 per cent by 2050; 4A.3 Sustainable design and Construction: The Mayor will and boroughs should ensure future developments meet the highest standards of sustainable design and construction and reflect these principles in DPD policies; 4A.4 Energy Assessment: The Mayor will and Boroughs should support the Mayor's energy strategy and its objective of improving energy efficiency and increasing the proportion of energy used generated from renewable sources. The relevant UDP policy is; G3 Environment: The Council will seek to conserve, protect and enhance the quality, character and identity of the Boroughs built and open environment.

The buildings have been designed to comply with Part L of the Building Regulations. Energy efficient design and appliances ensure a carbon reduction of 43% above the building regulation compliant scheme. No renewable energy provision is included because of the temporary nature of the development and instead the applicant has concentrated on reducing energy demand and implementing energy efficient design measures. In this respect the proposals are considered to be compliant with the policies above.

6. Residential Amenity: The relevant UDP policies are; EN20A Control of potentially polluting uses: Development which may cause pollution will only be permitted if it would not release pollutants into water, soil or air, pose a risk through contamination or other polluting emissions; EN20B Noise Pollution: Noise generating development will not be permitted if it would be liable to materially increase the noise experienced by the occupants/users of existing or proposed noise sensitive uses in the vicinity.

The development is geographically remote from noise sensitive premises. The Environmental Statement indicates that noise from construction would be controlled under the Crossrail Construction Code whilst the operation of the site will not have significant noise implications. A solid noise attenuating barrier is to be erected on the west side of Old Oak Common Lane to replace an open barrier to protect residential amenity of properties in LB Ealing. The Environmental Statement indicates that there would be negligible impact on air quality as a result of the development although some dust from construction will be mitigated by the Crossrail Construction Code. In this respect the proposals are compliant with the above policies.

7. Biodiversity: The following UDP policies are relevant; EN2B Effect of development on the setting of Conservation Areas and views into and out of them: Development will only be permitted if the character or appearance of the conservation area including views is preserved or enhanced; EN27 Nature Conservation Areas: Nature conservation areas will be protected from development likely to cause demonstrable harm to their wildlife value unless a site is released for development realising a qualitative gain for local communities or provision is made for a replacement of equal or greater value; EN40 The Grand Union Canal: All developments along the canal must respect its character and special nature conservation value which is of metropolitan wide significance.

The facility would contain buildings of a similar height to the existing railway buildings in the Sidings and are located in a railway dominated landscape. Much of the proposed building would be located towards the southern part of the site away from the nature conservation area. The topography of the site is such that views from the Grand Union Canal conservation area to the north would be limited, whilst existing fencing and vegetation would limit views further. The scheme would therefore have little impact on views from the conservation area nor cause harm to the wildlife value of the nature conservation area. In this respect the proposals are compliant with the policies above.

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

All Background Papers held by Michael Merrington (Ext: 3453):

Application form received: 14th August 2009
Drawing Nos: see above

Policy documents: The Revised London Plan 2008
Unitary Development Plan as amended September 2007.

Consultation Comments:

Comments from:	Dated:
Greater London Authority - Planning Decisions Unit	29.09.09
Greater London Authority - Planning Decisions Unit	28.10.09
Greater London Authority - Planning Decisions Unit	14.09.09
Network Rail	14.09.09
Thames Water - Development Control	27.08.09

Neighbour Comments:

Letters from:	Dated:
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OFFICERS' REPORT

1.0 BACKGROUND

1.1 The application site is located in the north west of the borough and is accessed from Old Oak Common Lane. The site is part of the former EWS rail freight depot. The site is bounded to the north by the Grand Union Canal with the Apex Industrial Estate and Gateway Trading Estate beyond. To the east and south are railway sidings and to the west within the borough boundary is a former (decanted) hostel, with housing and flats in Shaftsbury Gardens and Wells Hall Road in Ealing beyond at a distance in excess of 200 metres.

1.2 The site is identified in The London Plan as being part of the Park Royal Strategic Industrial Location. Although it is not itself located within a conservation area, it is adjacent to the Grand Union Canal Conservation Area. The canal is also identified as a Nature Conservation Area of Metropolitan Importance. The site is located in Flood Risk Zone One.

1.3 The application has been submitted on behalf of Crossrail Limited and seeks to utilise part of the depot (approximately 2 hectares) as a temporary bus storage facility with associated fuel, wash and maintenance facilities together with staff administration and accommodation facilities. The facilities are required to accommodate 155 of the 240 buses currently operated by Centrewest London Buses Limited (First Group) from their existing garage at Westbourne Park. It is stated by the applicant that the facility would be required between January 2010 and January 2012; though there is a 4 month construction period. A period of time would also be required for de-commissioning. Forty four car parking spaces are proposed in connection with the use, for staff and visitors.

1.4 It is stated that the facility is required so that part of the existing garage at Westbourne Park (approximately 6 kilometres south east) can be utilised by Crossrail as a construction site from which a tunnel boring machine would be launched to bore the tunnels for Crossrail under central London.

1.5 By way of background information, authorisation for Crossrail, including temporary use of adjacent areas as construction sites, is granted via the Crossrail Act which gained Royal Assent in July 2008. The project is expected to increase public transport capacity in London by 10% and is expected to be operational by 2017. As the use of the site as a temporary bus storage facility requires an Environmental Impact Assessment (EIA) as part of the wider Crossrail scheme, but fall outside of the scope of the environmental statements deposited in Parliament during the passage of the Bill, planning permission for the works proposed herein will not have been deemed to be granted under the Act. An Environmental Statement (ES) has therefore been prepared as part of the planning application.

1.6 The new bus facility would accommodate 155 double decker buses, of which 138 would be in service at any one day and for which a maximum of 150 bus parking spaces are required. Not all buses would be parked on site at any one time due to some routes running a 24 hour service. 104 bus parking spaces would be laid out to the north of the site in a bus stacking area where they would await servicing (washing and refuelling) following the day shift. In addition the following are proposed:

- Heavy maintenance facilities would be carried out in a covered workshop building capable of accommodating 10 buses at a time.(Approximately 1,000m² in size) This building would rise to a height of 8.5 metres and would be metal clad.
- Two covered fuelling lanes and fuel storage facility would be located adjacent to this.
- Offices for managing day-to-day operations
- Staff accommodation for 370 staff (Approximately 250m²) comprising a single storey building of grey colour to accommodate a staff canteen, changing rooms, lockers and toilets and small offices for minor administrative functions.
- Staff cycle and car parking
- Associated lighting, waste and storage facilities

1.7 A Schedule 7 Construction Arrangement application for enabling works relating to services and utilities works; demolitions; site establishment; ground works; erection of temporary buildings; construction of temporary roads and enabling works for Crossrail Depot at Old Oak Common was approved by the Council in August 2009. These works in effect facilitate the construction of the temporary bus storage facility.

2.0 PUBLICITY AND CONSULTATIONS

2.1 The application has been advertised by way of site notice and press advert and individual notification letters have been sent to the neighbouring properties. No responses have been received

2.2 The Island Triangle Residents Association has been consulted but no response has been received.

2.3 The London Borough of Ealing has been consulted and no response has been received.

2.4 The application falls within a category of development defined as being of 'potential strategic importance' as it is proposed to store more than 70 buses and is therefore referable to the Mayor. Following a Stage 1 referral in September, the Greater London Authority has indicated that the application complies with London Plan policies and has given the Council the authority to proceed to determine the application without further reference to the GLA.

2.5 In addition a number of statutory bodies have been consulted on the application.

2.6 The Environment Agency has raised no objection subject to the inclusion of a condition.

2.7 Network Rail has reported that they have no observations to make.

2.8 The Highways Agency has not responded.

2.9 Thames Water has commented. With respect to waste they recommend that petrol/oil interceptors be fitted in all car parking/washing/repair facilities. They raise no objection with regards to sewage infrastructure. With respect to water infrastructure matter they raise no objection.

3.0 PLANNING CONSIDERATIONS

3.1 The main planning considerations in this case are the principle of the proposed land use; the acceptability in terms of transport and congestion, design and appearance of the development including access; compliance with policies for climate change and mitigation; impact on residential amenity in terms of noise and air quality and impact on the adjoining nature conservation area and conservation area.

PRINCIPLE OF DEVELOPMENT

3.2 London Plan policy 3B.4 states that the Mayor will promote, manage and where necessary protect the varied industrial offer of the Strategic Industrial Locations whilst policy 2.17B of the Draft Replacement London Plan states that development proposals in Strategic Industrial Locations should be refused unless they fall within the broad industrial types of activities outlined in the plan, such activities include some transport related functions.

3.3 The importance of Crossrail is set out in policy 3C.12 of The London Plan whilst Unitary Development Plan policy TN23 identifies land safeguarded for future transport schemes, including Crossrail. The planning application is borne from the need to

provide a temporary bus facility to replace the existing facility in Westbourne Park to allow for tunnelling equipment to be housed at Westbourne Park. The Old Oak site is surrounded by industrial land and is safeguarded within the Council's Unitary Development Plan for future transport schemes.

3.4 Policy 2A.7 of The London Plan identifies the sidings as an area for regeneration, where the Mayor will require sustained renewal by prioritising for action and investment. The proposal would reuse the currently vacant application site. The reuse of the brownfield site for part of the Westbourne Park bus garage would retain employment opportunities. Over time it would create opportunities for training and jobs for the local community through the creation of entry level jobs given the high natural turnover of staff. The former use of the proposal site was that of rail maintenance depot and as such its use as a temporary storage facility for bus storage is similarly a transport related activity, which would not prejudice the future use of the land for regeneration opportunities. It is considered that the proposal accords with The London Plan and UDP strategic policies identified above.

TRANSPORT

3.5 Policy 3C.9 of The London Plan relates to matching development to transport capacity and associated improvements in reliability, safety, quality, accessibility and frequency of the existing public transport systems. It is further stated that space for bus garages must be preserved. Ordinarily, the loss of part of the Westbourne Park bus garage would be contrary to policy if a suitable alternative site could not be found in order to maintain services on the routes served by buses that would be displaced. The use of part of the sidings site for a temporary period as a bus storage area would ensure compliance with policy.

3.6 Policy 3C.2 of The London Plan states that for developments with significant transport implications a Transport Assessment and Travel Plan should be submitted as part of a planning application. Policy 3C.17 of The London Plan and policy TN13 of the UDP state that all development proposals will be assessed for their contribution to traffic generation and impact on congestion.

3.7 A transport assessment submitted with the application indicates that the extra bus movements, staff movements and ancillary traffic flows associated are unlikely to contribute significantly to traffic movements and congestion on the surrounding highway and transport networks, principally as the daily profile of the extra movements would take place during off-peak periods. The positioning of railway bridges within Old Oak Common Lane would prevent the buses from travelling south along the road. As such, although the facility would increase traffic, this would not fall onto the LBHF road network. An associated travel plan with the application outlines how proposed staff at the facility would be encouraged to travel to and from the temporary garage via sustainable modes of transport. This is considered to be in line with policy 3C.3 of The London Plan, which seeks to improve public transport capacity and encourage patterns of travel that reduce the need to travel by car.

3.8 The London Plan sets out appropriate maximum parking standards for new developments. For industrial sites, no specific car/cycle/motorcycle standards are specified. UDP policy TN15 requires development to conform to parking standards, whilst standard S18.3 states that car parking spaces should normally be provided within the development site. Although the proposed bus storage depot would fall within a sui generis use, the closest parking standard would relate to general industrial use which

would allow parking at a rate of 1 space per 450 sq.m or part thereof of net site area. The site measures approximately 2 hectares which would permit 45 car parking spaces for the staff. 44 spaces are proposed, including 2 spaces for persons with restricted mobility. The level of car parking proposed would equate to approximately 10% of staff working at the site and is considered sufficient for workers arriving for or departing late from a shift i.e. before 7am and after 11pm when alternative public transport provision may not be available. In the event of additional staff arriving by car, additional parking demand could, if necessary, be accommodated within bus parking spaces which are vacant whilst the bus drivers are at work.

3.9 UDP policy TN6 requires provision of safe and secure facilities for cyclists as appropriate to the nature and scale of the development together with cycle parking and changing facilities. 40 cycle spaces are proposed adjacent to the staff administration and accommodation building, which exceeds that required by policy. Lockers and changing facilities are contained within the staff accommodation building.

DESIGN AND EXTERNAL APPEARANCE (INCLUDING ACCESS)

3.10 Policy G3 of the Unitary Development Plan states that 'new development should create a safe and secure environment, be of a high standard of design, contributing to enhancing the townscape of the locality, compatible to the scale and character of surroundings, respecting local and long distance views' whilst policy EN8 states that 'development will not be permitted unless it is of a high standard of design compatible with the scale and character of the existing developments, its neighbours and its setting'.

3.11 The development site is surrounded by disused, dilapidated railway buildings. The use would bring back into use part of the former depot in advance of the development of Crossrail's passenger rail depot. The proposal would enhance the appearance of the site, the design having been driven by the operational requirements to meet TfL's contractual requirements and Health and Safety Executive guidelines. Much of the site would be used for the storage of buses. Five buildings are proposed on the site, one for bus maintenance, two for staff administration and accommodation and two for cleaning and refuelling. The layout of the buildings is driven by operational requirements. The total quantum of built development proposed is 1,967m².

3.12 The buildings are temporary in nature which reflects the design. They would be of industrial appearance of steel frame and cladding and temporary cabin units. The staff buildings would be single storey. The fuelling and bus cleaning buildings would have a mono-pitched roof and rise to 7.5 metres whilst the maintenance workshop, the largest of the proposed buildings, would also have a mono-pitched roof, and rise to 8.5 metres. Given the industrial and railway dominated nature of the site and the temporary nature of the buildings, officers are satisfied that the design of the development is appropriate to its location.

3.13 London Plan policy 4B.5 requires development to meet the highest standard of accessibility and inclusion whilst the Council has produced its own 'Access for All' SPD. The scheme has been designed to be as accessible as possible but recognises that it is a temporary facility. Level access would be utilised where possible, although ramps would be used for the cabin buildings. The scheme is considered to be broadly acceptable in terms of inclusive design given the temporary nature of the use.

3.14 Policy EN17 of the UDP states that 'development will not be permitted unless suitable facilities are incorporated for the storage and collection of segregated waste'. Facilities would be provided in the far south west corner of the site for storage of segregated waste, in accordance with the policy.

3.15 Policy EN10 of the UDP seeks for new development to provide users with a safe and secure environment. The site is separated from the remainder of the Old Oak Common Depot by a 2 metre high palisade fence around the boundary with a 6 metre fence on the north eastern boundary. A manned pedestrian and vehicular route would provide the only access to the site from Old Oak Common Lane. Lighting columns would illuminate the site to a uniform 30 lux to meet HSC requirements and CCTV would be used to cover the site and the perimeter boundary, monitored by a control room in the welfare building. Officers consider that appropriate measures would be taken to ensure that users of the site have been provided with a safe and secure environment, in accordance with policy EN10 of the Unitary Development Plan.

CLIMATE CHANGE AND AIR QUALITY

3.16 London Plan policies on climate change require developments to make the fullest contribution to tackling climate change by minimising carbon dioxide emissions, adopting sustainable design and construction measures, prioritising decentralised energy supply and incorporating renewable energy technologies with a target of 20% carbon reductions from renewable energy sources, if feasible. Policy G3 of the UDP states that development should seek a reduction in pollution and waste, including carbon dioxide emissions and other pollution from road traffic and other forms of transport. The buildings have been designed to comply with Part L of the Building Regulations, even though there is no requirement to do so for temporary buildings for 2 years or less. High pressure sodium luminaries would be used in the scheme with low energy electronic control gears which are more energy efficient.

3.17 Energy efficient design and appliances, particularly use of low energy lighting has been calculated to help reduce emissions to 57 tonnes of CO₂ a year - a reduction of 43% compared to the Building Regulations compliant development. The buildings have also been designed to reduce energy use and would be built with walls, roofs and windows that perform better than the minimum requirements. Some parts of the development, such as the fuelling and wash facilities would not be heated, and the main part of the workshop would use on-demand heating where people are working. External lighting would be supplied by efficient high pressure sodium lights and also fitted with light sensors and automatic controls to ensure they only operate when required. No renewable energy provision has been included in the proposal as it is not considered to be feasible, given the temporary nature of the facility. Consequently the applicant has focused on reducing energy demand and implementing energy efficient design measures. In the absence of renewable or CHP technologies, energy measures have been maximised and subsequent carbon savings are considered acceptable. In this respect the proposal is in keeping with the aims of London Plan policies 4A.2, 4A.3 and 4A.4.

RESIDENTIAL AMENITY

3.18 Policy EN20B of the UDP states that 'noise generating development will not be permitted if it would be liable to materially increase the noise experienced by the occupants of existing or proposed noise sensitive uses in the vicinity'. The site is geographically removed from noise sensitive premises, being surrounded by derelict, disused buildings or industrial premises. The closest residential premises are located in

the London Borough of Ealing on the far side of Old Oak Common Lane. An environmental statement submitted with the application confirms that there would be no significant impacts arising from the operations and as such no noise mitigating measures have been incorporated on or around the site. Officers agree with those findings. However, a condition is recommended to ensure that the external noise level emitted from the development will be lower than the existing background noise level by at least 10 dBA. Noise associated with the construction of the facility and vibration is controlled under the Crossrail Construction Code to ensure that there is no undue detriment to surrounding residents. To control any noise associated from the vehicular movements associated with the facility, an existing open barrier which separates Old Oak Common Lane from the residential properties in Shaftsbury Gardens is to be replaced with a solid barrier, 1050 mm high on 300mm concrete upstands. It is considered that the introduction of this barrier would reduce noise associated with the vehicle movements to acceptable levels, compliant with policy EN20B.

3.19 Policy EN20A of the UDP seeks to control potentially polluting uses and states that 'development that may release pollutants will only be permitted if they would not release pollutants into water, soil or air whether on site or in other areas, which would cause unacceptable harm to people's health and safety of the natural environment or the landscape'.

3.20 The site is located in an Air Quality Management Area as designated in The London Plan. The environmental statement indicates that the development would have negligible impact on local air quality although some dust would be generated during construction. Officers concur with this. The site is part of the larger Old Oak Common Depot identified in the Crossrail Environmental Statement as a low risk site in terms of construction dust. However, mitigation measures to accord with the Crossrail Construction Code should ensure that dust impacts would not be significant. Officers are therefore satisfied that the proposals will accord with policy EN20A of the UDP.

BIODIVERSITY

3.21 The site is bounded to the north by the Grand Union Canal which is designated as a conservation area and also as a nature conservation area. UDP Policy EN2B states that 'development will only be permitted if the character or appearance of the conservation area in terms of setting and views into and out of them is preserved or enhanced'. UDP Policy EN27 seeks to protect nature conservation areas from development that is likely to cause demonstrable harm to their wildlife value whilst UDP policy EN40 specifically identifies the Grand Union Canal as a nature conservation area of metropolitan wide importance and requires the council to have regard to design guidelines of the London Canals Consultative Committee when considering proposals for development in the vicinity of the canal.

3.22 The temporary bus storage facility would contain buildings of a similar height and scale to those of the existing railway buildings on and around the site. The construction and management of the bus storage facility would be within the context of the railway dominated landscape. Many of the proposed buildings would be located to the south of the site adjacent to existing structures, with bus parking at the north. The topography of the area is such that views of the facility would be limited from the canal towpath, largely because of separation distances and height above the application site but also because of the existence of high security fencing and planting separating the two areas. Small areas of woodland and scrub planting would disguise views of the facility relative to views of the industrial estate to the north of the canal. The site would be illuminated at

night which would increase the opportunity to view the storage area, although this would be seen against the backdrop of the existing railway lines which are also illuminated. Lighting controls would ensure that the lighting is switched off outside the hours of darkness. No additional landscaping is proposed due to the temporary nature of the facility. Officers are satisfied that given the nature of the surroundings and location of the proposed facilities, that the proposals would not impact on views into and out of the conservation area or impact on the nature conservation area.

OTHER MATTERS

3.23 Planning Policy Statement 25 seeks to steer development to areas of lowest flood risk. The bus storage facility is located in Flood Risk Zone 1, wholly outside the Environment Agency's indicative 1% and 0.1% fluvial floodplains. Consequently the proposed development is considered to be at low risk of flooding. The bus storage facility is a less vulnerable use which is suitable within Flood Risk Zone 1. Officers are satisfied that the site presents no risk of flooding to future occupiers of the site or neighbours.

4.0 CONCLUSION AND RECOMMENDATION

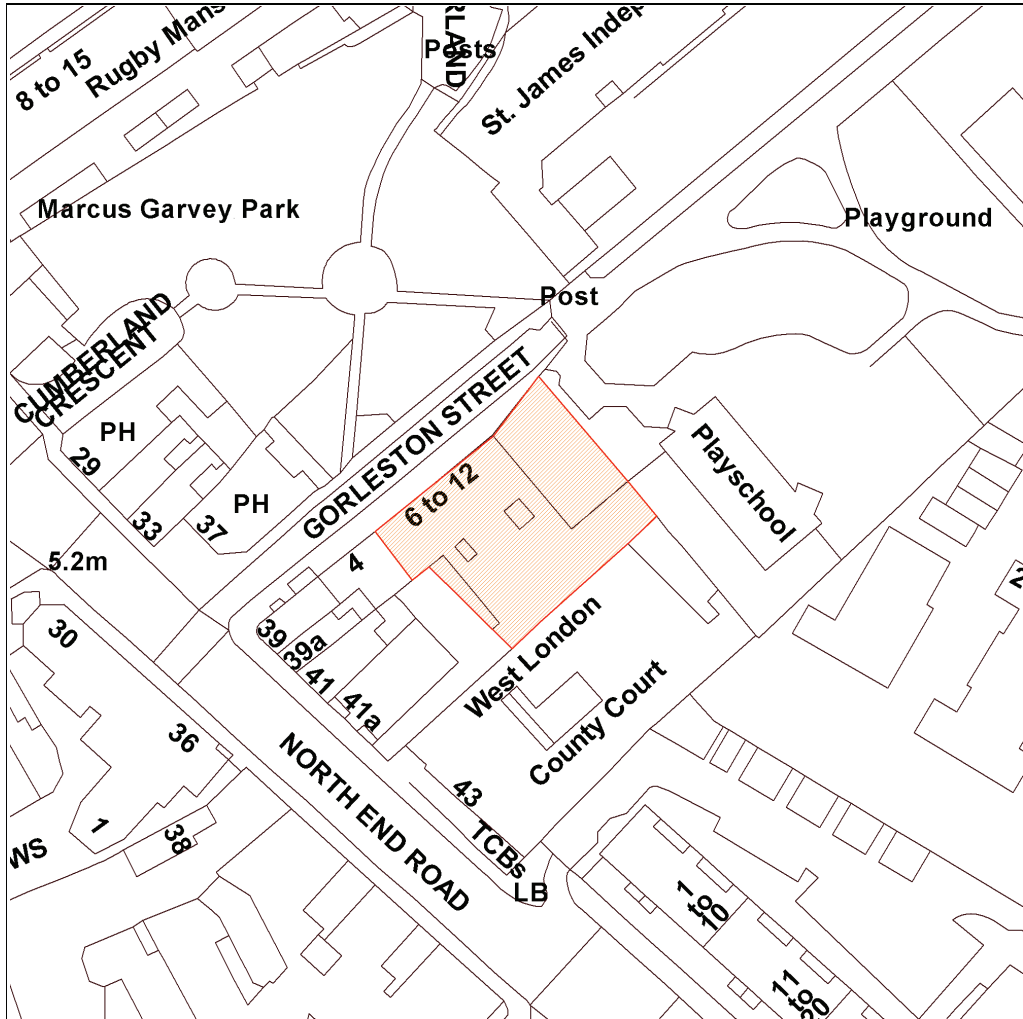
4.1 The proposed temporary bus storage facility has been designed to meet a critical need in delivering Crossrail. The facility would be seen as essential to ensuring that bus services within central London can continue to operate without disruption. The facility has been designed to allow First Group to operate the facility as efficiently as possible without affecting the strict timetable for bus services. The environmental assessment of the facility indicates no significant environmental impacts would arise from the development. It is proposed to use the site for a period of two years, although a period of four months either side of this period is proposed to allow for construction and dismantling of the facility. As such officers propose that permission be granted for a period of three years from the date of planning committee.

4.2 Accordingly, in light of the above, it is recommended that planning permission be granted for a temporary period of three years.

Ward: Avonmore And Brook Green

Site Address:

6 - 12 Gorleston Street London W14 8XS



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For identification purposes only - do not scale.

Reg. No:

2009/00179/FUL

Case Officer:

Dominique Chambers

Date Valid:

28.04.2009

Conservation Area:

: Olympia And Avonmore Conservation Area -
Number 23

Committee Date:

16.12.2009

Applicant:

Mr Peter Donebauer
27 Ivory House Clove Hitch Quay London SW11 3TN

Description:

Mixed-use redevelopment in the form of a part two-storey, part three-storey, part four-storey and part five-storey building providing 842 square metres of replacement office floorspace (rear of the site) and 9 residential units (Gorleston Street frontage); a new vehicular access and related hard and soft landscaping.

Drg Nos:

Application Type:

Full Detailed Planning Application

Officer Recommendation:

That the Committee resolve that the Director of the Environment Department be authorised to determine the application and grant permission up on the completion of a satisfactory legal agreement

- 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 under the discretion of the Local Planning Authority and following advice of the Chief Planner for Communities and Local Government by section 91(1)(b) and 91(2) of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).

- 2) No demolition shall take place prior to the submission and approval in writing by the Council of details of the methods proposed for the demolition of the existing buildings on the site, details of the steps to be taken to re-use and recycle demolition waste and details of the measures proposed to minimise the impact of the demolition process on the existing amenities of the occupiers of neighbouring properties. The demolition process shall be carried out in accordance with the approved details.

To ensure that provision is made as appropriate for any recycling of demolition waste and to ensure that the occupiers of neighbouring residential properties are not unduly affected by the demolition process, in accordance with Policies EN19A, EN20A, EN20B and EN21 and of the Unitary Development Plan, as amended 2007.

- 3) None of the demolition works shall be undertaken before a scheme for temporary fencing and/or enclosure of the site has been submitted to and approved in writing by the Council, and such enclosure has been erected in accordance with the approved details.

To ensure that the site remains in a tidy condition during and after demolition works and during the construction phase and to prevent harms to the street scene and character and appearance of the area, in accordance with policies EN2 and EN8 of the Unitary Development Plan, as amended 2007.

- 4) The development shall not commence until a Construction Management Plan has been submitted to and approved in writing by the Council. The details shall include contractors' method statements, waste classification and disposal procedures and locations, dust and noise monitoring and control, provisions within to ensure that all vehicles associated with the construction works are properly washed and cleaned to prevent the passage of mud and dirt onto the highway, and other matters relating to traffic management to be agreed. All works to be carried out in accordance with approved plan.

To ensure that no unacceptable adverse effect on the amenity of surrounding occupiers in accordance with policies EN20A, EN20B, EN21 and TN15 of the Unitary Development Plan, as amended 2007.

- 5) The building development shall not be erected otherwise than in accordance with the detailed drawings which have been approved.

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 Policy EN2, EN6 and EN8 of the Unitary Development Plan, as amended 2007.

- 6) The development hereby permitted shall not commence prior to the submission and approval in writing by the Council of details in plan, section and elevation (at a scale of not less than 1:20) of the following matters, and no part of the development shall be used or occupied prior to the completion of that part of the development in accordance with the approved details.

- Typical elevations of both the the office and the residential development, including details of the materials, cladding, entrances and fenestration.
- Method of screening of office windows facing residential windows.
- Construction details of the wall adjacent to the listed building.

To ensure a satisfactory external appearance and to prevent harm to the streetscene and the adjacent listed building, in accordance with Policy EN2, EN4 and EN8 of the Unitary Development Plan, as amended 2007.

- 7) The development hereby approved shall not commence until particulars and samples (where appropriate) of all materials to be used in all external faces of the development have been submitted and approved in writing by the Council. The development shall be carried out in accordance with the approved details.

To ensure a satisfactory external appearance, in accordance with policy EN2, EN6 and EN8 of the Unitary Development Plan, as amended 2007.

- 8) The development hereby permitted shall not commence prior to the submission and approval in writing by the Council of full details of the proposed hard and soft landscaping of all areas external to the building, including all gates, walls, fences and other means of enclosure. The soft landscaping details shall include details of the species, height and maturity of any trees and shrubs. No part of the development shall be used or occupied prior to the implementation of the approved details and the landscaping and planting shall thereafter be retained.

To ensure a satisfactory external appearance, in accordance with Policy EN2 and EN8 of the Unitary Development Plan, as amended 2007.

- 9) The development shall not commence prior to the submission and approval in writing by the Council of details of all proposed external lighting, including security lights and the use shall not commence until the lighting has been installed in full accordance with the approved details. Such details shall include the number, exact location, height, design and appearance of the lights, together with data concerning the levels of illumination and light spillage and the specific measures, having regard to the recommendations of the Institution of Lighting Engineers in the 'Guidance Notes For The Reduction Of Light Pollution 2005' to ensure that the any lighting proposed does not harm the existing amenities of the occupiers of neighbouring properties.

To ensure a satisfactory external appearance and to prevent harm to the occupiers of neighbouring properties, in accordance with Policy EN2, EN8, EN20C and EN21 of the Unitary Development Plan, as amended 2007.

- 10) No plumbing, extract flues or pipes, other than rainwater pipes, shall be fixed on the front (Gorleston Street) elevation of the development.

To ensure a satisfactory external appearance and to prevent harm to the street scene, in accordance with policy EN2, EN6 and EN8 of the Unitary Development Plan, as amended 2007.

- 11) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting that Order with or without modification), no aerials, antennae, satellite dishes or related telecommunications equipment shall be erected on any part of the development hereby permitted, without planning permission first being granted.

To ensure that the visual impact of telecommunication equipment can be considered, in accordance with Policy EN2, EN6 and EN8 of the Unitary Development Plan, as amended 2007.

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

To ensure a satisfactory external appearance and to prevent harm to the amenities of the occupiers of neighbouring residential properties, in accordance with Policies EN2, EN6, EN8 and EN21 of the Unitary Development Plan, as amended 2007

- 13) With the exception of those indicated on the approved drawings, no new windows, doors or other openings shall be created in the external elevations of any part of the development hereby approved, prior to the submission and approval in writing by the Council of a further planning application.

To ensure a satisfactory external appearance and so that the use of the building does not harm the existing amenities of the neighbouring residential properties as a result of overlooking, loss of privacy and noise and disturbance, in accordance with policies EN2, EN8 and EN21 of the Unitary Development Plan, as amended 2007.

- 14) The development hereby permitted shall not commence prior to the submission and approval in writing by the Council of full details of the privacy screens to be erected in connection with the roof terraces hereby approved. The privacy screens shall be installed in accordance with the approved details and shall thereafter be retained.

To avoid unduly affecting the amenities of the neighbouring premises by reason of overlooking or loss of privacy, in accordance with Standard S13 of the Unitary Development Plan, as amended 2007.

- 15) The office floorspace hereby permitted shall not be used or occupied until the four windows in the side (southwest) elevation of the office development (facing the rear of 41a North End Road) level have been designed and installed such that they are non-openable and glazed in obscure glass, so as to avoid overlooking of or loss of privacy to the North End Road properties. Details and samples of the obscure glazing to be used shall first be submitted to and approved in writing by the Council and the glazing shall be in accordance with the approved details. The windows shall thereafter be retained in their non-openable form and with obscure glazing.

In order to safeguard the amenities of the occupiers of adjoining properties, in accordance with Standard S13.2 of the Unitary Development Plan, as amended 2007.

- 16) No plant, water tanks, water tank enclosures or other structures, that are not shown on the approved plans, shall be erected upon the roof of the development hereby permitted.

To ensure a satisfactory external appearance, in accordance with policy EN2, EN6 and EN8 of the Unitary Development Plan, as amended 2007.

- 17) No development shall commence until a statement of how Secured by Design requirements are to be achieved has been submitted to and approved in writing by the council. The approved details shall be carried out before any use of that part of the development to which the approved details relate.

To ensure a safe and secure environment in accordance with Policy EN10 of the Unitary Development Plan, as amended 2007.

- 18) The development shall not commence until details of refuse storage, including provision for the storage of recyclable materials, have been submitted to and approved in writing by the council. Such details as approved shall be implemented prior to the occupation of the development and thereafter permanently retained.

To ensure the satisfactory provision of refuse storage and recycling in accordance with Policy EN17 of the Unitary Development Plan, as amended 2007.

- 19) The development shall not commence before details of the numbers and location of all secure bicycle parking stores for the use of residents and users of the development have been submitted to and approved in writing by the council. The bicycle stores as approved shall be provided prior to the occupation or use of the development. Such spaces shall be permanently retained thereafter.

To ensure the provision of bicycle spaces in accordance with Policy TN6 and standard S20.1 of the Unitary Development Plan, as amended 2007.

- 20) No persons shall be on the premises in connection with the office use hereby approved between 2100 hours and 0700 hours the following day.

In order that noise disturbance which may be caused by customers leaving the premises is confined to those hours when ambient noise levels and general activity are sufficiently similar to that in the surrounding area, thereby ensuring that the use does not cause demonstrable harm to surrounding residents, in compliance with policy EN20B and EN21 of the Unitary Development Plan, as amended 2007

- 21) The development shall not commence until a Servicing Management Plan for the office accommodation hereby approved has been submitted and approved in writing by the Council, and the servicing of the office accommodation shall be carried out in accordance with the approved details.

To ensure satisfactory servicing arrangements and to minimise the risk of harm to the existing amenities of the occupiers of neighbouring properties, in accordance with policy EN21 and Standard S21 of the Unitary Development Plan, as amended 2007.

- 22) No part of the office floorspace shall be used or occupied until details of a Travel Plan for the office accommodation has been submitted to and approved in writing by the Council. The travel plan shall be implemented in full compliance with the approved details upon the commencement of the office use and shall continue to be implemented as long as the office use remains in operation. The Travel Plan shall include information on how alternative methods of transport to and from the site other than by car will be encouraged and facilitated, and details of how and when the travel plan will be monitored and reviewed.

In order to minimise the number of unnecessary car trips and to promote alternative methods of transport, in accordance with Policy 3C.2 of The London Plan, as amended 2008.

- 23) The development shall not commence until details of the sound insulation of the floor/ceiling/walls separating the commercial parts of the premises from dwellings have been submitted to and approved in writing by the Council. Details shall ensure that the DnT, w+Ctr noise level difference and sound insulation of floor/ceilings/walls and any other mitigation measures are sufficiently enhanced and that the standards specified in BS 8233:1999 are achieved within noise sensitive premises within the development site and their external amenity areas. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained, unless subsequently otherwise approved in writing by the Council.

To ensure that the occupiers of the development site and surrounding premises are not adversely affected by noise, in accordance with Policies EN20B and EN21 of the Unitary Development Plan, as amended 2007.

- 24) The development shall not commence until details of the external noise level emitted from plant/machinery/equipment and mitigation measures have been submitted to and approved in writing by the Council. The measures shall ensure that the external noise level emitted from plant, machinery/equipment will be lower than the existing background noise level by at least 10dBA, as assessed according to BS4142:1997 at noise sensitive premises, with all machinery operating together. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained, unless subsequently otherwise approved in writing by the Council.

To ensure that noise from mechanical installations/equipment and their use does not adversely affect occupiers of the development site and surrounding premises, in accordance with Policies EN20B and EN21 of the Unitary Development Plan, as amended 2007.

- 25) No development shall commence until a desktop study, site investigation scheme, intrusive investigation and risk assessment have been submitted to and approved in writing by the Council. The desk study will identify all previous site uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors and any potentially unacceptable risks arising from contamination at the site. The site investigation scheme will provide information for an assessment of the risk to all receptors that may be affected, including those off site. The risk assessment will assess the degree and nature of any contamination on site and to assess the risks posed by any contamination to human health, controlled waters and the wider environment. A detailed method statement for any required remediation works will need to be submitted to, and approved in writing, by the Council. All works must be carried out by a competent person conforming to CLR 11: Model Procedures for the Management of Land Contamination (DEFRA 2004).

To ensure that any contaminated land on the application site is identified and remediated in accordance with Policies G0, G3, EN20A and EN21 of the Unitary Development Plan, as amended 2007.

- 26) No development shall commence until any required remediation works have been completed and a validation report to verify these works has been submitted to, and approved in writing, by the Council unless otherwise authorised. 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 should be detailed and verified in an amendment to the remediation statement. All works must be carried out by a competent person conforming to CLR 11: Model Procedures for the Management of Land Contamination (DEFRA 2004).

To ensure that any contaminated land on the application site is identified and remediated in accordance with Policies G0, G3, EN20A and EN21 of the Unitary Development Plan, as amended 2007.

Justification for Approving the Application:

- 1) Summary of reasons for granting planning permission and a summary of the policies and proposals in the development plan which are relevant to the decision.
 1. The proposed development will bring significant regeneration benefits to the area both in terms of employment and housing, and because it is a well designed building within a high quality public realm that relates well to Wormholt Park and to the surrounding area.

2. The proposed development achieves a substantial and sustainable development in accordance with PPS1, which promotes efficient use of land through mixed use development, and in accordance with the general policies of the development plan. The latter policies include policy GO of the UDP, which encourages sustainable development including, amongst other things, co-ordinated land use and transportation, conserving and enhancing environmental quality and biodiversity, ensuring a choice of housing accommodation, including those on low incomes and seeking an adequate range of facilities available to all members of the community. They also include UDP policy G3 which seeks to conserve, protect and enhance the quality, character and identity of the borough's built up and open environments and London Plan 3A.3 which seeks to ensure that development proposals achieve the maximum intensity of use compatible with the local context.

3. The proposed development will bring forward much needed additional housing in accordance with London Plan policy 3A.3.

4. The housing brought forward by the development will also be an appropriate mix having regard to the objective of securing family and non family units in accordance with UDP policy H06. The internal design and layout of the housing units is considered satisfactory and all units meet the space provision set out in standard S7A, and the amenity space provision is also considered satisfactory, judged against standard 5.

5. The development is considered to comply with UDP policies EN2, EN2B and EN8 and London Plan policy 4.B1. The proposals are considered to represent an enhancement of the public realm and provision of a high quality scheme that will respect the local setting. Policy EN2 states that development within conservation areas will only be permitted if the character and appearance of the conservation area is preserved or enhanced. Policy EN2B lays down the same test in relation to the setting of conservation areas and views into or out of them. Policy EN8 requires a high standard of design in all developments, compatible with the scale and character of existing development and its setting. London Plan policy 4B.1 also seeks to ensure that, within developments, which should maximise the potential of sites, design should, in all its aspects, be of high quality.

6. The Council is satisfied that the scheme represents the principles of good design and properly addresses environmental issues. It considers that UDP policy EN10, which requires a safe and secure environment, is complied with. The proposals, similarly, accord with UDP policies EN17 in that they incorporate suitable facilities for the storage and collection of segregated waste in accordance with standard S5, and with policies EN20A and EN20B because the development would not cause any undue pollution, with no significant worsening of air quality nor undue noise and with other pollution controls in place, which would also ensure compliance with EN21, which requires that development does not cause undue detriment to the amenities of neighbours.

7. The impact of the proposals on the highway network and local parking conditions will be minimal, and the development accords with UDP policies TN4, TN6, TN13 and TN15. TN4 requires the proposals to be designed to facilitate ease of access by disabled people. TN6 requires direct, convenient, safe and secure facilities for cyclists. TN13 requires all development proposals be assessed for

their contribution to traffic generation and their impact on congestion. TN15 requires developments to conform to parking standards S18, S19 and S20.

8. The impact of the proposed development upon adjoining occupiers is considered acceptable. In this regard, the proposals accord with UDP policy EN8, which requires developments to be of high quality design which, amongst other things, respects the principles of good neighbourliness, and with standards S12 and S13 which state that there be no significant loss of outlook or privacy to neighbouring occupiers and that no new roof terraces nor balconies be created, use of which might cause harm to the amenities of neighbours by reason of noise and disturbance.

LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

All Background Papers held by Michael Merrington (Ext: 3453):

Application form received: 27th January 2009
Drawing Nos: see above

Policy documents: The Revised London Plan 2008
Unitary Development Plan as amended September 2007.

Consultation Comments:

Comments from:	Dated:
Avonmore Residents Association	27.05.09

Neighbour Comments:

Letters from:	Dated:
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OFFICER'S REPORT

1.0 BACKGROUND

1.1 The application site is located to the south and at the end of Gorleston Road, a cul-de-sac off North End Road. It is bound to the north east and the North West by Marcus Garvey Park and the Avonmore Playground which also houses the Avonmore Youth Project. To the south east of the site is the old Magistrate Court which is a listed building and is now empty and to the south west a nursery operating in the converted

Methodist chapel facing North End Road. The site lies within the Olympia and Avonmore conservation area. The site is surrounded by a mixture of residential mansion blocks, schools and commercial/office premises. To the North West on the north side of Gorleston Road is a pub occupying the site at the junction of North End Road and Gorleston Road. The area surrounding the site is predominantly residential in nature with a variety of architectural styles and scale of development including residential mansion blocks, a primary school and small commercial premises.

1.2 The building comprises a series of two storeys interlinked offices at the end of the terrace with existing stables to the rear and a vacant site previously used for parking cars. The building is occupied by a film production company with a lease expiring at the end of 2009.

1.3 In support of their application, the agent has submitted that the offices have different floor levels and room heights with partitions creating arbitrary rooms and consequently unsuited for commercial use as they do not comply with Part L and M of the building regulations. In their present form the buildings are not suitable for restoration and it is considered that they have reached the end of their useful life.

1.4 The current proposal is for a part two, part three, and part four part five residential frontage building on Gorleston Road with a return facade facing the Avonmore playground providing 9 flats: 4x1bedrooms flats, 4x2 bedrooms flats and 1x3 bedrooms maisonette. At the rear of the residential building a four storey office building is proposed comprising 841 sq metres of floor space each with a 3.8 m floor to ceiling height.

1.5 A conservation area consent application for the demolition of the existing building has been submitted at the same time (ref 2008/01215/CAC) This report covers both applications.

2.0 PUBLICITY AND CONSULTATIONS

2.1 Application was advertised by way of site and press notices. English Heritage and the Hammersmith and Fulham Historic Building Group were notified of the proposal. Individual notifications letters were sent to occupiers of surrounding properties. No objections from English Heritage. Two letters of objection have been received from the Avonmore Residents' Association and the managing agent of the building previously used as the magistrate court raising the following issues:

- The development would put further strain on the open space by increasing the number of people using it.
- It will result in a loss of car parking spaces and an increase in on street car parking.
- The proposed development is not in keeping with its neighbours and would not preserve or enhance the conservation area.
- The proposed development is significantly taller than adjoining buildings and would reduce daylight and sunlight to windows in Rugby Mansions.
- "No development shall have an exclusive northerly aspect.
- The development does not reflect the Victorian street pattern and does not meet the objective of providing the highest quality of design.
- The area is over supplied with residential accommodation and will have significant effect on the neighbouring area.

- Although loss of sunlight would not be an issue, the building will be positioned close to the roof lights of the twinned gabled roof structure and although some have been boarded up they could be re-opened. Any future residential development might lose some of its open access or may result in having to rethink a previously approved conversion of the court building.

3.0 PLANNING CONSIDERATIONS

3.1 The main issues are considered to be the acceptability of the demolition of the existing building and its impact on the adjacent listed building. the acceptability of the proposal in land use terms, whether the proposal is of acceptable density design and appearance, whether it is acceptable in terms of traffic and parking and its impact on amenities of surrounding occupiers.

LAND USE

3.2 PPS3 (2006) promotes the provision of good quality housing through mixed, inclusive and sustainable communities, in sustainable locations with access to jobs and services. Effective use of land is encouraged in this national guidance, with a priority for re-using brown field sites. Policy 3A.2 of the London Plan states that UDP should identify new sources of housing supply having regard to 'change of use of surplus industrial/employment land to residential or mixed use development'. Policy 3B.4 relates to smaller industrial sites outside Strategic Employment Sites with regards to accessibility to the local workforce, public transport, walking and cycling and where appropriate freight movement, quality and fitness for purpose of use with potential for surplus industrial land supporting other uses such as housing together with more modern replacement small business floor space as part of a mixed use intensification of development on the site.

3.3 The floor space of the existing building occupies 791 sq metres. The archive records shows that the building has been in existence since 1828 with the plot at No 6 providing access to the stable building and main building has been in commercial / office use for a considerable time. Part of the site has more recently provided parking for the occupiers of the office building. The site is currently used by a film production company who planned to leave the premises to coincide with the expiry of their lease at the end of 2009. The replacement part of the office building will slightly exceed the existing floor space (841 square metres) on just over one third of the site.

3.4 Officers consider that in terms of land use, the proposed B1 accommodation would provide improved floor space over what is currently provided and likely to attract tenants and provide small scale office of a quality accommodation. Officers consider that the proposed scheme would provide modern replacement office accommodation whilst capitalising on the capacity of the site to accommodate a compatible use in the form of housing. The proposal would be acceptable in the context of the above policies and national guidance.

RESIDENTIAL DENSITY

3.5 Policy 4B.1 of The London Plan identifies design principles for a compact city and states that "the Mayor will and boroughs should, seek to ensure that developments maximise the potential of sites, promote high quality inclusive design and create or

enhance the public realm, contribute to adaptation to and mitigation of the effects of climate change, respect local context, history, built heritage, character and communities, provide for or enhance a mix of uses, be accessible, usable and permeable for all users, be sustainable, durable and adaptable in terms of design, construction and use, address security issues and provide safe, secure and sustainable environments and be practical and legible'.

3.6 The proposal is for a mixed-use scheme with office floor space on just over one third of the site with residential over the remaining part of the site. For the purpose of assessing against the GLA density matrix set out in the London Plan, the land used for the B1 floorspace has been deducted from the site area. The site is located in Public Transport Accessibility Level (PTAL) 4 (6A of the London Plan). which is considered to have good public transport accessibility. In relation to the GLA density matrix, the site is considered to be an urban area along a transport corridor, close to a town centre. The proposed density is 555 hr/h, which is within the appropriate London Plan range of 200-700 hr/h.

DESIGN AND CONSERVATION ISSUES

3.7 Government Guidance to local authorities in relation to design and conservation issues is set out in Planning Policy Statement 1: Delivering Sustainable Development (PPS 1) and Planning Policy Guidance: Planning and the Historic Environment (PPG 15). The proposals must therefore be considered against the following:

PPS1, key principles, paragraph 13 (vi) - Planning Policies should promote high quality inclusive design in the layout of new developments and individual buildings in terms of function and impact, not just for the short term but over the lifetime of the development. Design which fails to take the opportunities available for improving the character and quality of an area should not be accepted.

PPS1, on Design, paragraph 38 - Design Policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout and access of new development in relation to neighbouring buildings and the local area more generally. Local planning authorities should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles.

PPG 15 paragraph 2.14 - the design of new buildings intended to stand alongside historic buildings needs very careful consideration. In general it is better that old buildings are not set apart, but are woven into the fabric of the living and working community. This can be done, provided that new buildings are carefully designed to respect their setting, follow fundamental architectural principles of scale, height, massing and alignment, and use appropriate materials. This does not mean that new buildings have to copy their older neighbours in detail; some of the most interesting streets in our towns and villages include a variety of building styles, materials, and forms of construction, of many different periods, but together forming a harmonious group.

PPG 15 paragraph 4.17 - Many conservation Areas include gap sites, or buildings that make no positive contribution to, or indeed detract from, the character or appearance of

the area; their replacement should be a stimulus to imaginative high quality design, and seen as an opportunity to enhance the area. What is important is not that new buildings should imitate earlier styles, but that they should be designed with respect for their context, as part of a larger whole which has a well established character and appearance of its own.

3.8 Policy EN8 of the UDP relates to the design of new development and states that "Development will not be permitted unless it is of a high standard of design and compatible with the scale and character of the existing development and its setting. The use of innovative and contemporary materials will be welcomed, provided these enable the design to be sensitively integrated into the existing built form and landscape. Schemes must be formulated to respect the historical context of the area and its sense of place, the scale, mass, form and grain of the surrounding development, relationship to the existing townscape, rhythm and articulation of frontages, local building materials, sustainability objectives and the principles of good neighbourliness".

Policy EN2B states that development, including development outside conservation areas, will only be permitted if the character or appearance of the conservation area in terms of their setting and views into and/or out of them is preserved or enhanced.

3.9 Officers have assessed the application in this context.

3.10 Olympia and Avonmore Conservation Area was designated on 10th February 1988 to give protection against unsympathetic changes to Olympia, the Avonmore Trading Estate, and the highly ornamental Victorian terraces between them. It was extended on 18 November 1991 to include the mansion blocks and associated buildings in the area south of Hammersmith Road and east of North End Road. A further extension on 2 July 2002 included the area containing Wellesley Mansions and Nos. 137 to 153 (odd) North End Road, Nos. 2 & 3 Edith Villas, and Nos. 2 to 12 (even) and The Fox P. H. North End Crescent. This extension, together with the Barons Court Library, was subsequently transferred to the adjoining Gunter Estate Conservation Area on 27 June 2005.

3.11 Olympia and Avonmore contains a variety of areas including quiet residential streets, the Whiteley's Depositories, formerly the Avonmore Trading Estate, now known as `Kensington Village commercial estate with offices, mansion blocks, primary schools and an exhibition centre. There are differing uses and scales of development, as well as developments from different eras within the conservation area, but its character is defined by both its key location (on a main arterial route) and, in part, its quiet backwater atmosphere. The character of the area is robust enough to allow a modern building within its boundaries, without harming the overall character of the conservation area. It is the officers' view that in certain situations, and in this particular case, a modern design can enhance and enrich the appearance of the conservation area.

3.12 The buildings adjacent to the proposal are three storeys high with a pitched roof. The proposed design takes up this part of the existing design to create the bulk of the frontage building which is then interspersed by lower or recess "gaps" providing a varied facade with projecting balconies creating the depth of the building. The proposed elevation is considered to sit well against the existing street frontage presenting an elevation of similar size to the adjacent buildings. The residential part of the north east elevation presents features of similar design and proportions which clearly identify the residential block. The terraces with their tiled parapet walls recall the roofs materials in

the rest of the terrace. The rest of the residential building is mostly set back from the Gorleston Road frontage except for a four storey "panel " at the end of the street where the view of the open space distract the eye from the street elevation. The elevation facing the park present similar feature to those of the Gorleston elevation tying together the two residential frontages. The design is considered of high quality with a choice of materials both traditional (render similar to other properties in the area) and modern (steel and glass)

3.13 The character of the office building of which only a small proportion is visible from Gorleston Road and North End Road is totally different from the residential building and can be clearly identified as an office. Its main elevation four storey high is simply designed with a glass and render finish and adopts the vertical emphasis and bulk of the buildings to the south east of the site. Its design is considered appropriate in this location.

3.14 The office building will be adjacent to the old magistrate court which is a grade II Listed building. However it is not proposed to use the wall of the listed building to build to office since the foundations of the listed building would not be adequate to support the new four storey building. Details of the construction of the new wall will be secured by condition.

3.14 Officers are satisfied that the design and appearance of the scheme would enhance the appearance of the site both from North end Road and from the Park and be consistent with the objectives of Policies EN8. They further consider that the two main elevations to Gorleston and Marcus Garvey Park which are the most visible part of the development would preserve the character and appearance of the conservation area and would therefore accord with policy EN2.

3.15 The Council Adopted Supplementary Planning Document (SDP) "Access for All" is relevant in the consideration of the acceptability of the scheme in terms of disabled access. The proposal addresses access for people with disabilities by setting out how the development would ensure appropriate access to the flats through the provision for a lift. Level access would be provided to the flats. The proposed layout of the individual flats also ensures that the 9 new units will be able to achieve life time home standards and are suitable for wheelchairs. Officers are satisfied that the development accords with the Council's Supplementary Planning Document 'Access for All'.

3.16 The scheme has been developed in liaison with the crime prevention officer and a condition setting out how the secure by design scheme has been achieve will be attached to the approval.

ENVIRONMENTAL QUALITY, SPACE AND AMENITY

3.17 Standard S7A of the UDP relates to internal space provisions and requires a minimum of 44.5 sq m, 57 sq m and 70 sq m for 1-bed, 2-bed and 3-bed flats respectively; and 82 sq m for a 3/4 bedroom maisonette). All of the proposed residential units meet or exceed these standards: the smallest one bedroom flat is 54 sq m and the smallest two bedrooms flat is 75 sq m. Furthermore, all of the individual rooms within the proposed residential units are considered to be satisfactory (there are no minimum room sizes in the UDP for new build schemes, as opposed to residential conversions, but the individual rooms do meet or exceed the UDP conversion standards).

3.18 Policy EN23 of the UDP states that all new developments will be required to make provision for open space to meet the needs of the occupiers and users. These will need to be in accordance with standard S5 of the Unitary Development Plan. Standard S5A.1 and S5A.2 of the UDP identifies amenity space requirements for family and non family units which are located at ground level and requires an area of private open amenity or garden space of not less than 36 square metres for family units and 14 square metres for non-family units.

3.19 The one bedroom flats at ground floor level have 9 to 10 sq metres of amenity space, the two bedrooms a minimum of 16 square metres with one flat with amenity space in excess of 36 sq metres all in the form of roof terraces. The 3 bedroom flat has terraces in excess of 100 square metres. Although the two ground floor units would not comply with the standards set out in standard 5, this is not considered to be sufficient grounds to justify refusing planning permission. It is also worth noting that the residential units are opposite Marcus Garvey Park which provides public open space with play facilities and amenity space for children as well as adults.

3.20 Standard S13.3 requires that no habitable room windows face exclusively in a northerly direction (i.e. north east and north west). Five of the nine flats would have northerly facing aspect (north/north east and north/north west) with sun early morning and late afternoon. However all the living rooms are spacious and open plan with large windows and would maintain an acceptable level of internal amenity. It is not considered that this matter warrants refusal of permission.

3.21 All the living room windows have an open aspect since they face the park. Three living rooms have a window faces the internal courtyard but they are secondary windows and measures will be taken to prevent overlooking from the offices opposite by imposing a condition.

HIGHWAYS

3.22 Policy TN6 states that development will not be permitted unless provision is made to provide safe parking facilities for cyclists whilst Policy TN15 requires that any proposed development conforms to the Council's approved car parking standards to ensure that there would be no increase in on-street parking demand. Standard S18.1 outlines the car parking requirements for each land use type. The proposal would not provide any parking for the residential units or for the office use. The applicants are prepared to sign a section 106 agreement preventing the occupiers of the residential units and of the B1 floor space to apply for on-street car parking and to pay the cost of re-instating the pavement to replace the cross over. This is in line with the Unitary Development Plan.

3.23 Cycle storage areas would also be provided within the development. Storage for 9 cycles would be provided. This complies with the 1:1 requirement for the residential units. Additional cycle parking spaces would have to be provided for the B class accommodation which accords with the requirement of one space per 125 square metres of floor space. This would represent 7 cycle spaces. The provision of additional cycle parking can be secured by a condition. The proposal therefore makes acceptable provision for secure and covered bicycle parking facilities, which is sustainable and could reduce car dependency and encourage a more balanced modal split. Subject to satisfactory details, cycle parking can be provided and comply with policies TN4, TN6 and TN15 and standards S17, S19 and S20 of the UDP.

IMPACT on RESIDENTIAL AMENITY

3.24 Policy EN8 of the Unitary Development Plan relates to the design of new development with emphasis on the principles of good neighbourliness. As such the scheme's impact on neighbours in respect of outlook, privacy as well as daylight and sunlight and shadowing have been assessed.

3.25 Standard S13.1 relates to loss of outlook and states that 'a building's proximity can have an overbearing and dominating effect, detrimental to the enjoyment by residential occupiers of their properties'. Although dependent upon the proximity and scale of the proposed development a general standard can be adopted by reference to a line produced at an angle of 45 degrees from a point 2 metres above the adjoining ground level of the boundaries of the site where it adjoins residential properties. Where any part of the proposed building extends beyond these lines then on-site judgement will be a determining factor in assessing the effect which the development will have on the existing amenities of neighbouring properties.

3.26 Two of the elevations (north east and north west) of the development face public open space and will not result in any overlooking or reduction in sunlight or daylight. The south east elevation of the building will abut the old magistrate court and the south west elevation will face the nursery operating in the old Methodist chapel. Neither of the buildings is in residential use and the proposal would not therefore contravene any standards in the UDP.

3.27 Although a Sustainability and Energy Strategy Report is not required because of the size of the development, in their design and access statement the applicants have stated that measures will be taken to help improve the development's energy and sustainability performance by installing efficient gas boilers, using natural ventilation, using energy efficient lighting, providing waste and recycling storage space".

3.28 The site is not in a flood risk area.

LEGAL AGREEMENT

4.0 In order to ensure that the proposal would not result in a loss of on street parking, the proposal will be subject to a legal agreement. The draft heads of the terms of the agreement are as follows:

- That the applicant agrees to the removal of the crossover to allow for an increase in on street car parking and the reinstatement of the kerb.
- That the work is carried out by the Council at the applicant's expense.
- That the occupiers of the flats and of the offices have no rights to apply for residents' or business on street car parking permits.

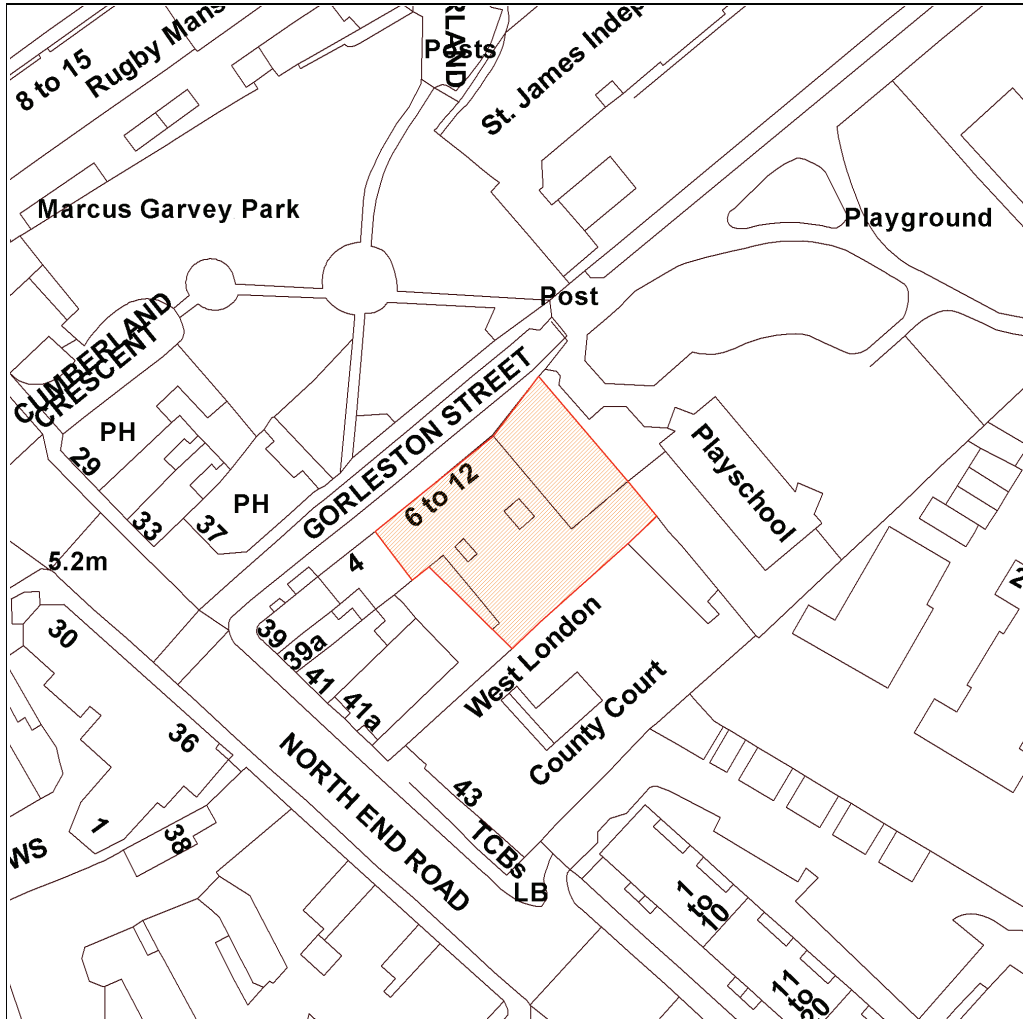
4.0 CONCLUSION AND RECOMMENDATION

4.1 Grant planning permission subject to the completion of a satisfactory legal agreement (as set out in paragraph 4.0

Ward: Avonmore And Brook Green

Site Address:

6 - 12 Gorleston Street London W14 8XS



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For identification purposes only - do not scale.

Reg. No:

2009/01215/CAC

Case Officer:

Dominique Chambers

Date Valid:

21.05.2009

Conservation Area:

Olympia And Avonmore Conservation Area -
Number 23

Committee Date:

16.12.2009

Applicant:

Mr Peter Donebauer
27 Ivory House Clove Hitch Quay London SW11 3TN

Description:

Demolition of existing two storey building. (Relates to planning application Reference 2009/00179/FUL).

Drg Nos:

Application Type:

Conservation Area Consent

Officer Recommendation:

That the application be approved subject to the condition(s) set out below:

- 1) The works hereby granted consent shall not commence later than the expiration of 3 years beginning with the date upon which this consent is granted.

Condition required to be imposed by Section 18(1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended by section 91 of the Planning and Compensation Act 2004).

- 2) The demolition hereby permitted shall not be undertaken before:

- (i) a building contract for the redevelopment of the site in accordance with planning permission reference 2009/00179/FUL has been entered into;
- (ii) notice of demolition in writing and a copy of the building contract has been submitted to the Council, and;
- (iii) details of all matters which require prior approval pursuant to planning permission reference 2009/00179/FUL, before commencement of the development, have been submitted to and approved in writing by the Council.

To ensure that the demolition does not take place prematurely and to safeguard the character and appearance of the conservation area, in accordance with policy EN2 of the Unitary Development Plan, as amended 2007.

Justification for Approving the Application:

- 1) The proposed demolition is considered to be acceptable on the basis that planning permission exists for a satisfactory redevelopment scheme. Accordingly, it is not considered that the demolition would have an unacceptable impact on the character or appearance of the conservation area, in accordance with Policy EN2 of the Unitary Development Plan, as amended 2007.

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

All Background Papers held by Michael Merrington (Ext: 3453):

Application form received: 20th May 2009
Drawing Nos: see above

Policy documents: The Revised London Plan 2008
Unitary Development Plan as amended September 2007.

Consultation Comments:

Comments from:

Dated:

Neighbour Comments:

Letters from:

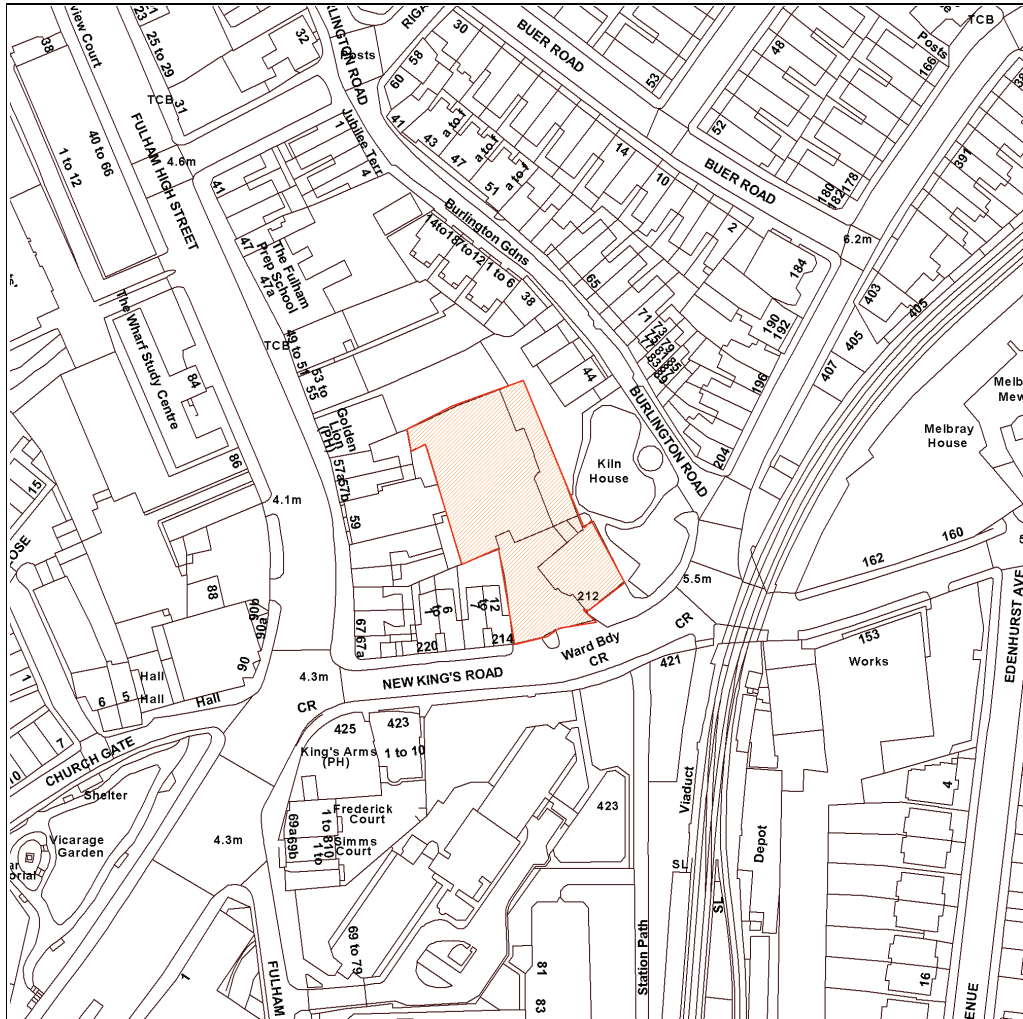
Dated:

FOR JOINT REPORT SEE APPLICATION REF. 2009/00179/FUL

Ward: Town

Site Address:

212 New King's Road London SW6 4NZ



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For identification purposes only - do not scale.

Reg. No:

2009/02022/FUL

Case Officer:

Roy Asagba-Power

Date Valid:

19.08.2009

Conservation Area:

Fulham Park Gardens Conservation Area -
Number 16

Committee Date:

16.12.2009

Applicant:

Mr Daniel Liss

c/o Realdon Property 1 Princess Gate London SW7 1QJ

Description:

Demolition of existing retail/warehouse building, and redevelopment of the site by the erection of a part 4 storey, part 6 storey plus basement building, comprising 56 residential units (Class C3); 350 sq m of retail (Class A1) floorspace; together with ancillary car parking (21 spaces); cycle storage, and related landscaping.

Drg Nos: 000- 01(B); 02(B); 03(B); 04(B); 05(B); 06(B); 07(B); 08(B); 000- 00(B); 21; 22; 23; 30; 31; 32; 33; 50; 51; 52; Design and Access Statement; Sunlight and Daylight Analysis; Planning Statement; Flood Risk Assessment; Transport Assessment; Sustainability Statement; Tree Report; Energy Statement; Archaeology Statement; Heritage Statement;

Application Type:

Full Detailed Planning Application

Officer Recommendation:

That the Committee resolve that the Director of the Environment Department be authorised to determine the application and grant permission up on the completion of a satisfactory legal agreement

- 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) Prior to commencement of the development hereby approved, a method statement for the demolition of the existing buildings and the steps to be taken to minimise the impact of the demolition process on the existing amenities of the occupiers of neighbouring properties with particular regard to the party boundaries with Burlington Road, Fulham High Street and New Kings Road shall be submitted to and approved in writing by the Council. Details shall include control measures for dust, noise and vibration, including working hours. Details of the method proposed for the demolition and the demolition process shall be carried out in accordance with the approved details.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by dust from the building site, in accordance with Policy EN20A, EN20B, EN20C and EN21 of the Unitary Development Plan, as amended 2007.

- 3) None of the demolition works shall be undertaken before a scheme for temporary fencing and/or enclosure of the site has been submitted to and approved in writing by the Council, and such enclosure has been erected in accordance with the approved details.

To ensure that the site remains in a tidy condition during and after demolition works and during the construction phase and to prevent harms to the street scene and character and appearance of the adjoining conservation area, in accordance with policies EN8 and EN2 of the Unitary Development Plan, as amended 2007.

- 4) The development shall be carried out and completed in accordance with the detailed drawings, which have been approved unless any material alteration to these approved details, has first been submitted and approved in writing by the Council.

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 EN2 and EN8 of the Unitary Development Plan, as amended 2007.

- 5) The development shall not commence until the submission and approval in writing by the Council of details and samples where appropriate of all materials to be used on the external faces of the buildings, extensions and hard landscaping, including details of the walls, fencing, entrance gates, paving and hard surfacing treatment of the car parking area, balcony/terrace screens and other means of enclosure. No part of the development shall be used or occupied prior to the implementation of the approved details.

To ensure a satisfactory external appearance and to prevent harm to the street scene, in accordance with Policy EN2 and EN8 of the Unitary Development Plan, as amended 2007.

- 6) No plumbing, extract flues or pipes, other than rainwater pipes shall be fixed on the front and side (east) elevations of the frontage block hereby approved.

To ensure a satisfactory external appearance and to prevent harm to the street scene, in accordance with Policies EN2 and EN8 of the Unitary Development Plan, as amended 2007.

- 7) Prior to the commencement of any part of the development thereby affected, details in plan, section and elevation, at a scale no less than 1:20 of a typical bay details of the new frontage block (south and east elevations) shall be submitted

and approved in writing by the Council and the development and works shall be implemented in accordance with the approved details.

To ensure a satisfactory external appearance, in accordance with policy EN2 and EN8 of the Unitary Development Plan, as amended 2007.

- 8) The development shall not commence prior to the submission and approval in writing by the Council of full details of the proposed soft landscaping of the site, including planting schedules and details of the species, height and maturity of the shrubs to be planted. The approved scheme shall be implemented in the next winter planting season following completion of the building works, or before the occupation and use of any part of the buildings, whichever is the earlier.

To ensure a satisfactory external appearance and to prevent harm to the street scene, in accordance with policies EN2, EN8 and EN26 of the Unitary Development Plan, as amended 2007.

- 9) Any landscaping planted pursuant to condition 8 being removed or severely damaged, dying or becoming seriously diseased within 5 years of planting shall be replaced with a tree or shrub of similar size and species to that originally required to be planted.

To ensure a satisfactory provision for planting in accordance with policies EN2, EN8 and EN26 of the Unitary Development Plan, as amended 2007.

- 10) No water tanks, water tank enclosures or other structures shall be erected upon the roofs of the buildings hereby permitted, without the prior permission of the Council.

The Council would wish to exercise future control over development which may detract from the appearance of the buildings and negatively impact on the street scene, in accordance with Policy EN2 and EN8 of the Unitary Development Plan, as amended 2007.

- 11) No part of the residential units shall be occupied prior to the provision of 21 parking spaces, in accordance with the approved drawings 000-00(B). All car parking spaces, hereby approved must be clearly marked. The parking spaces shall thereafter be retained in this form and shall not be used for any other purposes.

To ensure satisfactory provision, retention and adequate functioning of the car parking area so that the development does not result in additional on street car parking stress, detrimental to the amenity of surrounding residents, in accordance with Policy TN13 and Standard S18 and S19 of the Unitary Development Plan, as amended 2007.

- 12) The 7 car parking space designed for wheelchair users and/or visitors shown on the approved drawing 000-00 (B) shall be provided, marked out and reserved for persons with disabilities and shall be permanently retained for this purpose.

To ensure satisfactory provision and retention of car parking spaces for wheelchair users and so that the development does not result in additional on street car parking stress, detrimental to the amenity of surrounding residents, in accordance with Policy TN15 and Standard S18 and S19 of the Unitary Development Plan as amended 2007.

- 13) No part of the residential development shall be occupied prior to the provision of the secure bicycle parking stores, in accordance with the approved drawing 000-02(B). Such spaces shall be permanently retained thereafter.

To ensure the provision of bicycle spaces in accordance with policy TN6 and standard S20.1 of the Unitary Development Plan, as amended 2007.

- 14) Other than the terraces at 4th and 5th floor levels identified on approved drawings 000-06(B) and 000-07(B), the remainder of the flat roofs of the building hereby approved must not be converted into or be used as a terrace or other means of open amenity space.

Such a use would be detrimental to the amenities of neighbouring properties by reason of overlooking, loss of privacy and noise and disturbance in accordance with policy EN21 and Standard S13 of the Unitary Development Plan as amended 2007.

- 15) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no aerials, antennae, satellite dishes or related telecommunications equipment shall be erected on any part of the development hereby permitted, without planning permission first being obtained.

To ensure that the visual impact of any telecommunication equipment can be considered fully in accordance with Policies EN2 and EN8 of the Unitary Development Plan, as amended 2007.

- 16) None of the new residential units or floorspace hereby approved shall be used or occupied prior to the provision of the respective refuse storage enclosures, as indicated on the approved drawings 000-00(B) and 000-02(B). All refuse generated by the development hereby permitted shall be stored within these enclosures and shall be permanently retained for these purposes.

To ensure that the use does not give rise to smell nuisance and to prevent harm to the street scene arising from the appearance of accumulated rubbish, in accordance with policies EN17 and EN19 and standards S5 of the Unitary Development Plan as amended 2007.

- 17) Prior to commencement of the development hereby approved, details shall be submitted to and approved in writing by the Council, of the external noise level emitted from plant/ machinery/ equipment and mitigation measures. The measures shall ensure that the external noise level emitted from plant, machinery/ equipment will be lower than the existing background noise level by at least 10 dBA, as assessed according to BS4142:1997 at noise sensitive premises, with all machinery operating together. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by noise from mechanical installations/ equipment and their uses, in accordance with Policy EN20A, EN20B and EN21 of the Unitary Development Plan, as amended 2007.

- 18) No rooftop plant, such as air-conditioning units, ventilation fans and/or any other equipment shall be erected or installed upon the roof. Details of the equipment to be installed must first be submitted and approved in writing by the Council prior to their installation.

To avoid any disturbance detrimental to the enjoyment of neighbouring occupiers of their properties in accordance with policies EN21 of the Unitary Development Plan as amended 2007.

- 19) All construction works associated with the development hereby approved shall occur only between the hours of 0800 and 1800, Monday to Friday, and between the hours of 0800 and 1300 on Saturdays. No work shall occur on Sundays or Bank Holidays.

To safeguard the amenities of surrounding residential properties in accordance with Policy EN21 of the Unitary Development Plan as amended 2007 .

- 20) The development hereby approved shall not be implemented until details of access for disabled persons have first been submitted to and approved by the Council. The approved details shall be installed prior to the commencement of the use and then permanently retained for this purpose.

In order to ensure the development provides ease of access for all users, in accordance with Policy 3A.5 of the London Plan as amended 2008 and the Council's adopted supplementary planning document "Access for all".

- 21) The development hereby approved shall not commence until details of entrance gates on the New King's Road frontage have been submitted to and approved in writing by the Council, and the development shall not be occupied or used until such gates as approved has been installed. The gates shall thereafter be retained.

To ensure a satisfactory external appearance and in the interests of vehicle and pedestrian safety in accordance with Policies EN2 and EN8 of the Unitary Development Plan as amended 2007.

- 22) The development hereby permitted shall not commence until details of the footway/kerb and pedestrian access to New King's Road from the court yard area park (including details of traffic calming measures and confirmation of the fire safety issues), are submitted to and approved in writing by the Council, and such details as are approved shall be implemented prior to the occupation or use of the residential units and permanently retained thereafter.

In the interest of public safety and to avoid vehicle/pedestrian conflict in accordance with Policy TN15 of the Unitary Development Plan as amended 2007.

- 23) No development shall commence until a desktop study, site investigation scheme, intrusive investigation and risk assessment have been submitted to and approved in writing by the Council. The desk study will identify all previous site uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors and any potentially unacceptable risks arising from contamination at the site. The site investigation scheme will provide information for an assessment of the risk to all receptors that may be affected, including those off site. The risk assessment will assess the degree and nature of any contamination on site and to assess the risks posed by any contamination to human health, controlled waters and the wider environment. A detailed method statement for any required remediation works will need to be submitted to, and approved in writing, by the Council. All works must be carried out by a competent person conforming to CLR 11: Model Procedures for the Management of Land Contamination (DEFRA 2004).

To ensure that any contaminated land on the application site is identified and remediated in accordance with Policy G0, G3, EN20A and EN21 of the Unitary Development Plan as amended 2007.

- 24) No development shall commence until any required remediation works have been completed and a validation report to verify these works has been submitted to, and approved in writing, by the Council unless otherwise authorised. 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 should be detailed and verified in an amendment to the remediation statement. All works must be carried out by a competent person conforming to CLR 11: Model Procedures for the Management of Land Contamination (DEFRA 2004).

To ensure that any contaminated land on the application site is identified and remediated in accordance with Policy G0, G3, EN20A and EN21 of the Unitary Development Plan as amended 2007.

- 25) No development shall commence until an energy demand assessment in respect of possible CHP use has been submitted to and approved in writing by the Council. The energy demand assessment should demonstrate all electricity and heat requirements when in use and the likely annual carbon emissions. Energy savings through energy efficient design and technology should be assessed and renewable energy technologies should be incorporated into the development's design to provide at least 10% of the site's electricity and heat needs where feasible. The likely energy supply from renewable sources and where possible carbon savings should be stated as a percentage of total (established from the energy demand assessment). If renewable options are rejected, justification should be provided. Following the approval of the details, the details shall be fully implemented before the relevant part of the development is occupied.

In the interests of sustainability and energy efficiency, in accordance with London Plan policies 4A.6 and 4A.7 and G0 and G3 of the Unitary Development Plan as amended 2007.

- 26) No soakaway shall be constructed in contaminated ground.

Condition required by the Environment Agency to ensure that the development complies with policy EN20A of the Unitary Development Plan as amended 2007.

- 27) The construction of the site drainage system shall be carried out in accordance with details submitted to and approved in writing by the Council before the development commences.

Condition required by the Environment Agency to prevent pollution of the water environment in accordance with Policy EN20A of the Unitary Development Plan as amended 2007.

- 28) The development shall not commence before details of surface water source control measures have been submitted to and approved in writing by the Council.

Condition required by the Environment Agency to ensure that the development does not contribute to the risk of flooding and pollution, contrary to policies EN20A of the Unitary Development Plan as amended 2007.

- 29) The development shall not commence prior to the implementation of an archaeological field evaluation in accordance with a written scheme of investigation previously submitted to and approved in writing by the Council.

In order to ensure the preservation or protection of any archaeological interests that may be present on the site, in accordance with policy EN7 of the Unitary Development Plan as amended 2007.

- 30) In the event that the results of the field evaluation required by condition 29 reveal the presence of archaeological interests on the site, the development shall not commence prior to the implementation in full of a programme of works to ensure that the archaeology is either preserved or fully excavated, in accordance with a written scheme previously submitted to and approved in writing by the Council.

In order to ensure the preservation or protection of any archaeological interests on the site, in accordance with policy EN7 of the Unitary Development Plan as amended 2007.

- 31) The development shall not commence until a Construction Management Plan has been submitted to and approved in writing by the Council. The details shall include contractors' method statements, waste classification and disposal procedures and locations, dust and noise monitoring and control, provisions within the site to ensure that all vehicles associated with the construction works are properly washed and cleaned to prevent the passage of mud and dirt onto the highway, and other matters relating to traffic management to be agreed. All works shall be carried out in accordance with the approved plan.

To ensure that no unacceptable adverse effect on the amenity of surrounding occupiers in accordance with policies EN21 and TN15 of the Unitary Development Plan, as amended 2007.

- 32) No deliveries, refuse collection and/or any other servicing activity shall take place between 20.00 hours and 07.00 hours the following day.

In order to ensure that noise and other disturbance caused by deliveries does not cause harm to surrounding residents, in accordance with Policy EN21 of the Unitary Development Plan as amended 2007.

- 33) No customers shall be on the premises in connection with any retail (Class A1) hereby approved between 23:00 hours on Monday to Saturday (inclusive) and 07:00 hours the following day, and between 22:30 hours on Sunday or a Public Holiday and 07:00 hours the following day.

In order that noise disturbance which may be caused by customers leaving the premises is confined to those hours when ambient noise levels and general activity are sufficiently similar to that in the surrounding area, thereby ensuring that the use does not cause demonstrable harm to surrounding residents in compliance with policy EN21 of the Unitary Development Plan as amended 2007.

- 34) None of the shopfronts on the New King's Road frontage shall be fitted with external roller shutters.

To ensure a satisfactory external appearance, in accordance with Policies EN2, EN8 and EN8D of the Unitary Development Plan as amended 2007.

- 35) The window glass of the shopfronts to New King's Road frontage shall not be mirrored, painted or otherwise obscured.

To ensure a satisfactory external appearance and to prevent harm to the streetscene, in accordance with policy EN2, EN8 and EN8D of the Unitary Development Plan as amended 2007.

- 36) The ground floor entrance doors hereby approved shall not be less than 1 metre wide and the threshold shall be at the same level to the pavement fronting the entrance(s).

In order to ensure the development provides ease of access for all users, in accordance with Policy 3A.5 of the London Plan as amended 2008 and the Council's adopted supplementary planning document "Access for all".

- 37) All external entrance doors hereby approved shall be designed and installed so that they only open inwards and thereafter shall be retained in this form.

To ensure pedestrian flow is not unduly affected, in accordance with Policy TN5 of the Unitary Development Plan as amended 2007.

- 38) No advertisements shall be displayed to either the external face of the development and/or inside face of the approved retail use fronting New King's Road, unless full details of proposed signage have been submitted and approved in writing by the Council.

In order to ensure a satisfactory appearance to the development and to prevent harm to the streetscene in accordance with Policy EN2, EN8 and EN14 of the Unitary Development Plan as amended 2007.

- 39) No demolition or development shall take place until a photographic record of the interior and exterior of the buildings has been submitted to and approved in writing by the Council, and a copy of the approved photographic record shall be lodged with the Borough Archive.

To ensure that a proper record is made of the buildings prior to their demolition, and that the information is made available to the appropriate statutory bodies, in accordance with Policy EN6 of the Unitary Development Plan as amended 2007.

- 40) Prior to commencement of the development hereby approved, details shall be submitted to and approved in writing by the Council, of the sound insulation of the floor/ceiling /walls separating the basement car park of the premises from dwellings. Details shall ensure that the sound insulation and any other mitigation measures are sufficiently enhanced in order that the standard specified in BS 8233:1999 are achieved within noise sensitive premises and their external amenity areas. 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 Policy EN20A, EN20B and EN21 of the Unitary Development Plan, as amended 2007.

- 41) Details shall be submitted to and approved in writing by the Council, of the layout and internal arrangement within the building. Details shall ensure that:
- Large family units are not situated above smaller units.
 - Similar types of rooms in neighbouring dwellings are stacked above each other or adjoin each other.

- Halls are used as buffer zones between sensitive rooms and main entrances, staircases, lift shafts, service areas and other areas for communal use. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained, unless subsequently otherwise approved in writing by the Council.

To ensure that the amenity of occupiers of the development is not adversely affected by unreasonable neighbour noise due to the layout and arrangement of rooms and communal areas, in accordance with Policy EN20A, EN20B and EN21 of the Unitary Development Plan, as amended 2007.

- 42) Prior to commencement of the development hereby approved, details and drawings at a scale of 1:100 demonstrating the buildings compliance with the Lifetimes Home Standards shall be submitted to and approved in writing by the Council. The development shall be carried out in accordance with such details as approved.

In order to ensure the development provides ease of access for all users, in accordance with Policy 3A.5 of the London Plan as amended 2008 and the Council's adopted supplementary planning document "Access for all".

- 43) The development hereby approved shall not commence until a statement of how 'Secure by Design' requirements are to be adequately achieved has been submitted to and approved in writing by the Council. The approved details shall be carried out prior to occupation of the development hereby approved and permanently maintained thereafter.

To ensure a safe and secure environment for users of the development, in accordance with Policy EN10 of the Unitary Development Plan as amended 2007.

- 44) The development permitted by this planning permission shall only be carried out in accordance with the following mitigation measures described in the Flood Risk Assessment (Ref. 19119-004, Issue 2):
- All residential accommodations should be set no lower than 5.385mAOD, as stated in paragraphs 4.3 and 4.7, and only less vulnerable uses will be permitted at lower levels.
 - The proposals should include appropriate surface water attenuation in line with paragraph 4.6.
 - All mitigation measures listed in paragraphs 4.7 and 4.8 should be implemented.

To mitigate residual flood risk and ensure safety of the future occupants of the proposed development as required by the Environment Agency.

- 45) The retail (Class A1) floor space hereby approved shall be provided in the form of at least 2 separate units that shall not be amalgamated or occupied to form a larger Class A1 unit.

The use of the retail floorspace as a single shop unit could raise materially different considerations which the Council would wish to have an opportunity to consider at that time, in accordance with policy EN21 and TN2 of the Unitary Development Plan as amended 2007.

Justification for Approving the Application:

- 1) Summary of reasons for granting planning permission and a summary of the policies and proposals in the development plan which are relevant to the decision.

1. The proposed development will bring significant regeneration benefits to the area both in terms of housing and community uses, and because it is a well designed building within a high quality public realm that relates well to New Kings Road and to the surrounding area. The proposal accords with Policy G2 of the UDP and 2A.1 (sustainability criteria) of the London Plan.

2. The proposed development achieves a substantial and sustainable development in accordance with PPS1, which promotes efficient use of land through mixed use development, and in accordance with the general policies of the development plan. The latter policies include policy GO of the UDP, which encourages sustainable development including, amongst other things, co-ordinated land use and transportation, conserving and enhancing environmental quality and biodiversity, ensuring a choice of housing accommodation, including those on low incomes and seeking an adequate range of facilities available to all members of the community. They also include UDP policy G3 which seeks to conserve, protect and enhance the quality, character and identity of the borough's built up and open environments and London Plan 3A.3 which seeks to ensure that development proposals achieve the maximum intensity of use compatible with the local context.

3. The proposed development will bring forward much needed additional housing in accordance with London Plan policy 3A.1 and 3A.2. The mixture of market housing and affordable housing in the form of intermediate shared ownership units is considered acceptable having regard to development plan policies particularly London Plan policies 3A.11, 3A.9 and 3A.10. The former policy requires boroughs in setting overall targets for affordable housing provision in accordance with the requirements of the London Plan to take account of local and general assessments of need and the mayor's strategic target for affordable housing provision that 50% of provision should be affordable. Within that, they should take into account the London-wide objective of 70% social housing and 30% intermediate housing and the promotion of mixed and balanced communities. Policy 3A.10 states that boroughs should seek the maximum reasonable amount of affordable housing when negotiating on individual mixed-use schemes and 3A.11 states that boroughs should seek affordable housing on sites that have a capacity to provide 10 or more units. In the context of these policies and having regard to the Three Dragons Assessment, the tenure mix is considered acceptable, particularly taking into account the assessment of local need, the existing tenure mix in the area and the objectives of promoting an appropriate

mixed and balanced community and of bringing forward a mixed use development with positive benefits for the area.

4. The housing brought forward by the development will also be an appropriate mix having regard to those with special needs and the objective of securing family and non family units in accordance with UDP policy H06. It will also respect policy H014 which requires compliance with the principles of sustainable waste management. The internal design and layout of the housing units is considered satisfactory although all units do not meet the maximum space provision with standard S7A and the amenity space provision is considered satisfactory though falling short of the amount set out in standard S7.1. The context of the development, particularly, the close proximity of Bishops Park is considered such that the play and amenity space for children as well as adults is satisfactory in accordance with these policies and policy 3D.13 of the London Plan which seeks to ensure that all children have safe access to good quality well-designed secure and stimulating play and informal recreational provision.

5. The development is considered to comply with UDP policies EN2 and to be in accordance with the policies set out in EN8 and London Plan policy 4B.1. The proposals are considered to represent an enhancement of the public realm and provision of a high quality scheme that will respect the local setting and provide a mix of integrated facilities and uses that respond to the needs of the local community. Policy EN2 states that development within conservation areas will only be permitted if the character and appearance of the conservation area is preserved or enhanced. Policy EN8 requires a high standard of design in all developments, compatible with the scale and character of existing development and its setting. London Plan policy 4B.1 also seeks to ensure that, within developments, which should maximise the potential of sites, design should, in all its aspects, be of high quality.

6. The Council is satisfied that the scheme represents the principles of good design and properly addresses environmental issues. It considers that UDP policy EN10, which requires a safe and secure environment, is complied with. The proposals, similarly, accord with UDP policies EN17 in that they incorporate suitable facilities for the storage and collection of segregated waste in accordance with standard S5, and with policies EN20A and EN20B because the development would not cause any undue pollution, with no significant worsening of air quality nor undue noise and with other pollution controls in place, which would also ensure compliance with EN21, which requires that development does not cause undue detriment to the amenities of neighbours.

7. The proposal will result in the loss of employment land which is considered to be surplus to requirements. The proposal accords with London Plan policies 3A.2 and 3B.2 which state amongst other things, that surplus employment land or premises should be released to provide for increased housing either as a single use or as a mixed use scheme.

8. The impact of the proposals on the highway network and local parking conditions will be minimal, and the development accords with UDP policies TN4, TN6, TN13 and TN15. TN4 requires the proposals to be designed to facilitate ease of access by disabled people. TN6 requires direct, convenient, safe and secure facilities for cyclists. TN13 requires all development proposals be assessed for

their contribution to traffic generation and their impact on congestion. TN15 requires developments to conform to parking standards S18, S19 and S20.

9. The impact of the proposed development upon adjoining occupiers is considered acceptable. In this regard, the proposals accord with UDP policy EN8, which requires developments to be of high quality design which, amongst other things, respects the principles of good neighbourliness, and with standards S12 and S13 which state that there be no significant loss of outlook or privacy to neighbouring occupiers and that no new roof terraces nor balconies be created, use of which might cause harm to the amenities of neighbours by reason of noise and disturbance.

10. This mixed use development is considered appropriate and beneficial, having regard to UDP policies SH1. The inclusion of A1 uses accords with policy SH1, which seeks to retain and improve accommodation suitable for A class uses.

LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

All Background Papers held by Michael Merrington (Ext: 3453):

Application form received: 17th August 2009
Drawing Nos: see above

Policy documents: The Revised London Plan 2008
Unitary Development Plan as amended September 2007.

Consultation Comments:

Comments from:	Dated:
Crime Prevention Design Advisor - Hammersmith	29.09.09
Environment Agency - Planning Liaison	29.09.09
Fulham Society	17.11.09
Thames Water - Development Control	07.09.09
English Heritage London Region	20.10.09
English Heritage London Region	27.11.09

Neighbour Comments:

Letters from:

Dated:

42 Burlington Road London SW6 4NX	12.09.09
40 Burlington Road London SW6 4NX	16.09.09
63 Burlington Road London SW6 4NH	24.09.09
11 Hurlingham Mansions New King's Road London SW6 4PA	03.09.09
12 Broomhouse Dock Carnwath Road London SW6 3EH	01.09.09

1.0 BACKGROUND

1.1 The site is some 0.2 hectares in area and lies on the north side of New King's Road. The site is bounded to the north and west by properties fronting Fulham High Street and to the east by Kiln House (7 storey office block) on the corner of New King's Road and Burlington Road and smaller commercial/residential properties fronting Burlington Road. To the west of the site fronting New King's Road is a 4-storey terrace building (Hurlingham Mansions), with shops on the ground floor and residential units on the upper floors.

1.2 The site is located in the Fulham Park Gardens conservation area and the Fulham Village archaeological priority area. The Bottle Kiln; a grade II listed building, is situated on the east side of Kiln House, fronting Burlington Road. Putney Bridge underground station is accessible via Station Path, a pedestrian walkway.

1.3 The site is divided roughly into two sections. The rear (north) part of the site is occupied by a large three storey Victorian warehouse building, with a single storey annex. At the front is a single storey building fronting New King's Road. The site is in use as A1 retail and B8 warehouse with ancillary offices (2933 sqm. floorspace), has a large forecourt and associated parking. Vehicular access is off New King's Road (Borough Distributor Road).

PLANNING HISTORY

1.4 There is little relevant planning history associated with this site as it has remained relatively unchanged since the 1930's. The warehouse building at the rear of the site was formerly part of the former Fulham Pottery works, founded in the late 17th century. The main warehouse building suffered extensive internal fire damage in 1918, after which it was reconstructed with a light steel framework, trussed roof and sheet asbestos finish. The frontage land, comprising the site of the National School was added, and No. 212 New King's Road became a petrol filling station and car body workshop, and finally a general warehouse.

1.5 A planning application for a mix use redevelopment of the site was withdrawn in June 2007, prior to any formal determination by the Council, in order to address concerns raised with regards to the size and form of the proposed roof extension on the existing warehouse building, in relation to the impact on nearby residential amenity (Burlington Road) and the inclusion of proposed ground floor windows on the east elevation.

1.6 In August 2007, planning permission granted subject to a s106 legal agreement for the demolition of the single storey retail unit to the front of the site and the erection of a part 4, part 6 storey building on the New King's Road frontage, comprising Class A1 retail floorspace on the ground and mezzanine floor (500 sqm.), with 14 flats on the floors above; refurbishment and conversion of the existing warehouse building at the rear of the site for offices (Class B1) use, involving demolition of existing single storey additions and the erection of an additional floor at roof level and; the provision of 15 on site parking spaces.

CURRENT PROPOSAL

1.7 The current mixed use proposal is a variation of the 2007 approval. As with the previous scheme the existing building on the front of the site would be demolished and replaced with a part 4, part 6 storey building on the New King's Road frontage, comprising Class A1 retail floorspace (350 sq m) on the ground and residential above. The main difference between the current application and the previous approval is that the warehouse at the rear of the site would now be demolished rather than retained for commercial use and would be replaced by a four-storey courtyard style building comprising flats at lower ground, ground, first and second floor levels. 21 parking spaces would be provided at basement level with access from a ground floor car lift.

1.8 The development would include 56 residential units (21 x 1bed, 23 x 2bed and 12 x 3bed) of which 6 units would be affordable housing (2 x 1bed, 2 x 2bed and 2 x 3bed). 21 parking spaces would be provided at basement level rather than surface level as previously proposed.

1.9 The proposed frontage building itself would extend up to 6-storeys in height, but the bulk/mass of the building would step back from the fourth level. The primary 4 storeys section would cover a large extent of the frontage of the site and would be connected to a courtyard building to the rear. A combination of green terraced roofs and roof terraces are proposed at fourth and fifth floors.

1.10 A separate conservation area consent application has been submitted for the demolition of the single storey building at the front of the site.

2.0 PUBLICITY AND CONSULTATION

2.1 The application has been publicised by means of statutory site notices and press notices. Individual notification letters have also been sent to occupiers adjoining the site in New King's Road, Burlington Road and Fulham High Street. Notification letters have also been sent to the Fulham Society, Hammersmith and Fulham Historic Buildings Group, Environment Agency, Thames Water, English Heritage and the Police Crime Prevention Design Advisor.

2.2 Five responses were received in response to the development including four objection letters and a letter stating they had no objection. The responses are summarised below.

11 Hurlingham Mansions:

- light and view will be compromised in the apartment overlooking the proposed site and building.

40 Burlington Road:

- loss of daylight and sunlight
- whether the quality of the proposed brickwork will be as good as existing and could be detrimental to outlook
- possible overlooking
- possible noise from plant equipment such as air-conditioning units
- noise from ventilation to underground car park
- the location of cycle and foot access to the north of the site is not clear
- removal and replacement of boundary wall could impact on the safety, use of the garden and foundations of the house.

42 Burlington Road:

- loss of light to rear of house
- overlooking
- loss of end wall currently part of warehouse
- proximity of building and its height
- colour of brickwork (currently light reflecting white would be lost)

63 Burlington Road:

- strongly objects to proposed build

12 Broomhouse Dock, Carnwath Road:

- No objection

2.3 The Fulham Society welcome the redevelopment of this under-utilised site and also the opportunity to fill the unsightly gap in the frontage to New Kings Road subject to the imposition of appropriate conditions as previously in particular relating to details of entrance gates on the New King's Road, the footway/kerb and pedestrian access to New King's Road and an archaeological field evaluation together with, if necessary, works to ensure that the archaeology is either preserved or fully excavated. They also have the following concerns:

- the residential elevation fronting New Kings Road, as well as the fenestration, do not relate well to the adjoining Hurlingham Mansions.
- the demolition of the warehouse building which largely survived a fire 1918 should be retained and converted to alternative use.
- additional traffic generated by the proposed uses as this section of new Kings Road is already very heavily congested. Any development in this vicinity should contribute towards the cost of safe vehicular and pedestrian movement in this location.

2.4 Environment Agency raised no objection to the submitted Flood Risk Assessment of 05 August 2009, provided conditions are attached requiring that - All residential accommodations should be set no lower than 5.385mAOD, and only less vulnerable uses will be permitted at lower levels.

- The proposals should include appropriate surface water attenuation.
- All measures to mitigate residual flood risk listed in paragraphs 4.7 and 4.8 should be implemented.

2.5 English Heritage raised no objections to the demolition of the existing buildings or the design and appearance of the scheme.

2.6 English Heritage (Archaeology) raised no archaeological objections to the proposal.

2.7 The Crime Prevention Officer raised no objection subject to the request that the developer attain Secured by Design accreditation.

2.8 Thames Water raise no objections subject to appropriate conditions relating to surface water drainage and that protection measures be installed, for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

2.9 At its meeting on 17th September 2009, the Disability Forum Planning Group requested that the development meet the following access standards:

- LifeTime Home standards and the Wheelchair accessible housing standards in Access for All SPD
- the dimensions of 7 Blue Badge allocated parking bays in the basement complies with the councils Access for All SPD
- the 7 Blue Badge parking bays in the basement are accessible by lift
- the dimensions of the lift and that is usable in the event of a fire
- confirm that each duplex unit has a pre trimmed opening for possible lift installation in the future
- the gradient of the entrance slope into the building from the street
- the entrance from the street to the car park is accessible (e.g. dropped kerbs etc.)
- disappointed that this application for 56 Units only has 4 units for shared ownership. We do not believe this meets the council's aspirations for balanced and mixed communities.
- concerned that out of the 6 wheelchair accessible units only one is available as shared ownership and none available for rent
- concerned that the application provides no evidence that there is a demand for wheelchair accessible units at market prices.

(Officer comments: a condition has been attached to ensure the development provides ease of access for all users, in accordance with Policy 3A.5 of the London Plan as amended 2008 and the Council's adopted supplementary planning document "Access for all").

3.0 PLANNING CONSIDERATIONS

3.1 The main issues are whether the proposed scheme is acceptable in the context of the Unitary Development Plan (UDP) and London Plan, with particular regard to the erection of residential units on land designated for employment use, the likely impact of the development on the appearance of the street scene, the character and appearance of the adjoining conservation area, its impact on the existing amenities of the occupiers of neighbouring residential properties and on traffic generation and car parking.

Proposed Land Uses

Loss of Warehouse

3.2 Since the 2007 application was approved, the Council's employment policies have been revised and the site no longer falls within an employment zone where UP policy E1 sought to protect the retention of employment sites and premises within employment

zones for B class employment use. The applicant states that the warehouse to the rear is used for B8 with ancillary B1 offices. Both national and regional policy specify that employment land and premises should be retained where needed and intensified where appropriate, but unwanted land or premises should be released to provide for increased housing either as a single use or as a mixed use scheme (PPS3 Housing Para. 38 and 44 and London Plan policies 3A.2 and 3B.4). This approach underlines the Council's emerging PDF.

3.3 The principle of development on the front part of the site has been established by the grant of the previous 2007 permission. The existing site has been marketed since June 2008 and the applicants letting agents have advised that there has been minimal interest due to the poor configuration and condition of the building, with high on-going capital cost for maintenance and repairs required outdated specification and restricted floor loading and floor to ceiling height. The applicant was prepared to make a capital contribution to an incoming tenant and agree flexible and relaxed covenant terms; the applicants have struggled to gain any interest. By May 2009 the only potential occupier was a local hardware store and their occupancy was made possible by a capital contribution from the client and flexible terms including a rental free period of nine months to get the building re-occupied on a short term basis. While the current occupiers provide no long term financial benefit from their occupation their presence on site deters vandals and other anti-social activities occurring on site, as well as easing insurers concerns which assist the applicant during the consideration of the application.

3.4 The re-use of the B8 warehouse for B1 purposes has been established by the 2007 permission, however, the applicants have provided marketing information from local letting agents together with an up to date financial appraisal for the consented scheme which demonstrates that the proposed B1 office floorspace within the 2007 scheme would be surplus to local requirements. The Point, No. 210 New Kings Road is a seven storey B1 office building adjacent to the site which currently comprises 6 vacant floors (2,326 sqm) available for let. Bedford House, a vacant B1 office, to the south on the opposite side of New Kings Road is due to be refurbished to provide in excess of 9,300 sqm which will make the marketability of the converted floorspace at the application site more difficult. The Council's officers employed an independent financial consultant to assess the applicants' analysis and concurred with the applicant's general findings that there is a surplus of B1 office space and that in its existing state the site has relatively low value, the 2007 consented scheme is wholly non-viable, and the proposed scheme which includes the demolition of the warehouse generates a significantly higher residual value.

3.5 In view of the above circumstances, officers consider that neither the reuse nor redevelopment of the building is viable and that the land is surplus to industrial and commercial requirements and as an alternative the use of the site for principally residential purposes are acceptable.

Retail

3.6 UDP policy SH1 states that outside of town centres and key local centres, the council will normally require replacement A class floorspace, unless there is satisfactory alternative shopping provision. The existing approved scheme provided 252sqm of A1 retail floorspace. The proposed scheme will provide 350 sqm of A1 retail floorspace. Policy SH1 is therefore satisfied. Although the proposed provision results in an

increased provision of floorspace, a condition would be attached requiring that the floorspace be divided into 2 units rather than be used as 1 larger unit.

Residential

3.7 Policy 3A.1 of the Mayor's London Plan states that 30,500 net additional homes should be delivered per annum in London. Of this, the London Borough of Hammersmith and Fulham have a target to deliver 450 net additional dwellings per annum. The proposed redevelopment to provide 56 flats would contribute to this target.

3.8 Policy 3A.10 of the Mayor's London Plan states that Boroughs should seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed use schemes, having regard to their affordable targets, the need to encourage rather than restrain residential development and the individual circumstances of the site. Targets should be applied flexibly, taking account of individual site costs, the availability of public subsidy and other scheme requirements. Policy 3A.11 of the Mayor's London Plan states that boroughs should normally require affordable housing provision on a site which has capacity to provide ten or more homes, applying the density guidance set out in Policy 3A.3 and Table 3A.2. The site clearly has capacity for ten or more residential units and would trigger the need for affordable housing. Regard should also be had to policy 3A.9 which states that the Mayor's strategic target for affordable housing provision is 50% and within that, 70% social rented and 30% intermediate. Paragraphs 3.52 and 3.53 of the Mayor's London Plan establish that the 50% target is not prescriptive and that some sites are more capable of achieving more (and some less) towards the 50% target than others.

3.9 At pre-application stage the applicant advised that the scheme could not accommodate any affordable housing, however, at that stage no financial appraisal had been considered by officers. The applicant submitted a 3 Dragons toolkit appraisal together with a supplementary financial assessment of the scheme at application stage. The proposal now includes the provision of 6 affordable intermediate housing units (2x1 bed, 2x2 bed and 2x3 bed). Whilst this 11% provision falls short of the London Plan targets, these are strategic targets for boroughs and may not be found appropriate or necessary for each and every redevelopment scheme. The developer's financial assessment demonstrates the scheme's viability in relation to the proposed level of affordable housing which concluded that changes in the property market have had a major impact on the viability of the scheme. Officers have considered the viability assessment, and in addition sought independent advice on its content and findings. The external advice concluded that the development includes scope for the inclusion of a modest element of affordable housing or s106 financial contribution. The mix of 6 affordable units, dependent on HCA grant being available and all with intermediate tenure, together with £172,000 s106 contribution is considered acceptable in this case due to the site specific circumstances. The development would still make a valuable contribution to meeting the continuing demand for housing in the Borough. Any affordable housing would need to be secured by appropriate Section 106 obligations (see below).

3.10 Policy H06 states that in developments for 20 or more residential units, permission will only be granted if:

- a) 10% of the units are designed to be suitable for occupation by wheelchair users
- b) A mixture of unit sizes is provided to meet the needs of family and non-family households.

The proposal accords with HO6 as 6 wheelchair accessible units (11%) will be provided and the proposed mix of 23x1 bed flats, 23x2 bed flats and 12x3 bed flats, which is considered appropriate.

3.11 In summary, officers are satisfied that the current warehouse building is in a suitably poor state of repair that it or the site is unlikely to attract much interest from marketing. The applicant has provided a financial viability assessment demonstrating the amount of affordable housing that could feasibly be delivered on the site. In respect of housing the proposal is generally considered acceptable.

Residential Density

3.12 The London Plan further develops and strengthens the call for higher densities heralded in existing national, regional and local policy. Policy 4B.3 states: 'The Mayor will, and boroughs should, ensure development proposals achieve the highest possible intensity of use compatible with local context, the design principles in policy 4B.1 and with public transport capacity. Boroughs should develop residential and commercial density policies in their UDP's in line with this policy and adopt the residential density ranges set out in Table 4B.1'.

3.13 The density matrix in Table 4B.1 of the London Plan sets a strategic framework for maximising residential density at different locations. Density ranges are related to location, setting in terms of existing building form and massing and the public transport accessibility of the area.

3.14 The application site falls within PTAL 5 for an urban area with an indicative density range of 450 - 700 hrh (appropriate for urban sites along transport corridors and sites close to town centres). The site is located within only 5 minutes walking distance from Putney Bridge underground station and less than 10 minutes from Putney town centre. There are also several bus routes linking the site with Fulham and Hammersmith town centres.

3.15 The proposed density is 795 hr/ha exceeds the indicative density range. The Mayor's Housing SPG (Nov 2005) states that the density ranges are intended as a guide, rather than an absolute rule and should be applied flexibly in the light of local circumstances to help arrive at initial appropriate density ranges for particular sites. Higher densities may be possible where this can be justified by local circumstances. Officers consider that the siting, design and layout of the development maximises the development of an otherwise underused site while safeguarding the quality of the environment. Furthermore, the development would bring about an efficient regeneration of a Brownfield site and provide significant benefits in terms of a mix of retail and housing on the New King's Road frontage. The proposed development would be built to modern standards and lead to a significant improvement to the appearance of the street scene. The development includes good private amenity space provision, and it complies with UDP parking requirements.

Design Comments

3.16 The site lies within the Fulham Park Gardens conservation area and therefore, policy EN2 of the UDP applies. At present the site has an open and disjointed appearance to New King's Road, with a large tarmac forecourt together with a single

storey building at its eastern boundary. The neighbouring 7 storey building; Kiln House, deliberately sets itself back from the frontage which further erodes the alignment on this street and the elevated railway opposite cuts across the established street pattern. The conservation area character profile for the area states -"The low building height at the front of the plot and the large size and the poor treatment of the forecourt area and car park detract from the character of this part of the area." The front of the site therefore, lacks any clear definition and presents a poor aspect to New King's Road, resulting in a negative contribution to this part of the conservation area.

3.17 The proposed development follows on from the 2007 permission for the redevelopment of the site for the refurbishment of the existing warehouse building and the redevelopment of a frontage building onto New Kings Road. The site lies within a prominent frontage in the Fulham Park gardens conservation area, and it was considered that the proposed redevelopment would enhance the appearance of the conservation area and the proposal was recommended for approval. Part of the consideration at the time was that the site currently presents an open aspect to the street with a large tarmac forecourt, (reflecting its earlier use) occupying most of the frontage, with the flank end of a single story building at its eastern boundary. The frontage lacks definition. The neighbouring building, Kiln House, is deliberately set back from the frontage which further erodes the alignment and the elevated railway opposite cuts across the established street pattern. An opportunity exists to enhance this part of the conservation area by repairing the frontage with a sympathetic infill building which responded to its immediate neighbour, Hurlingham Mansions in form, scale and design, and completing the curving alignment of the frontage. The proposals were developed in response to this analysis. The current scheme retains the earlier design of the frontage block.

3.18 The frontage would be developed by a part four, part six storey building, with each part responding to its context. The four-storey element on the New King's Road frontage completes the terrace, continuing the parapet of the adjoining Hurlingham Mansions, with a retail frontage at its base and residential on the upper floors. The front elevation is simply detailed, reflecting the character of the adjoining building and reflects the rhythm and scale of Hurlingham Mansions, by using 5m bay widths with paired windows divided by an alternative order of fenestration. In the proposed scheme this is provided by the balcony bays which are recessed in the elevation and taller. The detail of the paired windows and recessed balconies will be important to ensure quality and visual interest of the elevation. The facade would be completed mostly in an off white rendered finish to match the adjacent Hurlingham Mansions. The building then sets back and rises by two floors as it turns northwards along the boundary with Kiln House. The recessed upper floors would be clad in zinc panels and would be set back sufficiently to reduce the visual effect from the street. This elevation would have the larger Kiln House as its immediate neighbour and its increase in scale at this point would form an appropriate backdrop to both views along New King's Road and the immediate landscaped area fronting Kiln House where it would be glimpsed through the significant trees along the Kiln House frontage. The composition of the return façade adjacent to Kiln House has been expressed with a mixture of soft and hard landscaping to add to the visual interest and would consist of a green wall with balconies and elements in cedar cladding.

3.19 In respect of the design along the frontage, the two areas of change which are important are the lowering in height of the retail frontage and the resultant impact on the elevation and the reduction in courtyard space within the site which would be seen from

new Kings Road. Both of these issues have been addressed in the design. The submitted drawings indicate areas for proposed signage that would not diminish the scale of the ground floor to any great degree, and show the satisfactory relationship of the proposed scale of the retail frontage in relation to the traditional proportions of the base of the neighbouring Victorian terrace. The submission also includes a sketch of the view into the courtyard from the street and the intention for high quality hard landscape materials as well as planting where space permits. Overall it is considered that the reinstatement of a built form to the New King's Road frontage in this manner should be welcomed and it is considered that the proposed new building is acceptable in terms of design, bulk and massing.

3.20 The main difference between the current and approved schemes is the replacement of the warehouse building by a new residential block. The re-use of the building has been considered as part of the scheme. Officers acknowledge that the existing street frontage presents a poor aspect in the conservation area, and the warehouse building whilst much altered, does reflect some of the historical interest of the local area and can therefore, be argued to make a positive contribution to the character and appearance of the conservation area. However, the applicants have submitted a thorough analysis of why, in the present economic climate, the approved scheme is no longer viable and an alternative redevelopment option is sought. Officers also acknowledge that while the warehouse building does make a positive contribution to the conservation area it is not worthy of national or local listing and its conversion to residential use is not physically practicable for due to for example:

- the cost of conversion is prohibitive when considered against the limited number of units that can be achieved internally
- the retention or conversion of the warehouse does not optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses in accordance with PPS1
- converting the warehouse to residential does not optimise the density the site can potentially accommodate in accordance with the London Plan

3.21 Given that the applicant has explored the re-use of the warehouse building for alternative employment purposes and residential use, and the independent assessment of the applicants' analysis which concurs with the conclusions, it is difficult to sustain an objection to the demolition of the warehouse building which would enable the redevelopment of the whole site.

3.22 The proposed courtyard building at the rear of the site would generally be lower on one elevation and higher on the other. It is felt that its bulk and height is satisfactorily accommodated on the site in design terms. The face of the building presented to neighbours would have a similar design character to the existing warehouse building and the courtyard design means that the windows would be inward looking.

3.23 The applicants have developed their scheme from a detailed understanding of the context of the site and it is considered that the form, scale and detailed design of the frontage building together with the courtyard building to the rear and would be an enhancement of this part of the Fulham Park Gardens conservation area. It would therefore comply with the requirements of both PPG15 and UDP policy EN2 and EN8.

3.24 A tree survey report has been submitted by the applicant with respect to the impact of the development on the existing large London plane trees situated in the car park area of the adjoining Kiln House. Policy EN25 states that the Council will

endeavour to prevent the removal or mutilation of protects trees. None of the trees in question are within the application site. The trees are to be retained and the proposed footprint of the building has been designed to accommodate their retention. These trees are of high amenity value and therefore officers have reinforced that measures must be taken for their protection if permission is granted. The development will be required to ensure that protection measures are provided during the construction of the development for the existing trees within the car park area of Kiln House, 210 New King's Road. A plan for the protection measures of these trees would be included as part of the S106 agreement.

Internal Layout, Amenity Space and refuse storage.

3.25 Standard S7A relates to internal space provision in new dwellings and requires that all the dwellings should meet the minimum standard of 44.5 m², 57 m² and 70 m² respectively for one two and three bedroom flats. With the exception of two 1-bed units, respectively the proposed one, two and three bed units, 45 - 51 m², 6-101 m² and 80 - 159 m², exceed the minimum floorspace standards and therefore complies with S7A. The two undersize 1-bed units at 43 m² are only marginally under the minimum floor areas required by UDP standard S7 for accommodation of this nature (44.5sq.m). Officers consider that the units below the UDP standards are a small component of the overall scheme and when considered in the context of the Council's other objectives, such as increasing housing provision and low cost home ownership opportunities, on balance, such sizes of units are considered acceptable.

3.26 All the units comply with the internal space standards set out in UDP standard S7.2A and the units would meet the "Lifetime Homes" standard. This standard ensures that many of the features of a wheelchair unit are incorporated including dedicated car parking spaces, a level entrance, all door openings sufficiently wide to accommodate wheelchair access, adequate turning space within the flat for wheelchairs, low level window sill heights, switches, sockets etc located at a height usable by all. In addition, these units are designed so that they can be easily adapted, without structural alteration, to provide all the features required for a wheelchair user. Policy HO6 of the UDP requires 10% of the units to be designed for the occupation by wheelchair users. In this case, 6 of the units would need to be specifically designated as a wheelchair unit. Overall, officers consider that the proposed residential units would have a satisfactory internal layout.

3.27 Standard S13.3 requires that no dwelling should have its habitable room windows face exclusively in a northerly direction (i.e. north east and north west). Three of the fifty-six flats would have a northerly facing aspect (north/north east and north/north west) with sun early morning and late afternoon. However all the living rooms are spacious and open plan with large windows and would maintain an acceptable level of internal amenity. Officers consider that these units are a very small component of the overall scheme and when considered in the context of the Council's other objectives, such as increasing housing provision and low cost home ownership opportunities, it is not considered that this is sufficient to withhold permission.

3.28 Policy EN23 of the UDP states that all new developments will be required to make provision for open space to meet the needs of the occupiers and users. These will need to be in accordance with standards S5 and S7 of the Unitary Development Plan. 5A.1 requires that every new dwelling with accommodation at ground floor level should have at least one area of private open space of not less than 36 sqm with direct access to it

from the dwelling and S5A.2 requires ground floor non-family dwellings to provide not less than 14 sqm. Such space may be in the form of a roof terrace but its provision should ensure that the amenities of neighbouring properties are adequately protected. Standard S7.1 requires that all residential developments on sites of over 0.2 hectares which includes accommodation for at least 10 children shall also include at least one appropriately equipped play area. In this case, the 12 (8 family and 4 non-family) ground floor flats in the courtyard would have access to a centralised communal private amenity area (c.1,600 sqm) which is well in excess of the minimum requirement (344 sqm) in this case. Furthermore, most of the flats above the shop on the front part of the site would have a balcony / terrace and some of the larger flats on the upper floors would also have access to additional larger private roof terraces. Although no children's play area is included within the development, Policy EN23 states that such provision may be made as a contribution to the establishment of, or enhancement of nearby open space. In this case, the applicants have offered a £120,000 contribution towards environmental improvements in Bishops Park and Fulham Palace. Officers therefore conclude that there is a satisfactory provision of amenity space in accordance with UDP policy and standards.

3.29 The proposal makes adequate provision for refuse storage in accordance with UDP policy EN17 and Standard S5. Communal bin stores (general waste and recycling) would be located at convenient positions for each building, at ground floor level, adjacent to entrances, allowing drop off of refuse as residents leave the building. A management plan for the collection of refuse would be included as part of the S106 agreement.

Impact on adjoining occupiers

3.30 Whilst the massing and height of the proposed building increases significantly across the whole site, officers consider that the proposal would not be overbearing and result in material harm the amenities of adjoining residents in Hurlingham Mansions or properties at the rear of the site fronting Fulham High Street to warrant refusal of planning permission.

3.31 In considering the protection of adequate daylight and sunlight to existing buildings, the Council has had regard to EN8B in respect of neighbourliness and the guidance set out in Building Research Establishments' (BRE) Report 1991 - "Site Layout Planning for Daylight and Sunlight - A guide to good practice. When compared to existing the building the profile of the proposed building has been reduced in height. In practical terms this means that the level of daylight and sunlight is no worse than existing in Hurlingham Mansions and Fulham High Street and the occupiers of residential properties in Burlington Road will experience an improved level of daylight. In summary the BRE analysis indicates that there would be no breach of the Council's standards. Similarly, officers consider that the proposed residential units would have a satisfactory internal layout and the distance and height of adjacent buildings is such that they would receive acceptable levels of daylight and sunlight.

3.32 Standard S13.2 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 in arc of 60 degrees taken from the centre of the proposed window. The relationship of the front part of the site to adjacent buildings remains the same as that for the previous approval and the courtyard building would be inward looking with no windows on its external envelope and would not therefore result in loss of privacy. Views from the

proposed windows and balconies within the development towards existing windows in side elevation of Hurlingham Mansions would be less than 18 metres, but these views would be at an acute angle only. Officers therefore consider that this infringement is unlikely to result in significant loss of privacy, and in this regard the proposal is acceptable. Similarly, the flank elevations of the proposed courtyard building to the rear of the site would contain no windows and the front facade the development would follow the general pattern of development within the street and the views would be across the street where on the opposite side is an office building. Elsewhere it is not considered that the development would result in any loss of privacy to surrounding occupiers.

3.33 Similarly in terms of Standard S13.1 the proposed development accords with this standard and therefore no significant loss of outlook would result. Although closer to commercial offices, the increased bulk at roof level on the boundary facing the properties at the rear of Fulham High Street, would have no adverse impact on residential properties which are set further away. Similarly the siting of the wall along the eastern boundary adjacent to the residential properties in Burlington Road would be reduced in height and result in a slightly more open aspect thereby improving outlook from the rear of those properties. The proposals would have no significant impact in terms residential amenities.

3.34 At this stage the applicant has indicated that it is difficult to quantify the amount and type of plant equipment required and whether any air conditioning would needed, but at this stage would accept planning conditions which would secured appropriate noise levels and operating hours being controlled. Overall in terms of noise and disturbance, the proposal would be in accordance with the requirements of policy EN21 of the UDP.

Parking and Traffic generation

3.35 Policy TN13 requires that all development proposals will be assessed against their contribution to traffic generation and other impact on congestion, particularly on bus routes and on the primary road network, and against the present and potential availability of public transport and its capacity to meet increased demand. Policy TN7 states that development will not be permitted if it would impair the flow of essential traffic. Policy TN15 and Standards S17 and S18 relate to car parking provision for the proposed development. The applicants have submitted a Transport Assessment.

3.36 In this respect to parking the development must comply with TN15, S18, S19 and Table 12.1. Due to the above being maximums and the PTAL being excellent, 21 of street car parks meet the standards. However, the applicant will be required to enter into a S106 for all the residential units, preventing them from accessing on-street car parking permits.

3.37 Of the 21 car parks the applicant has shown 7 of these being disabled. The standards require a minimum of 4 percent to be dedicated disabled bay, which equates to 1 space. The car lift and turntable is adequate, along with the servicing arrangement.

3.38 In terms of traffic generation, the size of the development is considered to be relatively small and the volume of vehicular traffic should not differ significantly from the former uses. The site is located less than 200 m from Putney Bridge underground

station and bus routes that run along Fulham High Street and New King's Road serving both Fulham and Hammersmith town centre and the adjoining borough of Wandsworth. The site therefore enjoys a high public transport accessibility level (PTAL rating of 5). Together with the fact that the whole development would be car permit free (the site is located within a controlled parking zone which operates between 9am and 5pm Monday-Saturday) and the level of parking provision on the basis of one space per unit, the proposal is considered acceptable in parking terms. Given the trip rate generated by the proposal will be less than the 2007 consented scheme, and will therefore result in fewer vehicle trips on the public highway network, the proposal is considered acceptable.

3.39 Policy TN15 and Table 12.2 of the Borough's UDP requires cycle parking provision of a minimum of 1 space per residential unit. This will be secured by condition for the lifetime of the development.

3.40 The site is located on a busy London Distributor road. The majority of the people accessing the commercial uses on the site will however do so by using public transport. A designated serving area for all the uses in the middle of the site would allow service and delivery vehicle to enter and exit in a forward gear. With regard to refuse, dedicated areas are to be provided but the proposed layout of the scheme cannot accommodate the turning area for one of the borough's refuse vehicles. It has been accepted that a management plan be put in place to move the refuse within 10m of the road so that the refuse vehicle can load from the road for a minimum period without causing disruption to traffic and road safety. Overall in terms of parking, the proposal would be in accordance with the requirements of policies TN4, TN6 and TN15 and standards S17, S19 and S20 of the UDP.

3.41 Although no specific details of these are given, officers have suggested the use of different coloured paving or cobbled stones to differentiate between carriageway, parking areas and pedestrian crossing points, and that all bays are clearly marked. Vehicle/pedestrian segregation has been provided for within the scheme in accordance with Standard S22, S23.1 and policy TN15. The applicants have agreed to enter into an agreement with the Council with regard to the owners paying the full cost for associated highways works that include changes to the existing crossover and reinstating the footway on the New King's Road frontage in the location of the existing wider crossover together with other highway improvement works in New King's Road.

Environmental/Sustainability Issues.

3.42 An energy assessment of the development has been carried out to determine the expected energy use from gas and electricity use and the associated CO₂ emissions. The baseline benchmark for the development has been calculated to be just over 176 tonnes of CO₂ a year. Energy efficiency measures are expected to reduce emissions by about 10%, to about 159 tonnes of CO₂ a year. Energy efficiency measures include the use of improved thermal insulation, reduced air leakage rates, high performance glazing, maximising natural daylighting and installation of low energy lighting.

3.43 A range of renewable energy technologies, including wind turbines, solar panels and biomass heating have been assessed for integration into the development, with the aim of reducing the CO₂ emissions by a further 20%. The proposal is to install 250m² of solar water heating panels on the roof of the development which would help reduce

CO2 emissions by just over 32 tonnes, which represents a saving of 20%, as expected by London Plan policy 4A.7.

3.44 As well as the sustainable energy measures, wider sustainability issues are covered by the intention to build to the Code for Sustainable Homes rating of level 3. For example, in terms of materials used, these will be sourced from local suppliers where possible, with priority given to materials/components with low environmental impacts. Any timber used will be from certified sustainable sources and where possible, recycled materials will be specified. The use of a green roof on the residential element of the development has been considered, though further details should be supplied, which would help improve insulation, reduce rainwater run-off and create an additional habitat area for wildlife. Water efficient appliances will be installed to keep water use to minimum e.g. dual flush toilets, efficient showers etc. Reference is made to sustainable drainage, but no details are provided on how this will be achieved and further details should be supplied. It is recommended that a condition be attached to any permission. A central storage area will be provided for recycling materials. Construction impacts will be managed by requiring the contractors on-site to join the Considerate Contractors scheme. This will help manage resource use, waste and pollution issues during demolition/construction.

3.45 A condition is proposed in this matter and to ensure that the sustainable design and construction measures, including energy efficiency and renewable energy, are achieved.

Land Contamination

3.46 It is understood that potentially contaminate land uses (past or present) are understood to occur at, or near to the site. In terms of ground contamination impact, the site has been previously been in employment use and has previously been used as a garage and motor works. Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. In order to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with G0, G3, EN20A and EN21 conditions are therefore recommended in connection with the provision of a desk top study and remediation works.

Archaeology

3.47 The site is located within the Fulham Village Archaeological Priority Area. Therefore UDP policy EN6 and EN7 applies. In response the applicant has commissioned a desk top assessment to examine the implications of the proposed development. The site is partially on top of John Dwight's Fulham Pottery, an archaeological and historically important site. In light of the high archaeological potential of the site further investigation of the archaeological potential should be reserved by condition in accordance with policy EN6 and EN7 As you are aware, the site is within an Archaeological Priority Area as designated by the Borough of Hammersmith and Fulham, and partially on top of John Dwight's Fulham Pottery, founded in 1672, an archaeological and historically important site (the preserved bottle kiln is immediately to the east).

3.48 Archaeological remains on the adjacent Fulham Pottery site, however, were encountered to at least 2 metres below ground level in a good state of preservation

despite being built over in more recent times. The proposed development, therefore, may impact upon archaeological remains. This is confirmed in the desk-based assessment report submitted with the application (MoLA, August 2009).

3.49 Due to the presence of standing buildings on the site, archaeological fieldwork need not be undertaken prior to determination of this planning application. Rather, that the archaeological position should be reserved by attaching a condition to any consent granted under this application. English Heritage requires that appropriate conditions be attached to ensure this.

Flood Risk

3.50 The applicant has submitted a flood risk assessment. The Environment Agency is satisfied and does not object to the development pending compliance with conditions.

Legal Agreement

3.51 The agreement would secure contributions to the value of £172,000 to environmental improvements in the area including Bishops Park and Fulham Palace, increasing capacity in local health care provision; and also to pay for highway works relating to the reinstatement of the highway and pedestrian improvements on New Kings Road. In addition the following matters would be secured:

- 11% of the residential units i.e. 6 flats to be intermediate shared ownership
- The Shared Ownership Units to be disposed of in accordance with a shared ownership nominations agreement
- To exclude the occupiers of the residential units from being eligible from obtaining residents parking permits on the public highway.
- To ensure that the 21 on site parking spaces are not sold on separately and are retained in use of the residential/commercial occupiers of the development.
- Details of a management plan for the collection of refuse from the site.
- Marketing of wheelchair units
- Details of protection measures during the construction of the development for existing trees within the car park area of Kiln House, 210 New King's Road.
- Travel Plan
- A plan for the protection measures of these trees adjacent to the site

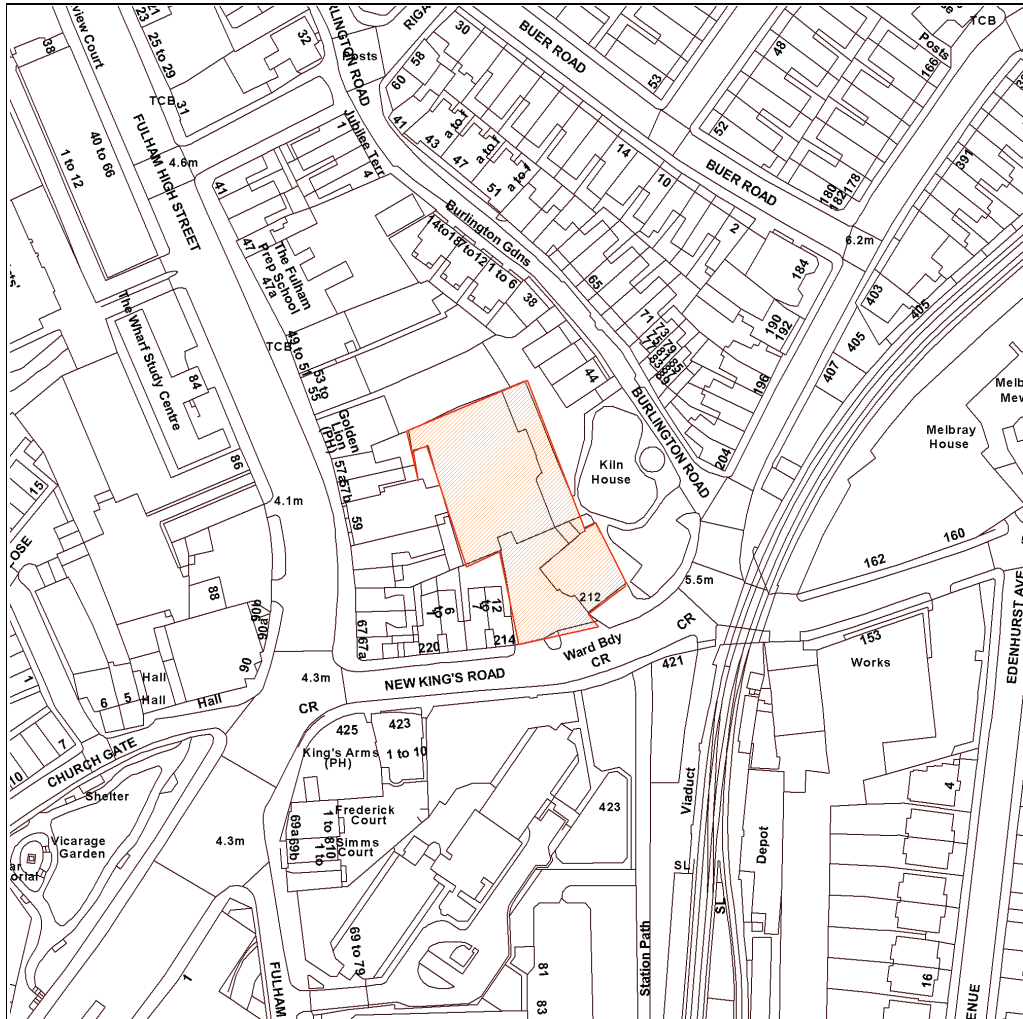
4.0 RECOMMENDATION

4.1 Grant planning permission, subject to the completion of a satisfactory legal agreement as outlined in paragraph 3.51 above.

Ward: Town

Site Address:

212 New King's Road London SW6 4NZ



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For identification purposes only - do not scale.

Reg. No:

2009/02023/CAC

Case Officer:

Roy Asagba-Power

Date Valid:

19.08.2009

Conservation Area:

Fulham Park Gardens Conservation Area -
Number 16

Committee Date:

16.12.2009

Applicant:

Mr Daniel Liss
c/o Realdon Property 1 Princess Gate London SW7 1QJ

Description:

Demolition of existing retail/warehouse building.

Drg Nos:

Application Type:

Conservation Area Consent

Officer Recommendation:

That the application be approved subject to the condition(s) set out below:

- 1) The works hereby granted consent shall not commence later than the expiration of 3 years beginning with the date upon which this consent is granted.

Condition required to be imposed by Section 18(1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended by section 91 of the Planning and Compensation Act 2004).

- 2) The demolition of the buildings hereby permitted shall not be undertaken before:

- (i) a building contract for the redevelopment of the site in accordance with planning permission reference 2009/02022/FUL has been entered into;
- (ii) notice of demolition in writing and a copy of the building contract has been submitted to the Council, and;
- (iii) details of all matters which require prior approval pursuant to planning permission reference 2009/02022/FUL, before commencement of the development, have been submitted to and approved by the Council.

To ensure that the demolition does not take place prematurely and to safeguard the character and appearance of the conservation area, in accordance with policy EN2 of the Unitary Development Plan, as amended 2007.

Justification for Approving the Application:

- 1) The proposed demolition is considered to be acceptable on the basis that planning permission exists for a satisfactory redevelopment scheme. Accordingly, it is not considered that the demolition would have an unacceptable impact on the character or appearance of the conservation area, in accordance with Policy EN2

of the Unitary Development Plan, as amended 2007 and Planning Policy Guidance 15.

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

All Background Papers held by Michael Merrington (Ext: 3453):

Application form received: 17th August 2009

Drawing Nos: see above

Policy documents: The Revised London Plan 2008
Unitary Development Plan as amended September 2007.

Consultation Comments:

Comments from:

Dated:

Neighbour Comments:

Letters from:

Dated:

FOR JOINT REPORT SEE PLANNING APPLICATION REFERENCE 2009/02022/FUL

DATE: 16th DECEMBER 2009

PLANNING APPLICATIONS COMMITTEE

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SUBJECT

CONFIRMATION OF TREE PRESERVATION ORDER T363/07/09

LAND AT THAMES REACH, 80 RAINVILLE ROAD, W6

--

WARD/S

FULHAM REACH

--

CONTRIBUTORS

Env Services Dept.

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RECOMMENDATION

The Committee resolve that the Tree Preservation Order T363/07/09 be confirmed without modification.

CONFIRMATION OF THE TREE PRESERVATION ORDER T363/07/09
LAND AT THAMES REACH, 80 RAINVILLE ROAD, W6

1 DOCUMENTATION

1.1 Location plan. Photographs of Alder trees taken from Rainville Road and from Colwith Road.

2 BACKGROUND

2.1 On 9th July 2009 delegated authority was given to make a Tree Preservation Order covering eighteen Alder trees within the landscaping and car parking areas at the front of the Thames Reach development, Rainville Road, W6. This Order was made under Section 201 of the Town and Country Planning Act 1990 and became effective for a period of six months from 16th July 2009.

2.2 Under Section 201, the Council is obliged to consider any objections to the Order, made within 28 days of its service. Written objections to the Order have been received from Mark Pinder, 20 Thames Reach and an objection in part has been received from Jane Astor, 16 Landsdowne Road, W11 who is the owner of 3 & 4 Thames Reach. Emails of support for the Order have been received from Majed Halawi, 23 Thames Reach; Yang-Soon Lee & Gustavo Hernandez, 22 Thames Reach and Chris King, 19 Thames Reach.

2.3 The Order was made following receipt of a Conservation Area tree works notice to fell three Alder trees at the front of the property and a request from a resident of Thames Reach that the trees be protected. Farrar Property Management who are the managing agents for Thames Reach instigated the notice in response to concerns that three Alder trees were causing damage to the low boundary walls around the landscaped area and that this was a health and safety risk as the walls are located at the back edge of the pavement. Subsequently an officer from the Urban Design and Conservation Team and the Principal Arboricultural Officer met onsite with a representative from the managing agents and their tree surgeon. The Principal Arboricultural Officer suggested alternatives to felling the trees such as altering the design of the walls which the managing agents accepted and as such no objections to the Order have been received from them. It was suggested to the managing agents in relation to one tree which lacks vigour that an application to fell be submitted and the Council would then have the opportunity to consider the merits of the proposal and should felling be justified and the Order be confirmed, the Council would then have the opportunity to condition the planting of a replacement tree and its size, species and location.

2.4 The trees are located within the Fulham Reach Conservation Area. The Council's Principal Arboricultural Officer has stated that the trees are middle aged specimens and appear to be in good condition, with the exception of one which lacks vigour. The trees are some of the largest in the immediate vicinity and are regarded as making a positive contribution to amenity within the local area and to the character and appearance of the Fulham Reach Conservation Area. The trees act as a green foil to the surrounding

development and have a high degree of amenity value for local residents whose homes surround them. The trees form an important element in the townscape and are visible from the street in Rainville Road and Colwith Road and from the footpath linking the Riverside Walk to Rainville Road.

2.5 Policy EN25 of the Council's adopted Unitary Development Plan states that:

- 'The Council will continue to make Tree Preservation Orders on trees of amenity value. The Council will endeavour to prevent removal or mutilation of protected trees.'

3 CONSULTATION RESPONSES TO THE ORDER

3.1 Objection 1.

Letter dated 5th August 2009 from the owner of 3 & 4 Thames Reach

"While I recognise that they provide a green foil to the surrounding buildings I think it is possible to remove the three or four trees which grow very close to the buildings, without in any way destroying the green foil. There are 18 trees planted in a confined area and the removal of a few will make very little difference to the view from the street. It would however make a great deal of difference to the people who live there. I would like to make the point that to have natural light in your home is an important requirement for the health and welfare of human beings. It is one of the main attractions of the modern design of the flats and the ill considered planting of trees so close to the buildings is not something to preserve.

The argument that the trees provide an amenity value for the local population can only be from the point of view of looking at them. They are on private ground and cannot be used to sit under.

So I would like to suggest that while the majority of the trees remain under preservation it would be in the interests of the welfare of the people who live in the flats to remove trees no. 1, 4, 10 and 18 from the tree preservation order."

Officer's comment

Under s.198 of the Town and Country Planning Act 1990 local planning authorities have the power to make provision for the preservation of trees in their area if it is considered expedient in the interests of amenity. It is considered that the Tree Preservation Order is necessary to ensure that the amenity value of the trees is retained and as such will prevent any unnecessary reduction in the quality of the environment in the Conservation Area. The Council will use its powers to safeguard the amenity value of the trees and to ensure that any works to the trees are not detrimental to its health or appearance.

The Tree Preservation Order does not prevent works such as pruning from being carried out to the trees in the future; it only requires that consent be obtained from the Council before such works are carried out. The managing agents could therefore in future submit applications for consent to prune back any branches if the Order were to be confirmed. The Tree Preservation Order would enable the Council to control such works so that they are not detrimental to the health or appearance of the trees, which would reassure residents. Furthermore the Tree Preservation Order would not prevent the managing agents from submitting an application to fell any trees in the future and should felling be considered justified the Council would then have the opportunity to condition the planting of replacement trees and their size, species and location. If the

Order is not confirmed then the Council would have not be able to require the planting of replacement trees.

The three trees proposed to be removed in the Conservation Area tree works notice were located along the back edge of the pavement whereas the four trees proposed for removal by the objector are those located closest to the apartment buildings. The request raised in respect of removing these additional trees is a matter for the managing agents to discuss with the residents of the development. The inclusion of all of the trees in the Tree Preservation Order would allow the Council to control works to all trees on the site and encourage the managing agents to develop a coherent plan to manage the trees in order to preserve the landscaping fronting Rainville Road and prevent the loss of tree cover through incremental and uncoordinated tree removals.

Objection 2.

Letter dated 8th August 2009 from 20 Thames Reach

"I write to object to the tree preservation order number T/363/07/09 to the Italian Alder trees that need to be removed from 80 Rainville Road W6 9HS. Not removing them will one day lead to the garden retaining walls and or the trees falling on the public using the footpaths which could lead to someone sustaining a serious injury. Removing them now is a safe prudent measure and I ask the planning committee to reconsider and reverse preservation order T/363/07/08 on the grounds of the public's safety."

Officer's comment

It is considered that the confirmation of the Tree Preservation Order is justified for the reasons already given in response to objection 1. The Principal Arboricultural Officer has inspected the trees and the garden retaining walls and there is not considered to be any immediate threat to public safety.

Email of support 1

Email dated 25th August from 19, 22 & 23 Thames Reach

"We, the undersigned, resident at/owners of flats in Thames Reach, 80 Rainville Road, London, W6 9HS, applaud the Council's decision to issue TPO T363/07/09 with regard to the Alder trees in the garden of Thames Reach.

The contribution that the trees make to the quality of life at Thames Reach is undeniable. More importantly, the arguments advanced by the management board of Thames Reach in favour of cutting down three trees are spurious. We urge the Council to make TPO363/07/09 permanent.

- First, it is most illogical to say that the Alder trees should be cut as they have outgrown their space and new trees should be planted in their stead. Obviously the management seems to have missed the fact that trees are supposed to grow.
- Second, no evidence has been presented that the trees in question face a risk of falling and as such pose a danger to public safety. Also, the thought of supporting trees to prevent them from falling – if indeed they were – rather than cutting them down outright does not seem to have crossed the mind of the management board. When asked what measures people the world over do in order to preserve large trees, all what one member of the management team could offer was "Oh, I really don't know?"
- Third, the argument that the trees have damaged some sections of the garden walls (i) masks the fact that the garden walls have not been properly maintained probably since the building of the Thames Reach complex; and (ii) certainly does not justify cutting down the trees. As expressed to the management board, the cost of maintaining the garden walls pales in comparison to the enormous benefit

that the trees provide. After all, what would great cities like London, Paris or New York look without their parks full of “overgrown trees?”

- Fourth, it is clear from various discussions with management board members that cutting down the tree Alders is part of a “master plan to redecorate” the garden and the same fate may befall all of the other trees who will be deemed “to have outgrown their space.” The unanswered request remains, why not redecorate the garden while leaving the trees intact?
- Fifth, needless to say, the argument that the trees be cut down since they are a mistake and should not have been planted in the first place is not even worth a response. In our times, one does not redress a wrong by committing another. And in our times, cutting down trees gratuitously is wrong.
- Last but not least it may have escaped certain members of the management team that some of us have moved to Hammersmith & Fulham area from glitzier areas of London precisely because of the country side feeling and the various cultural activities that the borough provide. The Alder trees at Thames Reach are part of the character of the neighbourhood. Therefore, the trees should not be subject to the whims and wishes of certain residents of Thames Reach, but indeed be preserved for the benefit of the whole community around Rainville Road.

It is incredible that in this age of global warming there are still people who would opt for cutting down trees rather than doing whatever reasonably possible in order to preserve them. In the particular case of Thames Reach, preserving the Alder trees is the right thing to do.

Again, we therefore urge the Council to make TPO T363/07/09 permanent.”

Officer's comment

It is considered that the confirmation of the Tree Preservation Order is justified for the reasons already given in response to objection 1.

Email of support 2

Email dated 12th October from 19, 22 & 23 Thames Reach

“I am writing on behalf of the owners residents of 19, 22 and 23 Thames Reach regarding the letter you must have received from Jane Astor of 3 and 4 Thames Reach, a copy of which is attached herewith. In her letter, Ms. Astor talks about the importance of “natural light to the health and welfare of human beings,” and suggests that “it would be in the interests of the welfare of the people who live in the flats to remove trees no. 1, 4, 10 and 18 from the preservation order.”

While we applaud Ms. Astor’s concern about our welfare, we would like to note that two of the trees the removal of which she is suggesting (namely trees no. 10 and 18) are not even in the garden outside her flats. Rather they are directly facing our flats and provide a much needed feeling of tranquillity, also vital to “the health and welfare of human beings.” Therefore, we strongly feel that our health and welfare would be much better served if the trees in question would just remain where they are, growing and prospering.

That said, we also applaud Ms. Astor’s general support of the TPO.”

Officer's comment

It is considered that the confirmation of the Tree Preservation Order is justified for the reasons already given in response to objection 1.

4 OPTIONS

4.1 The Council could allow the Tree Preservation Order to lapse or confirm the Tree Preservation Order with modifications to exclude specific trees.

4.2 Alternatively, the Council is empowered to confirm the Tree Preservation Order without modification, in order to protect all of the trees and control future works to them. Officers recommend this option.

5 ARGUMENTS FOR THE RECOMMENDED ACTION

5.1 The Provisional Tree Preservation Order was stimulated by a Conservation Area tree works notice to fell three of the trees and by a request from a resident of Thames Reach who was keen to see that the trees are protected.

5.2 The trees have significant amenity value, which would be preserved by the confirmation of the Order. The presence of these and other trees is one of a number of factors, which makes a positive contribution to the character and appearance of the Conservation Area.

6 IMPLICATIONS

6.1 There are no major financial, legal or staffing implications relating to the confirmation of a Tree Preservation Order. The Order will ensure that the amenity value of the trees are retained and as such will prevent an unnecessary reduction in the quality of the environment in this part of the Borough.

7 CONCLUSION

7.1 The Tree Preservation Order is justified, as it will contribute to the protection of the quality of the environment within the local area.

8 RECOMMENDATION

8.1 Confirm the Tree Preservation Order without modification.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 BACKGROUND PAPERS

No.	Brief Description of Background Paper	Name/Ext. of holder of file/copy	Department/ Location
1	Tree Preservation Order T363/07/09	A.O'Neill Ext. 3318	Env. D / HTHX 5th Floor

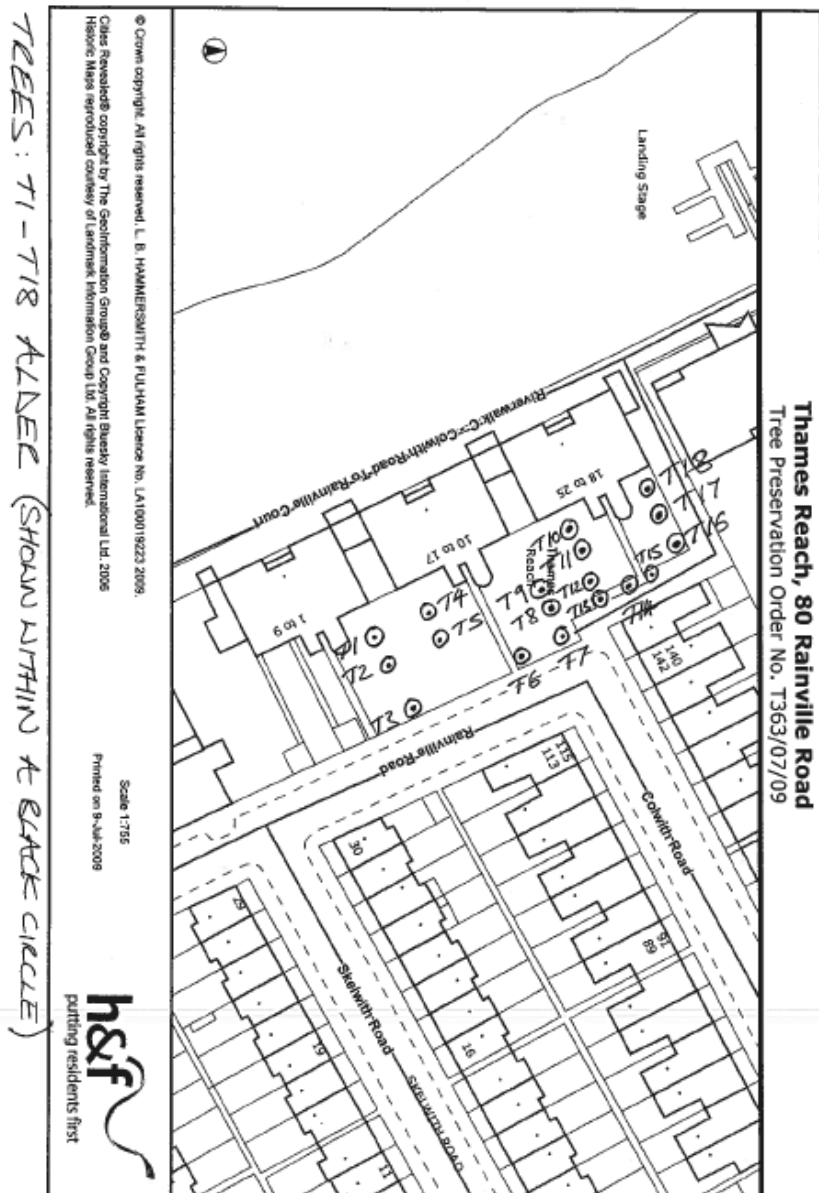


Figure 1: Location plan.



Figure 2: Alder trees viewed from Rainville Road.



Figure 3: Alder trees viewed from Colwith Road.

**PLANNING APPLICATIONS COMMITTEE
ENFORCEMENT PERFORMANCE REVIEW
April 2009 to September 2009**

INTRODUCTION

This report provides a summary of the planning enforcement teams performance and outcomes during the six month period from 1st April to 30 September 2009. The report is set out in 7 sections

- 1. Executive Summary**
- 2. List of enforcement actions authorised (either by PAC or through delegated scheme)**
- 3. Summary table of enforcement appeal decisions**
- 4. Legal challenges in the Courts**
- 5. Enforcement actions complied with**
- 6. Illegal advert hoardings**
- 7. Estate agents boards**
- 8. Eyesore properties (S215)**

1.0 EXECUTIVE SUMMARY

1.1 With the recent re-launch and re-focus of the Planning Enforcement Service it is now proposed that six monthly reports will be submitted to the Planning Applications Committee outlining the team's performance and successes over that period.

1.2 During the last 6 month period the team received 664 enforcement complaints from the general public and councillors and a total of 678 investigations were completed. The reasons for closure are broken down as follows:-

- Planning permission not required 205
- (not development/PD etc)
- Existing/lawful (4 years/10 years) 43
- Breach remedied through officer negotiation 145
- Not expedient to take enforcement action 48
- Retrospective approval 6
- Enforcement action authorised 46
- Enforcement Notice complied with 37
- Estate agents board notices complied with 148

1.3 Sections 2 - 7 presents details of the individual areas of enforcement and a breakdown of the decisions/actions taken.

2. LIST OF ENFORCEMENT ACTIONS AUTHORISED (either by PAC or through delegated scheme)

- **83 Askew Road, W12** Untidy Site - Section 215 Front elevation, shop front and upper elevations.
- **Grove Studios Adie Road, W6** - Dormer Window in side elevation
- **48 Avonmore Road W14** – 4 storey rear extension
- **38 Beltran Road, SW6** - Rear roof extension projecting over the back addition
- **46 Bishops Road, SW6** - Boundary wall in excess 2m
- **48 Bishops Road, SW6** - Boundary wall in excess 2m
- **5 Bowfell Road, W6** - Roof terrace at first floor level
- **118 Broughton Road, SW6** - Canopy and structure at first floor level
- **21 Cambridge Grove, W6** – Satellite dish at first floor level
- **33 Cromwell Grove, W6** - Shed in the front garden
- **49 Delorme Street, SW6** - Untidy site – Possible Section 215
- **21 Foliot Street, W12** - Replace felled mature sycamore trees.
- **Land to rear 120 Goldhawk Road, W12**- Section 215, poorly maintained hoarding and storage of rubbish etc
- **Flat 3 179 Greyhound Road, W6** – Satellite dish at first floor level

- **Flat 1 79 Greyhound Road, W6** – Satellite dish at basement level
- **19 Tadmor Street, W12** – Satellite dish
- **51 Hestercombe Ave, SW6** - Satellite dish
- **Flat A 137 Hurlingham Road, SW6** – Door in rear elevation at roof level
- **33 Inglethorpe Street, SW6** – Shed in rear garden
- **60 Lillie Road, SW6** - Glazed canopy over the existing front lightwell
- **68 Lillie Road, SW6** – Flue on front elevation of listed building
- **52 Linver Road, SW6** – French doors in rear extension at first floor level
- **12 Linver Road, SW6** – Windows at first floor level not obscure glazed or fixed shut
- **87 Loftus Road, W12** - Section 215 front elevation and front garden
- **76 Lysia Street, SW6** – Satellite dishes
- **33 Matheson Road, W14** – Stairwell enclosure on flat roof of building
- **205 Munster Road, SW6** – Change of use from A1 to A3
- **402 North End Road, SW6** – Felling of a tree in breach of condition of pp.
- **50 Queensmill Road, SW6** - Railing on flat roof of ground floor extension.
- **21 Redmore Road, W6** - Satellite dish
- **64 Richford Street, W6** – Satellite dish
- **68 Richford Street, W6** – Satellite dish
- **94 Sedlescome Road, SW6** – Satellite dish
- **11 Shepherds Bush Place, W12** - Works to a listed building
- **78 Sinclair Road, W14** – Satellite dish
- **67 Stephendale Road, SW6** – Ground floor side and rear extension and extension at 2nd floor level.
- **19 Tadmor Street, W12** – Satellite dish
- **56 Tasso Road, W6** – Railings and use of flat roof as a terrace
- **38 Turneville Road W14** – Satellite dish
- **72 Uxbridge Road, W12** – PVCu Windows at 1st, 2nd and 3rd floor level
- **78 Uxbridge Road, W12** - PVCu Windows at 1st, 2nd and 3rd floor level
- **78 Uxbridge Road, W12** – Replacement shopfront
- **96/98 Uxbridge Road, W12** – Reinstatement of shopfront
- **105 Uxbridge Road, W12** – Use of garden as shisha café
- **110 Uxbridge Road, W12** - PVCu windows at first and second floor level.
- **322 Uxbridge Road, W12** – Extract ducting
- **52 Wormholt Road, W12** - Section 215, poorly maintained front elevation

3. SUMMARY TABLE OF ENFORCEMENT APPEAL DECISIONS

Flat 4, 1 Crookham Road, SW6 - Appeal Dismissed

Conservatory at roof level

18 Tunis Road, W12 - Appeal Dismissed

Rear Roof Extension

17 Jerdan Place, SW6 - Appeal Dismissed/Allowed

Internal works and painting of render on front elevation of listed building

26 Epirus Road, SW6 – Appeal Dismissed

Railings on main roof and external staircase

364 King Street, W6 - Appeal Dismissed

Replacement PVCu windows

16 Edith Road, SW6 – Appeal Dismissed

Replacement windows at first floor level

4. LEGAL CHALLENGES IN THE COURTS

112-114 Fulham Palace Road, W6 -

Freestanding digital advert structure with sequential displays. Advertisers High Court and further appeal in the Court of Appeal, both unsuccessful. Important landmark decision for all local authorities.

5. ENFORCEMENT ACTIONS COMPLIED WITH

- **18 Moylan Road, W14**– Raised ridge height - height reduced
- **16 Edith Road, W14**– Replacement windows at first floor level, windows to match original reinstated
- **38 Stanlake Road, W12** – PVCu windows at ground first and second floor level. - windows to match original reinstated
- **24 Goldhawk Road, W12** – PVCu windows at first and second floor level - windows to match original reinstated
- **18 Weltje Road, W6** – Rear roof extension – extension reduced in compliance with planning permission
- **72 Uxbridge Road, W12** – PVCu windows - windows to match original reinstated
- **2 Melrose Gardens, W12**– Enlarged lightwell- remedial works carried out.
- **58 Avonmore Road, W14** – Large satellite dish - dish removed.
- **Flat B, 15 Barclay Road, SW6** - Levelling of valley roof, laying decking & erection of parapet wall & raised stair access for use of main roof as a terrace/amenity space. – Remedial works carried out and valley roof reinstated
- **10 West Kensington Mansions, Beaumont Crescent, W14** – Large satellite dish – dish removed.
- **26 Benbow Road, W6** – Removal of valley roof, erection of projecting roof structure – remedial works carried out to reduce size of roof structure and using acceptable materials.
- **2-10 Byam Street, SW6** - Change of use and conversion of former storage building (Class B8) to ten separate units occupied partly for business use (Class B1) and partly residential. Planning permission granted for use as residential – use implemented.
- **1 Bloemfontein Road, W12** - Use of residential garden for commercial storage, storage removed and residential extension erected in accordance with planning permission.
- **21 Cambridge Grove, W6** – Large satellite dish – dish removed
- **21a Cambridge Grove, W6** – Large satellite dish – dish removed
- **2 Chancellors Street,**– Large satellite dish – dish removed
- **23 Eustace Road, SW6** - Erection of trellis fence enclosing flat roof of ground floor rear extension – trellis removed
- **53 Felden Street, SW6** - Replacement of front door, fanlight and sidelights – remedial works completed.

- **52 Finlay Street, SW6** – Bike shed in front garden – remedial works carried out to reduce height.
- **12 Glazbury Road, W14** - Large satellite dish – dish removed
- **230 King Street, W6** – Run down shopfront and ATM – Installation of replacement shopfront completed.
- **327-343 King Street, W6** – Air conditioning units – remedial works completed.
- **31 Mall Road, W6**, - Railings and roof terrace – remedial works carried out.
- **2 Melrose Gardens, W6** – Front lightwell – remedial works completed.
- **105 Munster Road, SW6** – Use of forecourt for dining – conditional pp granted and enforcement notice complied with.
- **107 Munster Road, SW6** - Use of forecourt for dining – use ceased.
- **24 Nella Road, W6** - Large satellite dish – dish removed
- **Telephone Exchange, 32-36 Peterborough Road, SW6** – Wire mesh on windows – mesh removed.
- **Ashlar Court, Ravenscourt Gardens, W6** –backpacker's hotel -use ceased.
- **5 Ringmer Avenue, SW6** - Satellite dish – dish removed
- **38 Stanlake Road, W12** - PVCu windows in front and side elevation.- Reinstated timber casement windows to match existing
- **25 Tamworth Street, SW6** - Change of use of garage to a one bedroom self-contained residential flat – conditional planning permission granted and implemented.
- **326 Uxbridge Road, W12** – Unsightly shopfront – shopfront reinstated to match original
- **38 Waterford Road, SW6** - Satellite dish – dish removed
- **Grove Studios Adie Road, W6**- Dormer windows in the side roof slope – windows obscure glazed.
- **38 Turneville Road, W14** - Satellite dish – dish removed
- **62 Hurlingham Road, SW6** – A/C units on roof. New roof erected to conceal units.

6. ILLEGAL ADVERT HOARDINGS REMOVED

192 North End Road (Longman's)

Internally illuminated landscape panel on flank wall at 2nd floor level.

632 Fulham Road (JC Decaux)

Internally illuminated portrait panel on flank wall at 1st floor level

202 Uxbridge Road (BPS Limited)

Internally illuminated landscape panel on flank wall at 1st floor level.

127 Fulham Palace Road (Primesight)

Internally illuminated landscape panel on flank wall at 1st floor level.

209 Fulham Palace Road (Build limited)

Internally illuminated portrait panel on flank wall at 1st floor level

97 Hammersmith Road (BPS Limited)

Internally illuminated portrait panel on flank wall at 1st floor level

7. ESTATE AGENTS BOARDS

7.1 **Regulation 7** – The Council is currently operating two Regulation 7 areas within the borough. They are located in the Sinclair Road/Sinclair Gardens area and in the Barons Court area. The purpose of a Regulation 7 designation is to remove estate agents deemed consent rights to display a board without the need for express consent from the Council. It effectively operates as a total ban on estate agents boards.

7.2 Because of the success of these existing Regulation 7 areas, local residents are requesting that the Regulation 7 should be extended to other areas of the borough.

7.3 The Planning Enforcement Team are progressing this initiative and have identified 4 new areas for possible designation:-

- Hammersmith Grove conservation area
- Harwood Road
- Gunter Estate
- Avonmore Road

7.4 The Council have recently notified residents within these areas of the proposed Regulation 7 designation and their responses will be incorporated into the officer report to be considered by the Planning Application Committee in January 2010. Subject to support being received from local residents the report will be seeking PAC approval to submit an application to the SoS for approval.

7.5 **Illegal estate agents boards** - the Planning Enforcement team have been actively identifying and seeking the removal of estate agents boards that are being displayed illegally i.e. still being displayed after a property has been sold or let. A total of 323 boards were removed during the period September to November 2009.

7.6 **Name and Shame list** – Although estate agents boards were being regularly removed between April and August, the details of the agencies responsible for displaying these illegal boards has only been recorded since August, following the appointment of an additional officer within the team. The “name and shame” list is therefore based on the 3 month period (Sept to November 2009) since his appointment, and whilst not specifically covering the timescale for this report, is included for information. The “name and shame” list identifies the top 6 agencies whose boards have been removed and the numbers of boards.

7.7 The name and shame list is as follows:-

1	Foxtons, Fulham	35
2	Marsh and Parsons	20
3	Chestertons	18
4	Lawson Rutter	18
5	Barnard Marcus	17
6	Dexters	17
7	Lawsons and Daughters	16

8	Bushells	12
9	Chard	12
10	Kenleigh, Folkard & Hayward	12

8. EYESORE SITES and PROPERTIES (SECTION 215)

8.1 The Planning Enforcement team is working closely with other departments to deal with the problem of long standing eyesore properties and sites within the borough. Listed below are some of the properties that have been investigated by the team which have resulted in their refurbishment/tidying up.

- **50 Sterndale Rd** - untidy front elevation. Improvement works completed
- **14 Ravenscourt Rd** - untidy front elevation. Improvement works completed
- **13 Novello St** – untidy front elevation. Improvement works completed
- **7 Fulham Broadway** – Untidy front elevation. Improvement works completed.
- **74 Askew Road** – untidy front elevation. Improvement works completed
- **66 Askew Road** – untidy shopfront and front elevation. Improvement works completed
- **87 Loftus Road** – untidy front garden. Improvement works completed
- **92 Thorpebank Road** - untidy front elevation. Improvement works completed