

Planning and Development Control Committee

Agenda

Wednesday 6 April 2016

7.00 pm

COMMITTEE ROOM 1 - HAMMERSMITH TOWN HALL

MEMBERSHIP

Administration:	Opposition
Councillor Adam Connell (Chair) Councillor Iain Cassidy (Vice-Chair) Councillor Colin Aherne Councillor Michael Cartwright Councillor Elaine Chumnerly Councillor Natalia Perez	Councillor Lucy Ivimy Councillor Alex Karmel Councillor Robert Largan Councillor Viya Nsumbu

CONTACT OFFICER: Kevin Phillips
Committee Co-ordinator
Governance and Scrutiny
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Reports on the open agenda are available on the [Council's website](http://www.lbhf.gov.uk/Directory/Council_and_Democracy):
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 details on how to register to speak at the meeting, please see overleaf.
Deadline to register to speak is 4pm on Friday 1 April 2016.

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

PUBLIC SPEAKING AT PLANNING AND DEVELOPMENT CONTROL COMMITTEE (PROTOCOL)

Members of the public are welcome to attend the Planning and Development Control Committee meeting.

Who can speak?

Only the applicant or their agent and people who have commented on the application as part of the planning department consultation process in support or against will be permitted to speak at the meeting. They must have been registered to speak before addressing the committee. Ward Councillors may sometimes wish to speak at meetings even though they are not part of the committee. They can represent the views of their constituents. The Chair will not normally allow comments to be made by other people attending the meeting or for substitutes to be made at the meeting.

Do I need to register to speak?

All speakers except Ward Councillor must register at least two working days before the meeting. For example, if the committee is on Wednesday, requests to speak must be made by 4pm on the preceding Friday. Requests received after this time will not be allowed. Registration will be by email only. Requests are to be sent to speakingatplanning@lbhf.gov.uk with your name, address and telephone number and the application you wish to speak to as well as the capacity in which you are attending.

How long is provided for speakers?

Those speaking in support or against an application will be allowed three minutes each. Where more than one person wishes to speak for or against an application, a total of five minutes will be allocated to those speaking for and those speaking against. The speakers will need to decide whether to appoint a spokesperson or split the time between them. The Chair will say when the speaking time is almost finished to allow time to round up. The speakers cannot question councillors, officers or other speakers and must limit their comments to planning related issues.

At the Meeting - please arrive 15 minutes before the meeting starts and make yourself known to the Committee Co-ordinator who will explain the procedure.

What materials can be presented to committee?

To enable speakers to best use the time allocated to them in presenting the key issues they want the committee to consider, no new materials or letters or computer presentations will be permitted to be presented to the committee.

What happens to my petition or deputation?

Written petitions made on a planning application are incorporated into the officer report to the Committee. Petitioners, as members of the public, are welcome to attend meetings but are not permitted to speak unless registered as a supporter or objector to an application. Deputation requests are not accepted on applications for planning permission.

Planning and Development Control Committee Agenda

6 April 2016

<u>Item</u>		<u>Pages</u>
1.	MINUTES	1 - 9
	To approve as an accurate record, and the Chair to sign, the minutes of the meeting of the Committee held on 9 March 2016.	
2.	APOLOGIES FOR ABSENCE	
3.	DECLARATION OF INTERESTS	
	If a Councillor has a disclosable pecuniary interest in a particular item, whether or not it is entered in the Authority's register of interests, or any other significant interest which they consider should be declared in the public interest, they should declare the existence and, unless it is a sensitive interest as defined in the Member Code of Conduct, the nature of the interest at the commencement of the consideration of that 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 disclosable pecuniary interest or other significant 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.	
	Where Members of the public are not allowed to be in attendance and speak, then the Councillor with a disclosable pecuniary interest should withdraw from the meeting whilst the matter is under consideration. Councillors who have declared other significant interests should also withdraw from the meeting if they consider their continued participation in the matter would not be reasonable in the circumstances and may give rise to a perception of a conflict of interest.	
	Councillors are not obliged to withdraw from the meeting where a dispensation to that effect has been obtained from the Audit, Pensions and Standards Committee.	
4.	PLANNING APPLICATIONS	10 - 161

London Borough of Hammersmith & Fulham

Planning and Development Control Committee Minutes



Wednesday 9 March 2016

PRESENT

Committee members: Councillors Adam Connell (Chair), Iain Cassidy (Vice-Chair), Colin Aherne, Michael Cartwright, Elaine Chumnerly, Alex Karmel, Robert Largan, Natalia Perez and Viya Nsumbu

Other Councillors: Councillors Ben Coleman and Wesley Harcourt

38. MINUTES

RESOLVED THAT:

The minutes of the meeting of the Planning and Development Control Committee held on 10 February 2016 be confirmed and signed as an accurate record of the proceedings, subject to the following amendments:

It was proposed by Councillor Connell that on page two of the minutes (ii) **Impact on residents' amenity** - Adverse impact on daylight. One of the reasons for refusal be removed. This was seconded by Councillor Aherne.

The Committee voted on this proposal and it was unanimously agreed.

Councillor Karmel on behalf of Councillor Ivimy who could not be at the meeting requested that the following be changed on page two of the minutes to read (iii) **Highways** - Unacceptable pick-up and drop-off arrangements for students generally as well as at the start and end of terms.

39. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Lucy Ivimy.

40. DECLARATION OF INTERESTS

Councillor Alex Karmel declared a significant interest in respect of 3 St Peter's Square, W6 9AB, Ravenscourt Park, 2015/01357/FUL and 2015/01358/LBC, as he personally knew the parties involved but had not discussed these applications with them. He considered that this did not give rise to a perception of a conflict of interests and, in the circumstances it would be reasonable to participate in the discussion and vote thereon.

Councillor Alex Karmel declared a significant interest in respect of 9, Delaford Street, London, SW6 7LT, Fulham Broadway, 2015/05604/FUL, as he personally knew some of the objectors and was an LEA appointed governor of Sir John Lillie School but had not discussed these applications with them. He considered that this did not give rise to a perception of a conflict of interests and, in the circumstances it would be reasonable to participate in the discussion and vote thereon.

Councillor Robert Largan declared a significant interest in respect of 3 St Peter's Square, W6 9AB, Ravenscourt Park, 2015/01357/FUL and 2015/01358/LBC, as he knew one objector but had not discussed these applications with him. He considered that this did not give rise to a perception of a conflict of interests and, in the circumstances it would be reasonable to participate in the discussion and vote thereon.

Councillor Viya Nsumbu declared a significant interest in respect of 3 St Peter's Square, W6 9AB, Ravenscourt Park, 2015/01357/FUL and 2015/01358/LBC, as she knew the Applicant and one objector but had not discussed these applications with them. She considered that this did not give rise to a perception of a conflict of interests and, in the circumstances it would be reasonable to participate in the discussion and vote thereon.

41. PLANNING APPLICATIONS

41.1 3 St Peter's Square , London W6 9AB, Ravenscourt Park, 2015/0137/FUL and 2015/01358/LBC

The above two applications were considered together.

Councillor Alex Karmel declared a significant interest in respect of 3 St Peter's Square, W6 9AB, Ravenscourt Park, 2015/01357/FUL and 2015/01358/LBC, as he personally knew the parties involved but had not discussed these applications with them. He considered that this did not give rise to a perception of a conflict of interests and, in the circumstances it would be reasonable to participate in the discussion and vote thereon.

Councillor Robert Largan declared a significant interest in respect of 3 St Peter's Square, W6 9AB, Ravenscourt Park, 2015/01357/FUL and 2015/01358/LBC, as he knew one objector but had not discussed these applications with him. He considered that this did not give rise to a perception of a conflict of interests and, in the circumstances it would be reasonable to participate in the discussion and vote thereon.

Councillor Viya Nsumbu declared a significant interest in respect of 3 St Peter's Square, W6 9AB, Ravenscourt Park, 2015/01357/FUL and 2015/01358/LBC, as she knew the Applicant and one objector but had not discussed these applications with them. She considered that this did not give rise to a perception of a conflict of interests and, in the circumstances it would be reasonable to participate in the discussion and vote thereon.

The Committee heard representations in support of the application from the architect for the scheme who was representing the applicant. He said there were two main points. That the setting was not that of an unaltered building in a preserved state and that the design would improve the flat and enhance the listed building work.

The Committee heard representations against the application from a local resident. He stated that the consistent proportions of the properties in the street made it special. That the proposed application would spoil what remained and that officers should attach greater emphasis on conservation concerns.

Discussing the application, a number of members of the Committee expressed concern at the lack of comments in the report regarding the judicial review findings on the conservation area. That the application did not favour the conservation area, was of poor design and did impact unacceptably on neighbouring properties.

The Committee voted on the planning application

The Committee voted on planning applications 2015/01357/FUL and 2015/01358/LBC and the results were as follows:

For: 1
Against: 8
Not Voting: 0

RESOLVED THAT:

That planning applications 2015/01357/FUL and 2015/01368/LBC be refused on the grounds:

- (i) The design would not enhance or preserve the character/appearance of the property or the conservation area
- (ii) The proposal would adversely affect the setting of the property and neighbouring (listed) buildings
- (iii) The proposal would adversely impact on the neighbours' amenity – unneighbourly (bedroom window at no.4)

41.2 9 Delaford Street, London, SW6 7LT, Fulham Broadway, 2015/ 05604/FUL

Councillor Alex Karmel declared a significant interest in respect of 9, Delaford Street, London, SW6 7LT, Fulham Broadway, 2015/05604/FUL, as he personally knew some of the objectors and was an LEA appointed governor of Sir John Lillie School but had not discussed these applications with them. He considered that this did not give rise to a perception of a conflict of interests and, in the circumstances it would be reasonable to participate in the discussion and vote thereon.

The Committee heard representations in support of the application from the architect on behalf of the applicant. He said that the scheme benefited the area with additional housing and was of a suitable quality design. He also stated that it was sensitive to neighbours concerns and satisfied the local planning policy.

The Committee heard representations against the application from a local resident. She stated that it was an overdevelopment of the area and that the street was at tipping point. That family homes were needed in the area and that the proposal would add to the decimation of back gardens and also present an additional parking issue.

The Committee heard representations on the application from Councillor Ben Coleman who was concerned about the additional recycling and refuse and bike storage. He also expressed concern regarding the 2nd floor flat roof being used as a terrace and potential overlooking as well as the loss of family homes. That there would be an impact on the local school roll and an increase in the risk of traffic accidents from the building work. He felt the outcome for the street would not be positive.

Councillor Alex Karmel proposed, seconded by Councillor Michael Cartwright, an amendment the condition 10. To reflect the flat roof was on the 2nd floor.

- Condition 10, on page 10 of the report, first line, to read. No alterations shall be made to the roof of the rear extension on the 2nd floor hereby approved.

Discussing the application, a number of members of the Committee expressed concern that more family homes were needed and not poor standard small flats. That the bike storage and refuse and recycling arrangements were inadequate and that the obscured glazing living conditions were not ideal.

The Committee voted on planning application 2015/05604/FUL and the results were as follows:

For: 1
Against: 8
Not Voting: 0

RESOLVED THAT:

That planning application 2015/05604/FUL be refused on the grounds:

- (i) Lack of emergency egress from lightwell

- (ii) Overdevelopment of application property
- (iii) Poor quality of living accommodation in first floor flat because glazed with obscured glass
- (iv) Inadequate provision for refuse and recycling

41.3 1A Grimston Rd, London, SW6 3QP, Town, 2015/ 05053/FUL

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

During discussions regarding the application Members clarified some of the details of the proposal with officers.

The Committee voted on the planning application 2015/05053/FUL and the result was that Members unanimously agreed.

RESOLVED THAT:

Application 2015/05053/FUL be approved subject to the conditions set out in the report.

41.4 58 - 76 Willow Vale, London, W12 0PB, Wormholt and White City, 2015/04568/VAR

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

During discussions regarding the application Members clarified some of the details of the proposal with officers.

The Committee voted on the planning application 2015/04568/VAR and the result was that Members unanimously agreed.

RESOLVED THAT:

Application 2015/04568/VAR be approved subject to the conditions set out in the report.

Meeting started: 7.00 pm
Meeting ended: 8.50 pm

Chair

Contact officer: Kevin Phillips
Committee Co-ordinator
Governance and Scrutiny
Tel 020 8753 2062
E-mail: kevin.phillips@lbhf.gov.uk

Minutes are subject to confirmation at the next meeting as a correct record of the proceedings and any amendments arising will be recorded in the minutes of that subsequent meeting.

PLANNING AND DEVELOPMENT CONTROL COMMITTEE
Addendum 09.03.2016

Reg ref:	Address	Ward	Page
2015/04568/VAR	58-76 Willow Vale, W12 0PB	Wormholt and White City	34
Page 35	Officer Recommendation: line 1, delete 'Executive Director of Transport and Technical Services' and replace with 'Director for Planning & Growth'.		
Page 35	Condition 1 – delete 'The development hereby permitted shall not commence later than the expiration of 3 years beginning with the date of this planning permission.' Replace with 'The development hereby permitted shall not commence later than the expiration of 3 years beginning with the date of the original planning permission, 7th March 2014 (Ref.2013/00063/FUL).'		
Page 39	Condition 18, line 4 – delete condition, and replace with the following condition: 'Prior to occupation of the dwellinghouses hereby permitted, the bottom section of the windows to the bedrooms at first floor rear (east) elevation of the development shall have been fitted with non-openable obscure glazing, as indicated on the approved drawing nos. 1027 P20 and 1027 P23, a sample of which shall have been submitted to and approved in writing by the Council prior to any development on site. The windows shall be provided and retained in the approved form. To prevent overlooking to protect the amenity of the occupants of adjacent residential properties in accordance with Policies DM A9, H9, H11 of the Development Management Plan 2013 and SPD Housing Policy 8 of the Planning Guidance Supplementary Planning Document 2013'.		
Page 43	Justification 5 – line 1, delete 'paring' and replace with 'parking'		
Page 44	Para 1.1 – line 5, delete 'is occupied' and replace with 'was occupied (until recently demolished)'		
Page 48	Para 3.16 – line 2, delete 'is currently' and replace with 'was until recently'; and delete 'present' and replace with presented'		
Page 49	Para 3.25 – line 5, after '52A' insert '54 and 56'.		
Page 52	Para 3.39 – Delete '7 person' replace with '8 person'; delete '121 sq.m' and replace with '133 sq.m.'		
2015/05053/FUL	1A Grimston Road, SW6	Town	59
Page 60	Alter officer recommendation to read "That Committee resolve that the Director for Planning and Growth be authorised"		
Page 63	Delete Condition 17 and re-number subsequent condition numbers		
Page 64	Delete condition 21, re-number subsequent condition numbers		

Add the following additional conditions.

'The development shall not commence until detailed drawings of a typical bay on the elevations of all the proposed buildings in plan, section and elevation at a scale of not less than 1:20 to be submitted in writing for the Council's approval prior to construction commencing and built in accordance with the approved drawings.

To ensure a satisfactory external appearance and to prevent harm to the street scene, in accordance with Policies DM G1, DM G3 and G7 of the Development Management Local Plan 2013, and Policy BE1 of the Core Strategy 2011'.

'The noise level in habitable rooms at the development hereby approved shall meet the noise standard specified in Table 4 of BS8233:2014 'Guidance on sound insulation and noise reduction for buildings'.

To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration, in accordance with Policies DM H9 and H11 of the Development Management Local Plan'.

'Façade sound insulation including glazing shall be of a standard to achieve noise levels within bedrooms and living rooms of the proposed residential dwellings as recommended in Table 4 of BS 8233: 2014 'Guidance on sound insulation and noise reduction for buildings'. Details of the facade construction, including glazing, with commensurate composite sound insulation performance predictions shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Director of Environmental Health prior to the commencement of the relevant part of the development and shall be installed prior to occupation of the relevant part of the development and be so retained.

To ensure that the amenity of occupiers of the development site is not adversely affected by noise from transport noise sources, in accordance with Policies DM H9 and H11 of the Development Management Local Plan'.

'No development shall take place until details of the ventilation scheme (including acoustic trickle vents, passive and mechanical ventilation systems) for the habitable rooms within the proposed development, including details of how the sound reduction levels of the scheme will achieve the noise levels within bedrooms and living rooms of the proposed residential dwellings as recommended in Table 4 of BS 8233: 2014 'Guidance on sound insulation and noise reduction for buildings', its appearance and finish have been submitted to and been approved in writing by the Local Planning Authority. The approved scheme shall be installed before the use hereby permitted commences and thereafter shall be permanently retained.

To ensure that the amenity of occupiers of the development site is not adversely affected by noise from transport noise sources, in accordance with Policies DM H9 and H11 of the Development Management Local Plan'.

Add Justification to read

1. Land Use: The redevelopment of the site for residential is considered acceptable, in accordance with the NPPF, Policies 3.3 and 4.4 of the London Plan (2015), Policies H1 and H4 of the Core Strategy (2011), and Policy DM A1 and DM A3 of the DM LP (2013). The density, housing mix, internal design and layout of the new residential units are considered satisfactory having regard to Policies 3.4, 3.5 and 3.16 of the London Plan (2015), Policies H2 and H3 of the Core Strategy (2011), Policies DM A2, DM A3 and DM A9 of the DM LP (2013), and SPD Housing Policy 8 of the Planning Guidance SPD (2013); and the amenity space provision is also considered satisfactory, having regard to the physical constraints of the site, judged against Policy DM A2 of the DM LP (2013) and SPD Housing Policies 1 and 3 of the Planning Guidance SPD (2013).

2. Design: The proposed development would be a high quality development which would make a positive contribution to the urban environment in this part of the Borough. The development would therefore be acceptable in accordance with the NPPF, Policies 7.1, 7.2, 7.4, 7.5 and 7.6 of the London Plan (2015), Policy BE1 of the Core Strategy (2011), Policy DM G1, DM G3 and DM G7 of the DM LP (2013), which seek a high quality in design and architecture, requiring new developments to have regard to the pattern and grain of existing development.

3. Residential Amenity and Impact on Neighbouring Properties: The impact of the proposed development upon adjoining occupiers is considered acceptable in terms of noise, overlooking, loss of sunlight or daylight or outlook to cause undue detriment to the amenities of neighbours. In this regard, the development would respect the principles of good neighbourliness. The development would therefore be acceptable in accordance with Policies DM G1, DM G3, DM G7, DM H9, DM H11 and DM A9 of the DM LP (2013) and SPD Housing Policy 8 of the Planning Guidance SPD (2013).

4. Transport: Subject to conditions there would be no adverse impact on traffic generation and the scheme would not result in congestion of the road network. Conditions will also secure satisfactory provision cycle and refuse storage. The development would therefore be acceptable in accordance with the NPPF, Policies 6.1, 6.3, 6.9, 6.10, 6.11, 6.13, and 6.16 of the London Plan (2015), Policies T1 and CC3 of the Core Strategy (2011), Policies DM J1, DM J2, DM J3, DM J5, DM A9 and DM H5 of the DM LP (2013), and SPD Transport Policies 3, 7 and 12 and SPD Sustainability Policies 3, 4, 7, 8, 9 and 10 of the Planning Guidance SPD (2013).

5. Flood Risk: A Flood Risk Assessment (FRA) has been submitted and has considered risks of flooding to the site and adequate preventative measures have been identified. In this respect the proposal is therefore in accordance with the NPPF, Policies 5.11, 5.12, 5.13, 5.14 and 5.15 of the London Plan (2015), Policies CC1 and CC2 of the Core Strategy (2011), Policy DM H3 of the DM LP (2013) and SPD Sustainability Policies 1 and 2 of the Planning Guidance SPD (2013).

6. Land Contamination: Conditions will ensure that the site would be remediated to an appropriate level for the sensitive residential use. The proposed development therefore accords with Policy 5.21 of the London Plan (2015), Policy CC4 of the Core Strategy (2011) and Policies DM H7 and H11 of the DM LP (2013).

Page 72

Following Para 3.14, insert new paragraph and renumber subsequent paragraphs

'The development would result in a minor change to the character and appearance of the conservation area, which would not be visible from the street and which would not cause harm to its character or appearance. The scale and massing of the proposed buildings are considered to be compatible with the scale and character of the surroundings. Similarly, the design of the proposed buildings would not be out of keeping with the existing character and appearance of the application site or surroundings. Officers consider that although the development would not enhance the character and appearance of the conservation area, it would preserve it'.

Page 75

Following paragraph 3.36 insert new paragraph and renumber subsequent paragraphs

'The modelled air quality at this location has been reviewed, which shows that the location does not exceed the values set by the air quality objectives and therefore it is considered that an air quality assessment is not necessary. Levels of particulate matter (PM₁₀) and nitrogen dioxide (NO₂) are predicted to be below the air quality objectives at this location. The site location is adjacent to an electrified underground railway line that would not result in elevated concentrations of nitrogen dioxide'.

Page 76

Change Paragraph 4.2 to read 'Approve subject to conditions and completion of a satisfactory Legal Agreement'

Agenda Item 4

London Borough Of Hammersmith & Fulham

Planning Applications Committee

Agenda for 6th April 2016

Index of Applications, Enforcement Actions, Advertisements etc.

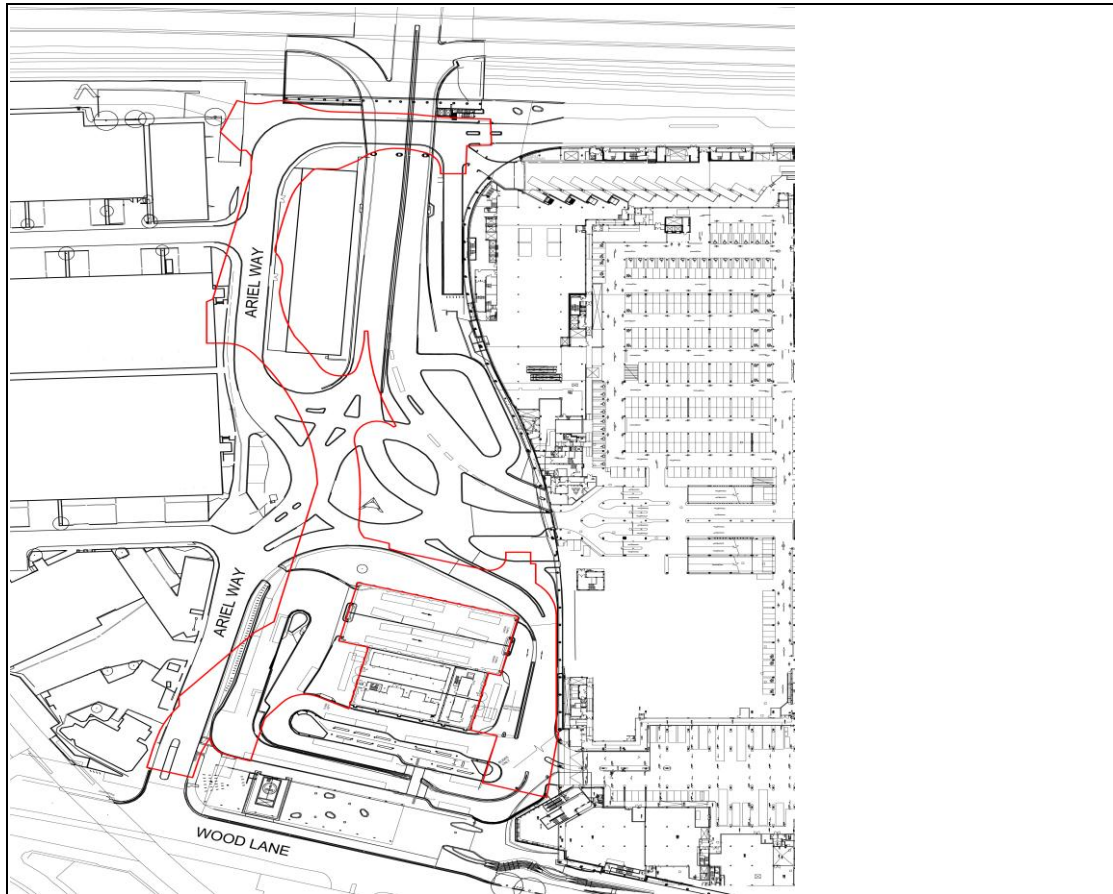
WARD: REG NO:	SITE ADDRESS:	PAGE:
Shepherd's Bush Green 2015/05217/RES	Land North Of Westfield Shopping Centre Ariel Way London	11
Shepherd's Bush Green 2015/05684/FUL	Land North Of Westfield Shopping Centre Ariel Way London	62
Shepherd's Bush Green 2015/05685/FUL	Land North Of Westfield Shopping Centre Ariel Way London	88
College Park And Old Oak 2016/00539/OBS	Oaklands House Old Oak Common Lane London NW10 6DU	109
Enforcement Performance Review 2015		151

Ward: Shepherd's Bush Green

Expiry Date: 3rd February 2016

Site Address:

Land North Of Westfield Shopping Centre Ariel Way London



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For identification purposes only - do not scale.

Reg. No:

2015/05217/RES

Date valid:

04.11.2015

Recommendation Date:

24.03.2016

Committee Date:

06.04.2016

Case Officer;

Sally Shepherd

Conservation Area:

Applicant:

Westfield Europe Limited
C/o Agent

Description:

Submission of reserved matters of Phases B and C of the Westfield Phase 2 development relating to access, appearance, layout and scale of the Mall Extension and Anchor Store buildings (including parts of Plot A and Plot P) comprising 75,019sqm of retail (Class A1) floorspace, 3000sqm of restaurant/café (Class A3-A5) floorspace, 2,456sqm of leisure (Class D2) floorspace and 518 non-residential car parking spaces pursuant to outline planning permission dated 13th October 2015 (Ref: 2015/02565/VAR).

Drg. Nos:

W2-AAM-ZA-EW-DR-A-08001 P06; W2-AAM-ZA-EE-DR-A-08001 P04;
W2-AAM-N2-EW-DR-A-08001 P05; W2-AAM-N2-EW-DR-A-08002 P06;
W2-AAM-N2-EW-DR-A-08003 P06; W2-AAM-N2-EW-DR-A-08004 P04;
W2-AAM-N2-EW-DR-A-08005 P02; W2-AAM-N2-EW-DR-A-08006 P00;
W2-AAM-N3-EE-DR-A-08001 P05; W2-AAM-N3-EE-DR-A-08002 P05;
W2-AAM-N2-EE-DR-A-08003 P04; W2-AAM-N2-EE-DR-A-08001 P04;
W2-AAM-ZA-SZ-DR-A-08001 P04; W2-AAM-ZA-SZ-DR-A-08002 P04;
W2-AAM-ZA-SZ-DR-A-08003 P04; W2-AAM-J1-EE-DR-A-08001 P05;
W2-AAM-J1-EE-DR-A-08002 P04; W2-AAM-J1-EN-DR-A-08001 P05;
W2-AAM-J1-EN-DR-A-08002 P05; W2-AAM-J1-EN-DR-A-08003 P07;
W2-AAM-J1-EN-DR-A-08004 P05; W2-AAM-J1-ES-DR-A-08001 P04;
W2-AAM-J1-ES-DR-A-08002 P03; W2-AAM-J1-EW-DR-A-08001 P04;
W2-AAM-J1-EW-DR-A-08002 P04; W2-AAM-J1-EW-DR-A-08003 P03;
W2-AAM-J1-SZ-DR-A-08001 P04; W2-AAM-J1-SZ-DR-A-08002 P04;
W2-AAM-J1-EE-DR-A-08003 P06; W2-AAM-J1-EE-DR-A-08004 P04;
W2-AAM-ZA-00-DR-A-08001 P03; W2-AAM-ZA-10-DR-A-08001 P03;
W2-AAM-ZA-20-DR-A-08001 P09; W2-AAM-ZA-40-DR-A-08001 P04;
W2-AAM-ZA-50-DR-A-08001 P04; W2-AAM-ZA-55-DR-A-08001 P04;
W2-AAM-ZA-60-DR-A-08001 P05; W2-AAM-ZA-63-DR-A-08001 P05;
W2-AAM-ZA-65-DR-A-08001 P05; W2-AAM-J1-20-DR-A-08001 P07;
W2-AAM-J1-40-DR-A-08001 P04; W2-AAM-J1-50-DR-A-08001 P04;
W2-AAM-J1-55-DR-A-08001 P04; W2-AAM-J1-60-DR-A-08001 P04;
W2-AAM-J1-65-DR-A-08001 P04; W2-AAM-J1-70-DR-A-08001 P04;
W2-BUH-N2-00-DR-C-95901 P00; W2-BUH-N2-00-DR-C-95902 P00;
W2-AAM-ZA-SZ-DR-A-08004 P00; W2-AAM-ZA-SZ-DR-A-08005 P00;
Westfield London Design Statement prepared by Allies and Morrison dated March 2016;
Planning and Compliance Statement prepared by Montagu Evans dated January 2016;
Letter of compliance prepared by Ramboll Environ dated 26th October 2015; Access
Statement prepared by Westfield dated 15th March 2016 (Ref. W2-WDE-ZA-00-DS-A-08001).

Application type:

Submission of Reserved Matters

Officer Recommendation:

That the Committee resolve that the Director of Planning and Growth be authorised to determine the application and grant permission up on the completion of a satisfactory legal agreement and subject to the condition(s) set out below:

1) APPROVED DRAWINGS

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

W2-AAM-ZA-EW-DR-A-08001 P06; W2-AAM-ZA-EE-DR-A-08001 P04;
W2-AAM-N2-EW-DR-A-08001 P05; W2-AAM-N2-EW-DR-A-08002 P06;
W2-AAM-N2-EW-DR-A-08003 P06; W2-AAM-N2-EW-DR-A-08004 P04;
W2-AAM-N2-EW-DR-A-08005 P02; W2-AAM-N2-EW-DR-A-08006 P00;
W2-AAM-N3-EE-DR-A-08001 P05; W2-AAM-N3-EE-DR-A-08002 P05;
W2-AAM-N2-EE-DR-A-08003 P04; W2-AAM-N2-EE-DR-A-08001 P04;
W2-AAM-ZA-SZ-DR-A-08001 P04; W2-AAM-ZA-SZ-DR-A-08002 P04;
W2-AAM-ZA-SZ-DR-A-08003 P04; W2-AAM-J1-EE-DR-A-08001 P05;
W2-AAM-J1-EE-DR-A-08002 P04; W2-AAM-J1-EN-DR-A-08001 P05;
W2-AAM-J1-EN-DR-A-08002 P05; W2-AAM-J1-EN-DR-A-08003 P07;
W2-AAM-J1-EN-DR-A-08004 P05; W2-AAM-J1-ES-DR-A-08001 P04;
W2-AAM-J1-ES-DR-A-08002 P03; W2-AAM-J1-EW-DR-A-08001 P04;
W2-AAM-J1-EW-DR-A-08002 P04; W2-AAM-J1-EW-DR-A-08003 P03;
W2-AAM-J1-SZ-DR-A-08001 P04; W2-AAM-J1-SZ-DR-A-08002 P04;
W2-AAM-J1-EE-DR-A-08003 P06; W2-AAM-J1-EE-DR-A-08004 P04;
W2-AAM-ZA-00-DR-A-08001 P03; W2-AAM-ZA-10-DR-A-08001 P03;
W2-AAM-ZA-20-DR-A-08001 P09; W2-AAM-ZA-40-DR-A-08001 P04;
W2-AAM-ZA-50-DR-A-08001 P04; W2-AAM-ZA-55-DR-A-08001 P04;
W2-AAM-ZA-60-DR-A-08001 P05; W2-AAM-ZA-63-DR-A-08001 P05;
W2-AAM-ZA-65-DR-A-08001 P05; W2-AAM-J1-20-DR-A-08001 P07;
W2-AAM-J1-40-DR-A-08001 P04; W2-AAM-J1-50-DR-A-08001 P04;
W2-AAM-J1-55-DR-A-08001 P04; W2-AAM-J1-60-DR-A-08001 P04;
W2-AAM-J1-65-DR-A-08001 P04; W2-AAM-J1-70-DR-A-08001 P04;
W2-BUH-N2-00-DR-C-95901 P00; W2-BUH-N2-00-DR-C-95902 P00;
W2-AAM-ZA-SZ-DR-A-08004 P00; W2-AAM-ZA-SZ-DR-A-08005 P00.

Westfield London Design Statement prepared by Allies and Morrison dated March 2016; Planning and Compliance Statement prepared by Montagu Evans dated January 2016; Letter of compliance prepared by Ramboll Environ dated 26th October 2015; Access Statement prepared by Westfield dated 15th March 2016 (Ref. W2-WDE-ZA-00-DS-A-08001).

Reason: In order to ensure full compliance with the application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with Policy BE1 of the London Borough of Hammersmith and Fulham Core Strategy (2011) and Policies DM G1 and DM G7, of the Development Management Local Plan (2013).

2) DETAILED DRAWINGS - SILVER STREET

Detailed drawings of the vitrines at level 40 along Silver Street in plan, section and elevation at a scale of not less than 1:20 shall be submitted and approved in writing

by the Local Planning Authority prior to the commencement of any part of the development to be constructed above level 20 hereby approved (unless otherwise agreed in writing).

The drawings shall show a minimum of four vitrines at level 40 on the eastern elevation of Block A3 (Department Store Block as defined by Design Code A3.1) and a minimum of four vitrines at level 40 on the eastern elevation of Block A2 (Island Block as defined by Design Code A3.1). The minimum height of the vitrines shall be 4m above the podium (level 40) and the minimum width of the vitrines shall be 4m. The minimum internal depth of the display space within the vitrines shall be one metre and the vitrines may project beyond the building line to accommodate this depth. The glazing shall begin no higher than 50cm above the ground level of the podium (level 40). The vitrines shall be clear glazed and the glass shall not be mirrored, tinted or otherwise obscured. 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, which shall be permanently retained thereafter.

Reason: The approved plans W2-AAM-ZA-EE-DR-A-08001 P04; W2-AAM-N3-EE-DR-A-08001 P05; W2-AAM-N3-EE-DR-A-08002 P05; W2-AAM-J1-EE-DR-A-08001 P05; W2-AAM-J1-EE-DR-A-08002 P04; W2-AAM-J1-EE-DR-A-08004 P05; W2-AAM-J1-EE-DR-A-08003 P06; W2-AAM-ZA-40-DR-A-08001 P04 do not provide sufficient detail on the vitrines to comply with the aspirations set out in approved Design Code G3.5 and to ensure a satisfactory external appearance, in accordance with policies 7.1, 7.3, 7.4, 7.5 and 7.6 of the London Plan (2015), policy BE1 of the Core Strategy (2011) and policies DM G1, DM G2 and DM G4 of the Development Management Local Plan (2013) and the Design Policy 22 of the Planning Guidance Supplementary Planning Document (2013).

3) VITRINES DISPLAY MANAGEMENT

Prior to the occupation of the development hereby approved, details of a strategy for the use, maintenance and management of the displays within the vitrines shall be submitted to and approved in writing by the Local Planning Authority. The management strategy shall include evidence of partnerships between the applicant and local businesses, colleges and/or community groups and examples of installations to be displayed as well as confirmation of the arrangements for selecting and managing the installations. The vitrine displays shall be carried out in accordance with the approved strategy (which shall be complied with at all times unless otherwise agreed in writing by the Local Planning Authority).

Reason: To ensure that the scheme creates a high quality environment with active frontages and allows for provision for public art as part of the urban design process in enhancing public spaces in accordance with policies 7.1, 7.3, 7.4, 7.5 and 7.6 of the London Plan (2015), policy BE1 of the Core Strategy (2011) and policies DM G1 and DM G4 of the Development Management Local Plan (2013).

4) VITRINES LIGHTING

Prior to the commencement of any part of Phase C (as approved under details application 2015/01547/DET) hereby approved, details of the proposed lighting within the vitrines shall be submitted to and approved in writing by the Local

Planning Authority. Such details shall include the number, exact location, height, design and appearance of the lighting within the vitrines, 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 any lighting proposed does not harm visual or residential amenity.

Any lighting (including light from the installations on display) within the vitrines must not exceed 300cd/m² during the hours of darkness and any external artificial lighting shall not exceed lux levels of vertical illumination at neighbouring premises that are recommended by the Institution of Lighting Professionals in the 'Guidance Notes For The Reduction Of Light Pollution 2011'. Lighting should be minimized and glare and sky glow should be prevented by correctly using, locating, aiming and shielding luminaires, in accordance with the Guidance Notes. The lighting must be static and contain no moving features, flashing, animation, intermittent light source or exposed cold cathode tubing. No part of the development hereby approved shall be used or occupied until the lighting has been installed in full accordance with the approved details.

Reason: To ensure a satisfactory external appearance and to prevent harm to the occupiers of neighbouring properties, in accordance with policies 7.3 and 7.13 of the London Plan (2015), policies BE1 and CC4 of the Core Strategy (2011) and policy DM G1 and DM H10 of the Development Management Local Plan (2013).

5) DETAILED DRAWINGS - NORTH ELEVATION

Notwithstanding the details shown in the approved plan W2-AAM-J1-EN-DR-A-08001 P05, detailed drawings of key bays at level 20 and level 40 of the north elevation of Block A3 (Department Store Block) at a scale of not less than 1:20 in plan, section and elevation and a plan showing the layout of the basement at level 10 at a scale of not less than 1:200 shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of any part of the development to be constructed above level 20 hereby approved (unless otherwise agreed in writing).

The drawings shall show how the level 20 north elevation will be active and transparent (in accordance with the Design Code G3.5) and composed as a front (in accordance with the Design Code G6.4). The drawings shall include details of a supermarket entrance and a kiosk with a combined width of no less than 10 metres on the level 20 north elevation. The drawings shall show clear glazing in no less than 80% of the 21m section of the level 20 north elevation comprising the staff entrance and the emergency exits. 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, which shall be permanently retained thereafter.

Reason: To comply with approved Design Codes G3.5 and G6.4 and to ensure a satisfactory external appearance, in accordance with policies 7.1, 7.3, 7.4, 7.5 and 7.6 of the London Plan (2015), policy BE1 of the Core Strategy (2011) and policies DM G1, DM G2 and DM G4 of the Development Management Local Plan (2013).

6) DETAILED DRAWINGS - ROOF TOP STRUCTURES

Notwithstanding the details shown on the approved plan W2-AAM-ZA-65-DR-A-08001 P04, detailed drawings in plan, section and elevation at a scale of not less than 1:50 of showing the rooftop structures, plant, screening and ventilation fans at levels 60 and 65 shall be submitted and approved in writing by the Local Planning Authority, prior to the commencement of any part of the development to be constructed above level 20 hereby approved. No part of the development above level 20 shall be used or occupied prior to the completion of that relevant part of the development above level 20 in accordance with the approved details, which shall be permanently retained thereafter.

Reason: In order to ensure a satisfactory appearance to the development and to prevent harm to the streetscene and public realm, in accordance with policies 7.1 and 7.6 of the London Plan (2011), policy BE1 of the Core Strategy (2011) and policies DM G1, DM G2 and DM G7 of the Development Management Local Plan (2013).

7) DETAILS AND SAMPLES OF MATERIALS

Notwithstanding the details shown on the approved drawings, details and samples of the materials to be used on all external faces including windows and roofs of the buildings hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any part of the development to be constructed above level 20 hereby approved. A sample panel of the aluminium overcladding frame to composite panels including the roof top screening panels shall be erected on site in accordance with the submitted details for the inspection of the Local Planning Authority's Urban Design and Conservation Officer prior to the determination of the submitted details application. No part of the development above level 20 shall be used or occupied prior to the completion of that relevant part of the development above level 20 in accordance with the approved details, which shall be permanently retained thereafter.

Reason: To ensure a satisfactory external appearance and to prevent harm to the visual amenity of the street scene and public realm, in accordance with policies 7.1 and 7.5 of the London Plan (2015), policy BE1 of the Core Strategy (2011) and policies DM G1, DM G2, DM G6 and DM G7 of the Development Management Local Plan (2013).

8) METAL PANEL OVERCLADDING DETAILS

Notwithstanding details shown on approved plan W2-AAM-N2-EW-DR-A-08006, detailed drawings in plan, section and elevation in scale at not less than 1:10 of the proposed aluminium over cladding frame to composite panels including the roof top screening panels shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of any part of the development to be constructed above level 20 hereby approved. No part of the development above level 20 shall be used or occupied prior to the completion of that relevant part of the development above level 20 in accordance with the approved details, which shall be permanently retained thereafter.

Reason: To ensure a satisfactory external appearance and to prevent harm to the visual amenity of the street scene and public realm, in accordance with policies 7.1 and 7.5 of the London Plan (2015), policy BE1 of the Core Strategy (2011) and policies DM G1, DM G2, DM G6 and DM G7 of the Development Management Local Plan (2013).

9) TERRACE DETAILS

Notwithstanding the details shown on the approved drawings, detailed drawings at a scale of not less than 1:50 in plan, section and elevation of the building to the terraces on the north and east elevations at level 60 of the department store block and details and samples of the materials to be used for the soffit and ceiling of the external terraces shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any part of the development to be constructed above level 20 hereby approved (unless otherwise agreed in writing). No part of the development above level 20 shall be used or occupied prior to the completion of that relevant part of the development above level 20 in accordance with the approved details, which shall be permanently retained thereafter.

Reason: To ensure a satisfactory external appearance and to prevent harm to the visual amenity of the street scene and public realm, in accordance with policies 7.1 and 7.5 of the London Plan (2015), policy BE1 of the Core Strategy (2011) and policies DM G1, DM G2, DM G6 and DM G7 of the Development Management Local Plan (2013).

10) FAÇADE ACCESS AND MAINTENANCE STRATEGY

Prior to the commencement of any part of the development to be constructed above level 20 hereby approved (unless otherwise agreed in writing), a façade access and maintenance strategy including details of any Building Maintenance Units shall be submitted and approved in writing by the Local Planning Authority. No part of the development above level 20 shall be used or occupied prior to the completion of that relevant part of the development above level 20 in accordance with the approved details, which shall be permanently retained thereafter.

Reason: To ensure a satisfactory external appearance and to prevent harm to the visual amenity of the street scene and public realm, in accordance with policies 7.1 and 7.5 of the London Plan (2015), policy BE1 of the Core Strategy (2011) and policies DM G1, DM G2, DM G6 and DM G7 of the Development Management Local Plan (2013).

11) BASEMENT CAR PARK VENTILATION

Notwithstanding the details shown in the approved plans W2-AAM-ZA-EE-DR-A-08001 P04 and W2-AAM-J1-EN-DR-A-08001 P05, details of a ventilation strategy for the basement car park intake shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any part of the development to be constructed above level 20 hereby approved (unless otherwise agreed in writing). Details shall include, but are not limited to, drawings at a scale of no less than 1:50 in plan, section and elevation of all louvres located on the

façade of the buildings hereby approved and a noise report for any acoustically attenuated mechanical ventilation to achieve 'Good' internal room and external amenity noise standards in accordance with the criteria of BS8233:1999 and technical specifications. No part of the development above shall be used or occupied prior to the completion of that relevant part of the development in accordance with the approved details, which shall be permanently retained thereafter.

Reason: To ensure a satisfactory external appearance and to prevent harm to the visual amenity of the street scene and public realm and to ensure that the amenity of occupiers of the development site is not adversely affected by noise in accordance with policies 7.1 and 7.5 of the London Plan (2015), policy BE1 and CC4 of the Core Strategy (2011) and policies DM G1, DM G2, DM G6, DM G7, DM H9 and DM H11 of the Development Management Local Plan (2013).

12) CAR PARK ACCESS RAMPS

The development hereby permitted shall not commence until detailed drawings in plan and section of the access ramp(s) to all car parks (including vertical clearance, width and gradient) are submitted to and approved in writing by the Local Planning Authority. No part of the development shall be used or occupied prior to the completion of the car park access ramps in accordance with the approved details, which shall be permanently retained thereafter.

Reason: To ensure that the detailed design of the access ramps provides sufficient vertical clearance and capacity for vehicle manoeuvring in the interest of public safety and to avoid vehicle/pedestrian conflict in accordance with policy T1 of the Core Strategy (2011) and policies DM J2 and DM J4 of the Development Management Local Plan (2013).

13) CCTV

Prior to the commencement of any part of the development to be constructed above level 20 hereby approved (unless otherwise agreed in writing), details and locations of all CCTV cameras shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be open to the public until the CCTV has been installed in accordance with the approved details. The CCTV cameras shall be permanently retained thereafter.

Reason: To ensure a safe and secure environment, in accordance with policy 7.3 of the London Plan (2015), policy BE1 of the Core Strategy (2011) and policy DM G1 of the Development Management Local Plan (2013).

14) INCLUSIVE ACCESS - ANCHOR STORE BLOCK

There shall be a fully inclusive and accessible lift in the anchor store (Block A3) to facilitate the vertical movement of people from the basement car park to the retail unit located at level 20. The details and location of the lift shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any part of the development to be constructed above level 20 hereby approved (unless otherwise agreed in writing). No part of the development shall be used or occupied prior to the completion of the fully inclusive and accessible lift within the

anchor store in accordance with the approved details, which shall be permanently retained thereafter.

Reason: In order to ensure the development provides ease of access for all users, in accordance with Policies 3.1 and 7.2 of the London Plan (2015), policy BE1 of the Core Strategy (2011) and policy DM G1 of the Development Management Local Plan (2013).

15) WIND MITIGATION DETAILS

Ground floor entrances along Relay Square shall be recessed or have screening suitable to mitigate the impacts of wind on pedestrian comfort in accordance with Design Code A3.10. If screening is proposed, detailed drawings in plan, section and elevation at a scale not less than 1:50 shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development hereby approved. No part of the development shall be used or occupied prior to the completion of the recessed or screen entrances along Relay Square in accordance with the approved details, which shall be permanently retained thereafter.

Reason: To ensure a satisfactory external appearance and to prevent harm to the visual amenity of the street scene and public realm, in accordance with policies 7.1 and 7.5 of the London Plan (2015), policy BE1 of the Core Strategy (2011) and policies DM G1, DM G2, DM G6 and DM G7 of the Development Management Local Plan (2013).

16) TEMPORARY ELEVATIONAL TREATMENT

Prior to the commencement of any part of the development to be constructed above level 20 hereby approved (unless otherwise agreed in writing), detailed drawings in elevation showing the temporary elevational treatment of Plot A at level 20 along Silver Street shall be submitted and approved in writing by the Local Planning Authority. No part of the development shall be used or occupied prior to the completion of the temporary elevational treatment of Silver Street at level 20 in accordance with the approved details.

Reason: To ensure a satisfactory external appearance and to prevent harm to the visual amenity of the street scene and public realm, in accordance with policies 7.1 and 7.5 of the London Plan (2015), policy BE1 of the Core Strategy (2011) and policies DM G1, DM G2, DM G6 and DM G7 of the Development Management Local Plan (2013).

17) ADVERTISEMENTS

Notwithstanding the details shown on the approved drawings, no advertisements shall be displayed on or within any elevation of the building itself, without details of the advertisements having first been submitted to and agreed in writing by the Local Planning Authority. The display of any advertisements shall be carried out in accordance with the approved details.

Reason: In order that any advertisements displayed on the building are assessed in the context of an overall strategy, so as to ensure a satisfactory external appearance and to preserve that integrity of the design of the building, in

accordance with policy BE1 of the Core Strategy (2011) and policy DM G8 of the Development Management Local Plan (2013).

18) EXTERNAL ALTERATIONS TO THE BUILDING

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

Reason: To ensure a satisfactory external appearance and to prevent harm to the amenities of the occupiers of neighbouring residential properties, in accordance with Policy BE1 of the Core Strategy 2011 and Policies DM G1 and G7 of the Development Management Local Plan 2013.

19) GPDO TELECOMMUNICATIONS

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (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 external part of the approved buildings, without planning permission first being obtained. Any such changes shall be carried out in accordance with the approved details.

Reason: In order to ensure that the Local Planning Authority can fully consider the effect of telecommunications equipment upon the appearance of the building in accordance with Policy BE1 of the Core Strategy (2011) and policies DM G1 and DM G7 of the Development Management Local Plan (2013).

Justification for approving application:

Land use: The principle of the retail extension which forms part of a comprehensive mixed-use redevelopment has been established by the outline planning permission (ref. 2015/02565/VAR granted 13th October 2015). The overall quantum of development would accord with the policy requirement to optimise the use of the site. The proposed development is generally in accordance with Strategic Policy C and Strategic Policy WCOA of the Core Strategy as the implementation of the development would contribute to the regeneration of the area, improve the vitality and viability of Shepherds Bush Metropolitan Town Centre, improve employment opportunities and promote sustainable economic growth. The proposed development is therefore considered to be acceptable and would be in accordance with policies 2.13 and 2.15 of the London Plan (2015) and Strategic Policies WCOA, WCOA1, B, C and LE1 of the Core Strategy (2011) and policies DM B1, DM C1 and DM D2 of the Development Management Local Plan (2013).

Design and Heritage: The proposed development would be a high quality development which would make a positive contribution to the urban environment in this part of the Borough and is considered suitable in relation to the site's location and context and would preserve the setting of adjacent listed buildings and the setting of the Wood Lane Conservation Area. The reserved matters are considered to be in general conformity with the approved parameters plans set out in the

outline planning permission and the detailed design of Phases B and C is broadly consistent with the design codes (that accompanied the outline permission) for these parts of the development. The development would therefore be acceptable in accordance with the NPPF (2012), policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6 and 7.7 of the London Plan (2015) , policy BE1 of the Core Strategy (2011) and policies DM G1, DM G2, DM G4, DM G6, and DM G7 of the Development Management Local Plan (2013) and SPD Design Policies 44 and 48 which seek a high quality in design and architecture, requiring new developments to have regard to the pattern and grain of existing development.

Safety and Access: The development would provide a safe and secure environment for all users in accordance with policies 7.1, 7.2 and 7.3 of the London Plan (2015), policy DM G1 of the Development Management Local Plan (2013), as well as the Council's adopted supplementary planning document (SPD) 'Access for All'.

Transport: Satisfactory provision would be made for car and cycle parking, adequate servicing facilities and provision for storage and collection of refuse and recyclables would also be provided in accordance with conditions and S106 obligations secured by the outline permission. The development would therefore be acceptable in accordance with the NPPF (2012), policies 6.1, 6.3, 6.9, 6.10, 6.11, 6.13 of the London Plan (March 2015), policies T1 and CC3 of the Core Strategy (2011), and policies H5, J1, J2, and J5 of the Development Management Local Plan (2013).

Amenity and Impact on Neighbouring Properties: The impact of the proposed development upon adjoining occupiers is considered acceptable with no significant worsening of noise, overlooking, loss of sunlight or daylight or outlook to cause undue detriment to the amenities of neighbours. In this regard, the development would respect the principles of good neighbourliness. The development would therefore be acceptable in accordance with policy 3.5 of the London Plan (2015) and Policies G1, H9, H10 and H11 of the Development Management Local Plan (2013).

That the applicant be informed as follows:

1) COMPLIANCE WITH OUTLINE PERMISSION

The applicant is reminded of the need to comply with all the requirements of the conditions and the S106 agreement of the outline planning permission dated 13th October 2015 (Ref: 2015/02565/VAR).

2) SUBSEQUENT RESERVED MATTERS APPLICATIONS

The applicant is advised that this decision relates to the discharge of Access, Layout, Scale and Appearance for Phases B and C of Plot A (and part of Plot P) only, which were reserved by condition 1 of planning permission 2015/02565/VAR. The applicant is reminded of the need to submit further reserved matters applications to part discharge condition 1 in relation to Plot A (and part of Plot P) including Access, Layout, Scale, Appearance of the Underpass, the Basement, the Public Room and Landscaping.

3) SURFACE WATER DRAINAGE

The applicant should ensure that the changes to the site layout do not affect the ability to manage surface water drainage in accordance with the drainage plan submitted on 29th January 2014 (ref: 032493).

4) ACCORDANCE WITH NPPF

In determining this application, the local planning authority has worked in a proactive and positive manner with the applicant to foster the delivery of sustainable development, in accordance with the requirements of paragraphs 186 and 187 of the National Planning Policy Framework (2012).

5) CONTAMINATED LAND

Potentially contaminative land uses (past or present) have been identified at, and or, near to this site. Although we would not expect any significant problems, the applicant is advised to contact the Council should any unexpected materials or malodours are encountered during excavations.

6) PERMITTED HOURS FOR BUILDING WORK

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

7) NOTIFICATION TO NEIGHBOURS OF BUILDING WORKS

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

8) DUST

Best Practicable Means (BPM) should be used in controlling dust emissions, in accordance with the Best Practice Guidance by the GLA 2006 for The Control of Dust and Emissions from Construction and Demolition.

Officer Report

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

All Background Papers held by case officer named above:

Application form received: 3rd November 2015

Drawing Nos: see above

Policy Documents: National Planning Policy Framework 2012
The London Plan 2015
Core Strategy 2011
The Development Management Local Plan 2013
Planning Guidance Supplementary Planning Document July 2013

1.0 SITE DESCRIPTION

The Application Site

- 1.1 The reserved matters application site is located within the administrative area of the London Borough of Hammersmith and Fulham and comprises an area of approximately 3.3 hectares. The original outline planning application site comprised land to the north of the Westfield London Shopping Centre in Shepherd's Bush, including part of the existing shopping centre. The reserved matters application relates to Phases B and C of the 'Retail Extension' which forms a part of the outline planning permission Ref: 2015/02565/VAR that will be implemented in phases. The Retail Extension will accommodate the new Anchor Store alongside an expansion of the existing shopping centre referred to as the Mall Extension and the Island Block.
- 1.2 This phase of development contains parts of Plot A and part of Plot P (as defined by approved parameters plans WLD 005 and WLD 006) which sit within the larger 7.64 hectare site approved under the extant outline planning permission (Ref: 2015/02565/VAR). Plot A sits within the central zone of the masterplan and is laid out in three blocks above the plinth level (Plot P). The extension to the existing shopping centre will be built out in several phases as listed in para 3.7- 3.11 of this report. The applicant has sought approval in regards to scale, detailed design, layout and access in respect of Phases B and C which comprise the internal structure and external envelope of the buildings which form the Retail Extension. The applicant has obtained approval for the scale and access of the below ground element which comprises phase A of the Retail Extension, although details of the layout which includes car parking and servicing have not yet been submitted.
- 1.3 The north and north-western boundary of the outline site is formed by the Hammersmith and City railway line and viaduct, while the London Overground railway line and the West Cross Route (A3220) form the eastern boundary. To the west of the site is Wood Lane (the A219) and to the south is the existing Westfield London shopping centre. The Public Transport Accessibility Level (PTAL) rating of the site ranges between 5 (very good) and 6 (excellent).
- 1.4 The site was formerly occupied by the White City Industrial Estate which comprised a number of single storey industrial buildings used for a range of industrial and warehouse uses falling within Use Classes B1, B2 and B8. Vehicular access to the industrial estate was provided via Silver Road and Relay

Road from Ariel Way. Network House is a seven storey office block which is currently still occupied. It is located to the west of the site facing onto but set back from Wood Lane.

- 1.5 Planning permission was originally granted in March 1996 for the original shopping centre. In March 2012, outline permission was granted for redevelopment of the land to the north of the existing shopping centre including residential, retail, restaurant, office, leisure and community floorspace. This permission was subsequently varied in September 2014 for an alternative scheme to increase the level of retail, leisure, restaurant/café and office floorspace. In October 2015, planning permission was granted for further amendments to the outline scheme which included the removal of office (B1) floorspace.
- 1.6 Planning permission was granted for various enabling works pursuant to the comprehensive redevelopment of the site in July 2014 (see planning history below). The enabling works included the demolition of the existing buildings and structures, highway works and the construction of a tunnel to connect to the existing Westfield London Shopping Centre basement, utilities diversions and other associated works. Various works have been undertaken since the enabling works were approved.
- 1.7 To the south of Ariel Way and immediately to the north of Westfield London are the various vehicular access roads which serve the visitors car park and servicing areas of Westfield London. Access would normally be taken both from the West Cross Route to the east and Wood Lane to the west, via Ariel Way although the junction between Ariel Way and Wood Lane is currently temporarily closed to through traffic from Wood Lane to the West Cross Route.
- 1.8 Immediately to the east of Wood Lane and to the south of Ariel Way are the Grade II listed DIMCO Buildings which house a bus layover and substation which serve the London Underground. The outline planning permission site excludes the White City Bus Station and the DIMCO buildings as these buildings do not form part of the comprehensive redevelopment.

The Surrounding Area

- 1.9 The Site falls within a large parcel of land sandwiched between Wood Lane (A219) to the west, the Westway (A40) to the north, the West Cross Route (A3220) and railway lines to the east and Shepherds Bush Green to the south. This area is generally occupied by large footprint buildings, including the existing Westfield Shopping Centre, warehouses and office buildings. There are also some smaller scale residential buildings to the south between Westfield London and Shepherds Bush Green.
- 1.10 The West Cross Route (A3220) is a dual carriageway connecting the Westway (A40) and Holland Park roundabout. It is set at an elevated level for much of its length, therefore acting as a major physical barrier between the areas either side of it.
- 1.11 The area immediately to the east of the West Cross Route is largely occupied by office buildings. Directly opposite the site across from the West Cross Route are

three large scale office buildings: The Yellow Building occupied by Monsoon Accessorize Ltd headquarters; the White Building occupied by Talk-Talk headquarters and the Studio Building. These buildings are connected via the existing H-junction and define the urban context of the immediate area, which is of particular relevance to the application site.

- 1.12 To the west of the site, Wood Lane (A219) links the Westway to the north and Uxbridge Road to the south, varying in character and scale along its length. There is a mix of commercial and residential buildings including the Grade II listed former BBC Television Centre which is currently being redeveloped into a residential-led mixed-use development. Wood Lane Conservation Area lies directly to the north and west of the site.
- 1.13 In terms of local transport links, Wood Lane Underground Station is directly to the north-west corner of the site and is served by the Hammersmith and City Line.
- 1.14 White City Underground Station is located approximately 280m to the north of the site and served by the Central Line. Shepherds Bush Underground Station is located approximately 455m to the south of the Site and is also served by the Central Line.

2.0 PLANNING HISTORY

White City Industrial Estate

- 2.1 The planning records for the White City Industrial Estate, which forms the bulk of the site, show various approvals since the early 1980s for minor operations and alterations, including the replacement of doors and windows, installation of ventilation ducts and air conditioning units, installation of signage, alterations to elevations, and small scale change of use. These applications are not considered to be of relevance to this proposal.
- 2.2 On 8th May 1997, planning permission was granted for the “Use of the estate for Class B1, B2 and B8 purposes” (ref. 97/00131). Conditions attached to the planning permission prevent the use of the buildings for Class B1a Offices.

Westfield London Shopping Centre

- 2.3 On 29th March 1996, planning permission (ref. 1993/01830/OUT) was granted for the creation of what is now the Westfield London Shopping Centre. This included the land to the south of Ariel Way to provide the access and servicing roads to the shopping centre.
- 2.4 On 23rd December 2002, a further outline planning permission (ref. 2000/01642/OUT) was granted for the southwest corner retail extension which delivered additional retail floorspace, community facilities and an art gallery.
- 2.5 On 29th May 2013, full planning permission (ref. 2013/01074/FUL) was granted for the extension of the existing shopping centre at roof level to comprise 3,092 sqm (Gross Internal Area (GIA)) retail floorspace (A1 Use Class) and 7,249 sqm (GIA) leisure floorspace (D2 Use Class), (spilt over a full floor and mezzanine level) to be occupied by a Children's Education and Entertainment use ("the CEE

Attraction") (known as Kidzania), located above the new M&S floor. The application also included identification of external signage zones, relocation of existing plant and addition of new plant and other associated works.

- 2.6 On 31st July 2013, full planning permission (ref. 2013/01768/FUL) was granted for the extension of the existing shopping centre at roof level comprising additional office floorspace (1490.34sqm) (Class B1), relocation of existing plant and addition of new plant and other associated works.

Land to the north of the existing Westfield London shopping centre

- 2.7 On 29th March 2012, outline planning consent (ref. 2011/02940/OUT) was granted for the redevelopment of land to the north of Ariel Way to allow a mixed use scheme consisting of new additions and alterations to the existing Westfield London shopping centre. The permitted scheme comprises up to 50,855 sqm Class A1 (Retail), up to 5,070 sqm Classes A3, A4 and A5 (Restaurants, Cafes, Bars, Hot-food Take-away use), up to 540 sqm Class B1 (Offices), up to 1,520 sqm Class D1 (Community use) and up to 1,758 sqm Class D2 (Leisure use) floorspace, as well as up to 1,522 residential units.
- 2.8 On 5th September 2014, a second outline planning permission (ref. 2013/05115/OUT) was granted for the comprehensive redevelopment of the site to the north of the existing Westfield Shopping Centre including construction of new buildings (ranging from 2 - 23 storeys) and structures (including podium) up to 87.975m (AOD) to provide up to 61,840sqm (GEA) retail use (A1) including an anchor department store; up to 8,170sqm (GEA) restaurant and café use (A3 - A5); up to 2065sqm (GEA) office use (B1); up to 1,600sqm (GEA) community/health/cultural use (D1); up to 3500sqm (GEA) leisure use (D2) and up to 1,347 residential units.
- 2.9 On 15th July, an associated enabling works consent (ref. 2013/05350/FUL) connected to the outline application (ref. 2013/05115/OUT) was granted including demolition of existing buildings and associated structures, the closure and temporary diversion of highways, construction of temporary highways, excavation and construction of a tunnel and support structures to connect to the existing Westfield London basement, utilities diversions and other associated works.
- 2.10 On 1st July 2015, reserved matters application (2015/01447/RES) was granted to discharge access, scale and layout pursuant to condition 1 of the outline planning permission (ref. 2014/05515/OUT) for Phase A (engineering and construction operations comprising the formation of the basement and facilitating the future layout of the basement only) of the Westfield London development.
- 2.11 On 13th October 2015, a Section 73 application (2015/02565/VAR) to vary conditions 2, 3, 5 and 49 of the outline planning permission (ref. 2013/05115/OUT) was granted. The amendments included alterations to: site levels; the public realm; increase in massing affecting building footprint and building height; a 107sqm (GEA) overall reduction in total floorspace and changes to its apportionment to approved land uses including the removal of 2,065 sqm (GEA) B1 office floorspace; reduction in non-residential car parking spaces. It is this outline planning permission that this reserved matters application relates to.

- 2.12 On 2nd December 2015, application (2015/05684/FUL) for the realignment of Ariel Way was submitted. This application relates to the reserved matters application as the road is being re-aligned to fit into the retail development. The application currently being assessed and is pending determination.
- 2.13 On 2nd December 2015, application (2015/05685/FUL) was submitted for the erection of a new building to house the bus layover facilities. The building is located to the east of the reserved matters application site and will eventually be located beneath the residential block. This application relates to both the reserved matters application and the road re-alignment application and is pending determination.

Amendment and details applications

- 2.14 Following the determination of the applications listed above, a number of non-material amendment and details applications have been submitted. The applications relating to the application site are summarised below.

Applications pursuant to outline planning permission 2013/05115/OUT:

- 2.15 On 7th October 2015, planning permission was granted for a non-material amendment application (ref. 2015/01569/NMAT) comprising amendments to the wording of the following conditions; 9 - Details of Typical Bays, 10 - Details of Hard and Soft Landscaping, 24 - Noise Assessment, 26 - Enhanced Sound Insulation Scheme, 66 - Bus Priority Measures, 67 - Vehicle Entry to Anchor Store , 69 - Wind / Microclimate, 77 - Business Relocation Plan, to require approval of details prior to commencement of the relevant phase of development, or part thereof.
- 2.16 Details have been discharged for the following conditions attached to the September 2014 outline permission: 13 (TV interference); 19 (Construction environmental management plan); 34 (Ecological management plan); 36 (Water infrastructure impact study); 75 (Implementation of enabling works).
- 2.17 Details have been partially discharged for the following conditions attached to the September 2014 outline permission: 4 (Phasing); 70 (Construction logistics management plan).

Applications pursuant to outline planning permission 2015/02565/VAR:

- 2.18 The Section 73 revised outline application replaced the previous outline permission when it was granted in October 2015. All details are now being submitted against the Section 73 (2015/02565/VAR) permission.
- 2.19 Details have been submitted for the discharge of the following conditions attached to the October 2015 outline planning permission: 30 (Temporary fencing); 39 (SUDs); 40 (Surface water drainage); 41 (Drainage strategy); 58 (Remediation Method Statement); 59 (Verification Report); 60 (Onward long term monitoring) and 76 (SUDs strategy) are all pending determination.

Applications pursuant to enabling works permission 2013/05350/FUL:

- 2.20 On 25th February 2015, planning permission was granted for a non-material amendment application (ref. 2014/06123/NMAT) to alter the wording of condition 19 (pedestrian & cycle access).
- 2.21 On 4th March 2015, planning permission was granted for a non-material amendment application (ref. 2014/05859/NMAT) comprising the omission of a temporary diversion to Ariel Way for part of the works period.
- 2.22 On 16th March 2015, planning permission was granted for a non-material amendment application (ref. 2015/00405/NMAT) to vary condition 2 (in accordance with approved plans and documents), to amend details of the approved underground tunnel, which forms part of the northern vehicular exit from the basement of the existing Westfield development.
- 2.23 On 8th October 2015, planning permission was granted for a non-material amendment application (ref. 2015/04001/NMAT) comprising minor variations to the layout of the road.
- 2.24 On 10th March 2016, a non-material amendment application was submitted for minor variations to the layout of the road (ref. 2016/01126/NMAT).
- 2.25 Details have been discharged for the following conditions attached to the enabling works application: 3 (Phasing); 5 (Site investigation scheme); 11 (Construction environmental management plan); 12 (TV interference); 13 (Arboricultural method statement); 20 (Temporary fencing); 21 (Demolition method statement); 23 (Construction logistics management plan); 24 (Drainage strategy); 25 (Schedule of works); 26 (Bus mitigation measures) and 27 (Temporary Bus Routes).
- 2.26 Details have been partially discharged for the following conditions attached to the enabling works application: 6 (Risk assessment); 7 (Remediation statement); 8 (Verification report); 9 (Long term monitoring); 10 (Programme of archaeological work).
- 2.27 Details have been submitted for the discharge of the following conditions attached to the enabling works application: 6 (Risk assessment); 7 (Remediation statement); 8 (Verification report); 9 (Long term monitoring); 15 (Works in proximity to LUL); 16 (Works in proximity to H junction); 17 (changes to existing road layout) and 19 (Pedestrian and cycle access) and are all pending determination.

3.0 THE CURRENT APPLICATION

- 3.1 The current reserved matters application seeks partial reserved matters approval pursuant to condition 1 of the outline planning permission 2015/02565/VAR for access, layout, scale and appearance of the shopping centre extension and anchor department store for part of Plot A and part of Plot P, otherwise referred to as construction phases B and C.
- 3.2 Condition 1 of planning permission 2015/02565/VAR reads:

i) No part of the development hereby permitted by this outline planning permission shall be commenced on Development Plots A, C, D, and K

(as identified on drawing number WLD: 006 Development Plots: Plinth 684_07_006 Rev G) unless and until an application or applications for written approval of the matters reserved by this planning permission in respect of the relevant Development Plot have been made to and approved in writing by the Local Planning Authority. The reserved matters applications shall include detailed plans, sections and elevations showing:

*Access;
Layout;
Scale;
Appearance; and
Landscaping.*

ii) Application(s) for approval of the reserved matters for the relevant Development Plot referred to in paragraph (i) above must be made no later than the expiration of the following from the date of the original permission (from 5th September 2014)

*Three years for Development Plot A and associated public realm;
Ten years for Development Plots C and K and associated public realm;
Fifteen years for Development Plot D and associated public realm*

iii) Development of Development Plots A, C, D, and K and associated public realm for that plot to which this permission relates must be begun not later than the expiration of TWO YEARS from the final approval of reserved matters of the relevant Development Plot, or, in the case of approval on different dates, the approval of the last such matter to be approved.

Reason: To comply with Article 2 of the Town and Country Planning (Applications) Regulations 1988 as amended by the Planning (Applications for Planning Permission, Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2006 and Section 92 of the Town and Country Planning Act 1990 (as amended).

3.3 Condition 2 of the extant permission 2015/02565/VAR is also relevant to the current reserved matters application as it requires the outline permission to be built in accordance with the parameters plans and parameters report and schedules therein approved under the outline permission.

3.4 Condition 2 of planning permission 2015/02565/VAR reads:

The planning permission relating to the components of the development hereby permitted (i.e. those parts that are not to be subject to reserved matters) shall not

be constructed unless in accordance with the following Parameter Plans, Parameters Report and schedules therein:

Parameter Plans

<i>WLD 001: Existing Site</i>	<i>684_07_001 Rev A</i>
<i>WLD 002: Planning Application Area</i>	<i>684_07_002 Rev A</i>
<i>WLD 003: Existing Site Levels</i>	<i>684_07_003 Rev B</i>
<i>WLD 004: Demolition</i>	<i>684_07_004 Rev A</i>
<i>WLD 005: Development Plots: Ground</i>	<i>684_07_005 Rev G</i>
<i>WLD 006: Development Plots: Plinth</i>	<i>684_07_006 Rev G</i>
<i>WLD 007: Proposed Site Levels</i>	<i>684_07_007 Rev E</i>
<i>WLD 008: Building Lines</i>	<i>684_07_008 Rev F</i>
<i>WLD 009: Maximum Building Heights</i>	<i>684_07_009 Rev E</i>
<i>WLD 010: Minimum Elevational Height</i>	<i>684_07_010 Rev E</i>
<i>WLD 011: GF Uses Along Public Realm</i>	<i>684_07_011 Rev C</i>
<i>WLD 012: Landscaping</i>	<i>684_07_012 Rev C</i>
<i>WLD 013: Basements</i>	<i>684_07_013 Rev A</i>
<i>WLD 014: Access</i>	<i>684_07_014 Rev F</i>
<i>WLD 015: Green and Brown Roofs</i>	<i>684_07_015 Rev E</i>

Parameter Report with the following schedules:

Table 1 - Maximum Quantum of Floorspace by Use (GEA)
Table 2 - Unit Mix by Tenure

There shall be no changes to the amount of retail floorspace demolished, unless details are submitted to and approved in writing by the Local Planning Authority.

Reason: 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 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9 and 7.21 of the London Plan (2015) and policies BE1 of the Core Strategy (2011) and policies DMG1, DMG3, DMG6, DMG7, DMG8 of the Development Management Local Plan (2013).

- 3.5 Condition 3 of the extant permission requires any reserved matters applications to demonstrate compliance with the approved parameters plan, parameters report, the design and access statement and Design Codes. This reserved matters application will assess compliance with this condition.
- 3.6 Condition 3 of planning permission 2015/02565/VAR reads:

All reserved matters applications shall include a statement to demonstrate compliance with the principles and parameters set out in the Design and Access Statement prepared by Allies and Morrison (dated May 2015), amended General Design Codes and amended Design Codes for Plots A, C, D and K prepared by Allies and Morrison (dated August 2015), the Design Codes for Courtyards prepared by Townshends Landscape Architects (dated November 2013), the Design Code for the Public Realm prepared by Townshends Landscape Architects (dated November 2013) and the Parameters Report by Montagu Evans

(dated May 2015), or other such versions that are subsequently agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is constructed in accordance with the Design Guidelines on which this decision is based and to be consistent with the principles of good masterplanning, in accordance with Policies A, BE1, WCOA and WCOA1 of the Core Strategy (2011), policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 7.18, 7.19 and 7.21 of the London Plan (2015) and policies DMG1, DMG4, DMG6 and DMG7 of the Development Management Local Plan (2013).

Application phases

- 3.7 The different construction phases of the Retail Extension were approved under the phasing plan submitted with application 2015/01547/DET and are set out below:
- Phase A: Sub-structure (basement level)
 - Phase B: Structure (internal)
 - Phase C: Envelope (external)
 - Phase D: Public Room
 - Phase E: Public realm and landscaping
- 3.8 Phase A comprises the basement level and the construction of the basement which was approved under reserved matters application ref. 2015/01447/RES, although details of the basement layout were not submitted as part of this application.
- 3.9 Phases B and C relate to the above ground parts of Plot A and Plot P comprising the Retail Extension, located within the central zone of the masterplan. The Retail Extension includes the Mall Extension, the Island Block and the Anchor Store and it defines the edges of the public realm to White City Green, Silver Street and Relay Square which is bisected by Ariel Walk.
- 3.10 Phase D relates to the Public Room which is also known as Block A4. This runs between the Mall Extension and the Island Block/Anchor Store and is often referred to as Ariel Walk. A reserved matters application will be submitted subsequently for this phase.
- 3.11 Phase E relates to specified parts of the public realm at ground (plinth) and podium level which is spread across the wider masterplan site, relevant to the Retail Extension. This includes the ground floor level spaces to the north of the Retail Extension (part of White City Green South, Marathon Way and Relay Square) and the podium level spaces adjacent to Plots K and C (Ariel Walk and Silver Street). A reserved matters application will be submitted subsequently for this phase.
- 3.12 Officers consider that the applicant has provided sufficient information in relation to the detailed elements of the Retail Extension in order to assess the reserved matters that have been submitted. It is recognised that further details will come forward in connection with subsequent Phases D and E which must be approved by the Council, prior to commencement of development of these phases and prior to occupation of the retail extension. Although, officers would have preferred

details of Phases D and E to be included with this application (for Phases B and C) to allow a more comprehensive assessment of the scheme, it has been agreed that these details will follow in subsequent reserved matters applications. Notwithstanding the extent of information set out in Phases B and C, officers are of the view that the subsequent details of Phases D and E would not be compromised and that only a limited amount of development (in Phases B and C) can commence on site, if planning permission is granted for this reserved matters application. The council can exert its relevant controls on the outstanding applications to ensure the scheme is acceptable.

3.13 For clarification, the following details will be submitted via subsequent reserved matters applications:

- All details of Public Room including details of the car park bridges above. The applicant has confirmed that these details will be included in the Phase D reserved matters application.
- All details of the undercroft where Ariel Way passes underneath the retail extension and the entrances into the service yards and basement car park including elevations, lighting and ceiling details. The applicant has confirmed that these details will be included in a separate reserved matters submission.
- All landscaping except for the residential landscaping to the north and east of Plot C. The applicant has confirmed that these details will be included in the Phase E reserved matters application.
- Basement layout (this was not approved under the basement reserved matters application). The applicant has confirmed that details will be submitted at a later stage.

Application description

- 3.14 This Reserved Matters Application seeks approval for access, scale, layout and appearance of Phase B and C of the Retail Extension (Development Plot A and part of the podium Plot P) to the existing shopping centre. The Retail Extension extends to the north of the existing Westfield London shopping centre, above and over Ariel Way with the northern elevation of the new building facing the Hammersmith and City line viaduct. The development sits within the larger 7.64 hectare redevelopment site which benefits from approval for a mixed use development under the extant outline planning permission (ref. 2015/02565/VAR).
- 3.15 Plot A comprises three blocks: Blocks A1 (Mall Extension) A2 (Island Block) and A3 (Anchor Store). Block A4 is the Public Room which runs between Blocks A1 and A2/A3 connecting the new Ariel Walk (at podium level) and Relay Square (at ground level). An internal north-south route will run from the existing shopping centre to the Anchor Store. Silver Street will run between the retail development and the proposed residential development (Plot C) from the railway arches to join up with the Public Room. Plot P makes up part of the site-wide plinth which forms the lower ground floor element of this phase of development, referred to as level 20.
- 3.16 The reserved matters application comprises of the following (GEA):
- 75, 019 sqm of retail (Class A1) floorspace;
 - 2,456 sqm of leisure (Class D2) floorspace;

- 3,000 sqm of restaurant/café (Class A3-A5) floorspace; and
- 518 non-residential car parking spaces.

3.17 The Mall Extension (Block A1) will be built out over Ariel Way and includes retail, leisure and restaurant floor space as well as car parking and service yards. The Mall Extension would be finished in metal panels of folded bronze coloured aluminum and would form a backdrop to the Grade II listed DIMCO buildings located to the east of Wood Lane. It would be set out over the following seven floor levels:

- Level 10/Basement: Car park, plant, refuse (the layout is not submitted as part of this application, the basement structure was approved under Ref: 2015/01447/RES).
- Level 20/Lower Ground floor/Plinth: Retail/restaurant units, service yard and the re-aligned road
- Level 40/Ground floor/Podium: Principal retail floor
- Level 50/First floor: Retail floor
- Level 55/Second floor/Mezzanine: Retail and restaurants floor
- Level 60/Third floor: Car park level 1, leisure and retail and roof plant
- Level 63/Fourth floor: Car park level 2 and retail
- Level 65/Roof level: Plant and retail

3.18 Block A2 is known as the Island Block and it is located to the north of the Public Room, adjoining the Anchor Store. It comprises five storeys of retail floor space with car parking on the roof at level 60 and would match the Mall Extension in character and appearance.

3.19 Block A3 is the Anchor Store block which will be occupied by a department store, supermarket and other retail units set out over five floors including a basement level customer car park. It is located next to the arches of the Hammersmith and City line and has elevations on key public realm areas within the site. It would be finished in a white pre-cast concrete with window openings of various sizes. The Anchor Store would be six storeys high comprising the following levels:

- Level 10/Basement: Car park, plant, refuse (the layout is not submitted as part of this application, the basement structure was approved under Ref: 2015/01447/RES).
- Level 20/Lower Ground floor/Plinth: Supermarket, restaurants, staff/partner entrance lobby, escape cores and service yards
- Level 40/Ground floor/Podium: Department store principal floor
- Level 50/First floor: Department store
- Level 55/Second floor: Department store
- Level 60/Third floor: Department store
- Level 65/Roof level - Plant

Application submission

3.20 In order to demonstrate compliance with conditions 1, 2 and 3 of planning permission 2015/02565/VAR and the relevant approved documents, the applicant has submitted the following information in support of the application:

- Application forms and certificates;
- CIL application form;

- Application covering letter;
- Westfield London Design Statement prepared by Allies and Morrison dated March 2016;
- Planning and Compliance Statement prepared by Montagu Evans dated January 2016;
- Letter of Compliance with the ES prepared by Ramboll Environ dated 26th October 2015;
- Access Statement prepared by Westfield dated 15th March 2016 (Ref. W2-WDE-ZA-00-DS-A-08001);
- Illustrative materials sample boards;
- Illustrative landscaping and lighting scheme;
- Car Park Ventilation Air Inlet Louvres document by Foreman Roberts;
- CGIs;
- Application drawings:
W2-AAM-ZA-EW-DR-A-08001 P06; W2-AAM-ZA-EE-DR-A-08001 P04;
W2-AAM-N2-EW-DR-A-08001 P05; W2-AAM-N2-EW-DR-A-08002 P06;
W2-AAM-N2-EW-DR-A-08003 P06; W2-AAM-N2-EW-DR-A-08004 P04;
W2-AAM-N2-EW-DR-A-08005 P02; W2-AAM-N2-EW-DR-A-08006 P00;
W2-AAM-N3-EE-DR-A-08001 P05; W2-AAM-N3-EE-DR-A-08002 P05;
W2-AAM-N2-EE-DR-A-08003 P04; W2-AAM-N2-EE-DR-A-08001 P04;
W2-AAM-ZA-SZ-DR-A-08001 P04; W2-AAM-ZA-SZ-DR-A-08002 P04;
W2-AAM-ZA-SZ-DR-A-08003 P04; W2-AAM-J1-EE-DR-A-08001 P05;
W2-AAM-J1-EE-DR-A-08002 P04; W2-AAM-J1-EN-DR-A-08001 P05;
W2-AAM-J1-EN-DR-A-08002 P05; W2-AAM-J1-EN-DR-A-08003 P07;
W2-AAM-J1-EN-DR-A-08004 P05; W2-AAM-J1-ES-DR-A-08001 P04;
W2-AAM-J1-ES-DR-A-08002 P03; W2-AAM-J1-EW-DR-A-08001 P04;
W2-AAM-J1-EW-DR-A-08002 P04; W2-AAM-J1-EW-DR-A-08003 P03;
W2-AAM-J1-SZ-DR-A-08001 P04; W2-AAM-J1-SZ-DR-A-08002 P04;
W2-AAM-J1-EE-DR-A-08003 P06; W2-AAM-J1-EE-DR-A-08004 P04;
W2-AAM-ZA-00-DR-A-08001 P03; W2-AAM-ZA-10-DR-A-08001 P03;
W2-AAM-ZA-20-DR-A-08001 P09; W2-AAM-ZA-40-DR-A-08001 P04;
W2-AAM-ZA-50-DR-A-08001 P04; W2-AAM-ZA-55-DR-A-08001 P04;
W2-AAM-ZA-60-DR-A-08001 P05; W2-AAM-ZA-63-DR-A-08001 P05;
W2-AAM-ZA-65-DR-A-08001 P05; W2-AAM-J1-20-DR-A-08001 P07;
W2-AAM-J1-40-DR-A-08001 P04; W2-AAM-J1-50-DR-A-08001 P04;
W2-AAM-J1-55-DR-A-08001 P04; W2-AAM-J1-60-DR-A-08001 P04;
W2-AAM-J1-65-DR-A-08001 P04; W2-AAM-J1-70-DR-A-08001 P04;
W2-BUH-N2-00-DR-C-95901 P00; W2-BUH-N2-00-DR-C-95902 P00;
W2-AAM-ZA-SZ-DR-A-08004_P00; W2-AAM-ZA-SZ-DR-A-08005_P00.

4.0 PUBLICITY AND CONSULTATION

- 4.1 The application was advertised as a Major Development which adjoins a Conservation Area and may affect the setting, character or appearance of a Grade II listed building.
- 4.2 The application was advertised via the following methods:
- Press notice published from 24/11/2015 to 15/12/2015
 - 6 site notices displayed from 24/11/2015 to 15/12/2015
 - 589 neighbours were consulted by letter

- 17 statutory consultees were consulted by letter

4.3 The responses received are summarised below.

Statutory consultees

4.4 Greater London Authority: No comments (09/12/15)

4.5 Transport for London: No objection (01/12/15)

4.6 Historic England: No comments (16/11/15)

4.7 Natural England: No comments (20/11/15)

4.8 Metropolitan Police: The scheme should be fully SBD compliant including lighting and signage, doors and windows, parking, delivery yards;_Reservations with lost HGVs being able to turn around underneath the podium space. Confirm what provision there is to remove broken down vehicles from beneath the podium deck; CCTV should be installed; The building should have no impact on the emergency airwave radio system (15/12/15).

4.9 Case officer comment: See section on security in planning assessment below.

4.10 Environment Agency: No comments. However, the applicant should ensure that the changes to the site layout do not affect their ability to manage surface water drainage in accordance with the drainage plan submitted on 29th January 2014 (ref. 032493) (02/12/15)

4.11 Case officer comment: An informative will be added reminding the applicant of this requirement.

4.12 London Fire and Planning Authority: No response received (18/01/2016)

4.13 Network Rail: After reviewing the information provided in relation to the above planning application, Network Rail has no objection or further observations to make (03/12/15).

4.14 Design Review Panel: In addition to other forthcoming developments at the wider site, the reserved matters application was presented to the LBHF Design Review Panel on 23rd March 2015. The DRP comments (on the reserved matters application) will be included within an addendum to this report which shall include an officer response to the comments where applicable.

Internal consultees

4.15 Urban Design and Conservation: Comments within assessment below.

4.16 Highways: Further information was requested to assess the application. Following receipt of this information, Highways advised that they have no objection (19/02/2016).

4.17 Public Protection and Safety: No objection (24/11/15)

- 4.18 Policy and Spatial Planning: No objection (10/12/2015)
- 4.19 Environmental Policy: No objection (18/11/15)
- 4.20 Land Contamination: No objection (18/11/15)
- 4.21 Waste and Recycling: No response received.
- 4.22 Air Quality: No objection to the proposal. Air Quality officers note the letter of compliance with the ES prepared by Ramboll Environ of 26th October 2015, contained in the planning and compliance statement of November 2015 by Montagu Evans. The letter states with regard to air quality effects that the RMA is consistent with the height, mass and layout of development, as well as the quantum and type of commercial uses previously assessed and introduces no changes to the energy strategy previously assessed (03/12/15).

Community consultees

- 4.23 The Hammersmith Society: Objected to the application (26/11/2015) and provided the following comments:
- The Anchor Store building makes no acknowledgement of its surroundings and the façade does not respond to its location. The treatment is disappointing and it looks more like a multi-storey car park than a shopping centre
 - The Anchor Store occupant has a distinguished history in the external design of their buildings and more imagination to the elevation treatment is required.
 - The massive wall of Plot A will provide an oppressive and unrelieved background to the Dimco Buildings and would benefit from a greater degree of articulation in the façade.
 - There is no view looking east with Anchor Store to the right and the arches to the left. Officers should be vigilant to ensure that the development is not set exclusively in hard landscaping at ground level.

Neighbours

- 4.24 No neighbour responses received.
- 4.25 Case officer comment: All relevant material comments received in relation to appearance, scale, layout and access have been taken into account in the assessment of the scheme and are presented in the relevant sections below. Any new issues of concern received following the completion of this report will be reported by way of addendum.

5.0 RELEVANT PLANNING POLICY AND GUIDANCE

- 5.1 The following policies set the planning policy background which the application has been considered against.
- 5.2 The National Planning Policy Framework (NPPF) was adopted in 2012. It sets out the Government's approach to planning matters and is a material consideration in

the determination of this planning application. A central theme running through the NPPF is a presumption in favour of sustainable development whilst ensuring that heritage assets are conserved.

- 5.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the policies of the statutory development plan, unless other material considerations indicate otherwise.
- 5.4 The statutory development plan for the site comprises:
- The London Plan (2015)
 - Hammersmith and Fulham Local Development Framework Core Strategy (2011)
 - Hammersmith and Fulham Local Development Framework Development Management Local Plan (2013).
- 5.5 The Council's regeneration strategy is set out within Chapter 7 of the Core Strategy. The application site forms the southern part of Strategic Site WCOA1 (White City East), designated within the Core Strategy. Strategic Site WCOA1 also comprises the BBC Television Centre, the Dairy Crest Site, M&S Mock Shop and Imperial College.
- 5.6 The White City Opportunity Area Planning Framework (WCOAPF) was adopted in October 2013. This document builds upon the Core Strategy Regeneration policies and promotes the regeneration of the wider White City area. The WCOAPF encompasses an overarching strategy for urban design, land use, housing, transport, social and environmental and provides policy guidance for developers and landowners in order to ensure a comprehensive approach is taken in the redevelopment of the area.
- 5.7 Within the Local Development Framework, the Council adopted the Planning Guidance SPD in 2013 which provides supplementary guidance to support the policies in the Core Strategy and the Local Plan.
- 5.8 The development plan policies form the primary basis against which officers have assessed this application along with other material planning considerations including the Equalities Act (2010) and regional and local relevant supplementary planning guidance.

Equality Act

- 5.9 In addition, Section 149 of the Equality Act (2010) which sets a Public Sector Equality Duty (PSED) came into force in April 2011 and requires the Council to consider the equality impacts on all protected groups when exercising its functions. In the case of planning, equalities considerations are factored into the planning process at various stages. The first stage relates to the adoption of planning policies (national, strategic and local) and any relevant supplementary guidance. A further assessment of equalities impacts on protected groups is necessary for development proposals which may have equality impacts on the protected groups.

5.10 With regards to this application, all planning policies in the London Plan, Core Strategy, DM Local Plan and National Planning Policy Framework (NPPF) which have been referenced, where relevant, in this report have been considered with regards to equalities impacts through the statutory adoption processes, and in accordance with the Equality Act 2010 and Council's PSED. Therefore, the adopted planning framework which encompasses all planning policies which are relevant in officers assessment of the application are considered to acknowledge protected equality groups, in accordance with the Equality Act 2010 and the Council's PSED. Given the proposals constitute major development which would be of strategic importance to the Borough, an Equalities Impact Assessment (EqIA) has been previously undertaken in respect of the outline planning permission which identifies the key equalities issues. A summary of the equalities impacts on protected groups is set out in sections 6.98 – 6.102 of this report. This draws from the outcomes set out in the EqIA which forms a comprehensive assessment of the equalities impacts of the development.

Planning (Listed Buildings and Conservation Areas) Act 1990

- 5.11 It is key to the assessment of these applications that the decision making process is based on the understanding of specific duties in relation to listed buildings and Conservation Areas required by the relevant legislation, particularly the Section 66 and Section 72 duties of the Planning (Listed Buildings and Conservation Areas) Act 1990 set out below together with the requirements set out in the NPPF. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that: 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.' Section 72 of the above Act states in relation to Conservation Areas that: 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'
- 5.12 Officers acknowledge that there is a strong statutory presumption under the Planning (Listed Building and Conservation Areas) Act 1990 and as reflected in recent case law against the grant of planning permission for any development which would either (1) fail to preserve the setting or special architectural or historic character of a listed building or (2) fail to preserve the character or appearance of a conservation area. The desirability of preserving the special architectural or historic interest of a listed building or its setting, or the character or appearance of a Conservation Area or its setting are therefore matters to be given considerable importance and weight in the assessment of any development proposals. Officers have considered the proposals for the Retail Extension and whether any part of the proposed development harms the setting of the Wood Lane Conservation Area or/and the DIMCO buildings and former Television Centre which are Grade II Listed. Officers have concluded that no harm to the setting of heritage assets would be caused by the proposed development in reaching this conclusion. Officers' assessment of the level of harm to the character and appearance of the conservation area and setting of the Grade II

Listed Building is a matter of planning judgement and the following sections will address these matters in detail.

6.0 PLANNING CONSIDERATIONS

Principle of the development

- 6.1 The Core Strategy (2011) states that a comprehensive approach to regeneration will be adopted in the Borough by focusing and encouraging major regeneration and growth in the five regeneration areas in LBHF (Strategic Policy A). The site is located within the White City Opportunity Area identified in Core Strategy (2011) Strategic Policy C and Policy WCOA. The Core Strategy includes site allocation WCOA 1 known as 'White City East' which identifies the application site as a site for development. The site presents a unique opportunity to contribute towards securing benefits for the wider area through access to jobs, better local facilities, better and more suitable housing, and improved environmental conditions. Underpinning the regeneration objectives is the need to rebalance housing types across the area in order to create a more sustainable, mixed and balanced community which will contribute towards reducing levels of social deprivation.
- 6.2 The application site benefits from outline planning consent for extensive redevelopment as part of the wider regeneration aspirations for the area. The principle of the retail extension which forms part of the comprehensive mixed-use redevelopment of the outline site was established under the outline planning consent 2015/02565/VAR.
- 6.3 The principle of redeveloping the site is therefore established by the Outline Planning Permission. This application for Reserved Matters Approval can therefore be assessed in accordance with the parameters and Design Codes set out in the Outline Consent and other policy and material considerations acknowledged through that consent.

Overall Conformity with Parameter Plans and Outline Consent

- 6.4 Condition 1 sets out the timescales for the submission of reserved matters applications. The submission of this reserved matters application for phases B and C complies with the timescale as it has been submitted within three years of September 5th 2014.
- 6.5 Condition 3 of the of the Outline Consent requires all reserved matters applications submitted in respect of each plot to be in accordance with the Parameters Report (including parameters plans) and Design Codes approved under the Outline Consent. In accordance with the requirements of this condition, the application has been submitted with a planning and compliance statement and a design statement to explain how the application conforms to the approved parameters and Design Codes for Plot A and part of Plot P.
- 6.6 A summary of the application proposals and conformity with the parameters is provided below. A more detailed assessment on the design of the proposed development and compliance with the Design Codes is provided in the design assessment from paragraph 6.30.

Land use quantum

- 6.7 Table 1 of the outline parameters report (para. 4.7) sets out the maximum quantum of permissible floorspace allowed under the outline consent. The table below sets out the approved maximum quantum of floorspace compared with the quantum proposed in this reserved matters application.

Table 1: Permitted floorspace comparison

Use	Maximum quantum approved under 2015/02565/VAR outline permission (GEA)	Quantum proposed within Plot A/Plot B envelope for application 2015/05217/RES (GEA)
Retail (A1)	76,156 sqm	75,019 sqm
Demolition of Retail (A1)	11,304 sqm	11,304 sqm
Net increase in Retail (A1)	64,852 sqm	63,715 sqm
Restaurant/Café (A3)	4,285 sqm	3,000 sqm
Residential (C3)	127,216 sqm/up to 1,347 sqm	0sqm/0 units
Community/Health/Cultural (D1)	1,600 sqm	0 sqm
Leisure (D2)	6,331 sqm	2,456 sqm
Car Parking	1,736 space (608 residential, 1,128 non-residential)	518 non-residential spaces

- 6.8 The reserved matters uses includes retail, restaurant/café, leisure and car parking and the figures demonstrate that the proposal sits within the permitted floorspace quantum (GEA) set out in the approved parameters report. The planning and compliance report submitted with the reserved matters application also states that the proposed floor space demonstrates that there is sufficient permitted floor space remaining to deliver the future phases.
- 6.9 The submission provides information with regards to the location of the proposed land uses within Plot A. Within the Mall Extension, there are five food units (Class A3-A5) at the lower ground floor level which have entrances facing Relay Square and one with an entrance into the Public Room. The rest of the A3 units within the Mall Extension are located at the mezzanine/second floor level. The proposed leisure use for Plot A is located at level 60 of the Mall Extension, adjacent to the first level of car parking. The rest of the floorspace within Mall has been allocated to retail (Class A1) use.
- 6.10 The Island Block (Block A2) provides four levels of retail use (Class A1). The Anchor Store (Block A3) provides five floors of retail use (Class A1) from the lower ground to the fifth floor (level 60). Two A3-A5 units are also proposed at the lower ground floor level below the Anchor Store which have entrances facing Relay Square.

Existing site and planning application area

- 6.11 Parameter Plan WLD 001 and WLD 002 set out the existing site plan and the planning application area for the outline permission. The reserved matters site plan sits comfortably within the red line plan for both WLD 001 A and WLD 002 A.

Demolition

- 6.12 Parameter Plan WLD 004 sets out the area to be demolished within the existing application site. The demolition of the industrial buildings were approved under the enabling works application. Under the proposed application, 11,304 sqm of the existing shopping centre will be demolished which sits within the area marked out on the demolition plan.

Plot Boundaries

- 6.13 Parameter Plans WLD 005 and WLD 006 set out the development plots approved under the outline consent at ground (level 20) and plinth (level 40) floor levels and confirm the area extent within which building plots can occupy (+/- 5m). The proposed development is situated entirely within Plot P at the ground floor level and within Plot A at podium level and above. The distances between the plots comply with the distances set out in parameter plans. For example, the Anchor Store is set back approximately 25m from the railway viaduct on the north elevation, allowing for public space along Marathon Way. A distance of approximately 19m is maintained between the Anchor Store and the boundary of residential Plot C where White City Green meets Silver Street, decreasing to 15.8m between the edge of Block A2 and Plot C. At level 40, a distance of 12m is maintained between the Anchor Store and the Mall Extension to form the Public Room.

Site levels

- 6.14 Parameter Plan WLD 007 sets the ground levels for the development across the site. The approved site level is +4m AOD (Above Ordnance Datum) with a provision for deviation of ground levels of +/- 5m. The proposed finished ground floor level where the Blocks meet the ground (not the podium) is +8.5m which is within the approved parameters.

Building lines

- 6.15 Parameters plan WLD 008 identifies the building lines at upper levels. The upper levels do not differ from the podium level parameters plan (WLD 006) except for a larger footprint in the Public Room and a greater level of deviation for the western element of the retail mall facing plot D. The submitted plans allow for 17m between the western façade of the Mall Extension and Plot D which is the same as the ground floor level. At level 20, the building line is set in 15m from the East DIMCO building, whilst at level 40, the building line is set back 10m as it over sails part of the bus station access road. This deviation fits within the approved parameters. The rest of the building lines at the upper levels do not deviate away from the approved building lines shown in the parameters plans.

Building heights

- 6.16 Parameters plan WLD 009 sets out the maximum height for the development plots in metres Above Ordnance Survey Datum Levels (AOD). The heights given are the maximum of the built form tested through the EIA.
- 6.17 For the Anchor Store (Block A3), the approved maximum building height is set at 43.05 mAOD. The submitted drawings show that the envelope of the proposed Anchor Store is 39.65 mAOD high which includes 4m high screens on the roof of the buildings. The height of the building envelope of the Anchor Store therefore complies with parameter plan WLD 009.
- 6.18 For the Island Block (Block A2) the approved maximum building height is 46.15 mAOD. The submitted drawings show that the proposed height of the building envelope of the Island Block is 39.65 mAOD which matches the height of the Anchor Store and includes 7m high screens to screen the car park levels. The height of the building envelope of the Island Block therefore complies with parameter plan WLD 009.
- 6.19 For the Mall Extension (Block A1), the approved maximum building heights range from 43.05mAOD at the north of the block to 62.75 mAOD in the south west corner. The submitted drawings show that the highest part of the Mall Extension will be 43.5 mAOD located in the south east corner, close to where the mall meets the existing extension. The highest part of the mall would be for retail use and it fits within the 45mAOD parameter height for this section. The screens surrounding the roof of the Mall Extension are 39.65 mAOD and except for the high retail unit, the plans show that all other floorspace would sit behind the height of the screening.
- 6.20 Paragraph 5.18 of the parameters report states that the approved building heights allow for external plant and equipment, window/façade cleaning and roof access equipment to be accommodated within the maximum height set. No details of the height of any proposed roof plant has been provided with the submission and so condition 6 is recommend which requires details of all roof top structures/plant/equipment/machinery to ensure it complies with the maximum heights set out in the parameters report.

Elevational height

- 6.21 Parameters plan WLD 010 sets the minimum façade heights above the finished public realm levels along each of the development plot boundaries. For the west and north elevations of Plot A (except for the Public Room), the approved minimum façade height is set at 27.5m above the adjacent finished public realm level for 80% of the façade length. The proposed elevational height above the public realm for the west and north elevations of Plot A is 31m for the entire façade length and therefore complies with parameters plan WLD 010.
- 6.22 For the Silver Street elevation, the approved minimum façade height is set at 19.5m above the public realm level. Along Silver Street, the Anchor Store and Island Block are 25m higher than the public realm which complies with

parameters plan WLD 010. There is no minimum elevational height set for the south eastern elevation above the road.

Access

- 6.23 Parameters plan WLD 014 sets out the approved vehicular and cycle access routes into and within the site. Sections 6.76 – 6.86 of the report on Access assesses the proposal's compliance with this parameters plan.

Green and brown roofs

- 6.24 Parameters plan WLD 012 sets out the locations and areas of green and brown roofs within the outline site. In accordance with the plan, no areas of green and brown roof are proposed at roof level for Plot A.

Parameters compliance summary

- 6.25 The remaining parameters plans not discussed above are the landscaping (WLD 012) and the basement parameter plans (WLD 013). Landscaping proposals do not form part of the current reserved matters application and so compliance with parameter plan WLD 012 does not form part of the assessment. The size of the basement was approved under reserved matters application 2015/01447/RES and the basement layout has only been submitted in illustrative form under the current application. Assessment of compliance with parameters plan WLD 012 does therefore not form part of this assessment.
- 6.26 Overall, the proposals are considered to be in conformity with the development structure set out in the parameters plans and parameters report discussed above as approved under outline permission 2015/02565/VAR.
- 6.27 The detailed assessment of the submission against the other documents approved under the outline consent is set out in the following sections.

Environmental Impact Assessment

- 6.28 The extant outline planning permission scheme (Ref: 2015/02565/VAR) was accompanied by an Environmental Statement. No formal screening or scoping has been undertaken for the reserved matters application but a statement of compliance has been submitted by Ramboll Environ (who produced the Environmental Statement). The statement of compliance considers the potential environmental effects which were assessed under the Environmental Statement and concludes that the submitted reserved matters application accords with the parameters assessed in the May 2015 EIA.
- 6.29 Therefore, in accordance with Part 3, section 8 (2) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, a further Environmental Impact Assessment is not required for the current submission.

Design

- 6.30 The outline application was supported by six Design Codes which set out the design principles in general relevant to each of the plots and the public realm.

The Design Codes encompass the analysis, principles and vision set out in the Design and Access Statement and the Landscape and Public Realm Strategy. A detailed assessment of the proposal against the relevant design codes is set out from paragraph 6.37 and a review of the relevant design policies is set out below.

- 6.31 Chapter 7 of the NPPF states that good design is a key aspect of sustainable development, and should contribute positively to making places better for people.
- 6.32 Paragraph 129 of the NPPF requires planning authorities to assess the significance of any heritage assets affected by development proposal, including their effect on their setting. This assessment shall be taken 'into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal' (para 129 of the NPPF). Paragraph 132 of the NPPF states that: 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.'
- 6.33 Chapter 7 of the London Plan sets out the Mayor's policies on a range of issues regarding places and space, setting out fundamental principles for design. Policy 7.1 (Lifetime neighbourhoods) states that 'the design of new buildings and the spaces they create should help reinforce or enhance the character, legibility, permeability, and accessibility of the neighbourhood.' Policy 7.2 (An Inclusive Environment) requires all new development in London to achieve the highest standards of accessible and inclusive design. Policy 7.3 (Designing out crime) seeks to ensure that developments reduce the opportunities for criminal behaviour and contribute to a sense of security, without being overbearing or intimidating.
- 6.34 Policies 7.4 (Local character), 7.5 (Public realm) and 7.6 (Architecture) of the London Plan (2015) promote the high quality design of buildings and streets. Policy 7.4 states that 'development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings' whilst policy 7.6 (Architecture) states that 'buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings'. Policy 7.8 (Heritage assets and archaeology) states that 'development affecting heritage assets and their setting should conserve their significance by being sympathetic to their form, scale, materials and architectural detail'.
- 6.35 The Core Strategy (2011) strategic Policy BE1 (Built environment) states that all development within the borough should create a high quality urban environment that respects and enhances its townscape context and heritage assets. The Core

Strategy policy WCOA also states that the WCOA will be a 'model of high quality urban design, sustainable architecture and construction situated within a first class permeable, accessible and inclusive public realm'.

- 6.36 Chapter G (Design and Conservation) of the Development Management Local Plan (2013) sets out to preserve and enhance the quality, character and identity of the borough's natural and built environment. Policy DM G1 (Design of a new build) states that 'new build development will be permitted if it is of a high standard of design and compatible with the scale and character of existing development and its setting'. Policy DM G7 seeks to protect, restore or enhance the quality, character, appearance and setting of the borough's heritage assets.
- 6.37 The WCOAPF (2013) provides guidance on development within the White City Opportunity Area, relevant to the Westfield Site which reinforces the aspirations set out in the Core Strategy and London Plan. It sets out the Urban Design Strategy for the area and sets out the following three principal design objectives: creating areas of new public realm and open space; maximising connectivity; and quality urban design that responds to context.

Layout

- 6.38 The application seeks to discharge the layout of Plot A (and part of Plot P) reserved by condition 1 of the extant outline permission. Section G3 of the approved Design Codes sets out the principles for the general layout of the development and Section A3 sets out the principles of the layout of Plot A. The applicant has confirmed that the internal layouts of the retail units and the anchor store shown on the submitted plans are illustrative only and the application does not seek consent for the layout and size of the internal units within the retail component.
- 6.39 As discussed previously, Plot A consists of three blocks, Block A1 (Mall Extension), Block A2 (Island Block) and Block A3 (Anchor Store) which complies with the overall layout set out in DC A3.1. In line with DC A3.2, the Public Room is situated between the Mall Extension and the Anchor Store. In accordance with DC A3.3 the northern building line of the Mall Extension is straight in plan and extends in parallel through to Plot K.
- 6.40 The Design Codes clearly denote the key pedestrian routes through the development. At level 20, the east-west route runs from Relay Square to Ariel Walk and details of this route will be submitted under the reserved matters application for phase D. At levels 40 and 50, an unobstructed north-south pedestrian route is proposed connecting the existing shopping centre with the Anchor Store and the entrance to the Anchor Store lies on the axis of this route.
- 6.41 Design Code A3 refers to the required entrance locations for Plot A which the proposal complies with. The main external entrance to the Anchor Store building is on the corner of the building at level 20 where Relay Square meets White City Green. An escalator and an elevator then takes customers up to level 40 which is the ground floor of the department store. Also at level 20 is the main entrance into the Public Room which is the key east-west route through the scheme. Pedestrians would enter the Public Room at level 20 at the western entrance off Relay Square and exit at level 40 on the eastern entrance which leads to Ariel

Walk. Although the elevations show details of the Public Room entrances, these are in illustrative form. The design, external appearance including the number of entrance doors and shopfront proportions will be submitted as part of the Public Room (phase D) reserved matters application. These elements do not form part of the assessment of this scheme subject to phases B and C.

- 6.42 An entrance to the supermarket is also proposed at level 20 off Relay Square as well as eight entrances to the retail/restaurant units along the western elevation of the Anchor Store block and the Mall Extension. Another supermarket entrance is proposed within the Public Room at level 20, although details of this entrance will be submitted with the phase D reserved matters application. Condition 5 is recommended requiring a third supermarket entrance off White City Green and further details on this are discussed in section 6.73 of this report.

Scale and massing

- 6.43 The application seeks to discharge the scale of Plot A (and part of Plot P) as it is reserved by condition 1 of the extant outline permission. Section G4 of the approved Design Codes sets out the principles for the scale of the development and Section A4 refers specifically to the scale of Plot A.
- 6.44 The maximum height, length and width of the buildings within Plot A is set out in the approved parameters plans WLD 008, WLD 009 and WLD 010 and is discussed in sections 6.16 – 6.22 above. The proposal complies with the maximum parameters and has been designed to acknowledge the scale and height of the surrounding buildings and special characteristics of the site.
- 6.45 The Mall Extension complies with the general design code for scale which states that all buildings should have a clearly distinguishable base. The base of the Mall Extension comprises clear glazed shopfronts which front on to Relay Square and the underpass for the road which are both distinctly different to the upper floors. The Mall Extension spans over Ariel Way at level 40 to keep the trading floors at the same level as the existing mall, thereby preserving universal access between the existing and the new shopping centre. Bridging over Ariel Way also ensures that traffic flows are maintained from the H-junction through to Wood Lane including access for delivery vehicles, buses and customer parking. The existing Ariel Way road has been stopped up and proposals for the new road which will go under the extension are currently being assessed under application 2015/05684/FUL. Therefore the road shown on the level 20 plan does not form part of the reserved matters application assessment.
- 6.46 The Grade II listed DIMCO buildings are located to the west of the proposed Mall Extension, across from the road which provides access to the bus station and the existing bus layover. This section of road will remain in situ as part of the road realignment proposals and will be used by buses and service vehicles. The Mall Extension is cantilevered over the south side of this access road and is supported by columns located in the central reservation. General Design Code (G4.6) sets out that no upper part of the elevations should project beyond the line of the lower part. In this instance, the set back of the ground floor to accommodate the road is considered to be acceptable as it does not detract from the overall appearance of the building. From level 40 upwards, the upper floors would be located 10m away

from the Grade II Listed Dimco Buildings. The west elevation of the Mall Extension would perform the role of a neutral backdrop to the red brickwork of the Dimco buildings and would not harm their setting. The scale of the proposed development would be in keeping with the scale of the existing shopping centre which already forms a significant part of the setting of the Dimco Buildings and would not harm their setting.

- 6.47 The Mall Extension projects out at a slight angle from where it meets Ariel Way towards Wood Lane station. The north-western corner of Block A1 is chamfered and perpendicular to the north-eastern side of Plot D to terminate the view from Relay Square in line with DC A6.11. Screening is proposed on the upper two levels which is set back 1m behind the parapet to distinguish between the different levels of the extension. The leisure floorspace is located at level 60 which will sit on top of the breakthrough between the existing shopping centre and the Mall Extension. The leisure floorspace would sit behind the screens and would set back in accordance with the general design codes.
- 6.48 At level 65, approximately 1415sqm of retail floorspace is proposed which would be 7m higher than the finished floor level of level 65 and would be located near to the 'Kidzania' roof extension on the existing shopping centre. The retail floorspace would be visible from the upper levels of the residential buildings which will come forward in future phases but it is unlikely that it would be visible from street level. As no elevations have been provided showing the retail element at level 65, officers recommend condition 6 which requires the submission of detailed drawings of rooftop structures.
- 6.49 Turning to the eastern elevation, the Mall Extension would have a similar appearance at the upper levels with the car parking screens being set back 1m from the main elevation. Level 20 of the eastern side of the extension would be completely open to allow for Ariel Way and the access roads to pass underneath and continue up towards the H-junction where Ariel Way and the West Cross Route meet. A circular access ramp for the car park is located on this elevation which would match the extension in terms of appearance and height. The eastern elevation will eventually co-exist with the southern elevation of block K and the existing northern elevation of Westfield London to form a vehicular gateway into the site from the West Cross Route.
- 6.50 The scale of the Island Block is similar to that of the Mall Extension. The Island Block contains deep plan retail units set out over four floor levels which are accessed from the Public Room. The Island Block would match the floor levels and height and scale of the Mall Extension and Anchor Store and would contain disabled car parking bays at level 60. The car parking bays would be accessed via proposed car parking bridges which would bridge across the Public Room at level 60. Details of the car parking bridges will come forward with the reserved matters application for phase D.
- 6.51 Whilst the Anchor Store is connected to the Island Block and the Public Room, it is designed to appear as a free-standing building which is separate in design and character to the Mall Extension and the residential plots on block C. It would match the Mall Extension and Island Block in terms of overall height and it has a clearly defined base which is similar in height to the Hammersmith and City railway line viaduct opposite.

6.52 The main trading floor for the department store would be at the podium level, above the supermarket, where its importance is stressed by a recessed band of glazing. The two trading floors above it are composed as a single element, which is separated from the base and held above the datum of the viaduct by the recessed first floor. The topmost trading floor is recessed in a similar way to the first floor, signalling the presence of a restaurant and staff terraces and dividing the middle from the top. The building is capped by plant screening which would be flush with the top floor in accordance with DC A4.4.

Appearance and materials

6.53 Section G6 of the approved Design Codes sets out the principles for the appearance of the development and Section A6 refers specifically to the appearance of Plot A. The approved parameters plans and parameters report do not address the appearance. It is important to note that whilst some of the proposed materials are described in the assessment, all materials at this stage are illustrative only. Officers recommend condition 7 which requires details, samples and mock up panels of each external material to be used in the proposal to be submitted to and approved by the Council.

6.54 The most relevant general design codes for Plot A are set out below:

- The character of buildings should be considered alongside that of existing and proposed buildings in the surrounding context (G6.1);
- The character and architectural quality of buildings should be consistent when viewed from the public realm (G6.2 & G6.3);
- Visual interest should emerge from a careful selection of materials and consideration of details rather than from exaggerated formal gestures (G6.5);
- The composition of elevations should demonstrate a balance between horizontal and vertical elements (G6.7);
- The design of car park and service doors should be integrated within the overall façade composition (G6.18)

6.55 The Mall Extension has been designed to respond to the character and context of the DIMCO buildings and the existing shopping centre. The elevations are composed as an 'ornamented wall' and are articulated as a series of layers constructed from vertical bronzed aluminium folded panels with a white horizontal and vertical frame to balance the strong horizontals of the retail floor levels with finer, rhythmical, vertical elements. There would be four layers of different sized panels from the plinth level and the screening which would gradually decrease in height and width, the higher up the building. The top two levels will consist of 7m high perforated aluminium panels to screen the car parking and roof plant on all sides in line with DC A6.9. The screen is conceived as a 'metal ribbon', a single material that clads all the elements related to the car park.

6.56 The primary colour of the panels and screening (bronzed aluminium) has been chosen to contrast with the red brick of the DIMCO buildings in line with DC A6.12, although the exact colour and material will be submitted for approval at a later stage, by way of condition.

- 6.57 DC A6.16 states that where possible, opportunities should be taken to animate the elevation facing the DIMCO buildings. The eastern ground floor elevation of the Mall Extension comprise shop fronts which provide activity and front on to Relay Square. The applicant has advised that there is a service corridor running along the backs of the retail units (which face into the mall). As such, officers acknowledge that there is limited opportunities for greater animation from glazing and views into the building at this level. Notwithstanding this, the design of the elevation is considered to be functional and of a simple composition that would satisfactorily address the context which includes the adjacent DIMCO building in a similar way to the external elevations of the existing shopping centre.
- 6.58 The appearance of the eastern elevation of Plot A acknowledges the role it plays in forming a vehicular gateway into the site with a distinctly different character to the appearance of the existing shopping centre. The rooftop car park access ramp is entirely screened on all sides and at all levels and the same façade treatment is proposed for the eastern elevation of the Mall Extension. As the current reserved matters application does not include details of the residential Plot K, the elevation where Plot K would join the extension has been finished in the same material as the rest of the extension. Details of Plot K will be brought forward in a separate reserved matters application.
- 6.59 The Design Code sets out specific principles for the appearance of the Anchor Store which include the following.
- Block A3 should clearly express the horizontal organisation of the building
 - Opportunities should be taken to maximise the windows providing views into and out of Block A3
 - The architectural language of materials of the block should be consistent around the entire perimeter (including to the Public Room) to enable the building to be read as a single entity
 - The building should be clearly distinguishable from the residential and other retail buildings
- 6.60 The appearance of the Anchor Store remains distinct from that of the extension to the Mall Extension. The base of the building (level 20) would be clad in a dark grey coloured stone which would be visible on the northern and western elevations. A ribbon of glass would run immediately on top of the stone base and would wrap around the building with different levels of transparency. The main upper levels are proposed to be clad in a white precast concrete which frames the deeply recessed windows at each level which reduce in size to offer varying degrees of transparency to respond to the different aspects of the site. The whiteness of the cladding and its open weave pattern, reminiscent of a textile, distinguishes the character of this block from its neighbour.
- 6.61 The exterior corners of the Anchor Store are all radiused in accordance with DC A6.5 and the architectural language and materials are consistent around the perimeter to enable the building to be read as a single entity. All four elevations of the anchor store block face the public realm at the various levels. The base of the building (level 20) fronts onto Relay Square and White City Green to the north and west and the plinth (level 40) of the building fronts onto Silver Street to the east. The south of the building is connected to the Public Room at all levels. Due

to its important location within the centre of the public realm for the masterplan, the appearance and uses of the ground/podium levels are key to ensure that the building interacts and fits in well with its surroundings.

- 6.62 Parameters plan WLD 011 sets out the expected ground floor uses along the public realm. For Block A, the plan sets out that predominantly A/D uses should be located at public realm level. The following design codes build on this by setting out how the public realm facing frontages should appear:
- All elevations facing the public realm should be composed as fronts (G6.4);
 - With reference to parameters plan WLD 011, frontages to each block at public realm level should be generally active and transparent (G3.5);
 - Glazing should be maximised to entrance doors and entrance foyers (G3.8);
 - For all elevations facing the public realm, 90% of all windows should be a height of at least two thirds of the storey height of the floor they occupy (G6.17);
 - The scale and relative significance of entrances should be commensurate with the scale and significance of the accommodation they serve (G3.10); and
 - Building services and grilles for ventilation should be fully integrated into the composition of the building and should not be primary elements in façade compositions (G6.28)
- 6.63 Along the western elevation of the Anchor Store, there are entrances to the supermarket and restaurants with clear glazed windows facing Relay Square, resulting in the elevation being generally active and transparent. On the south elevation of the Anchor Store, within the Public Room, illustrative elevations the supermarket would also have an entrance facing the public realm at grade level and retail entrances at podium level where the Public Room changes level towards Ariel Walk.
- 6.64 Along Silver Street on the eastern elevation, parameters plan WLD 011 shows that any permitted uses are permissible in this location. The eastern elevation of the Anchor Store and the Island Block both have ground floor elevations which meet Silver Street. However, the proposed internal layouts of both blocks show back of house facilities being located along this elevation. For the Anchor Store, the back of house facilities are located along the western elevation as it is positioned over the services and loading bay located at level 20 directly below and will be connected via an internal goods lift. A plant room and associated external plant stack is also located on Silver Street for ventilation to the basement car park below. Back of house facilities for the deep retail units with the Island Block are also located to the rear of the units which face Silver Street as the greatest footfall to these units would be from within the Public Room.
- 6.65 Officers raised concerns regarding the treatment of the Anchor Store and Island Block ground floor façades which front Silver Street as it is one of the key pedestrian routes through the masterplan. The applicant has advised that it is not possible to relocate the back of house facilities for the Anchor Store due to the tenant's specific requirement. Similarly for the Island Block, the applicant has been unwilling to reconsider relocating the back of house facilities due to the space requirements for the end tenants.

- 6.66 As a response to officers concerns, the applicant submitted revised drawings for this elevation. The proposed solution is to introduce a series of display 'vitrines' along the façade of the building which are intended as rhythmic accents along the elevations, providing a display space for public art and other displays. Eight vitrines are proposed along the Anchor Store and Island Block elevations and they would be interspersed with fritted glass. Although the Council would prefer the whole of the elevation to be transparent glazing with shopfronts, the technical requirements for large back of house areas is acknowledged and the introduction of the vitrines is considered to contribute to the activation of the street without compromising the operation of the uses inside the blocks. In architectural terms, the vitrines also can form an intrinsic part of the language of the buildings, avoiding the introduction of further elements or themes.
- 6.67 The applicant has proposed the depth of the vitrines to be 650mm. However, officers consider that this is insufficient to allow sufficient room for the display of public art including three dimensional displays and would unduly compromise the functionality of the vitrines. Condition 2 is therefore recommended which requires the vitrines to be at least 1m in depth and would be no lower than 4m in height on the elevations, thereby maximising visibility. The applicant has expressed their willingness to partner with local businesses, colleges or community groups to display different local art and information within the vitrines and condition 3 is recommended requiring evidence of this within a strategy for the display management. On balance, the recommended conditions would ensure that the resulting façades along Silver Street would appear more 'active' in accordance with the above design codes. Officers acknowledge that the layout of the buildings must also be designed to meet the functional requirements of the Anchor Store and of the Mall retailers and there is limited scope within the footprint to accommodate back of house activities elsewhere in the buildings. Therefore, given the positive contributions to the public realm made elsewhere in the development (including to Relay Square and the Internal East-West route, on balance it is considered the Silver Street elevation has been designed to optimise the level of activity and visual interest (subject to conditions) whilst ensuring the retail units function appropriately.
- 6.68 Along the northern elevation of the Anchor Store which faces White City Green, plan WLD 011 shows that the lower ground floor elevation (level 20) should be occupied by predominantly A/D uses. However, the submission shows that this area would be occupied by back of house facilities, a staff entrance, emergency exits and ventilation for the basement level car park. At the western end of the elevation, some activity is proposed where the main Anchor Store glazed entrance is located which occupies two stories. Two louvres are proposed on the elevation to ventilate the basement car park located either side of the staff entrance/emergency exits. One of the louvres would wrap around the northern and eastern elevations of the Anchor Store and would be approximately 30m long and 3m high. The other louvre is located to the west of the emergency exits on the northern elevation and would measure 11m in width by 3m in height. The louvres would be positioned approximately 1.7m from the ground floor with dark grey cladding below.
- 6.69 Similarly to Silver Street, officers raised concerns regarding the lack of activity and transparency on this elevation and the fact that the ventilation louvres comprise a significant part of the ground floor elevation, contrary to DC G6.28.

This elevation is particularly important within the masterplan as it will be a key pedestrian route from the residential blocks within the site and neighbouring sites to and from the retail development and nearby stations. Additionally, it is the intention of the applicant, the Council, TfL, GLA and the landowner (St James) to the north that these north-south routes connect with links through the Hammersmith and City line viaduct to the north.

- 6.70 The applicant has responded to concerns raised by officers regarding the ventilation louvres by submitting a technical report which sets out the size and location requirements for the louvres and the reasons why they can't be located elsewhere on the building or within the public realm. The louvres provide natural air intake to the basement car park and so there is a requirement for them to be located at level 20 to allow the free air into the basement. The applicant has advised that they cannot be located within the public realm as this would involve replacing all of the services for the building which have been installed beneath the enabling road that is currently used by London Buses to provide access to the bus station. The applicant has advised that it may be possible to reduce the width of the louvres by 15-20% with the use of mechanical ventilation although details on this are still being worked up. As the exact size of the louvres has not yet been established, officers therefore recommend condition 11 which requires details on the louvres and any associated ventilation equipment associated with the basement car park.
- 6.71 The applicant revised the design of the department store staff entrance and emergency exits to combine them into one single element with a metal fluted cladding surround and the addition of a glazed canopy. However, only the staff entrance includes clear glazing. Although the introduction of a canopy is welcomed, officers consider that further glazing could be introduced within this element of the elevation to provide an active frontage. Officers therefore recommend condition 5 (details of north elevation) which requires detailed drawings of key bays within the elevation that show clear glazing within 80% of this element of the elevation.
- 6.72 The revisions to the north elevation also include a kiosk which will be located to the east of the main Anchor Store entrance. The proposed kiosk measures 4.95m in width and 4m in height and would have an internal depth of 2.5m and would also include a canopy. Detailed drawings showing the design of the kiosk have not been provided with the application although the design statement alludes to the potential treatment which would include a pivoted frosted glazed panel which will generate a canopy whilst the kiosk is open and act as a light accent in the elevation at night when the kiosk is closed.
- 6.73 Although the addition of a kiosk adds activity to the ground floor elevation, it still leaves a large majority of the elevation inactive which has the appearance of the 'back' of the building rather than the front. Officers consider that the addition of a supermarket entrance on this elevation would increase footfall to White City Green and provide an attractive and meaningful pedestrian focused frontage to the building. A supermarket entrance on this elevation is not shown on the plans. However, officers consider that condition 5 (details of north elevation) provides sufficient comfort to recommend approval by requiring that a supermarket entrance and a kiosk is installed on this elevation. As the applicant has confirmed that the internal layout is not submitted for approval as part of Phases B or C,

officers consider such a condition does not render the proposals unimplementable. Securing further additional glazing on the partners entrance and emergency exit and the addition of a supermarket entrance via a condition is considered to achieve an acceptable level of activity and transparency along this frontage to comply with the aspirations set out in the design codes and the parameters plans.

- 6.74 The applicant has provided illustrative material of the landscaping which will come forward in the reserved matters application for phase E. Hard and soft landscaping is proposed at different levels which will include play space for children and mobile kiosks to enhance activity. In addition, there are future plans bring the arches opposite the north elevation in to use which will enhance activity in this area. These indicative and illustrative details demonstrate how a combination of the above revisions put forward by the applicant and further augmented by the conditional requirements imposed by LBHF could ensure a vibrant public realm in this part of the emerging White City Green notwithstanding the extent of ventilation louvres on the northern elevation.
- 6.75 The technical requirements and space constraints for the basement car park ventilation is recognised by officers as necessary in the construction of this building and the applicant argues that there must be compromises on the elevations as a consequence. Officers also have considered the merits of the proposals on balance given the broad regeneration benefits that the scheme will bring to the borough, including increased employment provisions, enhanced public realm, accessibility and connectivity and economic gains. In summary, officers consider that the proposals are broadly compliant with the relevant design codes, planning policies and planning guidance as outlined above.

Access and Highways

- 6.76 The proposed access to and from the site has been assessed against the relevant transportation policies within the London Plan (2015) including policies 6.3 (Assessing the effects of development on transport capacity), 6.9 (Cycling), 6.10 (Walking), 6.11 (Smooth traffic flow and tackling congestion) and 6.13 (Parking), alongside the National Planning Policy Framework (NPPF), the Core Strategy (2011) policy T1 (Transport) and Development Management Local Plan (DMLP) (2013) policies J1 to J6 in addition to the Planning Guidance Supplementary Planning Document (SPD).
- 6.77 Parameter plan WLD 014 sets out the approved vehicular, and cycle routes through the site including the existing routes which are to be maintained.

Pedestrian Access

- 6.78 Within the current application site (the building envelopes), an internal north-south pedestrian route is proposed from the existing shopping centre, through the Mall Extension to the Public Room and the entrance to the Anchor Store. The route would be at level 40 (upper ground level) and would remain at a consistent level between the existing and proposed centres. Three external north-south pedestrian routes were approved under the parameters set out in the outline permission along Relay Square, Marathon Way and Silver Street. The routes along Relay Square and Marathon Way would be at grade level and the route

along Silver Street would be at the podium level which would be accessed via an external staircase and an elevator. The existing pedestrian route from the north-western corner of the existing shopping centre along Wood Lane to the crossing at Ariel Way will remain in place.

- 6.79 Within the current application site (the building envelopes), one internal east-west route is proposed through the Public Room from Relay Square in the west through to Ariel Walk in the east. Details of this route will come forward in the reserved matters application for the Public Room (Phase D). An external east-west route is provided along White City Green to the north of the Anchor Store which will join up with Marathon Way.
- 6.80 As all of the external routes fall outside the application red line site, details of the routes including levels, appearance, signage/markings will be required to be submitted as part of the Public Realm (Phase E) reserved matters application and an informative will be added reminding the applicant of this requirement.

Cycle Access

- 6.81 There are no cycle routes proposed within the red line of the current application site. However, the approved parameters plan WLD 014 shows that there will be cycle routes along Relay Square, White City Green and Marathon Way. Details of the cycle route including signage, levels and road markings will be submitted as part of the Public Realm (Phase E) reserved matters application and an informative will be added reminding the applicant of this requirement.

Vehicles access

- 6.82 The proposed car park at level 10 below the Anchor Store will be accessed via a left turn from Ariel Way for customers coming from Wood Lane and via a right turn from Ariel Way for customer driving from the H junction. Customers would drive into the car park down a ramp below level 20 and would turn left into the car park. No details of the ramp gradient have been submitted with the application and so condition 12 will be recommended requiring details of this. Customers would exit the Anchor Store car park at basement level via a ramp which meets the main car park ramp on the east elevation.
- 6.83 Two levels of roof top car parking are proposed at levels 60 and 63 above the Mall Extension. Customers driving from the H-junction would access the roof top car parks by turning left where the road continues to the entrance of the existing car parks, they would then drive back below the H-junction and follow the road round up to the circular vehicular ramp. From Wood Lane, customers would drive along Ariel Way to where it meets Marathon Way and would turn right up to the roof top car parks. To exit the roof top car park, customers would drive down the ramp and exit up the H junction or continue down the vehicular ramp and turn left onto Ariel Way to exit onto Wood Lane. Details of the road layout and appearance are being considered as part of the road realignment application.

Car Parking

- 6.84 Two levels of car parking are proposed on the roof of the Mall Extension at levels 60 and 63 comprising 508 spaces. Details of the basement car park below the

Anchor Store have not been submitted as part of this reserved matters application as the basement plan which has been submitted is for illustrative purposes only. Officers recommend condition 5 which requires details of the basement layout to be submitted for approval. Detailed information on the layout and dimensions of the car park has not been submitted with this reserved matters application. However, condition 16 on the outline permission requires details of the car parking design layout and location to be submitted to and approved in writing by the Council.

- 6.85 In addition to the details required by condition 16, section 4.3 of the outline s106 requires details of a car parking management plan and charging plan to be submitted to and approved in writing by the Council (in consultation with TfL) before any part of the retail component is occupied. No details have been submitted to discharge either the condition or the s106 clause and officers are comfortable that the requirements are sufficient to ensure the Council are satisfied with the detailed design and management of the car parks.

Cycle Parking

- 6.86 Under the approved outline application, 125 retail/leisure cycle parking spaces were approved although no details on the location of the spaces was provided. Condition 56 was added to the outline permission which required details of secure cycle storage for each phase to be submitted prior to commencement of the phase. Details of the cycle storage for the retail extension have not been submitted with the reserved matters application, although details will need to be submitted to discharge condition 56.

Servicing and Deliveries

- 6.87 Two new service yards are proposed within the current application site. One service yard is proposed at plinth level (level 20) of the Anchor Store block, behind the eastern end of the supermarket which would serve the Anchor Store. The service yard covers an area of approximately 570sqm and would be 5.4m in height. Access to this service yard is only possible from Wood Lane via a left turn from Ariel Way. Service vehicles would exit the service yard via a left turn only onto Ariel Way to the roundabout with Marathon Way. Following the roundabout they would continue back down Ariel Way and have the option of a left turn up to the H junction or continuing on to Wood Lane.
- 6.88 A second service yard is proposed at level 20 beneath the Mall Extension located to the east of the Grade II listed DIMCO buildings across from the bus station access road. The service yard is larger than the Anchor Store service yard and would serve the retail/restaurant/leisure units within the Mall Extension. Access to this service yard would be possible from the H junction via a left turn into the access road or a right turn from Wood Lane into the access road. Service Vehicles would then turn left into the service yard near to where the road bends round to the right to join the existing centre. Service vehicles would exit the service yard by joining the existing car park exit via the H Junction.
- 6.89 No details on the external appearance of the service yards (gates etc.) have been provided and the applicant has advised that this information will be submitted via the forthcoming reserved matters application for details of the underpass and

officers have agreed with this approach. Informative 2 is recommended to ensure that these details are submitted. A draft Delivery and Servicing Plan was submitted with the outline application. No further information on deliveries/servicing has been submitted with the current reserved matters application. However, the s106 attached to the extant outline permission requires the submission of a Delivery and Servicing Plan before any part of the retail component is open. The s106 states that the plan should include details of how each building within the Retail Component will be serviced including levels, vehicle, size, procedures, location etc and detailed layout drawings of the service areas and access arrangements. Officers recommend informative 1 is added reminding the applicant of the requirement to comply with the s106.

Refuse and Recycling

- 6.90 London Plan (2015) Policy 5.17 (Waste Capacity), CC1 of the Core Strategy (2011), and Policy DM H5 (Sustainable Waste Management) requires that all development should minimise waste and provide convenient facilities with adequate capacity to enable the occupiers to separate, store and recycle their waste. Details of the proposed refuse and recycling arrangement for Plot A have not been submitted as part of the application. However, a Waste Management Strategy is secured via condition 38 of the outline consent which requires details of refuse arrangement for each phase prior to its occupation. Details for phases B and C have not yet been submitted and so officers are confident that the outstanding condition is a sufficient method of obtaining this information.

Inclusive Access

- 6.91 The application has been considered in light of the London Plan (2015) policy 7.2 (Access for All) as well as the Council's local planning policies including Development Management Local Plan (2013) policy DM J4 (Disabled Persons' Parking) and Planning Guidance Supplementary Planning Document (SPD) Design Policy 1 (Inclusive Design) and Transport Policies 9 (Blue Badge Parking) and 22 (Access for All).
- 6.92 In terms of parking provision, policy 6.13 (Parking) of the London Plan (2015) requires that sufficient provision is made for disabled people in terms of parking in line with Table 6.2. The plans show that out of the 518 spaces proposed at roof level, 16 would be for 'blue badge' holders which would be located above the Island Block. This only equates to 3% of the spaces which is below the London Plan standard of 6% and SPD Transport Policy 9 standard of 4% and is not considered to be acceptable. However, the applicant has confirmed that the car park layout has not yet been finalised and condition 16 of the extant outline permission requires details of the design and location of blue badge parking spaces within the car parks to be submitted to and approved in writing by the Council prior to the commencement of the relevant phase. As details for this condition have not yet been submitted, officers consider that sufficient controls are in place to ensure that the car park is designed to meet the required standards for disabled car parking spaces.
- 6.93 Section G7 of the approved Design Codes sets out the accessibility and inclusive design principles for the whole development and states the following:

- step free routes into buildings and around the common parts of buildings should provide an equivalent experience to stepped routes (G7.1) and
 - routes and entrances should be legible (G7.2).
- 6.94 The applicant has provided indicative floorplans with the current internal layout shown, to assist our consideration of the inclusive access matters. The internal layout is not offered for approval. Therefore, officers have considered whether conditions are necessary to ensure the retail component is inclusive and accessible. With regards to inclusive access into and within the retail components (the application site), the main entrance to the department store will include an accessible lift and escalators which will enable vertical movement from the plinth level at grade to the podium. Four accessible lifts are shown within the department store to enable people to move from the basement car park to the department store levels, although as the supermarket at level 20 will be occupied by a different tenant, the lift will not stop at this floor level. The Disability Forum have raised great concern over this design as it would mean that customers would have to come out of the supermarket and use the lifts located approximately 45m away in the Public Room to access the basement car park. Officers have therefore recommended that condition 14 is added to secure an internal lift to enable vertical movement of people from the supermarket to the basement car park.
- 6.95 Four accessible lifts are included within the Public Room which would enable vertical movement from the Public Room entrance to the different levels within the shopping centre including the car park in the basement and on levels 60 and 63. Details of the exact location of these lifts will come forward with the Public Room and basement layout Reserved Matters application. The floorplans show that there will be three accessible lift cores within the Mall Extension which provide vertical movement from the car parks to level 20, although the floor plans do not provide details on toilet location, wheelchair turning circles etc. Given the phased approach to the development of the land, it was agreed under the s106 of the outline scheme that an Inclusive Access Management Plan will be submitted and approved by the Council prior to the occupation of the relevant plot. The IAMP will set out full details of how the Development accords with access and inclusivity standards set by the GLA and the Council.
- 6.96 The application Design Statement states that the applicant is committed to extending the existing Shopmobility scheme to meet the anticipated demand in the new retail development. No details have been provided on the location of the Shopmobility scheme. However, condition 15 of the outline consent requires these details to come forward prior to the commencement of the relevant phase.
- 6.97 All details relating to access including vertical circulation, levels and gradient in the public realm will be submitted with the reserved matters application for Phase E of Plot A. In addition, all entrance doors are required to comply with Part M of the Building Regulations and details shall be provided to comply with condition 46 of the outline consent.

Equalities Impact

- 6.98 As set out in earlier paragraphs of the report, the Council's statutory duty under the Equality Act 2010 applies to planning decision making. In the consideration of

all planning applications the Council has to have regard to all relevant planning policies available at the time unless material considerations indicate otherwise.

- 6.99 The protected characteristics to which the Public Sector Equality Duty (PSED) applies now include age as well as the characteristics covered by the previous equalities legislation applicable to public bodies (i.e. disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, sexual orientation, religion or belief and sex).
- 6.100 Section 149 of the Equality Act (2010) requires the Council to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. This means that the Council must have due regard for the impact on protected groups when exercising its functions, and case law establishes that this must be proportionate and relevant, and does not impose a duty to achieve results.
- 6.101 The equality assessment undertaken under the outline scheme concluded that the scheme complied with section 149 of the Equality Act as the proposal included extensive areas of public realm, play space (with inclusive play equipment) and an internal shopping environment that would be accessible by all user groups, including those with mobility impairments such as wheelchair users or the visually impaired. In addition to this, all residential units would be built to Lifetime Homes standards, 10% of units would be designed to be readily adaptable to full wheelchair housing standard and lift access is provided throughout the buildings.
- 6.102 This reserved matters application does not include details of public realm or housing as it solely relates to the Retail Extension. However, the analysis of equality impacts of the planning application on protected groups as defined by the Act has been taken into account in the assessment of the application. Access into and within the buildings and access to disabled parking spaces are discussed in section 6.92 of this report. In conclusion it is considered that LBHF has complied with section 149 of the Equality Act and has had due regard to provision of the Equality Impact of the proposed development in its consideration of this application.

Amenity

Impact on surrounding properties

- 6.103 Policy 7.6 of the London Plan (2015) states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. There are no specific policies with regard to daylight, sunlight or overshadowing either within the Local Management Plan or Core Strategy. Policy DM G1 does however refer to impact generally and the principles of 'good neighbourliness'. Housing Policy 8 in the SPD requires amenity of neighbouring occupiers to be protected.

- 6.104 The outline application was accompanied by an Environmental Statement which included a comprehensive sunlight, daylight and overshadowing assessment (in line with BRE Guidelines) to consider the potential impacts of the proposed development upon adjacent residential properties and whether the effect of the proposed development would cause harm to the amenity of occupiers. The development was assessed against the very worst case scenario, where the permission would be implemented to its maximum parameters and the impacts or likely effects on residential amenity were not considered to constitute any material harm.
- 6.105 The proposed retail extension would be well within the maximum parameters approved for building heights and there are no immediate neighbours in proximity to this element of the masterplan scheme that could be affected. As such, officers consider that it is unlikely that harm would occur to neighbouring amenity levels.
- 6.106 General Design Code G3.13 states that non-residential uses should be of a type that do not affect the amenity of adjacent residential uses. The majority of residential uses closest to Plot A will be located along Silver Street with the distance between the two plots ranging from 15.8m to 19m. The Island Block has no windows on the elevation and so no direct overlooking could occur. The windows on the Anchor Store are narrow on the eastern elevation and fritted to varying degree. A balcony is proposed on the eastern elevation at level 60 which would be for staff use. Due to the separation distance, the nature of the use of the building and the design detail, it is unlikely that the amenity of future neighbouring occupiers would be affected by the retail use.
- 6.107 In summary, officers are of the view that the proposals will ensure that the privacy and outlook of the surrounding existing and proposed residential occupiers will not be unduly compromised.

Wind/Microclimate

- 6.108 The outline application provides a detailed assessment on Wind/Microclimate issues and it was concluded that all public thoroughfares within and around the site would be suitable for their desired use. However, the Environmental Statement stated that the entrances onto Relay Square along the western façade of Plot A would be one category windier than desired (minor adverse) and recommended that the Design Code includes a commitment to ensure there would be localised screening or recessing of the entrances.
- 6.109 No screening or recesses are shown on the plans in the area specified in DC A3.10, however officers recommend condition 15 to ensure that provisions are included to meet the design code.

Lighting

- 6.110 Development Local Plan Policy DM G1 requires all development to be designed to respect the principles of secure by design. Policy 7.3 of the London Plan (2015) states that boroughs and others should seek to create safe, secure and appropriately accessible environments where crime and disorder, and the fear of crime do not undermine quality of life or community cohesion.

- 6.111 Illustrative lighting details have been provided with the submission which show how the Anchor Store will be lit up. No formal details have been provided. However, all details will come forward with the submission of details to meet the requirements of condition 37 (lighting) of the outline scheme.
- 6.112 Consideration will need to be given to lighting the vitrine displays located along the podium of Silver Street. Officers recommend conditions 3 and 4 to ensure that any lighting within the displays or external lighting does not harm neighbouring amenity.

Security

- 6.113 The Metropolitan Police have asked for the scheme to be fully Secured By Design compliant and a condition was added to the outline scheme requiring this. Concerns were raised regarding the provisions for lost or broken down HGVs below the podium level. No details have been provided concerning this request within the submission. However, the applicant has confirmed that details will be submitted with the subsequent reserved matters application for the undercroft. Condition 13 has been recommended which requires details of CCTV on the building elevations of Plot A.

7. CONCLUSION AND RECOMMENDATION

- 7.1 The reserved matters details for appearance, layout, scale and access detailed design of Plot A (and part of Plot P) has evolved within the context of the approved outline scheme and would preserve the settings of the adjacent heritage assets including the setting of the Grade II listed Dimco Buildings and the setting of the Grade II listed former Television Centre which are desirable to preserve in accordance with s.66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the setting of the Wood Lane Conservation Area which it is desirable to preserve in accordance with s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. On balance Officers consider that that development is in accordance with the National Planning Policy Framework (2012) including para 132, the London Plan (2015), the Core Strategy (2011) and the Development Management Local Plan (2013).
- 7.2 The reserved matters details for appearance, layout, scale and access detailed design of Plot A (and part of Plot P) has evolved within the context of the approved outline scheme and is considered to be broadly in accordance with National Planning Policy Framework (2012), the London Plan (2015), the Core Strategy (2011) and the Development Management Local Plan (2013).
- 7.3 The scheme is considered to be consistent with the parameters, principles and level of detail established and approved at the outline stage. Subject to conditions, it is considered that the proposal would provide a high quality development which would make a positive contribution to the urban environment in this part of the Borough.

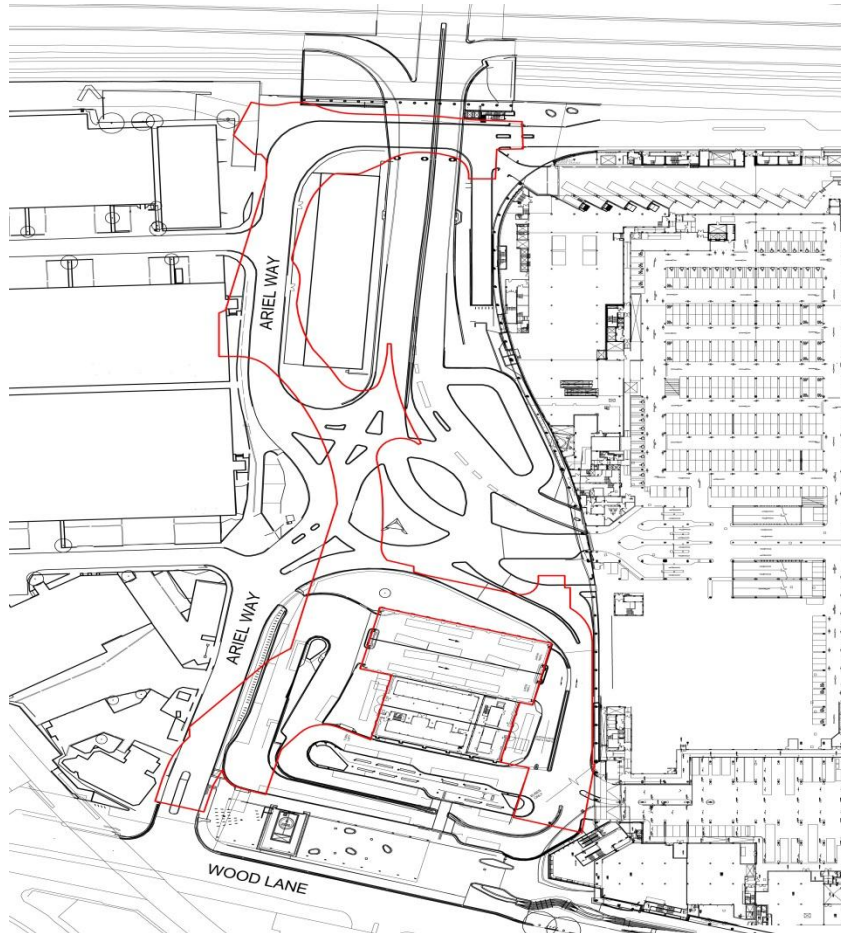
- 7.4 The overall quantum of development would accord with the policy requirement to optimise the use of the site by providing acceptable standards of retail, leisure and restaurant accommodation.
- 7.5 Therefore, officer recommendation is that the Committee resolve that the Director of Planning and Growth be authorised to determine the application and grant planning permission subject to the completion of a satisfactory legal agreement and subject to the conditions set out above.

Ward: Shepherd's Bush Green

Expiry Date: 3rd March 2016

Site Address:

Land North Of Westfield Shopping Centre Ariel Way London



Reg. No:

2015/05684/FUL

Date valid:

03.12.2015

Recommendation Date:

07.03.2016

Committee Date:

06.04.2016

Case Officer;

Sally Shepherd

Conservation Area:

Applicant:

WESTFIELD EUROPE LTD
C/O AGENT

Description:

Construction of a new road connecting Wood Lane and the West Cross Route to replace the existing road (Ariel Way) which has been stopped up. The proposals include a new point of egress from White City bus station, provision of a taxi drop off area, a new bus lane and a new roundabout connecting Marathon Way, Ariel Way and the Eastern Access Road and provision of a new cleaners facility building to the north of the Dimco buildings following demolition of the existing facility.

Drg. Nos:

Design and Access Statement Rev 03 by Sheppard Robson (Ref. W2-SRA-ZA-00-DS-A-00004) dated January 2016;

Ariel Way Re-alignment Transport Summary by Vectos (Ref. TN04-141530-Transport Summary 06) dated 5th November 2015;

Ariel Way Re-alignment Transport Summary addendum by Vectos (Ref. TN01-152038-Ariel Way Alignment-02) dated 22nd January 2016;

Ariel Way Re-alignment Proposed Priority Lane by Vectos (Ref. TN06-152038-Proposed Bus Lane 01) dated 25th February 2016;

W2-SRA-ZA-20-DR-A-08005 P00; W2-SRA-ZA-20-DR-A-08016 P01;

W2-SRA-ZA-20-DR-A-08017 P00; W2-SRA-ZA-20-DR-A-08018 P00;

W2-SRA-ZA-20-DR-A-08019 P00; W2-SRA-ZA-20-DR-A-08020 P00;

W2-BUH-Z1-20-DR-C-95051 P06; W2-BUH-Z1-20-DR-C-95052 P01;

W2-BUH-Z1-20-DR-C-95054 P00; W2-BUH-Z1-20-DR-C-95151 P03;

W2-BUH-Z1-20-DR-C-95152 P04; W2-BUH-Z1-20-DR-C-95153 P02;

W2-BUH-Z1-20-DR-C-95154 P00; W2-BUH-Z1-20-DR-C-95155 P02;

W2-BUH-Z1-20-DR-C-95156 P00; W2-BUH-Z1-20-DR-C-95301 P01;

W2-BUH-Z1-20-DR-C-95901 P02; W2-BUH-Z1-20-DR-C-95902 P01;

W2-BUH-Z1-20-DR-C-95903 P02; W2-BUH-Z1-20-DR-C-95910 P00;

W2-BUH-Z1-20-DR-C-95911 P00; W2-BUH-Z1-20-DR-C-95920 P00;

W2-BUH-Z1-20-DR-C-95921 P00; W2-BUH-Z1-20-DR-C-95922 P00;

W2-BUH-Z1-20-DR-C-03931 P00; W2-BUH-Z1-20-DR-C-03932 P00;

W2-BUH-Z1-20-DR-C-03933 P00; W2-BUH-Z1-20-DR-C-03934 P00;

W2-BUH-Z1-20-DR-C-03935 P00; W2-BUH-Z1-20-DR-C-03916 P01;

W2-BUH-Z1-20-DR-C-95057 P00; W2-BUH-Z1-20-DR-C-95056 P00.

Application type:

Full Detailed Planning Application

Officer Recommendation:

That the Committee resolve that the Director of Planning and Growth be authorised to determine the application and grant permission up on the completion of a satisfactory legal agreement and subject to the condition(s) set out below:

1) TIME LIMITS

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

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

2) APPROVED DRAWINGS

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

Design and Access Statement Rev 03 by Sheppard Robson (Ref. W2-SRA-ZA-00-DS-A-00004) dated January 2016;

Ariel Way Re-alignment Transport Summary by Vectos (Ref. TN04-141530-Transport Summary 06) dated 5th November 2015;

Ariel Way Re-alignment Transport Summary addendum by Vectos (Ref. TN01-152038-Ariel Way Alignment-02) dated 22nd January 2016;

Ariel Way Re-alignment Proposed Priority Lane by Vectos (Ref. TN06-152038-Proposed Bus Lane 01) dated 25th February 2016;

W2-SRA-ZA-20-DR-A-08005 P00; W2-SRA-ZA-20-DR-A-08016 P01;

W2-SRA-ZA-20-DR-A-08017 P00; W2-SRA-ZA-20-DR-A-08018 P00;

W2-SRA-ZA-20-DR-A-08019 P00; W2-SRA-ZA-20-DR-A-08020 P00;

W2-BUH-Z1-20-DR-C-95051 P06; W2-BUH-Z1-20-DR-C-95052 P01;

W2-BUH-Z1-20-DR-C-95054 P00; W2-BUH-Z1-20-DR-C-95151 P03;

W2-BUH-Z1-20-DR-C-95152 P04; W2-BUH-Z1-20-DR-C-95153 P02;

W2-BUH-Z1-20-DR-C-95154 P00; W2-BUH-Z1-20-DR-C-95155 P02;

W2-BUH-Z1-20-DR-C-95156 P00; W2-BUH-Z1-20-DR-C-95301 P01;

W2-BUH-Z1-20-DR-C-95901 P02; W2-BUH-Z1-20-DR-C-95902 P01;

W2-BUH-Z1-20-DR-C-95903 P02; W2-BUH-Z1-20-DR-C-95910 P00;

W2-BUH-Z1-20-DR-C-95911 P00; W2-BUH-Z1-20-DR-C-95920 P00;

W2-BUH-Z1-20-DR-C-95921 P00; W2-BUH-Z1-20-DR-C-95922 P00;

W2-BUH-Z1-20-DR-C-03931 P00; W2-BUH-Z1-20-DR-C-03932 P00;

W2-BUH-Z1-20-DR-C-03933 P00; W2-BUH-Z1-20-DR-C-03934 P00;

W2-BUH-Z1-20-DR-C-03935 P00; W2-BUH-Z1-20-DR-C-03916 P01;

W2-BUH-Z1-20-DR-C-95057 P00; W2-BUH-Z1-20-DR-C-95056 P00.

Reason: In order to ensure full compliance with the application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with policy BE1 of the Core Strategy (2011) and policies DM G1 and DM G7 of the Development Management Local Plan (2013).

3) DETAILS AND SAMPLES OF MATERIALS

Prior to the commencement of the development of the replacement cleaners facility building, details and samples of materials to be on all external faces and the roof shall be submitted to and approved in writing by the Local Planning Authority. The cleaners facility shall not be used or occupied prior to the implementation of the approved details.

Reason: To ensure a satisfactory external appearance and to prevent harm to the visual amenity of the street scene and public realm, in accordance with policies 7.1 and 7.5 of the London Plan (2015), policy BE1 of the Core Strategy (2011) and

policies DM G1, DM G2, DM G6 and DM G7 of the Development Management Local Plan (2013).

4) DETAILS AND SAMPLES OF EXTERNAL HARD SURFACES AND BOUNDARY MATERIALS

Prior to the commencement of the development hereby approved, details and samples, where appropriate, of all paving and external hard surfaces, boundary walls, railings, gates, fences and other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to use of the road and shall be permanently retained thereafter.

Reason: To ensure a satisfactory external appearance, in accordance with policies 7.1 and 7.5 of the London Plan (2015), policy BE1 of the Core Strategy (2011) and policies DM G1, DM G2, DM G4 and DM G7 of the Development Management Local Plan (2013).

5) DETAILS OF HARD AND SOFT LANDSCAPING

Prior to the commencement of the development hereby approved, details of the proposed hard and soft landscaping including samples of surface treatments, planting schedules and details of the species, height and maturity of any trees and shrubs and proposed landscape maintenance plan shall be submitted to and approved in writing by the local planning authority. The approved soft landscaping shall be implemented in the next winter planting season following completion of the development or before the use, whichever is the earlier, and the landscaping shall thereafter be permanently retained and maintained in accordance with the approved details.

Reason: To ensure a satisfactory external appearance in accordance with policies 7.1, 7.2, 7.5 of the London Plan (2015), policies BE1 and OS1 of the Core Strategy (2011) and policies DM G1, DM E3 and DM E4 of the Development Management Local Plan (2013).

6) STREET FURNITURE AND SIGNAGE

Prior to the commencement of the development hereby approved, details including the locations of the benches, litter bins and signage shall be submitted to and approved in writing by the local planning authority. The development shall not be open to users until the benches, litter bins and signage as approved have been provided, and must be permanently retained thereafter.

Reason: To ensure the satisfactory provision of facilities, in accordance with policy OS1 of the Core Strategy (2011) and policy DM E1 of the Development Management Local Plan (2013) and to ensure the development is fully inclusive and accessible for all users, in accordance with policies 3.1 and 7.2 of the London Plan (2015), policy T1 of the Core Strategy (2011) and the Council's Planning Guidance Supplementary Planning Document. (2013).

7) EXTERNAL LIGHTING

Prior to the commencement of the development hereby approved, details of all proposed external lighting, including street lights shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the number, exact location, height, design and appearance of the lights, together with data concerning the levels of illumination and light spillage and the specific measures, having regard to the recommendations of the Institution of Lighting Engineers in the 'Guidance Notes for the Reduction of Light Pollution 2005' to ensure that any lighting proposed does not harm the existing amenities. The development shall not be open to users until the lighting has been installed in full accordance with the approved details, which shall be permanently retained thereafter.

Reason: To ensure a satisfactory external appearance and to prevent harm to the occupiers of neighbouring properties, in accordance with policies 7.3 and 7.13 of the London Plan (2015), policies BE1 and CC4 of the Core Strategy (2011) and policy DM H10 of the Development Management Local Plan (2013).

8) TAXI RANK

Prior to the commencement of the development hereby approved, details of the capacity, layout and design of the new taxi drop-off bay shall be submitted to the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to use, and permanently retained thereafter.

Reason: To ensure there are adequate facilities for taxis serving the development, in accordance with policy T1 of the Core Strategy (2011) and policy DM J1 of the Development Management Local Plan (2013).

9) VERTICAL CLEARANCE

The vertical clearance of any new private road where buses will operate should be in accordance with the design manual of roads and bridges.

Reason: In the interest of highway safety in accordance with policy T1 of the Core Strategy (2011) and policy DM J6 of the Development Management Local Plan (2013).

10) ROAD SAFETY AUDIT

Prior to the commencement of the development hereby approved, the applicant shall submit to and have approved in writing by the Local Planning Authority (in consultation with TfL) details of the design, layout, materials and stage 2 safety audit of the new private road layout, including taxi/valet parking area for the development. The scheme shall be implemented in accordance with the approved details and permanently retained thereafter.

Reason: To ensure appropriate road design and safety in accordance with policy T1 of the Core Strategy (2011) and policy DM J6 of the Development Management Local Plan (2013).

11) AIR QUALITY (AIR QUALITY IMPACTS ASSESSMENT)

Prior to the commencement of the development an Air Quality Assessment of the impacts from the development, including cumulative effects, must be submitted to and approved in writing by the Council. The air quality assessment must include a combined dispersion modelling exercise that includes emissions from plant, transport and local concentrations of NO_x and PM₁₀ in order to inform the low emissions strategy. The air quality assessment must show the impacts on concentrations of these pollutants at the different heights where receptors are located (including windows that can be opened, balconies, terraces and roof gardens).

Reason: to comply with the requirements of the NPPF (2012), Policy 7.14 of the London Plan (2015), policy CC1 of the Core Strategy (2011), and Policies DM H1 and DM H8 of the Development Management Local Plan (2013).

12) AIR QUALITY (LOW EMISSIONS STRATEGY)

Prior to the commencement of the development a Low Emission Strategy shall be submitted to and approved in writing by the Council. The Low Emission Strategy must address the results of the agreed Air Quality Assessment and detail the remedial action and mitigation measures that will be implemented to protect receptors (e.g. abatement technology, design solutions). This Strategy must make a commitment to implement the mitigation measures that are required to reduce the exposure of onsite and local receptors to poor air quality and to help mitigate the development's air pollution impacts.

Reason: to comply with the requirements of the NPPF (2012), Policy 7.14 of the London Plan (2015), policy CC1 of the Core Strategy (2011), and Policies DM H1 and DM H8 of the Development Management Local Plan (2013).

13) AIR QUALITY (CONSTRUCTION AND DEMOLITION)

No development shall commence until a risk assessment based on the Mayor's Best Practice Guidance (The control of dust and emissions from construction and demolition) has been undertaken and a method statement for emissions control (including an inventory and timetable of dust generating activities, emission control methods and where appropriate air quality monitoring) has been submitted to and approved in writing by the council. The appropriate mitigation measures to minimise dust and emissions must be incorporated into the site specific Demolition Method Statement and Construction Management Plan. Developers must ensure that on-site contractors follow best practicable means to minimise dust and emissions at all times.

Reason: to comply with the requirements of the NPPF (2012), Policy 7.14 of the London Plan (2015), policy CC1 of the Core Strategy (2011), and Policies DM H1 and DM H8 of the Development Management Local Plan (2013).

Justification for approving application:

Use: The provision of the new road, as proposed, would be consistent with the established masterplan principles set out in the outline planning provision with

regards to vehicular access, public transport bus services, connectivity with the wider area, site movements and servicing strategies. It is considered that the proposed development, in terms of land use, would be in accordance with Core Strategy Policies WCOA and WCOA1 and London Plan policies 2.13 (Opportunity Areas).

Design: The design and visual appearance of the development is considered to be satisfactory and will not result in any adverse impact on the local built environment in accordance with London Plan (2015) Policy 7.1 (Lifetime Neighbourhoods), Core Strategy (2012) policy BE1 (Built Environment) and Development Management Local Plan (2013) policy DM G1.

Heritage: Subject to conditions, the proposed development is not considered to have any adverse impacts on heritage assets including on the setting of the Grade II listed DIMCO building and on the setting of the Wood Lane Conservation Area and is considered to be in accordance with the National Planning Policy Framework (2012) including core planning principle 17 and para 132, London Plan (2015) Policy 7.8 (Heritage Assets and Archaeology), Core Strategy (2012) Policy BE1 (Built Environment) and Development Management Local Plan (2013) Policy DM G7 (Heritage and Conservation).

Highways: The development would facilitate the safe and efficient operation of the local highways network, including public transport bus services, in compliance with London Plan (2015) Policy 6.1 (Strategic Approach), Core Strategy (2012) Policy T1 (Transport) and Development Management Local Plan (2013) Policy DM J1 (Transport Assessments and Travel Plans).

Access: Subject to condition, the development adequately incorporates measures to ensure inclusive access, in accordance with London Plan (2015) Policy 7.2 (Access for All), Planning Guidance Supplementary Planning Document (SPD) (2013) Design Policy 1 (Inclusive Design) and Transport Policies 22 (Access for All).

Air Quality: Subject to conditions, the development would not lead to unacceptable effects on air quality, in accordance with London Plan (2015) Policy 7.14 (Improving Air Quality) Core Strategy (2011) Policy CC1 (Reduce Carbon Emissions and Resource Use and Adapt to Climate Change Impacts), Development Management Local Plan (2013) Policies DM H1 (Reducing carbon dioxide emissions) and DM H8 (Air Quality).

Sustainability: The development is considered to meet the requirements for sustainable development, in accordance with: London Plan (2015) Policy 5.3 (Sustainable Design and Construction), Core Strategy (2011) Policy CC1, and Development Management Local Plan (2013) Policy DM H2 (Promoting sustainable design and construction).

That the applicant be informed as follows:

1) CONTAMINATED LAND

Potentially contaminative land uses (past or present) have been identified at, and or, near to this site. Although we would not expect any significant problems, the

applicant is advised to contact the Council should any unexpected materials or malodours are encountered during excavations.

2) TRANSPORT FOR LONDON SURFACE

The applicant is advised to contact Transport for London Surface in advance of commencing any design in particular with regard to: demolition; excavation; construction methods; security; boundary treatment; safety barriers; landscaping and lighting.

3) TMA APPROVAL

TMA (Traffic Management Act) approval for the changes to the road layout will be required for this development.

4) PERMITTED HOURS FOR BUILDING WORK

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

5) NOTIFICATION TO NEIGHBOURS OF BUILDING WORKS

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

6) DUST

Best Practicable Means (BPM) should be used in controlling dust emissions, in accordance with the Best Practice Guidance by the GLA 2006 for The Control of Dust and Emissions from Construction and Demolition.

7) DARK SMOKE AND NUISANCE

No waste materials should be burnt on site of the development hereby approved.

8) NOISE AND VIBRATION FROM DEMOLITION, PILING, CONCRETE CRUSHING, DRILLING, EXCAVATING, ETC.

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

9) CONCRETE CRUSHING

Concrete crushing requires a permit under the Environmental Permitting (England and Wales) Regulations 2010. Please contact the Council's Environmental Quality team Transport and Technical Services, on email environmental.quality@lbhf.gov.uk or Tel. 020 8753 3454.

10) CONSIDERATE CONSTRUCTORS SCHEME

Membership of The Considerate Contractors Scheme is encouraged.

11) TFL APPROVAL

The developer and their representatives are reminded that this does not discharge the requirements under the Traffic Management Act 2004. Formal notifications and approval from TfL will be needed for the permanent highway scheme and any temporary highway works required during the construction phase of the development.

12) AIR QUALITY

With regard to conditions concerning Air Quality Impacts Assessment and Low Emissions Strategy, it is recommended for the applicant to contact the Environmental Quality Team to agree methodology for how these should be completed.

Officer Report

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

All Background Papers held by case officer named above:

Application form received: 2nd December 2015
Drawing Nos: see above

Policy Documents: The London Plan 2015
Core Strategy 2011
The Development Management Local Plan 2013

1.0 BACKGROUND AND APPLICATION SITE

1.1 The proposed development relates to the construction of a new road to replace Ariel Way which was a public highway stretching between Wood Lane in the west and the West Cross Route in the east. To the south of the site is the existing Westfield Shopping Centre which has access roads into the car parks and service yards off Ariel Way. White City Bus station and the Grade II listed DIMCO buildings are also located to the south of Ariel Way, close to Wood Lane. The site lies within the 7.6 hectare development site known as the 'Westfield Phase 2 extension' which benefits from outline consent (Ref. 2015/02565/VAR) for the mixed-use redevelopment of the land to the north of the existing shopping centre. The existing road was stopped up in March

2014 to facilitate the comprehensive mixed use redevelopment allowing access to and from the existing shopping centre car park only. The proposed new road subject to this application is to be owned and maintained by Westfield (the applicant), although LBHF will remain as the Traffic Authority.

1.2 Under the outline permission, consent was granted 'in principle' to improve the access arrangements to the existing and proposed shopping centre and allow for more efficient through-movement on Ariel Way between Wood Lane and the West Cross Route. The extant permission proposed the replacement of the existing signal controlled roundabout on Ariel Way with a series of priority junctions, a mini-roundabout at the eastern end of Ariel Way and a signal controlled junction on the Eastern Access Road. The current proposal is for the detailed design and layout of the replacement east-west vehicular road, building upon the principle that was established under the outline permission.

1.3 When the existing road was stopped up, a temporary perimeter road was constructed to allow continuous bus access to and from White City bus station. The temporary road runs along the north of the site, adjacent to the Hammersmith and City line viaduct and it was approved under the enabling works application for the outline scheme.

1.4 The submitted red line plan indicates the area that will comprise the new road which connects to the raised H-junction providing access to the West Cross Route in the east, and access to the bus station and Wood Lane to the west. The demise of the site area includes sections of the new road that would join up to the basement car park ramps, grade level service yards and upper floor car parking ramps that form a part of the wider extension of the shopping centre. The car park ramps and accesses themselves form part of subsequent phases of development that are not offered for approval within this application.

1.5 Significant parts of the new road would be located underneath the podium as approved within the outline permission. The retail extension of the Phase 2 development (including part of the podium structure) will extend northwards of the existing shopping centre above large parts of the new road. A reserved matters application (pursuant to the outline permission) for the retail extension is currently under consideration (Ref: 2015/05217/RES). In addition, it is proposed to relocate the existing bus layover facility which is currently located in the east DIMCO building, adjacent to White City bus station to a new facility to the north of the new road and the application for the new bus layover is currently under consideration (Ref. 2015/05685/FUL). All three applications have been considered in parallel with each other and in context of the outline permission.

The Surrounding Area

1.6 Please refer to the committee report for Reserved Matters application for the Retail Extension (Ref: 2015/05217/RES) for more detailed information regarding the application site context and the surrounding area.

2.0 PLANNING HISTORY

2.1 Please refer to the committee report for the details of the Reserved Matters application for the Retail Extension (Ref: 2015/05217/RES) and for details on the planning history of the site and the surrounding area.

2.2 The applicant has discharged/part discharged a number of conditions pursuant to the outline planning permission and enabling works permission in respect of ground contamination including condition 5 - site investigation; condition 7 – remediation; condition 6 - risk assessments; condition 10 – archaeology and condition 24 - drainage strategies that allow a set extent of development of the outline permission/enabling works to commence. Furthermore, the applicant has obtained Reserved Matters Approval for the layout and scale of the basement car park and tunnel link with the existing Westfield car park, which comprises Phase A of the retail extension (Ref. 2015/01447/RES).

3.0 CURRENT APPLICATION

Application Description

3.1 Planning permission is sought for the following:

3.2 Construction of a new road connecting Wood Lane and the West Cross Route to replace the existing road (Ariel Way) which has been stopped up. The proposals include a new point of egress from White City bus station, provision of a taxi drop off area, a new bus lane and a new roundabout connecting Marathon Way, Ariel Way and the Eastern Access Road and provision of a new cleaners facility building to the north of the Dimco buildings following demolition of the existing facility.

Application Submission

3.3 The applicant has submitted the following information in support of the application:

For approval:

- Design and Access Statement Rev 03 by Sheppard Robson (Ref. W2-SRA-ZA-00-DS-A-00004) dated January 2016;
- Ariel Way Re-alignment Transport Summary by Vectos (Ref. TN04-141530-Transport Summary 06) dated 5th November 2015;
- Ariel Way Re-alignment Transport Summary addendum by Vectos (Ref. TN01-152038-Ariel Way Alignment-02) dated 22nd January 2016;
- Ariel Way Re-alignment Proposed Priority Lane by Vectos (Ref. TN06-152038-Proposed Bus Lane 01) dated 25th February 2016;
- Application drawings:
W2-SRA-ZA-20-DR-A-08005 P00; W2-SRA-ZA-20-DR-A-08016 P01;
W2-SRA-ZA-20-DR-A-08017 P00; W2-SRA-ZA-20-DR-A-08018 P00;
W2-SRA-ZA-20-DR-A-08019 P00; W2-SRA-ZA-20-DR-A-08020 P00;
W2-BUH-Z1-20-DR-C-95051 P06; W2-BUH-Z1-20-DR-C-95052 P01;
W2-BUH-Z1-20-DR-C-95054 P00; W2-BUH-Z1-20-DR-C-95151 P03;
W2-BUH-Z1-20-DR-C-95152 P04; W2-BUH-Z1-20-DR-C-95153 P02;
W2-BUH-Z1-20-DR-C-95154 P00; W2-BUH-Z1-20-DR-C-95155 P02;
W2-BUH-Z1-20-DR-C-95156 P00; W2-BUH-Z1-20-DR-C-95301 P01;
W2-BUH-Z1-20-DR-C-95901 P02; W2-BUH-Z1-20-DR-C-95902 P01;
W2-BUH-Z1-20-DR-C-95903 P02; W2-BUH-Z1-20-DR-C-95910 P00;
W2-BUH-Z1-20-DR-C-95911 P00; W2-BUH-Z1-20-DR-C-95920 P00;

W2-BUH-Z1-20-DR-C-95921 P00; W2-BUH-Z1-20-DR-C-95922 P00;
W2-BUH-Z1-20-DR-C-03931 P00; W2-BUH-Z1-20-DR-C-03932 P00;
W2-BUH-Z1-20-DR-C-03933 P00; W2-BUH-Z1-20-DR-C-03934 P00;
W2-BUH-Z1-20-DR-C-03935 P00; W2-BUH-Z1-20-DR-C-03916 P01;
W2-BUH-Z1-20-DR-C-95057 P00; W2-BUH-Z1-20-DR-C-95056 P00.

Supporting/illustrative material:

- Application forms;
- Bus station layout options drawings: 120694/A/30 Rev B; 120694/A/31; 120694/A/32; 120694/A/33;
- Draft Traffic Management-Heads of Terms prepared by Vectos dated 15th March 2016 (Ref. TN07-152038);
- Table 1 in email from Polly Mason on behalf of Montagu Evans dated 9th March 2016;

4.0 PUBLICITY AND CONSULTATION

4.1 The application was advertised as a Major Development which adjoins a Conservation Area and may affect the setting, character or appearance of a Grade II listed building.

4.2 The application was advertised via the following methods:

- Site notice displayed from 15/12/2015 to 05/01/2016
- Press notice published from 09/12/2015 to 05/01/2016
- 523 neighbours were consulted by letter
- 4 internal consultees were consulted by letter
- 1 statutory consultee was consulted by letter

4.3 The responses received are summarised below.

Statutory consultees

4.4 Transport for London:

The bus lane adds useful flexibility/resilience for the vagaries of traffic conditions experience seasonally or at peak car park traffic times for the shopping centre.

It is noted that smooth functioning and reliability of the bus network here is heavily reliant on the road network functioning as modelled. To add further operational flexibility, TfL suggest making provision for a 'Buses Only' right turn from Ariel Way into the bus layover access road, in the event that the bus station is closed for whatever reason.

The swept paths are in line with early stage design discussions between Westfield and TfL and material already presented to TfL.

TfL can confirm that we are satisfied that the modelling (cordoned model) submitted so far is fit for purpose in representing the proposed design for Ariel Way, under the new bus station and layover formation. We are confident that the flow manipulation that has been carried out is logical and that the various elements of the proposed flow have been handled correctly as laid out in the technical reporting received.

To summarise, of the bus routes/movements assessed, generally bus performance in terms of Journey Time (JT) will improve for all route movements to/from the new bus station from both Wood Lane and the Eastern Access Road. With the move to the new layover location, bus JT to/from the bus station/layover will increase due to the increased physical distance travelled, as expected.

Should this application be granted planning permission, the developer and their representatives are reminded that this does not discharge the requirements under the Traffic Management Act 2004. Formal notifications and approval will be needed for the permanent highway scheme and any temporary highway works required during the construction phase of the development.

4.5 Case officer comment: A s106 is recommended to address the requirement for the provision of a 'Buses Only' right turn from Ariel Way to be used in emergencies only. An informative will be also added requiring the applicant to apply for approval from TfL for the permanent highway scheme and any temporary highway works required during the construction phase.

Internal consultees

4.6 Urban Design and Conservation: No objection (comments incorporated into planning assessment)

4.7 Highways: This application must be reviewed in consideration to Application No 2015/05685/FUL for Relocation of the existing White City Bus Layover facilities from the East Dimco Building to below Block C of Westfield as they are interlinked.

- The new road must be built to Adoptable Standards and the Highway Authority must approve the following:
 - o The detailed design must meet checked and approved;
 - o Stage 2 Road Safety Audit should follow the detailed design;
 - o The highway authority will need to be granted access to inspect the construction of the road and issue a certificate of approval; and
 - o Following completion of the road works, a Stage 3 Road Safety audit will be requested for approval.
- All road signs and marking must be in accordance with "Traffic Signs Regulation and General Direction" and any other signs must obtain authorisation from the Department for Transport;
- Street lighting shall be provided and maintained to LBHF satisfaction;
- The public realm shall meet LBHF Street-smart Guidelines;
- The developer will meet the cost of checking and approving the design and construction under a s106;
- The phasing of the road construction must not impede on the operation of the Bus station or the existing and proposed bus layover facility;
- All road markings and signs (and related services) shall be maintained and repaired to standard;
- All work on public highway will be under S278, this is to ensure that the new road will tie in with Wood Lane and to ensure that the existing crossing is adequate for the increase in pedestrian movement from the development;
- A road Management and Enforcement Strategy shall be secured via a s106;
- Not to open the retail component of the development until the road have been practically completed and approved to adoptable standards;

- A Road Management plan must be in place prior to opening, this must be approved in writing by the highway authority. The road management plan must be reviewed and monitored regularly;
- All equipment needed for CCTV must be compatible with LBHF system, these must be checked and approved by this authority;
- The developer to pay an annual sum of £20K for a minimum of 10 years to cover cost of staff to review and monitor and enforce.

4.8 Case officer comment: The comments above are discussed in the assessment below. Conditions and a s106 legal agreement are recommended to cover the points raised by highways. Details of the conditions will be set out at the start of the report.

4.9 Air Quality: It is would recommend that air quality conditions are attached to the application as the detail of the development does not appear to have been considered by the previous air quality assessment completed for the Westfield 2 site. A number of existing receptors and proposed receptors are already predicted to experience air quality above the air quality objective for nitrogen dioxide and it should be established whether this development would lead to further air quality impacts. An informative would also be useful with regard to confirming methodology for these.

4.10 Case officer comment: Air quality conditions and an informative are recommended to address the concerns raised. Details of the conditions will be set out at the start of this report.

4.11 Noise and Nuisance: No objection.

Neighbours

4.12 One objection was received from 69 MacFarlane Road:

- There is not enough detailed information as to the likely impact on the development and I object on noise, residential amenity and traffic levels until I have received documentation which outlines the planned development in a clearer manner.

Case officer's comment: Further information and explanation was provided to the neighbour regarding the contents of the application. Noise from construction works is monitored by way of adherence with the Considerate Contractors Code which ensures levels do not exceed harmful levels. Failure to adhere to these standards would be a matter for the Council's Environmental Health Officers to assess and enforce where necessary, where the impacts deemed to cause a public nuisance. The impact of the wider development scheme on the local and strategic highway network has been assessed at the outline stage and is considered to be within acceptable tolerances. A transport assessment was submitted with the current application which verifies the impacts in regards to the wider development of the site and other developments in White City Opportunity Area. The assessment section below provides more detail on this.

4.13 All relevant material comments received in relation to the proposal have been taken into account in the assessment of the scheme and are presented in the relevant sections below.

5.0 RELEVANT PLANNING POLICY AND GUIDANCE

5.1 Please refer to the relevant planning policy and guidance detailed in the committee report for the retail extension reserved matters application (Ref: 2015/05217/RES).

6.0 PLANNING CONSIDERATIONS

Principle of the development

6.1 The proposal has been assessed against the relevant transportation policies within the London Plan (2015) including policies 6.1, 6.3, 6.7, 6.9, 6.10, 6.11 and 6.13, alongside the National Planning Policy Framework (NPPF), the Core Strategy (2011) policy T1 and the Development Management Local Plan (DMLP) (2013) policies J1 to J6 in addition to the Planning Guidance Supplementary Planning Document. The site is also located within the White City Opportunity Area for which a planning framework (WCOAPF) is in place.

6.2 London Plan Policy 6.1 (Strategic approach) seeks to support development that generates high levels of trips at locations with high levels of public transport accessibility and/or capacity, London Plan Policy 6.3 (Assessing effects of development on transport capacity) states the development should not adversely affect the safety of the transport network. London Plan Policy 6.7 (Better streets and surface transport) seeks to ensure that high level of bus priority is given on proposed routes.

6.3 London Plan Policy 6.12 (Road network capacity) states that in assessing proposals for increasing road capacity, including new roads, the following criteria should be taken into account:

- the contribution to London's sustainable development and regeneration including improved connectivity
- the extent of any additional traffic and any effects it may have on the locality, and the extent to which congestion is reduced
- how net benefit to London's environment can be provided
- how conditions for pedestrians, cyclists, public transport users, freight and local residents can be improved
- how safety for all is improved
- proposals should show, overall, a net benefit across these criteria when taken as a whole. All proposals must show how any dis-benefits will be mitigated.

6.4 The principle of the construction of a new road to replace the stopped-up road was established under the outline permission in both the original outline permission (2014 consent) and the s73 permission (2015 consent). The original existing public roads within the development site (namely, Silver Road, Relay Road and the majority of Ariel Way) were stopped up in March 2014 and ceased to become public highway. The construction of a replacement road is therefore welcomed by the Council as it will provide an east-west/west-east vehicular access route through the site which will restore the vehicular connectivity between the areas east and west of the site, whilst serving the development site as it is built in various phases. Officers recommend that the road is constructed and completed before the opening of the retail component and that it shall be open 24 hours, 7 days a week. A s106 agreement is recommended to cover both of these points.

Design

Highway design

6.5 The proposed road would be classed as a local access road. Policy J6 of the DM Local Plan (2013) states that development will not be permitted if it would prejudice the effectiveness of these roads to provide safe and convenient access to individual properties, or result in their use by through traffic. Policy J1 states that all development proposals will be assessed for their contribution to traffic generation and their impact on congestion, particularly on bus routes and on the primary route network.

6.6 Beginning with the western section of the road, the road will join Wood Lane at the existing junction. The junction itself is not included within the red line of the site and so the proposal does not include any amendments to the junction. However, Highways Officers have advised that all work on this section of the public highway shall be undertaken via a S278 agreement with the Council to ensure that the join between the new and existing road is satisfactory and to ensure that the existing pedestrian crossing is adequate for the increase in pedestrian movement from the development. The existing signalised pedestrian crossing is within the red line plan of the application and the proposal does not include any changes to the crossing as the re-alignment commences just to the east of the crossing.

6.7 On the south side of Ariel Way, 70m east of Wood Lane, a new exit from the bus station for buses travelling east to the new bus layover is proposed. Yellow box road markings are proposed to ensure that buses can exit the bus station when vehicles are queuing on the westbound approach to the Wood Lane signalised junction. As the Council will remain as the traffic authority for the road, a Road Traffic Management and Enforcement Strategy is required. The Strategy shall include details of camera locations, registered service vehicles, compatibility with Council CCTV system and monitoring.

6.8 A taxi/valet drop-off area is proposed to the north of Ariel Way, between Wood Lane and the eastern point of egress from White City Bus Station on the southern side of Ariel Way. Officers recommend condition 8 which requires details of the capacity, layout and design of the new taxi drop-off bay to ensure that there are adequate facilities for taxis serving the development.

6.9 To the east of the taxi area, on the south side of Ariel Way, 150m east of Wood Lane, is the priority junction with the DIMCO service road which provides access to the new service yard proposed under the Mall Extension (which is being considered as part of the reserved matters scheme), the existing London Underground Limited car park, the existing bus station and the existing Phase 1 service yard. Points of egress and ingress to the DIMCO service road would be possible at this junction from both Wood Lane and the West Cross Route.

6.10 The approved podium structure that extends northwards of the existing shopping centre is approximately 150m east of Wood Lane. The new re-aligned Ariel Way would pass under the podium at this point. The podium would contain the new retail extension and public room (Plot A), the residential blocks (Plots C and K) and the podium level streets/public realm (Silver Walk, Ariel Walk, Ariel Way Pocket Park). The road would contain a variable width central reserve that is provided for structural columns to support the buildings above from 155m to 250m east of Wood Lane.

6.11 Vehicle restraint barriers will be provided on each side of the central reserve to protect the structural columns. 200m east of Wood Lane, Ariel Way passes over the top of the existing LUL westbound central line tunnel. This is the highest point of the

proposed Ariel Way alignment at approximately +8.10m AOD. The level has been set to provide maximum headroom clearance from the Ariel Way carriageway finished surface to the underside of the proposed mall extension structure at Level 40.

6.12 From the high point above the LUL westbound tunnel, the carriageway is graded down at a nominal gradient of 1V:200H until reaching grid-line 39. The finished carriageway levels achieved at grid line 39 ranges from +7.62m to +7.860m. From grid line 39 the down gradient increases to 1V:125H to tie in with the mini roundabout at Marathon Way.

6.13 On the south side of Ariel Way approximately 210m east of Wood Lane, is a junction with a link road providing access from the existing Phase 1 car park and the new service yard exits to the westbound lane of Ariel Way. Nearby and to the east of that link road is a junction with another link road connecting the westbound lane of Ariel Way to the eastbound carriageway of the H-Junction ramp.

6.14 Further east on the north side of Ariel Way, approximately 260m east of Wood Lane, is the access to the basement car park, the Anchor Store service yard and the proposed bus layover. TfL require the provision of a right turn only into the bus layover in the event that the bus station is closed in an emergency. Officers recommend that this provision is secured via the s106 legal agreement.

6.15 On the north side of Ariel Way, centred around 300m east of Wood Lane is the egress ramp from the proposed bus layover. One main egress is provided with extra width to the east in case of a blockage of the main exit lane. Yellow box road markings are provided within Ariel Way to ensure egress from the bus layover if eastbound traffic is queuing on the approach to the roundabout junction. Whilst traffic signals are not proposed, the layout does not preclude the introduction of traffic signals at a later date.

6.16 A 3.25 metre wide bus lane is provided on the south side of Ariel Way, commencing opposite the exit from the bus layover. The bus lane extends westwards to the junction with the Dimco service road. Whilst the modelling work undertaken by the Vectos Transport Consultants demonstrates that there is limited benefit of the bus lane, it has been included in the proposal at a request of TfL to address concerns in relation to the queuing at Wood Lane/Ariel Way Junction, particularly during peak times. The modelling demonstrates that an eastbound bus lane is not required and this is not included in the proposal

6.17 At the eastern end of Ariel Way there is a mini-roundabout junction that provides access to the proposed residential development car park which will be via Marathon Way. The mini-roundabout has an inscribed circle diameter of 26.0 metres. The need for a central island requires further coordination with the residential structure (to come forward at a later stage) above, as there is a desire to locate structural columns within the centre.

6.18 South of the mini-roundabout, travelling south, there is a dedicated right turn lane that provides access to a single lane access road leading to the roof top car park access ramp. This junction is located under the existing H-Junction development access bridge.

6.19 On the northbound approach to the roundabout there is a slip road for service vehicles which are destined for the new service yard located underneath the mall

extension. The slip road exits at a priority junction with the proposed bus lane. TfL have agreed to the principle of combining the use of the bus lane with service vehicles. However, as the Council are still the traffic authority for the site, a Management and Enforcement Strategy is required to provide details on how mis-use of the bus lane will be enforced and this will be secured via a s106.

6.20 On the south side of Ariel Way, south of the bus lane at approximately 235m east of Wood Lane, there is a junction with a single lane egress road from the basement car park ramp BM-B. Another egress lane from the basement car park ramp BM-B and the Level 60 car park ramp turn to the south and merge before entering the dedicated north lane of the ramp leading to the H-Junction. Proposed lane widths on Ariel Way are typically 3.25m, except where widened on curves to accommodate turning HGV's or buses.

Adoptable standards and road maintenance

6.21 Highways officers have confirmed that the road should be built to adoptable standards so that it is possible for the road to be adopted by the Council in the future. The Council must approve the following in order to certify that the road has been built to adoptable standards and this will be secured via a s106 legal agreement:

- The detailed design must meet checked and approved;
- Stage 2 Road Safety Audit should follow the detailed design;
- The highway authority will need to be granted access to inspect the construction of the road and issue a certificate of approval; and
- Following completion of the road works, a Stage 3 Road Safety audit will be requested for approval.

Landscaping

6.22 Highways officers have also asked that signage is installed to the Council's requirements and this would also fall under checking the detailed design of the road.

6.23 No details on the design of the hard landscaping within the red line application site have been approved and so conditions are recommended which require details of all surface treatments, hard and soft landscaping, street furniture and lighting. The public realm treatment will be need to be in accordance with the Council's Street-smart standards and this will be set out in the accompanying s106.

Impact on Listed Buildings

6.24 It is key to the assessment of the application that the decision making process is based on the understanding of specific duties in relation to listed buildings and Conservation Areas required by the relevant legislation, particularly the Section 66 and Section 72 duties of the Planning (Listed Buildings and Conservation Areas) Act 1990 set out below together with the requirements set out in the NPPF. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that: 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. 'Section 72 of the above Act states in relation to Conservation Areas that: 'In the exercise, with respect to any buildings or other land in a conservation area, of any

functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

6.25 Officers acknowledge that there is a strong statutory presumption under the Planning (Listed Building and Conservation Areas) Act 1990 and as reflected in recent case law against the grant of planning permission for any development which would either (1) fail to preserve the setting or special architectural or historic character of a listed building or (2) fail to preserve the character or appearance of a conservation area. The desirability of preserving the special architectural or historic interest of a listed building or its setting, or the character or appearance of a Conservation Area or its setting are therefore matters to be given considerable importance and weight in the assessment of any development proposals.

6.26 The NPPF(2012) core planning principle 17 states that planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. Paragraph 129 of the NPPF requires planning authorities to assess the significance of any heritage assets affected by development proposal, including their effect on their setting. This assessment shall be taken 'into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal' (para 129 of the NPPF). Paragraph 132 of the NPPF states that: 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.'

6.27 London Plan Policy 7.8 (Heritage Assets and Archaeology) states that development should identify, value, conserve, restore, re-use and incorporate heritage assets, where appropriate. Core Strategy Policy BE1 (Built Environment) states that all development within the borough, including in the regeneration areas should create a high quality urban environment that respects and enhances its townscape context and heritage assets. DM Local Plan Policy DM G7 seeks to protect, restore or enhance the quality, character, appearance and setting of the borough's heritage assets.

6.28 The above policies require consideration of the impact of a proposal on heritage assets. The Grade II listed DIMCO buildings are located to the east of the existing bus station and the service road runs around the east and south of the buildings. The existing bus layover is located within the eastern DIMCO building and the re-location to the new layover would free up this part of the building for re-use. The applicant has indicated that it is their intention to bring forward proposals for alternative uses within the DIMCO buildings in the future and officers are supportive of the principle of incorporating the re-use of the DIMCO buildings into the wider development scheme. Officers are further satisfied that the proposed development would not prejudice the

future reuse of the DIMCO buildings and that adequate pedestrian access and servicing for any new use could be provided.

6.29 Although the DIMCO buildings themselves are not located within the application site boundary, the public realm immediately around the buildings is. In the existing situation, the DIMCO buildings are bound by the road network. The proposed re-alignment of the existing road to the bus station/service yards does result in the public realm between the road the DIMCO being reduced. However, it is not considered to materially alter the proximity of vehicles to the DIMCO buildings. This application does not include details of the public realm immediately around the perimeter of the DIMCO buildings. A condition requiring details of the hard and soft landscaping within the site will be added should the permission be granted which will allow officers to assess the quality of the public realm around the DIMCO buildings.

6.30 Officers welcome the opportunity to enhance the setting of the DIMCO buildings and the surrounding public realm and the potential for the reuse of the DIMCO buildings. The proposed development would preserve the setting of the listed buildings. For these reasons, officers consider that the proposed development is in accordance with NPPF including core planning principle 17 and para 132, London Plan Policy 7.8 (Heritage Assets and Archaeology) Core Strategy (2012) Policy BE1 (Built Environment) and DMLP Policy DM G7 (Heritage and Conservation).

Cleaners facility alterations

6.31 The existing cleaners facility is a single storey tear-dropped shaped building located on a traffic island in front of the Grade II listed DIMCO buildings. It is currently accessible for TfL employees use only and includes a cleaners store, bin store and PR room.

6.32 The road proposal includes a new point of egress from the bus station on the southern side of Ariel Way. To make way for the new exit road, the existing traffic island in front of the DIMCO buildings needs to be shortened and reduced and the existing cleaners facility will be demolished. A new cleaners facility will be erected on the proposed traffic island which would sit in front of the western DIMCO building. It would have a similar appearance and layout to the existing facility with a tear-drop shape and would measure 10m in length and 5.5 in width.

6.33 The cleaners facility would be finished in lightweight render and a railing would be included around the building which would be set on the kerb. Officers recommend condition 3 which requires details of the materials to be used on the elevations to be submitted for approval.

6.34 Subject to the materials, it is considered that the proposed cleaners facility would not adversely impact on the setting of the listed DIMCO buildings as it is of an appropriate design, size and scale in accordance with the NPPF including core planning principle 17 and para 132, London Plan Policy 7.8 (Heritage Assets and Archaeology) Core Strategy (2012) Policy BE1 (Built Environment) and DMLP Policy DM G7 (Heritage and Conservation).

Impact on the Highway network

6.35 The operation of the proposed road layout and the impact of the wider development scheme has been analysed and assessed in the Cordoned VISSM Model for both the 2013 application and the 2015 S73 outline applications.

6.36 A transport assessment was submitted with the current application which assessed the impacts of the proposed layout on the scheduled bus services; Westfield traffic during construction phases; the future scenario after completion of the proposed expansion of the site; and the future scenario including the wider comprehensive development schemes within the White City Opportunity Area as envisaged by Scenario B in the WCOAPF (2013).

6.37 The assessment concludes that the journey times for the amended proposed traffic forecasts are similar to those recorded with the 2013 application. LBHF Highways Officers along with TfL have reviewed the revised Transport Assessment associated with the current application and concur with the findings. It is therefore considered that the impacts on the Highways network would not be materially different as a result of the amended road layout from the approved development scheme, and any traffic impacts could be accommodated, subject to the infrastructure improvements secured within the s106 obligations (associated with the extant scheme).

6.38 TfL have reviewed the amended road layout in order to scrutinise the bus journey times and movements, given the wider scheme includes reprovision of the bus layover facilities and new bus routes. TfL advises that the new road layout will not have a material impact on the highway network in regard to bus trips. Details of the bus impacts are discussed in paras 6.37-6.40 of this report.

Access

Vehicular access - cars

6.39 The applicant has submitted plans which identify car journeys around the site. The plans demonstrate that it is possible to travel between Wood Lane and the West Cross Route by car which would be aided by way of signage. The submitted plans also demonstrate the accesses and egresses to the existing Westfield London car park and the proposed basement and roof level car parks which are provided in several locations, that would be signposted.

6.40 Cars coming from Wood Lane would continue until the roundabout with Marathon Way and then go back on themselves and turn left up to the H-junction to meet the West Cross Route. Cars travelling in an East to West direction would drive down the H-junction ramp and then turn back round to the left to meet the roundabout where they would take the first exit to continue on to Wood Lane.

6.41 The proposed northern car park at the basement level (level 10) below the Anchor Store will be accessed via a left turn from Ariel Way for customers coming from Wood Lane and via a right turn from Ariel Way for customer driving from the H junction. Customers would drive into the car park down a ramp and would turn left into the car park. Customers would exit the Anchor Store car park at basement level via a ramp up to Ariel Way to provide a route out onto Wood Lane.

6.42 Two levels of roof top car parking are proposed at levels 60 and 63 above the Mall Extension. Customers driving from the H-junction would access the roof top car parks

by taking the left turn on the road that continues to the entrance of the existing car parks. They would then drive back below the H-junction and follow the road round up to the circular vehicular ramp. From Wood Lane, customers would drive along Ariel Way to where it meets Marathon Way and would turn right up to the roof top car parks. To exit the roof top car park, customers would drive down the ramp and exit up the H junction or continue down the vehicular ramp and turn left onto Ariel Way to exit onto Wood Lane.

6.43 Although there would be numerous entrances and egresses connected to the new road from the various car parks, service yards and the bus layover facility, it is considered that the proposals ensure vehicular routes (for cars) are clear and the layout is sufficiently legible subject to adequate signage. Given large parts of the new road are below the proposed podium structure (as approved by way of the outline permission) and the lack of obvious east to west movements, it is considered the proposals will deter most vehicles from using the new Ariel Way as a rat run or a detour if moving east-west. As such, the traffic modelling carried out by Westfield envisages that the proposals would not significantly affect the wider highways network in terms of car traffic.

Vehicular access – Buses

6.44 Extensive modelling on the impact of the road re-alignment on the existing bus routes has been carried out and this has been reviewed by TfL who have no objection to the road re-alignment. The 2013 modelling concluded that the level of change in bus journey times would not have a material impact on bus schedules or the level of service passengers receive.

6.45 Buses which have dropped off passengers and are out of service will exit the bus station from the point of egress in front of the DIMCO and continue straight on, turning left into the bus layover. A condition will be added requiring a right turn into the bus layover in emergencies.

6.46 From Wood Lane buses will either turn right into the bus station or continue on to Eastern Access Road via the roundabout. Buses travelling in a westerly direction will join the bus lane and continue on to either Wood Lane or the bus station.

Vehicular access – Service vehicles

6.47 The new road has been designed in order to facilitate service vehicles given the need to accommodate significant deliveries and servicing activities of the retail extension. There are to be servicing yards located within the Mall Extension and to the Anchor Store in order to meet the requirements of the occupiers.

6.48 Access to the service yard beneath the Mall Extension would be from the H junction via a left turn into the access road or a right turn from Wood Lane into the access road. Service Vehicles would then turn left into the new service yard or continue round to the existing service yard beneath the existing centre. Service vehicles would exit the new service yard by joining the existing car park exit via the H Junction or they would continue back along the service road to exit onto Wood Lane. A service management strategy is recommended to be secured via the s106 agreement to provide details that ensure that drivers know the routes which they will need to take to service the different service yards.

6.49 Access to the Anchor Store service yard is only possible from Wood Lane via a left turn from Ariel Way. Service vehicles would exit the service yard via a left turn only onto Ariel Way to the roundabout with Marathon Way. Following the roundabout they would continue back down Ariel Way and have the option of a left turn up to the H junction or continuing on to Wood Lane.

Pedestrian access

6.50 The applicant has provided pedestrian desire lines which show where the main pedestrian routes will be throughout the development site. The plan shows that the main anticipated external pedestrian route across the road will be via the existing pedestrian crossing located close to the junction with Wood Lane towards the main entrances of the Retail Extension. Details of the public realm to support the route either side of the crossing will be submitted via the hard landscaping condition.

6.51 A stretch of pavement will be included on the north side of Ariel Way which would allow pedestrians to walk underneath the mall extension to Marathon Way, however this will be primarily be for staff and the public would be discouraged from doing so (except in in emergencies). A pavement would not be provided on the south side of Ariel Way beneath the extension. A pedestrian crossing is located across the bus station access road although this would be for emergency access only.

Cyclist access

6.52 The proposals do not make provision for cycle lanes along Ariel Way, although there is nothing to prevent cyclists from using it as a route between Wood Lane and Shepherd's Bush. Notwithstanding this, the road layout is such that the cyclist would generally be discouraged from using the route under the podium which is consistent with the former Ariel Way that did not contain provision for cycle lanes. Instead, cyclists will be encouraged to use the dedicated car-free cycle lanes proposed along White City Green and Marathon Way which would be built out as part of the wider development scheme. These routes will include appropriate signage and way finding which would ensure there is sufficient provision of facilities for cyclists across the site, that negates the need to provide further defined routes below the podium in less cycle friendly environments.

Environmental Considerations

Air Quality

6.53 Policy 7.14 (Improving Air Quality) of the London Plan (2015) requires that development proposals should be at least 'air quality neutral' and not lead to further deterioration of existing poor air quality. Policies CC1 of the Core Strategy (2011), DM H1 (Reducing carbon dioxide emissions) and DM H8 (Air Quality) of the Development Management Local Plan (2013) seek to reduce the potential adverse air quality impacts of new major developments.

6.54 The Council's Air Quality officers have reviewed the submission and have advised that the scheme triggers the requirement for an air quality assessment as the proposal introduces a new junction/removes an existing junction near to relevant receptors and involves the re-alignment of a road. Although an air quality assessment was completed

for the outline scheme, a number of existing and proposed receptors are already predicted to experience air quality above the air quality objective for nitrogen dioxide and it should be established the road re-alignment and bus layover development would lead to further air quality impacts.

6.55 Officers therefore recommend that conditions 11, 12 and 13 are added should planning permission be granted to ensure that the road re-alignment development complies with Policy 7.14 of the London Plan (2015), policy CC1 of the Core Strategy (2011), and Policies DM H1 and DM H8 of the Development Management Local Plan (2013).

Equalities impact

6.56 Section 149 of the Equality Act (2010) which sets a Public Sector Equality Duty (PSED) came into force in April 2011 and requires the Council to consider the equality impacts on all protected groups when exercising its functions. In the case of planning, equalities considerations are factored into the planning process at various stages. The first stage relates to the adoption of planning policies (national, strategic and local) and any relevant supplementary guidance. A further assessment of equalities impacts on protected groups is necessary for development proposals which may have equality impacts on the protected groups.

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

6.58 The Council's statutory duty under the Equality Act 2010 applies to planning decision making. In the consideration of all planning applications the Council has to have regard to all relevant planning policies available at the time unless material considerations indicate otherwise.

6.59 The protected characteristics to which the Public Sector Equality Duty (PSED) applies now include age as well as the characteristics covered by the previous equalities legislation applicable to public bodies (i.e. disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, sexual orientation, religion or belief and sex).

6.60 Section 149 of the Equality Act (2010) requires the Council to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. This means that the Council must have due regard for the impact on protected groups when exercising its functions, and case law establishes that this must be proportionate and relevant, and does not impose a duty to achieve results.

6.61 The road will be accessible to all a s106 is recommended to ensure that it is open 24 hours. The detailed design of the hard and soft landscaping around the road and the taxi drop off area will be submitted to the Council for approval so that factors such as pavement width, texture, signage etc. can be considered to ensure equal access for all. In conclusion, it is considered that LBHF has complied with section 149 of the Equality Act and has had due regard to provision of the Equality Impact of the proposed development in its consideration of this application.

S106 obligations

6.62 In dealing with planning applications, local planning authorities consider each on its merits and reach a decision based on whether the application accords with the relevant development plan, unless material considerations indicate otherwise. Where applications do not meet these requirements, they may be refused. However, in some instances, it may be possible to make acceptable development proposals which might otherwise be unacceptable, through the use of planning conditions or, where this is not possible, through planning obligations.

6.63 The Community Infrastructure Levy Regulations - CIL Regulations (2010) set out a number of tests to ensure the application of planning obligation is sound. These tests state that planning obligations must be:

- (1) necessary to make the development acceptable in planning terms,
- (2) directly related to the development,
- (3) fairly related in scale and kind to the development

6.64 A Legal Agreement is proposed for the development in to secure the necessary infrastructure and non-infrastructure to mitigate the needs of the proposed development and ensure the proposal is in accordance with the statutory development plan. The nature of the proposal, involving works to public highways, means that an agreement under s.278 of the Highways Act 1980 may also be necessary.

6.65 The applicant has agreed to enter into a legal agreement(s) under Section 106 of the Town and Country Planning Act 1990 (As Amended) and S278 of the Highways Act 1980.

Heads of Terms

6.66 The proposed legal agreement would incorporate the following heads of terms:

- Road to be built to adoptable standards. Developer to cover the cost of the review;
- Provision of access at all times for all modes of transport along Ariel Way;
- Not to open the Retail Component until the road has been constructed and completed (to adoptable standards);
- Road management and enforcement strategy (to be reviewed and monitored regularly). Developer to pay an annual sum of £20,000 for a minimum of 10 years to cover the cost of staff to review, monitor and enforce;
- Road must be maintained and repaired;
- Service management strategy;
- Provision of a right turn emergency access into the bus layover;
- Section 278 to cover all necessary highways works where affecting public highways;

- Phasing of the road construction with the replacement layover facilities (subject to concurrent application 2015/05684/FUL) and the phasing out of the existing bus layover facility at the DIMCO East building.

7.0 CONCLUSION

7.1 Overall, the proposed access arrangements for the scheme are considered to be acceptable subject to conditions and s106 obligations. The proposed amendments to Ariel Way will simplify access arrangements for buses to White City Bus Station as access will be via a priority junction instead of the original signal controlled roundabout.

7.2 The proposed development would preserve the settings of the adjacent heritage assets including the setting of the Grade II listed Dimco Buildings which it is desirable to preserve in accordance with s.66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the setting of the Wood Lane Conservation Area which it is desirable to preserve in accordance with s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

7.3 Together with the bus layover scheme, the proposals would result in the eastern DIMCO building being freed up, to allow a future use which has the potential to enhance the character and special interest of the listed buildings in line with the objectives of the WCOAPF. Subject to conditions, the proposals are considered to provide safe, direct and efficient access to Westfield London (including Phase 2) which would benefit all users. Officers consider that that development is in accordance with the National Planning Policy Framework (2012) including para 132, the London Plan (2015), the Core Strategy (2011) and the Development Management Local Plan (2013).

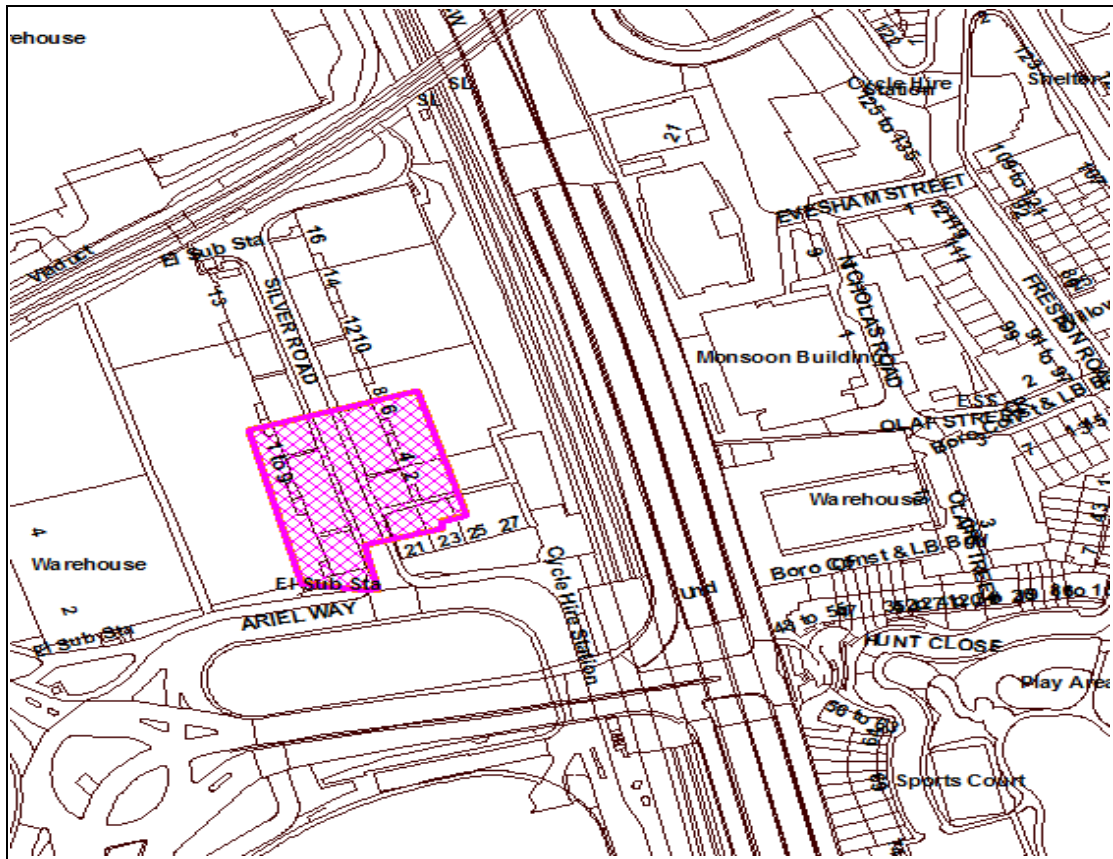
8.0 RECOMMENDATION

8.1 Grant Planning Permission subject to s106 agreement and conditions.

Ward: Shepherd's Bush Green

Site Address:

Land North Of Westfield Shopping Centre Ariel Way London



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For identification purposes only - do not scale.

Reg. No:
2015/05685/FUL

Case Officer:
Justin Booij

Date Valid:
03.12.2015

Conservation Area:

Committee Date:
06.04.2016

Applicant:

Westfield Europe Ltd
C/O AGENT

Description:

Relocation of the existing White City Bus Layover facilities from the East Dimco Building to below Block C of Westfield London Phase 2 including 21 layover spaces and a drivers facility.

Drg Nos: Ventilation & Fire Suppression Scope of Works; W2-SRA-ZA-20-DR-A-08002 Rev P00; W2-SRA-ZA-20-DR-A-08003 Rev P00; W2-SRA-BM-20-DR-A-08004 Rev P05; W2-SRA-BM-30-DR-A-08004 Rev P00; W2-SRA BM-20-DR-A-08009 Rev P04; W2-SRA-BM-20-DR-A-08010 Rev P02; W2-SRA BM-20-DR-A-08011 Rev P04; W2-BUH-Z1-20-DR-C-03936 Rev P00; W2-BUH-Z1-20-DR-C-03937 Rev P00; W2-BUH-ZA-00-DR-C-03938 Rev P00; W2-BUH-Z1-20-DR-C-03939 Rev P00; W2-BUH-Z1-20-DR-C-03940 Rev P00; W2-BUH-Z1-20-DR-C-03941 Rev P00; W2-BUH-Z1-20-DR-C-03917 Rev P01; W2-SRA-BM-20-DR-A-08004 Rev P08; W2-SRA-BM-00-DR-A-08012 Rev P00; W2-SRA-BM-40-DR-A-08004 Rev P01; W2-SRA-BM-00-DR-A-08013 Rev P01; W2-BUH-Z1-20-DR-C-03945 Rev P00; W2-FRC-Z1-00-DR-H-57001 Rev P03; W2-SRA-BM-20-DR-A-08004 Rev P08; W2-SRA-BM-30-DR-A-08004 Rev P01; W2-BUH-Z1-20-DR-C-03945 Rev P00; Covering letter; Design and Access Statement prepared by Sheppard Robson; Transport Summary (Ref: TN04-141530-Transport Summary-06); Ventilation & Fire Suppression Scope of Works; W2-SRA-ZA-20-DR-A-08002 Rev P00

Application Type:

Full Detailed Planning Application

Officer Recommendation:

That the Committee resolve that the Director of Planning and Growth be authorised to determine the application and grant permission up on the completion of a satisfactory legal agreement and subject to the condition(s) set out below

- 1) The development shall be carried out and completed in accordance with the following approved drawings and documents:
 - Covering letter;
 - Planning application forms;
 - Existing and proposed drawings prepared by Sheppard Robson;
 - Design and Access Statement prepared by Sheppard Robson;
 - Transport Summary (Ref: TN04-141530-Transport Summary-06) prepared by Vectos; and
 - Foreman Roberts: Ventilation & Fire Suppression Scope of Works (Ref: L13409_S002_300715_JB/KSH/JB)
 - TMS Consultancy: Road Safety Audit Stage 1, Westfield Development Phase 2, White City, London Ref 12037

Drawings:

- W2-SRA-ZA-20-DR-A-08002 Rev P00
- W2-SRA-ZA-20-DR-A-08003 Rev P00
- W2-SRA-BM-20-DR-A-08004 Rev P05

- W2-SRA-BM-30-DR-A-08004 Rev P00
- W2-SRA BM-20-DR-A-08009 Rev P04
- W2-SRA-BM-20-DR-A-08010 Rev P02
- W2-SRA BM-20-DR-A-08011 Rev P04
- W2-BUH-Z1-20-DR-C-03936 Rev P00
- W2-BUH-Z1-20-DR-C-03937 Rev P00
- W2-BUH-ZA-00-DR-C-03938 Rev P00
- W2-BUH-Z1-20-DR-C-03939 Rev P00
- W2-BUH-Z1-20-DR-C-03940 Rev P00
- W2-BUH-Z1-20-DR-C-03941 Rev P00
- W2-BUH-Z1-20-DR-C-03917 Rev P01
- W2-SRA-BM-20-DR-A-08004 P08
- W2-SRA-BM-00-DR-A-08012 Rev P00
- W2-SRA-BM-40-DR-A-08004 Rev P01
- W2-SRA-BM-00-DR-A-08013 Rev P01
- W2-BUH-Z1-20-DR-C-03945 P00
- W2-FRC-Z1-00-DR-H-57001 Rev P03
- W2-SRA-BM-20-DR-A-08004 Rev P08
- W2-SRA-BM-30-DR-A-08004 Rev P01
- W2-BUH-Z1-20-DR-C-03945 Rev P00

Reason: In order to ensure full compliance with the application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with Policy BE1 of the London Borough of Hammersmith and Fulham Core Strategy (2011) and Policies DM G1 and DM G7, of the Development Management Local Plan (2013).

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

Reason: 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).

- 3) Prior to the commencement of the relevant part of the development of the replacement bus layover facility, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- Details and samples of materials on all external faces and the roof.

The bus layover facility shall not be used or occupied prior to the implementation of the approved details.

Reason: To ensure a satisfactory external appearance and to prevent harm to the visual amenity of the street scene and public realm, in accordance with policies 7.1 and 7.5 of the London Plan (2015), policy BE1 of the Core Strategy (2011) and policy DM G1 of the Development Management Local Plan (2013).

- 4) Prior to the commencement of the relevant part of the development of the replacement bus layover facility, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- Details of all lighting equipment associated with areas accessible to vehicles within the development site.

The bus layover facility shall not be used or occupied prior to the implementation of the approved details.

Reason: To ensure appropriate lighting conditions for the use of the bus layover, which would allow for the safe and efficient operation of this part of the local bus service infrastructure, in accordance with London Plan Policy 6.1, Core Strategy Policy T1 and DMLP Policy DM J1.

- 5) Prior to the commencement of the relevant part of the development of Plot C ancillary spaces, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- Confirmation of the primary use within Plot C that the ancillary space(s) will be associated with, and;
- Relevant details including internal layout in respect of internal spaces that are ancillary to Plot C (i.e. the development's internal spaces other than the drivers' facility).

The relevant internal spaces shall not be used or occupied prior to the implementation of the approved details.

Reason: To ensure that the ancillary spaces will be used and occupied in consistency with the approved uses for Plot C of the Westfield Phase 2 extension (extant outline planning permission Ref: 2015/02565/VAR), or any other relevant associated main uses, in the interests of proper planning, and to ensure that that where relevant, the details of ancillary uses concerned will be subject to further approval by the Local Planning Authority, as required by the Town and Country Planning Act (1990).

- 6) Prior to the commencement of the relevant part of the development of the replacement bus layover facility, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- Details of all relevant matters concerning inclusive access within the development site, including: step free access, relevant materials, and signage.

The bus layover facility shall not be used or occupied prior to the implementation of the approved details.

Reason: To ensure that the proposed development has been designed to be accessible and inclusive to all who may use or visit the building, in line with London Plan (2015) policy 7.2 (Access for All) as well as the Council's local planning policies including Development Management Local Plan (2013) policy DM J4 (Disabled Persons' Parking) and Planning Guidance Supplementary Planning Document (SPD) Design Policy 1 (Inclusive Design) and Transport Policies 9 (Blue Badge Parking) and 22 (Access for All).

- 7) Prior to the commencement of the relevant part of the development of the replacement bus layover facility, the following details shall be submitted to and approved in writing by the Local Planning Authority:
- Passive infrastructure provision for electric bus charging to the satisfaction of Transport for London. This provision requires the necessary underlying infrastructure (e.g. capacity in the connection to the local electricity distribution network and electricity distribution board, as well as cabling to parking spaces) to enable simple installation and activation of charge points at a future date.

Reason: To ensure that the development hereby approved would (1) result in minimum disruption to the continuity of local bus services as a result from any future adaptation works for electric charging facilities in accordance with London Plan Policy 6.1, Core Strategy Policy T1 and DMLP Policy DM J1; and (2) assists in reducing carbon emissions and tackling climate change in accordance with London Plan Policy 5.3, Core Strategy Policy CC1, and Policy DM H2 (Promoting sustainable design and construction) of the Development Management Local Plan (2013).

- 8) The external sound level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the lowest existing background sound level by at least 10dBA in order to prevent any adverse impact. The assessment shall be made in accordance with BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment, in accordance with Policy 7.15 of the London Plan (2015) and Policy DM H9 of the Development Management Local Plan.

- 9) Prior to the commencement of the development an Air Quality Assessment of the impacts from the development, including cumulative effects, must be submitted to and approved in writing by the Council. The air quality assessment must include a combined dispersion modelling exercise that includes emissions from plant, transport and local concentrations of NO_x and PM₁₀ in order to inform the low emissions strategy. The air quality assessment must show the impacts on concentrations of these pollutants at the different heights where receptors are located (including windows that can be opened, balconies, terraces and roof gardens).

Reason: to comply with the requirements of the NPPF (2012), Policy 7.14 of the London Plan (2015), policy CC1 of the Core Strategy (2011), and Policies DM H1 and DM H8 of the Development Management Local Plan (2013).

- 10) Prior to the commencement of the development a Low Emission Strategy shall be submitted to and approved in writing by the Council. The Low Emission Strategy must address the results of the agreed Air Quality Assessment and detail the remedial action and mitigation measures that will be implemented to protect receptors (e.g. abatement technology, design solutions). This Strategy must make a commitment to implement the mitigation measures that are required to reduce

the exposure of onsite and local receptors to poor air quality and to help mitigate the development's air pollution impacts.

Reason: to comply with the requirements of the NPPF (2012), Policy 7.14 of the London Plan (2015), policy CC1 of the Core Strategy (2011), and Policies DM H1 and DM H8 of the Development Management Local Plan (2013).

- 11) No development shall commence until a risk assessment based on the Mayor's Best Practice Guidance (The control of dust and emissions from construction and demolition) has been undertaken and a method statement for emissions control (including an inventory and timetable of dust generating activities, emission control methods and where appropriate air quality monitoring) has been submitted to and approved in writing by the council. The appropriate mitigation measures to minimise dust and emissions must be incorporated into the site specific Demolition Method Statement and Construction Management Plan. Developers must ensure that on-site contractors follow best practicable means to minimise dust and emissions at all times.

Reason: to comply with the requirements of the NPPF (2012), Policy 7.14 of the London Plan (2015), policy CC1 of the Core Strategy (2011), and Policies DM H1 and DM H8 of the Development Management Local Plan (2013).

- 12) Refuse and recyclables shall be stored only within the curtilage of the application site and shall only be brought forward to the front of the site on collection days.

Reason: In order to ensure that satisfactory provision is made for refuse storage and collection, in accordance with policy DM H5 of the Development Management Local Plan (2013).

Justification for Approving the Application:

- 1) The principle of the provision of public transport infrastructure is considered to be in accordance with London Plan (2015) Policy 6.1 (Strategic Approach) and Core Strategy (2011) Policy T1 (Transport).
- 2) The proposed development will not have any adverse impacts on heritage assets including the setting of the Grade II listed DIMCO building and setting of the Wood Lane Conservation Area which is considered to be in accordance with National Planning Policy Framework (2012) core planning principle 17, London Plan (2015) Policy 7.8 (Heritage Assets and Archaeology), Core Strategy (2012) Policy BE1 (Built Environment) and Development Management Local Plan (2013) Policy DM G7 (Heritage and Conservation).
- 3) The design and visual appearance of the development is considered to be satisfactory and will not result in any adverse impact on the local built environment in accordance with London Plan (2015) Policy 7.1 (Lifetime Neighbourhoods), Core Strategy (2012) policy BE1 (Built Environment) and Development Management Local Plan (2013) policy DM G1.

- 4) The development would facilitate the safe and efficient operation of the local highways network, including public transport bus services, in compliance with London Plan (2015) Policy 6.1 (Strategic Approach), Core Strategy (2012) Policy T1 (Transport) and Development Management Local Plan (2013) Policy DM J1 (Transport Assessments and Travel Plans).
- 5) The bus layover facilities including the bus drivers' facility would provide an appropriate accommodation standard, in accordance with London Plan (2015) Policy 7.1 (Lifetime Neighbourhoods), Core Strategy (2012) Policy BE1 (Built Environment), and Development Management Local Plan (2013) Policy DM G1 (Design of new build).
- 6) The development adequately incorporates measures to ensure inclusive access, in accordance with London Plan (2015) Policy 7.2 (Access for All), Development Management Local Plan (2013) Policy DM J4 (Disabled Persons' Parking), and Planning Guidance Supplementary Planning Document (SPD) (2013) Design Policy 1 (Inclusive Design) and Transport Policies 9 (Blue Badge Parking) and 22 (Access for All).
- 7) Subject to condition, the development would not lead to unacceptable noise effects, in accordance with: London Plan (2015) Policy 7.15 (Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes) and Core Strategy (2011) Policy CC1 (Reduce Carbon Emissions and Resource Use and Adapt to Climate Change Impacts); and Development Management Local Plan (2013) Policy DM H9 (Noise).
- 8) Subject to condition, the development would not lead to unacceptable effects on air quality, in accordance with: London Plan (2015) Policy 7.14 (Improving Air Quality) Core Strategy (2011) Policy CC1 (Reduce Carbon Emissions and Resource Use and Adapt to Climate Change Impacts), Development Management Local Plan (2013) Policies DM H1 (Reducing carbon dioxide emissions) and DM H8 (Air Quality).
- 9) The development is considered to meet the waste and recycling storage and collection requirements of: London Plan (2015) Policy 5.17 (Waste Capacity), Core Strategy (2011) Policy CC1, and Development Management Local Plan (2013) Policy DM H5 (Sustainable Waste Management).
- 10) The development is considered to meet the requirements for sustainable development, in accordance with: London Plan (2015) Policy 5.3 (Sustainable Design and Construction), Core Strategy (2011) Policy CC1, and Development Management Local Plan (2013) Policy DM H2 (Promoting sustainable design and construction).

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

All Background Papers held by Andrew Marshall (Ext: 3340):

Application form received: 2nd December 2015

Drawing Nos: see above

Policy documents: National Planning Policy Framework 2012
The London Plan 2015
Core Strategy 2011
The Development Management Local Plan 2013
Planning Guidance Supplementary Planning Document July 2013

1.0 SITE DESCRIPTION

Application Site, Background and the Proposed Development

- 1.1 The proposed development is intended to facilitate the re-location of the existing nearby Transport for London (TfL) bus layover facility, which currently enables local bus services' scheduled breaks.
- 1.2 The proposed scheme involves the erection of a replacement White City Bus Layover facility, including: 21 bus bays with associated manoeuvring area, and ancillary accommodation (comprising: drivers' welfare suite; office, and; control room), and; ancillary accommodation supplementary to the approved residential at floor levels above. Further relevant details of the proposal submission are provided in Section 3.9 of this report.
- 1.3 This current bus layover facility is located in and around the DIMCO East building, to the south of the former Ariel Way, and adjacent to the White City Bus Station. Ariel Way has been stopped up to facilitate the redevelopment of land to the north of the Westfield Shopping Centre.
- 1.4 The 4,798m² replacement bus layover application site is located within the administrative area of the London Borough of Hammersmith and Fulham and is located to the north of the existing Westfield London Shopping Centre, to the north of Ariel Way, and close to the West Cross Route.
- 1.5 Please refer to the Committee Report for Reserved Matters application pursuant to the Westfield Phase 2 extension (Ref: 2015/05217/RES), for more detailed information regarding the application site's context.
- 1.6 The application site (to comprise the new bus layover facility) lies within a 3.3 hectare development site known as the 'Westfield Phase 2 extension', which will comprise a mixed use scheme that benefits from outline planning permission and which is currently being built out in phases. A temporary perimeter road (to accommodate buses) along the northern boundary of the land north of the existing Westfield Shopping Centre has freed up the area around Ariel Way for construction activities. The bus layover proposal site is located within the approved podium level of the outline development (i.e. within Plot P), above the basement and underneath Plot C, which has predominantly residential use.
- 1.7 The 'Westfield Phase 2 extension' was granted outline planning permission for redevelopment to provide residential, retail, restaurant, leisure and community

floorspace, but this does not include the provision of a bus layover facility. Therefore, to enable the development of the Westfield Phase 2 extension to take place, Ariel Way (which is the main road running west-east through the development) needs to be re-aligned and the existing TfL bus layover facility would need to be re-located as a result. The first element is the subject of a concurrent application for full planning permission (Ref: 2015/05684/FUL), while the second element is the application for full planning permission to which this report relates.

- 1.8 A reserved matters application pursuant to the outline permission, for the main retail element is currently also under consideration in parallel (under Ref: 2015/05217/RES). The current three applications mentioned above are to be presented simultaneously to PADCC on 6th April 2016.

2.0 PLANNING HISTORY

- 2.1 Please refer to the Planning History detailed in the Committee Report for Reserved Matters application pursuant to the Westfield Phase 2 extension (Ref: 2015/05217/RES). There are no historic planning applications which are of relevance to the bus layover application site specifically.
- 2.2 Recent applications that are of relevance to the red line application site include the Reserved Matters Application for Phase A of the retail expansion of the shopping centre, (Ref: 2015/01447/RES) concerning (engineering and construction operations comprising the formation of the basement and facilitating the future layout of the basement only (approved 1st July 2015) and associated condition discharges in connection with this and the outline planning permission for site investigation works, ground risk assessments, remediation method statements and archaeology. These permissions are in the process of being implemented and the relevant works below ground level are consented in respect of the part of the site that will accommodate the bus layover facility (which would sit above the basement).

3.0 THE PROPOSAL

Application Description

- 3.1 This Application seeks approval for a 21-bay replacement bus layover facility, which also accommodates a number of associated functions, including a staff mess, work space (a small office and a control room), storage and plant space. The application scheme also involves an element of ancillary accommodation that is associated with the approved development at the levels above the proposed new bus layover. This ancillary space is identified as such, and the applicant has confirmed that further related details will be submitted to follow the current application.
- 3.2 Layout - The Bus Layover includes a large undercroft space providing 21 Bus Stands and an additional service vehicle bay, and a Bus Drivers Facility. The Drivers Facility encloses an area of 153m² and accommodates a mess room (with kitchenette and sitting area), TfL office facility, WC facilities, a cleaner's room, a

CCTV room, a rubbish store and spill dry storage. A substantial area of ventilation plant is proposed to sit at the floor level above the drivers' facility. The Bus Layover relies on reverse manoeuvres for 11 bus spaces and this is managed by the use of an internally installed electronic system.

- 3.3 Scale - The Bus Layover includes a total area of 3793m². The main layover space is a roughly 64m deep and 56m wide. The clear height within the bus layover area is 6m.
- 3.4 Appearance - The drivers facility area and the bus layover will be provided with simple robust detailing, fit for purpose. The internal walls of the bus layover will typically be block work or concrete. The external walls of the bus layover drivers' facilities will be a metal rainscreen panel, with secure aluminium windows. The panels are proposed as a light silver finish, the upper level panels and the louvres surrounding the plant room will be much darker finish.
- 3.5 Means of Access - To enable the development of the Westfield Phase 2 extension and the proposed bus layover facility, Ariel Way will be realigned. The revised alignment of this road is the subject of a separate planning application (Ref: 2015/05684/FUL). The vehicular access to the new Bus Layover is accessed by a left turn from the realigned Ariel Way, via the main access to one of the new Service Yards. A dedicated exit route for buses is provided, turning right onto Ariel Way, into the bus lane that runs along the South side of Ariel Way. Following this lane, the buses are able to return to the White City Bus station via the DIMCO service Road. TfL have also requested the ability to turn left out of the layover, this manoeuvre will be provided on the left-hand side of the exit lane. TfL employees will access the new Drivers Facility building from the East or West via a footpath on the North side of Ariel Way.
- 3.6 Ventilation & Fire Suppression - The applicant has submitted a Ventilation & Fire Suppression Scope of Works by Foreman Roberts, which details the specific arrangements in response to its under cover location, for regular ventilation and the ventilation and fire suppression arrangements in the event of a fire. The document states that, normally, air will be taken in from the vehicle entrance and exit points and discharged via a mezzanine plant from the east of the site and a rooftop opening. The emergency ventilation system includes resilient fans and the expulsion of smoke via a duct onto Marathon Way. Fire suppression will be facilitated by a high hazard sprinkling system, which draws water from oversized tank and enhanced pumps.
- 3.7 Phasing - According to the applicant, the new bus layover becomes operational from 5th October 2016, at the same time that the eastern end of the realigned parts of Ariel Way between the new layover facility and the new roundabout to the east will also become operational. This would ensure that the proposed bus layover is connected with the local road network and therefore it would be able to replace the existing facility from that date and onwards. The remainder of Ariel Way will be constructed over a period between October 2016 - October 2017.

Application submission

3.8 The applicant has submitted the following information in support of the application:

- Covering letter;
- Schedule WLBL1 - Drawings submitted;
- Planning application forms and ownership certificates;
- Red line site location plan;
- Existing and proposed drawings prepared by Sheppard Robson;
- Design and Access Statement prepared by Sheppard Robson;
- Transport Summary (Ref: TN04-141530-Transport Summary-06) prepared by Vectos;
- CIL Information Form.
- Foreman Roberts: Ventilation & Fire Suppression Scope of Works (Ref: L13409_S002_300715_JB/KSH/JB)
- TMS Consultancy: Road Safety Audit Stage 1, Westfield Development Phase 2, White City, London Ref 12037
- Email William Addy 10/03/16 13:21 (Phasing Schedule)
- Drawings:
 - W2-SRA-ZA-20-DR-A-08002 Rev P00
 - W2-SRA-ZA-20-DR-A-08003 Rev P00
 - W2-SRA-BM-20-DR-A-08004 Rev P05
 - W2-SRA-BM-30-DR-A-08004 Rev P00
 - W2-SRA BM-20-DR-A-08009 Rev P04
 - W2-SRA-BM-20-DR-A-08010 Rev P02
 - W2-SRA BM-20-DR-A-08011 Rev P04
 - W2-BUH-Z1-20-DR-C-03936 Rev P00
 - W2-BUH-Z1-20-DR-C-03937 Rev P00
 - W2-BUH-ZA-00-DR-C-03938 Rev P00
 - W2-BUH-Z1-20-DR-C-03939 Rev P00
 - W2-BUH-Z1-20-DR-C-03940 Rev P00
 - W2-BUH-Z1-20-DR-C-03941 Rev P00
 - W2-BUH-Z1-20-DR-C-03917 Rev P01
 - W2-SRA-BM-20-DR-A-08004 Rev P08
 - W2-SRA-BM-00-DR-A-08012 Rev P00
 - W2-SRA-BM-40-DR-A-08004 Rev P01
 - W2-SRA-BM-00-DR-A-08013 Rev P01
 - W2-BUH-Z1-20-DR-C-03945 Rev P00
 - W2-FRC-Z1-00-DR-H-57001 Rev P03
 - W2-SRA-BM-20-DR-A-08004 Rev P08
 - W2-SRA-BM-30-DR-A-08004 Rev P01
 - W2-BUH-Z1-20-DR-C-03945 Rev P00

4.0 PUBLICITY AND CONSULTATIONS

4.1 The application was advertised by way of letters sent to neighbouring properties. A site and press notice were also issued. No letters of objection were received from neighbouring residents. The application was advertised as a Major Development which may affect the setting or context of a listed building.

4.2 The application was advertised via the following methods:

- Press notice published from 15/12/2015 to 05/01/2016
- one site notice displayed from 15/12/2015 to 05/01/2016
- 67 neighbours were consulted by letter

4.3 The responses received are summarised below.

Statutory consultees

4.4 Transport for London: No objection (15 /03/16 and 16/03/16)

"TfL's position is that the layover design is appropriate, and reduces the risk adequately given the space Westfield was willing to make available for the bus layover. TfL would prefer a larger surface area for the facility with all the bus bays configured for drive straight in and straight out operation, without any reversing requirement. However it is noted that Westfield have committed to provide an 'out off bus' reversing aid system as they are proposing a layover that requires buses to reverse into some of the bays in the new facility; and a commitment to 6 months training in the operation of the plant and systems in the new facility which is welcomed.

The new exit from the bus station will introduce much needed flexibility providing eastbound traffic on Ariel Way is free flowing.

The bus lane adds useful flexibility/resilience for the vagaries of traffic conditions experience seasonally or at peak car park traffic times for the shopping centre. It is noted that smooth functioning and reliability of the bus network here is heavily reliant on the road network functioning as modelled. To add further operational flexibility, TfL suggest making provision for a 'Buses Only' right turn from Ariel Way into the bus layover access road, in the event that the bus station is closed for whatever reason.

The swept paths are in line with early stage design discussions between Westfield and TfL and material already presented to TfL. The layover facility will now be built lower in the ground than originally advised, necessitating a 1:16 down entrance ramp and 1:21 up exit ramp. In addition Westfield have lowered the ceiling height over both entrance and exit from 6.0 to 5.7 metres to allow for utilities/services in the ceiling above. However, TfL Bus Infrastructure have now reached agreement on headroom clearances for the entrance and exit of the layover and have issued Westfield an updated URS at the beginning of February.

Subject to the provision for a 'Buses Only' right turn from Ariel Way into the bus layover access road, TfL have no objection to the proposed bus layover facility."

4.5 Case officer comment: A condition is recommended in case planning permission is granted, for provision for a 'Buses Only' right turn from Ariel Way into the bus layover access road.

Internal consultees

4.6 Urban Design and Conservation: No objection raised.

4.7 Public Protection And Safety: No objection, subject to noise condition (14/12/2015, 19/02/2016, 11/01/2016)

Condition: The external sound level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the lowest existing background sound level by at least 10dBA in order to prevent any adverse impact. The assessment shall be made in accordance with BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment, in accordance with Policies DM H9 and H11 of the Development Management Local Plan.

4.8 Case officer comment: The Public Protection And Safety Officer's stipulated conditions are recommended to be added to any grant of planning permission.

4.9 Building Control: No objection raised.

4.10 Highways And Engineering Division: No objection, subject to conditions (21/03/16)

- The proposed bus layover should meet the requirements of London Buses in terms of headroom and manoeuvrability
- Require passive provision of electric bus vehicle charging from the outset in order to minimise the impact on the continuity of bus services when electric charging will become required.

4.11 Case officer comment: TfL have raise no objection in their consultation response, in relation to headroom and manoeuvrability design requirements. For this reason it is considered that no related condition is required. The applicant has confirmed that TfL's user requirements, which have been formally agreed between Westfield and TfL, include passive provision of electric bus vehicle charging. However, it is considered that passive provision from the outset should nevertheless be secured via a planning condition in case planning permission will be granted, for the reason that planning control does not extend to private agreements between landowners and users.

4.12 Policy and Spatial Planning Group: No objection raised.

5.0 RELEVANT PLANNING POLICY AND GUIDANCE

5.1 Please refer to the Relevant Planning Policy and Guidance detailed in the Committee Report for Reserved Matters application pursuant to the Westfield Phase 2 extension (Ref: 2015/05217/RES).

6.0 PLANNING CONSIDERATIONS

- 6.1 The relevant planning considerations in this case, to be assessed against the policies in the National Planning Policy Framework (NPPF) (2012), The London Plan (2015) and the Council's Local Development Framework, comprising the Core Strategy (2011), Development Management Local Plan (DMLP) (2013) and the Planning Guidance Supplementary Planning Document (Planning Guidance SPD) (2013).

Principle of the Development

- 6.2 London Plan Policy 6.1 (Strategic Approach) seeks to improve the capacity and accessibility of public transport particularly in areas of greatest demand. Core Strategy policy T1 (Transport) aims to improve transportation provision and accessibility in the borough. The principle of provision of public transport infrastructure is considered to be fully in accordance with these policies.
- 6.3 The principle of predominantly residential development at Plot C of the Westfield Phase 2 extension has been established by the granting of outline planning permission Ref: 2015/02565/VAR. Therefore, the principle of development of supplementary ancillary accommodation to Plot C would not need to be established. The ancillary nature of this part of the proposed development means that there will be a need to consider further related details in conjunction with details for the relevant parts of Plot C of the Westfield Phase 2 extension. It is recommended that in case planning permission were granted, the submission of further details and the approval of such details of the ancillary accommodation would need to be considered alongside the relevant reserved matters submission for Plot C, and this should be stipulated in a Section 106 Agreement.
- 6.4 The National Planning Policy Framework (2012) core planning principle 17 states that planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. London Plan Policy 7.8 (Heritage Assets and Archaeology) states that development should identify, value, conserve, restore, re-use and incorporate heritage assets, where appropriate, and the Core Strategy par. 7.1 states that Development in each of the regeneration areas will need to respect and enhance the existing townscape context and heritage assets both within and around the area and that regeneration proposals should make use of the qualities of the heritage assets within each area and fully exploit the contribution that they may make to the development of a new sense of place. Core Strategy Policy BE1 (Built Environment) states that all development within the borough, including in the regeneration areas should create a high quality urban environment that respects and enhances its townscape context and heritage assets. DMLP Policy DM G7 (Heritage and Conservation) includes that:
- a) The presumption will be in favour of the conservation and restoration of heritage assets, and proposals should secure the long term future of heritage assets. The more significant the designated heritage asset, the greater the presumption should be in favour of its conservation.
 - b) Proposals which involve substantial harm to, or loss of, any designated heritage asset will be refused unless it can be demonstrated that they meet

the criteria specified in paragraph 133 of the National Planning Policy Framework.

- 6.5 These policies require the consideration of proposals' effect on heritage assets. The relocation of existing bus layover facility has an indirect effect on the Grade II listed DIMCO East building, as this building and land around it are currently in use as the existing operational bus layover. The applicant proposes the bus layover as a replacement facility. Therefore, the proposals involve moving the existing bus layover facility away from its current location in the DIMCO (East) building thereby freeing up this part of the building for re-use and redevelopment.. The applicant has indicated that it is their intention to bring forward proposals to comprehensively redevelop DIMCO (including the retention of the listed buildings) in the future and Officers are supportive of the principle of incorporating the re-use of DIMCO into the wider development scheme.
- 6.6 Although there are no immediate plans in the pipeline, DIMCO will remain in partial operation for the short term and it is the landowner's (Westfield) responsibility to maintain the building. The applicant has stated that they see the vacated DIMCO building as providing a good opportunity to enhance this part of the wider development site with a more viable land use, that could potentially provide public benefit by refurbishing the buildings, which could provide a degree of public access as well as improvements to the public realm. Westfield is currently considering alternative uses for the DIMCO site and intend to engage with the Council and relevant stakeholders in the coming months. Officers are satisfied that the applicant will maintain the building in the short term and would welcome further discussions on the development potential. In summary, officers welcome the opportunity to enhance of the use of the DIMCO buildings and have been provided with adequate comfort that they will be maintained in order to safeguard their historic importance. Officers recommend the addition of a related Informative in case planning permission would be granted. For these reasons, officers consider that the principle of the proposed development is in accordance with National Planning Policy Framework core planning principle 17 , London Plan Policy 7.8 (Heritage Assets and Archaeology) Core Strategy (2012) Policy BE1 (Built Environment) and DMLP Policy DM G7 (Heritage and Conservation).

Visual Amenity

- 6.7 London Plan Policy 7.1 (Lifetime Neighbourhoods) and Core Strategy policy BE1 (Built Environment) require that all development should create good/high quality urban environment. Prior to the Podium structure being built as part of the wider development scheme, the proposed bus layover development will be mostly hidden from view to the public apart from its southern elevation of a tunnelled section of Ariel Way. As such, there will be limited views of the structure in the short term, which ensures the proposals will at worst have a very minor visual impact on the appearance of the site, which will accommodate various construction activities for a number of years whilst the wider development scheme is implemented.
- 6.8 The application does not include full detailed specification of design details and materials, which, in case planning permission is granted, is recommended to be submitted via a condition. The same applies to the lighting equipment for the areas to be used by vehicles.

- 6.9 Officers consider that, subject to such conditions, the design of the proposed development is considered appropriate in its location, with or without the wider development scheme being completed, which accords with London Plan Policy 7.1 and Core Strategy policy BE1.

Impact on Highways and Transportation

- 6.10 London Plan 6.1 (Strategic Approach) seeks to improve the capacity and accessibility of public transport particularly in areas of greatest demand. Core Strategy policy T1 (Transport) aims to improve transportation provision and accessibility in the borough, while Development Management Local Plan DM J1 (Transport Assessments and Travel Plans) states that all development proposals will be assessed for their contribution to traffic generation and their impact on congestion, particularly on bus routes and on the primary route network, and against the existing and potential availability of public transport, and its capacity to meet increased demand.
- 6.11 The local bus services are currently already facilitated by an existing layover in relatively close proximity. Therefore, the change to a new bus layover at a different location within the site would involve a limited number of associated potential effects in terms of Highways and Transportation. It is considered that these would be confined to the local circulation of buses in relation to the facilities to be provided within the application site. The applicant has submitted a Transport Summary, which includes: detailed traffic flow modelling assessments (based on the proposed layover, and existing and proposed Ariel Way), swept path analyses and capacity assessments. The document concludes that Once complete, the proposals will improve north-south and east-west connectivity, and further enhance the integration of the White City Opportunity Area to Westfield London, Shepherd's Bush Market and the remainder of Shepherd's Bush Metropolitan Centre.
- 6.12 Transport for London, who will operate the proposed bus layover facility, have responded confirming that they do not object to the proposed scheme. A right turn buses only, for buses approaching the bus layover from the east along Ariel Way is mentioned as potentially adding operational flexibility, but this is not considered to be relevant to the bus layover scheme itself, and this will be considered as part of the concurrent road application (Ref: 2015/05684/FUL).
- 6.13 The Council's Highways team response raises no objection subject to two conditions, both of which have been considered in paragraph 4.12 above. From the perspective of transportation, the required inclusion of passive provision for electric bus charging is considered necessary in order to ensure minimum disruption to the continuity of local bus services as a result from any adaptation works to facilitate the growing deployment of electric bus vehicles in line with environmental improvement objectives. An associated planning condition for such passive provision is recommended in case planning permission would be granted.
- 6.14 It is considered that with the above condition, the proposed layover development would facilitate the safe and efficient operation of the local highways network, including public transport bus services, in compliance with London Plan Policy 6.1, Core Strategy Policy T1 and DMLP Policy DM J1.

Standard of Ancillary Accommodation

- 6.15 General qualitative design requirements exist in respect of all development proposals within LBHF. These policies comprise: London Plan Policy 7.1 (Lifetime Neighbourhoods), and Core Strategy Policy BE1 (Built Environment) supported by Development Management Local Plan Policy DM G1 (Design of new build) states that new build development will be permitted if it is of a high standard of design.
- 6.16 In respect of the working conditions within proposed developments, there are no specific space and amenity standards. As the client and end user of the proposed bus layover facility, Transport for London has been closely involved with the development of the scheme from the outset. Transport for London have provided a consultation response, which raises no objection in relation to the quality of the drivers' facility. Therefore, it is considered that the proposed bus layover facilities including the bus drivers' facility would provide an appropriate accommodation standard, in accordance with London Plan Policy 7.1, and Core Strategy Policy BE1 supported by Development Management Local Plan Policy DM G1.

Inclusive Access

- 6.17 The application has been considered in light of the London Plan (2015) policy 7.2 (Access for All) as well as the Council's local planning policies including Development Management Local Plan (2013) policy DM J4 (Disabled Persons' Parking) and Planning Guidance Supplementary Planning Document (SPD) Design Policy 1 (Inclusive Design) and Transport Policies 9 (Blue Badge Parking) and 22 (Access for All).
- 6.18 The applicant has submitted relevant details such as the internal layout of the drivers' facility, location of external doorways and general circulation areas, which provide the design principles in relation to, in particular: getting to and from a development, moving around a development, entering a development and getting use of facilities (including disabled toilets).
- 6.19 It is recommended that in case planning permission would be granted, a condition is added for the submission of additional relevant details regarding inclusive access. It is considered that such a condition would ensure that the proposed development is in line with London Plan (2015) policy 7.2 (Access for All) as well as the Council's local planning policies including Development Management Local Plan (2013) policy DM J4 (Disabled Persons' Parking) and Planning Guidance Supplementary Planning Document (SPD) Design Policy 1 (Inclusive Design) and Transport Policies 9 (Blue Badge Parking) and 22 (Access for All).

Environmental Considerations

- 6.20 Policy 7.15 (Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes) of the London Plan (2015) requires how development proposals should seek to manage noise. Policies CC1 of the Core Strategy (2011) and Policy DM H9 of the Development Management Local Plan (Noise) aim to ensure that 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.

Surrounded by other planned uses, Officers consider that the proposal may result in noise and disturbance to neighbouring occupiers. A condition has been suggested by the Public Protection and Safety Officer, which is considered to bring the proposed development in line with policy 7.15 of the London Plan (2015), policy CC1 of the Core Strategy (2011), and policy DM H9 of the Development Management Local Plan.

- 6.21 Policy 7.14 (Improving Air Quality) of the London Plan (2015) requires that development proposals should be at least 'air quality neutral' and not lead to further deterioration of existing poor air quality, and Policies CC1 of the Core Strategy (2011), DM H1 (Reducing carbon dioxide emissions) and DM H8 (Air Quality) of the Development Management Local Plan (2013) seek to reduce the potential adverse air quality impacts of new major developments.
- 6.22 The safe and secure use of the proposed bus layover at its underground location require special arrangements for operational ventilation and for smoke extraction in case of a fire, and the applicant has provided Ventilation & Fire Suppression design principles, which will be further developed and submitted and assessed for Building Control purposes. The related Scope of Works report forms part of the application documents and it is recommended to add this document to the list of approved documents in case planning permission would be granted.
- 6.23 The emissions arising from the proposed bus layover in combination with the approved Westfield Phase 2 extension including the proposed realigned Ariel Way require appropriate management and the Council's Air Quality Officer has commented that the cumulative effects require re-assessment since the Westfield Phase 2 extension's most recent approval, due to changes in the updated traffic flow modelling. This requirement, as well as the subsequent appropriate specification of required mitigation concerning both the construction and operational phases of the development are therefore recommended as the subject of conditions in case planning permission would be granted, to ensure that the replacement bus layover development complies with Policy 7.14 of the London Plan (2015), policy CC1 of the Core Strategy (2011), and Policies DM H1 and DM H8 of the Development Management Local Plan (2013).

Refuse

- 6.24 London Plan (2015) Policy 5.17 (Waste Capacity), CC1 of the Core Strategy (2011), and Policy DM H5 (Sustainable Waste Management) requires that all development should minimise waste and provide convenient facilities with adequate capacity to enable the occupiers to separate, store and recycle their waste. No details of refuse and recycling facilities have been provided. It is implicit that refuse storage and collection will be facilitated within and from the proposed facility. A condition is recommended in case planning permission would be granted, which would ensure that all refuse storage is contained within the curtilage of the facility and only brought out on collection days. With this condition in place, the proposal would therefore be considered to comply with London Plan (2015) Policy 5.17 (Waste Capacity), CC1 of the Core Strategy (2011), and Policy DM H5 (Sustainable Waste Management).

Sustainable Development

- 6.25 Policy 5.3 (Sustainable Design and Construction) of the London Plan (2015) requires major development proposals to meet minimum standards outlined in the Mayor's supplementary planning guidance. Policy CC1 of the Core Strategy (2011), and Policy DM H2 (Promoting sustainable design and construction) of the Development Management Local Plan (2013) require the implementation of sustainable design and construction measures.
- 6.26 The proposed development forms an integral part of the local public transportation bus network, which by its very nature aims to provide sustainable transportation. The replacement facility would ensure that there would be continuity of bus services when the newly aligned Ariel Way crosses over land on which the current bus layover is located.
- 6.27 Although no details have been provided as part of the planning application, the applicant has confirmed that future adaptability for electric vehicle charging via passive provision forms part of the brief for the proposed development and relevant measures will be installed from the outset. Apart from benefiting the continuity of the local bus services, the use of electric vehicles, which will be facilitated by associated charging facilities would enable a reduction in adverse environmental impacts such as air and noise pollution, and consequent public health benefits. It is recommended that in case planning permission would be granted, the recommended condition for passive electric charging provision in relation to transportation issues, is further justified by the improvement of the proposed bus layover's environmental performance in accordance with sustainable development principles.
- 6.28 The proposed scheme has been assessed within other parts of this planning considerations section, in relation to air quality, noise, transportation and waste. As a consequence, the related recommended conditions also enforce associated objectives for sustainable development, in order that the replacement bus layover would be implemented in accordance with London Plan Policy 5.3, Core Strategy Policy CC1, and Policy DM H2 (Promoting sustainable design and construction) of the Development Management Local Plan (2013).

Cumulative Development and Phasing

- 6.29 The proposed bus layover is intended to operate in tandem with other developments that are being brought forward on the Westfield Phase 2 extension site. The above assessment of the principle of the development in conjunction with the current Ariel Way road scheme and the extant outline planning permission scheme for the large-scale mixed use redevelopment of the site has already provided an assessment of the associated matters for consideration, including the effects on the DIMCO building and its setting, the efficiency of the local highways network and the continuity of public transport services, and environmental effects.
- 6.30 There is critical dependency of the proposed bus layover's successful operation on the timely delivery of the newly aligned Ariel Way, which will connect it to the wider bus infrastructure, including the nearby White City bus station. Similarly, the elevated position of the proposed bus layover above the basement of the Westfield Phase 2 extension requires that the level below must first be completed.

It is recommended that in case planning permission were granted, the full phasing details for the implementation of the proposed scheme alongside the Westfield Phase 2 extension (Ref: 2015/02565/VAR) and the proposed road layout realignment (Ref: 2015/05684/FUL), along with the requirement to implement in this way, will be stipulated in a Section 106 Agreement.

Planning Obligations

- 6.31 The council is obliged to assess planning proposals against the policies and standards contained within the Development Plans for the area and to consider any other material planning considerations. In some instances, it may be possible to make acceptable development proposals which might otherwise be unacceptable, through the use of planning conditions or, where this is not possible, through planning obligations.
- 6.32 If the application were considered acceptable in all other respects, it is recommended that the applicant should enter into a legal agreement with the council with respect to the following heads of terms.
- Implementation of the road realignment of Arial Way subject to 2015/05684/FUL and completion in respect of all aspects relating to the re-provision of the bus layover facilities;
 - Phasing of the replacement layover facilities and the Road Realignment scheme (Ref: 2015/05684/FUL), and the phasing out of the existing bus layover facility at the DIMCO East building.
 - Submission, consideration and approval of details in respect of ancillary space related to Plot C pursuant to application Ref: 2015/02565/VAR at the same time as the relevant reserved matters application.

7.0 EQUALITIES IMPACT

- 7.1 As referenced earlier in this report, the Council's statutory duty under the Equality Act 2010 applies to planning decision making. In the consideration of all planning applications the Council has to have regard to all relevant planning policies available at the time unless material considerations indicate otherwise.
- 7.2 The protected characteristics to which the Public Sector Equality Duty (PSED) applies now include age as well as the characteristics covered by the previous equalities legislation applicable to public bodies (i.e. disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, sexual orientation, religion or belief and sex).
- 7.3 Section 149 of the Equality Act (2010) requires the Council to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. This means that the Council must have due regard for the impact on protected groups when exercising its functions, and case law establishes that this must be proportionate and relevant, and does not impose a duty to achieve results.

7.4 It is considered that access into and within the proposed development and the provision of suitable facilities are principal matters in relation to the equality impact of the application scheme and these matters have been assessed at sections 6.17 - 6.19 of this report, leading to a recommendation for the submission of further relevant details for assessment by the Local Planning Authority. In conclusion, it is considered that LBHF has complied with section 149 of the Equality Act and has had due regard to provision of the Equality Impact of the proposed development in its consideration of this application.

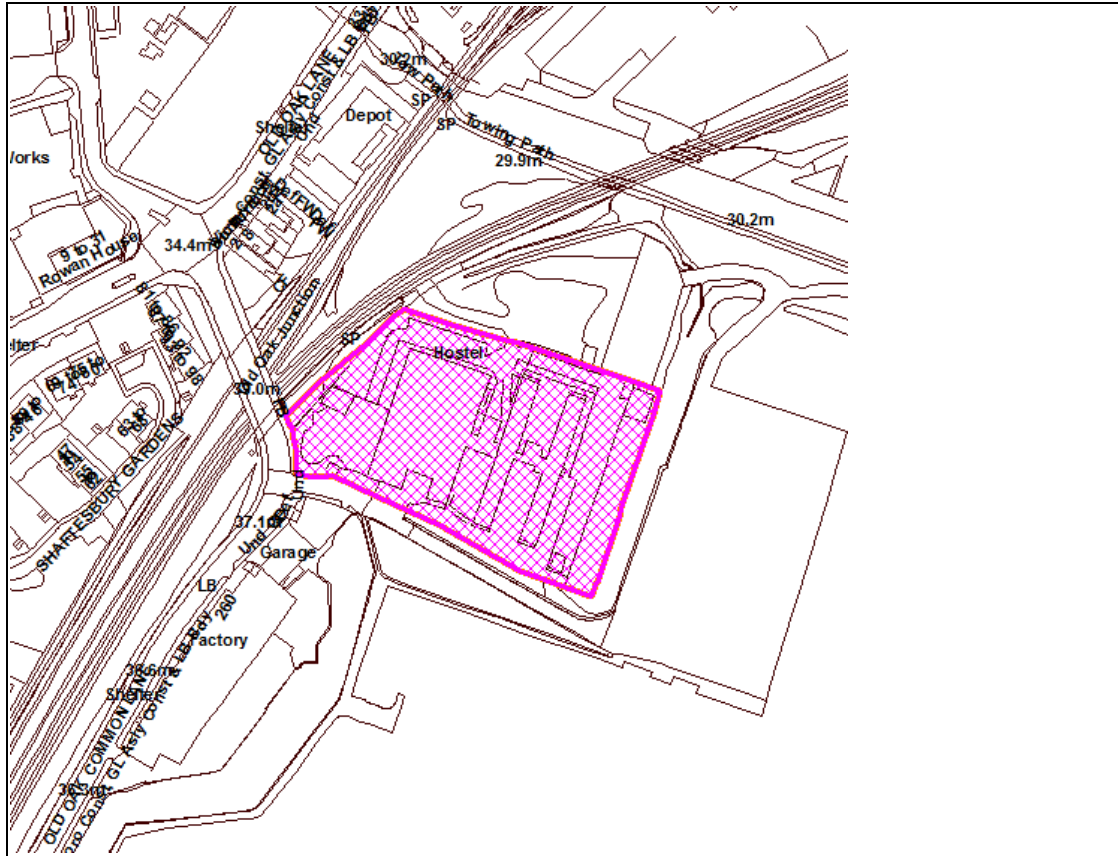
8.0 RECOMMENDATION

8.1 Grant permission, subject to s106 agreement and conditions.

Ward: College Park And Old Oak

Site Address:

Oaklands House Old Oak Common Lane London NW10 6DU



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For identification purposes only - do not scale.

Reg. No:
2016/00539/OBS

Case Officer:
Sara Dawes

Date Valid:
03.02.2016

Conservation Area:

Committee Date:
06.04.2016

Applicant:

Genesis Housing Association And Queen's Park Rangers Holding
C/o Agent

Description:

Demolition of existing structures and redevelopment of the Oaklands House site to include 3 mixed-use blocks, ranging in height from 6-26 storeys. The combined scheme comprises 611 residential units (Use Class C3) and 3,500 sqm of in part double height commercial floorspace, providing a flexible range of uses (Use Classes A1, A2, A3, A4, B1, D1 and D2). The scheme provides 120 underground car parking spaces, 1,080 cycle spaces, amenity space, landscaping and associated public realm. A new site access road is proposed linking the existing access road and Old Oak Common Lane.

Drg Nos: 1997-00-DR-0099-P02; 1997-00-DR-0100-P02;1997-00-DR-0101-P02; 1997-00-DR-0102-P02;1997-00-DR-0103-P02; 1997-00-DR-0104-P02;1997-00-DR-0106-P02; 1997-00-DR-0107-P02;1997-00-DR-0110-P02; 1997-00-DR-0111-P02;1997-00-DR-0112-P02; 1997-00-DR-0113-P02;1997-00-DR-0118-P03; 1997-00-DR-0119-P02;1997-00-DR-0124-P02; 1997-00-DR-0199-P02;1997-00-DR-0400-P02; 1997-00-DR-0402-P02;1997-00-DR-0404-P02; 1997-00-DR-0450-P02;1997-00-DR-1099-P02; 1997-00-DR-1100-P02;1997-00-DR-1101-P02; 1997-00-DR-1102-P02;1997-00-DR-1103-P02; 1997-00-DR-1104-P02;1997-00-DR-1106-P02; 1997-00-DR-1107-P02;1997-00-DR-1110-P02; 1997-00-DR-1111-P02;1997-00-DR-1112-P02; 1997-00-DR-1113-P02;1997-00-DR-1118-P03; 1997-00-DR-1119-P01;1997-00-DR-1124-P02; 1997-00-DR-1199-P02;1997-00-SC-1001-P03; 1997-00-SC-2000-P03;1997-10-DR-0601-P03; 1997-10-DR-0602-P03;1997-10-DR-0650-P02; 1997-20-DR-0601-P03;1997-20-DR-0602-P03; 1997-20-DR-0603-P03;1997-20-DR-0650-P02; 1997-30-DR-0601-P02;1997-30-DR-0650-P02; Planning Statement (Jan 2016) by NQP Development Services; Design and Access Statement (Jan 2016) by CZWG LLP;Transport Statement (Jan 2016) by Tim Spencer Co; Statement of Community Inv (Dec 2015) by Forty Shillings; Environmental Statement Vol 1, Vol 2 (Jan 2016) by Savills.

Application Type:

Observations to Other Borough

Officer Recommendation:

1. That officers be authorised to submit comments to the OPDC in accordance with this report and seek to secure planning conditions and obligations as noted below.
2. That authority be delegated to officers to supplement LBHF's comments following the Regulation 22 consultation and to seek any further appropriate mitigation whether by condition or planning obligation.
3. That no objections be raised subject to the following matters being resolved and secured by Section 106 agreement or condition:

S106 Agreement

1. LBHF to be signatory to the S106 agreement.
2. Affordable housing
 - a) The maximum reasonable proportion of affordable housing with a minimum of 33% affordable housing comprising 202 residential units (61 social rented, 61

affordable rented and 80 shared ownership units) to be secured at an appropriate level sufficiently in line with the affordability criteria as set out in the LBHF Housing Strategy 2015 and in an appropriate mix of unit sizes.

b) Review mechanism to test the viability, to secure a contribution to off-site affordable housing or other infrastructure (in OPDC area) if found viable.

c) LB Hammersmith and Fulham to have full nomination rights to all affordable housing secured in a Nomination Agreement under Section 609 of the Housing Act 1985

d) To secure the provision Part M4 (2) standard units for disabled occupants.

3. Infrastructure contribution

a) An appropriate infrastructure contribution in order to mitigate the effects of the development, including contributions towards education and healthcare (could be provision of healthcare floorspace).

4. Transport

a) An appropriate contribution towards delivery of transport infrastructure improvements, and pedestrian and cycle improvements in the vicinity

b) Provision of 'Genesis' Road to LBHF adoptable standards

c) S106/S278 works for the highways improvements.

d) Travel Plan Framework and monitoring costs (approx. £1,000 per year)

e) Parking contributions associated with: surveying and analysing of the parking stress in the area, and contributing towards due process of introducing the new Controlled Parking Zone (CPZ), exclude all residential units from purchasing CPZ permits of the new zone and any future alterations to this zone

f) Provision of a minimum no. of on-site car parking spaces for car club vehicles

g) To facilitate the formation of a working group with the relevant landowners, stakeholders, OPDC, TfL, and the Highways Authorities to deliver the final Genesis Road

5. Employment and Training clauses and the provision of affordable workspace to be secured.

a) provision of apprentice/paid work experience/paid work trials

b) affordable workspace

c) target of 50% nursery jobs (if provided) to be offered to unemployed LBHF residents

d) submission of Jobs, Employment and Business Strategy

6. Air quality contribution (if required - dependant on revised air quality chapter in ES and confirmation of air quality impacts)

Matters to be resolved/further information required

1. Updated air quality chapter in ES required to reflect comments by OPDC environmental consultants and LBHF and suitable mitigation measures to be secured.

2. Updated Microclimate chapter in ES required, including a wind tunnel test, and suitable mitigation measures to be secured if required.

3. Updated social infrastructure chapter including assessment of education and healthcare.

3. Updated daylight/sunlight chapter in ES required including overshadowing assessment to proposed amenity spaces.

4. Improvement and further refinement to the detailed design of Block B

Conditions - LBHF to be consulted on submission of detail applications

1. Phasing plan

2. Commercial floorspace and mix of uses
3. Total residential units
4. Contaminated land - preliminary risk assessment, site investigation scheme, qualitative risk assessment, remediation method statement, verification report, long term monitoring report
5. Piling method statement
6. Construction Management Plan
7. Play equipment and surfaces of outdoor play spaces
8. Road layout
9. Surface water drainage scheme, SUDS
10. Samples of materials inc. brick and stone bonds, mortar colour, pointing, expansion joints, a sample panel of each brick type to be erected on site.
11. Details of typical bays 1:20,
12. External surfaces/boundary treatment, inc. entrance into the site, temporary site boundary to the north and south
13. Hard and soft landscaping
14. SuDs Strategy
15. Green, brown and blue roofs
16. Refuse storage / collections
17. Inclusive Access Management Plan (IAMP)
18. Statement of compliance with the Mayor's Housing Standards
19. Sound insulation - separation of communal areas from residential, noise sensitive uses and non-residential
20. Noise assessment - external noise levels and sound insulation of building envelope
21. Vibration levels and mitigation, ant vibration isolators
22. External noise level of plant and machinery
23. Air Quality - construction and demolition environmental management plan, a low emissions strategy, pre installation details for combustion plant, prior to occupation details/testing for combustion plant, filtration of emissions from underground car parking, Mitigation methods e.g. mechanical ventilation (with NOx filtration/ air drawn from a higher level)
24. Wind microclimate mitigation
25. Sustainable Design and Construction Statement
26. Litter bins, benches and signage
27. Cycle Parking
28. Delivery/Servicing plan
29. Electrical charging points
30. Lighting
31. Secure by design
32. Energy strategy
33. Construction Logistics Management Plan
34. Car Parking Management Strategy (CPMS)
35. 10% wheelchair accessible parking spaces
36. Shopfronts - glass to be clear, no roller shutters
37. Level thresholds
38. No adverts
39. No antennae or satellites
40. No external alterations
41. Class A1 hours
42. No music audible
43. Ecological management plan

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

All Background Papers held by Andrew Marshall (Ext: 3340):

Application form received: 2nd February 2016

Drawing Nos: see above

Policy documents: National Planning Policy Framework 2012
The London Plan 2015
Core Strategy 2011
The Development Management Local Plan 2013
Planning Guidance Supplementary Planning Document July 2013

Consultation Comments:

Comments from:

Dated:

Neighbour Comments:

Letters from:

37 old oak lane Ealing Nw10 6EJ
14 Stoke Place Ealing NW10 6EH

Dated:

24.02.16
23.02.16

1.0 BACKGROUND

1.1 The Oaklands House site is located in Old Oak, within the London Borough of Hammersmith and Fulham. However, it falls within the Old Oak and Park Royal Opportunity Area which is expected to accommodate at least 24,000 new homes and 55,000 new jobs. The Old Oak and Park Royal Development Corporation (OPDC) are the planning authority.

1.2 LBHF have been consulted on the above planning application by the OPDC. The council is a statutory consultee for all applications within Old Oak that fall within our borough boundary. The application is for full planning permission and was validated by OPDC on 2nd February 2016.

1.3 The application is being brought to Planning and Development Control Committee (PADCC) to give members the opportunity to consider and endorse comments that officers recommend be submitted to OPDC.

1.4 The application is scheduled to be presented to OPDC's Planning Committee meeting for a decision on the 28th April 2016. In order for LBHF representations to be endorsed by LBHF PADCC members before this date, has meant that there has been a challenging timeframe for LBHF officers to consider the scheme.

1.5 It should be noted that there are a number of matters that at the time of the publishing of this report remain outstanding, that officers seek to be resolved before any grant of planning permission, should the OPDC be minded to.

SITE AND SURROUNDINGS

1.6 Oaklands house lies on the eastern side of Old Oak Common Lane. Access is achieved off Old Oak Common Lane, via the unclassified access road into the Crossrail Depot site. The borough boundary with LB Ealing runs up the eastern side of Old Oak Common Lane, with Old Oak Common Lane itself being within LB Ealing.

1.7 The site measures 1.18 hectares, and is bounded by the London Overground Railway line to the West, a triangle shaped piece of Network Rail owned land to the north (which separates the site's northern boundary from the Grand Union Canal, network rail land to the east (for future Crossrail depot and stabling), and the access road to the Crossrail Depot site to the south. Further south is the planned HS2 and Crossrail Old Oak Station interchange.

1.8 The application site is currently occupied by a number of derelict buildings. These consist of a range of 2-3 storey interconnected brick buildings that have been disused for the last 10 years.

1.9 The area immediately surrounding the sites is predominantly commercial/industrial in nature. There are some clusters of residential housing nearby, within LB Ealing.

1.10 The application site is not within a conservation area, but the Grand Union Canal conservation area, is approx. 80m to the north of the site.

1.11 The site has a Public Transport Accessibility Level (PTAL) of 3 (on a scale of 1 to 6 where 1 is the lowest and 6 highest). The site is approx. 950m from Willesden Junction station, and is also within 150m walk of bus stops on routes 228 and 266. North Acton station is 1km from the site so does not count towards the PTAL. There are also two more bus routes within a 600m distance which also do not count towards the PTAL.

PLANNING HISTORY

1.12 Oaklands house site was originally used as a railway workers' hostel, social club and canteen, for train drivers and railwaymen who worked on building and serving the railway. Paddington Church HA, the precursor to Genesis Housing Group purchased the 99 year lease in 1979 with a permitted use of offices. From 1982 it was also used as temporary accommodation, consisting of single rooms with limited facilities, and also as a local repair office for the Genesis property team until 2004, when the property was no deemed as being suitable for temporary accommodation and the ongoing maintenance requirements became unviable. It has been vacant since 2005.

1.13 Planning permission was approved 21.09.2001 for the installation of temporary building for additional office space (2001/01817/FUL)

1.14 Planning permission was refused 15.11.2001 for conversion of three 1st floor flats to office space (2001/01838/FUL)

1.15 Planning permission was granted 26.11.2004 for the retention of five prefabricated buildings as offices used in connection with a highways maintenance depot, for a further temporary period of three years (2004/02234/FUL). This relates to the site to the north of the application site.

Details of the proposal

1.16 The proposal is a full planning application for:

“Demolition of existing structures and redevelopment of the Oaklands House site to include 3 mixed-use blocks, ranging in height from 6-26 storeys. The combined scheme comprises 605 residential units (Use Class C3) and approximately 3,500 sqm of in part double height commercial floorspace, providing a flexible range of uses (A1, A2, A3, A4, B1, D1 and D2). The scheme provides 120 underground car parking spaces, 1,080 cycle spaces, amenity space, landscaping and associated public realm. A new site access road is proposed linking the existing access road and Old Oak Common Lane.”

1.17 Genesis is the long leasehold owner of Oaklands. It has entered into a Joint Venture (JV) with QPR to deliver the project as the first major phase of the wider regeneration of the Old Oak Common area. CZWG are the architects for the scheme.

1.18 The scheme would be made up of three main blocks (A, B and C). Block A is located on the western edge of the site and would be 18 (counting the double plus height ground floor as two storeys), 12, 10 and 6 storeys in height. The tallest part of this Block would be located at the site access at the south. Block A would be bounded by the railway line to the west and Genesis Road to the east. Block B would range in height from 27 storeys at the access, framing the entrance at Genesis Road with the 18 storey of Block A. The remainder of Block B along Genesis Road would be 10-12, with the top two storeys set back, and 6 storeys along the southern boundary.

1.19 Block C would run north to south along the eastern boundary and would be 10-12 storeys with top two storeys set back, and the middle section dropping to 6 storeys. Communal amenity space would be provided at grade between blocks B and C, and on roof gardens.

1.20 The proposed development includes a 20m wide two way road, providing access from Old Oak Common Lane at the south west of the site via the crossrail access road. As neighbouring sites are developed, it is envisaged that Genesis Road will be extended north, across the canal, providing a key link road into the main OPDC development area.

1.21 The proposed affordable housing offer is 33% (202 residential units), comprising 61 social rented, 61 affordable rented and 80 shared ownership. The remaining 403 units will be for a private rent scheme (PRS). Genesis housing association are the applicants and will manage the housing.

SUPPORTING DOCUMENTS

1.22 The planning application documents comprise the following:

- Planning application forms
- Planning statement
- Design and access statement
- Detailed drawings
- Transport Assessment
- Townscape views assessment
- Statement of Community Involvement
- Rapid health assessment

1.23 The applicant submitted an accompanying Environmental Impact Assessment (EIA); including an Environmental Statement, which addressed the following topics:

- 1) Introduction
- 2) EIA scope and methodology*
- 3) The location and project site
- 4) The project description*
- 5) Phasing, construction and implementation*
- 6) Air quality*
- 7) Archaeology and heritage*
- 8) Daylight, sunlight and overshadowing*
- 9) Ecology*
- 10) Microclimate*
- 11) Noise and vibration*
- 12) Socio-economics*
- 13) Soil conditions, groundwater and contamination*
- 14) Townscape and visual*
- 15) Traffic and transport*
- 16) Water environment*
- 17) Summary of residual effects

1.24 It is the OPDC's responsibility to review and assess the Environmental Impact Assessment. The OPDC have appointed environmental consultants AECOM to assist in the assessment of the EIA. The initial feedback from AECOM is that there are a number of issues and inadequacies in the ES that need to be addressed and relating to the chapters above marked with a *. Some of these are minor points requiring clarification, but others are more significant, requiring further assessments to be carried out. The key issues for the council will be picked up in the relevant sections below.

1.25 At the time of writing this report, the applicants team were amending and updating the ES to address the issues raised. These amendments will require a Regulation 22 consultation, and the council will have the opportunity to comment, however it will not be possible to present further comments to PADCC due to the timing of the OPDC Planning Committee. Accordingly, it is recommended that authority be delegated to officers to supplement LBHF's comments following the Regulation 22 consultation and to seek any further appropriate mitigation whether by condition or planning obligation.

AMENDMENTS TO THE SCHEME

1.26 There have been a number of amendments to the scheme made since original application submission in response to issues raised by OPDC and LBHF officers, including:

- Ground Floor Layouts have been developed to include indicative commercial spaces.
- The commercial frontage on the southern elevation of Building A1 has been brought forward to line up with the building above.
- The communal entrance hall of building B1 has been widened.
- Duplex apartments have been added to the ground floor and first floors of Building B3. These have front doors to the street which activate the south and east frontages. This update results in a net loss of 2 apartments from the overall unit numbers.
- The duplexes make a continuous frontage on ground and first floors between Buildings B1 & B3 and around the SE corner of B3.
- The communal amenity space and light well next to it have been reconfigured. One option for the external terrace at first floor is the external play area for the potential Nursery school.
- A projecting roof canopy has been added to the café on the south frontage of Building B1.
- The triple height window openings in building B have been amended in elevation so that they no longer step up around the building. The sizes and widths of window openings remains unchanged in plan.
- The internal layouts of levels Building B1 levels 18 - 21 have been amended to match Levels 22 – 25. This results in a net loss of 4 apartments.
- The hard landscape beneath building A1 has been adjusted. The flight of steps is removed and spread more gradually north
- The upper two floors and the northern corner of building B2 has been redesigned so that the turret element has been altered to be more repetitive of the floors below. This results in a net increase of two flats.
- An alternative facade is being proposed for the car park ventilation to the north south and east elevations of Building C. Continuous perforated brickwork is proposed as more appropriate to the 'garden' aspect of this frontage. It is envisaged that this wall will support planting / greening

The changes result in a reduction of the overall number of residential units from 611 to 605, with the number of affordable units staying the same.

2.0 PUBLICITY AND CONSULTATIONS

2.1 This application was submitted to OPDC who are the Local Planning Authority, and it is their statutory duty to consult on the planning application.

2.2 LBHF have been consulted as statutory consultees on this application that was made to OPDC who are the Local Planning Authority. Therefore, OPDC have carried out the statutory consultation process.

2.3 OPDC sent individual letters of notification to 582 properties, and posted 5 site notices around the site. They also sent letters to statutory consultee, residents associations and amenity groups including the following in LBHF:

Friends of Wormwood Scrubs

H&F Disability Forum

H&F Clinical Commissioning Group

Hammersmith Society

Grand Union Alliance

To date the OPDC has received no response from the above.

2.4 LBHF have received 2 letters of representation relating to this application, both from Ealing residents, raising objections on the following grounds:

- Height, scale, mass and design
- Overshadowing

2.3 There has been a good level of engagement by the applicant with LBHF officers throughout the pre-application and planning application process. LBHF officers have been involved in joint pre-application and application discussions with the applicant and OPDC officers throughout the process.

3.0 PLANNING CONSIDERATIONS

3.1 LBHF have been consulted on the above planning application as a statutory consultee. The application is within LBHF and as such if granted has potential impacts on the borough and the services LBHF provides. It is considered that the key considerations for LBHF relating to this application are:

- Principle of development
- Commercial floorspace
- New Housing
- Standard of accommodation
- Impacts on residential amenity
- Design
- Highways and transportation
- Environmental Considerations
- Social infrastructure
- S106 Heads of Terms

3.2 The 2011 Localism Act provided the Mayor with powers to set up Mayoral Development Corporations. The OPDC was established by a Statutory Instrument in January 2015, and was granted planning powers through a further Statutory Instrument in March 2015. The OPDC came into existence on 1 April 2015. On this date the OPDC became the local planning authority for the area, taking on planning functions including plan making powers and determination of planning applications.

3.3 Currently the relevant development plan documents for this area consist of the London Plan (March 2015), LBHF Core Strategy (2011) and Development Management Local Plan (2013). Supporting the London Plan is the Old Oak and Park Royal Opportunity Area Planning Framework (adopted as Supplementary Planning Guidance (SPG) to the Mayor's London Plan in November 2015). In addition the OPDC has recently published its Draft Local Plan under Regulation 18 (consultation 4 February to end March 2016). LBHF also published its Draft Local Plan under Regulation 18 in January 2015.

3.4 Upon establishment of the OPDC on 1 April 2015, the Local Authority Development Plan Documents (DPDs) have material weight contingent with the stage that the document had reached in its adoption process upon the OPDC's establishment, that is if the document had been adopted prior to the establishment of OPDC, it would

have greater weight than a document that had been consulted on but not adopted. New or emerging Local Authority DPDs progressed after the establishment of OPDC do not have any new or additional material weight in the MDC area. As the OPDC develops its Local Plan, the weight of Local Authority DPDs and Supplementary Planning Documents (SPDs) will diminish as they are countered by the growing material weight of the OPDC's Local Plan.

3.5 Until the OPDC Local Plan is adopted, the LBHF Core Strategy (2011) and the Development Management Local Plan (2013) will be the adopted DPDs together with the London Plan.

3.6 The LBHF Draft Local Plan includes policies for the OPDC area, however the OPDC has more recently published policies for this area. The more recent OPDC policies are considered to have more weight than the LBHF Draft Local Plan, particularly as the proposed submission version of the LBHF Local Plan (Regulation 19) to be published later this year will exclude policies for the OPDC area.

3.7 As SPG to the London Plan, the Old Oak and Park Royal OAPF (November 2015) is a material consideration in the determination of planning applications in the OPDC area.

PRINCIPLE OF DEVELOPMENT

3.8 The application site is designated as being within the Park Royal Strategic Industrial Location (SIL), SIL type Preferred Industrial Location (PIL) and Industrial Business Park (IBP) as identified in the London Plan Policy 2.17. The London plan alongside the Old Oak & Park Royal OAPF (2015) identify the principle of SIL being consolidated and intensified at Park Royal. The official de-designation process for SIL in Old Oak would be dealt with through ODPC's Local Plan, and this is proposed in the OPDC Draft Local Plan (2016).

3.9 Old Oak Common was designated an Opportunity Area in the London Plan. Annex 1 of the London Plan (2015) sets a homes and jobs target for the Old Oak Opportunity Area of a minimum of 24,000 homes and 55,000 jobs. Assessments carried out by OPDC suggest that Old Oak and Park Royal combined could accommodate the delivery of 25,500 homes and 65,000 jobs. This is echoed in the Old Oak and Park Royal OAPF and the OPDC Draft Local Plan. A key objective in the OAPF and OPDC Draft Local Plan is to deliver a thriving new centre at Old Oak with much needed homes, a mix of employment space and associated social and physical infrastructure. Therefore the principle of a residential led mixed use scheme on this site is acceptable.

3.10 The proposed development involves the loss of a hostel and offices. The buildings have been vacant for over 10 years, and in the above policy context, the council considers that the loss of the hostel and office space is acceptable, and that a mixed use development of the site is acceptable in principle, and complies with LBHF DMLP policy DM A6.

3.11 The OAPF illustrative masterplan identifies a key route through the Old Oak Park area providing a northeast to southwest route via a new bridge over the Grand Union Canal. The proposed development would create a new access road through the site, in accordance with the OAPF, which would serve the development in the first instance, and design with built-in flexibility to be adapted in the future when needed to function as

a key route and accommodate buses, and general traffic through to the development sites to the north.

COMMERCIAL FLOORSPACE

3.12 The proposal seeks to provide 3,500sq.m of commercial floorspace, at the ground and lower floors of Block A and B. The application is seeking flexible uses on its commercial floorspace to allow it to cater for existing local need and the future needs of the Oaklands community. The applicant anticipates that the commercial floorspace will generate approximately 100 new jobs on use classes A1, A2, A3, A4, B1, D1 and D2. The exact mix of floorspace has not been specified at this stage to allow flexibility. The provision of employment floorspace is acceptable in principle.

3.13 It is important that the Oaklands scheme generates a mixed and sustainable community from the outset. This is particularly important in the early years of regeneration before adjacent developments come forward. The commercial spaces will be retained by Genesis.

3.14 LBHF would seek the following to be secured by S106 agreement:

- Construction - provision of apprentice/paid work experience/paid work trials for construction jobs;
- Nursery (if provided) – 50% nursery related jobs to be offered to unemployed residents of LBHF with commitment of industry specific training being offered on the back of guaranteed interviews for LBHF residents;
- Smaller retail spaces – rent free period for community businesses;
- Affordable office space – contribution towards provision of business advice and support as appropriate for businesses taking space, including contribution for grant funding of business startups;
- Dedicated training space to train unemployed residents from immediate area to obtain jobs in wider OPDC area;
- Jobs, employment and business strategy detailing all the commitments and methodology for achieving (LBHF can provide a proforma for this).

3.15 LBHF welcomes the element of commercial floorspace, and seeks the above employment and training commitments, which should be secured by S106 legal agreement.

HOUSING

3.16 The application proposes 605 residential units. The proposed development would contribute towards meeting the established London Plan and OPDC target of 24,000 homes in the Old Oak and Park Royal Opportunity Area.

Housing density

3.17 London Plan Policy 3.4 (Optimising Housing Potential) seeks to ensure that housing developments achieve the maximum intensity of use while taking account of local context and character, public transport accessibility and the attainment of a high quality design. Density guidance is provided in Table 3.2, which outlines a density range of 70-170 units per hectare for urban sites with a PTAL of 2-3, 70-260 for PTAL 4-6, and for central locations 100-240 u/ha for PTAL 2-3 and 215-405 U/ha for PTAL 4-6.

3.18 Subject to the successful passage of the Hybrid Bill, a new HS2 station will be built at Old Oak Common, to the south east of the site. The proposed station is due to open in 2026 and will provide interchange with Crossrail and Great Western rail services. In addition two new London Overground stations have been proposed, one on the North London Line at Old Oak Common Lane and one on the West London Line at Hythe Road. Public transport access will increase substantially when the new stations are operational.

3.19 The London Plan (para. 2.62) highlights scope for large sites to determine their own character in terms of residential densities. The Housing SPG 2016 (para. 7.5.5) states the potential for increased densities should be positively explored and enabled on large sites and in opportunity areas. To this end, the Old Oak and Park Royal OAPF (Principal 004) provides a strategy for the distribution of density of residential development to occur within Old Oak. The Oaklands site is identified as an area where 'higher density' of approximately 550 units per hectare would be appropriate. The OPDC Local Plan policy OSP4: (Densities and building heights) and Figure 18 also identifies the Oaklands site as being able to accommodate in the region of 550 units per hectare.

3.20 The proposed development results in a density of 513 units per hectare which is within the 550 u/ha set out in the OAPF and OPDC Draft Local Plan.

3.21 An assessment of the standard of residential accommodation is set out in more detail below within the relevant section. It confirms that the proposals would deliver housing of an acceptable quality which would comply with planning policy guidance relating to standards of accommodation. Design is also discussed further in the report and Officers conclude that the proposed development meets a high standard of architecture and urban design. Transport and amenity space issues are also considered below. Subject to the resolution of a number of matters being resolved, and a number of recommended conditions and obligations, officers consider the proposed quality of accommodation, design, transport impact and open space provision to be acceptable. Furthermore the proposed development is expected to contribute to local place making within the OA.

3.22 In conclusion, whilst the proposed density is very high, officers raise no objection to the proposal on this ground given the vision for the Opportunity Area and significant future improvements to public transport accessibility.

Affordable Housing delivery

3.23 London Plan Policy 3.11 (Affordable Housing Targets) sets a London wide affordable housing target of at least 13,200 more affordable homes per year. The policy advises that 60% of new affordable housing should be provided for social or affordable rent and 40% for intermediate rent or sale, with priority accorded to the provision of affordable family housing. The London Plan addresses the introduction of affordable rent, with further guidance set out in the Housing SPG. With regard to tenure split the Mayor's position is that both social rent and affordable rent should be within the 60%.

3.24 London Plan Policy 3.12 (Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes) seeks negotiation to secure the maximum reasonable amount of affordable housing within new development taking account of the individual circumstances including development viability.

3.25 Core strategy policy H2 (Affordability) sets a borough wide target that 40% of all additional dwellings should be affordable. LBHF Draft London Plan Policy HO3 (Affordable Housing) suggests that 60% of affordable housing should be social or affordable rent with the remainder as intermediate.

3.26 The application proposes 202 affordable units, which will be managed by Genesis Housing Association. It is proposed that of these 202 units, 61 will be social rented, 61 affordable rented and 80 will be shared ownership. The remaining 403 units will be for a private rent scheme (PRS) in the first instance, and the applicants intention is that after a period of time (5 years or more) will be sold on the open market.

3.27 The 33% provision is below the 40% policy requirement. The applicant has submitted a Financial Viability Appraisal (FVA) produced by Doug Birt Consulting, which seeks to justify the level of affordable housing proposed in the application. The OPDC have engaged Cushman and Wakefield as independent viability consultants to provide an independent review of the applicant's viability appraisal in order to advise whether the development is providing the maximum reasonable amount of affordable housing. Also, whether there is sufficient finance to deliver the necessary social and environmental infrastructure interventions to mitigate the effects of the development.

3.28 To date Cushman and Wakefield have not provided their final report, and viability discussions are ongoing between the applicant, OPDC and LBHF.

3.29 In relation to the on-site affordable housing, the applicant is proposing that the social rented units will be charged at Target Rent plus service charge which is around 50% of market rents. This would ensure that rent levels are sufficiently below Local Housing Allowance (LHA) levels. The affordable rented units are proposed to be charged at below LHA levels.

3.30 All of the shared ownership units would be affordable within the GLA's maximum income bracket. Using the affordable criteria of no more than 40% income spent on housing, a 4% interest rate, a 5% deposit and a 25% first tranche purchase, the one beds would be affordable to households earning up to £40,000. All of the shared ownership units would be affordable for households earning up to £50,000.

3.31 Currently there is no availability of public subsidy for the affordable housing.

3.32 Officers recommend that the maximum reasonable proportion of affordable housing, with a minimum of 33% affordable housing (202 residential units) be provided comprising 61 social rented, 61 affordable rented and 80 shared ownership units, be secured by Section 106 agreement.

3.33 Officers consider that LB Hammersmith and Fulham should be given full nomination rights via a nominations agreement, as would normally be the case with any development site within LBHF.

3.34 The applicant has provided a provisional tenure distribution schedule which indicates that the majority of the social rent and affordable rent units would be in Block C (46 and 39 units respectively), with the remaining SR (15) and AR (22) would be in Block B. The majority of the shared ownership units would be in Block B (60) with the remaining 20 units being in Block A. The private units would be provided across all

three blocks (142 in A, 160 in B and 101 in C). The applicant advises that the development is likely to be built in Block A, Block C then Block B order.

3.35 Officers seek a review mechanism in the S106 agreement to test the viability of phases 2 & 3 of the development and secure affordable housing contributions if found viable.

Housing mix

3.36 The following table sets out the applicants proposed housing mix.

Unit type	Private (PRS)	Social rent	Affordable rent	Shared ownership	Total
1 bed 2P	66	15	6	42	129
2 bed 3P	22	0	18	26	66
2 bed 4P	312	21	37	12	382
3 bed 5P	3	23	0	0	26
3 bed 6P	0	2	0	0	2
Total	403	61	61	80	605

3.37 London Plan Policy 3.8 (Housing Choice) seeks to promote housing choice by supporting residential development proposals which provide a mix of unit sizes and types.

3.38 Based on the LBHF housing needs assessment, the LBHF Development Management Local Plan (DMLP) Policy DM A3 and Housing Strategy (May 2015) seeks a mix of units, and specifies the preferred mix for affordable rented and intermediate. OPDC Local plan preferred policy option H3 (Housing Mix) sets out a preferred mix of housing sizes for overall affordable housing. This is based on a housing needs assessment of the three boroughs in the OA (Brent, Ealing and Hammersmith & Fulham). The preferred mix for LBHF and OPDC are set out in the table below along with the proposed mix.

	OPDC preferred mix all AH	<i>Proposed mix all AH</i>	LBHF preferred mix Aff Rented	<i>Proposed mix Aff Rented</i>	LBHF preferred mix Intermed	<i>Proposed mix Intermed</i>
1 bed	22%	31%	10%	17%	50%	52%
2 bed	24%	56%	40%	62%	35%	48%
3 bed	36%	13%	35%	20%	15%	0%
4+ bed	17%	0%	15%	0%	0%	0%

3.39 As can be seen from the table, 13% (25) of the total affordable units proposed would be family units containing 3 or more bedrooms (as defined in the London Plan and the LBHF DMLP), which is below LBHF and OPDCs preferred mix. However there are a significant proportion of larger 2 bed 4 person units. The application has been amended since original submission to provide more family sized affordable units (increase from 19 to 25 units), including the provision of 6 family sized duplex apartments with front doors on streets, which is welcomed.

3.40 Officer would prefer a higher proportion of family sized units that would meet the housing mix policies. However, given the high density of the scheme, number of units provided, and regeneration benefits of the scheme, the proposed mix is considered acceptable.

Private units

3.41 London Plan Policy 3.8(a1) seeks to provide positive and practical support to sustain the contribution of the Private Rented Sector (PRS) in addressing housing needs and increasing housing delivery.

3.42 All of the private units will be for a Private rented Sector (PRS) scheme for at least the first 5 years, which would be managed by Genesis Housing Group. PRS is preferred by the applicant, given the nature of the proposal as the first development in the OA, which would be delivered before the key infrastructure (stations) and adjacent development is likely to come forward. Officers consider that this will enable the scheme to generate a mixed and sustainable community from the outset.

3.43 Officers request that a review mechanism is secured by S106 agreement as set out in OPDC Local Plan policy H6 which is triggered in the event that the PRS units are sold on the open market.

Standard of accommodation

3.44 London Plan Policy 3.5 (quality and design of housing developments) requires that housing be of the highest quality. The Housing SPG (2016) sets out the Mayor's Housing Standards, incorporating the new national technical standards.

3.45 The applicant has provided a compliance statement showing the adherence to the standards. The proposals meet all the standards with the exception of those detailed below (units per core, natural light to internal corridors, daylight and sunlight, and air quality). Some matters cannot be confirmed until later in the design process, so a condition is recommended to secure adequate compliance.

Internal size and arrangement

3.46 Table 3.3 accompanies policy 3.5 of the London Plan and provides minimum sizes for residential units. The unit sizes within the proposed development all meet or exceed the minimum space standards. The development is considered acceptable in this regard.

3.47 There is a mix of dual and single aspect units, with 302 dual aspect and 303 single aspect units. There are however, a number (8 in Block B1, 8 in B2) of single aspect north facing units as defined by the Mayor's Housing SPG. (2.7% of overall scheme). These flats do not face due north, and have a north-westerly aspect. This is largely due to the constraints that the location and orientation of the new 'Genesis road' sets. None of the north facing single aspect flats contain 3 or more bedrooms. The provisional tenure distribution schedule indicates that the north facing units would be a mix of market (7 units), shared ownership (8 units) and affordable rent (1 units).

3.48 Given the above regeneration benefit derived from the access to be provided by Genesis Road, and that the units are of a good size, with logical layouts, floor to ceiling heights of 2.5m, and window sizes maximised, the proposed 16 single aspect north facing units are considered permissible.

3.49 Each unit has private amenity space in the form of a balcony or terrace which meet the minimum sizes set out in the London Plan.

3.50 The majority of the proposed cores do not serve more than eight units, however there are nine flats per core on the lower floors of three of the buildings (Blocks A1, C1 and C2).

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

Accessibility

3.52 All apartments have been designed to be compliant with Lifetime Homes standards, however, due to the heights of the buildings the transom heights of the windows have been set at 1200mm above finished floor level meaning that it is not possible to locate window operating controls of opening lights within 1100mm of finished floor level. All windows have a lower fixed light which runs down to 650mm above finished floor level, so a larger clear glazed panel is created.

3.53 Across the scheme 20% of apartments are designed so that they can be converted for occupancy by disabled occupants to Part M4 (2) standard. Disabled tenants in the rented apartments are to be given the option at the time that dwellings are let, and for the 10% shared ownership apartments, prospective purchasers will have the option as to whether their flat is fitted out as a wheelchair user spec to part M4 (2) standard or the standard unit. The disabled units should be secured by S106 agreement.

AMENITY SPACE

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

3.55 LBHF Core Strategy Policy H3 promotes shared amenity space in large residential developments. Core Strategy Policy OS1 seeks to ensure the provision of quality accessible and inclusive open space and children's play space, and policy BE1 seeks good quality public realm and landscaping.

3.56 OPDC Draft Local Plan policy D3: Open Space. Requires proposals to deliver public and communal open spaces that are supported by a clear and robust management strategy.

3.57 The amenity space for the development comprises a main communal amenity space 'Green Street', between Blocks B and C, measuring 1,431sq.m, roof top gardens totalling 3,114sq.m and a balcony or terrace for each residential unit (ranging from 5sq.m to 9sq.m).

Play space

3.58 The applicant anticipates that there will be approximately 171 children living in the development with 95 under the age of 5, 48 aged 5-11 and 28 children aged 12+, as calculated using the GLA child occupancy calculator. The applicant proposes to provide facilities for all the age groups on site. This equates to a total of 1708sqm comprising 953sqm for under 5s, 471sqm for 5-11 year olds and 284sqm for 12 + age group. The under 5s 'doorstep play' areas comprise 7 separate rooftop play spaces located on the three Blocks. The rooftop play spaces range from 90-155sq.m and include 1 area on Block A, 2 areas on Block B and 4 areas on Block C, so each Block would have direct access to playspace. The 5-11 play spaces are proposed at ground floor level in the main area of amenity space ('Green Street') between blocks B and C. The 12+ facilities are also proposed at 'Green Street', and includes a shooting hoop court. This approach is supported, and officers consider that the playspace, particularly 'Green Street' is very well thought out and would result in high quality amenity and playspace for the different age groups. Details of the play areas should be secured by condition.

RESIDENTIAL AMENITY

3.59 London Plan Policy 7.6Bd (Architecture) requires new development to avoid causing 'unacceptable harm' to the amenity of surrounding land and buildings, particularly in relation to privacy, overshadowing and microclimate. This is particularly important where tall buildings are proposed.

3.60 The residential properties closest to the application site are within LB Ealing. The closest LBHF residential properties are over 1 km away on Wulfstan Street and Braybrook Street to the south, and Scrubs Lane to the east.

Daylight, Sunlight and Overshadowing

3.61 The application is supported by a daylight, sunlight and overshadowing assessment in the ES. The assessment considers the potential impacts of the scale and layout of the proposed development upon the daylight and sunlight amenity of surrounding residential properties, as well as overshadowing. The issue of daylight and sunlight to proposed units within the development itself is also assessed.

3.62 London Plan Policy 7.6 states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy overshadowing and wind and microclimate. Policy 7.7 adds that tall buildings should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference.

3.63 The assessment has been undertaken in line with the guidance provided in the Building Research Establishment (BREE) document entitled 'Site Layout Planning for Daylight and Sunlight' (2011). In urban and city centre areas, BRE Guidelines advise that the guidance be applied flexibly and there are circumstances that will exist where a greater degree of obstruction to light on occasions be acceptable.

3.64 The Mayors Housing SPG (March 2016) states BRE guidelines should be applied sensitively to higher density development, especially in opportunity areas.....where BRE advice suggests considering the use of alternative targets. The Housing SPG acknowledges that fully optimising housing potential on large sites may necessitate

standards which depart from those presently experienced but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm.

3.65 The ES includes a daylight assessment using the BRE methods of calculating daylight to or within a room: Vertical Sky Component (VSC), and No-Sky Line method (NSL) or Daylight Distribution method, and the Average Daylight Factor (ADF) method.

3.66 The VSC is the most common method used for calculating daylight levels. It is a measure of the amount of skylight visible from the centre of an existing window serving residential buildings which look towards the site. The VSC measure the sky visibility from the outside face of a window and compares the amount of sky that would still be capable of being seen from that same position following the construction of the development. An unobstructed window will achieve a maximum level of 40%. The BRE guidelines advise that a good level of daylight is considered to be 27%, and state that daylight will be noticeably reduced if after the development the VSC at the centre of a window is both less than 27% and less than 80% of its former value.

3.67 The NSL is a measure of the distribution of daylight in an existing building within each of the main rooms. The NSL maps out the region within a room where light can penetrate directly from the sky, taking into account the size and number of windows. The BRE suggest the area of the working plane within a room that can received direct daylight should not be less than 80% of its former value.

3.68 To assess loss of sunlight to an existing building, the BRE guidance suggests that all main living rooms of dwellings, and conservatories, should be checked if they have a window facing 90 degrees of due south. The guidance states that kitchens and bedrooms are less important, although care should be taken not to block too much sun.

3.69 The Annual Probable Sunlight Hours (APSH) predicts the sunlight availability during the summer and winter for the windows of each habitable room that faces 90 degrees of due south. The BRE guidance states a window may be adversely affected if the APSH received at a point on the window is less than 25% of the APSH including at least 5% during the winter months and the percentage reduction of APSH is 20% or more.

3.70 For overshadowing, the BRE Guidelines require that at least 50% of any garden or open spaces should receive at least two hours of sunlight on 21 March. In addition, if following the completion of a development an existing garden/amenity area does not meet the suggested criteria and the reduction in the area which can receive some sun is more than 20% the loss of sunlight is likely to be noticeable.

Daylight, sunlight and overshadowing - Existing residential occupiers

3.71 The following sensitive receptors were identified for assessment:

- 2, 4, 6 and 8 Victoria Terrace

The properties are all in LB Ealing.

3.72 A relatively low proportion of windows achieve the VSC target as existing 12 out of 39 windows. This will be reduced further by the development. The ES concludes that out of the 38 windows tested, the development would have a negligible effect on 27 windows, a minor effect on 6 windows, a moderate effect on 4 windows and a major

effect on 1 window (no. 6 Victoria Terrace). The Daylight Distribution assessment concludes that the development would have a negligible effect on all 25 windows tested.

3.73 With regard to Annual APSH effects, of the 28 windows tested, 22 would experience negligible effects, 4 would experience minor effects, and 2 would experience moderate effects. For Winter APSH levels, 17 would experience legible effects, 2 would experience moderate and 9 would experience major (at 2, 4 and 6 Victoria terrace).

Overshadowing

3.74 As existing, the results demonstrate that the rear gardens of 2, 4 and 6 Victoria Terrace obtain more than 50% of the garden areas lit for two hours, exceeding the BRE guidelines. The rear garden of 8 Victoria terrace only receives 19% of the garden lit for two hours, which falls below the guidelines.

3.75 As proposed, all 4 rear gardens falls below the BRE guidelines, albeit that no. 2 Victoria Terrace only falls just below the target at 49%. Overall the ES concludes that the effect on the existing amenity areas would be a minor adverse significance.

3.76 Officers do not object to the proposals on these grounds, given the regeneration benefits of the scheme.

Daylight, sunlight and overshadowing – Future occupiers of the development

3.77 The ES also includes an analysis of the proposed residential units, which assess the daylight, sunlight and overshadowing.

3.78 For testing the light that would be received by proposed residential units ADF is most appropriate because the internal layouts and conditions are known. The ADF method uses a mathematical formula, and measures the general illumination from skylight and takes into account the size and number of windows, room size, room qualities and room use. The BRE test recommends an ADF of 5% or more if there is no supplementary lighting or 2% or more if lighting is provided. There are additional minimum recommendations for dwellings of 2% for kitchens, 1.5% for living rooms and 1% for bedrooms.

3.79 The ES only undertook a sample of alternate floors for testing. For Block A the 2nd (lowest hab room floor level), 4th, 6th and 8th floor levels were assessed. For Blocks B and C ground, 2nd, 4th, 6th and 8th floor levels were assessed. These are the results from the sample of rooms tested. It should be noted that the floor levels above those tested would obtain greater levels of adherence.

Daylight	Total rooms	Meet or exceed ADF recommendation	Values less than ADF
Block A	92 bedrooms	90 (98%) ≥ 1%	2 (2%)
	55 LKD	42 (76%) ≥ 2%	13 (24%)
Block A total	147 rooms	132 (76%)	15 (24%)
Block B	138 bedrooms	126 (91%) ≥ 1%	12 (9%)
	67 LKD	27 (40%) ≥ 2%	40 (60%)
Block B total	205 rooms	153 (74%)	52 (26%)
Block C	154 bedrooms	152 (99%) ≥ 1%	2 (1%)
	86 LKD	60 (70%) ≥ 2%	26 (30%)
Block C total	240 rooms	212 (88%)	28 (12%)

3.80 As can be seen from the table above, overall there is a reasonable level of adherence to the BRE guideline recommendations, given the scheme constraints such as the location and orientation of Genesis Road, and the high density nature of the scheme, and the provision of balconies for all residential units. However, there are a significant number of LKD's (the main habitable room where there is an expectation of good daylight), particularly in Block B (60% of those tested in Block B) that do not meet the recommended ADF values of 2% for kitchens.

3.81 With regard to sunlight, 57% (564) of the south facing rooms tested met the Annual Probable Sunlight Hours (APSH) guidance, and 76% met the winter sunlight guidance. For the APSH this ranged from 49% in Block A, 53% in Block B and 70% in block C. For winter it ranged from 74% in Block A up to 83% in Block C.

3.82 The ES states that while there are some rooms with levels below the guidelines, the proposed design has sought to balance the need for amenity provision by way of balconies, the architectural elevational considerations and other considerations. A 'without balconies' assessment should be submitted as part of the update to the ES to demonstrate that poor levels of daylight are as a result of the provision of private amenity space in the form of balconies.

3.83 In terms of overshadowing to the proposed amenity spaces, 6 areas were assessed. 5 ground floor areas and the large amenity deck on Block B. The main amenity area 'Green Street' between blocks B and C comply with BRE standards, and would receive a good level of sunlight. The proposed amenity space on top of Block B falls well below guidance under the sun on ground assessment. However an assessment of the transient overshadowing of amenity spaces has not been provided, so officers cannot assess the overall effect significance.

3.84 Officers have requested that the other amenity spaces on top of the various roofs are tested as part of the overshadowing assessment. AECOM have requested an assessment of the transient overshadowing of external and internal amenity spaces. To date, the updated ES information has not been received.

3.85 Until the remaining amenity spaces are tested and the transient overshadowing assessment are submitted, officers cannot fully comment on this aspect of the scheme.

DESIGN

3.86 The London Plan contains a number of policies relevant to design and heritage. Policy 7.4 requires consideration of local character. Regard should be had to the wider area, the scale, bulk, mass and orientation of surrounding buildings and streets. Policy 7.7 requires architecture to make a positive contribution to the public realm, streetscape and wider city space. Materials should be high quality and design should be appropriate to its context. Policy 7.7 is specific to tall buildings. It advises that they should be part of a plan-led approach to change or develop an area by identifying appropriate locations where they will not have a harmful impact on their surroundings. Tall buildings will normally be limited to sites with good public transport links (such as the CAZ, Town Centres, or Opportunity Areas), and where they will not affect the character of the area in which they would be sited. Finally, policy 7.8 requires that heritage assets are considered when reaching decisions.

3.87 The Old Oak and Park Royal Draft Local Plan contains design policies setting out that proposals will be supported that demonstrate the delivery of exemplar world class architectural and landscape design, having special regard to local character and context as well as to the creation of new character areas for places and neighbourhoods. The further detailed policy options generally correspond with the Hammersmith and Fulham Development Management Local Plan policies.

3.88 In terms of guidance on Tall Buildings – the joint national guidance produced by English Heritage and CABI is relevant. The guidance states that and in the right place tall buildings can make a positive contribution to the identity of areas and the skyline generally, and that they can be excellent works of architecture in their own right. The guidance goes on to say that they can serve as beacons of regeneration.

HERITAGE ASSETS

3.89 The surrounding industrial legacy of the Old Oak Park area provides the current setting for many of the assets identified in the applicants' heritage statement which is characterised by a low level and low density townscape with intermittent railway embankments and areas of vegetation allowing for long range views. The only identified impacts of the proposed development are on the setting of Grand Union Canal, Old Oak & Wormholt, and St Mary's (Cemetery) Conservation Areas within the London Borough of Hammersmith and Fulham which will be assessed in more detail in the chapter "Townscape Assessment". Historic England expressed in its response concern over the appropriateness of the chosen locations for the townscape views, in particular the views from St Mary's Catholic Cemetery within St Mary's conservation area and recommends that further views are tested in order to establish whether the setting of heritage assets would be impacted and to address views from principal footpaths, for example near to St Mary's Cemetery Chapel and from the landscaped areas to the north of the Crematorium and at the crossing in the garden to the south of the crematorium.

SCALE AND MASSING

3.90 The Oaklands site is earmarked for the highest residential density within the masterplan which would manifest itself by two proposed residential towers at its entry point in the south-west of the site. The two towers would form part of two larger blocks (plot A and B) that would be built alongside the road that runs diagonally through the site ("Genesis Road"). The vision for the road is that of a tree-lined boulevard with retail and commercial uses at street level that will link into the wider Old Oak Common area. A third, fully residential block would be built along the eastern boundary of the site where it would be accessed from the northern end of Genesis Road on the site. Plots B and C would be separated by the "Green Street", a public open space that in future would continue north towards the canal.

3.91 The southern side boundary runs along the existing Crossrail access road. Future links of the site with the area to the south are undeveloped at this stage, however, the proposed site layout provides opportunities for connecting public realm and green spaces.

3.92 The proposed blocks on the 3 plots would be arranged to create a local community that would be knitted together by a hierarchy of open spaces, community facilities and common building design features. With the exception of the two towers, building heights along the southern boundary are at their lowest to maximise sunlight into the centre of

the site. For the remainder of the blocks a consistent medium height is proposed (“shoulder buildings”). Plot A would consist of a 18-storey tower, a 12-storey block and two lower blocks that form a continuous built form along Genesis Road while creating low podiums to the rear facing the rail line to provide semi-private open space for the block’s residents. The breaking up of the rear of the blocks would visually reduce the impact of the massing on the residential areas to the west. The central block B would consist of a 27-storey tower that would act as the focal point of the scheme, complemented by a 12-storey block and a 6-storey element which together form a triangle. The lower central area of the block would provide potential for including larger floorplates for commercial and community uses, with external amenity spaces on the roof that would visually link to the Green Street. Plot C would have two connected blocks of 10 and 12 storeys respectively, that define the eastern edge of the site.

3.93 The Design Council, in its Place Review undertaken during the pre-application process, welcomed the breaking up of the massing to allow sunlight to penetrate into the open spaces and blocks. The legibility of the arrival point at Genesis Road in the south-west of the site and in particular the two towers placed as a marker of the site and the wider Opportunity Area was considered to be successful. The Design Council recommended to consider the impact of wind on the street and open spaces, to maximise open space at grade by providing secondary green corridors and to develop the character of the area in the detailed design of the buildings.

3.94 The proposed massing and layout concept combines variations of urban density with a network of public and private open spaces on different levels in order to create a new townscape context that aims to sit comfortably within the existing and future context and to achieve a high residential quality while maximising density and connectivity.

BUILDING DESIGN

3.95 All proposed Oaklands buildings would be clearly characterised by brick facades with punched window openings. Both blocks A and B would have a prominent, commercial base emphasised by full height glazing flush with the upper facades to encourage a strong relationship of the commercial uses along the main road to the street scene. Common features to all residential facades create a design family that establishes the character of the built form, such as rounded corners emphasised by reflective salt glazed brickwork, inset corner balconies for a sleek form of the tall elements, projecting balconies for a further layer of detail in the lower blocks as well as contrasting stone banding and cills for depth and definition.

Plot A

3.96 The distinguishing feature of this block of buildings is the clear horizontal, brown glazed brick banding. The various shapes and heights of the individual elements of the block would be legible in longer views by retaining clear edge and roof lines.

3.97 The tall element with its clear horizontal façade orientation and curved features would have a strong, solid expression that appears calm and elegant on its own and in context with the lower parts of the block. A striking feature of tower A is the cantilever of the upper floors over the pavement at the entrance into Genesis Road supported by large round columns. The base plate of the residential floors, the soffit and columns would be clad in decorative, patterned concrete. The cantilever creates an elegant

curve in the elevation and directs the street views along Genesis Road towards south through the columns, strongly defining the entry point into the site.

Plot B

3.98 The composition of the block of buildings is more complex, forming a triangle that includes the tallest tower as the main marker of the site within the wider Old Oak Park area. The lower buildings in this block have individual features that strengthen the local character, such as stone coloured glass reinforced concrete cladding to the recessed two top storeys and the “weaving” feature banding of the pre cast stone cladding to curved balcony edges and spandrels. The block forms a central green podium above the large commercial lower floors that would be visually connected to the green street. This block would be characterised by black glazed brickwork and the use of 3-storey high vertical window bands divided by spandrel panels.

3.99 In contrast to the tall building of plot A, the proposed tower in this block would have a more vertical emphasis using architectural features, such as the vertical window bands and strong vertical brick piers which rise through the tower. However, horizontal features would also feature prominently and, overall, the design rationale of this tower appears less defined and its relationship to the neighbouring lower parts of the block and Genesis Road less resolved. This includes a 2-storey high, fully glazed 2-storey structure projecting out from the tower base to follow the line of Genesis Road while the tower’s orientation addresses the southern site boundary instead, parallel to the tall building in block A. This low structure is designed to provide the “negative” to the void formed by the cantilevered tower A – an interesting feature to mark the entrance into the site but not yet fully resolved in design terms.

3.100 In some views, in particular from the entry point at Old Oak Common Lane, both towers are of similar prominence and intended to complement each other, clearly demonstrating the design family features while expressing their individualities. The design of the taller tower would benefit from further refinements in relation to a more streamlined use of features such as horizontal banding.

Plot C

3.101 This block is characterised by its strictly linear north-south orientation defining a clear site boundary to the east and the intimate nature of the green street to the west. The elevations consist of glazed brickwork - brown to the south, black to the north, alternating in the link block – as well as curved balconies and full-height fenestration, accentuated by white stone cills and balcony edges. Overall, this block appears less distinguished than the buildings on plots A and B.

Roofscape

3.102 The proposed massing results in a roofscape of multiple planes of green and landscaped roofs and podia. The roofs would be protected by recessed glazed screens. Details of all proposed roof structures should be requested by condition in order to ensure that roof lines remain clean and legible in views from the ground.

OPEN SPACES AND LANDSCAPING

Street level

3.103 Genesis Road would have some linear street planting with green verges alternating with servicing bays. Further consideration is required to ensure that Genesis Road will develop into the envisaged “boulevard” with sufficient green features rather

than being dominated by servicing bays and entrances. A temporary green border is proposed along the northern boundary until the area to the north is developed. Clusters of planting and green hedges are proposed along the southern site boundary as buffer to the Crossrail site access road. Intensive planting with a variation of purposes, from low level dense planting for rainwater attenuation to grassed play areas, outlined by a continuous water feature, would be created as part of the green street. A visual connection to the green podium of block B via an accessible roof over the community facility and a water feature cascading down into the green street would create a more spacious feel to the landscaping and relief to the high density environment.

Roof levels

3.104 Accessible landscaping is proposed on the central podiums of plot A and B providing seating and play areas. The roof on the projecting 1-storey structure of block B and some lower and high level roofs would be greened to provide extensive green and blue roofs. Further green amenity spaces with potentials for residents' kitchen gardens would be provided on most roofs of the shoulder blocks.

3.105 A large variety of open and green spaces providing accessible podiums and roofs as well as extensive green and blue roofs with a high standard of design is proposed. The spaces would be located on different levels within the development and, where they serve the whole of the new community, they would be visually and functionally connected.

TOWNSCAPE ASSESSMENT

3.106 To assess the impact on surrounding areas, the Environmental Statement includes a Townscape and Visual Impact Assessment which assesses a total of 27 viewpoints from an agreed selection of locations around the site within LBHF, RBKC, and the London Boroughs of Brent and Ealing. For the purpose of this report, only the views from within Hammersmith and Fulham that are considered to be sensitive will be evaluated in terms of the appearance of the new development, its impact on the surrounding townscape and on the setting of conservation areas and listed buildings.

3.107 Viewpoint 07 is located on the bridge over the railway lines on Old Oak Common Lane and represents the view when nearing the entry point into the site. The view demonstrates how the massing is broken up into a series of elements of different heights and orientation to avoid an overly monolithic character. The development would be unified by common design features such as the use of the contrasting materials and rounded balcony forms. The development would appear coherent, of high quality and visually interesting in this view.

3.108 Viewpoint 08 demonstrates the view of the new development from outside its new entry point into Genesis Road. The entrance to the site is indicated by the overhanging white stone slab and extensive glazing below that becomes prominent in the approach to the site. The void formed by the overhanging floor slab and the two large, external columns clad, all in white patterned concrete, are the prominent features in this view, and the new link road into the wider area would be strongly defined by the curved glazing that is visible at the base of block A. The eastern side of Genesis Road would be less clearly defined, indicating that further work on the details of the low projecting structure from the base of tower B would be required. Overall, the two towers are the prominent elements in this view and clearly express the entrance into the site as well as its residential character that is highlighted by the common design features.

3.109 Viewpoint 09 focusses on the two towers marking the site entrance. This more distant view demonstrates a good balance between architectural uniformity and variety of the two elements as the common features of the “design family” are used to create distinctive appearances of both towers.

3.110 From viewpoint 15 in the Grand Union Canal within the Grand Union Canal Conservation Area the new development would be seen as a composition of tall blocks with different heights, orientation and façade detailing, creating an visually interesting skyline that drops down towards the canal. Due to its distance to the canal and the remaining linear vegetation along the canal, the development would provide a new clear definition of the edge of the conservation area, although it is anticipated that some of the area between the site and the canal is earmarked for new development. The development would provide a sense of enclosure for the canal corridor that generally reflects historic development of land adjoining canals in built up areas such as central London. The contrast between a new built up edge and the canal corridor could contribute to the distinctive and legible character and appearance of the historic townscape. It is therefore considered that the proposal would have an impact on the current character of the conservation area but that this impact would constitute a sympathetic change that would provide a stronger definition of the canal corridor.

3.111 Viewpoint 18 is located within St Mary’s Cemetery which is characterised by small scale headstones and monuments and offers a view of low and medium scale commercial buildings along Scrubs Lane. The proposed development would be obscured by Cumberland House and trees but would become more visible when moving further south. However, the proposed development would be more distant and smaller in scale than Cumberland House and on its own would not change the quality of this view. When considering the cumulative view of permitted developments that would become visible in the distance on a similar scale to the Oaklands site, the impact on the setting of the conservation area would be noticeable but distant enough to be considered not harmful.

3.112 Viewpoint 20 is located on Scrubs Lane bridge that crosses the canal and offers a typical view of Grand Union Canal Conservation Area featuring glimpses of low level industrial buildings and structures and a railway bridge between pockets of vegetation. The upper levels of the new development would be visible in the distance and tower B would stand out due to its height. However, the tower would rise behind the shoulder buildings of block C in this view and therefore not likely to be perceived to be a direct neighbour to the canal corridor.

3.113 Viewpoints 21 and 22 are from locations within Wormwood Scrubs and are focussed across an expanse of open ground towards a line of trees and vegetation in the distance above which glimpses of lower level buildings can be seen that provide a sense of enclosure to the Scrubs. Parts of the new development including the towers would be clearly visible due to their height. The proposal would contribute to a stronger perception of enclosure to the Scrubs by an urban townscape, however, the visual impact is considered to be limited due to the large scale of the open space.

3.114 Viewpoint 23 is located at the western edge of Wormwood Scrubs where the open space abuts Old Oak and Wormholt Conservation Area. The view from the conservation area is characterised by a dense line of trees and vegetation behind a narrow strip of open land. While the top of a lower warehouse building can be glimpsed

through a break of the line of vegetation, the view is largely free of development. The top of tower B would rise behind the trees in the distance. The view is not considered to be of such a high quality that it would be diminished by the distant view of the new development and therefore would not have a considerable impact on the setting of the open land or the conservation area.

3.115 Lastly, viewpoint 27 is located on the towpath of the Grand Union Canal within the conservation area. The new development would be obscured by trees in the foreground but is likely to become more visible when moving along the towpath. The shoulder buildings on the site and The Collective building beyond would be visible in a similar scale in the breaks between the vegetation and would not be more prominent than the warehouse buildings on the northern side of the canal that are visible in this view. Tower B would stand out due to its height, however, similar to the assessment of viewpoint 20, the tower would rise behind the shoulder buildings of block C in this view and therefore not likely to be perceived to be a direct neighbour to the canal corridor.

3.116 It is considered that the impact of the proposals on the surrounding townscape is considerable, however, that the openness and spacious feel of the area will be preserved in most instances. There are some reservations on the impact of the scale of development on the setting of the Grand Union Canal Conservation Area 3.117 but this impact could be limited to an acceptable degree in the light of precedents in comparable inner city canal corridors such as King's Cross. Other heritage assets and their settings would be preserved.

CONCLUSION

3.118 The proposed scheme represents the opportunity to create the first stage of new development in Old Oak South and in this respect it meets the aims of the London Plan, OAPF and OPDC draft Local Plan.

3.119 Currently, this part of Old Oak is disconnected from the surrounding urban areas and has poor townscape and access qualities. The general character of the wider area around the site is largely industrial, with road and rail infrastructure being a dominant aspect of it. There are some pockets of residential development which are separated from each other. The new development of the site provides an opportunity for significant enhancement of the area and to act as a catalyst for wider regeneration with better access into the area and linking of surrounding communities.

3.120 The impact of the scheme on the surrounding heritage assets has been assessed through agreed visual studies and overall been found to be acceptable. However, the assessment is incomplete in some aspects and further information should be sought on the impact of the development on the historic landscape, conservation areas and undesignated heritage assets.

3.121 The submitted scheme creates a new townscape context within the surrounding industrial landscape that would be consistent with the scale envisaged for future development in Old Oak Park. The development would provide a distinctive and high quality architecture and the masterplan arrangement in terms of the relationship between the built form and public realm would assist in the creation of a sense of place for the wider area.

MICROCLIMATE

3.122 Large developments such as with tall elements can have an impact on the microclimate. Policies 7.6 and 7.7 of the London Plan list microclimate as a criteria to consider when evaluating architecture and in particular tall buildings.

3.123 The applicants ES includes a chapter on microclimate, and concludes that the development is expected to produce a reduction in overall speeds in the near vicinity and within the perimeter of the site, and localised regions of increased wind speeds within the site. The ES suggested mitigation methods such as landscaping features.

3.123 AECOM have identified a number of areas where clarification and further information is required, particularly relating to significance criteria, whether mitigation measures are required and whether they are sufficient, the cumulative assessment and have requested that a wind tunnel test should be carried out.

3.124 The updated ES has not been submitted to date, so microclimate is a matter to be resolved. Subject to an updated Microclimate assessment being submitted, including a wind tunnel test, if it is demonstrated that any potential unacceptable adverse conditions can be mitigated, e.g. by landscaping features and detailed design, and secured by condition, then the council raise no objection to the proposal on this ground.

HIGHWAYS AND TRANSPORTATION

3.125 The applicant has submitted a Transport Assessment (TA) which evaluates the impact of the proposals in accordance with Local Plan Policy DM J1. The TA considers a development that would comprise 611 residential units, 3,000 sqm Class B1 use, and 500 sqm for a health centre.

TRAFFIC SURVEYS

3.126 The 'Traffic surveys 2014' section was attached on the TA and it includes surveys conducted during April 2014, at the junction of: 1) Old Oak Lane/Old Oak Common Lane/Victoria Road/Atlas Road and 2) Access to the Crossrail compound off Old Oak Common Lane. The highest AM peak observed queue of 140m, equivalent to 23 cars, was during 7:25 to 7:35, on the Old Oak Lane arm of the first junction, whereas for the PM peak, the highest observed queue was of 120m, equivalent of 20 cars, from 17:50 to 18:40, mostly on Victoria Road. At 18:20 the traffic survey showed a 120m of queuing on two arms of the junction, that is, Victoria Road and Old Oak Common Lane.

3.126 The transport consultant indicated that, no correlation could be found between the recorded level of queuing and the traffic demand. It concluded that the use of pedestrian crossing located nearby is interrupting the flow of traffic.

3.127 It was reported that a traffic counter is located along the Victoria Road and this data was used for comparison. The annual recorded trips showed a 18% decrease in traffic, between 2014 and 2000. It was concluded that the decrease was due to the construction traffic, associated with Crossrail. The data was presented on the Table 3.2, showing full records over the years and modes of transport and was considered acceptable.

3.128 Within the TA, it was stated that the accident data was obtained for years 2012 to 2014, however the data was not submitted. TA FI Note 1, states that there were 'very few accidents in the 3 year period and no clear clusters or common reasons'. It was not possible to verify this statement nor the zone which was selected for analysis.

TRIP GENERATION/ HIGHWAY IMPACT

3.128 In undertaking the predicted trip generation for this mixed use proposal TRAVL database was used. The trip generation for the residential part of this development, was derived using five residential sites. Whilst the trip rates have been based on a number of selected sites those are not considered to have comparable characteristics. For example, the selected sites, have higher car parking spaces per number of dwellings, which means that trip rates are higher.

3.129 In addition, three residential sites were surveyed in the Holloway area of intensification. The trip generation was analysed, with car journeys accounting for 4% of the total trips. These sites have more car parking spaces per dwelling and a better PTAL score. For the Oakland development, car journeys were assumed at 6% because the comparison sites surveyed have better public transport connections. The assumption was that the rate would be 0.14, per proposed car parking space. In addition to that, the commercial and delivery rate was assumed at 0.1 per residential unit. Therefore, two-way vehicular trips for the AM peak, were predicted at 26, whereas for the PM peak it was 25.

3.130 Trip rates for the B1 office use, were derived using the Canary Wharf cordon survey for year 2011, which again is not considered to be a comparable site. Based on this site, trip rates for the B1 office, during the AM peak are a total of 3.19 two-way trips, whereas for the PM peak the rate is 2.32. It must be noted that the rate derived is per 100 sqm. Therefore for the 3,000 sqm of this development the predicted trips are: 95.7 for the AM peak and 69.6 for PM peak. The predicted mode split for the office use, is shown on the Table 13 with two scenarios, before and after the introduction of Crossrail. The mode split assumptions for the scenario, before Crossrail, are: 1.6% of the trips will be car journeys; 85.2 % of the trips will be using LUL/DLR mode of transport; 3.2% buses; 0.1 % taxi; 3.6 cycle; 4.4% walk and 1.9% other.

3.131 In addition, four TRAVL sites were selected to establish if the predictions are in line with the earlier assumptions. The trip rates were averaged and indicated to be 3.1 for the AM peak, whereas for PM peak the rate is 2.5. The mode split assumptions for this case are: higher than before at 6% for car journeys with 2.6% as car passengers; 67.1 % of the trips will be using LUL/DLR mode of transport; higher at 9.9% for buses; higher at 5.1 % taxi; lower 2.0% cycle; higher at 7.0% walk and 0.3% other. Nevertheless, the selected sites have a PTAL of 5 or 6 thus, not considered comparable to the proposed development. Therefore, two-way vehicular trips for the AM peak, were predicted at 4, whereas for the PM peak this was 3.

3.132 With regards to the Health Centre, two-way vehicular trips for the AM peak, were predicted at 6, whereas for the PM peak this was 4. In addition, delivery and servicing two-way vehicle journeys were added at 12 vehicle journeys for AM peak and PM peak.

3.133 Total two way vehicle trip generation (all modes combined), is predicted at 48 during AM peak and 41 for the PM peak. The split between the different uses and the mode of transport, was included on the Table 5.2 of the TA.

3.134 LBHF have raised concerns with the proposed trip rates and trip distribution, and requested a cumulative impact assessment and capacity assessment of the nearby junctions. LBHF Highways officer advise that these matters have not been fully resolved.

3.135 It is recognised that this site is within the OPDC area and the impact of each emerging development must be included in the strategic impact analysis and modelling work, currently being developed. In addition, the draft OPDC local plan includes recommended highways improvements near the Oakland site, which will contribute towards the required mitigations measures for this development. Officers recommend that the developer should contribute towards the delivery of key transport infrastructure improvements, by way of financial contributions secured through the s106 agreement, as identified in the London Plan and OAPF.

PEDESTRIAN/CYCLE ENVIRONMENT ASSESSMENT

3.136 The proposed development will see an increase in pedestrian and cycle trips to/from the site and local area. In accordance with the LBHF (SPD Transport Policy 17 Pedestrian Environment Review System) and (SPD Transport Policy 13 Cycling Environment Review System), the applicant is required to submit the audit reports, within the area, as agreed with the LPA. It is recommended that pedestrian and cycling improvements are secured through S106 which should be implemented prior to occupation of the development.

3.137 LBHF officers also raise concerns over the connectivity to existing cycle links which is not considered adequate to facilitate the pedestrian and cycle movements generated by the proposed development. In particular, officers recommend that the insufficient width of the pedestrian footways on the Crossrail access road should be improved in order to facilitate the increased pedestrian and cycle trips. It should be noted that the TA FI Note 3 'Road safety Audit- stage 1 recommended that improvements are needed in the vicinity and these should be secured by way of S106 contributions.

PROPOSED ACCESS TO THE DEVELOPMENT

3.138 The proposed vehicular access is provided at the existing Crossrail access, which then connects to the existing junction with Old Oak Common Lane and is part of the LB of Ealing Local Highways Authority (HA) network.

3.139 The highways design report was attached to the submitted TA. It envisaged that the new access road 'Genesis Road', will become one of the key link routes through the OPDC area. As such, the new road must be designed to facilitate other developments in accordance with the OPDC Masterplan and the OAPF.

3.140 The give-way junction is considered to be an interim solution. The applicant considered that the proposed design does not compromise the longer term OPDC Masterplan aspirations, where this road becomes a primary through route. To support this argument, the applicant included additional information in form of the TA FI Note 3 'Highways Design' and 'Road Safety Audit stage1'. The Highways Design note suggests that the alignment of Genesis Road adequately considers future junction improvements, planned to be implemented by Crossrail. Officers acknowledge that the future connections to the rest of the highways network are dependent on other schemes coming forward. In order to safeguard the land required for junction

improvements and highways works required to realign this section, it is recommended that s106 contributions are secured towards improvements of the junction with Genesis Road/Crossrail access/Old Oak Common Lane. It is recommended that the s106 should also include a mechanism whereby the relevant landowners/developers and stakeholders liaise as part of a working group in order to ensure the highways improvements are comprehensively designed and implemented.

3.141 It is recommended that further details are still required in regards to Genesis Road, such as: road/footway surface materials, street furniture, cycle parking for visitors, crossing facilities, design must be inclusive, facilitating buses, servicing and deliveries, provision of the EVCP infrastructure to facilitate visitors etc. Conditions are recommended to secure details. These matters need to be agreed between the landowners, stakeholders, OPDC and LBHF where appropriate in accordance with the above working group.

3.142 The developer is intending to offer Genesis Road to LBHF as the local Highways Authority for adoption. LBHF would seek to adopt when it becomes a through road through the S38 process. The road and footway should be constructed to adoptable standards, secured by a S106 agreement.

PARKING RESTRICTIONS ON THE PUBLIC HIGHWAYS

3.143 Officers recommend that s106 contributions should be secured in order to monitor parking displacements arising from this development. The contributions will be used to assess and analyse parking stress in the area and, subject to consultations, a new Controlled Parking Zone (CPZ), could be introduced funded through the contributions. It is also recommended that the s106 agreement includes provisions that prohibit residents from obtaining car parking permits within CPZs.

CAR PARKING PROVISION

3.144 The proposal includes a total of 120 underground car parking spaces, divided into 100 standard car parking spaces and 20 spaces for disabled users. In addition, 5 car parking spaces are located at street level and designated for visitors/blue badge holders only.

3.145 In accordance with, the London Plan policy 6.13 on parking, and strategic direction to facilitate new developments with appropriate level of car parking, the maximum car parking standards for the residential developments in central areas with PTAL (2 to 4), is up to one space per unit. DM J2 Vehicle Parking Standards is part of the LBHF Development Management Local Plan - July 2013 Core Strategy Policies, indicating that the London Plan policies apply. The OAPF adopted November 2015, sets out main principles, with T3 policy on car parking maximum provision for the residential developments at a ratio of 0.2, whereas for commercial developments the standards are no car parking provision, except for the disabled users. This proposal includes 120 car parking spaces for 611 residential units, thus a ratio of approximately 0.2 parking spaces per unit. The proposed level of provision is considered acceptable and in compliance with car parking policies above, since all include limits on maximum levels of provision.

3.146 The London Plan policy 6.13 regarding parking for commercial developments set maximum standards of one space per 500 sqm. of gross B1 floorspace. This proposal includes a total of 3,500 sqm of commercial floorspace, with a flexible range of land uses (A1, A2, A3, A4, B1, D1 and D2). It was indicated that, approximately 200

employees are expected to occupy the B1 office space. No car parking spaces are included to facilitate this part of the proposal.

3.147 A Car Parking Management Strategy (CPMS) is recommended to be attached and this should become the overarching parking strategy for the development, containing all parking related matters.

3.148 The proposal of 10% provision for residential disabled parking is considered to be acceptable and complies with London Plan policy 6.13. Details should be secured and monitored through the CPMS condition.

3.149 The car parking spaces are located on the interconnected basement, of the building block B and C. The access to the basement car park is through a ramp. It is recommended that further details of access to the parking area, parking enforcement, swept paths, ramp details, to show structural columns, vehicle circulatory movements, considering pedestrian safety, visibility splays shall be conditioned. The car park should be designed in accordance with IstructE Design recommendation for multi-storey and underground car parks'.

3.150 The London Plan and LBHF policies both require a minimum provision of 20% active and 20% passive electric vehicle charging points and a condition is recommended that includes the locations of Electric Vehicle Charging Points (EVCP), indicating the mechanism of converting passive points to active. It is also recommended that a condition is secured that identifies the car club spaces located within the basement car park.

CYCLE PARKING PROVISION

3.151 A total of 1,080 cycle parking spaces for residents of this development are provided. The proposed number of cycle spaces is considered adequate and would be in accordance with the London Plan requirement. Officers have raised concerns over the proposed use of the two tier cycle stacking system which may be impractical for some users. Officers have also raised concerns in respect of the basement cycle parking area and how practical it is for cyclists to gain access, given users may be required to move up/down stairs/lifts and through multiple doors. It is advised that additional surface level spaces should be provided which would be more accessible/practical. In light of these concerns, officers recommend that the detailed design of the cycle spaces should be secured by condition, to ensure compliance with the London Plan policies relating to design and provision of cycle spaces.

3.152 It is recommended that a condition is secured which requires the details of the cycle parking to be submitted for approval for the commercial elements of the development, as no details have been provided as part of this application. The condition should be drafted in such a way which ensures the provision of cycle parking spaces is compliant with the London Plan policies for commercial uses.

DELIVERY/ SERVICING

3.153 It is recommended that a Delivery and Servicing Plan should be submitted by way of condition in order to secure the satisfactory provision of deliveries and servicing activities at the development in order to minimise the impact on traffic movements, and to ensure compliance with LBHF SPD Transport Policy 34.

CONSTRUCTION LOGISTICS PLANS (CLP)

3.154 DM J1 policy indicates that Construction Logistics Plans (CLP) should be drafted in accordance with TfL's London Freight Plan and in consideration with travel plans. The applicant is advised that the latest TfL's Construction Logistics Plan guidance should be followed.

3.155 It is recommended that a condition is secured that comprises details of a Construction Logistics Plans (CLP) which should be submitted and approved prior to the commencement of construction works. Officers require that careful consideration must be given to the optimum route(s) for construction traffic. The local HA must be consulted and because of the private access shared with Crossrail, early engagement and agreement of the programme with stakeholders is recommended. The applicant is advised that, due to the site's location and other development constructions nearby, there may be restrictions on timings allowed for the construction traffic. Also, a construction logistics programme of works is to be included and should consider the impact of other nearby developments that are being constructed. CLP to include a designated safe route to and from this development, consider other road users and ensure minimal impact on the surrounding environment.

TRAVEL PLAN FRAMEWORK

3.156 A framework Travel Plan (TP) is required and the latest TfL's guidance can be found on: <https://tfl.gov.uk/info-for/urban-planning-and-construction/travel-plans>. In line with the London Plan and other policies, the TP must identify a range of measures with timescales for implementation.

3.157 Prior to occupation, a full Residential travel plan to be submitted, and prepared in line with the latest TfL's guidance. The TP is to contain the action plan along with targets. Although the commercial parts of the development are considered small in relation to the residential part of this development, travel plans for each use are required when land uses are confirmed.

3.158 It is recommended that all travel plans are secured through S106 with heads of terms containing actions which promote the use of sustainable modes of transport. For example: appointment of a travel plan coordinator, personalised travel plans for residents, vouchers for residents to purchase bikes, Brompton Bike Hire initial contributions to residents, provision of areas with equipment for cycle maintenance, car share database, securing car club operator and contribution towards first year membership etc. are some of the actions to be considered. It is also recommended that the S106 should cover the local Highways Authority costs for reviewing the submitted Travel Plans, on the annual amount of £1,000, per travel plan, until such time when agreed targets are met.

Conclusion

3.159 It is considered that the traffic impact would be acceptable and in accordance with Core Strategy Policy T1 and DM Local Plan policy DM J1. Subject to conditions, the level of car, motorcycle and cycle parking is assessed as being acceptable. The proposed development would enhance pedestrian and cycle linkages to the development sites and the wider area. Such improvements would be the benefit of the wider Old Oak Opportunity Area. It is considered that any impacts arising from the development would be mitigated by conditions and s106 provision to contribute towards sustainable transport infrastructure measures within the Old Oak Opportunity Area and prevent significant increase in on-street parking pressures in surrounding roads. A car

park management, servicing, road safety and travel planning initiatives would be implemented in and around the site to mitigate against potential adverse impacts. The proposed development is therefore considered acceptable in accordance with policies 6.1, 6.3, 6.9, 6.10, 6.11, 6.13 and Table 6.3 of the London Plan, the Old Oak Opportunity Area Planning Framework (2015) and the OPDC Draft Local Plan.

WASTE MANAGEMENT

3.160 London Plan Policy 5.16, 5.17 and 5.18 relate to waste self-sufficiency, waste capacity and construction waste respectively. LBHF Core Strategy Policy CC3 Waste Management (2011), and Development Management Local Plan DM A9 include standards that are relevant. LBHF Planning SPG 2013 sets out detailed policies relating to the storage of refuse and recyclables.

3.161 The applicant has submitted an Operational Waste Management Strategy as part of the Environmental Statement. LBHF would be the authority collecting the waste so it is important that the proposals are acceptable to the council and comply with LBHF policies.

3.162 The operational waste strategy estimates that approximately 121,800 litres of waste will be produced by the residents each week. An estimated 98,539 litres of waste is anticipated to be generated from the commercial uses. It is proposed that two streams of residential waste would be collected once a week and twice a week. The commercial waste will be collected 2-3 times each week. This is acceptable to the council.

3.163 It is considered that the proposals would achieve a minimum 50% recycling rate, and would provide appropriate internal storage facilities for mixed recyclables and residential waste, and mixed recyclables, residual waste, food and glass waste for commercial units.

3.164 Each core within the buildings will contain a dedicated residential waste storage room. In Block A the waste storage area will be located on the ground floor and in Block B and C the waste storage area will be located within the basement. Officers consider appropriate provision for both residual waste and mixed recyclables is proposed.

3.165 In Building A, on collection day the full bins will be moved from the ground floor waste storage areas within the cores to the designated vehicle bay located immediately to the south-east of building A on Genesis Road by Facilities management team.

3.166 In buildings B and C, full bins will be exchanged with empty bins that will be transferred down from the ground floor waste holding area using electric vehicles. On collection day the bins will be moved to the designated vehicle bay that will be located immediately north of Building B on Genesis Road.

3.167 The commercial waste will be collected along the same lines as for residential waste be removed, with the empty bins returned to the commercial waste storage rooms. The proposals comply with the requirements set out in Planning SPD Appendix 1.

3.168 The Waste management plan is considered to be comprehensive. The proposal makes adequate provision for refuse and recycling storage and collection areas, and complies with the relevant policies in terms of waste generation, bin numbers and space provision.

AIR QUALITY

3.169 London Plan Policy 7.14 (Improving Air Quality) requires development to minimise increased exposure to existing poor quality and make provision to address local problems of air quality (particularly within Air Quality Management Areas (AQMAs) and whether development is likely to be used by large numbers of those particularly vulnerable to poor air quality.

3.170 The borough is within an Air Quality Management Area under the 1995 Environment Act – Part IV. The Council are responsible under this act to ensure that air pollution is being adequately addressed, even though as in this case LBHF is not the local planning authority. Therefore Air Quality is a key issue for LBHF.

3.171 A number of issues were identified regarding the Air Quality Chapter in the ES. Air quality dispersion modelling using ADMS-Roads was completed for the development, but there are a number of concerns as to how this has been completed that require the assessment to be updated. In its current form the air quality assessment does not allow the impacts of the development on existing receptors and proposed assessment to be accurately established.

3.172 The number of receptors modelled is not considered sufficient for the scale of the development, additionally receptors of various heights have not been modelled, although the development will be over 26 floors. Each receptor should be accompanied by an adequate description to include details such as floor number, building and type of receptor location.

3.173 The dispersion modelling does not appear to have considered all emissions associated with the development including: the new road proposed through the centre of the development; emissions from construction traffic; rail sources; and emissions from the proposed underground parking. The air quality assessment should reflect the data which has been agreed for the transport assessment. More information is also required to support the emissions from the CHP that have been modelled and confirmation that the efflux velocity is sufficient should be provided.

3.174 Combined impacts of emissions from transport sources and building sources have not been presented and combined emissions are not considered against guidance on significance of the air quality impact. The chapter makes reference to guidance that has been superseded by more recent guidance also referenced in the chapter: the most up to date guidance needs to be utilised for all aspects of the assessment.

3.175 A number of air quality conditions are required to ensure that air quality impacts from the development are controlled. LBHF should be consulted on all air quality submission of detail applications. Air quality conditions are recommended for a construction and demolition environmental management plan, a low emissions strategy, pre installation details for combustion plant, prior to occupation details/testing for combustion plant, filtration of emissions from underground car parking. Mechanical

ventilation may be required given the initial indicative results from the air quality dispersion modelling-suggest this may be required to ensure air quality to receptors is below national air quality objectives.

NOISE AND VIBRATION

3.176 Policy 7.15 of the London Plan is concerned with noise, specifically minimising the existing and potential effects from developments and separating noise sensitive uses from noise sources wherever practical.

3.177 The noise and vibration chapter (and assessment) within the ES is comprehensive. An assessment of the current and likely future noise levels affecting the development site has been carried out; predictions of the potential noise that will be produced as a result of the development, and the impact that this will have on existing receptors, have also be produced. The assessment has identified appropriate noise and vibration limits (in line with the relevant British Standards: BS 8233:2014, BS 5228:2009 and BS 6472:2008; and LBHF policy) for both the construction and operational phases of the project (for both on-site and off-site receptors), and for residential and commercial receptors. In order to achieve the identified noise and vibration limits for internal/external acoustic environments, the assessment sets out recommendations for mitigation measures (e.g. glazing and ventilation specifications, etc.). In terms of stating the limitations of the noise assessment (with regard to quantifying the existing and future environmental noise levels affecting the site), these are set out within the section. There is some detail lacking in the assessment of future operational noise from the Crossrail Operations, Maintenance and Control (OMC) depot and stabling to the south and east of the site that are currently being constructed. Whilst it is unlikely that noise from low-speed rail movements from these sources will be significant, some further information on the likely levels and an assessment of their impact (on Blocks C1, C2, B1 and B3) should be submitted along with any further noise mitigation that is required.

ENVIRONMENTAL CONSIDERATIONS

ENERGY EFFICIENCY AND SUSTAINABILITY

3.178 Chapter 5 of the London Plan considers environmental issues. The Energy Statement shows that the proposal will meet the current London Plan CO2 reduction target. The planned energy efficiency measures and low carbon technology in the form of Combined Heat and Power (CHP) installation are calculated to reduce emissions by 41% compared to the target of 35%.

3.179 The Energy Statement also notes that once future phases of the OPDC masterplan are operational then the Oaklands House energy centre will likely be replaced by a heat supply from a wider Decentralised Energy Network.

3.180 The sustainable energy proposals are broadly in line with the London Plan and the Draft OPDC Local Plan. They also meet the H&F Local Plan requirements in terms of CO2 reduction. No renewable energy installations are currently planned and this may be an area where the applicant could have put forward proposals – e.g. for the installation of PV panels. This would increase CO2 reductions further.

3.181 For wider sustainable design and construction measures, the Sustainability Statement states that the commercial elements of the scheme will target BREEAM 2014 New Construction Core and Shell 'Very Good' rating. Whilst this is considered to be

acceptable in terms of meeting current H&F Local Plan requirements, it is perhaps disappointing to see that development in the OPDC Area is not aiming to be more ambitious in this respect, for example and aim for a higher level of sustainability performance such as “Excellent”.

3.182 In terms of the residential aspect of the site, the Sustainability Statement states that although the scheme will not be formally be assessed under the Code for Sustainable Homes scheme (which has been withdrawn by the Government), the project design has been developed with consideration to the benchmarks associated with Level 4 of the Code. In broad terms, this is an acceptable level of sustainability performance, although it is perhaps disappointing that slightly higher levels of sustainable design and construction are not being aimed for.

3.183 Overall, the proposals are considered to be acceptable in terms of the levels of sustainability being achieved, although there may have been scope to achieve higher levels of performance.

FLOOD RISK

3.184 London Plan Policy 5.12 (Flood risk management) is relevant. As required, the application is accompanied by a Flood Risk Assessment (FRA).

3.185 The FRA correctly states that the site is in the Environment Agency’s Flood Zone 1. This indicates that flood risk from the River Thames is low, even if there were no flood defences in place. The site is also considered to be low risk in terms of other sources of flood risk, including sewers, groundwater and surface water.

3.186 The FRA identifies that although the majority of the site is low risk in terms of surface water flooding, there is a small area where surface water could pond during a heavy storm. This appears to be due to a localised depression in the ground in this location.

3.187 The focus of the FRA in terms of mitigation is on managing surface water run-off through the implementation of Sustainable Drainage Systems (SuDS) in the form of green roofs on Blocks A, B and C, permeable paving and underground storage.

3.188 The FRA estimates a surface water runoff rate for the existing site of 235.5l/s during the 1 in 100 year plus climate change rainfall event. for the same event, a greenfield runoff rate of 16.49l/s has been calculated. The SuDS measures are calculated to reduce runoff to 20.17l/s during the 1 in 100 year plus climate change rainfall event. This represents a reduction by 91%.

3.189 In broad terms, the submitted FRA is considered to be acceptable. There are no significant flood risks for the site, although as identified, there is a need to manage surface water runoff. The SuDS Strategy is commented on in more detail below.

SuDS STRATEGY

3.190 As required, the application is accompanied by a SuDS Strategy. This needs to be read in conjunction with chapter 9 of the Design and Access statement which proposes additional SuDS measures to be integrated into the development including blue roofs, rain gardens and storm water planters, that do not feature in the SuDS

Strategy. There is also additional information on the proposed Water Sensitive Urban Design to achieve target of limiting site storm water runoff to greenfield rates.

3.191 The main SuDS measures planned for the site include green roofs, permeable paving, underground storage tanks, rain gardens, blue roof attenuation and storm water planters. The SuDS Strategy should be designed to achieve the greenfield run-off rate as a minimum, as required by the OPDC Draft Local Plan.

3.192 The SuDS Strategy should be updated to be consistent with the Design and Access Statement and FRA and a revised run-off rate will be required which takes into consideration the additional SuDS measures identified in the Design and Access Statement and the water sensitive urban design scheme proposed. The Revised calculations will need to be provide further details on the storage of each of the identified SuDS measures to be integrated and total area of soft and hard standing landscape proposed. The Strategy should also address rainwater harvesting, “water neutrality”, and the integration of tree pits into SuDS strategy e.g. by maximising their infiltration capacity and directing run-off to them

3.193 It is noted that Thames Water have raised concerns regarding the capacity of the existing public sewers and that an impact study would need to be carried out to determine possible connection points into the existing system and likely upgrades to the existing network before the site can be connected to it. There may be potential to minimise Thames Waters concerns of capacity restraints through storm water harvesting on the site which would reduce the strain on water supply and the drainage network.

3.194 The Utilities Strategy has made initial estimates of potable water demand for the site once developed. At this stage, further consultation is required with Thames Water to determine the impacts of the new demand on the local and strategic water supply network. Re-use of rainwater will help minimise potable water use.

GROUND CONDITIONS

3.195 Ground conditions, including pollution from previous uses and any proposals for mitigation such as land remediation, should be taken into account. The London Plan Policy 5.21 on contaminated land, states that it is necessary to ensure that brownfield land does not result in significant harm to human health or the environment.

3.196 LBHF Core Strategy Policy CC4 ensures the protection and enhancement of environmental quality. This requires developers to carry out an assessment where there is good reason to believe that contamination is present. Burohappold Engineering Phase 1 Geoenvironmental and Geotechnical Desk Study (Ref: 034760, 7 Jan) which forms part of the environmental statement submitted as part of this application. Officers consider the report is not deemed satisfactory for the following reasons:

- The conceptual site model is based solely on OS Map and Envirocheck information. The Council also holds detailed information regarding potentially contaminative land uses in this area which should be included in the CSM for the site. As per CLR11 the applicant is therefore required to contact the Council regarding records held of potentially contaminative land use. This information can be provided in the form of an environmental search: <https://www.lbhf.gov.uk/environment/pollution/contaminated-land>

3.197 If planning permission is to be granted, LBHF recommends conditions relating to the submission of a preliminary risk assessment, site investigation scheme, qualitative risk assessment, remediation method statement, verification report and a long term monitoring report.

SOCIAL INFRASTRUCTURE

EDUCATION

3.198 London Plan policy 3.16-3.19 states that the mayor will support the provision of social and community infrastructure to meet the needs of a growing and changing population. LBHF Core strategy strategic Policy CF1 (supporting community facilities and services) seeks the improvement of school provision. OPDC draft Local Plan Policy S12 requires proposals to provide adequate educational provision to meet the needs of development.

3.199 Chapter 10 of the OAPF sets out the current anticipated social infrastructure need across the Opportunity Area, based on the Development Infrastructure Funding Study (DIFS) of:

Offsite provision:

- 1 form entry expansion of an existing primary school
- 2 form entry expansion of an existing secondary school

On site provision:

- 3x2 form entry primary schools
- An all through (3-19 years) 4 form school

3.200 The applicants ES provides information on 5 schools (within LBHF, LB Ealing and LB Brent) that could serve the development, based on current catchment areas. Using the GLA Population Calculator yields, the ES estimates that the development would create demand for 189 primary and 61 secondary school places, and concludes that there is sufficient capacity to meet additional demand at this time. In terms of cumulative effects, the ES acknowledges that there may be a need to increase existing provision if all the developments (approved and pending applications) come forward.

3.201 The ES has used information that is 2 years' out of date for both its primary and secondary surplus school place estimates which are not consistent with the Council's more recent datasets. At present there are 105 surplus places across all year groups in the closest LBHF primary schools to the application site (Old Oak Primary, ARK Conway Primary Academy, ARK Burlington Danes Primary, and Wormholt Primary).

3.202 It is noted that the secondary school data in the ES is inaccurate in terms of the school roll numbers for both Phoenix High School and Burlington Danes Academy. At secondary level, Phoenix High school will be reducing its published admission number in 2016 from 180 to 150 per year group so by 2021 its school roll will be 750. Burlington Danes, a high achieving and popular school, recently became an all through school spanning year groups Reception to Y11. There are currently 11 surplus places in its secondary provision and 14 in its Reception class as the lower school fills bottom up.

3.203 The development is not due to be complete until early 2020. The Council's GLA pupil projections forecast a sufficiency of primary places but a 2% deficiency of secondary school places. Officers consider that appropriate contributions towards

secondary school places should be provided by the applicant and secured by S106 agreement, in order to mitigate the effects of the development. As acknowledged in the ES, if all development in the area (approved and pending) comes forward, there may be a need to increase primary provision as well.

3.204 LBHF officers cannot comment on the accuracy of the data submitted for LB Ealing and Brent, or their education needs. The OPDC will need to liaise with the other boroughs to determine their need in terms of education provision, to ensure that there will be sufficient school places.

Nursery

3.205 The ES looked at nursery school capacity in the area and identifies spare capacity at 2 out of the 4 nursery schools. The other 2 nurseries were operating at over capacity

3.206 The proposed development includes 3,500sq.m of flexible commercial floorspace including Class D1 use. The submitted drawings indicate that 625sqm of this space could be a D1 nursery. A facility of this nature would be welcomed.

HEALTHCARE

3.207 LBHF Core Strategy policy CF1 seeks to assist in securing sites for future healthcare provision or reorganisation of provision. OPDC Draft Local Plan policy S13 (Health) requires proposals to meet the needs of the development.

3.208 AECOM have commented that primary healthcare data on GP numbers and registered patients require updating to give a current perspective on provision, as more recent statistics are available. To date, this updated data has not been submitted. As such officers cannot fully assess impact on healthcare.

3.209 Based on GLA Population Yield estimates, it is expected that the scheme would house approximately 1,219 residents. Officers recommend that Class D1 floorspace be secured for the provision of a healthcare facility on site, if needed, or a financial contribution towards healthcare provision, to be secured by S106 agreement.

S106 AGREEMENT

3.210 The council considers it is important to be signatories to the S106 agreement. The council is the highway, housing, waste and education authority, the local authority for public health, and responsible for Air Quality. The Council also plays a key role in economic and employment provisions. As such it is appropriate that it should manage relevant planning obligations, which it can only do if it is party to the agreement.

3.211 Being party to the S106 agreement will enable the Council to monitor compliance and thus reduce the need for the OPDC to do so. It will also avoid the need for the OPDC to collect monies and distribute to the Council.

3.212 Without the council formally securing commitments by being party to S106 agreements, its ability to promote and comply with its council wide duties will be severely undermined.

1. Housing Authority - Affordable housing provisions, including nomination rights of occupiers on its housing register, viability review mechanisms are of paramount importance to the council's role as Housing Authority
2. Highways Authority - The council is responsible for maintenance of the highway and the party to enter into highways works agreements (S278 agreements).
3. Road Authority – (as above in relation to road management, parking) Highways provisions relating to the construction, dedication and adoption of highway and changes to the road system will require the council's signature as highway and road authority. CPZ and parking are administered by the highway and road authority.
4. Waste authority – responsible for collection of waste and recycling.
5. Education Authority – requirement to provide sufficient education to meet the needs for children in its borough.
6. Local authority for Public Health
7. Economic and employment provisions – the council plays a key role in developing provisions to secure apprenticeships, training and contracts for local providers in relation to development. As such, its involvement in negotiating the terms of the S106 agreement will be important to promote the council's core objectives.
8. Air quality – As the borough is an Air Quality Management Area under the 1995 Environment Act – Part IV, it is essential that the impacts of any development is agreed with the council whose responsibility it is under the act to ensure that air pollution is being adequately addressed.

3.212 It is noted that although OPDC are not necessarily required to agree to this, LBHF considers that it would be appropriate in this case.

3.213 Suggested S106 heads of terms are set out in the recommendation.

4.0 CONCLUSION AND RECOMMENDATION

4.1 The proposed mix of uses is acceptable in principle and will contribute to meeting the London Plan and OPDC target of 24,000 homes and 55,000 jobs in Old Oak. The provision of Genesis Road is in accordance with the illustrative masterplan and would enable future provision of a key road into Old Oak.

4.2 The development would be very high density, but would provide an acceptable standard of accommodation, mix of unit sizes, and would not have an unacceptable impact on surrounding residential amenity in terms of daylight, sunlight, overshadowing.

4.3 The development would meet a high standard architecture and urban design and create a new townscape context that would be consistent with the scale envisaged for future development in Old Oak. However, the detailed design of Block B would benefit from some further refinement.

4.4 The offer of 33% affordable housing is welcomed, though viability discussions are ongoing and OPDC and LBHF officers must continue to seek the maximum reasonable proportion of affordable housing.

4.5 The development will have impacts on education and healthcare provision in the borough and an appropriate education and infrastructure contribution should be

secured. Further information is required on healthcare provision, and a contribution /provision of D1 floorspace may be required.

4.6 It is considered that the traffic impact would be acceptable. Subject to conditions, the level of car, motorcycle and cycle parking is assessed as being acceptable. It is considered that any impacts arising from the development would be mitigated by conditions and s106 provision to contribute towards sustainable transport infrastructure measures within the Old Oak Opportunity Area and prevent significant increase in on-street parking pressures in surrounding roads.

4.7 Officers have a number of concerns regarding the assessments in the Environmental Statement and request that the following areas in particular be amended and updated as necessary in order to demonstrate that the proposal is acceptable and any required mitigation measures are adequately secured. Until these have been updated officers are unable to confirm acceptability of the scheme in these regards.

- Air quality
- Microclimate
- Social infrastructure – education and healthcare
- Daylight/sunlight (overshadowing)

4.8 It is considered that other outstanding matters could be adequately secured by appropriately worded conditions.

RECOMMENDATION

4.9 That the Old Oak and Park Royal Development Corporation (OPDC) be advised that LBHF raise no objections to the proposal subject to the identified matters being satisfactorily resolved and secured by a legal agreement and/or condition. new jobs. The Old Oak and Park Royal Development Corporation (OPDC) are the planning authority.

**PLANNING APPLICATIONS COMMITTEE
ENFORCEMENT PERFORMANCE REVIEW
2015**

This report provides an update on the team's performance and successes over the period 1st January 2015 to 31st December 2015

- 1. Introduction**
- 2. Enforcement Investigations**
- 3. Appeals**
- 4. Prosecutions**
- 5. Proactive Enforcement Action**
 - Advert Hoardings**
 - Estate agents boards**
 - Eyesore Properties and sites**
- 6. Conclusion**

1. INTRODUCTION

1.1. This report provides a review of the performance and achievements of the planning enforcement team in the last twelve months from January to December 2015. The primary function of the enforcement team is to investigate breaches of planning control and to negotiate and mediate with developers, residents and their neighbours to bring about a resolution of those breaches.

1.2 The vast majority of breaches of planning are resolved through informal enforcement action i.e. direct officer negotiation with the “offender”. Unfortunately in some cases this is not possible and, therefore, where the breach has caused demonstrable harm to the amenity of the area and the offender is unwilling to rectify the breach, formal enforcement action becomes necessary.

1.3 Whilst most enforcement work is reactive, in response to reports of breaches from residents and the public, we have also undertaken a number of projects and proactive work where a clear benefit to the local community has been identified resulting from significant improvements to the appearance of the streetscene.

1.4 During the 12 month period the team received 2,017 reported breaches of planning control from the general public and councillors, and a total of 2,026 investigations were completed. Enforcement action has been authorised in 113 cases. These relate to satellite dishes, advert hoardings, roof terraces, extensions, PVCu windows, garden fences and untidy sites/properties. In addition 365 removal notices were issued for estate agents advertising boards.

1.5 The most frequent investigations include satellite dishes, roof terraces, roof extension and rear extensions, boundary walls and fences and estate agents boards.

1.6 The main reasons for closure are broken down as follows:-

- 276 Breach remedied through officer negotiation
- 6 Planning permission not required
- 279 Not Development
- 106 Permitted Development
- 147 Use is lawful (4 years/10 years)
- 74 Deemed Consent (Adverts)
- 256 In accordance with planning permission
- 36 Retrospective planning permission granted
- 7 Planning permission granted on appeal
- 86 Not expedient to take enforcement action
- 416 Enforcement Notice complied with

2. ENFORCEMENT INVESTIGATIONS - BREACH TYPES

2.1 SATELLITE DISHES

165 Cases Investigated

46 Planning permission is not required, use is lawful, permitted development

25 Remedied through officer negotiation, either relocated or removed

20 Enforcement Notices issued

23 Enforcement Notices complied with

Comment

2.1.1 The installation of satellite dishes on residential properties is a growing problem in the borough, especially following the closing down of analogue television. They can be both visually unsightly and harmful to the character and appearance of the conservation area.

2.1.2 Although planning permission is not generally required to install satellite dishes on residential properties, that is not the case in conservation areas if they are sited on the front elevation of the building. Multiple dishes are often installed on large properties subdivided into flats and identifying those responsible can be problematic and time consuming.

2.1.3 In addition to investigating all complaints about individual satellite dishes, we are now pro-actively targeting specific problem areas where the visual harm resulting from the over-concentration of satellite dishes is greatest. Officers are currently pursuing those offenders who have not complied with their enforcement notice, as continued failure would result in prosecution in the Magistrates Court.

2.2 ROOF TERRACES

106 Cases Investigated

43 Planning permission is not required – use is lawful, permitted development

20 Remedied through officer negotiation

7 Planning permission granted retrospectively

10 Enforcement Notice issued

4 Enforcement Notice complied with

Comment

2.2.1 The use of a flat roof on any part of a residential property generally does not require planning permission. However, the Council does have control over development that facilitates such a use, i.e. erection of railings or other forms of enclosure and in some cases the formation of door openings. New roof terraces continue to be of concern to local residents. Their concerns relate to overlooking and noise and disturbance. In some cases these problems can be resolved by the installation of privacy screens but where that is not appropriate the cessation of the use of the roof terrace will be sought.

2.3. BOUNDARY WALLS AND FENCES

68 Cases Investigated

54 Resolved though officer negotiation

Comment

2.3.1 Boundary wall and fences are permitted to a height of 1m on a boundary which fronts a highway and 2m in any other case OR no higher than the previously existing boundary wall or fence, whichever is the higher. Boundary walls and fences, especially in rear gardens, are a regular source of complaint. Owners, in an effort to provide

privacy in their rear gardens, often seek to raise the height of their garden fences above the permitted 2 metres. This can in some case have a harmful effect on neighbouring residents.

2.3.2 Often these high fences are erected without any discussion/agreement with their neighbours. Officers therefore regularly find that they need to mediate between the two owners to seek a satisfactory compromise. In the majority of cases a compromise is found, but if not, then enforcement action can be taken if the wall/fence is considered to be harmful.

2.4 ROOF AND REAR EXTENSIONS

63 Cases Investigated

49 Planning permission is not required, use is lawful, permitted development,

3 Remedied through officer negotiation

10 Enforcement Notices issued

2 Enforcement Notice complied with

Comment

2.4.1 Complaints are regularly received from neighbouring residents that roof and/or rear extensions are not being built in accordance with the planning permission. This often occurs because the applicant's architect has failed to survey the property correctly, meaning that the extension cannot be erected as indicated on the approved plans, or simply that the owner has requested additional modifications. Where the Council are alerted at an early stage, then the team are able to intervene before the works are completed. Unfortunately, this is not always the case. Therefore if the developer does not remedy the breach, or submit a retrospective planning application it falls to the council consider the harm; and whether the harm is sufficiently injurious to justify taking enforcement action to secure its removal or remedial works.

2.5 OTHERS

2.5.1 There are a number of other investigation types not mentioned above such as unauthorised changes of use, new windows, outbuildings, new shopfront, breaches of condition etc.

1,037 investigated

849 Planning permission is not required, use is lawful, permitted Development, not expedient

174 remedied through officer negotiation

73 enforcement notices issued

111 enforcement notice complied with

3. APPEALS

3.1.1 Where an enforcement notice is served on an offender they have a right of appeal. (NB. There is no right of appeal against a notice relating to estate agents boards failure to comply would lead straight to prosecution). During 2015 a total of 19 appeals against enforcement notices were made. The Council successfully defended its decision to

enforce on 9 appeals; 2 appeals were allowed by the Planning Inspectorate. (The remainder are still awaiting a decision).

4. PROSECUTION

4.1 Background

4.1.1 Occasionally enforcement action will lead to the prosecution of the offender in the Magistrates Court. This only occurs when the offender fails to comply with the enforcement notice or, in the case of advertisements, continually displays illegal adverts.

4.1.2 A total of 9 enforcement prosecution cases progressed to summons issued in the Magistrates Court in 2015. The estate agent board cases that were progressed through the Magistrates Court are detailed in Para 6.2. Most relate to boards being displayed within our six Regulation 7 banned areas. We have informed estate agents that the Council is exercising a zero-tolerance approach for dealing with any board illegally displayed within the Regulation 7 areas and this will result in their prosecution in the Magistrates Court. 4 other cases are ongoing.

4.2 Prosecutions of note

4.2.1 154 Old Oak Road W12 Unauthorised use of the front garden for commercial storage.

This a residential property where the owner is storing large refrigeration cabinets in his front garden awaiting export. There are often up to a dozen units in the front garden at any time. The owner has failed to comply with the enforcement notice to remove the units. The matter was referred to the Magistrates Court, and despite two court summonses the owner failed to attend court and a warrant was issued for his arrest. At Hammersmith Magistrates Court on Tuesday, 27th January 2015, this matter was before a Lay Bench. The owner was in attendance, unrepresented. A guilty plea to the breach of the enforcement notice was entered.

Despite his failure to attend court on two previous occasions the owner was given credit for his early guilty plea and was fined £1000 for the offence and ordered to pay prosecution's costs in the sum of £866.54. A £100 victim surcharge was also imposed. In fining the owner, the Magistrates stated the use of the front garden as a commercial storage was unsightly in a residential area and caused obstruction to traffic and pedestrians. The enforcement notice has still not been complied and we are now seeking further prosecution in the courts; in the light of the previous conviction his fine is likely to be substantially higher. Update March 2016: the majority of the items from the front garden have now been cleared.

4.2.2 51/53 Racton Road, SW6 Roof terrace

A roof terrace has been created. The owner has failed to remove the terrace in compliance with the enforcement notice. After numerous Court adjournments over the last 12 months where the defendant pleaded 'not guilty'. The case was heard at the Magistrates Court on 6th January 2015. The defendant then changed his plea to 'guilty'. A fine of £4,500 was imposed, and costs of £3,599.20 were awarded to the Council. This is being pursued because whilst the owner has now removed the metal railings in accordance with the enforcement notice; he has now installed a timber trellis on two

sides of the flat roof which are fixed in planters and bolted to the flat roof. We are in the process of serving another enforcement notice.

4.2.3 43 Althea Street/70 Townmead Road SW6 Additional floor at roof level.

In 2004, the owner erected an additional floor at roof level without planning permission.

4.2.4 A planning application to retain the extension was refused on 1st September 2004 and enforcement action was authorised. An enforcement notice was served on 16th September 2004 with 6 months to comply. The enforcement notice requires the removal of the additional floor at roof level and the reinstatement of the original pitched roof as it existed prior to the extension.

4.2.5 An appeal against the enforcement notice was dismissed by the Planning Inspectorate on 21st June 2005.

4.2.6 When the owner failed to comply with the enforcement notice a summons was issued against him in March 2007. The defendant wrote to the court to state that he was too ill to attend. The hearing was adjourned until 3 April 2007 but the defendant failed to attend and a warrant was put out for his arrest.

4.2.7 In the following 7 years there were another planning application, another arrest warrant, 2 arrests and the defendant remanded on bail, 28 adjourned court hearings and various sick notes until on 2nd October 2014 the defendant attended the City Of London Magistrates' Court where he pleaded not guilty. The case was not completed, a second hearing took place on 21 January 2015, the defendant attended but due to his ill health the matter has been adjourned until 28 and 29th May 2015.

The Judge found the case proved. She indicated that she was not convinced by the defendant and his witnesses who, in her view, tended to 'cherry pick' which pieces of evidence which suited them and to misinterpret those which did not. The owner was fined £12,000 and ordered to pay £19,276 and a victim surcharge of £200. The total of £31,476 is to be paid within 3 months. A site visit has confirmed that the notice has still not been complied with, the matter is to be referred back to the courts.

73 Rylett Crescent W12 Dwelling House in the rear garden.

In February 2013 the planning enforcement team investigated reports that a building was being erected in the back garden of No. 73. Rylett Crescent. Council officers visited the site and ascertained that a 2.2 metre high fence had been erected behind the main house separating it from its garden. A new building was under construction which covered the entire garden up to the boundary with the bungalow at No 73A. The former small shed had been demolished, but two of its walls had been incorporated into the new building. The owner told officers that he had sold No.73 and intended to reside in the new building as a single dwellinghouse. Officers advised the owner that the works required planning permission and that, in their opinion, it was unlikely that permission would be granted as it was overdevelopment of the site. The owner was instructed to remove the building and the fence. The Council received information that the owner had a serious illness; in response we confirmed that no further action would be taken against the unauthorised development at that time, provided that no further works were undertaken at the property.

Officers revisited the site to discover that the owner had recommenced building work and had completed the building. The owner advised that the main house was sold and

he now intended to live in the dwelling under construction. On 20 July 2013 the Council issued an enforcement notice (Ref: 2013/00098/ACTWKS) No appeal was made against the notice and it became effective on 3 September 2013.

The notice required the demolition of the building, and removal of all associated materials from the land and the reinstatement of the garden within six months. This period passed without compliance with any of the requirements.

In April 2014 the Council advised the owner that he was liable for prosecution in the Magistrate's Court for failing to comply with an effective enforcement notice. His brother informed the Council that he was undergoing medical treatment for a serious illness and was living in the building with his son. The council agreed to hold a prosecution in abeyance during the medical treatment. However, in that time a certificate of lawful development was submitted for the erection of a single storey building in the rear garden in connection with its use as a single dwellinghouse (ref:2014/04857CLE). On the basis that the use as a single dwelling had been in situ for more than 4 years. This was clearly not the case as previous to February 2013 only a shed had been in situ. This application was refused and an appeal submitted; all proceedings were held in abeyance as during which time it would not have been possible for the Council to secure a prosecution.

The appeal was dismissed on 4th January 2016 and the enforcement notice upheld. Officers wrote to the owner to advise once again that he is now liable to prosecution and that the notice must be complied with by 4th April 2016. In response, a claim has been submitted to the High Court to challenge the Planning Inspector's decision. Officers are now waiting to hear whether the owner will be permitted to continue with his challenge.

5. PROACTIVE ENFORCEMENT

5.1 SATELLITE DISHES

Barons Court Road,
Palliser Road
Sinclair Road
Sinclair Gardens

5.1 ADVERTISEMENT CONTROL

The Planning Enforcement Team are continuing with their pro-active stance on advertisements in order to visually improve the street scene. This includes the removal of illegal advert hoardings on residential buildings, discontinuance of unsightly hoardings that have accrued deemed consent under the 10 year rule and the removal of illegally displayed estate agent boards.

i) ILLEGAL ADVERTISEMENT HOARDINGS

In 2015 there were no instances of advertisement hoardings being displayed on new sites. However, if there is a change in the manner in which the site is displayed then this may breach the regulations, making the replacement advertisement hoarding illegal. This was the case at 208 Fulham Palace Road when a non-illuminated poster panel

advertisement was changed to an internally illuminated box hoarding. The Council considered the display of the internally illuminated hoarding to be dominant and harmful to local amenity and served a notice to remove the illegal display. This has been complied with.

ii) DISCONTINUANCE ACTION ON ADVERTISEMENT HOARDINGS

The Planning Enforcement team are continuing their proactive programme of discontinuance action. This involves identifying lawful sites used for the display of advertisement hoardings that benefit from “deemed” consent (more than 10 years display) but not “express” consent. Advertisement hoardings that are considered to be significantly injurious to amenity may be removed by the Council using these discontinuance powers.

This process is more protracted and time consuming than the removal of illegal advertisements and inevitably results in the Council having to defend the service of the notice at appeal.

9 Notices served

99 Fulham Palace Road, W6
111 Fulham Palace Road, W6
113 Fulham Palace Road, W6
106 Goldhawk Road, W12
120 Goldhawk Road, W12
541 Kings Road, SW6
214 New Kings Road, SW6
112-114 North End Road, W14
204 North End Road, W14

2 Notices complied with and Advert Hoardings removed

106 Goldhawk Road, W12
250 Munster Road, SW6

15 Appeals

8 Decision pending

99 Fulham Palace Road, W6
111 Fulham Palace Road, W6
113 Fulham Palace Road, W6
120 Goldhawk Road, W12
541 Kings Road, SW6
214 New Kings Road, SW6
112-114 North End Road, W14
204 North End Road, W14

7 Appeals Dismissed (100% success)

120 Goldhawk Road, W12

683 Harrow Road, NW10

225 Munster Road, SW6

236 Munster Road, SW6

250 Munster Road, SW6

253 Munster Road, SW6

255 Munster Road, SW6

Comment

The Planning Enforcement team work closely with the borough's amenity groups and particular thanks should be given to the Fulham Society and the Hammersmith and Fulham Historic Buildings Group who have consistently provided strong support for the Council's decision to issue a discontinuance notice during the appeal process. This collaborative approach reinforces to the Planning Inspectorate the view that the advertisement hoarding is substantially harmful to local amenity and has ensured the continuing success of the programme (a 100% success rate at appeal).

iii) ESTATE AGENTS BOARDS

Regulation 7

Councils may apply to the Secretary of State to impose a direction removing the deemed consent rights of estate agents to display their "for sale" or "to let" boards. In order to gain approval for a direction, Councils must show that the existing regulations are inadequate to ensure that areas are not blighted by clutter from excessive numbers of estate agent boards. In 2012 the Lakeside/Sinclair/Blythe Road and Barons Court Regulation 7 Areas were renewed for a period of 10 years. The planning enforcement team submitted an application to the Secretary of State in June, to renew the direction covering 4 Regulation 7 Areas (Avonmore & Olympia, Gunter Estate, Hammersmith Grove and Harwood Road) that had been in place since October 2010. The application was submitted following consultation with residents and amenity groups. The response was overwhelmingly in support of the application. Update: a positive decision has now been received granting the direction for a further 10 years. This came into effect on 21st March.

Regulation 7 areas are monitored by officers and residents are also able to report boards to us at a dedicated email address boards@lbhf.gov.uk. Officers have taken a "zero approach" in seeking the prosecution of agents displaying boards in these areas. This has been very successful and the result has been that all areas remain virtually free of boards. This has been a very popular initiative with the general public and has resulted in significant visual improvements in the streetscene.

Prosecution of Estate Agents

Due to the "zero tolerance" approach there have been very few instances of illegal boards being displayed within these protected areas. In total, only 6 boards have been

displayed within all of the six Regulation 7 Areas this year. A summons has been issued on the following agents and we are awaiting the outcome of the prosecution.

In Regulation 7 Areas

Kinleigh Ltd

- **22 Bolingbroke Road – Found guilty and fined £800 plus £500 costs**

Kinleigh Ltd Folkhard Hayward

- **30 West Kensington Mansions, North End Road – Found guilty and fined £1250 plus £500 costs**
- **33 Richford Street - Found guilty and fined £750 plus £550 costs.**

Lawsons and Daughters

- **36 Vereker Road - Found guilty and fined £1500 plus £500 costs**

Featherstone Leigh

- **102 North End Road – Found guilty and fined £750 plus £500 costs**

Portico

- **123 Hammersmith Grove – Found guilty and fined £800, plus £532 costs.**

Outside of Regulation 7 Areas

The Planning Enforcement team have also 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, or multiple boards. In 2015 a total of 578 estate agents board were investigated and 365 of which were illegally displayed boards were removed using this initiative. This initiative will also continue.

5.2 EYESORE PROPERTIES AND SITES

44 investigated

13 remedied

24 investigations concluded

9 S215 Notices

4 Notices complied with

5.3.1 The investigation of untidy sites and premises is jointly carried out by planning enforcement and the private sector housing in Public Protection and Safety division. The teams liaise on a regular basis to review progress and agree the most effective actions to achieve the best solution.

6. **CONCLUSION**

The Planning Enforcement Team remains primarily a reactive service in dealing promptly with complaints (service requests) received from the general public. However, the Team will continue to progress with its proactive initiatives which have been strongly supported by residents, members and the general public.

Improvements in the Council's Planning Enforcement website ensures that the general public have much greater access to our services with the facility to report online all possible breaches of planning control. Complainant's details will continue to remain confidential thereby removing any fears that the general public may have in reporting illegal planning activity.