

Planning and Development Control Committee

Agenda

Wednesday 8 June 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: Katia Richardson
Committee Co-ordinator
Governance and Scrutiny
Tel 020 8753 2368
E-mail: katia.richardson@lbhf.gov.uk

Reports on the open agenda are available on the Council's website:
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 3 June

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

8 June 2016

<u>Item</u>		<u>Pages</u>
1. MINUTES		1 - 5
	To approve as an accurate record, and the Chair to sign, the minutes of the meeting of the Committee held on 10 May 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. MEMBERSHIP		
	The Committee is asked to note its membership as agreed at the Annual Meeting of the Council held on 18 May 2016.	

London Borough of Hammersmith & Fulham

Planning and Development Control Committee Minutes



Tuesday 10 May 2016

PRESENT

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

47. MINUTES

Councillor Karmel requested the following amendment to the minutes, which was agreed by the Committee:

Item 46.2, Oaklands House, Old Oak Common Lane, London NW10 6DU, College Park and Old Oak 2016/00539/OBS, Page 3, second paragraph, delete “He went on to state that it would also be a good idea for the proposal to go before the Hammersmith and Fulham Design and Review Panel” and replace with “He went on to state that it would also be a good idea had the proposal gone before the Hammersmith and Fulham Design and Review Panel prior to the Planning and Development Control Committee”.

RESOLVED THAT:

The minutes of the meeting of the Planning and Development Control Committee held on 6 April 2016 be confirmed and signed as an accurate record of the proceedings, subject to the following amendment to the minutes:

Item 46.2, Oaklands House, Old Oak Common Lane, London NW10 6DU, College Park and Old Oak 2016/00539/OBS, Page 3, second paragraph, delete “He went on to state that it would also be a good idea for the proposal to go before the Hammersmith and Fulham Design and Review Panel” and replace with “He went on to state that it would also be a good idea had the proposal gone before the Hammersmith and Fulham Design and Review Panel prior to the Planning and Development Control Committee”.

48. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Elaine Chumnerly.

49. DECLARATION OF INTERESTS

There were no declarations of interest.

50. PLANNING APPLICATIONS

50.1 Gas Holder Station, Michael Road, Sands End 2015/02559/HAZ

Officers requested to defer application 2015/02559/HAZ from consideration at the Committee as information had come to light concerning the basis for which the Order for revocation could be made under the Planning (Hazardous Substances Act 1990 (“the Act”). The current officer report recommended revocation under s.14(1) of the Act but did not sufficiently detail the alternative option of revocation of the HSC under s.14(2) of the Act. In weighing up the recommendation to revoke the HSC under s.14(1) officers had not sufficiently set out the reasons why this option was preferred to the alternative route of revoking the HSC under s.14(2) of the Act.

Officers considered that it would not be appropriate to capture the further justification in an Addendum and Members should have sufficient time to review the justification in order to fully understand the options open to the council in securing the revocation of the HSC.

The Committee voted to defer the application for revocation of the Hazardous Substances Consent and the Committee unanimously agreed.

RESOLVED THAT:

To defer consideration at the Committee the application for revocation of the Hazardous Substances Consent.

RESOLVED THAT:

Planning application 2015/02559/HAZ be deferred from consideration at the Committee.

50.2 Fulham Town Hall, Fulham Road, SW6 1ER, Parsons Green And Walham 2015/04022/FUL

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

Councillor Karmel agreed that the amendment to the wording did accurately reflect the mood of the Committee and reiterated his previous concerns about the harm to the listed building caused by the proposed changes to the Council Chamber.

Councillor Ivimy proposed, seconded by Councillor Connell, that Councillor Karmel's comments be recorded on the minutes, which the Committee agreed

The Committee voted on planning application 2015/04022/FUL and unanimously agreed.

RESOLVED THAT:

The following revised wording (in italics and underlined) to the Council's heritage case, as set out in refusal reason 1 of the planning application 2015/04022/FUL, which is based on Counsel's advice, be amended:

'The development would cause harm to visual amenity; harm to the character, appearance and setting of the listed building (comprising the 1888-1890 original Town Hall fronting Fulham Road, the 1904-1905 Harwood Road wing, and the 1934 extension fronting Fulham Road) and harm to the character and appearance of the Walham Green Conservation Area. The harm caused would not be outweighed by public benefits, which would not result in sustainable development. It has not been demonstrated that the development would represent the optimum viable use of the listed building.

More particularly the design, height and massing of the replacement building behind the retained façade of the 1934 extension and the design of the replacement windows at first, second and third floor levels in the front elevation of the 1934 extension together with the cumulative impact of alterations to the 1888-1890 original Town Hall and 1904-1905 Harwood Road elements of the building would cause harm to the character and appearance of the listed building which it is desirable to preserve in accordance with Section 16(2) and Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The design, height and massing of the replacement building behind the retained façade of the 1934 extension would fail to preserve the setting of the retained elements of the listed building which it is desirable to preserve in accordance with s.16(2) and s.66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The design, height and massing of the replacement building behind the retained façade of the 1934 building; the design of the replacement windows at first, second and third floor levels in the front elevation of the 1934 building and the unneighbourly and over dominant extension to the Concert Hall (to the rear of the Cedarne Road terrace of Buildings of Merit) would cause harm to the character

and appearance of the Walham Green Conservation Area (including views within and into the Conservation Area), which it is desirable to preserve in accordance with s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

In these respects the proposal is contrary to paras 131, 132 and 134 of the NPPF; London Plan Policies 7.1, 7.2, 7.4, 7.5, 7.6, 7.8 and 7.9; Policy BE1 of the Core Strategy 2011; DM Local Plan Policies DM G1, DM G3, DM G5 and DM G7 and Planning Guidance SPD Policies 31, 37, 46, 49, 61 and 62.'

Meeting started: 7.00 pm
Meeting ended: 7.10 pm

Chair

Contact officer: Katia Richardson
Committee Co-ordinator
Governance and Scrutiny
Tel 020 8753 2368
E-mail: katia.richardson@lbhf.gov.uk

PLANNING AND DEVELOPMENT CONTROL COMMITTEE
Addendum 10.05.2016

Reg ref:	Address	Ward	Page
2015/04022/FUL	Fulham Town Hall, SW6	Parsons Green and Walham	25

Page 28 Para 1.8, insert 'Policy BE1 of the Core Strategy 2011;' in last sentence of reason for refusal 1 after "London Plan Policies 7.1, 7.2, 7.4, 7.5, 7.6, 7.8 and 7.9;"

Agenda Item 5

London Borough Of Hammersmith & Fulham

Planning Applications Committee

Agenda for 8th June 2016

Index of Applications, Enforcement Actions, Advertisements etc.

WARD: REG NO:	SITE ADDRESS:	PAGE:
Fulham Reach 2015/05807/FUL	67 - 69 Aspenlea Road London W6 8LH	7
Town 2016/00292/FUL	Filmer Road Studios 75 Filmer Road SW6 7JF	34
Fulham Broadway 2016/00726/FUL	20 Delaford Street London SW6 7LT	62
Sands End 2015/02559/HAZ	Gas Holder Station Michael Road London	73
College Park And Old Oak 2015/05922/FUL	White City One Media Village Wood Lane London W12	85
College Park And Old Oak 2016/00420/FUL	White City One Media Village Wood Lane London W12	138
Shepherd's Bush Green 2016/01373/VAR	Former BBC Television Centre Wood Lane London W12	146

Ward: Fulham Reach

Site Address:

67 - 69 Aspenlea Road London W6 8LH



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For identification purposes only - do not scale.

Reg. No:
2015/05807/FUL

Case Officer:
Alison Lavin

Date Valid:
08.01.2016

Conservation Area:

Committee Date:
08.06.2016

Applicant:

MORGANS DAIRY LTD.

Unit 7 Red Lion Business Centre Red Lion Road Surbiton

Surrey

KT5 7QD

Description:

Demolition of existing mixed use building comprising of part residential (Class C3) and part light industrial use (Class B1/B8), and the erection of a part two, part three and part four storey plus-basement building to provide 2 x 1 bedroom and 4 x two bedroom self-contained flats (Class C3); formation of roof terraces at second floor level.

Drg Nos: pl_56a; pl_57a; pl_58a; pl_59a; pl_60a; pl_61a; pl_62a; pl_63a; pl_64a; pl_65a; pl_66a. pl_50a; pl_51a; pl_52a; pl_53a; pl_54a; pl_55a;

Application Type:

Full Detailed Planning Application

Officer Recommendation:

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

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

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

- 2) The development shall not be erected otherwise than in accordance with the following approved drawings: pl_50a; pl_51a; pl_52a; pl_53a; pl_54a; pl_55a; pl_56a; pl_57a; pl_58a; pl_59a; pl_60a; pl_61a; pl_62a; pl_63a; pl_64a; pl_65a; pl_66a.

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

- 3) Prior to commencement of the development hereby approved, an additional Demolition Management Plan, a Demolition Logistics Plan, a Construction Logistics Plan and a Construction Management Plan shall be submitted to and approved in writing by the Council. Details shall include control measures for dust, noise, vibration, lighting, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800-1300hrs on Saturdays, advance notification to neighbours and other interested parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works. The details shall also include the numbers, size and routes of demolition and construction vehicles, provisions within the site to ensure that all vehicles associated with the construction works are properly

washed and cleaned to prevent the passage of mud and dirt onto the highway, and other matters relating to traffic management to be agreed. Approved details shall be implemented throughout the project period.

To ensure that demolition and construction works do not adversely impact on the operation of the public highway, and that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the building site, in accordance with Policies DM J1, DM J6, DM H5, DM H8, DM H9, DM H10 and DM H11 of the Development Management Local Plan (2013).

- 4) No development shall commence until a scheme for temporary fencing and/or enclosure of the site where necessary has been submitted to and approved in writing by the Council, and such enclosure has been erected in accordance with the approved details and retained for the duration of the building works. No part of the temporary fencing and/or enclosure of the site shall be used for the display of advertisement hoardings.

To ensure that the site remains in a tidy condition during and after demolition works and during the construction phase and to prevent harm to the character and appearance of the streetscene, in accordance with Policy BE1 of the Core Strategy (2011), and Policy DM G1 of the Development Management Local Plan (2013).

- 5) The development hereby permitted shall not commence prior to the submission and approval in writing by the Council of details and samples of all materials to be used on the external faces of the new buildings and all surface treatments, and of railings, windows and doors and no part of the development shall be used or occupied prior to the completion of the development in accordance with the approved details.

To ensure a satisfactory external appearance, in accordance with Policy BE1 of the Core Strategy (2011), and Policy DM G1 of the Development Management Local Plan (2013).

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

To ensure a satisfactory external appearance, in accordance Policy BE1 of the Core Strategy (2011), and Policy DM G1 of the Development Management Local Plan (2013).

- 7) No plumbing, extract flues or pipes other than rainwater pipes shall be fixed on the elevations of the building fronting Aspenlea Road and Lurgan Avenue hereby approved.

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

- 8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) 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.

In order to ensure that the Council 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 Policy DM G1 of the Development Management Local Plan (2013).

- 9) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) no extensions or other form of enlargement to the development hereby permitted, nor erection of porches, outbuildings, hardstandings, storage tanks, gates, fences, walls or other means of enclosure, shall take place without the prior written permission of the Council.

Due to the limited size of the site, proximity to neighbouring properties and proposed design of the building on the site, the Council would wish to exercise future control over development which may affect residential amenity or appearance of the area, in accordance with Policy BE1 of the Core Strategy (2011), and Policies DM A9 and DM G1 of the Development Management Local Plan (2013).

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

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

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

To ensure that the development incorporates suitable design measures to minimise opportunities for, and the perception of, crime, in accordance with Policy 7.3 of the London Plan (2015), and Policy DM G1 of the Development Management Local Plan (2013).

- 12) With exception to the private roof terrace areas shown on approved drawings:pl_51a; pl_64a; pl_53a; pl_54a; pl_63a; pl_64a; pl_62a; pl_61a, no part of the remainder of the roof areas provided by the development hereby approved shall be used as a terrace or other accessible amenity space. No walls, fences, railings or other means of enclosure shall be erected around the roofs, and no

alterations shall be carried out to the approved building (including the permitted roof terrace enclosures) to form access onto these roofs.

To ensure a satisfactory external appearance and so that the use of the buildings does not harm the amenities of the existing neighbouring residential properties and future residential occupiers of the development as a result of overlooking, loss of privacy and noise and disturbance, in accordance with Policy DM H9, DM A9 and DM G1 of the Development Management Local Plan (2013), and SPD Housing Policy 8 of the Planning Guidance Supplementary Planning Document (2013).

- 13) The development hereby permitted shall not commence until details and samples of the 1.8m high obscure glazed screen as measured from the floor level of the terrace to be used in connection with the roof terraces at second floor level to both flat 5 and flat 6 which shall be positioned on the southern side of the building, have been submitted to and approved in writing by the Council. The use of these terrace spaces shall not commence, until the obscure glazed screening as approved has been installed and it shall be permanently retained as such thereafter.

In order to ensure that the glazing would not result in overlooking and any subsequent loss of privacy, in accordance with Policy DM G3 of the Development Management Local Plan 2013 and SPD Housing Policy 8 (ii) of Planning Guidance Supplementary Planning Document 2013.

- 14) The development hereby permitted shall not be occupied until the new windows, southern facing, in the dormer at roof level, have been installed fixed shut with obscure glazing, a sample of which shall have been submitted to and approved in writing by the Council prior to any development on site. Thereafter the window shall be retained in the form approved.

In order to ensure that the glazing would not result in overlooking and any subsequent loss of privacy, in accordance with policies DM A9 and G1 of the Development Management Local Plan, 2013, and SPD Housing Policy 8 (criteria ii) of the Planning Guidance Supplementary Planning, 2013.

- 15) No part of the development hereby approved shall be occupied prior to the provision of the refuse storage enclosures, as indicated on the approved drawing pl_50a.

To ensure that the use does not give rise to smell nuisance and to prevent harm to the street scene arising from the appearance of accumulated rubbish, in accordance with Policy CC3 of the Core Strategy 2011 and Policy DM H5 of the Development Management Local Plan 2013.

- 16) Any refuse/recycling generated by the residential units hereby approved shall be stored in the refuse stores forming part of the details approved pursuant to Condition 15 and shall not be stored on the pavement or street.

To ensure that the use does not give rise to smell nuisance and to prevent harm to the street scene arising from the appearance of accumulated rubbish, in accordance with Policy DM H5 of the Development Management Local Plan 2013.

- 17) No part of the development hereby approved shall be occupied prior to the provision of the cycle storage for the residential development hereby approved, as indicated on the approved drawing pL_50a.

and such storage facilities shall be permanently retained thereafter in accordance with the approved details.

In order to promote alternative, sustainable forms of transport, in accordance with Policy DM J5 of the Development Management Local Plan 2013 and Policy 6.9 and Table 6.3 of the London Plan 2011.

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

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

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

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.

- 20) Prior to the first occupation of the development hereby approved, details of external artificial lighting shall be submitted to and approved in writing by the Council. Details shall demonstrate that vertical illumination of neighbouring premises is a maximum of 10lux at ground floor and 5lux at first and higher floor levels. The recommendations of the Institution of Lighting Professionals in the 'Guidance Notes For The Reduction Of Light Pollution 2005' shall also be met with regard to glare and sky glow. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure a satisfactory external appearance and to prevent harm to the occupiers of neighbouring properties, in accordance with Policy BE1 of the Core Strategy 2011 and Policies DM G1, DM G7, DM H10 and DM H11 of the Development Management Local Plan 2013.

- 21) The development shall be implemented in accordance with the recommended flood mitigation measures as proposed in the submitted Flood Risk Assessment and the Flood Risk Assessment Addendum, otherwise agreed in writing by the local planning authority. In line with advice from Thames Water, a non-return valve or other suitable device shall be installed to avoid the risk of the sewerage network surcharging wastewater to basement/ground level during storm conditions. The measures/scheme shall be implemented in accordance with the approved details

prior to occupation of the development hereby permitted, and thereafter permanently retained and maintained in line with the agreed plan.

To reduce the impact of flooding to the proposed development and future occupants, in accordance with Policies 5.11, 5.13, 5.14 and 5.15 London Plan 2011, Policy CC1 and CC2 of the Core Strategy 2011, National Planning Policy Framework (2012) and the Technical Guidance to the National Planning Policy Framework (2012) and Policy DM H3 of the Development Management Local Plan 2013.

- 22) The development hereby permitted shall not commence until a surface water drainage scheme, based on sustainable drainage principles, and a maintenance programme for the sustainable urban drainage measures, have been submitted to and approved in writing by the council. The scheme shall be implemented in accordance with the approved details prior to first occupation of the development hereby permitted, and thereafter permanently maintained in accordance with the agreed details.

To prevent any increased risk of flooding and to ensure the satisfactory storage of/disposal of surface water from the site in accordance with Policy CC2 of the Core Strategy 2011 and Policy 5.13 of The London Plan 2011, PPS25 and Policy DM H3 of the Development Management Local Plan 2013.

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

In order that the Council can update its records to ensure that parking permits are not issued to the occupiers of the dwellings hereby approved, and thus ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on-street car parking stress in the area, in accordance with Policy DM A1, A9, J2 and J3 of the Development Management Local Plan 2013 and Policy T1 of the Core Strategy 2011

- 24) No occupiers of six dwellings hereby permitted, with the exception of disabled persons who are blue badge holders, shall apply to the Council for a parking permit or retain such a permit, and if such a permit is issued it shall be surrendered to the Council within seven days of written demand.

In order to ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on-street car parking stress in the area, in accordance with Policy DM A1, A9, J2 and J3 of the Development Management Local Plan 2013 and Policy T1 of the Core Strategy 2011.

- 25) The six dwellings hereby permitted shall not be occupied until such time as a scheme has been submitted to and approved in writing by the local planning authority to ensure that all occupiers, other than those with disabilities who are blue badge holders, have no entitlement to parking permits from the council and to

ensure that occupiers are informed, prior to occupation, of such restriction. The dwellings shall not be occupied otherwise than in accordance with the approved scheme unless prior written agreement is issued by the Council.

In order that the prospective occupiers of the residential units concerned are made aware of the fact that they will not be entitled to an on-street car parking permit, in the interests of the proper management of parking, and to ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on-street car parking stress in the area, in accordance with Policy DM A1, A9, J2 and J3 of the Development Management Local Plan 2013 and Policy T1 of the Core Strategy 2011.

- 26) No part of the development hereby approved shall be used or occupied prior to the completion of works for the removal of the dropped kerb and reinstatement of the section of footway outside the site on the western side of Lurgan Avenue, the extension to the parking bays and making good of the highway.

In order to ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with Policy DM G3 and J6 of the Development Management Local Plan 2013.

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

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Borough Wide Strategic Policy CC4 of the Core Strategy and policies DM H7 and H11 of the Development Management Local Plan 2013.

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

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Borough Wide Strategic Policy CC4 of the Core Strategy and policies DM H7 and H11 of the Development Management Local Plan 2013.

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

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Borough Wide Strategic Policy CC4 of the Core Strategy and policies DM H7 and H11 of the Development Management Local Plan 2013.

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

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Borough Wide Strategic Policy CC4 of the Core Strategy and policies DM H7 and H11 of the Development Management Local Plan 2013.

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

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

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Borough Wide Strategic Policy CC4 of the Core Strategy and policies DM H7 and H11 of the Development Management Local Plan 2013.

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

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Borough Wide Strategic Policy CC4 of the Core Strategy and policies DM H7 and H11 of the Development Management Local Plan 2013.

Justification for Approving the Application:

- 1) 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 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 H9, DM H11 and DM A9 of the DM LP (2013) and SPD Housing Policy 8 of the Planning Guidance SPD (2013).

4. Safety and Access: A condition will ensure the development would provide a safe and secure environment for all users in accordance with Policy 7.3 of the London Plan (2015) and Policy DM G1 of the DM LP (2013).

5. 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).

6. 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).

7. 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).

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

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

Application form received: 10th 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

Consultation Comments:

Comments from:	Dated:
Environment Agency - Planning Liaison	15.01.16
Thames Water - Development Control	13.01.16

Neighbour Comments:

Letters from:	Dated:
65b greyhound road London w6 8nh	18.01.16
65A Greyhound road London W6 8NH	02.02.16
28 ARISTOTELOUS STR. THESSALONIKI 546 23	02.02.16
28 ARISTOTELOUS STR THESSALONIKI / GREECE 546 23	02.02.16
65 C GREYHOUND RD LONDON W6 8NH	02.02.16
65 Greyhound Road Flat C London W6 8NH	02.02.16
65C GREYHOUND RD LONDON W6 8NH	02.02.16
28 ARISTOTELOUS STR. THESSALONIKI / GREECE GR 546 23	02.02.16

1.0 BACKGROUND

1.1 This application relates to a site located on the eastern side of Aspenlea Road, occupied by a pair of Victorian properties. The site is adjoined by the Kennedy Institute of Rheumatology to the north and the rear of No. 61 Greyhound Road to the south. The site also fronts the western side of Lurgan Avenue. The site is not within a conservation area nor subject to any Article 4 Directions, but sits directly opposite No's 52 - 58 Aspenlea Road, which are designated Buildings of Merit.

1.2 The surrounding area is mixed in character; Aspenlea Road features mostly residential units on the southern side while the Charring Cross Hospital site is located nearby to the north west of the application site. To the rear, Lurgan Avenue serves as a through road with residential streets running off it to the east.

1.3 The site is not located in a conservation area and is not a listed building. The site has a Public Transport Accessibility Level (PTAL) of 5. The area is located in Environment Agency's Flood Risk Zone 2 and 3.

1.4 Planning permission is sought for the demolition of the existing mixed use building comprising of part residential (Class C3) and part light industrial use (Class B1), and the erection of part two, part three and part four storey plus-basement building to provide 6

x two bedroom self-contained flats (Class C3); formation of roof terraces at second floor level.

1.5 RELEVANT PLANNING HISTORY

Planning permission was granted in 1970 for the use of the premises as a funeral establishment, chapel of rest and garage for hearses (1970/00430/FUL). There are no other planning records in respect of the property for this use.

At some point in the 1980's a change of use occurred, whereby the ground floor of 67-69 Aspenlea Road was in use as an office, with a storage area at the rear related to the business operation of Morgan's Dairy. Planning permission was granted in 1983 for the provision of a cold store at the rear ground floor of the premises in connection with its use as a Dairy (1983/00856/FUL).

The upper floor of 69 Aspenlea Road is occupied as a self-contained flat, with access to the flat roof/terrace at rear first floor level.

In 1983, planning permission was granted to allow alterations to the elevation at ground floor level in connection with the change of use of part of the ground floor to residential and alterations to the rear elevation under application reference : 1983/02285/FUL.

In 2002, an application was allowed for the erection of an additional floor at roof level to the pair of properties under application references: 2002/02213/FUL (67 Aspenlea Road) and 2002/02225/FUL for 69 Aspenlea Road.

In 2003 an application was refused at 69 Aspenlea Road for the change of use of ground floor from office (Class B1) to one self-contained 2 bedroom flat; erection of an additional floor at roof level; demolition of part of existing single storey rear extension and alterations to rear elevation at ground floor level to accommodate one off street parking space and new rear garden; erection of railings on flat roof at first floor level in connection with its use as a terrace; replacement of existing window on front elevation at ground floor level with two sash windows . This application was refused due to the loss of office space, quality of design, lack of amenity space provided, and a loss of privacy for neighbouring occupiers.

2.0 PUBLICITY AND CONSULTATIONS

2.1 The application was advertised by way of letters sent to 32 neighbouring properties. A site and press notice were also issued. Eight letters of objection have been received from neighbouring residents, all from 65 Greyhound Road. These letters included one response from 65A Aspenlea Road (lower ground floor unit), one response 65 B Aspenlea Road (upper ground floor unit) and 6 responses from 65C Aspenlea Road (first and second floor unit).

2.2 The concerns of the objectors are summarised as follows:

-The accommodation at basement level will increase the risk of flooding to 65 Greyhound Road. No evidence is provided to demonstrate there will be no harm in terms of water drainage, sewer and ground water.

-The basement excavation raises concerns regarding the structural stability which may affect neighbouring properties. The subterranean construction method statement fails to demonstrate that the development accords with policy.

- The proposal is unacceptable in the interests of residential and visual amenity. The design scale, excessive depth, height and close proximity to No's 61-67 Greyhound Road would have an overbearing and dominating affect to neighbours in terms of loss of light, outlook, privacy and increased sense of enclosure. The Daylight and Sunlight Report is also inaccurate.
- The provision of 4 additional residential units, with no off street parking included in the scheme would increase overnight parking stress in the area.
- The proposed building covers 100% of the site without any provision for soft landscaping which is contrary to Policy.
- The new units will result in an increase of noise and disturbance for surrounding residents due to an increase of occupancy on the site.
- There will be undue noise and disturbance as a result of the demolition and construction on the site.
- The development will result in a loss of property value to 65 Greyhound Road.

2.3 Thames Water raise no objection to the development but have requested details of a piling method statement to ensure that the development does not interfere with the sewer system. Officers have added an informative that the applicant contact Thames Water Developer Services to discuss details of the piling method statement.

2.4 The Environment Agency do not raise any objection with regards to flood risk on the site.

3.0 PLANNING CONSIDERATIONS

3.1 The main planning considerations in light of the London Plan and the Council's adopted Core Strategy, Development Management Local Plan 2013 (hereafter referred to as DM LP) and the Planning Guidance Supplementary Planning Document 2013 (hereafter referred to as Planning Guidance SPD), include the principle of the residential use in land use terms; quantum and intensity of development in terms of the height, scale and massing; impact on surrounding uses particularly on the existing amenities of occupiers of neighbouring residential properties in terms of noise, outlook, light and privacy and potential for traffic generation, and the impact on the highway network.

LAND USE:

3.2 London Plan Policy 4.4 seeks to ensure that industrial premises are managed to ensure that a sufficient stock of premises is retained to meet the need of different types of users, including space to accommodate demand for workspace suitable for SMEs and the needs of micro-firms.

3.3 Policy LE1 of Council's Core Strategy seeks to ensure that accommodation is available for all sizes of business, and seeks to retain premises capable of providing continued accommodation for local services or significant employment unless it can be satisfactorily demonstrated that the premises is no longer required for employment purposes. Core Strategy Strategic Policy B states "unused or underutilised employment land may be permitted to change to residential or mixed use if there is no clear benefit to the economy in continued employment use".

3.4 Policy DM B1 of the DM LP states where the loss of employment use is proposed in line with Policy LE1 the council will have regard to; the suitability of the site for continued employment use; evidence of unsuccessful marketing; the need to avoid

adverse impact on established clusters of employment use; and the need to ensure sufficient stock of sites to meet local need for a range of types of employment uses in appropriate locations.

3.5 The proposal involves the demolition of the existing buildings and subsequent change of use of the site from the existing Office/light industrial Class B1(c) Use to Residential Use Class C3, in connection with the construction of six new residential units.

3.6 The proposal will result in the loss of approximately 82sqm Class B1 (c) Office/light industrial floorspace . As part of the application, a statement has been submitted which demonstrates that evidence of marketing of the premises within the existing office/light industrial use is not required as the proposed development represents an enhancement of the site. The premises has been in the ownership of the applicant for over 40 years. The ground floor of No. 67 Aspenlea Road has most recently been in use as a storage and distribution centre for Morgan's Dairy Ltd. The supporting statement clarifies that in the past 3 years, the office, storage and distribution function have fallen into virtual disuse now that the business has increased in scale, and consequently the business has now relocated to Surbiton, Surrey. The applicant has confirmed that all employees at the time of the move were retained by Morgan's Dairy. The existing office space at ground floor level, which is vacant, shares an entrance with the first floor flat and one of the spaces does not benefit from any natural daylight. The storage and distribution to the rear of the premises is small and would require significant upgrades to bring it into line with requirements for a tenant in the future. The existing use of the site is primarily residential.

3.7 During the Officers site visit, it was confirmed that the Office/ light industrial use related to the business operations of Morgan's Dairy has ceased function at 67-69 Aspenlea Road. The first floor of No. 67 Aspenlea Road and the entire property of No. 69 Aspenlea Road remain in residential use. The internal layout of the premises are restrictive and parts of the property are in a poor condition. Officers determined that significant refurbishment works would be required in order to modernise the premises to bring it back into a marketable commercial use.

3.8 The Council's Planning Policy team have reviewed the statement submitted by the applicant and raise no objections to the loss of the Office/light industrial use. The continued underuse of this employment site has no clear benefit to the local economy. Officers consider that the loss of the B1 premises in this case would be acceptable, in accordance with Policies LE1 of the Core Strategy and DMB1 of the DMLP.

Residential Use:

3.9 The NPPF seeks to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. Policy 3.3 (Increasing London's Supply of Housing) of the London Plan and Core Strategy Policy H1 (Housing Supply) sets minimum borough targets for housing provision up to 2021. The policies specifies a 10 year minimum target for LBHF of 10,312 dwellings, and an annual monitoring target of 1,031 dwellings. This is supported by Policy DM A1 of the Development Management Local Plan (DM LP) which will seek to exceed the London Plan housing target by seeking housing on both identified and windfall sites and as a result of change of use. It is proposed to create 6 residential units as part of this development, resulting in a net gain of 4 new residential units for the borough.

3.10 Core Strategy Policy H4 and Policy DM A3 of the DM LP requires a choice of high quality residential accommodation that meets the local residents needs and aspirations and market demand. In particular there should be a mix of housing types and sizes in development schemes, especially increasing the proportion of family accommodation. However, the precise mix in any development will be subject to the suitability of the site for family housing in terms of site characteristics, the local environment and access to services.

3.11 Six units are proposed in the form of 2 x 1 bed units and 4 x 2 bed units. No family units are provided in the proposed development, although officers are satisfied that given the constraints of the site, provision of larger units would not be appropriate. The size and mix of the units proposed is considered appropriate in this instance. It is considered that a sufficient mix has been provided to meet a variety of local housing needs.

Density/Affordable housing

3.12 With regard to the proposed density, London Plan Policy 3.4 and Core Strategy Policy H3 seek to ensure that development proposals achieve the optimum intensity of use compatible with local context, design principles and with public transport capacity, with consideration for the density ranges set out in Table 3.2 of the London Plan. This is supported by Policy DM A2 of the DM LP.

3.13 The site is located in Public Transport Accessibility Level (PTAL) 5 using Transport for London's methodology, indicating that it is very accessible by public transport. According to the London Plan density matrix, the site is considered to be set in an urban area with predominantly dense development such as, for example, terraced houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of two to four storeys, located within 800 metres walking distance of a District centre or, along main arterial routes. This would support a density of between 200 and 700 habitable rooms per hectare (Hrh).

3.14 Paragraph 3.29 of The London Plan states that 'It is not appropriate to apply Table 3.2 mechanistically. Its density ranges for particular types of location are broad, enabling account to be taken of other factors relevant to optimising potential - local context, design and transport capacity are particularly important, as well as social infrastructure. Furthermore paragraph 3.29 of The London Plan further states that higher density provision for smaller households should be focused on areas with good public transport accessibility (measured by Public Transport Accessibility Levels (PTALs)).

3.15 In this case, although the scheme exceeds the density standard for the site, the application site is situated in an area of very good public transport accessibility (PTAL 5). The scheme would be car permit free and unlikely to result in any additional material parking pressure in the area. Furthermore the site benefits from proximity to nearby shops and services on Fulham Palace Road. The proposed scheme is considered to be of appropriate scale and massing, providing well-proportioned residential units whilst optimising the potential of the site.

3.16 The number of residential units proposed is below the threshold of 10 for which affordable housing is required under London Plan Policy 3.13 and Core Strategy Policy H2. Notwithstanding this there is a requirement to consider whether there is any

capacity for 10 or more units, applying the density guidance set out in London Plan Policy 3.4 (maximising the potential of sites) and table 3.2. In view of the proposed density Officers do not consider that it would be appropriate to include further units within the proposed development in order to meet the affordable housing threshold.

Demolition and design of new development:

3.17 In respect of design, among the core planning principles of the NPPF are that development always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Paragraph 58 of the NPPF requires planning decisions to ensure that development will function well and add to the overall quality of the area, to respond to local character and history and reflect the identity of local surroundings and materials while not preventing or discouraging appropriate innovation, and that developments are visually attractive as a result of good architecture and appropriate landscaping. With regard to the historic environment, the NPPF promotes the conservation of heritage assets and requires local authorities in determining applications to take into account the desirability of new development making a positive contribution to local character and distinctiveness.

3.18 Furthermore proposals should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. London Plan Policy 7.1, 7.2, 7.4, 7.5 and 7.6 requires all new development to be of high quality that responds to the surrounding context and improves access to social and community infrastructure contributes to the provision of high quality living environments and enhances the character, legibility, permeability and accessibility of the surrounding neighbourhood. Policy 7.8 D states that development affecting heritage assets and their settings should conserve their significance by being sympathetic to their form, scale, materials and architectural detail.

3.19 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. There should be an approach to accessible and inclusive urban design that considers how good design, quality public realm, landscaping and land use can be integrated to help regenerate places.' Policy DM G1 of the DM LP 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'. DM LP Policy A8 states that basement accommodation should not extend beyond the footprint of the property and extensions. This is supported by DMLP Policy A9 and SPD Design Policies 13, 14, 16, 17, and 18.

3.20 The application site fronts Aspenlea Road and currently comprises a pair of two storey properties, which incorporate a traditional butterfly roof behind a parapet. The properties are sandwiched between the relatively modern Kennedy Research Institute to the north and a two storey residential dwelling with pitched roof to the south (71 Aspenlea Road). The rear of the site fronts on to Lurgan Avenue and incorporates two shutter style openings at street level, which add little to the visual amenity or character of the street. Above this at first floor level, dilapidated timber fencing is visible which encloses the flat roof of the properties below. The rear of the properties fronting Lurgan Avenue are considered to be of little architectural merit and detract from the general townscape.

Demolition

3.21 The two buildings facing Aspenlea Road are not of significant architectural merit and officers raise no objection to their demolition. The rear of the site makes no positive contribution to the appearance of the area. The properties are not located in a conservation area, nor are they listed locally or nationally and are not protected under existing policies. Condition 3 requiring the submission of a demolition management plan is attached to help mitigate the impact of development on surrounding properties and the highway.

3.22 It is proposed to construct a new building on the footprint of the existing buildings, incorporating a main shoulder height of two storeys viewed from both Aspenlea Road and Lurgan Avenue elevations, which would be similar in height to the existing two storey properties on site. This section of the building will be constructed in an Ibstock Liner Black Riven brickwork with a charcoal finish. The two storey base of the building is emphasised by the use of elongated brick width and extra deep brick string courses. An active frontage will be created at street level due to the residential entrances on both Lurgan Avenue and Aspenlea Road. In particular, this greatly improves the character and townscape to this section of Lurgan Avenue.

3.23 It is proposed to excavate the full width and depth of the site to provide bedroom accommodation to Flats 1 and 2 at basement level. The front lightwells would be largely concealed by railings and the overhang of the upper floors. Accordingly, it is not considered that this aspect of the development would be harmful to visual amenity or that it would be likely to have an unacceptable impact on the existing amenities of the occupiers of neighbouring properties.

3.24 Above the brick elevation a setback, double pitched roof with off centre Apex rises two more floors. The gable ends of the roof will be clad in a 'Kebony' timberwork providing a warm tobacco colour initially weathering to a silvery grey after several years. The mass of the second and third floors are reduced by containing these levels within the pitched roof which presents gable ends to both Aspenlea Road and Lurgan Avenue, and slopes away at a 30° pitch from the boundary abutting the rear gardens of 61-67 Greyhound Road. The pitched roof will be clad in dark Marley Eternit slates and the dormer, which will be set in 1.4 metres from the southern elevation of the building, which will be clad in eternit cement boards in a dark grey colour. Window within the dormer facing the rear of Greyhound Road which accommodate the stairwells to the flats will be obscure glazed to protect the privacy of neighbouring occupiers. The overall ridge height provides a transition between the stature of the adjacent Kennedy Institute to the north and the three storey (inclusive of lower ground floor level) terrace of 61-67 Greyhound Road to the south.

3.25 The fenestration to all elevations is considered to add interest and rhythm to the building. The shared entrance for Flats 2 - 6 will be accessed off Aspenlea Road and will be recessed from the footway and main elevation. Flat 1 will benefit from a private access door on Lurgan Avenue, which will also be recessed under the first floor level slab. On both frontages at street level, two fixed frameless glazed windows will be installed. The lightwells, as described above, will be enclosed with painted metal railings. The first floor windows will be black powder coated aluminium top hung casements serving the bedrooms which will be recessed in chamfered reveals that add shadow and depth to both frontages. The first floor level will also incorporate a small terrace on both facades, which will be enclosed to the front elevation by metal railings to

match the appearance of the lightwells below. The roof level, incorporating the second and part third floor levels will feature aluminium framed double glazed sliding doors will provide access onto the terraces, and obscure glazed screening will be installed at the southern side of both terraces to prevent overlooking to the rear windows of 61 - 67 Greyhound Road. The glazing will not be highly visible from street level.

3.26 In summary the proposed development has been informed by a considered analysis of existing site context. The overall scale and massing of the building is considered to be well composed and responsive to its immediate neighbours, acting as a transition point between a large institutional building and a terrace with a more domestic scale. The design and materials of both the Lurgan Avenue and Aspenlea Road frontages façade create visual interest, while remaining in keeping with the character of the locality, and would make a positive contribution to the streetscene. In this respect the design complies with Policy DM G1 in that it would be consistent with scale mass and form of surrounding development, and respects the prevailing rhythm and articulation of its surroundings. It is however recommended final details of the materials to be used in the external appearance of the building be conditioned for future approval.

3.27 London Plan Policy 7.3 requires new development to incorporate crime prevention measures to provide a safe and secure environment. Full details of how the proposed building will achieve Secured By Design standards will be secured by Condition 11.

Residential Amenity

3.28 Policy DM G1 and A9 require all proposals to be formulated to respect the principles of good neighbourliness. SPD Housing Policy 8 seeks to protect the existing amenities of neighbouring residential properties in terms of outlook, light, and privacy.

3.29 The effect of the development upon the amenities of the surrounding residential occupiers is one of the key issues relating to this proposal. The scale and proximity of the development in comparison with the height of the existing buildings, structures and boundary walls, relative to the proximity of surrounding properties, is central to this assessment. The new building will be sited perpendicular to the rear boundaries of No's 61-67 Greyhound Road and will adjoin the flank wall of No. 71 Aspenlea Road (similar to the existing arrangement). This terrace incorporates a variety of rear building lines and No's 63, 65 and 67 Greyhound Road have been split into flats.

3.30 The new building will be higher than the existing pair of properties. In light of this, Officers have judged the proposed development against potential impacts on the existing amenities of the neighbouring occupiers in terms of loss of outlook or increased sense of enclosure; overlooking or loss of privacy; undue noise and disturbance; and loss of light and is judged to be acceptable in the context of the abovementioned policies. Each issue will be addressed in turn below.

Daylight and Sunlight:

3.31 The new building would be located north of the rear elevations of No's 63-67 Greyhound Road. Currently, the flank of 69 Aspenlea Road abuts the rear gardens of No's 63 - 67 Greyhound Road, and incorporates two storeys where it adjoins 71 Aspenlea Road and the rear boundary of 63 Greyhound Road. The flank wall then steps down towards No 67 Greyhound Road. The replacement building will be higher than the

existing, incorporating a blank brick façade two storeys in height adjoining the rear boundaries of the properties described above,. Obscure glazing to the proposed terraces at second floor level will be visible from the rear of the above mentioned properties and will add some relief to the flank elevation. The roof of the new building has been designed to slope away at a 30 degree pitch away from the rear of the Greyhound Road Properties.

3.32 Officers have had regard to the guidance set out in Building Research Establishments' (BRE) Report 2011 "Site Layout Planning for Daylight and Sunlight - A guide to good practice". This guidance is used as aid to prevent and/or minimise the impact of a new development on the availability of daylight and sunlight in the environs of the site. Although it provides numerical guidelines, these should be interpreted flexibly because natural lighting is only one of many factors in site layout design. If any or part of a new building in a vertical section breaches an angle of more than 25 degrees to the horizontal, then the daylight and sunlight to an existing building may be adversely affected.

3.33 The applicants have assessed the impact of the proposals on the adjoining properties by reference to the BRE guidance recognising that the guidelines are not intended to be mandatory, or applied in strict calculation terms. The relevant benchmarks used in the submitted study are as follows:

Daylight:

- The Vertical Sky Component measured at the centre of a window should be no less than 80% of its former value

Vertical Sky Component (VSC):

The VSC has been calculated for each of the assessed windows for both the existing and proposed conditions.

3.34 Properties at 58 and 59 Aspenlea Road and 66 Gastein Road will experience no discernible impact in terms of loss of light. in terms of 61-67 Greyhound Road all of the windows to the rear of the terrace face north. The scheme will have no impact on daylight reaching the rear of 61. A conservatory at ground level to the rear of 63 and 65 Greyhound Road would marginally fall below the former value although the reduction is negligible given they currently both face north towards a two storey flank wall 4.5 metres from them forming the flank of the existing building at 69 Aspenlea Road. A first floor level one window is a bathroom and the other serves a bedroom which would receive a marginal reduction at 78% of its former value.. This breach is modest in view of the main living space to No. 65 which is positioned at the front of the property and benefits from a southerly aspect. Finally, of the habitable room windows to the rear of No. 67 Greyhound Road, a bedroom at ground floor level would receive 71% of the previous VSC to that window, and a first floor kitchen would be just under the threshold at 79%. The Daylight and Sunlight report highlights the material mitigating factors which affect this site. The BRE guidelines recognise that where buildings match the height and proportions of existing surrounding buildings a higher degree of obstruction may be unavoidable, leading to a higher frequency of non-compliance. In these circumstances it is recommended that the Local Authority may wish to apply different target values. Additionally, kitchens and bedrooms are given less weighting than main living rooms. Taking all of the above into consideration, Officers are satisfied that the proposal will have negligible impact on the amenities of residents in the neighbouring properties.

Sunlight Results:

3.35 BRE Guidance is that windows should continue to receive in excess of 80% of their pre - development value, 25% of available hours over the year, and 5% hours in winter. Only windows which face within 90 degree of due south are required to be assessed. Many of the surrounding neighbouring windows are north facing and, as such, only 4 windows have been assessed (2x first floor windows No. 63 Greyhound Road, a first and a second floor window to No. 67 Greyhound Road. Of the windows assessed, all meet the stipulated standards for sunlight.

3.36 Officers are satisfied that overall impacts of the development on surrounding residents is kept to a minimum and would be insufficient reason to withhold planning consent for the redevelopment proposal.

Privacy

3.37 SPD Housing Policy 8(ii) states that new windows should normally be positioned so that they are a minimum of 18 metres away from existing residential windows as measured by an arc of 60 degrees taken from the centre of the proposed window.

3.38 SPD Housing Policy 8 (iii) adds that roof terraces or balconies likely to cause harm to the existing amenities of neighbouring properties by reason of noise and disturbance will not be supported. In order to minimise noise and disturbance issues to neighbours, the Council seeks a maximum floor space of 12sqm for terraces. Screening at a height of 1.8 metres will be installed on the southern side of the terraces at second floor level in order to prevent overlooking to the neighbouring windows/gardens of Greyhound Road. Condition 12 is attached to stipulate this screening is obscure glazed.

3.39 At roof level the dormer will incorporate two windows which would be approximately 9.7metres from the of the properties at 61 - 67 Greyhound Road. However, these windows serve stairwells and afford limited opportunity for overlooking. Despite this, a condition has been added to ensure that they are obscurely glazed to prevent overlooking (Condition 13).

Loss of Outlook:

3.40 As mentioned above, the properties with the potential to be most affected by the proposed development are those at No. 61 - 69 Greyhound Road. The rear elevation of this terrace does not currently benefit from high levels of open outlook, particularly at basement and ground floor levels to No's 63, 65, and 67 Greyhound Road. At No. 67, the rear garden has been almost entirely in filled and a high level wall adjoins the garden of No. 65 Greyhound Road. The highest point of the flank wall adjoining these rear gardens will be 7.6metres high, compared to the highest point of the existing flank wall which is 7.1 metres. Following a site visit to the application site as well as the rear garden of the basement/ground floor of No. 65 Greyhound Road, Officers have assessed the existing site constraints and surroundings. Overall, it is not considered that the new development would result in a detrimental loss of outlook to the occupiers of within No's 61-69 Greyhound Road, given the existing close proximity of the application site and neighbouring properties.

Noise and disturbance

3.41 DM LP Policy H9 and H11 relate to environmental nuisance and require all development to ensure that there is no undue detriment to the general amenities enjoyed by existing surrounding occupiers, particularly those of residential properties. SPD Housing Policy 8 (iii) states 'planning permission will not be granted for roof terraces or balconies if the use of the terraces or balconies is likely to cause harm to the existing amenities of neighbouring properties by reason of noise and disturbance.'

3.42 It is difficult to predict with any accuracy the likely level of noise/disturbance that would be generated by the use of the proposed outdoor amenity spaces backing onto the properties fronting Greyhound Road. However, on balance, having regard to the size of the proposed terraces at second floor level (approximately 12 square metres) and first floor level (6.6 square metres and 5 square metres), it is not considered that the use of these spaces would, be likely to harm the amenities of adjoining occupiers as a result of additional noise and disturbance to a degree that would justify refusing planning permission. The proposal is therefore considered to be acceptable under Policy DM H9.

Quality of residential accommodation

3.43 London Plan Policy 3.5 places a significant new focus on internal space standards for dwellings. The purpose of the policy is to ensure that all new homes are fit for purpose and offer the potential to be occupied over time by households of all tenures. The Mayoral Supplementary Planning Guidance for Housing details that development should be of the highest quality and be appropriate for the lifetime of the occupier. The DCLG Technical housing standards - nationally described space standard (2015) deals with internal space within new dwellings across all tenures. It sets out requirements for the gross internal floor area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of homes.

3.44 Borough Wide Strategic Policy H3 within the Core Strategy (2011) says that the council will expect all housing developments to respect the local setting and context, provide a high quality residential environment, be well designed and energy efficient, meet satisfactory internal and external space standards, and provide a good range of housing types and sizes. DMLP (2013) Policy DM A2 says that all new housing must be of high quality design and take account of the amenity of neighbours and must be designed to have adequate internal space in accordance with the London Plan.

3.45 DMLP (2013) Policy DM A9, entitled 'Detailed Residential Standards' says that the Council will ensure that the design and quality of all new housing is of a high standard whilst SPD Housing Policy 8 (iv) states that 'north facing (i.e. where the orientation is less than 50 degrees either side of north should be avoided wherever possible.'

3.46 The makeup of the proposed residential units and their respective floor areas is set out below. It should be noted that all the proposed units would meet or exceed recommended minimum floor areas as set out in the Mayor of London's Housing Supplementary Planning Guidance and in the DCLG Technical Housing Standard document.

2 x 1 bed/ 2 person units (DCLG Technical Housing Standards minimum gross internal floorspace is 50 sq.m):

1 unit measuring 58 sq.m (flat 3 at first floor level)

1 unit measuring 63 sq.m (flat 4 at first floor level)

4 x 2 bed / 4 person units (DCLG Technical Housing Standards minimum gross internal floorspace is 70 sq.m):

1 unit measuring 104 sq.m (flat 1 at ground floor and basement floor level)

1 unit measuring 95 sq.m (flat 2 at ground floor and basement floor level)

1 unit measuring 89 sq.m (flat 5 at second and third floor level)

1 unit measuring 93 sq.m (flat 6 at second and third floor level)

3.47 All of the habitable rooms within each of the residential units would have access to suitably sized windows which should ensure that the proposed residential units are well lit. In terms of aspect, no unit would have a northerly orientation, and all flats will benefit from an eastern or western orientation, looking onto Aspenlea Road or Lurgan Avenue respectively. These openings have been provided without compromising the privacy of neighbouring occupiers. Each unit benefits from having good outlook from the main habitable space within that unit, and overall every unit is considered to provide a satisfactory living environment in terms of outlook and daylight.

3.48 The Housing SPG Baseline Standard 5.3.1 and London Plan Policy 7.15 state that the layout of adjacent dwellings and the location of lifts and circulation spaces should seek to limit the transmission of noise to sound sensitive rooms within dwellings. This policy is supplemented by DM Local Plan Policies DM A9 and DM H9, both of which seek to ensure that development does not result in noise and disturbance to existing and future occupiers. Conditions 18 and 19 are recommended to ensure that the residential units are appropriately insulated to prevent noise and vibration transmission both within the site and from outside of the site.

3.49 Planning Guidance SPD Housing Policy 1 states that new dwellings should have private amenity space appropriate to the type of housing being provided. Private amenity space for Flats 5 and 6 is provided in the form of roof terraces at second floor level, both of which will measure 12sqm. At first floor level Flats 3 and 4 will each benefit from a small balcony measuring 4.8sqm (Flat 4) and 5.7sqm (Flat3). The duplex flats at ground floor and basement floor levels will have small terraces at basement level for these units. Public amenity space is also available within the vicinity.

3.50 On balance, the proposed development is considered to provide a good standard of accommodation for future occupiers. The residential units are generously sized, their rooms sizes are acceptable, have reasonable floor to ceiling heights and the main living spaces would have good access to sunlight, daylight and aspect. Combining these positive factors with the welcome provision of 6 residential units, it is considered that this would outweigh the aspects that fall short of policy requirements.

Impact on Highways and parking

3.51 The NPPF requires developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised; and development should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people.

3.52 Policy 6.1, 6.3, 6.10, 6.11 and 6.13 of the London Plan sets out the intention to encourage consideration of transport implications as a fundamental element of

sustainable transport, supporting development patterns that reduce the need to travel or that locate development with high trip generation in proximity of public transport services. The policies also provide guidance for the establishment of maximum car parking standards.

3.53 Core Strategy Policy T1 supports the London Plan. Policy J1 states that all development proposals will be assessed for their contribution to traffic generation and their impact on congestion. Policies DM J2 and DM J3 of the DM LP set out vehicle parking standards, which brings them in line with London Plan standards and circumstances when they need not be met. These are supported by SPD Transport Policies 3 and 7.

3.54 The proposal would result in six new residential units. The site is located in a PTAL 5 area, which indicates good levels of public transport accessibility. No off-street car parking is provided as part of the scheme, in accordance with Policy DM J2. 1-2 Bedroom units should have less than 1 car parking space per unit. In order mitigate any unacceptable impact on the existing amenities of local residents as a result of increased on-street car parking stress there is no off-street parking proposed as part of this scheme. In line with this policy, all of the proposed new residential should be permit free. This will be secured by conditions.

Cycle parking

3.55 Policy DM J5 requires the provision of cycle storage facilities within the development. Based on the creation of 6 new 1 and 2 bedroom units, a minimum of 6 safe and accessible storage spaces are required. The applicant has submitted details of cycle parking spaces to be located at basement level. A further cycle parking space will be provided internally for Flat 1 fronting Lurgan Avenue. The cycle parking arrangements are considered to be satisfactory. This detail is secured under planning condition 17.

Refuse storage

3.56 London Plan Policy 5.16 outlines the Mayor's approach to waste management. This is supported by Core Strategy Policy CC3, and Policy DM H5 of the Development Management Local Plan 2013 sets out the Council's Waste Management guidance, supported by SPD Sustainability Policy 3, 4 and 6 which requires suitable storage space for refuse and recycling to be provided. It is not acceptable for waste material to be left on the highway for extended periods of time.

3.57 Refuse storage for 5 of the units will be located at basement level. A further refuse space will be provided for Flat 1 which will be located adjacent to the entrance of the property off the footway of Lurgan Avenue. Officers are satisfied that there is sufficient space within these area for the satisfactory storage of refuse. Conditions 15 and 16 are attached to ensure the refuse storage is implemented before the use is occupied and is maintained for the life of the development.

3.58 Demolition and Construction Management Plan (CMP) and Construction Logistics Plan (CLP) would be required to ensure that there is no harmful impact on neighbours and on the local highways network. The Demolition and CMP shall include demolition details, contractors' construction method statements, waste classification and disposal procedures and locations, dust and noise monitoring and control, provisions within the

site to ensure that all vehicles associated with the construction works are properly washed and cleaned to prevent the passage of mud and dirt onto the highway, and other matters relating to traffic management to be agreed. The CLP shall be in accordance with Transport for London (TfL) requirements, which seeks to minimise the impact of construction traffic on nearby roads and restrict construction trips to off peak hours only. (Condition 3 - 4).

Impact of building works:

3.59 A Demolition and Construction Management Plan (CMP) and Construction Logistics Plan (CLP) is required to ensure that there is no harmful impact on neighbours and on the local highways network. An outline demolition and construction plan has been submitted which has been reviewed by the Highways Department and is considered to represent a good working point to start from. The CLP will be conditioned as part of the application and the document will need to remain live through the process and open to change. In accordance with DM LP Policies DM J1, J6, H5, H8, H9, H10 and H11, SPD Amenity Policy 19 and 26, and SPD Transport Policy 28, and London Plan Policy 6, these details will be secured under condition 3.

Excavation

3.60 No excavations are permitted under the public highway without specific consent from the highway authority. The Party Walls Act of 1996 requires due notification and subsequent agreement by any neighbouring parties before changes to boundary walls or excavation.

Kerb Restoration

3.61 As a result of the redevelopment of the site, vehicle access into the rear of the site from Lurgan Avenue which currently exists would no longer be required. As such, in order to secure funds for the removal of the existing dropped kerb and making good of the carriageway and pavements on both Lurgan Avenue and Aspenlea Road, the development will include the conditioning of section 278 works to repave and adjust the curb lines on both sides of the property. This is secured under condition 26.

Flood risk/SUDS

3.62 The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. London Plan Policy 5.11, 5.12, 5.13, 5.14 and 5.15 requires new development to comply with the flood risk assessment and management requirements of national policy, including the incorporation of sustainable urban drainage systems, and specifies a drainage hierarchy for new development.

3.63 Policy CC1 requires that new development is designed to take account of increasing risks of flooding. Policy CC2 states that new development will be expected to minimise current and future flood risk and that sustainable urban drainage will be expected to be incorporated into new development to reduce the risk of flooding from surface water and foul water. These are also supported by DM LP Policy DM H3 and SPD Sustainability Policies 1 and 2.

3.64 This site is in the EA's Flood Zone 3. This indicates a high risk to flooding from the Thames although this does not take into account the high level of protection provided by flood defences in the form of the Thames Barrier and local river wall defences. If these defences failed or were breached, the site is not in the EA's Rapid Inundation Zone, meaning that the site would not be impacted. In terms of surface water, the site is not considered to be at high risk of flooding during an intense storm and it is not in a flooding hotspot where there is significant hazard from flood waters. The site is in the W6 postcode. Thames Water have 415 recorded incidents of sewer flooding in this postcode area. The site is in an area where there is potential for elevated groundwater levels.

3.65 As required, a Flood Risk Assessment (FRA) has been provided with the application which recommends flood mitigation measure including providing a dry escape route, Electricity sockets should be located at least one metre above floor (or well above likely flood level) with distribution cables dropping from an upper level; The construction of the new dwellings will utilise flood resilient construction methods and light-well walls to be solid cavity filled to avoid potential flood water ingress below the ground floor slab to the basement area and reduce the risk of structural damage caused by flood or surface water runoff to prevent the growth of wet rot spores. In addition, the Basement Impact assessment recommends that the basement should be fully waterproofed. As part of the planning process, further information was requested with regards flood risk mitigation, which has been submitted by the applicant and reviewed by the Policy Team. The further information provided is considered acceptable. Conditions will secure the flood mitigation measures set out in the original FRA and the addendum.

3.66 Local Plan policy DM H3 requires developments to reduce the use of water and minimise current and future flood risk by implementing a range of measures such as Sustainable Drainage Systems (SuDS) and also the use of water efficient fittings and appliances. SuDS measures should be integrated where possible e.g. by maximising permeable surface areas, making any proposed areas of hard surface permeable unless there are practical reasons for this not being possible and also including rainwater harvesting systems to collect rainwater for re-use for irrigation or other uses.

3.67 Due to site constraints, it would appear that the integration of SUD's is limited on the site. However, the risk of flooding being low for other sources of flooding, and that Thames Water have not raised any concerns, there is no objection to the proposal. Further details will be secured by a condition.

Energy and Sustainability

3.68 As the development consists of fewer than 10 residential units, it is not necessary for it to meet the sustainability and carbon reduction requirements (40%) specified in the London Plan, nor is detailed supporting information required with the application outlining the sustainable design and construction measures to be included in the new building.

Land Contamination

3.69 Policy 5.21 of the London Plan, Core Strategy Policy CC4 and Policy DM H7 and H11 of the DM LP states that the Council will support the remediation of contaminated

land and that it will take measures to minimise the potential harm of contaminated sites and ensure that mitigation measures are put in place.

3.70 Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. Conditions will be attached in order to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Borough Wide Strategic Policy CC4 of the Core Strategy and policies DM H7 and H11 of the Development Management Local Plan.

Mayoral CIL:

3.71 This development will be subject to a London-wide community infrastructure levy, charged at a rate of £50 per square metre for additional floorspace in Hammersmith & Fulham. The amount charged will contribute towards the funding of Crossrail, and further details are available via the GLA website www.london.gov.uk. The GLA expect the Council, as the Collecting Authority to secure the levy in accordance with the London Plan Policy. 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. An estimate of £25,100 has been calculated.

Local CIL:

3.72 The Council has also set a CIL charge. The Council's Community Infrastructure Levy (CIL) is also a charge levied on the net increase in floorspace arising from development in order to fund infrastructure that is needed to support development in the area. The Council's CIL runs alongside Section 106 Agreements (S106s) which will be scaled back but will continue to operate. The CIL Charging Schedule was presented to Council and approved 20 May and has formally taken effect since the 1st September. An estimate of £100,400 has been calculated.

4.0 CONCLUSION AND RECOMMENDATION

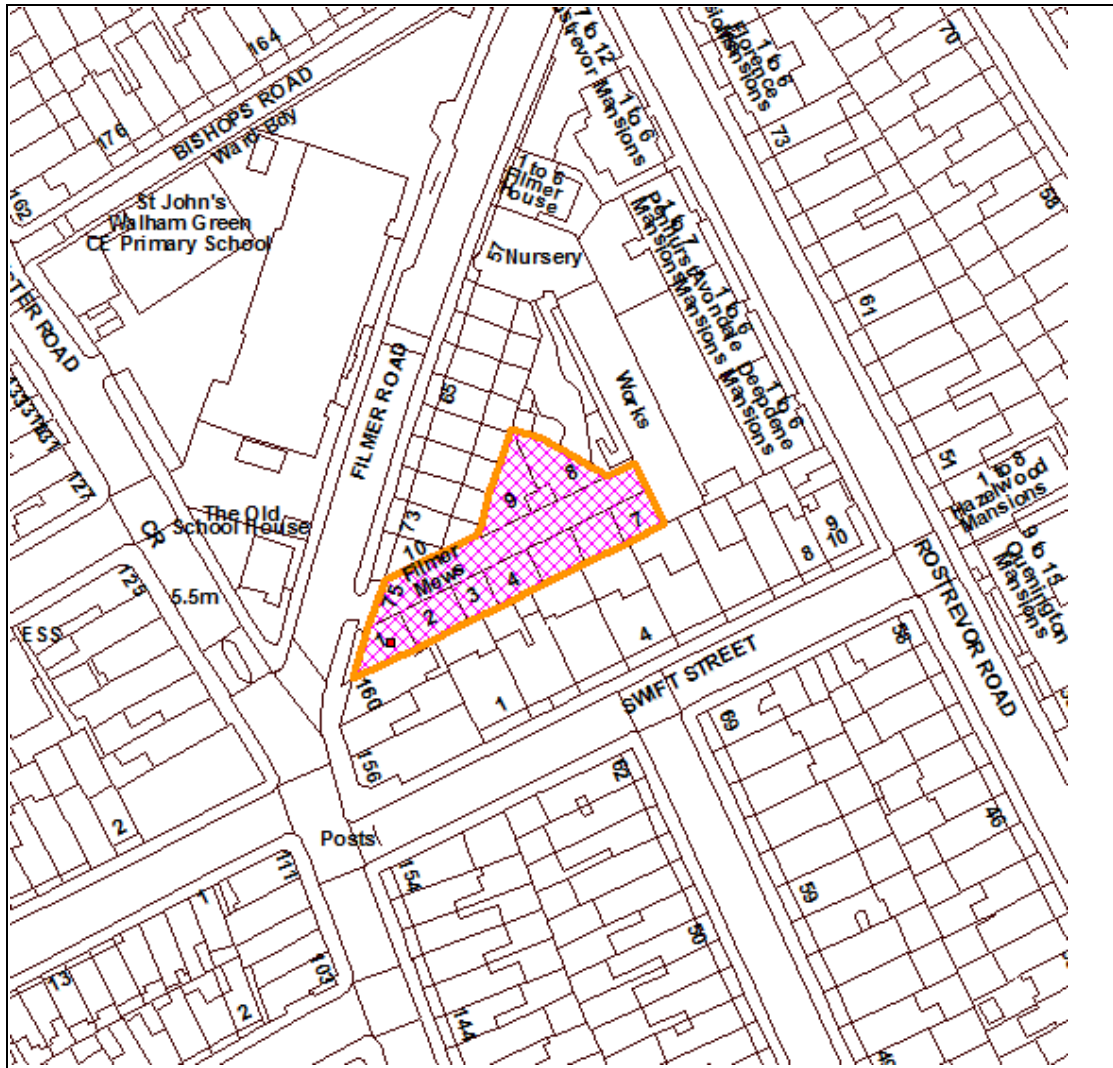
4.1 The proposed development would create well-designed dwelling units that would complement its setting. The proposed level of demolition is acceptable given that the parts of the building being demolished are not of architectural merit, or listed. The proposal would improve the appearance of the site and the surrounding area. The proposal would not have a harmful impact on local services and employment. The proposal would have an acceptable impact on neighbouring living and working conditions. The impact of the development subject to conditions would not have a significant impact on the highway, parking, flooding or the environment. As such the proposal is considered to be in accordance with relevant national guidance, London Plan policies, the Core Strategy, DM LP and Planning Guidance Supplementary Planning Document Policies.

4.2 It is recommended that planning permission be granted subject to conditions.

Ward: Town

Site Address:

Filmer Road Studios 75 Filmer Road London SW6 7JF



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For identification purposes only - do not scale.

Reg. No:
2016/00292/FUL

Case Officer:
Aisling Carley

Date Valid:
01.02.2016

Conservation Area:
Central Fulham Conservation Area - Number 29

Committee Date:
08.06.2016

Applicant:

Mr Martin Dare
Care of agent United Kingdom

Description:

Demolition of units 1-9 and erection of six three storey plus basement buildings for use as six new dwelling houses.

Drg Nos: 0427-PL-01 Rev E; 0427-PL-02 Rev F; 0427-PL-03 Rev F; 0427-PL-04 Rev F; 0427-PL-05 Rev F; 0427-PL-06 Rev D; 0427-PL-07 Rev A; 0427-PL-08 Rev G; 0427-PL-09 Rev G; 0427-PL-10 Rev 0.

Application Type:

Full Detailed Planning Application

Officer Recommendation:

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

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

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

- 2) The development shall not be erected otherwise than in accordance with the following approved drawings: 0427-PL-01 Rev E; 0427-PL-02 Rev F; 0427-PL-03 Rev F; 0427-PL-04 Rev F; 0427-PL-05 Rev F; 0427-PL-06 Rev D; 0427-PL-07 Rev A; 0427-PL-08 Rev G; 0427-PL-09 Rev G and, 0427-PL-10 Rev 0.

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

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

- a building contract for the redevelopment of the site in accordance with this planning permission has been entered into and
- notice of demolition in writing and a copy of the building contract has been submitted to the Council and approved in writing.

To ensure that the demolition does not take place prematurely and to safeguard the character and appearance of the conservation area, in accordance with Policy BE1 of the Core Strategy 2011 and Policy DM G1 and DM G7 of the Development Management Local Plan 2013.

- 4) Prior to commencement of the development hereby approved, a demolition method statement and construction management plan shall be submitted to and approved in writing by the Council. Details shall include length of time for the obstruction of the Stevenage Road footway and control measures for pedestrian

safety, including match days, control measures for dust, noise, vibration, lighting, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800 -1300 hrs on Saturdays, advance notification to neighbours and other interested parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works and details of temporary site fencing/means of enclosure to be erected prior to any demolition works take place. Approved details shall be implemented throughout the project period.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the building site, in accordance with Policies DM H9, H10 and H11 of the Development Management Local Plan 2013.

- 5) Other than any demolition works, ground and subterranean works (including construction of basement), site preparation or remediation, the development hereby permitted shall not commence prior to the submission and approval in writing by the Council of details and samples of all materials to be used on the external faces of the new building and all surface treatments and no part of the development shall be used or occupied prior to the completion of the development in accordance with the approved details.

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

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

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

- 7) Prior to the commencement of the development details of the proposed measures to ensure that the development achieves "secured by design" status shall be submitted to and approved in writing by the Council. No part of the development thereby effected shall be used or occupied prior to the implementation of the approved details.

To ensure that the development incorporates suitable design measures to minimise opportunities for, and the perception of, crime, in accordance with Policies 7.3 and 7.13 of the London Plan 2011 and Policy DM G1 of the Development Management Local Plan 2013.

- 8) The development hereby permitted shall not commence until detailed drawings in plan, section and elevation at a scale of no less than 1:20 of a typical bay of each elevation of each of the extensions are submitted to and approved in writing by the Council. The development shall be carried out in accordance with such details as have been approved and thereafter permanently retained in this form.

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

- 9) With exception to the private roof terrace areas shown on approved drawings, no part of the remainder of the flat roof areas provided by the development hereby approved shall be used as a terrace or other accessible amenity space. No walls, fences, railings or other means of enclosure other than those shown on the approved drawings shall be erected around the roofs, and no alterations shall be carried out to the approved building to form access onto these roofs.

To ensure a satisfactory external appearance and so that the use of the buildings does not harm the amenities of the existing neighbouring residential properties and future residential occupiers of the development as a result of overlooking, loss of privacy and noise and disturbance, in accordance with Policy DM H9, DM A9 and DM G1 of the Development Management Local Plan 2013, and SPD Housing Policy 8 of the Planning Guidance Supplementary Planning Document 2013.

- 10) The development hereby permitted shall not commence until details and samples of the 1.7m high obscure glazed screen as measured from the floor level of the terrace to be used in connection with the roof terrace have been submitted to and approved in writing by the Council. The use of the roof of the main roof as a terrace shall not commence until the glazing, as approved has been installed and it shall be permanently retained as such thereafter.

In order to ensure that the glazing would not result in overlooking and any subsequent loss of privacy, in accordance with Policy DM G3 of the Development Management Local Plan 2013 and SPD Housing Policy 8 (ii) of Planning Guidance Supplementary Planning Document 2013.

- 11) The basement floorspace hereby approved shall not be converted to use as a separate dwelling or for sleeping accommodation, and shall only be used in connection with, and ancillary to, the use of the remainder of the properties as a single family dwellings.

The use of the basement accommodations as self-contained flats, separate from the use of the remainder of the application properties as single dwelling houses, would raise materially different planning considerations that the council would wish to consider at that time, in accordance with Policies DM A1, J2 and H11 of the Development Management Local Plan 2013, Policy CC2 of the Core Strategy 2011, and SPD Housing Policy 9 of the Planning Guidance Supplementary Planning Document 2013.

- 12) The development hereby permitted shall not be occupied until the new window to the rear elevation at second floor level to Dwelling 6 has been installed so as to be non-openable and with obscure glazing to a height of 1.7metres as measured from floor level, a sample of which shall have been submitted to and approved in writing by the Council prior to any development on site. Thereafter the window shall be retained in the form approved.

Such a use would be harmful to the existing residential amenities of neighbouring occupiers as a result of overlooking and loss of privacy, contrary to policy DM A9 and DM G1 of the Development Management Local Plan 2013.

- 13) No part of the development hereby approved shall be occupied prior to the provision of the refuse storage enclosures, as indicated on the approved drawing 0427-PL-02 Rev F.

To ensure that the use does not give rise to smell nuisance and to prevent harm to the street scene arising from the appearance of accumulated rubbish, in accordance with Policy CC3 of the Core Strategy 2011 and Policy DM H5 of the Development Management Local Plan 2013.

- 14) Any refuse/recycling generated by the residential units hereby approved shall be stored in the refuse stores forming part of the details approved pursuant to Condition 13 and shall not be stored on the pavement or street.

To ensure that the use does not give rise to smell nuisance and to prevent harm to the street scene arising from the appearance of accumulated rubbish, in accordance with Policy DM H5 of the Development Management Local Plan 2013.

- 15) No part of the development hereby approved shall be occupied prior to the provision of the cycle storage for the residential development hereby approved, as indicated on the approved drawing 0427-PL-02 Rev F and such storage facilities shall be permanently retained thereafter in accordance with the approved details.

In order to promote alternative, sustainable forms of transport, in accordance with Policy DM J5 of the Development Management Local Plan 2013 and Policy 6.9 and Table 6.3 of the London Plan 2011.

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

In order that the Council can update its records to ensure that parking permits are not issued to the occupiers of the dwellings hereby approved, and thus ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on-street car parking stress in the area, in accordance with Policy DM A1, A9, J2 and J3 of the Development Management Local Plan 2013 and Policy T1 of the Core Strategy 2011.

- 17) No occupiers of six dwellings hereby permitted, with the exception of disabled persons who are blue badge holders, shall apply to the Council for a parking permit or retain such a permit, and if such a permit is issued it shall be surrendered to the Council within seven days of written demand.

In order to ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on-street car parking stress in the area, in accordance with Policy DM A1,

A9, J2 and J3 of the Development Management Local Plan 2013 and Policy T1 of the Core Strategy 2011.

- 18) The six dwellings hereby permitted shall not be occupied until such time as a scheme has been submitted to and approved in writing by the local planning authority to ensure that all occupiers, other than those with disabilities who are blue badge holders, have no entitlement to parking permits from the council and to ensure that occupiers are informed, prior to occupation, of such restriction. The dwellings shall not be occupied otherwise than in accordance with the approved scheme unless prior written agreement is issued by the Council.

In order that the prospective occupiers of the residential units concerned are made aware of the fact that they will not be entitled to an on-street car parking permit, in the interests of the proper management of parking, and to ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on-street car parking stress in the area, in accordance with Policy DM A1, A9, J2 and J3 of the Development Management Local Plan 2013 and Policy T1 of the Core Strategy 2011.

- 19) No part of the development hereby approved shall be used or occupied prior to the completion of works for the repaving of the immediate frontage of the site in Filmer Road including footway repaving and reconstruction of the cross-over to the Council's Streetsmart standards.

In order to ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with Policy DM G3 and J6 of the Development Management Local Plan 2013.

- 20) Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of the external sound level emitted from plant/ machinery/ equipment and mitigation measures as appropriate. The measures shall ensure that the external sound level emitted from plant, machinery/ equipment will be lower than the lowest existing background sound level by at least 10dBA in order to prevent any adverse impact. The assessment shall be made in accordance with BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. A post installation noise assessment shall be carried out where required to confirm compliance with the sound criteria and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

- 21) No alterations shall be carried out to the external appearance of the building, including the installation of air-conditioning units, ventilation fans or extraction equipment not shown on the approved drawings, without planning permission first

being obtained. Any such changes shall be carried out in accordance with the approved details.

To ensure a satisfactory external appearance 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.

- 22) Prior to the commencement of the development, details of anti-vibration measures shall be submitted to and approved in writing by the Council. The measures shall ensure that plant/equipment/ventilation system and ducting are mounted with proprietary anti-vibration isolators and fan motors are vibration isolated from the casing and adequately silenced. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

- 23) Prior to the first occupation of the development hereby approved, details of external artificial lighting shall be submitted to and approved in writing by the Council. Details shall demonstrate that vertical illumination of neighbouring premises is a maximum of 10lux at ground floor and 5lux at first and higher floor levels. The recommendations of the Institution of Lighting Professionals in the 'Guidance Notes For The Reduction Of Light Pollution 2005' shall also be met with regard to glare and sky glow. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure a satisfactory external appearance and to prevent harm to the occupiers of neighbouring properties, in accordance with Policy BE1 of the Core Strategy 2011 and Policies DM G1, DM G7, DM H10 and DM H11 of the Development Management Local Plan 2013.

- 24) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (Amendment) (No.2) (England) Order 1995 (or any order amending, revoking and re-enacting that Order) no extensions or other form of enlargement to the residential development hereby permitted, nor erection of porches, outbuildings, hardstandings, storage tanks, gates, fences, walls or other means of enclosure, shall take place without the prior written permission of the Council.

Due to the limited size of the site, proximity to neighbouring properties and proposed design of the proposed single family dwellings on the site, the Council would wish to exercise future control over development which may affect residential amenity or appearance of the area, in accordance with Policy BE1 of the Core Strategy 2011 and Policies DM A9, DM G1 and DM G7 of the Development Management Local Plan 2013

- 25) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no aerials, antennae, satellite dishes or related

telecommunications equipment shall be erected on any external part of the approved buildings, without planning permission first being obtained.

In order to ensure that the Council can fully consider the effect of telecommunications equipment upon the appearance of the buildings in accordance with Policy BE1 of the Core Strategy 2011 and Policies DM G1 and DM G7 of the Development Management Local Plan 2013.

- 26) No plant, water tanks, water tank enclosures or other structures, that are not shown on the approved plans, shall be erected upon the roofs of the building(s) hereby permitted.

To ensure a satisfactory external appearance, in accordance Policy BE1 of the Core Strategy 2011 and Policy DM G1 and DM G7 of the Development Management Local Plan 2013.

- 27) The development shall be implemented in accordance with the recommended flood mitigation measures as proposed in the submitted Flood Risk Assessment otherwise agreed in writing by the local planning authority. Development hereby permitted shall not commence until further details of flood prevention measures including tanking systems, cavity membranes and sump pump system as part of waterproofing for the basement and water efficiency measures have been submitted to and approved in writing by the Council. In line with advice from Thames Water, a non-return valve or other suitable device shall be installed to avoid the risk of the sewerage network surcharging wastewater to basement/ground level during storm conditions. The measures/scheme shall be implemented in accordance with the approved details prior to occupation of the development hereby permitted, and thereafter permanently retained and maintained in line with the agreed plan.

To reduce the impact of flooding to the proposed development and future occupants, in accordance with Policies 5.11, 5.13, 5.14 and 5.15 London Plan 2011, Policy CC1 and CC2 of the Core Strategy 2011, National Planning Policy Framework (2012) and the Technical Guidance to the National Planning Policy Framework (2012) and Policy DM H3 of the Development Management Local Plan 2013.

- 28) The development hereby permitted shall not commence until a surface water drainage scheme, based on sustainable drainage principles, and a maintenance programme for the sustainable urban drainage measures, have been submitted to and approved in writing by the council. The scheme shall be implemented in accordance with the approved details prior to first occupation of the development hereby permitted, and thereafter permanently maintained in accordance with the agreed details.

To prevent any increased risk of flooding and to ensure the satisfactory storage of/disposal of surface water from the site in accordance with Policy CC2 of the Core Strategy 2011 and Policy 5.13 of The London Plan 2011, PPS25 and Policy DM H3 of the Development Management Local Plan 2013.

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

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Borough Wide Strategic Policy CC4 of the Core Strategy 2011, Policies DM H7 and H11 of the Development Management Local Plan 2013 and Policy 5.21 of the London Plan 2011.

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

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Borough Wide Strategic Policy CC4 of the Core Strategy 2011, Policies DM H7 and H11 of the Development Management Local Plan 2013 and Policy 5.21 of the London Plan 2011.

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

Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Borough Wide Strategic Policy CC4 of the Core Strategy 2011, Policies DM H7 and H11 of the Development Management Local Plan 2013 and Policy 5.21 of the London Plan 2011.

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

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Borough Wide Strategic Policy CC4 of the Core Strategy 2011, Policies DM H7 and H11 of the Development Management Local Plan 2013 and Policy 5.21 of the London Plan 2011.

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

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and

following the development works, in accordance with Borough Wide Strategic Policy CC4 of the Core Strategy 2011, Policies DM H7 and H11 of the Development Management Local Plan 2013 and Policy 5.21 of the London Plan 2011.

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

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Borough Wide Strategic Policy CC4 of the Core Strategy 2011, Policies DM H7 and H11 of the Development Management Local Plan 2013 and Policy 5.21 of the London Plan 2011.

Justification for Approving the Application:

- 1) 1. The development of the site for residential is considered acceptable, in accordance with the NPPF (2012), London Plan (2011) Policy 3.3, Core Strategy (2011) H1 and H4, Policy DM A1 and DM A3 of the Development Management Local Plan (2013). The density, housing mix, internal design and layout of the new residential units are considered satisfactory having regard to London Plan Policies 3.4, 3.5 and 3.8, Core Strategy Policies H2, H3 and H4, Policy DM A2, DM A3 and DM A9 of the Development Management Local Plan (2013), and the amenity provision is considered satisfactory, having regard to the physical constraints of the site, judged against Policy DM A2 of the Development Management Local Plan (2013) and SPD Housing Policy 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 proposed development would be compatible with the scale and character of existing development and its setting. The proposal would preserve and enhance the character and appearance of the adjacent conservation area and the conservation of which it forms a part of. The development would therefore be acceptable in accordance with the NPPF (2012), London Plan Policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6 and 7.8, Core Strategy Policy BE1 and Policy DM G1 and DM G7 of the Development Management Local Plan (2013) and SPD Design Policies 44 and 48 of the Planning Guidance SPD (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 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 Policies DM G1, H9, H11 and A9 of the Development Management Local Plan (2013) and SPD Housing Policy 8 of the Planning Guidance SPD (2013).

4. Safety and Access: The development would provide a safe and secure environment for all users in accordance with London Plan (2011) Policy 7.3 and Policy DM G1 of the Development Management Local Plan 2013 (2013). The proposal would provide ease of access for all people, including disabled people, in accordance with London Plan (2011) Policy 3.8, Core Strategy (2011) Policy H4, Policy DM A4, DM A9, DM G1 of the Development Management Local Plan (2013) and SPD Design Policies 1 and 11 of the Planning Guidance SPD (2013).

5. Transport: There would be no adverse impact on traffic generation and the scheme would not result in congestion of the road network. Conditions will secure satisfactory car permit free dwellings, provision of cycle and refuse storage. The development would therefore be acceptable in accordance with the NPPF (2012), London Plan (2011) Policies 6.1, 6.3, 6.9, 6.10, 6.11, 6.13, Core Strategy Policies T1 and CC3 (2011), Policies DM J1, DM J2, DM J3, DM J5, DM A9 and DM H5 of the Development Management Local Plan (2013), and SPD Transport Policies 3, 5 and 12 and SPD Sustainability Policies 3, 4 and 7 of the Planning Guidance SPD (2013).

6. 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. Further necessary details have been secured by condition. Details of SUDS will be secured by a condition. In this respect the proposal is therefore in accordance with the NPPF (2012), London Plan (2011) Policies 5.11, 5.12, 5.13, 5.14 and 5.15, Core Strategy Policies CC1 and CC2 (2011), Policy DM H3 of the DM LP (2013) and SPD Sustainability Policies 1 and 2 of the Planning Guidance SPD (2013).

7. Land Contamination: Conditions will ensure that the site would be remediated to an appropriate level for the sensitive residential and open space uses. The proposed development therefore accords with Policy 5.21 of the London Plan (2011), Policy CC4 of the Core Strategy (2011), Policies DM H7 and H11 of the Development Management Local Plan (2013), and SPD Amenity Policies 2, 3, 4, 5, 7, 8, 12, 13, 14, 15, 16 and 17 of the Planning Guidance SPD (2013).

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

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

Application form received: 22nd January 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: Thames Water - Development Control	Dated: 03.02.16
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Neighbour Comments:

Letters from:	Dated:
10 Filmer Mews 75 Filmer Road London SW6 7JF	29.02.16
Limelight Celebrity Management Ltd 10 Filmer Road Studios, 75 Filmer Road London SW6 7JF	24.02.16
10 Filmer Mews 75 Filmer Road London SW6 7JF	26.02.16
3 swift street London sw6 5ag	24.02.16
Lexington Estates Limited 44 Fulham High Street London SW6 3LQ	12.02.16
2a Swift Street Swift Street Fulham SW6 5AG	23.02.16
63 Filmer Road Fulham London SW6 7JF	25.02.16
2 Swift street London SW65AG	23.02.16
2b Swift Street Swift Street Fulham SW6 5AG	23.02.16
10 Filmer Mews 75 Filmer Road London SW6 7JF	29.02.16
6 Swift Street Fulham London SW65AG	02.03.16

OFFICER'S REPORT:

1.0 BACKGROUND

1.1 The application relates to 9 self-contained previously office (now residential) units at ground and first floor level (1, 2, 3, 4, 5, 6, 7/7a, 8 and 9) located within a development known as Filmer Mews or Filmer Road Studios. The property is within Central Fulham Conservation Area. The property is partly in Flood Risk Zone 2 and completely within Flood Risk Zone 3.

1.2 Vehicular access to the site is currently off Filmer Road, immediately before the public transport, with an accessibility level of PTAL 4.

1.3 Relevant planning history:

1.4 Between 2002 and 2008, a number of applications (2002/02773/FUL, 2007/04221/FUL and 2008/02283/FUL) were refused permission for alterations to individual buildings within the Mews.

1.5 In 2013, changes were made to permitted development rights. Permitted development rights are a national grant of planning permission which allow certain building works and changes of use to be carried out without having to make a planning application. Prior approval applications were established where a developer can seek approval from the local planning authority that specified elements of the development

are acceptable before work can proceed. In this case prior approval can be sought for the change of use from Class B1 (office) to Class C3 (residential) where the only issues that can be considered are highways, flood risk and contamination. A local planning authority cannot consider any other matters when determining a prior approval application.

1.6 In 2013 a number of applications (2013/03329/PD56, 2013/03330/PD56, 2013/03331/PD56, 2013/03332/PD56) were refused prior approval consent, however these were then established under the application 2014/02539/CLP. Subsequent to this, prior approval was granted under 2014/03121/PD56 for the remaining units.

1.7 Under application 2015/04460/CLE the principal of residential use was established for all 9 units as Class C3 (residential).

1.8 The current application is for the demolition of units 1-9 and erection of six three storey plus basement buildings for use as six new dwelling houses.

2.0 PUBLICITY AND CONSULTATION

2.1 The application has been publicised by means of statutory site and press notices. Individual notification letters (92 letters) were also sent to occupiers adjoining the site at Filmer Road, Rostrevor Road, Swift Street and Munster Road.

2.2 11 letters of objections were received. Reasons for objection are summarised below:

Demolition:

- Disturbance during construction;

Height:

- Object to third floor addition to Units 1 - 5;
- Object to two additional floors to Unit 6;
- Object to height raised greater than the current level;

Building Design:

- Harm the character and appearance of the conservation area;

Heritage Statement:

- Inaccurate details;

Terraces:

- Concerns that terraces will prevent future development at other properties;
- Issues of privacy;
- Issues of overlooking;
- Noise and disturbance;

Light:

- Will impact Right to Light;
- Proposal development does not meet the levels of change within BRE Guidance;
- The Applicants Right to Light Report of Daylight and Sunlight Assessment is not accurate;

- Reduction of light to side Mews windows is not acceptable as No.10 is not in ownership of the applicant as suggest in the BRE report;

Refuse:

- Should be stored accordingly;

Transport:

- Contrary to Policy, Filmer Road Studios is only 5.1m in width;
- Garages are too small;
- Have previously experienced illegal parking in the mews;
- Parking allowed within the mews could be dangerous;
- Issues with Statement of Community Involvement:
- There was not adequate stakeholder engagement of the local community; and,
- Should have wheelchair access maintained to No.10 during works.

3.0 PLANNING CONSIDERATIONS

LAND USE:

3.1 The main planning considerations in light of the London Plan and the Council's adopted Core Strategy, Development Management Local Plan 2013 (hereafter referred to as DM LP) and the Planning Guidance Supplementary Planning Document 2013 (hereafter referred to as Planning Guidance SPD), include the principle of the residential use in land use terms; quantum and intensity of development in terms of the height, scale and massing; impact on surrounding uses particularly on the existing amenities of occupiers of neighbouring residential properties in terms of noise, outlook, light and privacy and potential for traffic generation, and the impact on the highway network.

Residential Development:

3.2 London Plan Policy 3.3 states that an annual average of 42,000 net additional homes should be delivered. Table 3.1 sets an annual target of 1,031 net additional dwellings for Hammersmith and Fulham. The Draft Local Plan (2015) supports the new updated targets as set out in the London Plan. In the interim, the Core Strategy Policy H1 reiterates the London Plan's previous annual target of 615 net additional dwellings for the borough. This is supported by Policy DM A1 of the Development Management Local Plan (DM LP)

3.3 Filmer Road Studios originally operated as Class B1 office space, however, following a number of planning applications (see Para 1.3) a Certificate of Lawfulness Existing (2015/04460/CLE) has established Units 1 - 9 as operational as residential units. The proposal would see a net loss of 3 units and would fail to contribute towards this target. However, Core Strategy Policy H1 and Policy DM A1 of the DM LP resist proposals that would result in a net loss of permanent residential accommodation as a result of redevelopment, measured by floorspace. Although this scheme proposes fewer dwellings than what is currently on the site, there will be a net gain in residential floorspace. Therefore, the proposal does not conflict with Policies H1 and DM A1.

3.4 Core Strategy Policy H4, Policy DM A3 of the DM LP requires a choice of high quality residential accommodation that meets the local residents needs and aspirations and market demand. In particular there should be a mix of housing types and sizes in

development schemes, especially increasing the proportion of family accommodation. The justification to Policy DM A3 of the DM LP states 'there is a particular need in this borough for more family sized housing (3 or more bedrooms)'.

3.5 The proposal provides for family dwellings with 4 x 3 bed houses and 2 x 4 bed houses. The dwelling mix is considered to meet the policy requirement for the provision of a range of dwelling sizes within new development in accordance with Core Strategy Policy H4 and Policy DM A3.

3.6 In land use policy terms, Officers consider that a residential scheme with 6 family size dwellings is acceptable.

Residential Density:

3.7 Core Strategy Policy H2 (Affordability), H3 (Housing Quality and Density) and Policy DM A2 of the DM LP seeks to optimise the potential of sites. Policy H3 states that acceptable housing density will be dependent primarily on an assessment of these factors, taking account of London Plan policies and subject to public transport and highway impact and capacity.

3.8 London Plan Policy 3.4 (Optimising Housing Potential) seeks to ensure that development optimises housing output for different types of location within the relevant density range shown in Table 3.2 (Sustainable residential quality and residential density matrix) which takes into account local context and character, design principles and public transport capacity. Development proposals which compromise this policy will normally be resisted.

3.9 The site is located in PTAL 4 using Transport for London's methodology, indicating that it has an acceptable level of accessibility by public transport. According to the London Plan density matrix, the site falls within an 'urban area' with 'predominately dense development such as, for example terrace houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of two to four storeys, located within 800m walking distance of a District centre or along main arterial routes.'

3.10 The proposed residential development site comprises 0.09 hectares and would have a total of 36 habitable rooms (including bedrooms, living rooms, dining rooms and large kitchens). This would result in a residential density of 400 hr/ha. This site is located within PTAL 4 where the spectrum for a urban site is 200 - 700 habitable rooms.

3.11 In this case, the proposed development would not result in an excessive built environment on site, and layout and provides a satisfactory quality of residential environment and an acceptable level of accommodation for future occupiers of the development, complying with The London Plan 3.4, Policy H3 of the Core Strategy 2011 and Policy DM A2 of the DM LP.

Site Constraints and Affordable Housing:

3.12 The number of residential dwellings proposed is below the threshold of 10 for which affordable housing is required under The London Plan Policy 3.13 and Core Strategy Policy H2. Paragraph 3.28 of The London Plan states that 'it is not appropriate to apply Table 3.2 mechanistically. Its density ranges for particular types of location are broad, enabling account to be taken of other factors relevant to optimising potential -

local context, design and transport capacity are particularly important, as well as social infrastructure (Policy 3.16)', Furthermore, Paragraph 3.29 of the London Plan states that higher density provision for smaller households should be focused on areas with good public transport accessibility (measured by Public Transport Accessibility Levels (PTALS)).

3.13 Paragraph 4.12 of the DM LP states there is a particular need in this borough for more family sized housing (3 or more bedrooms), particularly affordable housing. However, some sites may be more appropriate for families with children, particularly sites with safe access to amenity and playspace, than other sites that are in town centres where access may be more difficult.

3.14 There is a requirement to consider whether there is any capacity for 10 or more dwellings, applying the density guidance set out in Policy 3.4 (maximising the potential of sites) and table 3A.2. At present, there are nine units located within the Filmer Road Studios site, however, these units were a result of a number of Prior Approval applications granted in 2013 (see Para 1.3) where the standard of accommodation is not a requirement when assessing an application. Confirmation of the change of use to residential was submitted and approved to the Council in late 2015 under application 2015/04460/CLE. The tightly confined site does not allow for alterations to the existing buildings and the existing site is underutilised in terms of the potential density of the site.

3.15 Due to site constraints, providing additional properties would have implications on visual and residential amenity, specifically sunlight and daylight issues and issues of outlook and further development would lead to overdevelopment of the site jeopardising the quality of the living environment.

3.16 In this respect, given the sites constraints set out above and the nature of the family housing accords with demand in the Borough, it is considered not appropriate to require the provision of affordable housing in this case. The application is therefore compliant with the London Plan.

DESIGN AND APPEARANCE:

3.17 In respect of design, among the core planning principles of the NPPF are that development always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Paragraph 58 of the NPPF requires planning decisions to ensure that development will function well and add to the overall quality of the area, to respond to local character and history and reflect the identity of local surroundings and materials while not preventing or discouraging appropriate innovation, and that developments are visually attractive as a result of good architecture and appropriate landscaping. With regard to the historic environment, the NPPF promotes the conservation of heritage assets and requires local authorities in determining applications to take into account the desirability of new development making a positive contribution to local character and distinctiveness.

3.18 Section 72 of the Planning [Listed Buildings and Conservation Areas] Act 1990 requires that special attention should be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area. The current building is a typical mews development within the conservation area, however, the front fenestrations of Units 1 - 7 have development haphazardly over time

and there is a potential to recreate a symmetric and architecturally pleasing uniformed front facade element in the scheme. The policies outlined above suggest an appropriate approach for new designs in conservation areas.

3.19 Furthermore proposals should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. London Plan Policy 7.1, 7.2, 7.4, 7.5 and 7.6 requires all new development to be of high quality that responds to the surrounding context and improves access to social and community infrastructure contributes to the provision of high quality living environments and enhances the character, legibility, permeability and accessibility of the surrounding neighbourhood. Policy 7.8 D states that development affecting heritage assets and their settings should conserve their significance by being sympathetic to their form, scale, materials and architectural detail.

3.20 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. There should be an approach to accessible and inclusive urban design that considers how good design, quality public realm, landscaping and land use can be integrated to help regenerate places.' Policy DM G1 of the DM LP 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.

3.21 Policy DM G7 of the DM LP states 'the Council will aim to protect, restore or enhance the quality, character, appearance and setting of the borough's conservation areas. The justification continues that 'new development should have a good relationship with the character of the surrounding historic environment.' This is supported by SPD Design Policy 44 where new buildings must be carefully conceived to achieve harmonious relationship with their neighbours. New buildings should contribute to the visual quality of the area, and preserve or enhance the character and appearance of the area. The scale, proportion, massing, height, alignment and use of materials must be carefully conceived along with the finer grain detailing to achieve a harmonious relationship with neighbouring buildings.

3.22 In order satisfy the policy context and integrate the scheme into its surroundings, it is necessary for the proposal to take account of the character of the existing area and draw inspiration from it: to be part of it rather than distinct from it.

The site and surrounding townscape context:

3.23 The site lies towards the southern end of Filmer Road immediately adjacent to the junction of Munster Road with Filmer Road. The application relates to 9 self-contained previously office (now residential) units at ground and first floor level (1, 2, 3, 4, 5, 6, 7/7a, 8 and 9) located within a development known as Filmer Mews or Filmer Road Studios which is accessed via a gated entrance.

3.24 The buildings within the site comprise of two stories to the southern side of the terrace, whilst on the northern side a single storey building is evident. To the rear of the site two storey buildings are evident. The entrance into the site is flanked by two, two storey buildings, one with a flat roof (which is included as part of this proposal) and No.10 Filmer Mews which has a hipped roof. The property is within Central Fulham Conservation Area.

Demolition:

3.25 National guidance on the historic environment in the National Planning Policy Framework encourages the conservation of heritage assets in a manner appropriate to their significance. It is acknowledged that there will be parts of the heritage asset which do not make a positive contribution and that the relative significance and contribution to significance of heritage assets should be considered where their loss or alteration is being proposed.

3.26 It appears that all of the Units 1- 7, which are original, have experienced various unsympathetic alterations and this is particularly apparent at ground floor level where alterations to the frontage have produced an eclectic fenestration pattern of unsympathetic replacement door and window openings. At present there is a consistent parapet line with brick detailing and a regular rhythm of window openings with cambered brick heads, stone sills and timber sashes at first floor level. Units 8 and 9 are modern and single storey but built in a sympathetic style. Despite the history of alterations, the overall mews character has been maintained and with the cobbled street included, it makes an important contribution to the character of the conservation area overall.

3.27 The proposals comprise the demolition of the existing buildings, Units 1- 7. The proposal seeks to reinstate the positive aesthetic characteristics of the existing mews, using modern building methods and materials to provide a high quality residential accommodation. At ground floor level garages have been introduced to allow off street parking. Garage doors will be made of timber, in traditional mews style with gently arching heads. Alongside the garage doors will be large openings, reminiscent of original opening in mews properties. Timber front doors and small window opening will be positioned between the door and main windows. Over all openings, traditional cambered brick heads will be reinstated using original reclaimed brick.

3.28 At first floor level, the existing size, position and rhythm of the windows will be retained. Frames will be painted timber. The cobbled street will also be retained.

3.29 Units 8-9 would be demolished and rebuilt as a part one, party two storey plus mansard roof building, the fenestration would reflect that of the adjoining dwellings and the replacement building is considered acceptable.

Additional storeys/roofs:

3.30 In terms of the proposed terrace consisting of 5 family dwellinghouses, the additional floor would be of a 70 degree mansard design, clad in slate with symmetrical dormer windows to the front elevation. The additional floor would be set back from the rear parapet wall by 2m and by 1m from the existing parapet line where stairwell and terrace will be located. The staircase access points are approximately 2m in width, ensuring that the majority of the additional floor is set back sufficiently from the rear building line.

3.31 In the case of Dwelling 6, the additional floor has been designed with a mansard additional floor, set in from the eaves by 1.5m to ensure that the additional floor does not over dominate the parent building.

3.32 As such, the proposal is considered compatible with the scale and character of development in the area. It is considered the proposed development would not have a harmful effect on the character and appearance of the application property or to the street of which it forms a part of. However Officers note that this may not be acceptable on other terraces and each case should be assessed on its own merits.

3.33 In summary, the design of the proposal has been developed from negotiations over the past year. The current scheme has addressed the earlier critiques of the proposal Officers conclude that the proposed height massing and design has an appropriate relationship to the contextual setting. The proposed scheme would maintain the mews appearance and character with a well-considered form and design which would add to the quality of the local townscape. The proposed form and height is considered to be appropriate to the conservation area and would respect its townscape setting generally.

3.34 To this end, it is considered that the proposal development would be a high quality development which would make a positive contribution to the urban environment in this part of the Borough. The development would therefore be acceptable in accordance with the NPPF (2012), London Plan Policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6 and 7.8 , Core Strategy Policy BE1 and Policy DM G1 and DM G7 of the DMLP and SPD Design Policies 44 and 48 of the Planning Guidance SPD (2013), which seek a high quality in design and architecture, requiring new developments to have regard to the pattern and grain of existing development.

RESIDENTIAL AMENITY:

3.35 Policy DM G1 of the DM LP states all proposals must be formulated to respect the principles of good neighbourliness. Policy DM A9 of the DM LP states 'the council will ensure that the design and quality of all new housing, including new build, conversions and change of use, is of a high standard and that developments provide housing that will meet the needs of future occupants and respect the principles of good neighbourliness.' SPD Housing Policies 7 and 8 seek to protect the existing amenities of neighbouring residential properties in terms of outlook, light, privacy and noise and disturbance.

Sunlight/Daylight:

3.36 The proposed development could potentially impact residential properties, notably, No. 10 Filmer Road Studios, No.160 Munster Road, No1 - No5 (inclusive) Swift Street and No. 65 - No.73 Filmer Road (inclusive).

3.37 In considering this, the Council has regard to the guidance set out in Building Research Establishments' (BRE) Report 2011 "Site Layout Planning for Daylight and Sunlight - A guide to good practice". This guidance is used as aid to prevent and/or minimise the impact of a new development on the availability of daylight and sunlight in the environs of the site. Although it provides numerical guidelines, these should be interpreted flexibly because natural lighting is only one of many factors in site layout design. If any or part of a new building in a vertical section breaches an angle of more than 25 degrees to the horizontal, then the daylight and sunlight to an existing building may be adversely affected.

3.38 The applicants have assessed the impact by means of a report using the Building Research Establishments (BRE) guidelines for Sunlight and Daylight. Officers have studied this report and consider that the results are robust.

3.39 The relevant benchmarks used in the submitted study are as follows:

- The Vertical Sky Component measured at the centre of a window should be no less than 80% of its former value; and,
- The window should receive at least 25% of available annual sunlight hours and more than 5% during the winter months (September 21st to March 21st); and, 80% of the pre - development level of sunlight hours for either period.

Vertical Sky Component (VSC):

3.40 The VSC has been calculated for each of the 63 assessed windows for both the existing and proposed conditions.

3.41 Out of the 63 windows tested, 16 windows would fall below the 80% threshold, some 25% of the total figure. However, of these, 6 are within commercial use (9.5%). Further, 6 of the windows tested are located within Units 8 - 9 within the proposed development site and due to be demolished. These 6 windows are the most impacted as they fall some 15% below the 80% value. However, these windows will be demolished as part of the application and the new residential dwelling will have dual aspect in the rooms at ground floor level so any impact is considered negated. Of the 4 windows remaining, the 80% threshold is only modestly breached by no more than 4%

Sunlight Results:

3.42 BRE Guidance is that windows should continue to receive in excess of 80% of their pre - development value, 25% of available hours over the year, and 5% hours in winter. Only windows which face within 90degree of due south are required to be assessed, as such 30 windows meet this criterion of which 13 show results slightly under the benchmarks provided. As outlined in the VSC section (Para 3.41 -3.42), 6 of these windows are within commercial use and not in residential use as identified in the report. Furthermore, 6 windows identified are within Units 8 - 9 which are due to be demolished and rebuilt as a residential dwelling with dual aspect to the windows at ground floor level. As such, only one window at No.73 Filmer Road fails the target ranges, however, this is only by 3% of the 25% available hours over the year and 8% less than the pre - development value.

3.43 Officers have considered the daylight and sunlight analysis submitted by the applicant and are satisfied that the development would have no significant adverse impact on the surrounding residents as the proposed envelope achieves potential massing that can be placed on site, without adversely impacting on neighbouring residential properties in Filmer Road and Swift Street. Officers consider that the habitable rooms and windows in these adjoining properties would have sufficient access to daylight and sunlight after the proposed residential development has been constructed.

Amenity of Neighbouring Properties: Outlook, Privacy and Noise and Disturbance

3.44 Policy DM A9 of the DM LP states that to achieve a high standard of design the protection of existing residential amenities will be taken into account especially in densely built areas. SPD Housing Policy 8 respectively require that there is no significant loss of outlook and privacy to existing residential amenities.

3.45 In this case, it would be reasonable to take the point of measurement from the existing building heights as these boundary walls are well established. In the case of the new residential dwelling at No.1 to No.5, the proposed development would match the existing building line established with the rear boundary of Swift Street, any proposed development would fall well within the 45degree angle range. In this case of dwelling 6, the proposal has been significantly amended through the pre - application officer's to ensure compliance with Policy DM A9 and SPD Housing Policy 8. The first floor has been set in 6.4m from the boundary No.67 to No.73 Filmer Road, further the roof has been set in from the eaves and designed with a mansard design to ensure compliance with Council policies and standards.

3.46 SPD Housing Policy 8 (ii) states that 'new windows should normally be positioned so that the distance to any residential window is not less than 18metres as measured by an arc of 60 degrees taken from the centre of the proposed new window.' If this standard cannot be met then windows should be designed to ensure that no loss of privacy will occur. The windows to the front elevation of No.1 to No. 5 will mutually overlook the windows proposed to Dwelling 6 and will be no closer than existing windows to the rear elevations of Filmer Road than the existing arrangement. No windows are proposed to the rear elevation that would result in overlooking to properties in Swift Street as the windows would be set back behind a parapet wall.

3.47 One window is proposed to the rear elevation of Dwelling 6 serving a bedroom, the window would be within 18m of habitable room windows of No.65 - 67 Filmer Road. To protect the existing privacy of these properties, the window will be conditioned to be obscured glazed and non - openable to a height of 1.7m from floor level. This is secured by Condition 12. Furthermore, the proposed terrace at second floor level is also within 18m of No.63 Filmer Road. 1.7metre obscured glazing surround the terrace as to ensure there would not be any overlooking or impact on privacy. This is secured by Condition 10. As such, the proposal would comply with the aforementioned Policy.

3.48 Policy DM H9 of the DM LP considers noise levels both inside the dwelling and in external amenity spaces. Policy DM H11 of the DM LP deals with environmental nuisance and states requires all developments to ensure that there is no undue detriment to the general amenities at present enjoyed by existing surrounding occupiers of their properties

3.49 SPD Housing Policy 3 states 'where balconies and/or terraces are provided they must be designed to respect the amenity of neighbours. SPD Housing Policy 8 (ii) continues 'a roof terrace/balcony is unacceptable if it would result in an additional opportunity for overlooking or result in a significantly greater degree of overlooking and consequent loss of privacy than from the access point onto the proposed terrace/balcony.' Whilst SPD Housing Policy 8 (iii) states 'planning permission will not be granted for roof terraces or balconies if the use of the terraces or balconies is likely to cause harm to the existing amenities of neighbouring properties by reason of noise and disturbance.

3.50 Dwellings 1 - 6 would have terraces at second floor level to the rear of the properties which would be located behind a parapet wall. Due to the location at high level and the relationship with adjoining properties, it is not considered that the use of the terraces would harm the existing amenities of adjoining occupiers as a result of overlooking or loss of privacy.

3.51 Further, it is difficult to predict with any accuracy the likely level of noise/disturbance that would be generated by the use of the proposed balcony/terrace areas, however, on balance, having regard to the size of the proposed areas, (ranging from 2.31sqm to 7.56sqm) together with the location and the relationship with adjoining properties, it is not considered that the terraces would be likely to harm the existing amenities of adjoining occupiers as a result of additional noise and disturbance.

3.52 As such, Officer's consider that the proposed development would have no significant adverse impact on residential amenity in accordance with Policy DM A9, H9 and H11 of the DM LP and SPD Housing Policy 3 and 8.

QUALITY OF RESIDENTIAL ACCOMMODATION

3.53 Housing quality is a key consideration in the assessment of applications for new development. The London Plan seeks the delivery of new housing that is of a high quality of design. London Plan Policy 3.5 'Quality and Design of Housing Developments' says that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment.

3.54 To ensure the delivery of high quality, well designed housing, the Mayor has prepared Supplementary Planning Guidance entitled 'Housing' (herein referred to as the Housing SPG). The document provides detailed guidance which seeks to assist in the design of new housing to ensure that new developments are of the highest quality and make a difference to the quality of life of new residents. The Housing SPG is clear that increasing output (of housing) is not a simple end in itself - new housing must also enhance the environment, improve choice and affordability and provide better quality homes.

3.55 The DCLG Technical housing standards - nationally described space standard (2015) deals with internal space within new dwellings across all tenures. It sets out requirements for the gross internal floor area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of homes.

3.56 Borough Wide Strategic Policy H3 within the Core Strategy (2011) says that the council will expect all housing developments to respect the local setting and context, provide a high quality residential environment, be well designed and energy efficient, meet satisfactory internal and external space standards, and provide a good range of housing types and sizes.

3.57 DMLP (2013) Policy DM A2 says that all new housing must be of high quality design and take account of the amenity of neighbours and must be designed to have adequate internal space in accordance with the London Plan.

3.58 DMLP (2013) Policy DM A9, entitled 'Detailed Residential Standards' says that the Council will ensure that the design and quality of all new housing is of a high standard.

3.59 SPD Housing Policy 8 (iv) states that 'north facing (i.e. where the orientation is less than 50 degrees either side of north should be avoided wherever possible.'

3.60 All the proposed dwellings would exceed the minimum dwelling size requirements of the London Plan ranging in size from 220.6sqm - 396.7sqm and would have dual aspect. A larger/higher development and associated additional dwellings could not be provided within the envelope of the building proposed without jeopardising the quality of the living environment and impacting the residential amenities of the adjoining properties.

Outdoor Space:

3.61 SPD Housing Policy 1 requires all new dwellings should have access to an area of amenity space, appropriate to the type of housing being provided. The policy continues to state that all new family dwellings should have access to amenity or garden space of not less than 36sqm. SPD Housing Policy 3 ensures that where balconies and/or terraces are provided to meet amenity space requirements they should have a minimum depth and width of 1500mm.

3.62 Due to the constraints of the site, it is not possible for all the dwellings to meet the requirements of SPD Housing Policy 1. However, Dwelling 6 has been provided with amenity area of 53sqm substantially above the targets whilst Dwellings 1 - 5 have all been provided with amenity area ranging from 5.7sqm - 17.4sqm. This reflects the physical constraints of the site and the desire to ensure that there is no overlooking/loss of privacy or noise and disturbance to neighbouring properties.

3.63 In this case, the amenity space provided is considered to be an acceptable arrangement, and would not justify a refusal of planning permission. In view of the above the proposed residential dwellings would be of adequate size and layout to provide an acceptable outlook and sunlight and daylight levels, and external space to occupiers of the houses.

Access:

3.64 London Plan Policy 3.8, Core Strategy Policy H4, Policy DM A4 of the DM LP, SPD Design Policy 1 (Inclusive design), SPD Design Policy 2 (Access to facilities inside a building) requires new residential development to be built to M4(2) (Accessible and Adaptable Dwellings) and/or M4(3) (Wheelchair Use Dwellings) of The Building Regulations 2010. All of the houses are arranged in compliance with the spatial requirements and minimum room circulation space sizes of the London Plan Housing SPG, London Housing Design Guide SPG, London Housing Design Guide.

TRAFFIC GENERATION, CAR PARKING, CYCLE PARKING AND ACCESS:

3.65 The NPPF requires developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised; and development should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people.

3.66 Policy 6.1, 6.3, 6.10, 6.11 and 6.13 of the London Plan sets out the intention to encourage consideration of transport implications as a fundamental element of sustainable transport, supporting development patterns that reduce the need to travel or

that locate development with high trip generation in proximity of public transport services. The policies also provide guidance for the establishment of maximum car parking standards.

3.67 Core Strategy Policy T1 supports the London Plan. Policy DM J4 of the DM LP requires new development to incorporate ease of access by disabled people and people with mobility impairment. Policy J1 states that all development proposals will be assessed for their contribution to traffic generation and their impact on congestion. Policy DM J2 of the DM LP requires new development to accord with the car parking standards set out in the London Plan. SPD Transport Policy 3 requires compliance with the Council's car parking standard except in exceptional circumstances. SPD Transport Policy 6 provides detailed guidance on detailed guidance on expectations for the overall layout of a car parking area and the dimensions of each space.

Car Parking:

3.68 The parking arrangements includes six garage spaces within the properties located within the site. The proposed parking provision is compliant against the requirements of the Core Strategy 2011 and the DM Local Plan 2013.

3.69 The site has a PTAL score of 4 using Transport for London's methodology, indicating that it has a good level of public transport accessibility. However the surrounding on-street parking network experience high levels of parking stress. The proposed development will be car permit free and this would minimise the impact of the development on the on-street parking. This will be secured by Condition 17 - 18.

Cycle Parking:

3.70 Cycle parking should be provided in line with London Plan 2011 Policy 6.9 and Table 6.3. Policy DM J5 of the DM LP encourages increased cycle use by seeking the provision of convenient and safe cycle parking facilities. This is supported by SPD Transport Policy 12.

3.71 Each of the dwellings will be provided with 2 cycle spaces in line with DMLP Policy J5 which are located within the ground floor levels of the 6 dwellings. This is considered satisfactory and will be secured by Condition 15.

REFUSE STORAGE:

3.72 London Plan Policy 5.16 outlines the Mayor's approach to waste management. This is supported by Core Strategy Policy CC3, and Policy DM H5 of the Development Management Local Plan 2013 sets out the Council's Waste Management guidance, supported by SPD Sustainability Policy 3, 4 and 6 which requires suitable storage space for refuse and recycling to be provided. It is not acceptable for waste material to be left on the highway for extended periods of time

3.73 A communal refuse storage is located adjacent to Dwelling 6. Officers are satisfied that there is sufficient space within the designated area for the satisfactory storage of refuse, although a condition is proposed to ensure the refuse storage is implemented before the use is occupied and is maintained for the life of the development. (Condition 13).

3.74 Demolition and Construction Management Plan (CMP) and Construction Logistics Plan (CLP) would be required to ensure that there is no harmful impact on neighbours and on the local highways network. The Demolition and CMP shall include demolition details, contractors' construction method statements, waste classification and disposal procedures and locations, dust and noise monitoring and control, provisions within the site to ensure that all vehicles associated with the construction works are properly washed and cleaned to prevent the passage of mud and dirt onto the highway, and other matters relating to traffic management to be agreed. The CLP shall be in accordance with Transport for London (TfL) requirements, which seeks to minimise the impact of construction traffic on nearby roads and restrict construction trips to off peak hours only. (Condition 3 - 4).

ENVIRONMENTAL QUALITY:

Flood Risk and Sustainable Urban Drainage Systems (SUDs):

3.75 The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. London Plan Policy 5.11, 5.12, 5.13, 5.14 and 5.15 requires new development to comply with the flood risk assessment and management requirements of National Policy, including the incorporation of sustainable urban drainage systems, and specifies a drainage hierarchy for new development. Policy CC1 requires that new development is designed to take account of increasing risks of flooding. Policy CC2 states that new development will be expected to minimise current and future flood risk and that sustainable urban drainage will be expected to be incorporated into new development to reduce the risk of flooding from surface water and foul water. This is supported by Policy DM H3 of the DM LP.

3.76 The site is in the Environment Agency's Flood Zone 2 and 3. As required, a Flood Risk Assessment (FRA) has been submitted with the application where a number of flood mitigation measures have been identified. The measures include:

- Finished floor levels raised above existing ground levels;
- Flood resilient construction techniques incorporated in to the design of the building, in line with guidance provided in the Communities and Local Government Document, Improving the Flood Performance of New Buildings: Flood Resilient Construction 1;
- The lower ground floors appropriately tanked; and,
- Occupants to register to receive flood warning from the EA.

3.77 These are the sorts of flood resilient measures that the Council would expect with the proposed works, and there are broad commitments to waterproof the basement, however, further details would be required in regards to tanking systems which may have a potential to increase flood risk on adjoining properties. Cavity membrane and sump pump system as part of the waterproofing measures for the basement would be required. This is secured by Condition 27.

3.78 Policy DM H3 requires developments to reduce the use of water and minimise current and future flood risk by implementing a range of measures such as Sustainable Drainage Systems (SuDs). It is noted that the FRA advises that there is an opportunity

for a sustainable drainage solution to be incorporated into the development proposals. This information will be secured by Condition 27.

3.79 Furthermore Condition 28 seeks confirmation that the sewer flood risk will be managed by installing non - return valves. Water efficient measures and fittings will also be required to be specified to help reduce water use and minimise foul water flows from the site.

Energy / sustainability:

3.80 As the development consists of fewer than 10 residential dwellings, it is not necessary for it to meet the sustainability and carbon reduction requirements (40%) specified in the London Plan, nor is detailed supporting information required with the application outlining the sustainable design and construction measures to be included in the new building. However the Council would encourage sustainability issues to be considered at the design stage, e.g. in terms of energy use, water use, use of materials etc.

Contamination:

3.81 London Plan Policy 5.21, Core Strategy Policy CC4 and Policy DM H7 of DM LP states that the Council will support the remediation of contaminated land and that it will take measures to minimise the potential harm of contaminated sites and ensure that mitigation measures are put in place.

3.83 The Council's Environmental Quality Team has advised that potentially contaminative land uses, past or present, are understood to occur at, or near to, this site. In order to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works conditions (29-34) would be attached to any permission requiring the further investigation, assessment and remediation of contaminated land to be carried out.

Mayoral CIL:

3.82 Mayoral CIL came into effect in April 2012 and is a material consideration to which regard must be had when determining this planning application. This development will be subject to a London-wide community infrastructure levy. An estimate of £38,136.50 based on 762.73sqm of additional floorspace has been calculated. This will contribute towards the funding of Crossrail, and further details are available via the GLA website at www.london.gov.uk. The GLA expect the council, as the collecting authority, to secure the levy in accordance with London Plan policy 8.3.

Local CIL:

3.83 The Council has also set a CIL charge. The Council's Community Infrastructure Levy (CIL) is also a charge levied on the net increase in floorspace arising from development in order to fund infrastructure that is needed to support development in the area. The Council's CIL runs alongside Section 106 Agreements (S106s) which will be scaled back but will continue to operate. The CIL Charging Schedule was presented to Council and approved 20 May and has formally taken effect since the 1st September 2015. An estimate of £305,084 based on 762.71sqm of additional floorspace has been calculated.

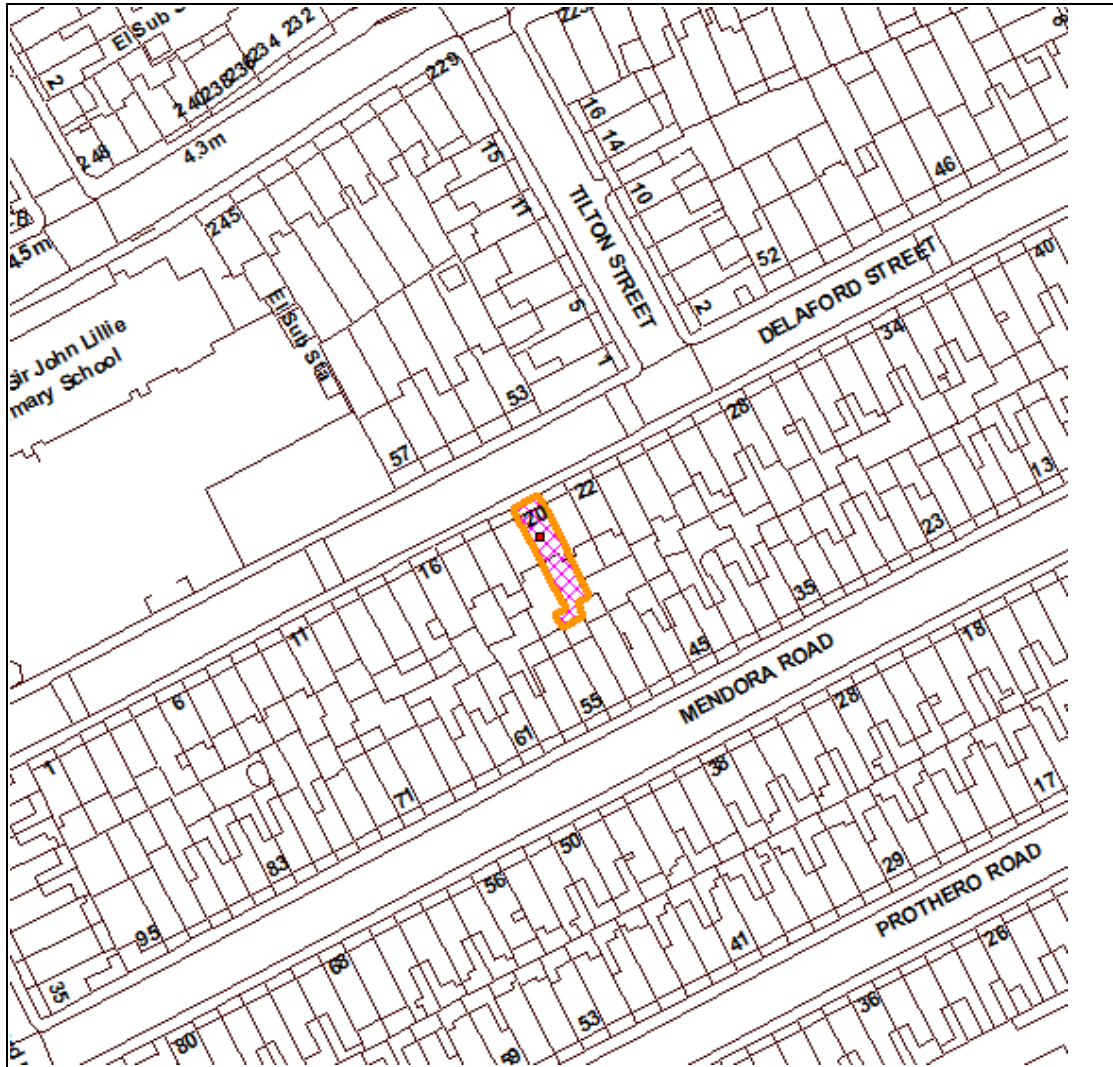
4.0 RECOMMENDATION

4.1 Grant planning permission subject to conditions

Ward: Fulham Broadway

Site Address:

20 Delaford Street London SW6 7LT



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For identification purposes only - do not scale.

Reg. No:
2016/00726/FUL

Case Officer:
Oliver Enticott

Date Valid:
17.02.2016

Conservation Area:

Committee Date:
08.06.2016

Applicant:

Mrs Wendy Tobi
18 Lloyd Sq London WC1X 9AG

Description:

Conversion of the single family dwellinghouse into 1x two bedroom and 1x three bedroom self-contained flats; installation of new door to the rear elevation at ground floor level to the rear elevation; formation of a refuse storage at ground floor level to the front elevation.

Drg Nos: P5-B; P6-B; P7-B; P8-B

Application Type:

Full Detailed Planning Application

Officer Recommendation:

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

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

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

- 2) The development shall not be erected otherwise than in accordance with the following approved drawings: P5-B; P6-B; P7-B; P8-B.

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

- 3) Where openings are to be formed in the external faces of the extensions/existing building the parts of the structure above such openings shall be supported by brick arches, brick faced lintels, or such other means as may be agreed in writing by the Council prior to construction.

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

- 4) No part of the development hereby approved shall be occupied prior to the installation of required cycle provision for the residential unit as indicated in the approved drawing P8-B, and such storage facilities shall be permanently retained thereafter in accordance with the approved details.

In order to promote alternative, sustainable forms of transport, in accordance with Policy DM J5 of the Development Management Local Plan 2013 and SPD Transport Policy 12 Planning Guidance Supplementary Planning Document 2013.

- 5) All refuse generated by the development hereby permitted shall be stored internally or in the refuse stores indicated in the approved drawing P5-B, and shall only be brought to the front of the premises on the day of collection.

To ensure that the use does not give rise to smell nuisance and to prevent harm to the street scene arising from the appearance of accumulated rubbish, in accordance with Policy DM H5 of the Development Management Local Plan 2013 and SPD Sustainability Policies 3, 4, 6 and 8 of the Planning Guidance Supplementary Planning Document 2013.

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

In order that the Council can update its records to ensure that parking permits are not issued to the occupiers of the new flats hereby approved, and thus ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the already high level of on-street car parking stress in the area, in accordance with Policy DM J2 and J3 of the Development Management Local Plan 2013, Policy T1 of the Core Strategy 2011 and SPD Transport Policies of the Planning Guidance Supplementary Planning Document 2013.

- 7) Prior to the occupation of the development hereby approved, a non return valve and pump device should be installed to prevent sewage 'back-surfing' into the basement in times of heavy rain and to allow the property's sewage to continue to flow properly into the sewer network.

To protect the premises from flooding, as recommended by Thames Water and in accordance with Core Strategy (2011) Policy CC2, London Plan (2015) Policy 5.12 and Part 10 of the NPPF.

- 8) All flood prevention and mitigation measures should be installed as outlined in the Flood Risk Assessment, hereby approved.

To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site, and to reduce the impact of flooding to the proposed development and future occupants, in accordance with Policy CC1 and CC2 of the Core Strategy 2011.

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

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

Justification for Approving the Application:

- 1) It is considered that the proposal would not have significant effect on the residential amenity of adjoining occupiers and would be of an acceptable visual appearance. The proposal would preserve the character and appearance of the conservation area. The proposal would not have an unacceptable impact on street parking in surrounding streets. The proposed flat would be of an acceptable standard of accommodation.

In this respect the proposal complies with Policy BE1, CC1, CC2, CC3, H1, H3 and T1 of the Core Strategy 2011, Policies DM A1, A2, A9, G3, H3, H5, H9, J2, J3, and J5 of the Development Management Local Plan 2013, and SPD Housing Policies 2, 4, 5 and 8 and Sustainability Policies 3, 4 and 6, and SPD Transport Policy 3, 4, 5 and 12 of the Planning Guidance Supplementary Planning Guidance 2013.

LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

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

Application form received: 16th 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:
Environment Agency - Planning Liaison	18.02.16
Thames Water - Development Control	19.02.16

Neighbour Comments:

Letters from:	Dated:
22 Delaford Street London SW6 7LT	04.03.16
22 Delaford Street London SW6 7LT	08.03.16
33 Delaford Street London SW6 7LT	26.02.16
21 Delaford Street London SW6 7LT	08.03.16
24 Delaford Street London SW6 7LT	10.03.16
15 Delaford Street Fulham London SW6 7LT	10.03.16
23 Delaford Street London SW6 7LT	08.03.16
23 Delaford street London SW6 7LT	08.04.16
22 Delaford Street London SW6 7LT	08.03.16

OFFICER'S REPORT

1.0 BACKGROUND

1.1 The site includes a three storey mid-terrace single family dwelling situated on the southern side of Delaford Street.

1.2 Delaford Street is characterised by a long terrace of three storey residential dwellings on the southern side of the street. Tilton Street splits the northern side of Delaford Street in two, with Sir John Lillie Primary School located to the east of it and a row of smaller, two storey terraced houses to the west.

1.3 The property is not located within a Conservation Area and is not subject to any Article IV directions. The area is situated within Flood Risk Zone 2.

1.4 RELEVANT PLANNING HISTORY

1.5 In April 2015 planning permission (2015/00536/FUL) was granted for the erection of a rear roof extension, erection of a single storey rear ground floor extension, and excavation of front garden and part of rear garden to form lightwells, in connection with the creation of basement

1.6 In May 2015, the applicants submitted an application (2015/01213/CLP) for permitted development involving the erection of a two storey rear extension at ground and first floor level. Permitted development relates to certain types of minor changes to dwellinghouses which do not require planning permission. Permitted development rights derive from national government and fall outside of the Council's control. If the application fails to meet certain set criteria it will be refused. In this case, the application was refused on the grounds that the two storey rear extension which measured 6.8m from the rear boundary wall would fail to meet the minimum separation of 7m.

1.7 In June 2015, following on from the above refusal a further application (2015/02468/CLP) was made for the same proposal and included an amendment. The two storey rear extension was reduced in depth by 200mm in order to comply with the criteria set out in the General Permitted Development Order (2015). The application was therefore granted as the Council had no grounds to withhold the approval.

1.8 In October 2015 a full planning application (2015/03106/FUL) for the conversion of the single family dwelling into three self-contained flats (1 x one bedroom and 2 x two bedroom), including the installation of an external staircase from first to ground floor level. The proposal was refused on the grounds of the staircase being unneighbourly due to potential overlooking, and the lack of required cycle provision.

1.9 The current application follows on from last year's refusal but is more modest in scope. In this instance the proposal is for conversion of the single family dwellinghouse into two self-contained flats (1 x two bedroom and 1 x three bedroom) the installation of new door to the rear elevation at ground floor level to the rear elevation; formation of a refuse storage at ground floor level to the front elevation.

2.0 PUBLICITY AND CONSULTATIONS

2.1 Individual notification letters sent to the occupiers of 28 neighbouring properties. Eight letters of objection have been received. The issues raised can be summarised as follows (where appropriate Officer's comments are in brackets):

- Loss of single family dwelling. Continuous conversions will lead to a breakdown of the community.
- Overdevelopment of property.
- Lack of sufficient refuse provision.
- Harmful impact on on-street parking
- Lack of outdoor amenity space
- Internal Floorplans provide poor amenity for future occupiers
- Proposed layout with kitchen in basement is a fire hazard
- Second floor extension is out of character
- External staircase is out of character and impacts neighbouring amenity
- Lack of cycle storage provision
- Noise and disturbance from construction

2.2 Thames Water - No objections.

2.3 Environmental Agency - No objections.

3.0 PLANNING CONSIDERATIONS

3.1 The main issues to be considered are acceptability of the conversion; the quality of the living environment for the future occupiers; whether the proposal is acceptable visually; the impact on existing amenities enjoyed by neighbouring occupiers in terms of loss of outlook, light and privacy; the impact on the highway network; and flood risk.

CONVERSION OF PROPERTY

3.2 The National Planning Policy Framework (2012) identifies the need for additional housing and sets out ways in which planning can significantly boost the delivery of housing through the preparation of policy documents. London Plan Policy 3.3 B states that an annual average of 32,210 net additional homes should be delivered. Table 3.1 sets an annual target of 1,031 net additional dwellings for Hammersmith and Fulham. Core Strategy (2011) Policy H1 reiterates the London Plan's annual target of additional dwellings for the borough.

3.3 This application seeks to provide one net additional residential unit, contributing towards local and national housing targets.

3.4 At the local level, Policy DM A1 of the DM Local Plan relates to house conversions. It states the Council will permit conversions of existing dwellings (to contribute to housing targets) where: (a) the net floor area of the original dwelling is more than 120sqm; (b) at least 50% of the proposed units consist of two or more bedrooms; (c) housing appropriate for families has access to any garden or amenity space, and (d) where there is no adverse impact on on-street parking stress.

(a) The original floorspace of the property is approximately 126m². This measurement excludes any floorspace gained from the extensions recently approved.

(b) Both units would provide at least two bedrooms.

(c) The DM Local Plan defines a "family dwelling" as a dwelling containing three or more bedrooms, whilst a "non-family dwelling" is defined as a dwelling containing two bedrooms or less. In this case, one of the proposed units (Flat 2) is family sized. Both units have access to rear gardens - Flat 1 will possess a 25m² rear garden, whilst Flat 2 has approximately an 11m² garden. The proposal would meet the criteria and is considered acceptable.

(d) No off-street parking has been proposed and it would not be necessary to retract eligibility for on street parking permits as there is sufficient on street parking available.

3.5 Of the 57 properties located along Delaford Street, thirteen have gained approval for conversion into flats, and include the following: Nos. 1, 3, 7, 13, 14, 15, 18, 29, 31, 43, 50, 53 and 54. The earliest approvals date back to the late 1960s and the most recent ones being No. 3 Delaford Street (2005/01529/FUL), No. 29 Delaford Street (2008/01469/FUL) and No. 13 Delaford Street (2014/01845/FUL). Officers consider that flat conversions form a part of the established pattern of development along the street and the addition of one more conversion will not harm the local character of the area.

3.6 This proposed conversion is therefore considered to accord with national policies, The London Plan, Core Strategy Policy H1 and DM Local Plan Policy DM A1.

QUALITY OF LIVING ENVIRONMENT

Size and aspect

3.7 Core Strategy Policy H3 seeks to ensure that all housing development is provided to a satisfactory quality, has an appropriate mix of types and sizes (with a particular emphasis on family accommodation), and is well related to its surroundings (and neighbouring residential properties in particular).

3.8 This is supported by Policy DM A2 and DM A9 of the DM Local Plan. SPD Housing Policy 4 states that converted flats should have at least 32.5sqm where a separate bedroom is provided, whilst SPD Housing Policy 5 stipulates the internal space provision in residential conversions. SPD Housing Policy 8 (iv) states that north facing properties should be avoided where possible.

3.9 Both proposed units are of a good size. Flat 1 measures approximately 94m², whilst Flat 2 measures approximately 105m². All of the internal rooms comply with minimum floor sizes as stipulated in Council Policy. Both apartments are also dual aspect and both provide living rooms and bedrooms at ground floor level or above.

3.10 This quality of floorspace and intended rooms is therefore considered to accord with Core Strategy Policy H3 and DM Local Plan Policy DM A2 and A9 and SPD Housing Policies 4 and 5.

Outdoor Amenity Space

3.11 SPD Housing 2 states that where a property proposed for conversion includes a rear garden the garden should be used by a family sized unit and include direct access.

3.12 Both unit have access to a rear garden. Flat 2, which is the family sized unit, has direct access to a rear garden measuring 11m² in size. The proposal complies with Council outdoor amenity requirements.

Noise and Insulation

3.13 Local Plan Policies DM A9 and DM H9 are aimed at ensuring that residents of future housing are not unduly affected by noise and disturbance from adjoining sites or the wider setting.

3.14 The application would allow for the development of two flats on top of one another. The living room of the Flat 1 on the ground floor is located directly beneath the kitchen of Flat 2 above. Consequently, appropriate sound insulation measures will be required. This will be secured by condition.

3.15 Overall, it is considered that the proposed development would provide a high quality of residential accommodation for future occupiers, subject to the incorporation of conditions.

DESIGN and CONSERVATION

3.16 When assessing planning applications in regards to their design, London Plan Policies 7.1, 7.3, 7.4 and 7.6 require development to be of the highest architectural quality and be adaptable to the changing needs of users and the neighbourhoods in which the developments are located.

3.17 At a local level the Council's Core Strategy requires a high standard of design in all alterations, and that extensions to existing buildings respect the local context and protect and enhance the character, appearance and setting of the borough's conservation areas (Policy BE1). The Development Management Local Plan 2013 builds on this and DM G3 states that any new proposal should be subservient to the original building and be compatible with the scale and character of the existing development, their neighbours and their setting.

3.18 The only external alteration to the works approved under ref: 2015/00536/FUL & 2015/02468/CLP is to the rear elevation at ground floor level where the intention is to install an additional rear door to provide access to the rear garden for the upstairs apartment (Flat 2). This is considered a minor alteration which will not impact the character of the property or terrace.

3.19 The proposal is deemed visual acceptable and compliant with Core Strategy Policy BE1 and DM Local Plan Policy DM G3.

IMPACT ON NEIGHBOURS

3.20 The borough has a high density of development and it is necessary to ensure that the amenities of existing residential occupiers are not unduly affected. DM Local Plan Policy DM A9 which states that extensions will be considered acceptable where it can be demonstrated that there is no detrimental impact on privacy enjoyed by neighbours in adjoining properties.

3.21 The only external alteration is to the works approved under ref: 2015/00536/FUL & 2015/02468/CLP is to the rear elevation at ground floor level where the intention is to install an additional rear door to provide access to the rear garden for the upstairs apartment (Flat 2). This alteration is not expected to have any impact on the neighbouring amenities. The proposal accords with DM Local Plan Policy DM A9.

HIGHWAYS MATTERS

3.22 The National Planning Policy Framework (NPPF) requires that developments which generate significant movements are located where the need to travel will be minimised and the use of sustainable transport modes (such as public transport) can be maximised; and that development should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people.

3.23 Policies 6.1, 6.3, 6.10, 6.11 and 6.13 of The London Plan set out the intention to encourage consideration of transport implications as a fundamental element of sustainable transport, supporting development patterns that reduce the need to travel or that locate development with high trip generation in proximity of public transport services. The policies also provide guidance for the establishment of maximum car parking standards.

3.24 Core Strategy Policy T1 supports The London Plan. Policies DM J2 and DM J3 of the Development Management Local Plan set out maximum vehicle parking standards, which brings them in line with London Plan standards and gives circumstances when they need not be met. Policy DM J2 stipulates maximum residential parking standards for one to two bedroom units as less than 1 car park space per unit. This policy further states that 'All developments in areas with good public transport accessibility should aim for significantly less than 1 space per unit'. Policy DM J3 states that 'Market housing with zero or reduced parking will only be considered in areas with good levels of public transport accessibility'. This is supported by SPD Transport Policies 3, 4 and 5.

3.25 The site is located in a PTAL 3 area, meaning the development has moderate public transport accessibility. There is a net increase of one unit with the proposal. The 2015 weekday overnight occupancy figures indicate an occupancy of about 70% which suggests that one extra unit would unlikely create parking stress in excess of 80%. Due to this, it is considered the development could proceed without the need for car permit restrictions.

CYCLE PROVISION

3.26 London Plan Policy 6.9 of The London Plan specifically relates to cycling and says that 'When determining planning applications, developments should provide secure, integrated cycle parking facilities, in accordance with the minimum standards set out in Table 6.3. Local Plan Policy DM J5 requires all 1-2 bedroom units to have a minimum of

once cycle space per unit, meanwhile three bedroom units should have a minimum of two cycle spaces. This is supported by SPD Transport Policy 12.

3.27 This development requires the provision of three cycle parking spaces. The applicant has provided adequate cycle storage within the rear gardens of the two units. This provision is secured by condition 4.

REFUSE PROVISION

3.28 London Plan Policy 5.16 outlines the Mayor's approach to waste management. This is supported by Core Strategy Policy CC3, and Policy DM H5 of the Development Management Local Plan 2013 sets out the Council's Waste Management guidance, supported by SPD Sustainability Policy 3, 4 and 6 which requires suitable storage space for refuse and recycling to be provided. It is not acceptable for waste material to be left on the highway for extended periods of time

3.29 The installation of bin containers measuring approximately 1.2m³ located in the front yard provides adequate refuse provision for the development. This provision is secured by condition 5.

FLOOD RISK

3.30 The NPPF states that 'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere'.

3.31 London Plan Policies 5.11, 5.12, 5.13, 5.14 and 5.15 require development to comply with the flood risk assessment and management requirements of national policy, including the incorporation of sustainable urban drainage systems, and specifies a drainage hierarchy for new development.

3.32 Policy CC1 of the Core Strategy requires that new development is designed to take account of increasing risks of flooding. Policy CC2 states that 'New development will be expected to minimise current and future flood risk and that sustainable urban drainage will be expected to be incorporated into new development to reduce the risk of flooding from surface water and foul water'. This is supported by Policy DM H3 of the Development Management Local Plan 2013. Local Plan Policy DM H3 requires developments to reduce surface water run-off and to promote the use of water efficient fittings and appliances.

3.33 This site is in the Environment Agency's Flood Zone 2. This indicates a medium risk to flooding although this does not take account of the presence of flood defences such as the Thames Barrier and local river walls which provide a high level of flood protection. If these failed or were breached, the site would not be at risk of rapid inundation by flood waters. As required, a Flood Risk Assessment has been submitted with the application. This contains adequate flood mitigation measures which could be further secured by condition if Officers were minded to approve the application.

3.34 The proposal would be designed to ensure that run off is encouraged to infiltrate the ground and not be directed into the sewer network. Furthermore, the proposal would also include methods to divert and collect rainwater for re-use in the garden. Water

efficient fixtures/fittings should also be installed to help reduce water use and minimise foul water flows from the site. This provision is secured by condition 7.

3.35 Neither Thames Water or the Environment Agency raised concerns with the proposal.

4.0 CONCLUSION AND RECOMMENDATION

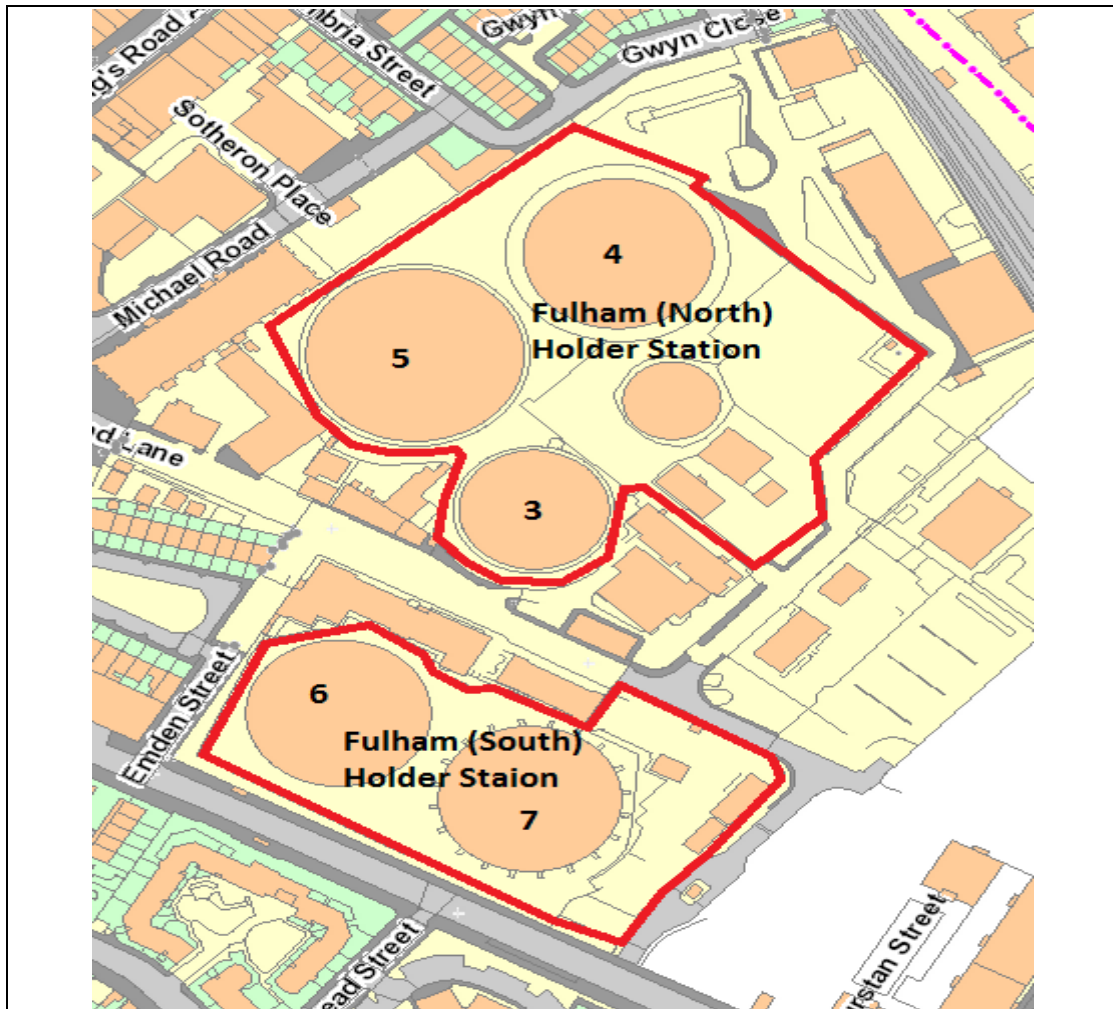
4.1 It is recommended that planning permission be granted, subject to conditions.

Ward: Sands End

Expiry Date: 27th July 2015

Site Address:

Gas Holder Station Michael Road London



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For identification purposes only - do not scale.

Reg. No:

2015/02559/HAZ

Date valid:

01.06.2015

Recommendation Date:

13.04.2016

Committee Date:

08.06.2016

Case Officer:

Jacques Du Plessis

Conservation Area:

Imperial Square Conservation Area - Number 6

Applicant:

National Grid
Uxbridge Road Slough Berkshire SL2 5NA

Description:

Application requesting the Council to revoke the Hazardous Substances Consent (HSC) No RN/1993/8131/P (LBHF Ref: 1993/01831/HAZ) granted 18 November 1992 for the Fulham Holder Stations and subsequent continuations [Refs. 2000-01476-HAZ and 2001-03248-HAZ for the Fulham South Holder Station (Gasholder Nos. 6 and 7) and Ref 2000-01004-HAZ for the Fulham North Holder Station (Gasholder Nos. 2, 3, 4 and 5)] and to make an Order to the Secretary of State in accordance with the procedures set out under S.14(2) of The Planning (Hazardous Substances) Act 1990.
Drg. Nos: 1993/01831/HAZ; 2000-01476-HAZ; 2001-03248-HAZ and 2000-01004-HAZ.

Application type:

Hazardous Substances Consent Revocation

Officer Recommendation:

That the Committee resolve that the Head of Legal Services be authorised to make an Order to be confirmed by the Secretary of State in accordance with the procedures set out under S.14(2) of The Planning (Hazardous Substances) Act 1990 to revoke the Hazardous Substance Consent no. RN/1993/8131/P granted 18 November 1992 and subsequent continuation consents

Justification for recommendation:

- 1) The gas storage use of the site has permanently ceased. The gasholders have been physically isolated, purged of gas and are programmed to be demolished by the operator (National Grid Gas). There is no detrimental impact on the operator or gas supply. By satisfying the criterion set out under S.14(2) of The Planning (Hazardous Substances) Act 1990 Act in that the substance has for at least five years not been present on, over or under the land to which the consent relates in a quantity equal to or exceeding the controlled quantity it is considered acceptable to revoke the Deemed Consent (RN/1993/8131/P granted 18 November 1992) in relation to Natural Gas in accordance with the procedures set out under S.14(2) of The Act once the appropriate trigger date has been reached. The revocation of the Hazardous Substances Consent would assist with achieving the regeneration aspirations for the site and wider area and resulting significant public benefits in accordance with policy SFR of the Core Strategy (2011); relevant policies of the Development Management Local Plan (2013); the South Fulham Riverside Supplementary Planning Document (2013) and the Planning Guidance Supplementary Planning Document (2013).

Officer Report

LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

All Background Papers held by case officer named above:

Application received: 23 March 2015

Drawing Nos: see above

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

1.0 BACKGROUND

- 1.1 The Council received a letter from National Grid on 23 March 2015 stating that they wish for the Council in its capacity as the Hazardous Substances Planning Authority, under the Planning (Hazardous Substances) Act 1990 to revoke the Planning Hazardous Substance Consents (HSC) for the Fulham Gasholder Stations.
- 1.2 National Grid is the site operator of this natural gas storage site which currently benefits from hazardous substances consent for the presence of natural gas granted in 1992.

SITE DESCRIPTION

- 1.3 The Gasworks Area measures approx. 6.84 hectares of previously developed industrial land irregular in shape and bounded by Gwyn Close and the South Western Railway Line to the north; Chelsea Creek residential development to the east; Imperial Road with Imperial Square to the south; and Michael Road to the west. Both vehicular and pedestrian access is taken from the Waterford Road / Michael Road / Harwood Terrace roundabout located to the north west of the Gasworks Area.
- 1.4 The Gasworks Area includes six redundant gasholders (No's 2, 3, 4, 5, 6 and 7), overground pipes, a Pressure Reduction Station (PRS), and a series of buildings in operational use and non-operational related uses. Currently two areas of land known as Fulham North Holder Station comprising Gasholders 2, 3, 4 and 5 and Fulham South Holder Station comprising Gasholders 6 and 7 benefit from hazardous substances consent for the presence of natural gas.
- 1.5 The site is located within the South Fulham Riverside Regeneration Area (Core Strategy Policies A and 'South Fulham Riverside') and within Flood Risk Zones 2 and 3.

SURROUNDING AREA

- 1.6 The surrounding area is characterised by a mix of uses, with predominantly residential buildings to the north with some commercial and business premises

located off Michael Road. Similarly, residential areas including Harwood Terrace and Imperial Square are located to the southwest with commercial units located to the northern end of Imperial Road known as Imperial Studios. There are residential units within No. 11 Imperial Road on the corner of Emden Street and Imperial Road and residential estates on the south side of Imperial Road. To the southeast lies Chelsea Creek and Imperial Wharf, two residential-led developments with Chelsea Creek still under development at the date of this report. Lots Road Power Station is located to the east on the opposite side of the railway line which has planning permission for a residential-led mixed use development and work to the Hammersmith and Fulham side south of the creek, known as Chelsea Waterfront, commenced construction early in 2014.

RELEVANT SITE HISTORY

- 1.7 The gasholders at Imperial Road were once part of a larger industrial area, which also included a power station and chemical works. Many of the local houses came as a result of the Fulham industrial centre, providing homes for local workers. The six gasholders that are on-site were built to store London's gas, and were run by the Gas Light and Coke Company from 1824.
- 1.8 As technology progressed and London deindustrialised, the gasworks fell out of use. Enhancements to the gas pipeline networks across London resulted in the gasholders being no longer required. With increasing use of the pipelines to store gas, the requirement for gas holders has fallen away completely. There are now no operational gas holders left within National Grid and a number have been earmarked for demolition. The site currently houses a PRS which regularises the pressure of gas from the associated high pressure pipeline for domestic use which will remain on site.

PLANNING HISTORY

- 1.9 From 1950 to 1989 there have been various planning permissions granted relating to the Application Site, all permissions granted relate only to the use of the site as a Gas Works. No further applications have been made and no permissions granted since 1989.
- 1.10 Various Hazardous Substances Consents (Refs. 1993-01831-HAZ, 2000-01004-HAZ, 2000-01476-HAZ and 2001-03248-HAZ) to store natural gas on site.
 - a) RN/1993/8131/P (LBHF Ref: 1993/01831/HAZ)
This was a 'deemed consent' for an 'established quantity' of a hazardous substance because the gas works and its gas holder(s) pre-dated the Planning (Hazardous Substances) Act 1990 and which came into force in 1992.

Transitional arrangements were in place at the time for existing situations which could make a claim for 'deemed consent' could be made where the hazardous substance had been present for the 12 months preceding the Act. British Gas PLC (North) had deemed consent confirmed by LB Hammersmith and Fulham on 18 November 1992.

- b) RN/1993/8131/P (LBHF Ref: 2000/01004/HAZ)
Continuation of the deemed consent RN/1993/8131/P granted 18 November 1992 for Fulham (North) Holder Station (Gasholder Nos. 2, 3, 4 and 5). BG Transco Plc applied to the council for a continuation of the deemed consent granted in 1992 under the provisions of the Planning Hazardous Substances Act 1990. This application was made in anticipation of a change in control of part of the site which took place from 30 June 2000 following the reorganisation of the former BG plc (previously known as British Gas plc).
- c) RN/1993/8131/P (LBHF Ref: 2000/01476/HAZ)
Continuation of the deemed consent RN/1993/8131/P granted 18 November 1992 for Fulham (South) Holder Station (Gasholder Nos. 6 and 7). BG Transco Plc applied to the council for a continuation of the deemed consent granted in 1992 under the provisions of the Planning Hazardous Substances Act 1990. This application was made in anticipation of a change in control of part of the site which took place from 30 June 2000 following the reorganisation of the former BG plc (previously known as British Gas plc).
- d) RN/1993/8131/P (LBHF Ref: 2001/03248/HAZ)
Continuation of the deemed consent RN/1993/8131/P granted 18 November 1992 for Fulham (South) Holder Station (Gasholder Nos. 6 and 7). BG Transco Plc applied to the council for a continuation of the deemed consent granted in 1992 under the provisions of the Planning Hazardous Substances Act 1990. This application was made in anticipation of a change in control of part of the site which took place from 30 June 2000 following the reorganisation of the former BG plc (previously known as British Gas plc).
- 1.11 On 12 November 2014, members of the PADCC resolved to grant full planning permission (2014/03637/FUL) for the demolition of five redundant gasholders (Nos. 3, 4, 5, 6 and 7), with associated structures and three ancillary pre-fabricated type buildings. Gasholder No. 2, a Grade II listed structure and the UK's oldest surviving gasholder dating from c.1830, did not form part of this application. The Demolition Works proposed will involve removal of the physical structure of these five gasholders, part of their foundations, three ancillary buildings and associated structures. Following completion of the Demolition Works, the former gasholder voids will be filled with inert material and the ground will be levelled. As a result, the site will have the appearance of cleared ground in the character of a former industrial area that is being prepared for redevelopment. No redevelopment was proposed therefore permission was not sought for any new housing or commercial uses.

STATUS OF THE PRESENT CONSENTS

- 1.12 The presence of natural gas on land in excess of 15 tonnes requires Hazardous Substances Consent.
- 1.13 The Fulham North and Fulham South Holder Stations currently benefit from hazardous substances consent for the presence of natural gas. This deemed consent was subsequently 'continued' three times in the early 2000s to amend the areas of land on, over or under which natural gas was allowed to be present.

- 1.14 The legislation governing hazardous substances is the Planning (Hazardous Substances) Act 1990 ("the Act"). In addition to granting consent, Section 14 of the Act contains powers to revoke consents.
- 1.15 National Grid Gas has, in consultation with the Health and Safety Executive (HSE), been able to decommission the gas holders which lie within the Gasworks Area (Gasholders 2, 3, 4, 5, 6 and 7). National Grid confirmed by letter in January 2012 to the Health and Safety Executive that they have de-notified the Fulham Gasholder Stations under the Control of Major Accident Hazards Regulations confirming that the gasholders are redundant, open to air and have been physically isolated from the gas supply system. This has provided an opportunity for the site to be substantially released for redevelopment.
- 1.16 National Grid and The Berkeley Group announced on 7 November 2014 that they have established a new equal Joint Venture partnership, to be named St William Homes LLP ("St William"), to develop major residential and mixed-use development schemes across London and the South East. Officers have since met with St William and the appointed architects to start discussions regarding development and design principles for bringing forward a residential-led development on the former Fulham Gasworks site.

CURRENT APPLICATION

- 1.17 The Council is being requested to exercise its powers as the Hazardous Substance Authority to revoke the hazardous substance consent for the Fulham Holder Stations in accordance with the procedures set out under S.14(2) of The Planning (Hazardous Substances) Act 1990.
- 1.18 This report recommends the revocation of the Hazardous Substance Consent (RN/1993/8131/P and Refs. 1993-01831-HAZ, 2000-01004-HAZ, 2000-01476-HAZ and 2001-03248-HAZ) listed in paragraph 1.10 above.

CONTEXT FOR APPLICATION

- 1.19 Following the decommissioning of the redundant gasholders, the Hazardous Substance Consent (HSC) represents a significant planning constraint to redevelopment of the South Fulham Riverside Area. The Health and Safety Executive (HSE) are responsible for defining the inner, middle and outer consultation zones (see figures 1.1 and 1.2) around installations that store hazardous substances. As long as the HSC is in place the HSE will keep the consultation zones in place.
- 1.20 The HSC currently poses a significant risk to the development process. The HSE is a statutory consultee for any development proposal and would automatically object to any residential proposal located within any of the three consultations zones recommended for approval by the Council with the HSC still in place which can then be called in by the Secretary of State. The revocation procedure is necessary to remove the safeguarding restrictions around the Fulham Gasholder Stations to enable the principle of residential redevelopment (on this site) and also allow other sites in the vicinity to come forward in a more efficient and viable way.

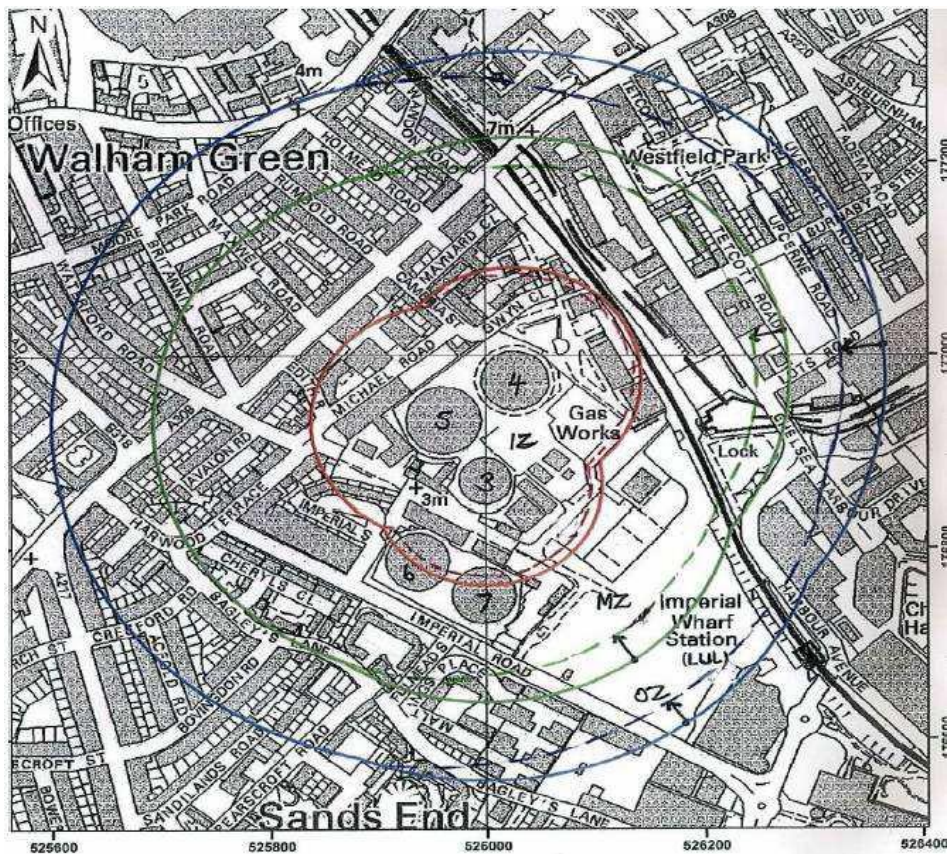


Figure 1.1 - Extent of Consultation Zones (Gasholders 3, 4 and 5)

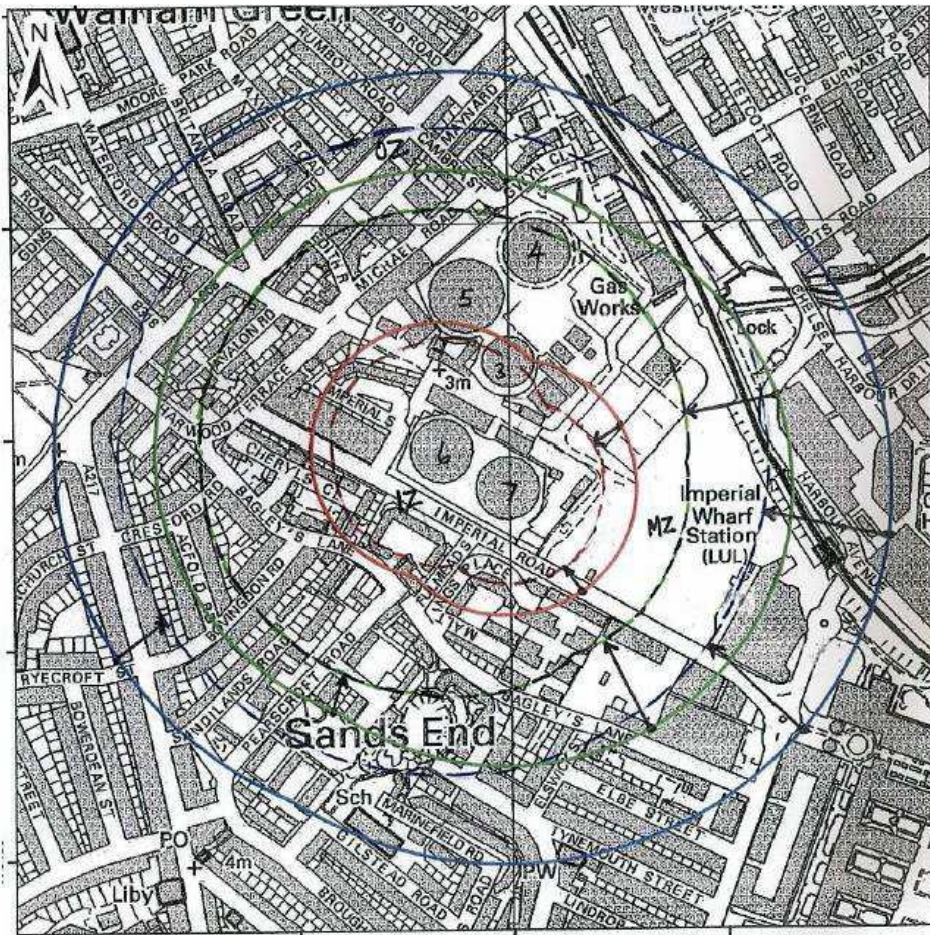


Figure 1.2 - Extent of Consultation Zones (Gasholders 3, 4 and 5)
LEGAL FRAMEWORK FOR REVOCATION

- 1.21 The Planning (Hazardous Substance Act) 1990 (the Act) allows for HSC to be revoked under S.14(1) or S.14(2). Revocation of the HSC under S.14(1) or S.14(2) will require confirmation by the Secretary of State under Section 15 of the Act (even if it is unopposed). S.14(1) of the Act grants power to the Hazardous Substances Authority to revoke or modify a hazardous substances consent by order where it appears expedient to do so, having regard to any material circumstances. Compensation may be payable according to S.16 of the Act in respect of revocation orders made under S.14(1) if as a result of the order for revocation, a person has suffered damage in consequence of the revocation.
- 1.22 The Council may also by order revoke the HSC under S.14(2) of the Act in one of the following circumstances;
- a) That there has been a material change in the use of the land to which the HSC relates; or
 - b) Planning permission has been granted and commenced for development of the site and would involve making a material change in the use of the land; or
 - c) In the case of a HSC which relates only to one substance, that the substance has not for at least five years been present on, over or under the land to which the consent relates in a quantity equal to or exceeding the controlled quantity; or
 - d) In the case of a HSC which relates to a number of substances, that none of those substances has for at least five years been so present.

- 1.23 Compensation will not be payable if the order for revocation is made under S.14(2) of the Act. However, it is not possible at today's date, to satisfy the criteria under S.14(2) and it is not therefore possible to proceed using S.14(2) until January 2017 when the revocation under S.14(2)(c) would become a possibility as it would comply with criterion (c) in that the substance has then, for at least five years not been present on, over or under the land to which the consent relates in a quantity equal to or exceeding the controlled quantity.
- 1.24 S.14(2) provides a route for revocation without the council being exposed to compensation. Although the criteria under S.14(2) will only be satisfied in January 2017 the HSE has stated that if the Council commence the revocation action either immediately or at a particular date in the future, then the HSE will consider what additional land use planning advice they can give during the period (if any) before the Council start revocation action, and during the revocation process itself. There is thus a potential that the HSE might support removing Grampian conditions preventing occupation on some surrounding sites within the middle and outer consultation zones once the Council has confirmed its intention to revoke or once the revocation order has been submitted to the SoS.
- 1.25 Officers have weighed up both the S.14(1) and S.14(2) routes and consider that given the risk of compensation, even with the indemnity offered by an adjoining land owner, there would still be a financial risk to the Council to proceed revocation under S.14(1). The preference is therefore to proceed with revocation under S.14(2) of The Act with the potential to still bring forward some planning benefits detailed later in this report.

2.0 PUBLICITY AND CONSULTATIONS

- 2.1 There is a requirement to notify all relevant landowning and leasehold interests in accordance with section 15(3) of the Act who "will be affected by the Order". Any persons "affected by the Order" have at least 28 days to notify the Secretary of State that they wish to challenge the Order and be heard at a public inquiry. Given that National Grid is the sole owner and beneficiary of the HSC it is highly unlikely that any such claims will come forward as a result of the revocation.
- 2.2 This report seeks authorisation from the Council to enact the revocation procedure. There is no public consultation exercise required. If the council resolves to authorise making the Order, the Act requires notice to be served on all interested parties for a period of at least 28 days, site notice and newspaper advertisement publicising the proposed Order.
- 2.3 Council officers have sought the informal advice of the Health and Safety Executive and UK National Grid on whether they have any reservations for the Council to pursue revocation of the HSC and no objections were raised subject to the material considerations identified in this report. Both organisations will be consulted formally if the council is minded to authorise making the Order.

PLANNING BENEFIT

- 3.1 The revocation of the HSC (and therefore the Health and Safety Executive - HSE consultation zones) would remove a planning constraint affecting the area within

the current consultation zones. It should be noted that paragraph 72 of the Circular 04/00 advises that;

"It may be undesirable for a hazardous substances consent which has fallen into disuse to continue to have effect, however, as it could restrict unnecessarily the uses to which neighbouring land can be put."

- 3.2 The constraint currently affects site allocated for development in the South Fulham Riverside Regeneration Area and sites within the vicinity of the regeneration area.
- 3.3 The revocation of the HSC is necessary to remove the safeguarding restrictions around the Fulham Gasworks to enable residential redevelopment on this site and on a number of surrounding development sites as the hazardous substance consent acts as a constraint to redevelopment. Specifically, sensitive uses such as residential are precluded in proximity to hazardous sites such as gas holders as set by the Health and Safety Executive (HSE) who are the safeguarding authority. HSE maintain the statutory consultation zones around gas holders as required by Article 16 of the Town and Country Planning (Development Management Procedure) (England) Order 2010.
- 3.4 If development sites within the consultation zones sought to progress with their proposals for residential development with the HSC still in place, the HSE would object on health and safety grounds. The council would be obliged to take such a material planning consideration into account in the assessment in each instance which could add significant delay to the assessment process. Amendments to any scheme in an effort to address the safety concerns may not fully address the concerns of the HSE and could therefore result in a less efficient and sub-optimal use of the site(s) and/or render development schemes economically unviable.
- 3.5 In the current situation (and 'do nothing' option) the HSE would make an assessment of the hazard and risk posed by the gas holder using its methodology PADHI (Planning Advice for Development Near Hazardous Installations). The assessment of risk produces a map with three risk contours (Inner, Middle and Outer) which plot risk in relation to proximity to the gasholders.
- 3.6 Therefore, it is considered necessary to revoke the HSC in order to remove this development constraint and thereby enable the site and others in the vicinity, to come forward in a more efficient and viable way. This will allow the planning and regeneration benefits of these schemes to be maximised which could optimise new housing delivery and form the catalyst for significant urban renewal in the area.
- 3.7 It is further noted that unlocking brownfield sites for redevelopment and the associated regenerative potential and benefit accords with the Sustainable development principle which underlines UK planning, as guided by the National Planning Policy Framework (NPPF). The identified land use priority for the former Fulham Gasworks site is housing, as expressed locally in the South Fulham Riverside Regeneration SPD as well as nationally (NPPF) and regionally (The London Plan).

3.8 Allowing the safeguarding restriction to continue to preclude redevelopment of the site conflicts with planning policy, guidance and the NPPF.

4.0 EQUALITY AND DIVERSITY ISSUES

4.1 Section 149 of the Equality Act 2010, which came into force on 5th April 2011, imposes important duties on public authorities in the exercise of their functions, including a duty to have 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.

For the purposes of this obligation the term "protected characteristic" includes:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex; and
- sexual orientation.

4.2 In considering the recommendation, the Committee has duty to consider the implications of the revocation in terms of the Equality Act 2010. The key equality protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation. There is no indication or evidence that the protected groups have or will have different needs, experiences, issues and priorities in relation to the proposal. Therefore in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the proposal.

4.3 Officers have in considering this application and preparing this report had regard to the requirements of this section and have concluded that a decision to revoke the Hazardous Substance Consent for the Fulham Gasworks will not have any equality implications. The revocation will not involve any prohibited conduct, nor have any effect whatsoever to persons with protected characteristics, to their opportunities or to their relationships.

5.0 CONCLUSION

5.1 The Council is being requested to exercise its powers as the hazardous Substance Authority under S.14(2) of the Planning (Hazardous Substances) Act 1990 to revoke the hazardous substance consent no. RN/1993/8131/P granted 18 November 1992 and subsequent continuations deemed to have consent.

5.2 The planning benefit of revoking the Hazardous Substance Consent is that a major planning constraint is lifted enabling a more optimal and viable

development to be pursued for a major residential-led redevelopment for the Gas Works Area which will bring about regeneration benefits to the wider area.

- 5.3 Regard has been given to all material considerations and it is considered expedient to make the revocation under S.14(2) of the Act.

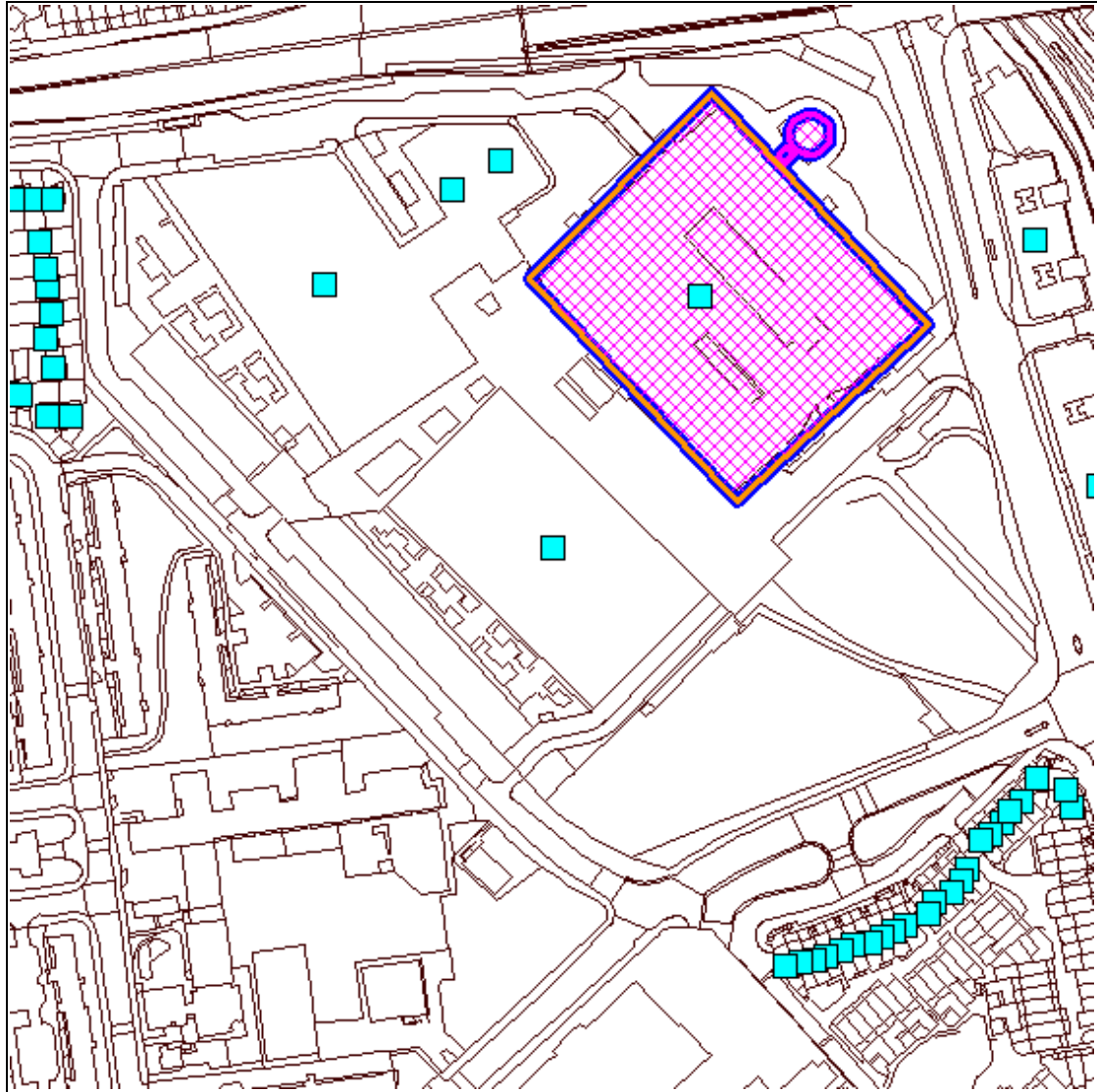
RECOMMENDATION

- 5.5 To authorise the making of an Order to be confirmed by the Secretary of State in accordance with the procedures set out under S.14(2) of The Planning (Hazardous Substances) Act 1990 to revoke the Hazardous Substance Consent no. RN/1993/8131/P granted 18 November 1992 and subsequent continuation consents.

Ward: College Park And Old Oak

Site Address:

White City One Media Village Wood Lane London W12



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For identification purposes only - do not scale.

Reg. No:
2015/05922/FUL

Case Officer:
Justin Booij

Date Valid:
18.02.2016

Conservation Area:

Committee Date:
08.06.2016

Applicant:

Whitewood Media Village GP Limited And Whitewood Media Vil..
C/O Agent

Description:

Erection of a four storey extension at the south façade and erection of single storey extensions at ground, fourth and fifth floor levels within the internal courtyard including creation of additional floor area within existing circulation areas at ground, first and second floor levels and installation of new lift enclosure along southern elevation of internal courtyard between ground and sixth floor levels to facilitate change of use of parts of the ground floor to provide: 566m² GIA flexible Class A1 and/or A3 and/or D2 floorspace, and; 230m² GIA flexible Class A1 and/or A3 and/or B1 floorspace plus an additional 1,273m² GIA Class B1 floorspace; erection of a 74m² GIA Class A1 and/or A3 kiosk at first floor podium level within the internal courtyard; external alterations and associated works.

Drg Nos:

Site Location Plan 1040_07_02_001 P1
Basement Plan – Existing Planning 1040_07_02_099 P1
Basement Plan – Proposed Planning 1040_07_02_109 P2
Ground Floor Plan – Existing Planning 1040_07_02_100 P1
Ground Floor Plan – Proposed Planning 1040_07_02_110 P2
First Floor Plan – Existing Planning 1040_07_02_101 P1
First Floor Plan – Proposed Planning 1040_07_02_111 P2
Second Floor Plan – Existing Planning 1040_07_02_102 P1
Second Floor Plan – Proposed Planning 1040_07_02_112 P2
Third Floor Plan – Existing Planning 1040_07_02_103 P1
Third Floor Plan – Proposed Planning 1040_07_02_113 P2
Fourth Floor Plan – Existing Planning 1040_07_02_104 P1
Fourth Floor Plan – Proposed Planning 1040_07_02_114 P2
Fifth Floor Plan – Existing Planning 1040_02_07_105 P1
Fifth Floor Plan – Proposed Planning 1040_07_02_115 P2
Sixth Floor Plan – Existing Planning 1040_07_02_106 P1
Sixth Floor Plan – Proposed Planning 1040_07_02_116 P2
Roof Plan – Existing Planning 1040_07_02_107 P1
Roof Plan – Proposed Planning 1040_07_02_117 P1
Section through South Façade – Existing 1040_07_02_600 P1
Section through South Façade – Proposed 1040_07_02_601 P3
Kiosk – First Floor Planning 1040_07_02_308 P2
South Elevation – Existing Planning 1040_07_02_300 P1
South Elevation – Proposed Planning 1040_07_02_310 P2
South Courtyard Elevation – Existing Planning 1040_07_02_304 P1
South Courtyard Elevation – Proposed Planning 1040_07_02_314 P2
West Courtyard Elevation – Existing Planning 1040_07_02_305 P1
Wes Courtyard Elevation – Proposed Planning 1040_07_02_315 P1
North Courtyard Elevation – Existing Planning 1040_07_02_306 P1
North Courtyard Elevation – Proposed Planning 1040_07_02_316 P1
East Courtyard Elevation – Existing Planning 1040_07_02_307 P1
East Courtyard Elevation – Proposed Planning 1040_07_02_317 P2

Application Type:

Full Detailed Planning Application

Officer Recommendation:

That the Committee resolve that the Executive Director of Transport and Technical Services 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 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) The development shall be carried out and completed in accordance with the following approved drawings and documents:

Drawings:

Site Location Plan	1040_07_02_001	P1
Basement Plan Existing Planning	1040_07_02_099	P1
Basement Plan Proposed Planning	1040_07_02_109	P2
Ground Floor Plan Existing Planning	1040_07_02_100	P1
Ground Floor Plan Proposed Planning	1040_07_02_110	P2
First Floor Plan Existing Planning	1040_07_02_101	P1
First Floor Plan Proposed Planning	1040_07_02_111	P2
Second Floor Plan Existing Planning	1040_07_02_102	P1
Second Floor Plan Proposed Planning	1040_07_02_112	P2
Third Floor Plan Existing Planning	1040_07_02_103	P1
Third Floor Plan Proposed Planning	1040_07_02_113	P2
Fourth Floor Plan Existing Planning	1040_07_02_104	P1
Fourth Floor Plan Proposed Planning	1040_07_02_114	P2
Fifth Floor Plan Existing Planning	1040_02_07_105	P1
Fifth Floor Plan Proposed Planning	1040_07_02_115	P2
Sixth Floor Plan Existing Planning	1040_07_02_106	P1
Sixth Floor Plan Proposed Planning	1040_07_02_116	P2
Roof Plan Existing Planning	1040_07_02_107	P1
Roof Plan Proposed Planning	1040_07_02_117	P1
Section through South Façade Existing Planning	1040_07_02_600	P1
Section through South Façade Proposed Planning	1040_07_02_601	P3
Kiosk First Floor Planning	1040_07_02_308	P2
South Elevation Existing Planning	1040_07_02_300	P1
South Elevation Proposed Planning	1040_07_02_310	P2
South Courtyard Elevation Existing Planning	1040_07_02_304	P1
South Courtyard Elevation Proposed Planning	1040_07_02_314	P2
West Courtyard Elevation Existing Planning	1040_07_02_305	P1
Wes Courtyard Elevation Proposed Planning	1040_07_02_315	P1
North Courtyard Elevation Existing Planning	1040_07_02_306	P1
North Courtyard Elevation Proposed Planning	1040_07_02_316	P1

East Courtyard Elevation Existing Planning	1040_07_02_307	P1
East Courtyard Elevation Proposed Planning	1040_07_02_317	P2

- o Allies and Morisson - Design & Access Statement (February 2016)
- o Vectos - Transport Statement (December 2015)
- o Area Schedule 02.02.16 Rev 1

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).

- 3) (i) With regards to the 567 sqm of allocated floorspace (GIA) on the ground floor subject to the change of use, as identified in the approved plan: 1040_07_02_110 P2:

Notwithstanding the information in the approved drawings and subject to the provisions within the relevant conditions set out in this planning permission, the following land uses are permitted within the specified floorspace:

- Class A1 (Retail) or
- Class A3 (Restaurant) or
- Class D2 (Leisure)

- (ii) With regards to the 230 sqm of allocated floorspace (GIA) on the ground floor subject to the change of use as identified in the approved 1040_07_02_110 P2;

Notwithstanding the information in the approved drawings and subject to the provisions within the relevant conditions set out in this planning permission, the following land uses are permitted within the specified floorspace:

- Class A1 (Retail) or
- Class A3 (Restaurant) or
- Class B1 (Business)

- (iii) With regards to the 74 sqm of allocated floorspace (GIA) within the proposed first floor kiosk, in the podium courtyard as identified in the approved plan: 1040_07_02_111 P2;

Notwithstanding the information in the approved drawings and subject to the provisions within the relevant conditions set out in this planning permission, the following land uses are permitted within the specified floorspace:

- Class A1 (Retail) or
- Class A3 (Restaurant)

As set out in Class E, Part 3, schedule 2 of the General Permitted Development Order 1995 or the provisions of the relevant class/part at the time of implementation, this permission benefits from a period during which changes of use of the above specified floorspace between the uses stated within (i), (ii) and

(iii) as set out in the description of development may take place without the need for further planning permissions. This flexibility is for a period of ten years from the date of the approval.

Reason: To ensure the uses are compatible with the adjoining land uses, within the White City Opportunity Area and to ensure that the amenity of occupiers residing in surrounding residential properties would be safeguarded in accordance with policies WCOA, WCOA1 and BE1 of the Core Strategy (2011) and policies DM B1, DM C4, DM C6, DM D1, DM D2 and DM A9 of the DM Local Plan (2013) and the White City Opportunity Area Planning Framework (2013).

- 4) Prior to the occupation of the development hereby permitted, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- Sub-division of A1, A3, D2 and B1 Class areas

The proposed development shall not be used or occupied prior to the implementation of the approved details.

Reason: To ensure that, the development hereby approved would contribute to the availability of accommodation for all sizes of business including small and medium sized enterprises, in accordance with Core Strategy (2011) Strategic Policy LE1 (Local Economy and Employment).

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

- typical details (scale 1:20) of the new external south façade including junctions with the existing facades and material specifications demonstrating that it would match existing materials.

The proposed development shall not be used or occupied prior to the implementation of the approved details.

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).

- 6) Notwithstanding the details shown on the approved Basement Plan: Proposed Planning ref 1040_07_02_109 P2, prior to the occupation of the development hereby permitted, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- Parking Management Plan, including identification of blue badge car parking arrangements

The proposed development shall not be used or occupied prior to the implementation of the approved details.

To ensure that the development hereby approved would result in blue badge car parking provision in accordance with London Plan (2015) Policy 6.1 (Strategic Approach), Core Strategy (2011) policy T1 (Transport), Development Management Local Plan (2013) Policies DM J2 (Vehicle Parking Standards) and DM J4 Disabled Person's Parking (Blue Badge).

- 7) The ground floor entrance doors to all publicly accessible parts of the building and integral lift/stair cores shall not be less than 1 metre wide and the thresholds shall be at the same level to the path/approaches fronting the entrances to ensure level access.

In order to ensure the development provides ease of access for all users, in accordance with Policy 3.1 and 7.2 of the London Plan (2015), and the Council's adopted supplementary planning document.

- 8) The Class A1/A3/D2 (retail and leisure) uses hereby permitted shall operate only between 07:00 hours and 23:00 hours, on weekdays, and between 07:00 hours and 23:00 hours on Saturdays and on 07:00 hours to 18:00 hours on Sundays and Bank Holidays.

To ensure that the amenities of surrounding occupiers are not unduly affected by noise and other disturbance, in accordance with policy CC4 of the Core Strategy 2011 and policy DM H9 of the Development Management Local Plan (2013).

- 9) Neither music nor loud voices emitted from the development shall be audible at any noise sensitive premises within the vicinity of the development.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, in accordance with policy DM H9 of the Development Management Local Plan (2013).

- 10) Prior to occupation of the relevant part of the development, details of suitable façade glazing/external membrane, lighting periods within premises and mitigation measures to minimise light trespass, glare and sky glow from internally transmitted or reflected artificial light shall be submitted to and approved in writing by the Council. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by lighting, in accordance with Policies DM H10 and H11 of the Development Management Local Plan.

- 11) Prior to commencement of the relevant use at the relevant unit, details shall be submitted to and approved in writing by the Council, of the installation, operation, and maintenance of the odour abatement equipment and extract system, including the height of the extract duct and vertical discharge outlet, in accordance with the 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' January 2005 by DEFRA. Approved details shall be implemented prior to the commencement of the use at the relevant unit and thereafter be permanently retained.

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

- 12) Prior to occupation of the relevant part of the development, details shall be submitted to and approved in writing by the Council, of sound insulation of the building envelope and other mitigation measures, as appropriate. Details shall demonstrate that noise from uses and activities is contained within the building/ development site and shall not exceed the criteria of BS8233:2014 at neighbouring noise sensitive/ habitable rooms and private external amenity spaces. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

- 13) Prior to the occupation of the relevant unit within the development hereby permitted, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- Detailed Refuse Plan

The proposed development shall not be used or occupied prior to the implementation of the approved details.

To ensure that the development hereby approved would not undermine the efficient and safe operation of the local highways network in accordance with London Plan (2015) Policy 6.1 (Strategic Approach), Core Strategy (2011) policy T1 (Transport), Development Management Local Plan (2013) Policies DM J1 (Transport Assessments and Travel Plans).

- 14) Prior to the commencement of the relevant part of the development hereby permitted, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- safety and security design features and management arrangements.

The proposed development shall not be used or occupied prior to the implementation of the approved details.

To ensure that the development has adequately minimised the potential for crime and anti-social behaviour, in accordance with: London Plan Policy 7.13 (Safety and resilience to emergency), Policy 7.3 (Designing out Crime), Core Strategy BE1 (Built Environment), DMLP Policy DM G1 (Design of new build).

Justification for Approving the Application:

- 1) 1. Principle of Development

The principle of the development, which mainly comprises extensions and facade modifications to the various parts of the building is considered to be acceptable. The proposals would facilitate the comprehensive refurbishment and repurposing

of the building to provide new and additional high quality office floorspace to suit the needs of a range of office occupiers in addition to modifications to the ground floor layout that facilitates the provision of new flexible retail (Class A1)/restaurant (Class A3) and leisure (Class D2) uses. The proposals as approved in this application (ref: 2015/05922/FUL) have been designed to be carried out in parallel with the works to the ground floor and building facades proposed within the concurrent planning application ref: 2016/00420/FUL, that is approved alongside this application. A s106 obligation is necessary to ensure both applications are implemented concurrently, to avoid compromising the internal layout and hierarchy of the building elevations. It is considered that the proposed development would make a contribution towards increasing the variety of mixed uses within the wider White City Place site and the White City Opportunity Area in accordance with Strategic Policy B and Core Strategy policies WCOA and LE1 and DM Local Plan policy DM B1.

2. Retail Impacts

It is considered that the newly created retail and leisure uses, including their cumulative impacts alongside the proposed land uses included with the accompanying planning application (ref: 2016/00420/FUL), would not be harmful to the vitality and viability of established nearby town centres including Shepherd's Bush in accordance with London Plan (2015) policies 2.15, 4.6, 4.7 and 4.8, and Development Management Local Plan (2013) policy DM C1.

3. Visual Impact/Design

Subject to conditions requiring the detailed design of the extended southern building facade and approval of materials, and the s106 requirement to ensure the development subject to this application (2015/05922/FUL) is carried out in parallel with the approved development subject to ref: 2016/00420/FUL, it is considered that the proposed extensions and external alterations set out in the application would be visually appropriate in context with the host WC1 building and would not be harmful to the character of the neighbourhood, White City Place or the nearby Old Oak & Wormholt and Wood Lane Conservation Areas, in accordance with London Plan (2015) policies 7.1, 7.2, 7.4, 7.6, and 7.7, Core Strategy (2011) policy BE1, Development Management Local Plan (2013) policies DM G3 and G7 and Planning Guidance SPD Policies 47, 48, 49, 60, 61, 62 and 63.

4. Amenity

Subject to conditions, it is considered that the proposed development would not result in un-neighbourly impacts to the detriment of the amenity of nearby residential occupiers, office workers and visitors of the site in accordance with policies 7.1, 7.14 and 7.15 of the London Plan (2015), policies BE1 and CC1 of the Core Strategy (2011), and policies DM H9, H10 and H11 of the Development Management Local Plan.

5. Highways

Subject to the recommended conditions, the proposed development would not give rise to any harmful effects on the functioning of the local highways network and therefore, the proposed development would be in accordance with London Plan (2015) Policy 6.1 (Strategic Approach), Core Strategy (2011) policy T1, Development Management Local Plan (2013) Policies DM J1, DM J2, DM J4 and DM J5.

6. Inclusive Access

Subject to a condition that secures level accesses to the building, it is considered that the development would provide a safe and secure environment for all users. The development is therefore considered to be acceptable in accordance with Policies 3.8, 6.12 and 7.2 of the London Plan (2015)), policy H3 of the Core Strategy 2011 and policy DM H4 of the Development Management Local Plan 2013 and the Council's "Planning Guidance" Supplementary Planning Document.

7. Legal Agreement: The application proposes that its impacts are mitigated by way of planning obligations which would ensure the proposed development works specified in this application (ref: 2015/05922/FUL) are carried out in parallel with the works set out in the concurrent planning application at White City One (ref:2016/00420/FUL) which comprises linked external and internal works to the building, which combine to facilitate the comprehensive refurbishment and repurposing of the building. It is also considered that the cumulative impacts from both developments necessitates the need for the agreed financial contribution towards infrastructure improvements within the vicinity of the development site that are necessary as a consequence of the increased use arising from the new land uses and the enlarged host building. The financial contributions will go towards the enhanced provision of education, health, employment, community facilities, accessibility and sustainable transport, highways (including pedestrian and cycle routes) and the public realm. The proposed development, including its combined cumulative impacts would therefore be mitigated in accordance with London Plan (2015) policy 8.2, Core Strategy Policies CF1, WCOA and WCOA1 and the White City Opportunity Area Planning Framework (2013).

LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS

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

Application form received: 16th 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

Consultation Comments:

Comments from:

Dated:

Neighbour Comments:

Letters from:

Dated:

1. SITE DESCRIPTION AND RELEVANT HISTORY

- 1.1 This report relates to two concurrent planning applications for the refurbishment and repurposing of the White City One office building at White City Place (formerly known as the BBC Media Village). The combined development (subject to Applications 2 and 3) comprises external and internal alterations to various discrete parts of the building, which would facilitate the change of use of parts of the ground floor to provide flexible Use Classes A1/A3/D2 and include the provision of additional office and retail floorspace within extended parts of the building.
- 1.2 Application 2 relates principally to external areas with corresponding building facades to the front of the existing main southern entrance across ground to third floor levels, and within the existing courtyard terraces and rooftop areas at ground, first, fourth and fifth floor and along the southern courtyard elevation across all floors, as well as internal areas at the ground, first and second floors, including the existing main entrance lobby area. Application 2 site also includes two central parts of the basement.
- 1.3 Application 3 relates principally to internal areas and façade parts along the ground floor's external facing elevations to the north, west, south-west and south-east, window facades at the fourth and fifth floor facing away from the building, and louvered façade elements at roof level both courtyard and external facing.
- 1.4 The repurposing of White City One comprises the first phase in the comprehensive regeneration of the wider White City Place site, with further lighter touch refurbishments proposed at the Media Centre, located opposite White City One. A comprehensive landscaping enhancement scheme has been submitted by the applicant, and it is anticipated that this will be followed by a hybrid application for the redevelopment of land to the south of the site (which is known as the Gateway Site).
- 1.5 The current applications have been submitted by Whitewood Media Village GP Limited and Whitewood Media Village Nominee Limited who are subsidiaries of the investment consortium led by Stanhope, who recently acquired the site in 2015. The applications follow an initial approved planning application (WC1 Application 1) that allows replacement and amendments to most of the building's existing tinted windows on all elevations. The current applications for the refurbishment and repurposing of WC1 are as follows:
 - 2015/05922/FUL (WC1 Application 2: Extensions and Refurbishment): *“Erection of a four storey extension at the south façade and erection of single storey extensions at ground, fourth and fifth floor levels within the internal courtyard including creation of additional floor area within existing circulation areas at ground, first and second floor levels and installation of new lift enclosure along southern elevation of internal courtyard between ground and sixth floor levels to facilitate change of use of parts of the ground floor to provide: 566m² GIA flexible Class A1 and/or A3 and/or D2 floorspace, and; 230m² GIA flexible Class A1 and/or A3 and/or B1 floorspace plus an additional 1,273m² GIA Class B1 floorspace; erection of a 74m² GIA Class A1 and/or A3 kiosk at first floor podium level within the internal courtyard; external alterations and associated works.”*

- 2016/00420/FUL (WC1 Application 3: Change of Use and External Alterations): *“Change of use of 2,021m² Use Class B1 (Business) at ground floor, to: 1,897m² Use Class A3 (Restaurants and Cafes), and 124m² of flexible Class A1 (Shops) and/or B1 (Business) use; external alterations along the northern, southern, western and eastern elevations at ground floor to create new shopfronts; replacement glazing at fourth and fifth floor level to external elevations; alterations to the northern, western and southern eastern facing external elevations of the inner courtyard, alterations to louvres at roof level and associated works.”*

NB: For the purposes of the report, officers will refer to Application 2 as the Extension/Refurbishment Scheme and Application 3 as the Change of Use Scheme.

- 1.6 The Application Site is located within the administrative area of the London Borough of Hammersmith and Fulham. The application site forms part of the former BBC Media Village, an area of approximately 6.5 hectares employment site, which has very recently been renamed as White City Place. White City Place is bounded to the north by Westway, to the east by Wood Lane, to the south by South Africa Road and to the west by Dorando Close. The White City Estate lies to the west and the Wood Lane estate to the south. The Imperial College redevelopment of the former BBC Woodlands site is located to the north of the Westway. Imperial College have subsequently acquired the former Dairy Crest site which lies to the east of Wood Lane, beyond Yonex House and Atos offices which are directly opposite White City Place.
- 1.7 The building to which the applications relate is known as White City One which is sited to the east of the central pedestrian space within White City Place, immediately west of Wood Lane. The main building entrance is sited on the southern elevation which is recessed within the central part of the building façade. White City One is a 7-storey office building, which provides 38,704m² B1 (Office space). The building’s external elevations are finished in a silver/bronze panel cladding and dark tinted glazing. The building, which was completed in 1990, was designed by architects Scott Brownrigg; tailored to the BBC’s specific requirements for a corporate headquarters. The BBC vacated the building in 2015 and the building was sold to a consortium of investors including Stanhope and Matsui as part of a wider land deal for White City Place. The consortium intends to complete its refurbishment and to bring the property back to market in 2017. The refurbishment of WC1 forms part of a wider strategy to reposition White City Place to match the modern requirements of target tenant businesses, potentially within the creative sector.

Planning History

- 1.8 White City Place has extensive recent and historic planning records. The main planning permissions that relate to White City One are listed below.
- 1986/00493/OUT "The comprehensive development of the whole site for the B.B.C. comprising:- a) Phase I (40 000 square metres) comprising new corporate headquarters of the B.B.C. including offices ancillary accommodation and a B.B.C. shop together with associated car parking service provision access

roads and landscaping; and b) subsequent development (90 050) square metres) comprising a radio centre (including studios and workshops) staff club and welfare facilities retail space and further broadcasting and ancillary accommodation together with associated car parking service provision access roads and landscaping. Drg. Nos: As schedule." GRANTED 02.06.1987

- 2000/03126/COMB "Detailed and outline planning permission as follows: a)- DETAILED planning permission; erection of a six storey broadcast centre (42,309m² floorspace) in the north west area of the site, erection of a six storey central office building (42,159m² floorspace) to include ancillary shops and restaurants (1,000m² floorspace) in the western area of the site, an energy centre building (6,715m² floorspace) and 380 parking spaces. Total floorspace 91,183m². Landscaping to be reserved. b)-OUTLINE planning permission; development of the remainder of the site for 42,423m² gross accommodation comprising a music centre (12,512m² floorspace), gateway office building (19,534m² floorspace), two light industrial/office buildings (4,159m² and 2,235m² floorspace), a leisure centre (3,771m² floorspace) and ancillary shops and restaurants (212m² floorspace), with siting and means of access unreserved, and all other matters reserved The existing BBC office building is proposed to remain with a basement parking area of 234 spaces." GRANTED 07.09.2001
- 2001/02084/OUT "The comprehensive development of the whole site for the BBC comprising:- a. The retention of Phase 1 (40,000 square metres) comprising new corporate headquarters of the BBC, including offices, ancillary accommodation and a BBC shop, together with associated car parking, servicing provision, access roads and landscaping; and b. subsequent development (90,050 square metres), comprising a radio centre (including studios and workshops, staff club and welfare facilities, retail space, public exhibition space and further broadcasting and ancillary accommodation, together with associated car parking, service provision, access roads and landscaping; and c. the removal of condition 05 of planning permission 1986/ 00493/01 which required the permission to be personal to the British Broadcasting Corporation and shall not ensure for the benefit of the land." GRANTED 20.09.2001
- 2015/01537/NMAT "Non-Material Minor Amendment to Planning Permission 1986/00493/OUT granted 2nd June 1987, to remove condition 5. " GRANTED 08.05.2015
- 2015/04899/FUL "Replacement of external glazing on outward and inward-facing elevations within the internal courtyard along with the partial replacement of external cladding panels" GRANTED 15.12.2015
- 2016/01591/FUL "Public realm works at White City Place, including landscaping and planting" DECISION PENDING CONSIDERATION.

2. CONSULTATION RESPONSES (INTERNAL AND EXTERNAL)

- 2.1 Both applications were advertised in the local press and on site notices that referred to the applications' potential effect on the character of the Conservation Area. In addition, 68 local addresses were sent written notice of each application.

WC1 Application 2: Extensions and Refurbishment

- 2.2 No neighbour responses have been received.
- 2.3 Fulham Society was consulted: No Response
- 2.4 The Hammersmith Society was consulted: No Response
- 2.5 LBHF Conservation and Design Officer: No objection

In the pre-application meeting, the design officer recommended the use of salvaged ground floor cladding for the infill cladding in order to avoid an unsightly difference between the existing and a new cladding system. If this is not possible, a different design solution may have to be considered. This should be confirmed as part of this application, otherwise an appropriately worded condition should be imposed allowing for design changes. The proposed cladding to the extensions are considered to be appropriate in the context of the appearance of the building. The proposed alterations within the courtyard and to the courtyard elevations would not impact on the external appearance of the building but would generally be sympathetic to the existing façade treatment.

A condition should be attached requesting typical details (scale 1:20) of the new external south façade including junctions with the existing facades and material specifications demonstrating that it would match existing.

- 2.6 Officer comment: The advised condition is recommended to be included in case planning permission would be granted.
- 2.7 LBHF Spatial Planning and Policy Officer: No objection subject to detailed assessment.

The main policy issues with this are the loss of office space (B1) and the creation of approximately 1,800 of A3 floorspace and 124 sqm of A1 floorspace. Whilst the A3 uses would provide employment there would be a loss of B1 use and the proposal will therefore need to be assessed against Strategic Policy B, Policy LE1 and Policy DM B1. The loss of office will need to be justified with marketing evidence.

The proposed creation of A3 floorspace on such a large scale needs to be carefully considered as it would create a concentration of food and drink establishments in an out of centre location. We acknowledge the conclusions in the retail and leisure report that the proposal site is located within a regeneration area where ancillary retail and leisure use would be supported in line with the NPPF (paras 24-27), London Plan and Core Strategy (Strategic Policy C). On this basis a sequential test and impact are not considered necessary, but the consideration of scale and its impact is welcomed in the study provided. We acknowledge that the scale and offer of the retail and leisure uses would be complementary to the Media village. However, there is a concern about potential concentration of such a large amount of A3 floorspace which needs to be carefully considered in terms of residential

amenity and environmental nuisance which will be key considerations. DM C6 is also relevant with regard to opening hours etc.

In summary, we would have no policy objection to the proposals, subject to the justification of the loss of B1 accommodation and the assessment of impact on residential amenity and environmental nuisance from the A class uses.

- 2.8 Officer comment: The implications of proposed change of use in terms of relative loss of B1 and associated effects on local amenity have been assessed in this report.
- 2.9 Public Protection and Safety Officer: No objection. Recommended conditions and informatives concerning:
- Light pollution
 - Extraction and Odour Control system for non-domestic kitchens
 - Sound Insulation of commercial/ industrial building envelope
 - Anti- vibration mounts and silencing of machinery etc.
 - External noise from lifts, machinery, extract/ ventilation ducting, mechanical gates, etc.
- 2.10 Recommended informatives for Demolition and Construction, Installation, Refurbishment, etc
- 2.11 Officer comment: The above planning conditions (with some amendments and omissions) and informatives are recommended to be included in case planning permission would be granted.
- 2.12 LBHF Highways Officer: No objection, subject to further information.

Car parking

- We welcome the reduction in parking spaces, however the number of BLUE Badge spaces falls below the London plan and this must be reviewed to reflect the requirement of the London Plan*
- A parking management plan to be conditioned*

Cycle parking

- The documents I have seen does not show any provision to cycle parking, to meet policy DMJ5*

- 2.13 Officer comment: The proposed arrangements for car parking including blue badge spaces and cycle parking are not acceptable and a condition is recommended to be added in case planning permission is to be granted.
- 2.14 Land Contamination Officer: No objections
- 2.15 I have no objection to the proposal. Could the following informative be placed?: CONT11 (likelihood of contamination presence due to previous land uses)
- 2.16 Officer comment: The inclusion of the above informative is recommended in case planning permission would be granted.

WC1 Application 3: Change of Use and External Alterations

- 2.17 No neighbour responses have been received.
- 2.18 Fulham Society was consulted: No Response
- 2.19 The Hammersmith Society was consulted: No Response
- 2.20 LBHF Conservation and Design Officer: No objection

Drawing 1040_07_02_116 needs clarification as to the nature of the proposals. There are drawings relating to the courtyard elevations and the kiosk, it is not clear how they relate to this application.

The proposal includes alterations to the ground floor elevations to create new shopfronts, alterations to the corner glazing at fourth and fifth floor level and alterations to the northern, western and eastern facing external elevations and to the louvres at roof level.

The proposed ground floor elevations consist of full height glazing including high level metal fins to screen air intake and extract installations on the ground floor to achieve open, active frontages. The design is considered to be appropriate in the context of the appearance of the building. Any shopfront fascia signage should be located behind the glazing.

The existing high level, tinted corner glazing as well as the glazing of the central portions of the north, east and west façade would be replaced by a combination of clear glazing and insulated spandrel panels to increase the permeability of the facade. The existing frames are to be retained. The high level replacement glazing would have a more contemporary appearance and is considered to be sympathetic to the appearance of the building.

Further details of the proposed louvres at roof level (sections, materials and finishes) would be required. A condition requesting section and elevation details (1:20) of the new shopfronts should be imposed. Given that all new glazing at upper levels would be within existing frames, further detailed drawings would not be required.

- 2.21 Officer comment: The advised conditions are recommended to be included in case planning permission would be granted. The clarification of Drawing 1040_07_02_116 has been verified and found to be correct.
- 2.22 LBHF Spatial Planning and Policy Officer: No objection subject to detailed assessment.

We assume that this application is linked to the retail report for Application 2 (ref 2015/05922/FUL). See notes relating to Application 2 with regard to loss of B1 and the introduction of A and D class uses. We must be satisfied that the loss of B1 is justified. We would support ancillary A class uses in this location, but only at an appropriate scale and not at the expense of viable B1

accommodation. The White City regeneration is well off for retail and leisure use and it is important that we retain office development as part of the overall mix.

In summary, we would have no policy objection to the proposals, subject to the justification of the loss of B1 accommodation and the assessment of impact on residential amenity and environmental nuisance from the A class uses.

2.23 Officer comment: The implications of proposed change of use in terms of relative loss of B1 and associated effects on local amenity have been assessed in this report.

2.24 Public Protection and Safety Officer: No objection. Recommended conditions and informatives concerning:

- light pollution
- Extraction and Odour Control system for non-domestic kitchens
- Sound Insulation of commercial/ industrial building envelope
- Anti- vibration mounts and silencing of machinery etc.
- External noise from lifts, machinery, extract/ ventilation ducting, mechanical gates, etc.

2.25 Officer comment: Upon Officers' review, the above planning conditions have been updated to appropriately reflect the proposed land uses and site conditions and these updated conditions and the informatives are recommended to be included in case planning permission would be granted.

2.26 LBHF Highways Officer: No objection, subject to further information.

No objection subject to: Providing a detailed refuse and servicing plan

2.27 Officer comment: The submission for separate approval of the detailed refuse and servicing plan is recommended to be required via a planning condition in case planning permission would be granted.

2.28 Land Contamination Officer: No response.

3. THE PROPOSED DEVELOPMENTS

WC1 Application 2 Submission

3.1 The WC1 Application 2 scheme (Ref: 2015/05922/FUL) proposes:

3.2 *“Erection of a four storey extension at the south façade and erection of single storey extensions at ground, fourth and fifth floor levels within the internal courtyard including creation of additional floor area within existing circulation areas at ground, first and second floor levels and installation of new lift enclosure along southern elevation of internal courtyard between ground and sixth floor levels to facilitate change of use of parts of the ground floor to provide: 566m2 GIA flexible Class A1 and/or A3 and/or D2 floorspace, and; 230m2 GIA flexible*

Class A1 and/or A3 and/or B1 floorspace plus an additional 1,273m2 GIA Class B1 floorspace; erection of a 74m2 GIA Class A1 and/or A3 kiosk at first floor podium level within the internal courtyard; external alterations and associated works”.

- 3.3 This development comprises of extensions (creating new office and commercial floorspace), refurbishment and structural alteration of the existing subject building which would be implemented alongside the proposed accompanying planning application for the change of use and external alterations (Application 3).
- 3.4 The proposed development subject to WC1 Application 2 comprises a series of extensions which increases the building's floor plates and external changes to the façades. The proposed alterations and extensions to the building are in the following six main locations.

1. Courtyard cloister infill:

The courtyard to the building was reconfigured in 2004 when a new glazed curtain walling system was added along the eastern edge to form a cloister in the courtyard. The current proposals are for the cloister to be in-filled with full height glazing to provide a usable strip of new B1 space. The glazing system is to comprise full height glazed units in metal curtain wall sections, new glazed entrance doors in metal frames and metal fins at 'high' level for air intake and extract.

2. Roof light and roof over reception:

Similar to item 1, it is the intention to partially glaze over an existing light well at ground floor level in order to create a generous reception area in the centre of the building, which would be a 15m wide naturally lit lobby intended to look visually inviting from the central square while allowing views into the courtyard from the main entrance. It is the intention that this will allow light into the depth of the plan and encourage occupants of the estate to enter the building.

3. Works to the existing entrance on the southern elevation:

This element of works seeks to replace the former triple height curved entrance glazing with new full height glazing to the ground floor and a combination of windows and metal rain-screen panels to the upper floors. The line of the new facade is to match the existing line of the facade to the 4th floor. The triple height space of the former entrance is to be in-filled on 1st and 2nd floor to create additional office space. The existing stairs in the triple height space are to be removed and in-filled. The new upper floors of this extension are to be clad in metal rain-screen panels to match the existing cladding. New metal window frames will also be made to match the existing. Since the new facade will line through with the existing facade at 4th floor level a strip of new space is also created at ground and 3rd floor levels of approximately 1.4m wide. At ground floor, the new floorspace will be used for a combination of A1 and/or A3 and/or D2 uses. The exact configuration of the ground units is not yet known and this application therefore seeks flexibility for how the new extended part of the ground floor is subdivided. The land uses make provision for a potential gym (under use class D2) to be located on the ground floor (south side) which will be used for staff of the offices, but will also be open to the public. In contrast to the inward-looking nature of the existing facade, the proposed new ground floor glazing system is to comprise full height double glazed units in metal curtain wall sections and new glazed entrance doors. Metal fins at 'high' level will deal with air intake and extract but are not intended to be used for

kitchen extract - which is through the roof. It is the intention that the new use of the ground floor and the new facade treatment will transform the southern elevation of the building into an open, active frontage. The corresponding Application 3 proposes the change of use of parts of the ground floor Class B1 offices to a range of commercial uses which would dovetail with the elevational alterations and internal reconfiguration and extensions within the building proposed in Application 2. The change of use and additional external alterations subject to Application 3 are described in paras 3.11 – 3.22 below.

4. Retail Kiosk:

A new A3 cafe/kiosk is proposed to the courtyard at first floor in the courtyard. This is intended for visitor and employee use and is connected via a dedicated stair and lift core to the ground floor and basement. It is proposed that the cafe is constructed of full height double glazing and metal frames. A lightweight steel structure is shown to one end of the kiosk which can support a fabric canopy for use in the summer.

5. New goods Lift:

This new lift enclosure is intended to attach to the existing south core and will serve all floors including the basement. It is proposed that the new lift is clad in metal rain-screen with open joints to match the existing core cladding.

6. Extension to the South Courtyard Facade on levels 4 and 5:

This extension increases the amount of office floor space on the fourth and fifth floors. It is intended that the new floorspace is enclosed in a new metal curtain walling system with large glazed windows and insulated glass spandrel panels at floor and roof zones. The curtain walling system is to have deep metal extrusions to provide shading to the south facing glass. This extension is intended to increase the level of light entering the upper floors and enhance the architectural quality of the internal courtyard.

3.5 The proposals described above will also affect the existing basement with its carpark, including proposals for new showers, cycle storage and the podium stair-core and lift which will serve the offices above. These proposals will change the provision of parking as follows.

- car parking spaces from 203 to 180
- motorcycle spaces from 18 to 9
- disability spaces from 17 to 8

Servicing of the proposed ground floor A1/A3 units (proposed in this application and Application 3) will take place from the existing vehicular access at the south side of the building, while office servicing will take place from the rear service yard to the north of White City One.

No specific details for waste/recycling storage and collection arrangements have been provided.

3.6 Access/Entrances and External Levels:

The existing main office entrance to the south elevation is to be omitted, without being re-provided as part of this application (the concurrent WC1 application 3 contains proposals to create a new entrance on the western edge of the building). There are no proposals to change the existing landscape and levels in this application.

- 3.7 Access/Roof terrace:
The applicant has stated that the proposed podium terrace on level 1, which includes the proposed kiosk will be designed to be accessible to occupants and visitors of the building.
- 3.8 A detailed breakdown of existing compared to proposed floor areas and land uses is provided in Table 3.1.

Table 3.1 Land Uses Application 2

GIA			
	Existing	Proposed	Uplift
App 2: Proposed Land Uses			
Nil, car park etc	0	0	0
B1 (Business/Offices)	1087	2360	1273
Flexible A1 (retail)/ A3(restaurant/café)/ B1(business)	0	230	230
Flexible A1 (retail)/ A3 (restaurant/café)/ D2 (leisure)	0	566	566
A3 (restaurant/café)	0	74	74
Total	1087	3230	2143

- 3.9 The following documents have been submitted for approval as part of Application 2:

Drawings:

- Site Location Plan 1040_07_02_001 P1
- Basement Plan – Existing Planning 1040_07_02_099 P1
- Basement Plan – Proposed Planning 1040_07_02_109 P2
- Ground Floor Plan – Existing Planning 1040_07_02_100 P1
- Ground Floor Plan – Proposed Planning 1040_07_02_110 P2
- First Floor Plan – Existing Planning 1040_07_02_101 P1
- First Floor Plan – Proposed Planning 1040_07_02_111 P2
- Second Floor Plan – Existing Planning 1040_07_02_102 P1
- Second Floor Plan – Proposed Planning 1040_07_02_112 P2
- Third Floor Plan – Existing Planning 1040_07_02_103 P1
- Third Floor Plan – Proposed Planning 1040_07_02_113 P2
- Fourth Floor Plan – Existing Planning 1040_07_02_104 P1
- Fourth Floor Plan – Proposed Planning 1040_07_02_114 P2
- Fifth Floor Plan – Existing Planning 1040_02_07_105 P1
- Fifth Floor Plan – Proposed Planning 1040_07_02_115 P2
- Sixth Floor Plan – Existing Planning 1040_07_02_106 P1
- Sixth Floor Plan – Proposed Planning 1040_07_02_116 P2

Roof Plan – Existing Planning 1040_07_02_107 P1
 Roof Plan – Proposed Planning 1040_07_02_117 P1
 Section through South Façade – Existing 1040_07_02_600 P1
 Section through South Façade – Proposed 1040_07_02_601 P3
 Kiosk – First Floor Planning 1040_07_02_308 P2
 South Elevation – Existing Planning 1040_07_02_300 P1
 South Elevation – Proposed Planning 1040_07_02_310 P2
 South Courtyard Elevation – Existing Planning 1040_07_02_304 P1
 South Courtyard Elevation – Proposed Planning 1040_07_02_314 P2
 West Courtyard Elevation – Existing Planning 1040_07_02_305 P1
 West Courtyard Elevation – Proposed Planning 1040_07_02_315 P1
 North Courtyard Elevation – Existing Planning 1040_07_02_306 P1
 North Courtyard Elevation – Proposed Planning 1040_07_02_316 P1
 East Courtyard Elevation – Existing Planning 1040_07_02_307 P1
 East Courtyard Elevation – Proposed Planning 1040_07_02_317 P2

- 3.10 The application is also accompanied by a cover letter and:
- Allies and Morisson - Design & Access Statement (February 2016)
 - Vectos – Transport Statement (December 2015)
 - Area Schedule 02.02.16 Rev 1

WC1 Application 3 Submission (Ref: 2016/00420/FUL)

- 3.11 The WC1 Application 3 scheme (Ref: 2016/00420/FUL) proposes: *“Change of use of 2,021m² Use Class B1 (Business) at ground floor, to: 1,897m² Use Class A3 (Restaurants and Cafes), and 124m² of flexible Class A1 (Shops) and/or B1 (Business) use; external alterations along the northern, southern, western and eastern elevations at ground floor to create new shopfronts; replacement glazing at fourth and fifth floor level to external elevations; alterations to the northern, western and southern eastern facing external elevations of the inner courtyard, alterations to louvres at roof level and associated works”.*

- 3.12 In summary, the proposed works comprise:

- Change of use of 2,021 sqm of the ground floor level Class B1 offices to provide:
 - 5 no. A3 units, and;
 - 1 no. A1 and/or B1 unit.
- The replacement of glazing at the external elevations at ground floor to provide new shopfronts and glazing;
- The replacement of glazing at the internal courtyard elevations at ground level;
- The replacement of the existing tinted glazing at fourth and fifth floors with replacement clear glazing and opaque glazed panels, and;
- The relocation of louvres at roof level.

- 3.13 The applicant has stated that one of the key objectives of the refurbishment of White City 1 is to create a concentration of activity within the central external space of White City Place. The applicant anticipates that this would be achieved by relocating the main entrance from the southern to the western façade of the building and lining the western edge of the building with active frontages, as proposed in this application. For this reason, A1 / A3 units are proposed for the

entire length of the ground floor of the western side of the building, which will have level access to the street. Together with the D2/A3/A1 units in the Media Centre building opposite, the proposed change of use of the ground floor offices to commercial is intended to generate an active heart to the development. Retail units are also proposed to the south and western corner of the building, which would dovetail in with the proposed extensions and refurbishment works associated with Application 2 (described in paras 3.1 – 3.10 above).

- 3.14 The applicant intends for the new commercial uses on the ground floor coupled with the new facade treatment to transform the ground floor of the building into an open and active frontage. In contrast to the inward-looking nature of the existing facade, the proposed new ground floor glazing system is to comprise full height double glazed units in metal curtain wall sections and new glazed entrance doors. Metal fins at 'high' level will deal with air intake and extract but are not intended to be used for kitchen extract - which will be through the roof.
- 3.15 Similar to the ground floor, it is the intention on the upper floors to increase the permeability and transparency of the facade. Therefore, in addition to the changes of use, it is also proposed to change the glazing to the corners of the 4th and 5th floor as well as the central portions of the east and west facade. The proposals include the removal of the existing dark tinted glass and to replace this with a combination of clear glazing and insulated glass spandrel panels at floor and roof zones. The existing frames are to be retained. It is intended that these changes to the facade at high level will maximise the daylight entering the office spaces behind and visually enhance the appearance of the building without altering its massing.
- 3.16 The proposed arrangements for servicing the new units comprises the deliveries taking place out of hours to either the basement or from the street from access via Wood Lane depending on the location of the unit. Similarly, whilst the basement includes a retail refuse store, it is the intention that the majority of refuse will be collected from the street level at the end of the each day.
- 3.17 This application proposes entrances along the western edge of the building that will be level with the existing external finished levels. The external levels along the south elevation drop towards Wood Lane, so therefore it is intended that the external paving levels will be modified where necessary to ensure step-free access into the proposed retail entrances.
- 3.18 The proposed Use Class A1 and A3 units will be serviced from the existing vehicular access at the front of the building and the rear service yard on the northern façade.
- 3.19 No specific details for waste/recycling storage and collection arrangements have been provided.

3.20 A detailed breakdown of existing compared to proposed floor areas and land uses is provided in Table 3.2.

Table 3.2 Land Uses Application 3

App 3 (GIA)			
Use	Existing	Proposed	Change
B1	2,021	0	-2021
B1/A3	0	124	124
A3	0	1897	1897
Total	2021	2021	0

3.21 The following documents relating to Application 3 have been submitted for approval:

Drawings:

- Location Plan 1040_07_03_001 P1
- Ground Floor Plan – Existing 1040_07_03_100 P1
- Ground Floor Plan – Proposed 1040_07_03_120 P2
- Fourth Floor Plan – Existing 1040_07_03_104 P1
- Fourth Floor Plan – Proposed 1040_07_03_114 P2
- Fifth Floor Plan – Existing 1040_07_03_105 P1
- Fifth Floor Plan – Proposed 1040_07_03_115 P2
- Sixth Floor Plan – Existing 1040_07_03_106 P1
- Sixth Floor Plan – Proposed 1040_07_03_116 P2
- Kiosk – Proposed 1040_07_03_308 P1
- South Elevation – Existing 1040_07_03_300 P1
- South Elevation – Proposed 1040_07_03_310 P2
- West Elevation – Existing 1040_07_03_301 P1
- West Elevation – Proposed 1040_07_03_311 P2
- North Elevation – Existing 1040_07_03_302 P1
- North Elevation – Proposed 1040_07_03_312 P2
- East Elevation – Existing 1040_07_03_303 P1
- East Elevation – Proposed 1040_07_03_313 P2
- South Facing Courtyard Elevation – Existing 1040_07_03_304 P1
- South Facing Courtyard Elevation – Proposed 1040_07_03_314 P2
- West Facing Courtyard Elevation – Existing 1040_07_03_305 P1
- West Facing Courtyard Elevation – Proposed 1040_07_03_315 P2
- North Facing Courtyard Elevation – Existing 1040_07_03_306 P1
- North Facing Courtyard Elevation – Proposed 1040_07_03_316 P2
- Plant room Elevation 1040_07_03_406 P2

3.22 The application is also accompanied by a cover letter and:

- Allies and Morisson - Design & Access Statement (February 2016)
- Vectos – Transport Statement (February 2016)
- RPS - Retail and Leisure Report (December 2015)
- Area Schedule

3.23 The applications individually and combined would result in the floorspace breakdowns (in m2 GIA) in Table 3.3.

Table 3.3 Land Uses Full Overview

GIA			
	Existing	Proposed	Uplift
App 2			
Nil, car park etc	0	0	0
B1	1087	2360	1273
A1/A3/B1	0	230	230
A1/A3/D2	0	566	566
A3	0	74	74
Total	1087	3230	2143
App 3			
B1	2021	0	-2021
B1/A3	0	124	124
A3	0	1897	1897
Total	2021	2021	0
Combined			
Nil, car park etc	0	0	0
B1	3108	2360	-748
A1/A3/B1	0	230	230
B1/A3	0	124	124
A1/A3/D2	0	566	566
A3	0	1971	1971
Total	3108	5251	2143

4. PLANNING ASSESSMENT

4.1 The applications have been considered in accordance with the National Planning Policy Framework, London Plan (2015), LBHF Core Strategy (2011), LBHF Development Management Local Plan (2013) and all other relevant Supplementary Planning Guidance documents including the White City Opportunity Area Planning Framework (WCOAPF (2013)), Mayoral SPGs and the Council's SPD (2013). The proposals (as amended) have been considered in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the protection of listed buildings and historic assets.

Principle of Development: Linkages between both Planning Applications

- 4.2 The proposed development subject to Application 2 relates principally to the refurbishment of the existing offices which includes various extensions to the building to provide new flexible Class A1/A3/B1 and D2 floorspace in addition to external alterations. The proposed development subject to Application 3 relates principally to the change of use of the existing ground floor Class B1 offices to create flexible Class A1/A3 and B1 floorspace, in addition to various alterations to the external elevations.
- 4.3 The applications have been submitted as separate planning applications for individual-linked developments. The existing building provides circa 48,000 m² of vacant Class B1 offices, which would constitute chargeable development in addition to the various extensions proposed, if the various alterations, extensions and changes of use were incorporated into one planning submission. Given the relatively minor increase in floorspace proposed as part of Application 2 in context with the existing building floor area, combining the applications would have created a substantial CIL liability, which the applicant suggests would be out of proportion with the scale of new development proposed.
- 4.4 Officers note that the difference in chargeable areas identified in both individual applications as ‘The Red Line Application Boundary’ would be significantly less than the chargeable area if the various developments merged together as part of one-development, where the application red-line boundary would incorporate each relevant floor within the whole building.
- 4.5 Notwithstanding the above, the applications have been submitted separately and could be carried out with or without the other. Officers have considered each application on its merits, as well as considering both cumulatively.
- 4.6 Officers consider that the developments are intrinsically linked, and could be implemented together. Therefore, the disbenefits of one application (such as loss of Class B1 offices), may be off-set by the benefits of the other. Therefore, the below assessment will set out the circumstances whereby the cumulative impacts may outweigh other shortcomings of individual proposals.
- 4.7 For example, the WC1 Application 2 proposes a change of use to ground floor areas including the existing main entrance into the building at the southern elevation. This change would truncate the building’s primary access to the building’s areas for B1 use in the predominant parts of the building, and could potentially reduce the efficiency of the ground floor offices. Such a deterioration of the office layout may go against the principles of good design in Core Strategy Policy BE1 (Built Environment), including the requirement for designs to “be attractive, durable, adaptable and accessible in order to achieve good sustainable and inclusive design” and other policies with similar objectives (including London Plan Policy 7.6 and DM LP Policy G3). Notwithstanding this, it is considered that the specified works may be acceptable, if they are implemented simultaneously alongside the various ground floor works to facilitate the changes of use (ie: to subdivide the ground floor into retail units), proposed in Application 3.. The relevant works proposed within WC1 Application 3 comprise the provision of a new office entrance at the western elevation, which would overcome the loss of the existing southern entrance, proposed within the WC1 Application 2 scheme. In this instance, it is considered that the combined effects of both schemes would be acceptable in cumulative terms. Therefore, if the

combination of proposed schemes were to be granted planning permission, Officers recommend that this should be subject to a legal agreement to secure the simultaneous implementation of both schemes in order to achieve satisfactory access in and out of, and circulation within the host building.

- 4.8 For the above reasons, it is recommended that both applications should be considered in combination, as well as being considered individually, in order to fully assess the individual and cumulative merits.
- 4.9 The principal planning considerations in determining both applications, separately and cumulatively comprise:
- (i) the appropriateness of the proposed land uses, including the introduction of new Class A1/A3 and D2 uses, and appropriateness of the loss of Class B1 use;
 - (ii) the proposed design of the extensions and external alterations to the facades;
 - (iii) the environmental impacts of the proposed land uses on the surrounding area;
 - (iv) the resulting quality of the new/extended office accommodation.
 - (v) accessibility and highways impacts
 - (vi) sustainability
 - (vii) community safety

Planning Policies

- 4.10 The following planning policies are relevant to determine the appropriateness of the land uses proposed within each development. These policies relate to the proposed changes of use concerning Class B1 (Office) and provision of new Class A1/A3 (Retail), and Class D2 Leisure development. It should be noted that the applicant has applied for flexible land use provisions in both applications. If acceptable, the uses may be conditioned to ensure the flexibility to change between the uses occurs for up to 10 years in accordance with Class E, Part 3, schedule 2 of the General Permitted Development Order 1995 (as amended).

National Planning Policy Framework

- 4.11 The National Planning Policy framework 2012 (NPPF) explains that the purpose of the planning system is to contribute to the achievement of sustainable development (paragraph 6). The NPPF states that there are three dimensions to sustainable development, including an economic role – contributing to building a strong, responsive and competitive economy.
- 4.12 The Government proposes to deliver sustainable development by securing economic growth in order to create jobs and prosperity (paragraph 18). Indeed, paragraph 19 confirms that:

“The government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should

operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.”

4.13 At the heart of the NPPF is a presumption in favour of sustainable development. In relation to decision making this means:

- Approving development proposals that accord with the development plan without delay, and;
- Where the development plan is absent, silent or relevant policies are out of date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, or;
 - specific policies in the Framework indicate development should be restricted.

4.14 The Government’s planning policies for town centre uses are set out at paragraphs 23 – 27. The NPPF directs new retail development to town centres. Proposals outside town centres and not in accordance with an up to date development plan should be subject to sequential and impact testing.

4.15 In respect of decision taking on economic development applications, the NPPF states in paragraph 187 that:

“Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with the applicant to secure developments that improve the economic, social and environmental conditions of the area.”

The London Plan (2015)

4.16 The London Plan (2015) including its town centre policies are supported by the Town Centres SPG (July 2014). The London Plan identifies the area of White City within which the application site sits as an ‘Opportunity Area’ – an area of brownfield land with significant capacity to accommodate new housing, commercial and other development.

4.17 Policy 2.15 states that town centres will provide:

- The main foci beyond the Central Activities Zone for commercial development and intensification, including residential development
- The structure for sustaining and improving a competitive choice of goods and services conveniently accessible to all Londoners, particularly by public transport, cycling and walking
- Together with local neighbourhoods, the main foci for most Londoner’s sense of place and local identity within the capital

4.18 Policy 2.13 (Opportunity Areas and Intensification Areas) states that development proposals within opportunity areas and intensification areas should:

- a) support the strategic policy directions for the opportunity areas and intensification areas set out in Annex 1, and where relevant, in adopted opportunity area planning frameworks
 - b) seek to optimise residential and non-residential output and densities, provide necessary social and other infrastructure to sustain growth, and, where appropriate, contain a mix of uses
 - c) contribute towards meeting (or where appropriate, exceeding) the minimum guidelines for housing and/or indicative estimates for employment capacity set out in Annex 1, tested as appropriate through opportunity area planning frameworks and/or local development frameworks
 - d) realize scope for intensification associated with existing or proposed improvements in public transport accessibility, such as Crossrail, making better use of existing infrastructure and promote inclusive access including cycling and walking
 - e) support wider regeneration (including in particular improvements to environmental quality) and integrate development proposals to the surrounding areas especially areas for regeneration.
- 4.19 London Plan Policy 4.3 (Mixed Use Development and Offices) states that outside the Central Activities Zone, mixed use development should support, consolidate and enhance the quality of the remaining office stock in certain types of strategic locations.
- 4.20 Development proposals for town centre uses are required to conform with policies 4.6, 4.7 and 4.8 and the following criteria set out in policy 2.15 (a) to (h):
- Sustain and enhance the vitality and viability of the centre
 - Accommodate economic and/or housing growth through intensification and selective expansion in appropriate locations
 - Support and enhance the competitiveness, quality and diversity of town centre retail, leisure, arts and cultural, other consumer services and public services
 - Be in scale with the centre
 - Promote access by public transport, walking and cycling
 - Promote safety, security and lifetime neighbourhoods
 - Contribute towards an enhanced environment, urban greening, public realm and links to green infrastructure
 - Reduce delivery, servicing and road user conflict
- 4.21 Policy 4.6 supports the development of art, cultural and entertainment facilities. Development is required to satisfy the following criteria:
- a) fulfil the sequential approach and where necessary, complete an impact assessment (see Policy 4.7)
 - b) be located on sites where there is good existing or planned access by public transport
 - c) be accessible to all sections of the community, including disabled and older people
 - d) address deficiencies in facilities and provide a cultural focus to foster more sustainable local communities.

4.22 Furthermore, local authorities are required to:

- d) promote and develop existing and new cultural and visitor attractions especially in outer London and where they can contribute to regeneration and town centre renewal
- g) provide arts and cultural facilities in major mixed use developments
- h) seek to enhance the economic contribution and community role of arts, cultural, professional sporting and entertainment facilities.

4.23 The London Plan includes a range of policies (policy 4.7 and 4.8) which seek to support the role and function of town centres. New retail and leisure development outside town centres are required to be assessed in both sequential and impact terms.

4.24 Policy 4.7B establishes a series of principles against which proposals for new retail and town centre development should be considered against. These include:

- The scale of retail, commercial, cultural and leisure development should be related to the size, role and function of a town centre and its catchment
- Retail, commercial, cultural and leisure development should be focused on sites within town centres, or if no in-centre sites are available, on sites on the edges of centres that are, or can be, well integrated with the existing centre and public transport
- Proposals for new, or extensions to existing, edge or out of centre development will be subject to an assessment of impact.

4.25 The impact test is the key to establishing the appropriateness of the scale of new retail and leisure development. The scale test is about protecting one centre against inappropriate scale development in another nearby location and/or centre, the consequences of which might alter the role and function of a given centre and its position within the classification of centres (Annex 2, London Plan).

4.26 Policy 4.8 requires local planning authorities to take a proactive approach to planning for retailing by:

- Bringing forward capacity for additional comparison goods retailing
- Support convenience retailing particularly in District, Neighbourhood and more local centres to secure sustainable patterns of provision and strong lifetime neighbourhoods
- Provide a policy framework for maintaining, managing and enhancing local shopping facilities and to develop policies to prevent the loss of retail and related facilities that provide essential convenience and specialist shopping
- Identify areas under served in local convenience shopping facilities and services

London Borough of Hammersmith and Fulham Core Strategy (2011)

4.27 Strategic Policy A of the Council's Core Strategy (Planning for regeneration and growth) states that the Council will focus and encourage major regeneration and growth in five key regeneration areas, one of which is the White City Opportunity Area, within which the application site is situated.

- 4.28 Core Strategy Strategic Policy B (Location of Employment Activities) contains strategic locational policy, which includes that:

“Substantial, office based development is encouraged in the White City Opportunity Area as part of a mixed use approach with residential, and there should be a particular focus on creative and bio-tech industries (see also policy for the wider White City Opportunity Area)” and that: “In other areas of the borough, land providing significant existing employment should normally continue to do so. Unused or underused employment land may be permitted to change to alternative appropriate uses including residential or mixed use if there is no clear benefit to the economy in continued employment use.”

- 4.29 Strategic Policy C concerns the hierarchy of town and local centres within the borough. The policy states:

“Within the borough the hierarchy of centres consists of three town centres, supported by 4 key local centres, 16 neighbourhood parades and 6 satellite parades (see Appendix 5 and Map 6). The council will work with the GLA and other stakeholders, such as Business Improvement Districts, to direct economic development to these centres and to sustain the vitality and viability of the hierarchy.

In particular:...

- Shepherd’s Bush town centre is designated as a metropolitan centre in the London Plan. The priority will be to strengthen the historic town centre by encouraging commercial and leisure based development and uses that will help regenerate town centre functions and link with the White City Opportunity Area;

Major leisure activities and major retail that cannot be located within the town centre may be appropriate north of Westfield on the edge of the existing town centre boundary; and there is potential to consider a northwards extension of the town centre. Regeneration of Shepherd’s Bush Common and the market will be important parts of the strategy for this centre.

(see also policy for the White City Opportunity Area);...

....In the major regeneration areas new shopping facilities of an appropriate scale will be required to provide for the day to day needs of people living and working in the area. Applications for all new shopping will be expected to meet the policies set out in Planning Policy Statement 4 Planning for Sustainable Economic Development or successor national planning policy. However, whatever national policy is in place, the council will be concerned that all proposals are of an acceptable scale and appropriate impact for the existing hierarchy....”

- 4.30 Core Strategy Policy LE1 (Local Economy and Employment) aims to ensure that accommodation is available for all sizes of business. It aims to retain

“premises capable of providing continued accommodation for local services or significant employment unless:

- 1. continued use would adversely impact on residential areas; or
- 2. an alternative use would give a demonstrably greater benefit that could not be provided on another site; or
- 3. it can be satisfactorily demonstrated that the property is no longer required for employment purposes; or
- 4. an alternative use would enable support for essential public services and is otherwise acceptable.”

4.31 This policy also aims to:

“support both existing and new initiatives that will encourage local employment, skills development and training opportunities.”

4.32 In relation to the White City Opportunity Area, the Core Strategy states the vision for this area as comprising

“a vibrant and creative place with a stimulating, high quality, accessible and inclusive environment where people will want to live, work, shop and spend their leisure time. Anchored by the BBC, Imperial College and one of London’s best retail offers in a reinvigorated metropolitan town centre, the area will provide a unique and distinctive quarter. Many other world leading, global creative media and entertainment businesses will be attracted to the area and will be a nationally known creative hub” (paragraph 7.2)

4.33 Policy WCOA incorporates the entire White City Opportunity Area including the application site and Shepherd’s Bush town centre. The policy states:

“The council will work with the GLA, other strategic partners, the local community and landowners to secure the comprehensive regeneration of the White City Opportunity Area (WCOA); and, to create a vibrant and creative place with a stimulating and high quality environment where people will want to live, work, shop and spend their leisure time... The regeneration of the WCOA will be focused on the development of White City East, partial development of the BBC TV Centre and encouraging the regeneration of the White City and adjacent estates. It will also involve improvements to, and developments within, the historic Shepherd’s Bush town centre, including a regenerated Market area that provides an enhanced focus and destination in the western part of the town centre. Major leisure activities and major retail that cannot be located within the town centre may be appropriate north of Westfield on the edge of the existing town centre boundary; and there is potential to consider a northwards extension of the town centre. The development of privately owner land in White City West and East will not be acceptable unless it contributes directly to regeneration of the whole of the north of the opportunity area;....and, in particular, to achieving a mixed and balanced community across the whole of that area”

4.34 Policy WCOA1 provides specific guidance relating to the development of land including parts of the undeveloped land at the BBC Media Centre (White City East). The policy states:

“There must be a comprehensive approach to the development of the area which provides high quality places for living and working that are well

integrated with, and respect the setting of, the surrounding area....all development must contribute to achieving the strategic policy for the opportunity area, especially in terms of directly contributing to the regeneration of the north of the Opportunity Area

The area should be redeveloped for a mix of housing, employment and community uses, establishing a creative industries hub, primary school, major leisure facilities, and a local centre with supporting uses (e.g. local shopping, restaurants and community facilities)."

London Borough of Hammersmith and Fulham (Development Management) Local Plan (2013)

4.35 Development Management Local Plan (2013) Policy DM B1 (Providing for a range of employment uses) states that

"The council will support proposals for new employment uses and the retention and intensification of existing employment uses in accordance with the locational policies in Core Strategy Strategic Policy B and borough wide policy LE1." The policy goes on to state that: *"When considering new proposals the council will also take into account:*

- *whether there will be displacement of other priority uses;*
- *whether the scale and nature of the development is appropriate, having regard in particular to local impact and public transport accessibility; and impact upon small business accommodation.*

Where the loss of employment use is proposed in line with borough-wide policy LE1 (sub para.3) the council will have regard to:

- *the suitability of the site or premises for continued employment use with or without adaptation;*
- *evidence of unsuccessful marketing;*
- *the need to avoid adverse impact on established clusters of employment use; and*
- *the need to ensure a sufficient stock of premises and sites to meet local need for a range of types of employment uses in appropriate locations."*

4.36 The policy concludes with:

"The mixed use enhancement of employment sites will be considered acceptable where these are under-utilised, subject to the satisfactory retention or replacement of employment uses in the scheme where this continues to be appropriate."

4.37 The DMLP also contains a limited number of policies against which new retail and other town centre uses are required to be assessed. Policy DM C1 promotes town centres for a range of retail activities to meet the needs of residents, workers and visitors.

White City Opportunity Area Planning Framework (2013)

- 4.38 The Council together with the Mayor of London have prepared a planning framework for the White City Opportunity Area. The White City Opportunity Area Planning Framework was adopted in October 2013. The Vision for White City includes (paragraph 1.13):

White City is a major centre for the BBC, acting as an anchor and attraction for a range of other creative, research and development and media businesses in the area. Despite recent moves to consolidate and rationalise its local land holdings, including the disposal of Woodlands and TV Centre, the BBC intends to maintain a key presence on their sites at the Media Village and to occupy a significant part of the refurbished/redeveloped TV Centre”

- 4.39 Paragraph 1.25 of the Framework makes reference to the then London Plan. In relation to creative industries, innovation and research, Table 2.1 of the London Plan identified White City as a ‘location with the potential to regenerate significant growth in the Media sector beyond the sub-regional level’. Furthermore, Figure 2.1 of the Framework identified the application site as part of a wider area suitable for housing, commercial, creative and academic uses as part of a mixed use area. Paragraph 2.10 identifies:

“White City East should be promoted as a hub for jobs in creative industries, innovation and education...high quality mixed use development will enable business interaction and provide opportunities for people to live, learn and work in the same area. The demand for new businesses, their workforce and the new housing areas will be a major stimulus for additional shops, leisure and service providers, spreading the regeneration benefits beyond the core development area”.

Land Uses

- 4.40 In considering the proposed loss of class B1 offices, officers have given due regard to London Plan Policy 4.3 (Mixed Use Development and Offices) which calls for mixed use development to support, consolidate and enhance the quality of the remaining office stock in areas such as the White City Opportunity Area. Both developments (in Applications 2 and 3) propose to introduce new A1/A3 and/or D2 uses to the location thereby ensuring that the wider site is a mixed use site. Core Strategy Strategic Policy B (Location of Employment Activities) provides further policy support for office and mixed use developments which are considered to be acceptable in the White City Opportunity Area. It is therefore important to assess the whether the net loss of Class B1 floorspace is acceptable following resulting loss of 2,021 sqm B1 Office space which results from the change of use of the ground floor (in WC1 Application 3). Officers have given due consideration to other relevant circumstances around the proposed transformation of land uses at White City Place to ascertain whether the resultant mix of uses would comply with policy.
- 4.41 There would be a maximum net loss of 2,021 m² existing B1 if the development in Application 3 was to be implemented in isolation, without Application 2. If the development within Application 2 was implemented simultaneously with Application 3 development, the maximum ‘worst case’ B1 net loss would be 255 m² if the proposed flexible uses are taken up by A and D uses. There would be

a minor gain in B1 of 99 m2 if the proposed flexible uses (in both applications) are occupied as B1.

- 4.42 Officers consider that these respective potential losses would need to be seen in light of the retention of the majority part of the building (which has an existing overall GIA of 48,197 m2 as B1 use. In addition, officers consider it is relevant to assess the full context of the land uses within the wider White City Place site, acknowledging that there are emerging proposals coming forward for additional office provision in the future on the Gateway Site. It can also be seen that there is the substantial retention of all B1 uses within existing BBC occupied buildings (Broadcast Centre and Energy Centre) and no substantial loss of B1 as part of the current refurbishment of the existing Media Centre and Garden House buildings. The applicant has recently engaged in pre-application discussions for the redevelopment of the land to the south of White City One and Media Centre 'the Gateway site' which is anticipated to provide significant new employment floorspace including Class B1 offices. The applicant has formally submitted a request for an Environmental Impact Assessment Scoping Opinion, which the Council is currently in the process of registering; it is likely that the Gateway site proposals will be brought forward in the near future.
- 4.43 In conclusion, although the proposed loss of 2,022 sqm of B1 Use comprises in WC1. Application 3 (Change of Use) is considered contrary to the broad emphasis of the above policies, which seek to protect employment floorspace. Notwithstanding this loss, in light of the emerging land uses including the provision of new class B1 uses in the Gateway site and the overall qualitative improvements to the office accommodation within WC1 proposed as part of Application 3 (and other buildings), it is considered the loss of B1 floorspace (as part of Application 3) is justifiable.
- 4.44 Notwithstanding the above, Application 2 proposes to off-set the loss of B1 floorspace by providing an additional 1,273 sqm Class B1 floorspace, plus potentially a further 230 sqm (of flexible B1/A1 floorspace) which eliminates the overall loss of B1. Officers consider that the proportion of B1 loss that would result from both proposed schemes would be minor and ultimately may not result in loss of employment provision, at the current site, if the Class A3/A1 and D2 uses are fully occupied.
- 4.45 Table 3.4 below provides an overview of the planning position (existing and approved/committed/proposed) concerning the use(s) of each building within White City Place, in order to illustrate the current and emerging context of the proposed developments of WC1 Applications 2 and 3.

Table 3.4: White City Place Existing and Proposed Development

	Existing (m2 GIA)			Proposed (m2 GIA)			Approximate timescale for delivery
	B1	A1, A3 or D2	Plant	Total	B1	A1, A3, D2 or B1	
BBC Broadcasting house	42,309	N/A	N/A	42,309	N/A	N/A	Still under lease to BBC Q1 2035
BBC Energy Centre	2,077	N/A	4,526	6,602	N/A	N/A	Still under lease to BBC Q1 2035
Lighthouse building	2,235	N/A	N/A	2,235	N/A	N/A	Still under lease to BBC Q1 2035
Garden House *	4,509	N/A	N/A	4,509	4,509	N/A	Q3 2016
Media Centre*	38,704	1,332	N/A	40,036	38,704	1,332	Q3 2016
White City One	48,197	N/A	N/A	48,197	47,449	2,143	Q3 2017
Sub-total	138,031	1,332	4,526	143,888	90,662	4,223	
Gateway (Pre-application scheme)	N/A	N/A	N/A	N/A	92,440**	3,455**	July 2016 planning application
Total	138,031	1,332	4,526	143,888	183,102	6,930	

* No uplift in floorspace or change of use compared to most recent occupation

**approximate figures that could be subject to change during further design development.

4.46 Core Strategy Strategic Policy B provides general guidance to encourage a mixture of land uses. The development of WC1 proposed in both applications provides a mix of uses rather than a B1 mono tenure, which is consistent with the strategic policy direction. Officers are also advised by the applicant that they will be targeting the building to tenants within the creative industries including media and digital technology. Policy B also requires the ongoing contribution of employment land to the local economy. In this respect, the proposed schemes combined could turn an unused B1 asset into a viable B1 asset once more, albeit with an inconsequential reduction in the proportion of B1 (across the overall site including the other BBC buildings). It is considered that the minor reduction in Class B1 floorspace would be substantially offset by the additional employment generating A1/A3 and D2 uses proposed in both applications. Both planning applications individually and cumulatively introduce additional A1/A3 and D2 land uses to WC1 which would comply with the requirement to deliver mixed use development in White City, in accordance with strategic policy B and policy WCOA of the Core Strategy.

4.47 Core Strategy Policy LE1 promotes the availability and diversity of business accommodation within the Borough. In particular, the policy calls for the

retention of significant employment uses. Notwithstanding the small reduction in Class B1 floorspace, the proposed developments in Applications 2 and 3, individually and combined, would facilitate the improvement of existing B1 office accommodation to meet modern demands of tenants and would deliver new A1/A3 and/or D2 uses that would be complementary to the wider site, in accordance with Strategic policies B and WCOA.. The applicant has not provided information to demonstrate how “existing and new initiatives that will encourage local employment, skills development and training opportunities” are to be incorporated as part of the proposals. However, it is considered that the proposals would provide the potential capacity for such initiatives to be accommodated, potentially by way of the s106 financial contributions and non-financial contributions that have been agreed by the applicant. In conclusion, it is considered that the development proposed in Applications 2 and 3 would combine to ensure compliance with Policy LE1 by protecting and diversifying business floorspace within the Borough, thereby maintaining its contribution to the local economy.

- 4.48 Policy DM B1 underpins the above policies, by providing specific requirements for the assessment of proposals, which are reviewed repeatedly below.

the suitability of the site or premises for continued employment use with or without adaptation;

- Officers consider that the proposals would enable the continued and enhanced employment use of the site (and the White City Place as a whole). The proposals in both applications provide relevant changes to the WC1 building to ensure that the site changes from a tailored specification for the previous occupant (BBC) to a modern and relevant offer for prospective tenants. Officers consider that these moves will support the site as a sustainable employment site going forward.

evidence of unsuccessful marketing;

- the redundant bespoke site was successfully marketed and sold to the applicant, who is currently seeking to implement a contemporary vision for the continued and enhanced employment use of the White City Place site as a whole. Therefore, Officers are of the view that evidence of unsuccessful marketing is not required in this case.

the need to avoid adverse impact on established clusters of employment use;

- Officers consider that the proposals would ensure that the subject property’s future use would be in general accordance with the Council’s vision for employment uses within the White City Opportunity Area.

the need to ensure a sufficient stock of premises and sites to meet local need for arrange of types of employment uses in appropriate locations:

- Officers consider that the proposed developments provide an important opportunity for the provision of a significant volume to add back into the local supply of premises and sites. The proposals combine to help

facilitate the refurbishment of WC1 which would create robust office spaces that can be easily sub-divided to create a range of unit sizes to suit various businesses and uses.

- 4.49 Officers consider that the land use proposals provided by both schemes is wholly within the spirit of Policy DM B1, which confirms that:

“The mixed use enhancement of employment sites will be considered acceptable where these are under-utilised, subject to the satisfactory retention or replacement of employment uses in the scheme where this continues to be appropriate.”

Land Uses: Proposed Retail (A1), Restaurant (A3) and Leisure (D2) Impact

- 4.50 The impacts of the proposed additional retail and commercial uses to create a mixed-use enhancement must be assessed against relevant policy and this follows in paras 4.51 – 4.58 of this report.

- 4.51 A Retail and Leisure Report has been submitted as part of the documents associated with the WC1 Application 3 (Ref: 2016/00420/FUL). This report provides details of the nature and design of the proposed retail and leisure offer, and a detailed analysis of the land uses incorporating planning policies and an impact assessment.

- 4.52 According to the report:

“The proposals will deliver high quality refurbished employment floorspace suitable for a range of businesses, in particular those operating within the creative industries sector. A range of supporting ancillary retail (Class A1) and leisure (Class A3 and D2) uses are proposed. These will predominately occupy floorspace situated at ground floor level. These facilities will directly serve the needs of the new businesses and their employees locating to White City Place. In addition, the proposed retail and leisure uses will be of benefit to other businesses located within the local area (both existing and proposed) and the local residential community. The proposed retail and leisure floorspace will comprise up to 4,754sqm GEA (maximum). This includes an allowance (+/-700sqm) to provide for the necessary flexibility regarding the use and size of units depending on the demand expressed and requirements of individual retail and leisure operators. It is envisaged that the proposed retail and leisure uses will be provided in the form of a range of cafe, coffee shops, restaurants, small convenience outlets, sandwich shops and a gym (depending upon demand expressed by operators).”

- 4.53 In terms of policy requirements for the proposed retail uses, an assessment of impact is not strictly applicable to such proposals that accord with an up to date allocation within the development plan and a main consideration would be the appropriateness of scale. However, in order to provide a robust assessment, the submitted retail and leisure report considers the proposals against the sequential, impact and scale tests based upon maximum floorspace thresholds. The following conclusions are drawn by the report:

“Specifically, LBHF and London Plan policies support the introduction of a range of retail, leisure and community uses to support employment led

schemes. The proposed Class A and D2 uses are consistent with the scale and nature of uses envisaged by the development plan. Indeed they are comparable to the types and nature of retail and leisure facilities which have been considered acceptable in relation to the redevelopment of other nearby sites located within the Opportunity Area including Television Centre

The proposals accord with an up to date development plan allocation and therefore do not need to be assessed in terms of the sequential approach to site selection. Indeed, even if the proposals are considered in sequential terms it is very clear that that only the application proposals can meet the need to secure the future re-use of WC1 and Media Centre buildings at the BBC Media Village. It cannot be achieved, for example, by locating new retail development elsewhere within Shepherd's Bush town centre. Nevertheless, the application site is well placed in terms of its links to the town centre including proximity to a major public transport hub (bus and underground services)

This report tests the proposed retail and leisure floorspace in terms of a worst case ie maximum floorspace consideration. Based upon a worst case assessment, the proposed quantum of Class A and D2 floorspace is in proportion with and complementary to the proposed refurbishment and re-use of Media Village as a new business community with a focus upon attracting businesses engaged within the creative industries consistent with the scale of development envisaged by the development plan. Importantly, the proposals will have no significant adverse effects upon the vitality and viability of Shepherd's Bush or any other town centre

The amount and nature of the proposed retail and leisure facilities is distinct from proposals elsewhere within Shepherd's Bush town centre. Consequently the proposals will have no discernible effect upon the centre. Neither will the proposals jeopardise any planned or committed development within the town centre. The proposals are both qualitatively and quantitatively different. The primary purpose of the retail and leisure uses is to support the re-use of the site for employment purposes in accordance with the aspirations of the development plan.

- 4.54 Upon studying the submitted Retail and Leisure report, Officers generally concur with its findings. Planning Policy Officers accordingly raise no objections to the proposals, on the basis that justification for the loss of business floorspace has been provided and the new commercial uses are justified under the Borough planning policies. Therefore, it is considered that the proposed land uses in both applications would result in sustainable additional retail and leisure development, in accordance with the relevant planning policies relating to the impacts of new retail and leisure development.
- 4.55 In conclusion, officers consider that the two application schemes are individually acceptable in land use terms, as the proposed loss of B1 offices and new land uses are considered to be justified. It is considered that the proposals individually and cumulatively would contribute significantly to the regeneration of White City Place and the White City Opportunity Area, by facilitating the substantial reuse of the currently vacant large scale B1 Office development within the White City One building and within White City Place, by creating complementary A1, A3 and D2

units and thereby relinquishing only a minor proportion of existing B1 floorspace. The resulting mixed use development is considered to meet the aspirations for re-use of redundant office development, as envisaged by: London Plan policies 2.13, 4.3; Core Strategy Strategic policies A and B, policies LE1 , WCOA and WCOA1, and; Development Management Local Plan (2013) policy DM B1.

- 4.56 It is considered that the newly created retail and leisure uses, in the context of both applications would not be harmful to the vitality and viability of established nearby town centres including Shepherd's Bush in accordance with London Plan (2015) policies 2.15, 4.6, 4.7 and 4.8, and Development Management Local Plan (2013) policy DM C1.
- 4.57 The proposals would create the potential for the involvement of local residents and businesses through employment, business supply chains and the option to take up accommodation within the building. It is also considered that the proposed developments will provide specific benefit to local residents and business through the potential allocation of a substantial financial contribution to relevant employment and training initiatives, and are therefore in accordance with Core Strategy Policy LE1.
- 4.58 For the above reasons, Officers consider that the principle of the development in both planning applications (i.e. the change of uses, provision of new uses and refurbishment of the existing uses) is considered to be acceptable, and would be in accordance with the land use policies set out in the NPPF, London Plan and Local Plan .

Design and Visual Impact

- 4.59 London Plan (2015) design policies 7.1, 7.2, 7.4, 7.6, and 7.7 promote high quality design of neighbourhoods and buildings. Local planning policies that relate to design standards include the Core Strategy (2011) policy BE1 and Development Management Local Plan (2013) policies DM G3 and G7 and Planning Guidance SPD Policies 47, 48, 49, 60, 61, 62 and 63.
- 4.60 In terms of heritage considerations, two Conservation Areas are located in close proximity to the subject property. These are the Old Oak & Wormholt CA and the Wood Lane CA. These heritage assets should be considered as part of the design and planning assessments. It is concluded that due to the relevant location of the proposed development in relation to the Old Oak & Wormholt CA, which involves intervening structures and a considerable distance, there is limited potential for the heritage assets to be impacted upon.

WC1 Application 2 (Ref: 2015/05922/FUL): Extensions and Refurbishment

- 4.61 The proposed alterations to the existing building in Application 2 and are set out in detail in paras 3.1 – 3.10. In summary, these comprise the four storey extension to the southern elevation infilling the existing main entrance of WC1, single storey extensions at ground, fourth and fifth floors and the creation of additional circulation areas within the existing building to facilitate the change of use of parts of the building. The proposals also include provision for a kiosk at podium level and various external alterations and associated works to the building structure.

- 4.62 The proposed application details has been assessed by the Council's Conservation and Design Officer who raises no objection to the development on the basis that appropriate planning conditions are secured. It is recommended that conditions are imposed to WC1 Application 2 that requires the detailed design of the elevations including typical details (scale 1:20) of the new external south façade including junctions with the existing facades and material specifications demonstrating that it would match existing materials, and materials to be submitted for approval.
- 4.63 The proposed extensions to the ground, fourth and fifth floors and the alterations to the internal courtyard, subject to Application 2 would not be seen from the public realm. It thereby follows that these components have limited potential to adversely impact upon the character and visual amenity of the local area. Notwithstanding this, it is considered that the proposed alterations to the internal facades of the building, including the extensions within the courtyard facing part of the building and the kiosk would be satisfactory in design terms. The proposed non-public realm facing elements of the proposal would ensure a consistent architectural approach is applied to the appearance and design of the building, in terms of materials, glazing and fenestration.
- 4.64 Officers consider that the parts of WC1 which are visible from the public realm, subject to external alteration and extensions as part of Application 2 would ensure that a uniform façade treatment which retains the harmonious composition of contrasting materials (i.e. glass and metal panelling) and without any discordant changes to the building's massing as seen from the public realm.
- 4.65 The proposed extension to the southern part of the building will remove the principal entrance to the building's B1 space, without replacing this access. Therefore, Officers consider that the resulting layout of the proposal scheme could compromise circulation of the building's principal use. In isolation, this is likely to be contrary to related policies, including the requirement in Policy BE1 for development that is attractive, durable, adaptable and accessible in order to achieve good sustainable and inclusive design. Notwithstanding these works, the accompanying development works in Application 3 would mitigate the loss of the southern façade. These proposals include the provision of new shopfronts that serve the ground floor uses on the western and southern building facades (also proposed in Application 3) and a new office entrance on the west façade of WC1. The new office entrance would provide a significant and generous foyer which would support the reconfigured offices. A combination of the developments would ensure the proposals would comply with policy BE1, and this would be secured by way of the s106 agreement ensuring the applicant commits to building out both developments at the same time.
- 4.66 Subject to conditions requiring the detailed design of the elevations and approval of materials, and the s106 requirement to ensure both application schemes are built out, it is considered that the proposed extensions and external alterations set out in WC1 Application 2 would be visually appropriate in context with the host WC1 building and would not be harmful to the character of the neighbourhood, the White City Place site or the nearby Old Oak & Wormholt and Wood Lane Conservation Areas.

- 4.67 The proposals (in isolation) include filling in the main office entrance on the southern elevation which simplifies the WC1 building elevations. The lack of a main entrance to the building is considered to undermine the overall legibility of the wider site when viewed from Wood Lane and from within White City Place. However, when the works associated with Application 2 are carried out alongside the proposed works to the ground floor facades, incorporating a new west facing office entrance, and numerous retail unit entrances associated with Application 3, the proposals are considered to be acceptable. It is considered that a section 106 agreement would require both applications to be carried out simultaneously.
- 4.68 Subject to conditions and a s106 obligations, it is considered that the proposed WC1 Application 2 development is sufficiently in accordance with London Plan (2015) policies 7.1, 7.2, 7.4, 7.6, and 7.7, Core Strategy (2011) policy BE1, Development Management Local Plan (2013) policies DM G3 and G7 and Planning Guidance SPD Policies 47, 48, 49, 60, 61, 62 and 63. In mitigation, the new office entrance and retail unit extensions proposed by WC1 application 3 would overcome the potential harm to occur if the works to the southern elevation are carried out (without the aforementioned ground floor alterations). A commitment to the simultaneous implementation of both applications is recommended to be secured via a legal agreement.

Application 3 (Ref: 2016/00420/FUL): Change of Use and External Alterations (New Shopfronts)

- 4.69 The proposed alterations to the existing building in Application 3 and are set out in detail in paras 3.11 – 3.22. In summary, these comprise external alterations to the northern, southern, eastern and western facades to create new shopfronts, replacement glazing at the fourth and fifth floor level to external elevations, external alterations to the courtyard elevations and alterations to louvres at roof level.
- 4.70 The applicant has clarified that new cladding panels will be installed to match the existing in terms of colour, sightlines, mullion detail and finish. Accordingly, drawing 1040_07_02_310 of WC1 Application 3 was updated. A condition is recommended for WC1 Application 3 in case planning permission would be granted, to submit shopfront details, for approval by the Local Planning Authority. Subject to the advised conditions to allow the detailed design of the shopfronts, including detailed sections to be submitted for approval, the Council's Conservation and Design Officer confirms no objections.
- 4.71 The proposed alterations to the internal courtyard elevations, subject to WC1 Application 3 would not be seen from the public realm. It thereby follows that these components have limited potential for harm to be caused to the character and visual amenity of the local area.
- 4.72 The building parts that are proposed to be changed and which are visible from the public realm principally comprise the external alterations to the ground floor facades to create new shopfronts and a new main office entrance facing the central space between WC1 and Media Centre. The proposed replacement glazing at fourth and fifth floor level would be visible and would enhance the corners of the building in a subtle manner. The proposed louvres are to be moved to the roof level and would be partially sighted, although their appearance

would be barely perceptible from the ground. The proposed shopfronts and office entrance comprise prominent changes that are considered to enhance the appearance of the building, while also resulting in a welcome degree of openness, which is considered to interact well with the public realm and to improve the general legibility of the site.

- 4.73 The proposals (in isolation) comprise a number of minor cosmetic enhancements to the building which would not alter its overall appearance to a significant degree. The ground floor office entrance and new retail unit entrances are considered to improve the legibility of the site and would create greater activity and visual permeability at the building edges. The proposed alterations to the ground floor will overcome the shortcomings of Application 2 which infills the existing southern entrance.
- 4.74 Subject to conditions, it is considered that the proposed WC1 Application 3 development is sufficiently in accordance with London Plan (2015) policies 7.1, 7.2, 7.4, 7.6, and 7.7, Core Strategy (2011) policy BE1, Development Management Local Plan (2013) policies DM G3 and G7 and Planning Guidance SPD Policies 47, 48, 49, 60, 61, 62 and 63.

Impact on the local highways network

- 4.75 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.
- 4.76 London Plan policy 2.8 (Outer London Transport) provides relevant general transport objectives.
- 4.77 Policy DM J2 (Vehicle Parking Standards) states that: *“The Council will require any proposed development (new build, conversion or change of use) to conform to its car parking standards”*. Retail requirement for PTAL5 development larger than 2,500m², is 38-25 m² of gross floorspace per parking space.
- 4.78 London Plan Table 6.2 provides quantitative and qualitative car parking standards, including the Blue badge parking standard for workplaces. This includes provision from the outset (one space for each disabled motorist employee and 5% of total parking capacity for visiting disabled motorists) and future provision (of 5% of total capacity). The quantitative standard for shopping and leisure is the same but has different percentages: 6% and 4% respectively.
- 4.79 DMLP Policy DM J4 (disabled Person's Parking (Blue Badge)) requires that:
- “Where there is delivery or other vehicle access to a development site, there should be at least one blue badge holder parking bay for hotel, retail, and leisure customers, and for students resident in student accommodation on that site and one employee or business visitor blue badge holder bay for mainly employment use developments.”*

- 4.80 Policy DM J5 (Increasing the opportunities for cycling and walking) contains the Council's measures to encourage increased bicycle use.
- 4.81 The applicant has submitted separate Transport Statements with each application.

WC1 Application 2

- 4.82 WC1 Application 2 proposes to reduce car parking from 203 to 180 spaces (excluding disabled spaces). The Highways Officer has commented that the reduction in car parking spaces is welcomed, but that the resultant provision falls short in terms of London Plan requirements for blue badge disabled car parking. There is no planning policy requirement for additional cycle parking and associated facilities for alterations and extensions to existing buildings, but the Transport Assessment confirms that the proposed schemes would include provision of 272 bicycle spaces and shower and changing facilities, which is considered to be beyond planning policy standards for new developments, which is therefore considered to be acceptable. The Highways Officer has also commented that the submitted documents for WC1 Application 2 do not reflect cycle parking requirements to meet policy DM J5. However, upon detailed verification, the above mentioned provision is considered to go beyond policy requirements. It is considered that the current proposed blue badge parking arrangements would not affect the principle of the proposed development, which is generally acceptable and would be capable of being updated in order to comply with the relevant blue badge parking requirements.
- 4.83 A condition to submit this information for approval is recommended in case planning permission would be granted.
- 4.84 The applicant's Transport Assessment for WC1 application 2 explains that the proposed extensions will generate a small uplift in trip generation, and that its impact will be off-set by the reduction in car parking, while the location's accessible public transport will be able to absorb the resultant slight increase in demand. Officers are in agreement with these conclusions.

WC1 Application 3

- 4.85 The applicant's Transport Assessment for WC1 application 3 explains that the change of use will generate a shift in trips: a slight reduction in office peak hour trips and a slight increase in off-peak trips to the site. Again, sustainable transport provision would mitigate these impacts.
- 4.86 The servicing of the proposed developments will be accommodated from the existing loading bays in front of the premises south elevation and to the north of the building. The Highways Officer has requested a detailed refuse and servicing plan for WC1 Application 3, which Officers recommend to be conditioned as part of any planning permission to be granted.

Summary

4.87 The Highways Officer raises no objections to the proposed development in either application, subject to the submission of further information as described above. In conclusion, Officers consider that, subject to the recommended conditions, the proposed developments in both Applications 2 and 3 are acceptable on their own merits, and cumulatively, which would not give rise to any harmful effects on the safe and efficient functioning of the local highways network. Therefore, the proposed developments would both be in accordance with the proposed development would not give rise to any harmful effects on the functioning of the local highways network and therefore, the proposed development would be in accordance with London Plan (2015) Policy 6.1 (Strategic Approach), Core Strategy (2011) policy T1, Development Management Local Plan (2013) Policies DM J1, DM J2, DM J4 and DM J5.

Inclusive Access

4.88 The applications have been considered in light of planning policy related to inclusive access, including: 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).

4.89 The applicant has submitted relevant details (for both application schemes) comprising the proposed internal layout of the building, location of external doorways and general circulation areas, and car parking details. In coming to a view on the accessibility issues, officers have considered how access to and from a development moving around the development and entering a development and getting use of facilities (including disabled toilets) is provided. As per the above assessment of highways impacts, the absence of information regarding blue badge parking arrangements can be resolved via a condition being imposed on Application 3.

4.90 The applicant's Design and Access Statement for WC1 Application 3 explains the need for changes to adjoining outside floor levels on the south-eastern corner. It is recommended that in case planning permission would be granted, a condition is added for the provision of level access for both applications. It is considered that the recommended conditions would ensure that the proposed developments are both individually and cumulatively in accordance 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).

Amenity of neighbouring occupiers and Environmental issues

4.91 London Plan Policy 7.1 (Lifetime Neighbourhoods) provides the over-arching vision for place making for communities, including the principle that should enable people to live healthy lives, and this principle follows through in policies that relate to associated environmental amenity matters, including: policy 7.14

(Improving Air Quality) and Policy 7.15 (Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes) of the London Plan.

4.92 Policy CC1 (Reduce Carbon Emissions and Resource Use and Adapt to Climate Change Impacts) and CC4 (Protecting and enhancing environmental quality) of the Core Strategy and DMLP policies DM H9 (Air Quality), H10 (Noise) and H11 (Light) are concerned with the protection of the amenity of occupiers of development sites and surrounding premises noise, particularly in relation to:

- Light spillage;
- Emissions (Air and Noise) from Extraction and Odour Control systems for non-domestic kitchens;
- External noise from lifts, machinery, extract/ ventilation ducting, mechanical gates, etc., and;
- Sound Insulation and Anti-vibration measures;

4.93 WC1 is surrounded by other existing offices at Media Centre, Broadcast House and Garden Houses on the White City Place site. It is also adjacent to the Gateway site which is planned for redevelopment. Officers consider that the proposals may each result in night time light spillage, noise and disturbance to neighbouring occupiers, who are most likely to be employees within White City Place, but possibly also residents at the facing Wood Lane Estate to the south across South Africa Road. The Council's Public Protection and Safety Officer has advised a number of conditions and informatives to prevent harm to the amenity of residential and office occupants of nearby buildings. Subject to the imposition of conditions (on both applications), the Public Protection and Safety Officer raises no objections to the developments subject to conditions for both planning applications, in relation to all the four bullet pointed environmental matters above. Officers have reviewed these conditions and have made some amendments in line with the proposed land uses. E.g. Officers would recommend that standard restrictions on opening hours and some air quality and noise mitigation design measures should be conditioned as part of any planning permission to be granted, while some of the suggested conditions from the Public Protection and Safety Officer would be relevant to light industrial uses. Officers consider that these conditions would provide ample mitigation to protect environmental amenity, in line with policies 7.1, 7.14 and 7.15 of the London Plan (2015), policy CC1 of the Core Strategy (2011), and policies DM H9, H10 and H11 of the Development Management Local Plan.

4.94 Planning policy in relation to the risks concerning contaminated land are contained in Policy 5.21 (Contaminated Land) of The London Plan (2015), policy CC4 (Protecting and enhancing environmental quality) of the Core Strategy (2011), and policy DM H7 (Contaminated Land) of the Development Management Local Plan (2013).

4.95 Given the site's history, potentially contaminative land uses are understood to have taken place on-site (past and present) and in the surrounding area. It is considered that the works required in both applications would be unlikely to result in any unacceptable risks to humans, controlled waters and the wider environment. Indeed, the Council's Contamination Officer has raised no objection but has advised the incorporation of an informative in relation to WC1

Application 2, which would involve groundworks to make the applicant aware of potential previous contaminative land uses at the site or nearby.

- 4.96 Therefore, Officers conclude that the proposed developments in both applications would be compliant with policy 5.21 of The London Plan (2015), policy CC4 of the Core Strategy (2011), and policy DM H7 of the Development Management Local Plan (2013) with regards to impacts on ground conditions.
- 4.97 In summary, it is considered that the proposed extensions and external alterations, in addition to the proposed changes of use to facilitate the comprehensive refurbishment of WC1 as set out individually and cumulatively in both planning applications would not harm the amenity of surrounding occupiers and site visitors. Subject to conditions, both proposals are therefore considered to be in accordance with the relevant planning policies that seek to protect amenity and minimise environmental impacts.

Recycling and Waste

- 4.98 Relevant planning policies for recycling and waste proposals are contained in the London Plan (2015) Policy 5.17 (Waste Capacity), Core Strategy (2011) Strategic Policy CC1 (Reduce Carbon Emissions and Resource Use and Adapt to Climate Change Impacts) and Strategic Policy CC3 (Waste Management), and DMLP Policy DM H5 (Sustainable Waste Management). These policies require that all development should minimise waste and provide convenient facilities with adequate capacity to enable the occupiers to separate, store and recycle their waste.
- 4.99 Comprehensive details of refuse and recycling facilities have not been provided for change of use WC1 Application 3 which would normally be required given the refuse generation and storage requirements may be different for the new land uses. A condition is recommended in case planning permission would be granted, which would ensure that a waste plan should be submitted for follow-up approval. With this condition in place, Officers consider that the proposed development set out in WC1 Application 3 would comply with London Plan policy 5.17, CC1 of the Core Strategy, and DMLP Policy DM H5. The same condition is required for Application 2 in light of the new A1/A3 or D2 use provided at the southern side of the building.

Sustainability/Renewable Energy

- 4.100 Sustainable Development lies at the heart of the NPPF, and both the London Plan and Borough planning policies are underpinned by policies to promote sustainable development. 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.
- 4.101 Both application schemes each contribute to the delivery of sustainable development by virtue of the following specific measures:

- The building maximises the re-use of an existing building, which is connected to the district heating system of White City Place
- Sustainable Re-use of the Building rather than New-build
- Business and Employment Economic Development
- The environmental performance of the proposed windows
- Benefits for the local community
- Management of environmental amenity
- Sustainable Transport (reduction in car parking provision and increase in bicycle parking and associated facilities)

4.102 Both proposals have 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 and developer obligations also enforce associated objectives for sustainable development, in order that both developments are implemented 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).

Safety and Security

4.103 There are a number of relevant planning policies for development that concern safety and security. London Plan Policy 7.13 (Safety and resilience to emergency), Policy 7.3 (Designing out Crime), Core Strategy BE1 (Built Environment), DMLP Policy DM G1 (Design of new build).

4.104 The proposed development in both applications incorporates a number of elements that have a bearing on safety and security. These include the removal and replacement of the existing main entrance and reception area (Application 2) and the installation of shopfronts with respective entrances from public areas (Application 3). The applicant has not submitted any specific details regarding both the proposed development schemes' safety and security design features and management arrangements. Such features and arrangements are considered to contribute to better resilience against criminal and hostile acts to potential local targets, and these details are recommended to be required via a planning condition in case planning permission would be granted, for both developments.

4.105 Officers considered that, subject to such a condition, both application schemes would be acceptable with regards to minimising the potential for crime and anti-social behaviour, and would be in accordance with: London Plan Policy 7.13 (Safety and resilience to emergency), Policy 7.3 (Designing out Crime), Core Strategy BE1 (Built Environment), DMLP Policy DM G1 (Design of new build).

5. EQUALITIES IMPACT

- 5.1 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.
- 5.2 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).
- 5.3 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.
- 5.4 It is considered that the principal matters in relation to the equality impact of the application schemes concern the accessibility of the proposed developments and the provision of suitable facilities within them. Officers consider that suitable access to the enhanced offices and retail facilities has been provided in both developments. These matters have been assessed at sections 4.88 – 4.90 of this report, leading to a recommendation for the submission of further relevant details regarding the level access requirement for the proposed retail unit on the south-east corner, for assessment by the Local Planning Authority.
- 5.5 It is recognised that the type of office provision (potentially hi-tech/media based) would exclude certain groups with the following particular characteristics from being able to fully access the buildings. As such, the predominant type of employment envisaged may not be accessible to people with more manual skills or who are unskilled. Officers consider that the s106 package has the potential to mitigate these impacts by prioritising employment and skills training aimed at local residents.
- 5.6 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.

6. PLANNING OBLIGATIONS / CIL

- 6.1 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.

- 6.2 The Community Infrastructure Levy Regulations - CIL Regulations (2010) set out a number of tests including that: a planning obligation must be necessary to make the proposed development acceptable in planning terms, directly related to the proposed development, fairly related in scale and kind to it and reasonable in all other respects. Negotiations should seek a contribution towards the full cost of all such provision that is fairly and reasonably related in scale and in kind to the proposed development and its impact on the wider area.
- 6.3 The National Planning Policy Framework provides guidance for local planning authorities in considering the use of planning obligations. It states that authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations and that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. It adds that where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development from being stalled.
- 6.4 Policy 8.2 of the London Plan states that: "When considering planning applications of strategic importance, the Mayor will take into account, among other issues including economic viability of each development concerned, the existence and content of planning obligations. Development proposals should address strategic as well as local priorities in planning obligations. Affordable housing and other public transport improvements should be given the highest importance". It goes on to state: "Importance should also be given to tackling climate change, learning and skills, health facilities and services, childcare provisions and the provision of small shops."
- 6.5 Core Strategy policy CF1 requires that new development makes contributions towards or provides for the resulting increased demand for community facilities. The proposed site is located within the White City Opportunity Area, and officers have sought a consistent level of s106 contributions for all development schemes in this area. The significant component to the development is for the provision of new commercial and enhanced office floorspace. The WCOAPF outlines the need for contributions in the area to go towards the local and strategic transport infrastructure and social infrastructure needs that may arise due to the resulting development pressures. Major transport interventions are required to facilitate sustainable regeneration of the area, which is currently constrained by the existing highway and public transport network.
- 6.6 In the context of the above, Chapter 9 of the Core Strategy states that the Council will implement the policies and proposals of the Core Strategy and seek to ensure that the necessary infrastructure is secured to support regeneration by, inter alia, negotiating s.106 obligations.
- 6.7 A Section 106 Agreement is proposed in order to secure the necessary infrastructure to mitigate the needs of the proposed development and ensure the proposal is in accordance with the statutory development plan.

- 6.8 In accordance with the CIL Regulations 122, Section 106 of the Town and Country Planning Act 1990 (As Amended) the applicant has agreed to enter into a legal agreement(s). The Legal Agreement will include financial contributions towards social, physical and economic infrastructure within the White City Opportunity Area which could include a significant contribution towards employment and training provisions, improvements to public transport, additional measures to deliver further, travel plans and employment and training initiatives. The contribution would be secured to enable any necessary infrastructure to be delivered within the vicinity of the site which is needed to accommodate the level of growth sought within the White City Opportunity Area, one of the five Regeneration Areas in the Borough. Officers have consulted with the various departments in the Council to confirm the individual requirements for this scheme. Non-financial contributions are also sought to mitigate the impacts of the development and to make the development acceptable in planning terms.
- 6.9 As such, the applicant has agreed to provide a total s106 package of approximately £250,000.

Heads of Terms

- 6.10 The proposed legal agreement would incorporate the following heads of terms.
- Obligation to implement both application proposal schemes simultaneously (in order to ensure that the predominant B1 areas of White City One are adequately accessible via a main entrance), and;
 - A £250,000.00 financial contribution from the Applicant (to be expended to benefit local economic development at White City One, Media Centre, The Garden House and the Gateway sites and public areas in between, within White City Place).
 - Requirement to commit to local employment generating initiatives, including training schemes, local procurement, business engagement and events aimed at attracting creative sector based companies to the area;
 - Local Training and Employment.

Mayoral CIL

- 6.11 The Mayoral CIL payment amount will be £107,150.00, based on the proposed 2,143 m² GIA additional floorspace multiplied by the £50.00 charge per square metre.

7. SUMMARY AND RECOMMENDATIONS: WC1 APPLICATION 2

1. Principle of Development

- 7.1 The principle of the development, which mainly comprises extensions and facade modifications to the various parts of the building is considered to be acceptable. The proposals would facilitate the comprehensive refurbishment and repurposing of the building to provide new and additional high quality office floorspace to suit the needs of a range of office occupiers in addition to modifications to the ground floor layout that facilitates the provision of new flexible retail (Class A1)/restaurant (Class A3) and leisure (Class D2) uses. The proposals as approved in this application (ref: 2015/05922/FUL) have been designed to be

carried out in parallel with the works to the ground floor and building facades proposed within the concurrent planning application ref: 2016/00420/FUL, that is approved alongside this application. A s106 obligation is necessary to ensure both applications are implemented concurrently, to avoid compromising the internal layout and hierarchy of the building elevations. It is considered that the proposed development would make a contribution towards increasing the variety of mixed uses within the wider White City Place site and the White City Opportunity Area in accordance with Strategic Policy B and Core Strategy policies WCOA and LE1 and DM Local Plan policy DM B1.

2. Retail Impacts

- 7.2 It is considered that the newly created retail and leisure uses, including their cumulative impacts alongside the proposed land uses included with the accompanying planning application (ref: 2016/00420/FUL), would not be harmful to the vitality and viability of established nearby town centres including Shepherd's Bush in accordance with London Plan (2015) policies 2.15, 4.6, 4.7 and 4.8, and Development Management Local Plan (2013) policy DM C1.

3. Visual Impact/Design

- 7.3 Subject to conditions requiring the detailed design of the extended southern building facade and approval of materials, and the s106 requirement to ensure the development subject to this application (2015/05922/FUL) is carried out in parallel with the approved development subject to ref: 2016/00420/FUL, it is considered that the proposed extensions and external alterations set out in the application would be visually appropriate in context with the host WC1 building and would not be harmful to the character of the neighbourhood, White City Place or the nearby Old Oak & Wormholt and Wood Lane Conservation Areas, in accordance with London Plan (2015) policies 7.1, 7.2, 7.4, 7.6, and 7.7, Core Strategy (2011) policy BE1, Development Management Local Plan (2013) policies DM G3 and G7 and Planning Guidance SPD Policies 47, 48, 49, 60, 61, 62 and 63.

4. Amenity

- 7.4 Subject to conditions, it is considered that the proposed development would not result in un-neighbourly impacts to the detriment of the amenity of nearby residential occupiers, office workers and visitors of the site in accordance with policies 7.1, 7.14 and 7.15 of the London Plan (2015), policies BE1 and CC1 of the Core Strategy (2011), and policies DM H9, H10 and H11 of the Development Management Local Plan.

5. Highways

- 7.5 Subject to the recommended conditions, the proposed development would not give rise to any harmful effects on the functioning of the local highways network and therefore, the proposed development would be in accordance with London Plan (2015) Policy 6.1 (Strategic Approach), Core Strategy (2011) policy T1, Development Management Local Plan (2013) Policies DM J1, DM J2, DM J4 and DM J5.

6. Inclusive Access

- 7.6 Subject to a condition that secures level accesses to the building, it is considered that the development would provide a safe and secure environment for all users. The development is therefore considered to be acceptable in accordance with Policies 3.8, 6.12 and 7.2 of the London Plan (2015)), policy H3 of the Core Strategy 2011 and policy DM H4 of the Development Management Local Plan 2013 and the Council's "Planning Guidance" Supplementary Planning Document.

7. Legal Agreement:

- 7.7 The application proposes that its impacts are mitigated by way of planning obligations which would ensure the proposed development works specified in this application (ref: 2015/05922/FUL) are carried out in parallel with the works set out in the concurrent planning application at White City One (ref:2016/00420/FUL) which comprises linked external and internal works to the building, which combine to facilitate the comprehensive refurbishment and repurposing of the building. It is also considered that the cumulative impacts from both developments necessitates the need for the agreed financial contribution towards infrastructure improvements within the vicinity of the development site that are necessary as a consequence of the increased use arising from the new land uses and the enlarged host building. The financial contributions will go towards the enhanced provision of education, health, employment, community facilities, accessibility and sustainable transport, highways (including pedestrian and cycle routes) and the public realm. The proposed development, including its combined cumulative impacts would therefore be mitigated in accordance with London Plan (2015) policy 8.2, Core Strategy Policies CF1, WCOA and WCOA1 and the White City Opportunity Area Planning Framework (2013).
- 7.8 **Recommendation 1: Application Ref: 2015/05922/FUL (WC1 Application 2): Grant planning permission subject to conditions and legal agreement**

8. SUMMARY AND RECOMMENDATIONS: WC1 APPLICATION 3

1. Principle of Development

- 8.1 The principle of the proposed change of use of the ground floor to introduce retail (Class A1)/restaurant (Class A3) and leisure (Class D2) uses within White City One (which comprises an employment site) is considered to be acceptable as the proposals would make an important contribution towards increasing the variety of mixed uses within the wider White City Place site and the White City Opportunity Area, thereby enhancing the vitality of the site in accordance with Strategic Policy B and Core Strategy policies WCOA and LE1 and DM Local Plan policy DM B1 . It is considered that the newly created retail and leisure uses, including their cumulative impacts if carried out alongside the land uses specified in the concurrent planning application (ref: 2015/05922/FUL) would not be harmful to the vitality and viability of established nearby town centres including Shepherd's Bush in accordance with London Plan (2015) policies 2.15, 4.6, 4.7 and 4.8, and Development Management Local Plan (2013) policy DM C1.

2. Loss of Class B1 Employment Generating Floorspace

- 8.2 The proposed change of use to create Class A3 (restaurant/cafe) and flexible Class A1/B1 uses would result in the loss of Class B1 (Business) floorspace which officers consider on balance, to be acceptable, in light of the proposed refurbishment and modernisation of the out-dated-office accommodation within White City One, and the provision of replacement employment generating A1/A3 and D2 floorspace within the building. The proposed development would therefore be in accordance with Strategic Policy B and Core Strategy policies WCOA and LE1 and DM Local Plan policy DM B1.

3. Visual Impact/Design

- 8.3 Subject to conditions requiring the detailed design of the elevations, shopfronts and approval of materials, and the s106 requirement to ensure the development subject to this application (ref: 2016/00420/FUL) is carried out in parallel with the approved development subject to ref: 2015/05922/FUL, it is considered that the proposed extensions and external alterations set out in the application would be visually appropriate in context with the host WC1 building and would not be harmful to the character of the neighbourhood, White City Place or the nearby Old Oak & Wormholt and Wood Lane Conservation Areas, in accordance with London Plan (2015) policies 7.1, 7.2, 7.4, 7.6, and 7.7, Core Strategy (2011) policy BE1, Development Management Local Plan (2013) policies DM G3 and G7 and Planning Guidance SPD Policies 47, 48, 49, 60, 61, 62 and 63.

4. Amenity

- 8.4 Subject to conditions, it is considered that the proposed development would not result in un-neighbourly impacts to the detriment of the amenity of nearby residential occupiers, office workers and visitors of the site in accordance with policies 7.1, 7.14 and 7.15 of the London Plan (2015), policies BE1 and CC1 of the Core Strategy (2011), and policies DM H9, H10 and H11 of the Development Management Local Plan.

5. Highways

- 8.5 Subject to the recommended conditions, it is considered that the proposed development would not give rise to any harmful effects on the functioning of the local highways network and therefore, the proposed development would be in accordance with London Plan (2015) Policy 6.1 (Strategic Approach), Core Strategy (2011) policy T1, Development Management Local Plan (2013) Policies DM J1, DM J2, DM J4 and DM J5.

6. Inclusive Access

- 8.6 Subject to a condition that secures level access to the building, it is considered that the development, including the provision of new ground floor shopfronts would provide a safe and secure environment for all users. The development is therefore considered to be acceptable in accordance with Policies 3.8, 6.12 and 7.2 of the London Plan (2015)), policy H3 of the Core Strategy 2011 and policy DM H4 of the Development Management Local Plan 2013 and the Council's "Planning Guidance" Supplementary Planning Document.

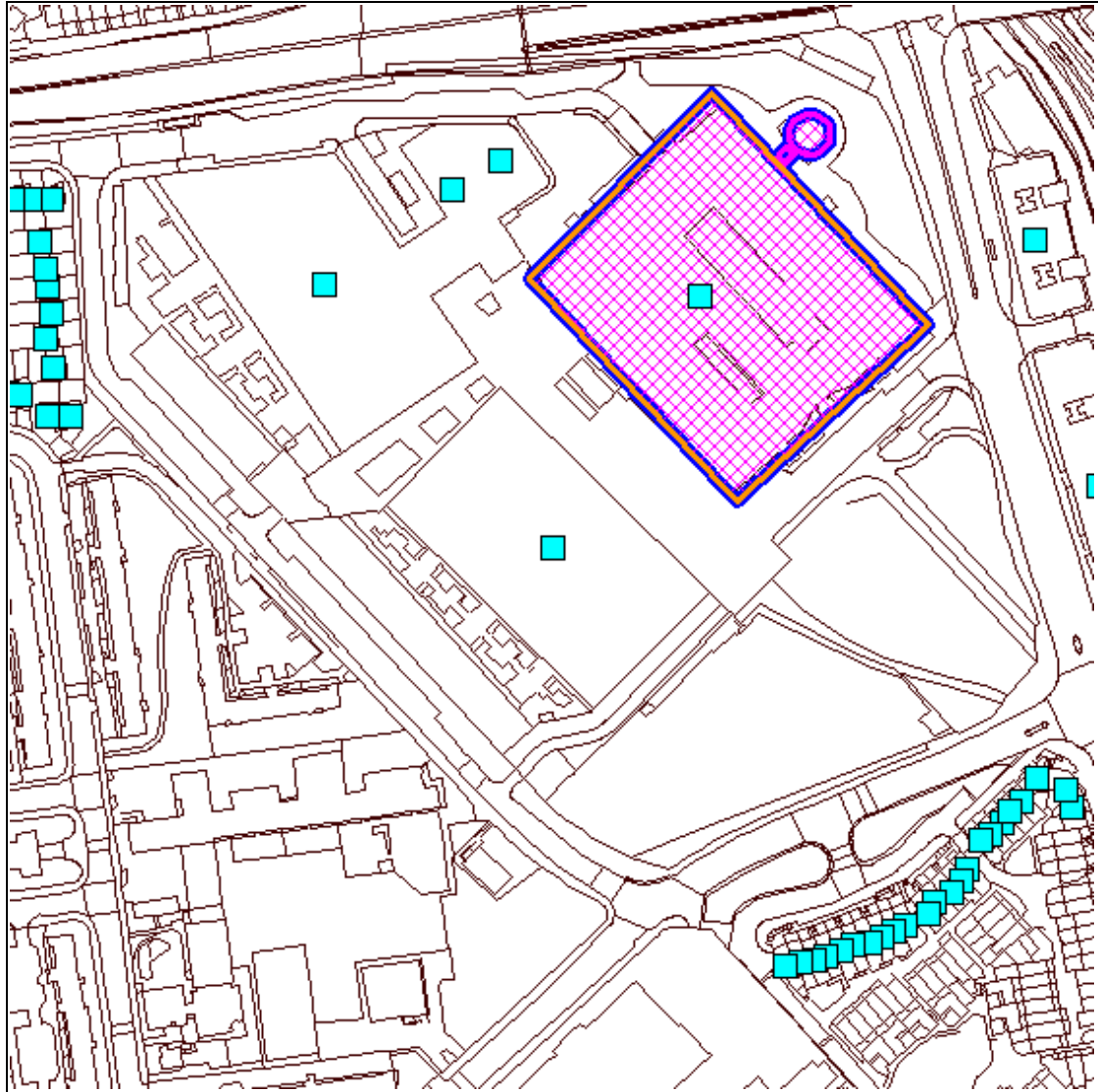
7. Legal Agreement

- 8.7 The application proposes that its impacts are mitigated by way of planning obligations which would ensure the proposed development works specified in this application (ref: 2016/00420/FUL) are carried out in parallel with the works set out in the concurrent planning application at White City One (ref: 2015/05922/FUL) which comprises linked external and internal works to the building, which combine to facilitate the comprehensive refurbishment and repurposing of the building. It is also considered that the cumulative impacts from both developments necessitates the need for the agreed financial contribution towards infrastructure improvements within the vicinity of the development site that are necessary as a consequence of the increased use arising from the new land uses and the enlarged host building. The financial contributions will go towards the enhanced provision of education, health, employment, community facilities, accessibility and sustainable transport, highways (including pedestrian and cycle routes) and the public realm . The proposed development, including its combined cumulative impacts would therefore be mitigated in accordance with London Plan (2015) policy 8.2, Core Strategy Policies CF1, WCOA and WCOA1 and the White City Opportunity Area Planning Framework (2013).
- 8.8 **Recommendation 2: Application Ref: 2016/00420/FUL (WC1 Application 3): Grant planning permission, subject to conditions and legal agreement**

Ward: College Park And Old Oak

Site Address:

White City One Media Village Wood Lane London W12



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For identification purposes only - do not scale.

Reg. No:
2016/00420/FUL

Case Officer:
Justin Booij

Date Valid:
29.02.2016

Conservation Area:

Committee Date:
08.06.2016

Applicant:

Whitewood Media Village GP Limited And Whitewood Media Vi...
C/O Agent

Description:

Change of use of 2,021m2 Use Class B1 (Business) at ground floor, to: 1,897m2 Use Class A3 (Restaurants and Cafes), and 124m2 of flexible Class A1 (Shops) and/or B1 (Business) use; external alterations along the northern, southern, western and eastern elevations at ground floor to create new shopfronts; replacement glazing at fourth and fifth floor level to external elevations; alterations to the northern, western and southern eastern facing external elevations of the inner courtyard, alterations to louvres at roof level and associated works

Drg Nos:

Location Plan	1040_07_03_001 P1
Ground Floor Plan Existing	1040_07_03_100 P1
Ground Floor Plan Proposed	1040_07_03_120 P2
Fourth Floor Plan Existing	1040_07_03_104 P1
Fourth Floor Plan Proposed	1040_07_03_114 P2
Fifth Floor Plan Existing	1040_07_03_105 P1
Fifth Floor Plan Proposed	1040_07_03_115 P2
Sixth Floor Plan Existing	1040_07_03_106 P1
Sixth Floor Plan Proposed	1040_07_03_116 P2
Kiosk Proposed	1040_07_03_308 P1
South Elevation Existing	1040_07_03_300 P1
South Elevation Proposed	1040_07_03_310 P2
West Elevation Existing	1040_07_03_301 P1
West Elevation Proposed	1040_07_03_311 P2
North Elevation Existing	1040_07_03_302 P1
North Elevation Proposed	1040_07_03_312 P2
East Elevation Existing	1040_07_03_303 P1
East Elevation Proposed	1040_07_03_313 P2
South Facing Courtyard Elevation Existing	1040_07_03_304 P1
South Facing Courtyard Elevation Proposed	1040_07_03_314 P2
West Facing Courtyard Elevation Existing	1040_07_03_305 P1
Wes Facing Courtyard Elevation Proposed	1040_07_03_315 P2
North Facing Courtyard Elevation Existing	1040_07_03_306 P1
North Facing Courtyard Elevation Proposed	1040_07_03_316 P2
Plant room Elevation	1040_07_03_406 P2

Application Type:

Full Detailed Planning Application

Officer Recommendation:

That the Committee resolve that the Executive Director of Transport and Technical Services 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 hereby permitted shall not commence later than the expiration of 3 years beginning with the date of this planning permission.

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

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

Drawings:

Location Plan	1040_07_03_001 P1
Ground Floor Plan Existing	1040_07_03_100 P1
Ground Floor Plan Proposed	1040_07_03_120 P2
Fourth Floor Plan Existing	1040_07_03_104 P1
Fourth Floor Plan Proposed	1040_07_03_114 P2
Fifth Floor Plan Existing	1040_07_03_105 P1
Fifth Floor Plan Proposed	1040_07_03_115 P2
Sixth Floor Plan Existing	1040_07_03_106 P1
Sixth Floor Plan Proposed	1040_07_03_116 P2
Kiosk Proposed	1040_07_03_308 P1
South Elevation Existing	1040_07_03_300 P1
South Elevation Proposed	1040_07_03_310 P2
West Elevation Existing	1040_07_03_301 P1
West Elevation Proposed	1040_07_03_311 P2
North Elevation Existing	1040_07_03_302 P1
North Elevation Proposed	1040_07_03_312 P2
East Elevation Existing	1040_07_03_303 P1
East Elevation Proposed	1040_07_03_313 P2
South Facing Courtyard Elevation Existing	1040_07_03_304 P1
South Facing Courtyard Elevation Proposed	1040_07_03_314 P2
West Facing Courtyard Elevation Existing	1040_07_03_305 P1
Wes Facing Courtyard Elevation Proposed	1040_07_03_315 P2
North Facing Courtyard Elevation Existing	1040_07_03_306 P1
North Facing Courtyard Elevation Proposed	1040_07_03_316 P2
Plant room Elevation	1040_07_03_406 P2

- Allies and Morisson - Design & Access Statement (February 2016)
- Vectos - Transport Statement (February 2016)
- RPS - Retail and Leisure Report (December 2015)
- Area Schedule

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).

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

- sections, materials and finishes of the approved louvres at roof level
- section and elevation details (1:20) of the proposed shopfronts

The proposed development shall not be used or occupied prior to the implementation of the approved details.

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 occupation of the development hereby permitted, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- Sub-division of A1, A3 and B1 Class areas

The proposed development shall not be used or occupied prior to the implementation of the approved details.

To ensure that, the development hereby approved would contribute to the availability of accommodation for all sizes of business including small and medium sized enterprises, in accordance with Core Strategy (2011) Strategic Policy LE1 (Local Economy and Employment).

- 5) Prior to the occupation of the relevant unit within the development hereby permitted, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- Detailed Refuse Plan

The proposed development shall not be used or occupied prior to the implementation of the approved details.

To ensure that the development hereby approved would not undermine the efficient and safe operation of the local highways network in accordance with London Plan (2015) Policy 6.1 (Strategic Approach), Core Strategy (2011) policy T1 (Transport), Development Management Local Plan (2013) Policies DM J1 (Transport Assessments and Travel Plans).

- 6) Prior to the occupation of the relevant unit within the development hereby permitted, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- Detailed Servicing Plan

The proposed development shall not be used or occupied prior to the implementation of the approved details.

To ensure that the proposed development provides adequate facilities for storage and collection of waste and recycling, in accordance with London Plan (2015) Policy 5.17 (Waste Capacity), Core Strategy (2011) Strategic Policy CC1 (Reduce Carbon Emissions and Resource Use and Adapt to Climate Change Impacts), and DMLP Policy DM H5 (Sustainable Waste Management).

- 7) The ground floor entrance doors to all publicly accessible parts of the building and integral lift/stair cores shall not be less than 1 metre wide and the thresholds shall

be at the same level to the path/approach fronting the entrances to ensure level access.

In order to ensure the development provides ease of access for all users, in accordance with Policy 3.1 and 7.2 of the London Plan (2015), and the Council's adopted supplementary planning document.

- 8) With regards to the allocated 124 sqm ground level floorspace as shown on plan 1040_07_03_120 P2:

Notwithstanding the information in the approved drawings and subject to the provisions within the relevant conditions set out in this planning permission, the following land uses are permitted within the specified floorspace:

- Class A1 (Retail) or
- Class B1 (Business)

As set out in Class E, Part 3, schedule 2 of the General Permitted Development Order 1995 or the provisions of the relevant class/part at the time of implementation, this permission benefits from a period during which changes of use of the above specified floorspace between uses A1 and B1 as set out in the description of development may take place without the need for further planning permissions. This flexibility is for a period of ten years from the date of the approval.

To ensure the uses are compatible with the adjoining land uses, within the White City Opportunity Area and to ensure that the amenity of occupiers residing in surrounding residential properties would be safeguarded in accordance with policies WCOA, WCOA1 and BE1 of the Core Strategy (2011) and policies DM B1, DM C4, DM C6, DM D1, DM D2 and DM A9 of the DM Local Plan (2013) and the White City Opportunity Area Planning Framework (2013).

- 9) The Class A1/A3 (retail) uses hereby permitted shall operate only between 07:00 hours and 23:00 hours, on weekdays, and between 07:00 hours and 23:00 hours on Saturdays and on 07:00 hours to 18:00 hours on Sundays and Bank Holidays.

To ensure that the amenities of surrounding occupiers are not unduly affected by noise and other disturbance, in accordance with policy CC4 of the Core Strategy 2011 and policy DM H9 of the Development Management Local Plan (2013).

- 10) Neither music nor loud voices emitted from the development shall be audible at any noise sensitive premises within the vicinity of the development.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, in accordance with policy DM H9 of the Development Management Local Plan (2013).

- 11) Prior to occupation of the relevant part of the development, details of suitable façade glazing/external membrane, lighting periods within premises and mitigation measures to minimise light trespass, glare and sky glow from internally transmitted or reflected artificial light shall be submitted to and approved in writing by the Council. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by lighting, in accordance with Policies DM H10 and H11 of the Development Management Local Plan.

- 12) Prior to commencement of the relevant use at the relevant unit, details shall be submitted to and approved in writing by the Council, of the installation, operation, and maintenance of the odour abatement equipment and extract system, including the height of the extract duct and vertical discharge outlet, in accordance with the 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' January 2005 by DEFRA. Approved details shall be implemented prior to the commencement of the use at the relevant unit and thereafter be permanently retained.

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

- 13) Prior to the commencement of the relevant part of the development hereby permitted, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- safety and security design features and management arrangements.

The proposed development shall not be used or occupied prior to the implementation of the approved details.

To ensure that the development has adequately minimised the potential for crime and anti-social behaviour, in accordance with: London Plan Policy 7.13 (Safety and resilience to emergency), Policy 7.3 (Designing out Crime), Core Strategy BE1 (Built Environment), DMLP Policy DM G1 (Design of new build).

Justification for Approving the Application:

- 1) 1. Principle of Development

The principle of the proposed change of use of the ground floor to introduce retail (Class A1)/restaurant (Class A3) and leisure (Class D2) uses within White City One (which comprises an employment site) is considered to be acceptable as the proposals would make an important contribution towards increasing the variety of mixed uses within the wider White City Place site and the White City Opportunity Area, thereby enhancing the vitality of the site in accordance with Strategic Policy B and Core Strategy policies WCOA and LE1 and DM Local Plan policy DM B1 . It is considered that the newly created retail and leisure uses, including their cumulative impacts if carried out alongside the land uses specified in the concurrent planning application (ref: 2015/05922/FUL) would not be harmful to the vitality and viability of established nearby town centres including Shepherd's Bush in accordance with London Plan (2015) policies 2.15, 4.6, 4.7 and 4.8, and Development Management Local Plan (2013) policy DM C1.

2. Loss of Class B1 Employment Generating Floorspace

The proposed change of use to create Class A3 (restaurant/cafe) and flexible Class A1/B1 uses would result in the loss of Class B1 (Business) floorspace which officers consider on balance, to be acceptable, in light of the proposed

refurbishment and modernisation of the out-dated-office accommodation within White City One, and the provision of replacement employment generating A1/A3 and D2 floorspace within the building. The proposed development would therefore be in accordance with Strategic Policy B and Core Strategy policies WCOA and LE1 and DM Local Plan policy DM B1.

3. Visual Impact/Design

Subject to conditions requiring the detailed design of the elevations, shopfronts and approval of materials, and the s106 requirement to ensure the development subject to this application (ref: 2016/00420/FUL) is carried out in parallel with the approved development subject to ref: 2015/05922/FUL, it is considered that the proposed extensions and external alterations set out in the application would be visually appropriate in context with the host WC1 building and would not be harmful to the character of the neighbourhood, White City Place or the nearby Old Oak & Wormholt and Wood Lane Conservation Areas, in accordance with London Plan (2015) policies 7.1, 7.2, 7.4, 7.6, and 7.7, Core Strategy (2011) policy BE1, Development Management Local Plan (2013) policies DM G3 and G7 and Planning Guidance SPD Policies 47, 48, 49, 60, 61, 62 and 63.

4. Amenity

Subject to conditions, it is considered that the proposed development would not result in un-neighbourly impacts to the detriment of the amenity of nearby residential occupiers, office workers and visitors of the site in accordance with policies 7.1, 7.14 and 7.15 of the London Plan (2015), policies BE1 and CC1 of the Core Strategy (2011), and policies DM H9, H10 and H11 of the Development Management Local Plan.

5. Highways

Subject to the recommended conditions, the proposed development would not give rise to any harmful effects on the functioning of the local highways network and therefore, the proposed development would be in accordance with London Plan (2015) Policy 6.1 (Strategic Approach), Core Strategy (2011) policy T1, Development Management Local Plan (2013) Policies DM J1, DM J2, DM J4 and DM J5.

6. Inclusive Access

Subject to a condition that secures level access to the building, it is considered that the development, including the provision of new ground floor shopfronts would provide a safe and secure environment for all users. The development is therefore considered to be acceptable in accordance with Policies 3.8, 6.12 and 7.2 of the London Plan (2015)), policy H3 of the Core Strategy 2011 and policy DM H4 of the Development Management Local Plan 2013 and the Council's "Planning Guidance" Supplementary Planning Document.

7. Legal Agreement: The application proposes that its impacts are mitigated by way of planning obligations which would ensure the proposed development works specified in this application (ref: 2016/00420/FUL) are carried out in parallel with the works set out in the concurrent planning application at White City One (ref: 2015/05922/FUL) which comprises linked external and internal works to the building, which combine to facilitate the comprehensive refurbishment and repurposing of the building. It is also considered that the cumulative impacts from both developments necessitates the need for the agreed financial contribution towards infrastructure improvements within the vicinity of the development site that

are necessary as a consequence of the increased use arising from the new land uses and the enlarged host building. The financial contributions will go towards the enhanced provision of education, health, employment, community facilities, accessibility and sustainable transport, highways (including pedestrian and cycle routes) and the public realm. The proposed development, including its combined cumulative impacts would therefore be mitigated in accordance with London Plan (2015) policy 8.2, Core Strategy Policies CF1, WCOA and WCOA1 and the White City Opportunity Area Planning Framework (2013).

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

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

Application form received: 29th January 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:

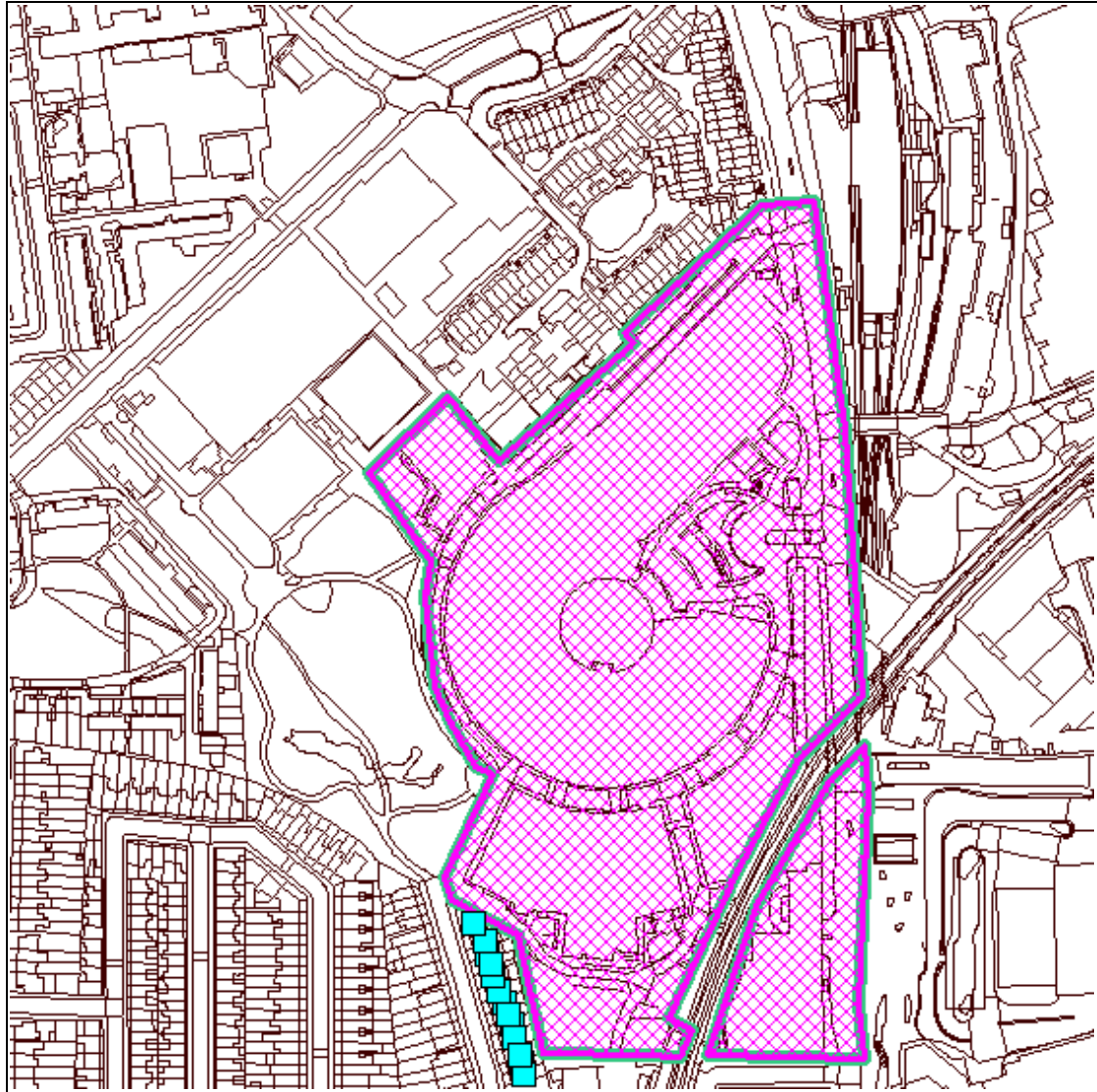
Dated:

Please refer to Application 2015/05922FUL for Joint Officer's Report

Ward: Shepherd's Bush Green

Site Address:

Former BBC Television Centre Wood Lane London W12



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For identification purposes only - do not scale.

Reg. No:
2016/01373/VAR

Case Officer:
Neil Button

Date Valid:
25.03.2016

Conservation Area:
Wood Lane Conservation Area - Number 42

Committee Date:
08.06.2016

Applicant:

Stanhope Plc
C/O Agent

Description:

Variation of conditions 3,4,8 & 97 of planning permission 2015/02646/VAR 10.12.15 for Demolition of parts of former BBC Television Centre, associated buildings & structures (including boundary walls) to facilitate comprehensive phased redevelopment of site to provide up to 943 residential units with range of land uses. Planning permission is sought in detail for works to the main building comprising erection of new 10 storey Class B1 (office) building to replace Stages 4-5 incorporating private members club (sui generis), cinema (Class D2) & restaurant (Class A3), extensions at roof level, ground & basement levels, refurbishment of facades & change of use of parts of the retained building to provide Use Class D2 (gym & spa), C1 (hotel); C3 (residential); A1 (shops); A2 (financial & professional services) & A3 (café/restaurants); erection of new 8-10 storey outer ring building replacing Studios 4-8 including provision of up to 941 sqm Class B1 (new BBC offices) next to Studio 3, erection of new 6-9 storey office building with ground floor café (Class A3) to replace the canteen block, erection of new 3-9 storey building replacing former drama block to provide residential use (Class C3) & redevelopment of East Tower to comprise erection of 25-storey building & 3-storey pavilion building to provide residential accommodation (up to 17,670 sqm) with provision of up to 1,843 sqm flexible ground floor uses (Classes A1/A3/A4 or B1); provision of car, cycle & motorcycle parking, hard & soft landscaping within new public forecourt & Helios courtyard, new shared pedestrian & vehicular routes, installation of new plant machinery & other structures. Planning permission is sought (with all matters reserved) for the erection of buildings on the multi storey car park site & land rear of the Drama block ranging from 3-10 storeys to provide Class C3 residential; flexible A1-A4 or B1 uses; provision of car parking; hard & soft landscaping; alterations to vehicular & pedestrian routes & access

Drg Nos: See Condition no. 3

Application Type:

Vary or Delete Conditions Full/Outline

Officer Recommendation:

That the Committee resolve that the Executive Director of Transport and Technical Services 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) (i) In respect of Plots F and H within Development Area 2 only, approval of the proposed access, appearance, landscaping, layout and scale of development shall be obtained from the Council in writing before the relevant development works in Plots F or H Development Area 2 (excluding any Enabling Works) are commenced.

- (ii) In respect of Plot G1 only, approval of the proposed layout of development shall be obtained from the Council in writing before the relevant development works in Plot G1 (excluding any Enabling Works) are commenced

Reason: To comply with the Town and Country Planning (Development Management Procedure) Order 2010 (as amended).

- 2) i) Development Plots (within Development Area 1) A, B, C, D and G2 shall be begun not later than 5 years from the date of the original permission (2nd April 2015);
- ii) Development Plot E (within Development Area 2) shall be begun not later than 7 years from the date of the original permission (2nd April 2015);
- iii) Application(s) for the approval of the Reserved Matters in respect of Development Plots F, G1 or H specified by condition 1(ii) shall be made to the Council before the expiration of 10 years from the date of the original permission (2nd April 2015). Development of any Development Plot within Development Area 2 shall be begun before the expiration of 2 years from the date of approval of the last of the relevant Reserved Matters to be approved pursuant to condition 1(i) or (ii).

Reason: To comply with section 92 of the Town and Country Planning Act 1990 (as amended). Extended time periods for which the planning permission can be implemented is given in light of the exceptional circumstances relevant to the ownership of the site and to the development.

- 3) The planning permission relating to the detailed components of the development hereby permitted (ie: those parts that are not to be subject to reserved matters) shall not be constructed unless in accordance with the approved drawings marked.

Application Area Plans

11066_M_(00)_100 P10, 11066_M_(00)_101 P10, 11066_M_(00)_102 P10,
11066_M_(00)_103 P10, 11066_M_(00)_104 P10, 11066_M_(00)_183
11066_M_(00)_106 P10, 11066_M_(00)_180 P10, 11066_M_(00)_181 P10

Parameters Plans

11066_M_(00)_107 P10, 11066_M_(00)_108 P10, 11066_M_(00)_109 P11,
11066_M_(00)_110 P11, 11066_M_(00)_111 P11, 11066_M_(00)_115 P10
11066_M_(00)_116 P10, 11066_M_(00)_117 P10, 11066_M_(00)_119 P11,
11066_M_(00)_120 P10, 11066_M_(00)_121 P10, 11066_M_(00)_125 P11,
11066_M_(00)_126 P10, 11066_M_(00)_128 P10, 11066_M_(00)_130 P10,
11066_M_(00)_131 P11, 11066_M_(00)_132 P11, 11066_M_(00)_133 P10

Proposed Plans and Bay Studies Plots A, B + C

11066_ABC_(00)_128 P12, 11066_ABC_(00)_129 P12,
11066_ABC_(00)_130 P14, 11066_ABC_(00)_131 P15,
11066_ABC_(00)_132 P14, 11066_ABC_(00)_133 P13,
11066_ABC_(00)_134 P13, 11066_ABC_(00)_135 P13,
11066_ABC_(00)_136 P13, 11066_ABC_(00)_137 P13,
11066_ABC_(00)_138 P13, 11066_ABC_(00)_139 P13,
11066_ABC_(00)_140 P13, 11066_ABC_(00)_141 P13,
11066_ABC_(00)_142 P12, 11066_ABC_(00)_211 P15,
11066_ABC_(00)_212 P13, 11066_ABC_(00)_213 P14,
11066_ABC_(00)_311 P15, 11066_ABC_(00)_312 P13,
11066_ABC_(00)_611 P12, 11066_ABC_(00)_612 P12,

11066_ABC_(00)_613 P13, 11066_ABC_(00)_614 P12,
11066_ABC_(00)_615 P11,
11066_ABC_(00)_617 P11, 11066_ABC_(00)_618 P11,
11066_ABC_(00)_619 P11.

Elevation Studies Plots A + B

11066_ABC_(00)_658 P13, 11066_ABC_(00)_659 P12,
11066_ABC_(00)_660 P11, 11066_ABC_(00)_661 P11,
11066_ABC_(00)_662 P11, 11066_ABC_(00)_663 P11,
11066_ABC_(00)_664 P11, 11066_ABC_(00)_665 P10,
11066_ABC_(00)_666 P10, 11066_ABC_(00)_667 P10,
11066_ABC_(00)_668 P11, 11066_ABC_(00)_669 P13,
11066_ABC_(00)_670 P13, 11066_ABC_(00)_671 P13,
11066_ABC_(00)_675 P13

Demolition Plans Plots A, B + C

11066_ABC_(00)_148 P11, 11066_ABC_(00)_149 P11,
11066_ABC_(00)_150 P13, 11066_ABC_(00)_151 P12,
11066_ABC_(00)_152 P12, 11066_ABC_(00)_153 P12,
11066_ABC_(00)_154 P12, 11066_ABC_(00)_155 P12,
11066_ABC_(00)_156 P11, 11066_ABC_(00)_157 P11,
11066_ABC_(00)_158 P11, 11066_ABC_(00)_159 P11,
11066_ABC_(00)_221 P12, 11066_ABC_(00)_222 P10,
11066_ABC_(00)_223 P12 11066_ABC_(00)_321 P13,
11066_ABC_(00)_322 P11

Elevation Studies Plot B

11066_B_(21)_6000 P02, 11066_B_(21)_6001 P02,
11066_B_(21)_6002 P01, 11066_B_(21)_6010 P02,
11066_B_(21)_6011 P02, 11066_B_(31)_2000 P03,
11066_B_(31)_2001 P02, 11066_B_(31)_2010 P01,
11066_B_(31)_2011 P01, 11066_B_(31)_2022 P03,
11066_B_(31)_4000 P02, 11066_B_(31)_4001 P02,
11066_B_(31)_4002 P01, 11066_B_(31)_4003 P01,
11066_B_(31)_4004 P01, 11066_B_(31)_4005 P01,
11066_B_(31)_4006 P01

Plot D Proposed Plans

A208 100 P03, A208 101 P03, A208 102 P04, A208 103 P04
A208 104 P03, A208 105 P03, A208 106 P03,
A208 107 P03, A208 108 P03, A208 109 P03,
A208 110 P03, A208 111 P03, A208 112 P03,
A208 01-201 P04, A208 01-202 P03, A208 01-203 P04,
A208 01 204 P04, A208 01-301 P03, A208 01-302 P03

Plot E Proposed Plans

356-LB-208 P03, 356-LLG-209 P03, 356-L00-210 P03
356-L01-211 P03, 356-L02-212 P03, 356-L03-213 P03
356-L07-217 P03, 356-L08-218 P03, 356-RF-219 P02
356-SEC-305 P01, 356-ELE-400 P02, 356-ELE-401 P02
356-ELE-402 P01, 356-ELE-403 P01, 356-ELE-404 P02

356-ELE-450 P01, 356-ELE-451 P01, 356-ELE-452 P01
356-ELE-453 P01

Plot G. Proposed Plans

11066_G_(00)_129 P13, 11066_G_(00)_130 P13, 11066_G_(00)_131 P12,
11066_G_(00)_139 P12, 11066_G_(00)_140 P12, 11066_G_(00)_211 P12,
11066_G_(00)_212 P12, 11066_G_(00)_311 P12, 11066_G_(00)_312 P12,
11066_G_(00)_625 P10, 11066_G_(00)_626 P10

Plot G2 Detailed Plans

11066_G2_SK_1203, 11066_G2_SK_1204, 11066_G2_SK_1205,
11066_G2_SK_1206, 11066_G2_SK_1207, 11066_G2_SK_1208

ARP-TVC-C-100-02 and ARP-TVC-C-200 02

Landscaping and Trees

OX4947-05-111 P02, OX4947-05-112 P02,
OX4947-05-113 P02, OX4947-05-114 P02,
OX4947-05-115 P02, OX4947-05-116 P02
OX4947-05-117 P02

Detailed Landscaping (Plot G2 and forecourt area)

TVC-GI-X-XX-GA-L-1009 D1, TVC-GI-X-XX-GA-L-1011 D1,
TVC-GI-X-XX-GA-L-1012 D1, TVC-GI-X-XX-GA-L-1100 D1,
TVC-GI-X-XX-GA-L-1101 D1, TVC-GI-X-XX-GA-L-1102 D1,
TVC-GI-X-XX-GA-L-1103 D1, TVC-GI-X-XX-GA-L-4001 D1,
TVC-GI-X-XX-GA-L-4002 D1, TVC-GI-X-XX-SP-L-1000 D1,
TVC-GI-X-XX-SE-L-2000 D1, TVC-GI-X-XX-SE-L-2001 D1,
TVC-GI-X-XX-SE-L-2002 D1, TVC-GI-X-XX-SE-L-2003 D1,
TVC-GI-X-XX-SE-L-2000 D1, TVC-GI-X-XX-LG-L-1010 D1,
TVC-GI-X-XX-DT-L-3020 D1, TVC-GI-X-XX-DT-L-3021 D1,
TVC-GI-X-XX-DT-L-3022 D1, TVC-GI-X-XX-DT-L-3023 D1,
TVC-GI-X-XX-DT-L-3024 D1, TVC-GI-X-XX-DT-L-3025 D1,
TVC-GI-X-XX-DT-L-3026 D1, TVC-GI-X-XX-DT-L-3027 D1,
TVC-GI-X-XX-DT-L-3028 D1, TVC-GI-X-XX-DT-L-3029 D1,
TVC-GI-X-XX-DT-L-3030 D1, TVC-GI-X-XX-DT-L-3031 D1,
TVC-GI-X-XX-DT-L-3032 D1, TVC-GI-X-XX-DT-L-3033 D1,
TVC-GI-X-XX-DT-L-3034 D1, TVC-GI-X-XX-DT-L-3035 D1,
TVC-GI-X-XX-DT-L-3037 D1, TVC-GI-X-XX-DT-L-3038 D1,
TVC-GI-X-XX-DT-L-3039 D1, TVC-GI-X-XX-DT-L-3041 D1,
TVC-GI-X-XX-DT-L-3045 D1, TVC-GI-X-XX-DT-L-3100 D1,
TVC-GI-X-XX-DT-L-3101 D1, TVC-GI-X-XX-DT-L-3103 D1,
TVC-GI-X-XX-DT-L-3104 D1, TVC-GI-X-XX-DT-L-3106 D1,
TVC-GI-X-XX-DT-L-3107 D1, TVC-GI-X-XX-DT-L-3108 D1,
TVC-GI-X-XX-DT-L-3201 D1, TVC-GI-X-XX-DT-L-3202 D1,
TVC-GI-X-XX-DT-L-3203 D1, TVC-GI-X-XX-DT-L-3205 D1,
TVC-GI-X-XX-DT-L-3206 D1, TVC-GI-X-XX-DT-L-3210 D1,
TVC-GI-X-XX-DT-L-3211 D1, TVC-GI-X-XX-DT-L-3212 D1,
TVC-GI-X-XX-DT-L-3213 D1, TVC-GI-X-XX-DT-L-3214 D1,
TVC-GI-X-XX-DT-L-3215 D1, TVC-GI-X-XX-DT-L-3216 D1,
TVC-GI-X-XX-DT-L-3217 D1, TVC-GI-X-XX-DT-L-3218 D1,
TVC-GI-X-XX-DT-L-3219 D1, TVC-GI-X-XX-DT-L-3220 D1,

TVC-GI-X-XX-DT-L-3221 D1, TVC-GI-X-XX-DT-L-3222 D1,
TVC-GI-X-XX-DT-L-3223 D1, TVC-GI-X-XX-DT-L-3224 D1,
TVC-GI-X-XX-DT-L-3225 D1, TVC-GI-X-XX-DT-L-3226 D1,
TVC-GI-X-XX-DT-L-3229 D1, TVC-GI-X-XX-DT-L-3230 D1,
TVC-GI-X-XX-DT-L-3400 D1, TVC-GI-X-XX-DT-L-3401 D1,
TVC-GI-X-XX-DT-L-3402 D1, TVC-GI-X-XX-DT-L-3403 D1,
TVC-GI-X-XX-DT-L-3406 D1, TVC-GI-X-XX-DT-L-3407 D1,
TVC-GI-X-XX-DT-L-3408 D1, TVC-GI-X-XX-DT-L-3411 D1,
TVC-GI-X-XX-DT-L-3412 D1, TVC-GI-X-XX-DT-L-4100 D1,
TVC-GI-X-XX-DT-L-4101 D1, TVC-GI-X-XX-DT-L-4102 D1,
TVC-GI-X-XX-DT-L-4103 D1, TVC-GI-X-XX-DT-L-4104 D1,
TVC-GI-X-XX-DT-L-4105 D1, TVC-GI-X-XX-DT-L-4106 D1,
TVC-GI-X-XX-DT-L-4107 D1

Plot A Detailed Plans

11066_A_(00)_2000 E, 11066_A_(00)_2010 E,
11066_A_(00)_2020 C, 11066_A_(00)_2030 A,
11066_A_(00)_2040 A, 11066_A_(00)_3000 E,
11066_A_(00)_3010 D, 11066_A_(00)_3020 E,
11066_A_(00)_3030 E, 11066_A_(00)_3040 B,
11066_A_(00)_3300 A, 11066_A_(00)_3500 A,
11066_A_(00)_3510 A, 11066_A_(21)_2011 A,
11066_A_(21)_2025 A, 11066_A_(21)_2040 A,
11066_A_(21)_4000 E, 11066_A_(21)_4001 D,
11066_A_(21)_4002, 11066_A_(21)_4003,
11066_A_(21)_4010 D, 11066_A_(21)_4012 B,
11066_A_(21)_4020 D, 11066_A_(21)_4031 B,
11066_A_(21)_4035 A, 11066_A_(21)_4040 C,
11066_A_(21)_4041 B, 11066_A_(21)_4042 B,
11066_A_(21)_4044 A, 11066_A_(21)_4050 A

Plot B Detailed Plans

11066_B_(00)_2000 E, 11066_B_(00)_2001 H,
11066_B_(00)_2010 B, 11066_B_(00)_2011 C,
11066_B_(00)_2020 F, 11066_B_(00)_2021 F,
11066_B_(00)_2022 F, 11066_B_(00)_2023 C,
11066_B_(21)_3020, 11066_B_(21)_3021,
11066_B_(21)_3022 C, 11066_B_(21)_3023 C,
11066_B_(21)_3024 C, 11066_B_(21)_3025,
11066_B_(21)_3026 B, 11066_B_(21)_3027 B,
11066_B_(21)_4000 D, 11066_B_(21)_4001 E,
11066_B_(21)_4002 D, 11066_B_(21)_4003 D,
11066_B_(21)_4020, 11066_B_(21)_4021,
11066_B_(21)_4030 E, 11066_B_(21)_4031 D,
11066_B_(21)_4100 B, 11066_B_(21)_4101,
11066_B_(21)_4103 B, 11066_B_(21)_4104,
11066_B_(21)_4110, 11066_B_(21)_4111

Plot C Detailed Plans

11066_C_(00)_2002 C, 11066_C_(00)_2003 C,
11066_C_(00)_2004 C, 11066_C_(00)_2005 C.
11066_C_(00)_2006 A, 11066_C_(00) 3002 C,
11066_C_(00) 3003 C, 11066_C_(00) 3004 C,
11066_C_(00) 3005 C, 11066_C_(00) 3006 C,
11066_C_(00) 3007 C, 11066_C_(21)_3010,
11066_C_(21)_3011, 11066_C_(21)_4000,
11066_C_(21)_4001 E, 11066_C_(21)_4002 B
11066_C_(21)_4004, 11066_C_(21)_4005,
11066_C_(21)_4006, 11066_C_(21)_4010,
11066_C_(21)_4011, 11066_C_(21)_4012,
11066_C_(21)_4013, 11066_C_(21)_4020,
11066_C_(21)_4021, 11066_C_(21)_4022

Plots A, B and C Technical Reference Sheets: 11066_M_SP_TRS

Enabling Works (Infrastructure Phase 3)

TVC-AR-X-XX-DR-C-4152 08, TVC-AR-X-XX-DR-C-4144 01,
TVC-AR-X-XX-DR-C-4140 01, TVC-AR-X-XX-DR-C-4103 07,
TVC-AR-X-XX-DR-C-4150 08, TVC-AR-X-XX-DR-C-4503 07

Plot D Hoarding

11066_M_SK_1165, DR0010 Rev 01, DR0009 Rev 01

Drop Off Bays

TVC-GI-X-XX-DR-L-100 Rev D1

11066_M_SC_Materials Schedule Condition 10 rev A

Plot B Forecourt Facade 11066_B_SK 1152, 11066_B_SK 1153 and
11066_B_SK_1181

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 policy BE1 of the Core Strategy 2011 and policies DM G1, DM G2, DM G3, DM G6, DM G7 of the Development Management Local Plan 2013 and White City Opportunity Area Planning Framework (2013).

- 4) All reserved matters applications shall include a statement to demonstrate compliance with the parameters plans the principles and parameters set out in the Revised Parameters Report prepared by Gerald Eve (dated March 2016) , Design Guidelines (for Plots F and H) prepared by Alford Hall Monaghan Morris (dated March 2016) and the Public Realm Design Codes prepared by Gillespies (dated March 2016) or other such versions that are subsequently agreed in writing with the Local Planning Authority.

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 master planning, in accordance with policies 7.1, 7.2, 7.3, 7.47.5, 7.6, 7.7, 7.8, 7.9, 7.18, 7.19 and 7.21 of the London Plan (2015) , policies A, BE1, WCOA and WCOA1 of the Core Strategy and policies DM G1, DM G2, DM G6 and DM G7 of the Development Management Local Plan 2013 and White City Opportunity Area Planning Framework (2013).

- 5) Details of any demolition, ground or enabling works within the relevant Plot shall be submitted to the local planning authority and approved in writing, prior to the commencement of any demolition, ground or enabling works within that Plot. Details of the enabling works as discharged in connection with the previous planning permissions (including ref: 2013/02355/COMB, 2014/04720/VAR and ref: 2014/02531/COMB) or the planning permission (ref: 2015/02646/VAR) as varied by this permission shall be carried out in accordance with the approved plans and reports. Details of the enabling works in the forecourt area (Infrastructure Phase 3) shall be carried out in accordance with the approved Arup plans listed in Condition 3. All enabling works shall proceed in accordance with the approved details, unless otherwise agreed in writing by the local planning authority. Each set of works approved under this condition 5 for each Plot shall constitute a separate phase of the development authorised by this planning permission for the purposes of the Community Infrastructure Levy Regulations 2010 (as amended).

Reason: To ensure that the development accords with the provisions and assessment of the approved Environmental Statement and to ensure that the development is carried out in a satisfactory manner in accordance with policies BE1 and CC4 of the Core Strategy 2011.

- 6) (i) The development within Development Area 1 shall be carried out in accordance with the approved phasing programme (ref: PC_006 Rev D), prepared by Mace, provided with this application, unless otherwise agreed in writing by the local planning authority.

(ii) The development within Development Area 2 shall be carried out in accordance with the approved Phasing Programme for Plot E (ref: PC_001 Rev B) prepared by Mace, dated 26th January 2016 (ref: 2015/05837/DET) unless otherwise agreed in writing by the local planning authority.

(iii) Prior to commencement of the remaining parts of Development Area 2 hereby approved (save for any approved Enabling Works), a phasing programme for Development Area 2 which includes the details of construction, completion and occupation of each plot within the relevant Development Area 2 shall be submitted to, and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the approved phasing strategy unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure that the development accords with the provisions and assessment of the approved Environmental Statement and to ensure that the development is carried out in a satisfactory manner in accordance with policies BE1 and CC4 of the Core Strategy 2011.

- 7) The total number of residential units (Class C3) hereby approved shall not exceed 943 units.

Reason: To ensure the development carried out does not exceed the cumulative maximum approved and to ensure the quantum of floor space keeps within the parameters assessed pursuant to the EIA in relation to the development in accordance with policies 3.3, 3.4, 3.7, 3.8, 3.9, 3.10, 3.11, 3.12, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8 and 7.9 of the London Plan (2015), policies BE1, WCOA and WCOA 1 of the London Borough of Hammersmith and Fulham Core Strategy (2011) and policies DM G1, DM G2, DM G3, DM G6, DM G7, DM A1, DM A2 and DM A3 of the Development Management Local Plan 2013 and White City Opportunity Area Planning Framework (2013).

- 8) The total gross external floorspace (GEA) areas of the development comprising the land uses hereby approved shall not exceed the following:

(a) An overall gross maximum floor space of all the development, including parking, servicing, energy centre and plant and storage that shall not exceed 206,503 square metres GEA; and

(b) Overall gross maximum floor space (excluding car park and energy centre) by land use, notwithstanding the provisions of the Town and Country Planning (Use Classes Order 1987) (as amended) or (General Permitted development) Order 1995 (as amended) or any subsequent act, shall not exceed the following:

- Hotel (C1): 2,147 sqm
- Residential (C3): 118,042 sqm
- Business (B1): 57,801 sqm
- Retail (A1): 1,960 sqm
- Retail (A3): 5,346 sqm
- Retail (A4): 2,684 sqm
- Leisure (D2): 3,890 sqm
- Private Members Club (Sui Generis): 3,433 sqm
- Flexible A3/D2 use: 253 sq m

(c) or such breakdown by Plot of the overall gross maximum floor space specified in (a) and (b) above as may be submitted to and approved by the Local Planning Authority

Reason: To ensure the development carried out does not exceed the cumulative maximum floor space, in accordance with the approved plans and to ensure a suitable mix and distribution of land uses within the development and to ensure the quantum of floor space keeps within the Parameters assessed pursuant to the EIA in relation to the development, in accordance with policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8 and 7.9 of the London Plan (2015), policies BE1, WCOA, WCOA 1 of the London Borough of Hammersmith and Fulham Core Strategy (2011) and policies DM G1, DM G2, DM G3, DM G6, DM G7, DM H9, DM D1, DM D2, DM C3, DM B1, DM B2 and DM B3 of the Development Management Local Plan 2013 and White City Opportunity Area Planning Framework (2013).

- 9) Within the outline development Plots F, G and H each residential unit shall meet or exceed the following space standards unless otherwise agreed in writing by the Council:

Dwelling Type (b=bedrooms, p = persons)	GIA (sq m)
Flats	
1p	37
1b, 2p	50
2b, 3p	61
2b, 4p	70
3b, 4p	74
3b, 5p	86
3b, 6p	95
4b, 5p	90
4b, 6p	99
2 storey houses	
3b, 4p	87
3b, 5p	96
4b, 5p	100
4b, 6p	107
3 storey houses	
4b, 5p	106
4b, 6p	113

To ensure adequate space standards for new residents, in accordance with policy 3.5 of the London Plan (2015).

- 10) (i) The development shall be carried out in accordance with the submitted materials for Plots A, B, C and G2 and accompanying materials schedule TVC Approved Materials for Plots A, B, C and G2 (October 2015 and March 2016) as detailed in the table below, comprising:

Plot A Brick, Mortar, sills, soffits, parapet coping, window frame

Plot B Brick, Mortar, Glazing, sills, soffits, parapet coping, window frame, backing panel, spandrel panels

Plot C Brick, Mortar, Glazing, sills, soffits, parapet coping, window frame, backing panel

Plot G2 Brick, Mortar, Anodized baguettes, Glazing, sills, soffits, parapet coping, window frames, backing panel

No part of these plots shall be used or occupied prior to the implementation of the approved materials.

(ii) For all plots (save for the approved materials listed above), prior to the commencement of the relevant part of each Plot, details and samples of materials, paint colours, stonework, brickwork and ceramic tiles including details of bond, colour, mortar mix and mortar colour to be used for that Plot or relevant part thereof on all external faces and roofs of the buildings shall be submitted to and approved in writing by the Local Planning Authority and no part of that Plot or relevant part thereof shall be used or occupied prior to the implementation of the approved details. Materials sample panels shall be erected onsite for the inspection by the Council's Conservation Officer prior to commencement of the

relevant part of the development. Each Plot or part thereof, of the development shall be carried out in accordance with such details as have been approved.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with 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) (i) The development of Plots A, B, C and G2 shall be carried out in accordance with the approved detailed drawings, as listed in condition 3.

(ii) The development of the relevant part of all other Plots shall not commence before the details including detailed drawings in plan, section and elevation at 1:20 for that Plot, or relevant part thereof to show details of any proposed cladding, fenestration, glazing, balconies and winter gardens have been submitted and approved in writing by the Local Planning Authority. The development of each Plot, or part thereof shall be carried out in accordance with the approved details.

To ensure a satisfactory external appearance, in accordance with policy BE1 of the Core Strategy 2011 and policy DM G1 and DM G7 of the Development Management Local Plan 2013.

- 12) (i) The programme of archaeological work shall be carried out in accordance with the Written Scheme of Investigation prepared by URS, as approved in writing by the Council (ref: 2015/02063/DET dated 2nd July 2015) unless otherwise agreed in writing by the local planning authority.

(ii) Save for the approved details in respect of Plots D, F and G2 (ref: 2015/05841/DET), no residential and/or commercial unit within each Plot shall be occupied until the site investigation and post investigation assessment has been completed in accordance with the relevant programme set out in the written scheme of investigation approved under part (i), and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

Heritage assets of archaeological interest may survive on the site. The planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development, in accordance with recommendations given by the borough and in NPPF, Chapter 12 in accordance with Policy 7.8 of the London Plan (2015), Policy BE1 of the London Borough of Hammersmith and Fulham Core Strategy (2011) and policy DM G7 of the DM Local Plan (2013).

- 13) (i) The paving, external hard surfaces, boundary walls, railings, gates, fences and other means of enclosure, including any sample materials within Development Area 1 (save for Plot D) shall be implemented in accordance with the approved drawings listed in Condition 3 and those approved under ref: 2015/05838/DET (dated XXXXXXX) and thereafter permanently retained as such.

(ii) Prior to occupation of Plot C (or D whatever is the earlier), detailed drawings in plan, section and elevation at 1:20 and samples, where appropriate, of the replacement Hammersmith Park boundary wall (in its entirety) including the

entrances, gates and access thresholds shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter permanently retained as such.

(iii) Prior to the commencement of the relevant part of the development (save for the approved Enabling Works and Development Area 1 (save for Plot D)), details including detailed drawings in plan, section and elevation at 1:20 and samples, where appropriate, of all paving and external hard surfaces, boundary walls, railings, gates, fences and other means of enclosure for that phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out within each plot, or relevant part thereof, in accordance with the approved details and thereafter permanently retained as such.

To ensure a satisfactory external appearance of the site in accordance with policy BE1 of the Core Strategy 2011 and policies DM G1 and DM G7 of the Development Management Local Plan 2013.

- 14) (i) The hard and soft landscaping scheme for Development Area 1 (save for Plot D) shall be implemented in accordance with the approved drawings listed in Condition 3 and details approved under ref: 2015/05838/DET (dated XXXXXXXX). The landscaping shall thereafter be retained and maintained in accordance with the approved details.

(ii) Details of the proposed hard and soft landscaping, associated with all other plots, including planting schedules and details of the species, height and maturity of any trees and shrubs and proposed landscape maintenance and management shall be submitted to the local planning authority and approved in writing, prior to commencement of work (save for the approved Enabling Works and Development Area 1) on the relevant part of the development. The approved scheme(s) shall be implemented in the next winter planting season following completion of the building works, or before the occupation and use of any part of the buildings within the relevant development plot, whichever is the earlier. The landscaping shall thereafter be retained and maintained in accordance with the approved details.

To ensure a satisfactory external appearance in accordance with 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

- 15) (i) The Urban Realm Strategy for Development Area 1 (save for Plot D) shall be implemented in accordance with the approved drawings listed in Condition 3 and details approved under ref: 2015/05838/DET including the site-wide Management Strategy Report prepared by Broadgate Estates. Such details shall be implemented in accordance with the approved plans and permanently retained thereafter.

(ii) Notwithstanding the information in the landscape drawings hereby approved, an urban realm strategy which includes detailed drawings of the shared surfaces, methods of delineation of the vehicular and pedestrian areas and samples of materials shall be submitted to the local planning authority and approved in writing

prior to the commencement of all development plots. The urban realm strategy for the relevant plot shall demonstrate how the shared surfaces would adhere to the guidance set out in Department of Transport Note LTN1/11 "Shared Space" October 2011 (or any other relevant guidelines). Such details shall be implemented in accordance with the approved plans and permanently retained thereafter.

To ensure that the proposal provides an inclusive and accessible environment in accordance with Policy 7.2 of the London Plan (2015), policy T1 of the Core Strategy 2011, and the Council's Supplementary Planning Document.

- 16) Details of any temporary land uses, fencing, enclosures or structures including sales/marketing suites within the site (save for the temporary works (hoarding) approved under 2015/02081/DET dated 7th July 2015 and the hoarding details provided in respect of Plot D) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant part(s) of the development. Any interim structures, uses and buildings shall be implemented in accordance with the approved details, for a specified time period set out in the details and shall be discontinued/removed once the temporary period has been expired.

To ensure that the site remains in a tidy condition during the construction phase and to ensure that any temporary uses/structures do not create un-neighbourly impacts and to prevent harm to the street scene and character and appearance of the adjoining conservation area, in accordance with policy BE1 of the Core Strategy 2011 and policy DM G7 of the Development Management Local Plan 2013.

- 17) Prior to the commencement of works (save for the approved Enabling Works and works to site trees within the specified areas subject to the arboricultural method statements as approved under ref: 2014/04299/DET dated 10th October 2014 and 2015/02069/DET dated 13th July 2015) on each development plot or relevant part thereof, an arboricultural method statement setting out method(s) of tree protection on the relevant Plot during demolition and construction has been submitted to and approved in writing by the Council. Any works to tree(s) on the relevant Plot shall be carried out in accordance with BS5837:2012 Trees in relation to design, demolition and construction recommendations. The method(s) of tree protection shall be implemented in accordance with the relevant approved details.

To ensure that the retained trees are protected during the construction processes to prevent their unnecessary damage or loss, in accordance with policy 7.21 of the London Plan (2015), policy OS1 of the Core Strategy 2011 and policies DM E3 and DM E4 of the Development Management Local Plan 2013.

- 18) Any tree or shrub planted pursuant to approved landscape details that is removed or severely damaged, dying or becoming seriously diseased within 5 years of planting shall be replaced with a new tree or shrub of similar size and species to that originally required to be planted.

To ensure a satisfactory provision for planting, in accordance with policy 7.21 of the London Plan (2015), policy OS1 of the Core Strategy 2011 and policy DM E4 of the Development Management Local Plan 2013.

- 19) Any works to tree(s) on the site shall be carried out only in the following manner, in accordance with British Standard 3998:1989 - Recommendations for Tree Work:

To ensure that the Council is able to properly assess the impact of the development on any trees and to prevent their unnecessary loss, in accordance with policy 7.21 of the London Plan (2015), policy OS1 of the Core Strategy 2011 and policies DM E3 and DM E4 of the Development Management Local Plan 2013.

- 20) Details including the locations of the benches, litter bins and signage shall be submitted to and approved in writing by the local planning authority, prior to occupation of the relevant development plot. The street furniture listed above shall be designed and sited to be fully inclusive and accessible for all users and will not provide any obstruction to disabled persons or people of impaired mobility and/or sight. The relevant development plot shall not be open to users until the benches, litter bins and signage as approved have been provided, and must be permanently retained thereafter.

To ensure the satisfactory provision of facilities, in accordance with policy OS1 of the Core Strategy 2011 and policies DM E1 and DM E2 of the Development Management Local Plan 2013 and to ensure the development is fully inclusive and accessible for all users, in accordance with Policy 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.

- 21) (i) An Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority, prior to the completion of each development plot. The EMP shall comprise a habitat management plan and monitoring report which shall set out objectives and prescriptions for the management of new areas of vegetation and public open spaces within the development, for a minimum period of 5 years, unless otherwise agreed in writing with the Local Planning Authority.

(ii) The Ecological Management Plan for Plot G2 has been discharged under ref: 2016/00185/DET dated 22nd April 2016.

To ensure the biodiversity of the site is protected and enhanced where possible, in accordance with policy 7.19 of the London Plan (2015) and policies OS1 and CC4 of the Core Strategy 2011 and policy DM E3 and DM H2 of the Development Management Local Plan 2013.

- 22) Prior to the commencement of work on the relevant part of each Plot, details of the proposed photo voltaic panels on the roofs including the angle of installation relative to the surface of the roofs of the buildings as identified in the approved energy strategy, where relevant shall be submitted to and approved in writing by the Local Planning Authority. Such details shall be implemented prior to occupation or use of the relevant Plot or building and permanently retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

To ensure that the development is consistent with the Mayor's sustainable design objectives in accordance with Policies 5.1, 5.2, 5.3, 5.7 and 5.8 of the London Plan (2015) and to ensure that the visual impact of the equipment is satisfactory in

accordance with policy BE1 and CC1 of the Core Strategy 2011 and policy DM G1 and DM H2 of the Development Management Local Plan 2013.

- 23) (i) The details of green and brown roofs in respect of Development Area 1 (save for Plot D) shall be carried out in accordance with the approved drawings listed in Condition 3 and details approved under ref: 2015/05838/DET (dated XXXXXXX).

(ii) Prior to the commencement of work on the relevant part of the other Plots, details of green/brown roofs, including planting and maintenance schedules, and ecological enhancement measures for that Plot shall be submitted to and approved in writing by the Local Planning Authority. Development shall accord with the details as approved.

To ensure the provision of green and brown roofs in the interests of sustainable urban drainage and habitat provision, in accordance with policies 5.11, 5.13 and 7.19 of the London Plan 2015 and policies OS1, CC1, CC4 and H4 of the Core Strategy 2011 and policy DM E3, DM E4, DM H2, and DM H4 of the Development Management Local Plan 2013.

- 24) The development shall be carried out in accordance with the approved Energy Strategy (Dated August 2014) prepared by Arup which would result in a 34.2% carbon dioxide emissions savings, based on Part 2010 Regulations which includes the provision of a single energy centre located in Plot A which would serve the whole development site, Combined Heat and Power plant (CHP), gas fired boilers and PV panels, unless otherwise agreed under the terms of this condition. Any revised energy strategy for the development site shall be submitted to the Local Planning Authority for approval, in writing and shall result in carbon reductions which would not be less than 34.2%. The development shall be implemented and operated in accordance with any subsequent approved revised energy strategy.

To ensure that the development is consistent with the Mayor's carbon emissions objectives in accordance with Policies 5.5, 5.6, 5.7, 5.8 and 5.9 of the London Plan (2015) and in accordance with policy CC1 of the Core Strategy 2011 and policy DM H1 and DM H2 of the Development Management Local Plan 2013.

- 25) Prior to first occupation of each development plot, a Sustainable Design and Construction Statement shall be submitted to the Local Planning Authority for approval.
- (i) The Sustainable Design and Construction Statement shall confirm the details of the measures, in accordance with the approved (relevant) Energy Strategy, Sustainability Statement and Approved Drawings which accompany the planning application, that have been implemented on the site, within the relevant phase, that ensures high standards of sustainable design and construction have been achieved in compliance with the Mayor's Supplementary Planning Guidance.
- (ii) Where necessary, evidence (e.g. photographs, copies of installation contracts and as-built worksheets prepared under SAP or the National Calculation Method), including the details of the internal water consumption of the development must be submitted to the Local Planning Authority to demonstrate that the development has been carried out in accordance with the approved energy strategy, and to reduce the consumption of potable water through the use

of water efficiency and recycling systems, unless otherwise agreed in writing by the local planning authority.

All measures integrated shall be retained for the lifetime of the development.

(iii) The Sustainable Design and Construction Statement for Plot G2 has been discharged under ref: 2016/00186/DET dated 31st March 2016.

In the interests of sustainability, in accordance with policies 5.15 of the London Plan (2015), policy DM H 3 of the Development Management Local Plan 2013 and the Mayor's Supplementary Planning Guidance on Sustainable Design and Construction.

- 26) Within a month of handover of any non-residential component of the development, a BREEAM (2011 or any such further current iteration as relevant at the time of submission)) assessment report shall be submitted to the BRE (with a copy of the report provided to the Local Planning Authority) demonstrating that the building(s) would achieve a `Very Good' BREEAM rating.

In the interests of energy conservation, reduction of CO2 emissions and wider sustainability, in accordance with policies 5.1, 5.2, 5.3, 5.6 and 5.7 of the London Plan (2015) and Policy CC1 of the Core Strategy 2011 and policy DM H1 and DM H2 of the Development Management Local Plan 2013.

- 27) The development shall be carried out in accordance with the sustainable urban drainage system (SUDS) detailed in the approved site-wide Arup report: 'Drainage and Flood Risk Statement' dated 29.05.15. The approved SUDS scheme shall be implemented in accordance with the approved details prior to first occupation of the relevant part of the development hereby permitted, and thereafter permanently retained and maintained.

To ensure that surface water run-off is managed in a sustainable manner, in accordance with policy 5.13 of the London Plan (2015) and policy CC2 of the Core Strategy 2011.

- 28) (i) The development shall be carried out in accordance with the Waste Strategy (dated 29/05/2015) as approved under 2015/02071/DET in respect of Plot G2 dated 03/07/2015, and the Waste Strategy for Plots A, B and C as approved under 2015/02646/VAR (dated 10/12/2015). The approved details shall be implemented prior to the use or occupation of any part of the relevant Plot and shall be maintained permanently thereafter.

(ii) Details of the refuse arrangements including storage, collection and recycling for all uses within each plots within Development Area 2 shall be submitted to and approved in writing by the Council prior to the commencement of works on each Plot, save for the approved Enabling Works and any relevant demolitions. The approved details shall be implemented prior to the use or occupation of any part of the relevant Plot and shall be maintained permanently thereafter. The approved details shall be implemented prior to the use or occupation of any part of the relevant Plot and shall be maintained permanently thereafter .

To ensure the satisfactory provision for refuse storage and recycling in accordance with policy CC3 of the Core Strategy and policy DM H5 of the Development Management Local Plan 2013 and the Council's Planning Guidance Supplementary Planning Document.

- 29) The development shall be carried out in accordance with the approved Impact Studies (as approved under ref: 2014/04199/DET) which identifies the existing water supply infrastructure in order to determine the magnitude of any new additional capacity required in the system and the location of a suitable connection point.

To ensure that the water supply infrastructure has sufficient capacity to cope with the additional demand in accordance with policies 5.14 and 5.15 of the London Plan (2015) and policy CC2 of The Core Strategy 2011 and policy DM H3 of the Development Management Local Plan 2013.

- 30) The development shall be carried out in accordance with the foul and surface water drainage details contained in the approved Arup report: 'Drainage and Flood Risk Statement' dated 29.05.15. The approved foul and surface water drainage details (which includes a restriction on the minimum of 50% surface water run-off reduction on site as outlined in the FRA) shall be implemented before the relevant part of the development is completed.

To prevent flooding by ensuring the satisfactory management of surface water run-off from the site in accordance with policy 5.13 of the London Plan 2015, policy CC2 of the Core Strategy 2011 and policy DM H3 and DM H4 of the Development Management Local Plan 2013.

- 31) The proposed ground decontamination, remediation and on-going monitoring works and investigations shall be carried out in accordance with the preliminary risk assessment report, as approved in writing by the Council (subject to ref: 2014/04282/DET dated 10th October 2014), unless otherwise agreed in writing by the local planning authority.

To ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with policy 5.21 of The London Plan 2015, policy CC4 of the Core Strategy 2011 and policy DM H4, DM H6 and DM H7 of the Development Management Local Plan 2013.

- 32) The proposed ground decontamination, remediation and on-going monitoring works and investigations shall be carried out in accordance with the site investigation scheme, as approved in writing by the Council (subject to ref: 2014/04283/DET dated 10th October 2014), unless otherwise agreed in writing by the local planning authority.

To ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with policy 5.21 of The London Plan 2015, policy CC4 of the Core Strategy 2011 and policy DM H4, DM H6 and DM H7 of the Development Management Local Plan 2013.

- 33) The development shall be carried out in accordance with the Site Wide Ground Contamination Risk Assessment & Remediation Method Statement approved under 2015/02070/DET dated 24th July 2015. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing. The ground works associated with the enabling works phase 2 shall be carried out in accordance with the approved qualitative risk assessment for the specified area, subject to the approved details under Ref: 2014/04349/DET.

To ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with policy 5.21 of The London Plan 2015, policy CC4 of the Core Strategy 2011 and policy DM H4, DM H6 and DM H7 of the Development Management Local Plan 2013.

- 35) No phase of development shall commence, save for any approved Enabling Works or (unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition) until the approved remediation method statement in connection with condition 33 has been carried out in full and a verification report confirming these works has been submitted to, and approved in writing, by the Council. This report shall include: details of the remediation works carried out; results of any verification sampling, testing or monitoring including the analysis of any imported soil; all waste management documentation showing the classification of waste, its treatment, movement and disposal; and the validation of gas membrane placement. If, during development, contamination not previously identified is found to be present at the site, the Council is to be informed immediately and no further development (unless otherwise agreed in writing by the Council) shall be carried out until a report indicating the nature of the contamination and how it is to be dealt with is submitted to, and agreed in writing by, the Council. Any required remediation shall be detailed in an amendment to the remediation statement and verification of these works included in the verification report. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

To ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with policy 5.21 of The London Plan 2015, policy CC4 of the Core Strategy 2011 and policy DM H4, DM H6 and DM H7 of the Development Management Local Plan 2013.

- 36) No phase of development shall commence, save for any approved Enabling Works or (unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition) until an onward long-term monitoring methodology report, in connection with condition 35, is submitted to and approved in writing by the Council where further monitoring is required past the completion of development works to verify the success of the remediation undertaken. A verification report of these monitoring works shall then be submitted to and approved in writing by the Council when it may be demonstrated that no residual adverse risks exist. All works must be carried out in compliance with and

by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

To ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with policy 5.21 of the London Plan (2015), policy CC4 of the Core Strategy 2011 and policy DM H4, DM H6 and DM H7 of the Development Management Local Plan 2013.

- 37) No part of the development shall be occupied until the micro climate mitigation measures necessary to provide an appropriate wind environment throughout and surrounding the development identified within the Microclimate Report have been implemented in accordance with the report, with regards to the relevant part of the development. The measures shall be permanently retained thereafter.

To ensure that suitable measures are incorporated to mitigate potential adverse wind environments arising from the development, in accordance with policies 7.6 and 7.7 of the London Plan (2015).

- 39) There shall be no occupation of any development plot (excluding the works associated with refurbishment or conversion of an existing building) until the following information has been submitted to the Local Planning Authority:

i) the completion of a Post-Construction Airwaves Study (the Post-Construction Study) to minimise detrimental impacts to airwaves reception attributable to the development

ii) the implementation of a Scheme of Mitigation Works for the purpose of ensuring no material impact to the airwave reception attributable to the development identified by the Post-Construction Study, shall take place within 3 months of the submission of the Post Construction Study.

Such Scheme of Mitigation Works shall be first submitted to and approved in writing by the Council.

iii) The Post Construction Air Waves Study in respect of Plot G2 has been approved (ref: 2016/00187/DET) dated 31st March 2016.

To ensure that the existing airwaves reception within/adjacent to the development site is not adversely affected by the proposed development, in accordance with policy 7.13 of the London Plan (2015).

- 40) The development shall be carried out in accordance with the details and mitigation measures contained within the Television Interference Assessment prepared by Comuserve, approved under 2015/02075/DET dated 3rd July 2015. The approved remediation measures shall be implemented for each phase immediately that any television interference is identified.

To ensure that television interference caused by the development is remediated, in accordance with Policy 7.7 of the London Plan (2015) and policy BE1 CC4 of the

Core Strategy 2011 and policy DM G1 and DM G2 of the Development Management Local Plan 2013.

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

To prevent any potential to impact on local underground water and sewerage utility infrastructure, in accordance with Policies 5.14 and 5.15 of the London Plan (2015), policy CC2 of the Core Strategy 2011 and policy DM H4 of the Development Management Local Plan 2013. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.

- 42) (i) The development within Development Area 1 shall be carried out in accordance with the Construction Logistics Management Plan approved under DET/02068/DET dated 3rd July 2015.

(ii) No development on any plot within Development Area 2 (save for demolition works and Enabling Works) shall commence until a Construction Logistics Management Plan for that Plot has been submitted to and approved in writing by the Council. The method statement /construction management plan should be prepared in consultation with London Underground which includes the details for all of the relevant foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent). The development of the relevant Plot shall be carried out in accordance with the relevant approved Construction Logistics Management Plan. Each Construction Logistics Management Plan shall cover the following minimum requirements:

- site logistics and operations;
- construction vehicle routing;
- contact details for site managers and details of management lines of reporting;
- detailed plan showing different phasing, different developers and constructors to be updated on a 6 monthly basis;
- location of site offices, ancillary buildings, plant, wheel-washing facilities, stacking bays and car parking;
- storage of any skips, oil and chemical storage etc.; and
- access and egress points;
- membership of the Considerate Contractors Scheme.

To ensure that no unacceptable adverse effect on the amenity of surrounding occupiers in accordance with policies BE1, T1 and CC4 of Core Strategy 2011 and policy DM J1, DM G1, DM H5, DM H8, DM H9 and DM H10 of the Development Management Local Plan 2013.

43) (i) The development within Development Area 1 shall be carried out in accordance with the Construction Management Plan and Demolition Method Statement approved under 2015/02067/DET dated 7th July 2015. These approved details shall be implemented throughout the project period.

(ii) The development within Development Area 2 in respect of Plot E shall be carried out in accordance with the Demolition Method Statement approved under 2015/05837/DET dated 26th January 2016. These approved details shall be implemented throughout the project period.

(iii) Prior to commencement of works on any subsequent plot in Development Area 2, a demolition method statement shall be submitted prior to the commencement of demolition and a construction management plan shall be submitted prior to the commencement of construction. Both documents shall be submitted to and approved in writing by the Council, prior to the relevant part of the development. Details shall include control measures for dust, noise, vibration, lighting, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800-1300hrs on Saturdays, advance notification to neighbours and other interested parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works. The method statement /construction management plan should be prepared in consultation with London Underground which includes the details for all of the relevant foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent). Approved details for each relevant plot, or part thereof shall be implemented throughout the project period.

To ensure that occupiers of surrounding premises are not adversely affected by noise, vibration, dust, lighting or other emissions from the building site in accordance with policies 5.18, 5.19, 5.20, 5.21 and 5.22 of the London Plan (2015), policy CC4 of the London Borough of Hammersmith and Fulham Core Strategy (2011) and policies DM G1, DM H5, DM H8, DM H9, DM H10 of the Development Management Local Plan 2013.

44) (i) The development shall be carried out in accordance with the noise assessment and details of sound insulation of the building envelope in respect of Plots B and C, as approved 2nd February 2016 (Ref: 2015/05839/DET).

(ii) Prior to commencement of any Plot within Development Area 2 save for any approved Enabling Works and demolition, a noise assessment for the relevant phase of development shall be submitted to the Council for approval of external noise levels and details of the sound insulation of the building envelope, orientation of habitable rooms away from major noise sources and of acoustically attenuated mechanical ventilation as necessary to achieve:

- Intrusive external noise: to achieve the requirements of BS8233:2014.
- Building services noise: NR25 in bedrooms, NR30 in living rooms and NR40 in other rooms and communal circulation.

Approved details shall be implemented prior to occupation of the development and thereafter permanently retained.

To ensure that the amenity of occupiers of the development site is not adversely affected by noise from transport or industrial/ commercial noise sources, in accordance with policy CC4 of the Core Strategy 2011 and policies DM H9 and DM H11 of the Development Management Local Plan 2013.

- 45) (i) The development shall be carried out in accordance with the details of sound insulation of floor/ ceiling/walls separating noise sensitive premises from non-residential uses (including plant, car park and communal facilities) in respect of Plot B, as approved 2nd February 2016 (Ref: 2015/05839/DET).

(ii) Prior to commencement of the relevant phase of development or part thereof, save for any approved Enabling Works and demolition works, details shall be submitted to and approved in writing by the Council, of the sound insulation of the floor/ ceiling/walls separating noise sensitive premises from non-residential uses (including plant, car park and communal facilities). Details shall demonstrate that the sound insulation value $D_{nT,w}$ [and $L'_{nT,w}$] is sufficiently enhanced and, where necessary, additional mitigation measures implemented to contain commercial noise within the commercial premises and to achieve the 'Good' criteria of BS8233:1999 within new-build dwellings/ noise sensitive premises. Approved details shall be implemented prior to any occupation of the residential development within the part(s) of the site covered by this condition and shall be permanently retained thereafter.

To ensure that the amenity of occupiers of the development site within the new-build residential parts of the site will not be adversely affected by noise from transport or industrial/ commercial noise sources, in accordance with policy CC4 of the Core Strategy 2011 and policy DM H9 of the Development Management Local Plan 2013

- 46) (i) The development shall be carried out in accordance with the details of enhanced sound insulation value $D_{nT,w}$ and $L'_{nT,w}$ for the floor/ceiling/ wall structures separating different types of rooms/ uses in adjoining dwellings in respect of Plot C, as approved 2nd February 2016 (Ref: 2015/05839/DET).

(ii) Prior to commencement of each subsequent new-build phase of the development or relevant part thereof, save for any approved Enabling Works, details shall be submitted to and approved in writing by the Council, of an enhanced sound insulation value $D_{nT,w}$ and $L'_{nT,w}$ for the floor/ceiling/ wall structures separating different types of rooms/ uses in adjoining dwellings, namely living room and kitchen adjoining bedroom of separate dwelling. The enhanced values shall be 5dB more stringent than the requirements of Approved Document E. Approved details shall be implemented prior to occupation of the relevant phase of development and thereafter be permanently retained.

To ensure that the amenity of occupiers of the development site is not adversely affected by noise, in accordance with policy CC4 of the Core Strategy 2011 and policy DM H9 of the Development Management Local Plan 2013.

- 47) The development within shall be carried out in accordance with the Arup report: 'Groundborne noise and vibration assessment for Planning Condition 47' approved under 2015/02076/DET dated 3rd July 2015. No part of the relevant development

plot shall be occupied until the approved details have been implemented. Approved details shall thereafter be permanently retained.

To ensure that the amenity of occupiers of the development site is not adversely affected by ground- or airborne vibration, in accordance with policy CC4 of the Core Strategy 2011 and policy DM H9 of the Development Management Local Plan 2013.

- 48) Prior to use, machinery, plant or equipment, extract/ ventilation systems and ducting at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration, in accordance with Policy CC4 of the Core Strategy 2011 and policy DM H9 of the Development Management Local Plan 2013.

- 49) The Rating Level of plant/machinery/equipment external noise emissions, with all plant/machinery/equipment operating together at maximum capacity, shall be:
- At least 10dB lower than the lowest existing background noise level at 1m from the façade of any offsite noise sensitive areas, in accordance with the requirements of BS4142:2014.
 - No more than 55dBLAeq at 1m from the façade of any onsite noise sensitive receivers or at pedestrian level in any onsite external amenity areas (balcony, roof garden etc), in accordance with BS8233:2014.
- Any attention catching features (tones etc) shall either be eliminated or at least considered in any assessment and should carry an additional correction in accordance with BS4142:2014.

A post-installation noise assessment shall be carried out where required to confirm compliance with the noise criteria and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

- 50) Prior to the commencement of works on the relevant part of each development plot details of the mechanical ventilation system to be installed within the residential and hotel components shall be submitted to the local planning authority in writing, for approval. The details shall include the method of clean intake from higher levels which will be used to serve residential units in the lower floors. The ventilation system shall be implemented in accordance with the approved plans and shall be permanently retained thereafter. The equipment installed shall be permanently maintained in good working order. The maintenance and cleaning of the system shall be undertaken regularly in accordance with the manufacturer specifications and shall be the responsibility of the primary owner of the relevant building.

To ensure that the residential buildings (plots B, C, D, E, F and G) and Hotel building (in plot B) have access to satisfactory air quality levels and are not unduly affected by odour and disturbance in accordance with policy CC4 of the Core Strategy 2011 and policy DM H8 of the Development Management Local Plan 2013.

- 51) Prior to commencement of works on the relevant part of each development plot, details of the installation, operation, and maintenance of the best practicable odour abatement equipment and extract system shall be submitted to and approved in writing by the Local Planning Authority, including the height of the extract duct and vertical discharge outlet, in accordance with the 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' January 2005 by DEFRA. Approved details shall be implemented prior to occupation of the relevant development plot or part thereof and thereafter be permanently retained, unless subsequently otherwise approved in writing by the Local Planning Authority.

To ensure that nearby premises are not unduly affected by odour and disturbance in accordance with policy CC4 of the Core Strategy 2011 and policy DM H8 of the Development Management Local Plan 2013.

- 52) Prior to the commencement of works on each development area, or relevant part thereof, a Low Emission Strategy shall be submitted to and approved in writing by the Council in respect of the relevant Plots within the specified area or part thereof. The low emission strategy must undertake a calculation based on the total NO_x and PM₁₀ emissions from the baseline situation as established in the Environmental Statement Chapter 9 and shall compare them with the proposed uses within the relevant plots, building, or phase. This shall include transport sources and all major combustion plant including, boilers, energy plant and emergency generators for the relevant Plot. The strategy shall detail all calculations and assumptions used in full. The strategy should detail the measures that will be taken to reduce the development's air quality impacts and minimising exposure of future site users.

Any combustion plant proposed on the relevant Plot should meet a NO_x emissions standard of 40mg/kWh (at 0% O₂). Where any installations do not meet this emissions standard it should not be operated without the fitting of suitable NO_x abatement equipment or technology as determined by a specialist to ensure comparable emissions. Following installation, emissions certificates will need to be provided to the council to verify boiler emissions. Any such boiler emission abatement measures approved by the Council shall be implemented in accordance with the relevant approved strategy.

To ensure the development's air pollution impacts are mitigated in accordance with the requirements of Policy 7.14 of the London Plan (2015), policy CC1 of the London Borough of Hammersmith Core Strategy (2011) and policy DM H8 of the Development Management Local Plan 2013.

- 53) Prior to the construction of the relevant part of the development, a scheme detailing the play equipment, boundary treatments and ground surface treatment of the outdoor play spaces, for that part of the development shall be submitted to the local planning authority and approved in writing. Any play equipment will be designed to be fully inclusive to ensure the play areas are accessible to all and will

be implemented in accordance with the approved plans, to be permanently retained thereafter.

In order to ensure equal life chances for all, and to prevent groups such as blind people and disabled children being excluded from use of public realm and other amenities by designs failing in detail to take specific needs into account, in accordance with policy 3.1 of the London Plan (2015), policy OS1 of the Core Strategy and policy DM E2 of the Development Management Local Plan 2013, the Council's "Planning Guidance" Supplementary Planning Document, and any other relevant best practice guidance (including the Councils We Want to Play Too 2012).

- 54) The development shall be carried out in accordance with the approved Gillespies drawings listed in Condition 3 detailing the internal roads, vehicle/pedestrian access points and street level car parking arrangements for the site, and shall be permanently retained thereafter.

To ensure there is sufficient circulation space for pedestrians, servicing and other vehicles and provide the surface level car parking to meet the needs of future site occupiers and users, in accordance with policies 6.13 and 7.2 of the London Plan (2015) and policies DM J2 and DM J4 of the Development Management Local Plan 2013 and the Council's Planning Guidance Supplementary Planning Document.

- 55) (i) The development within Development Area 1 shall be carried out in accordance with the approved car parking details (phasing) as shown on Mace drawings PC55_DWG_02 (28.05.15) and PC55_DWG_03 (28.05.15) as listed in Condition 3.

(ii) The development within Development Area 1 shall be carried out in accordance with the approved car parking details (detailed design, access, layout and location of the car parking) as approved under ref: 2015/05837/DET (dated 26th January 2016)

(iii) Prior to the commencement of works (save for approved Enabling Works and Demolition) within Plot D (in Development Area 1) and all Plots in Development Area 2, the detailed phasing, design, access, layout and location of the car parking relevant to each plot shall be submitted to and approved in writing by the Council. The approved works shall be implemented and retained permanently thereafter.

To ensure the suitable provision of car parking within the development to meet the needs of future site occupiers and users, in accordance with policies 6.13 and 7.2 of the London Plan (2015) and policy T1 of the Core Strategy 2011, policies DM J2 and DM J4 of the Development Management Local Plan 2013 and the Council's Planning Guidance Supplementary Planning Document.

- 56) Prior to first occupation of each Plot, details of the facilities to be provided for the secure storage of residents' and other users' bicycles for that Plot shall be submitted to and approved in writing by the Council. Such details shall include the number, location and access arrangements to cycle parking in the relevant Plot. No residential or commercial units shall be occupied in the relevant Plot until the relevant approved facilities have been provided. The cycle parking facilities shall

thereafter be retained and not used for any other purpose without the prior written consent of the Council.

To ensure the suitable provision of cycle parking within the Development to meet the needs of future site occupiers and users and in the interest of the appearance of the development, in accordance with Policies 6.9 and 6.13 of the London Plan (2015) and Table 6.3 of the Further Alterations to the London Plan (2015) and policy DM J5 of the Development Management Local Plan 2013.

- 57) (i) Prior to first occupation of any residential or commercial use within each Plot a site servicing strategy or Delivery and Servicing Plan(DSP), including vehicle tracking, for the relevant Plot shall be submitted to and approved in writing by the Council. The DSP shall detail the management of deliveries, emergency access, collection of waste and recyclables, times and frequencies of deliveries and collections/ silent reversing methods/ location of loading bays and vehicle movement in respect of the relevant Plot. The approved measures shall be implemented and thereafter retained for the lifetime of the residential or commercial uses in the relevant part of the site.

(ii) The Delivery Service Plan for Plot G2 (in respect of the use as a marketing suite) has been discharged under ref: 2016/00262/DET dated 31st March 2016.

In order to ensure that satisfactory provision is made for refuse storage and collection and to ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by noise, in accordance with Policy 6.11 of the London Plan (2015), policy CC4 of the Core Strategy 2011 policy DM H9 of the Development Management Local Plan 2013 and the Council's Supplementary Planning Document 'Storage of Refuse and Recyclables'.

- 58) Prior to first occupation of any part of the residential buildings, a car parking management plan for the relevant Plot(s) shall be submitted to and approved in writing by the Council detailing allocation of car parking spaces to residents, visitors and location of electric charging points (at least 20% of car parking spaces and 10% for non-residential car parking spaces). The development shall be carried out in accordance with the approved details.

To ensure the appropriate distribution of specialist parking in the development and that all spaces can be readily accessed by vehicles, in accordance with policies 6.13 and 7.2 of the London Plan (2015) and policy T1 of the Core Strategy 2011 and policy DM J2 of the Development Management Local Plan 2013.

- 59) The development shall be carried out in accordance with the Arup detailed drawings showing road, footway, footpath and cycleway layout, and Road Safety audits for on-site and off-site works, approved under 2015/02107/DET dated 25/08/2015. Development shall be implemented in accordance with the relevant approved details and no residential building within the relevant part of the development shall be occupied until the approved ramps, roads, accesses, footways, footpaths and cycleways have been constructed and been made available for use.

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 ensure that the detailed design of the roads, footways and cycleways would avoid vehicle/pedestrian conflict in accordance with policy T1 of the London Borough of Hammersmith and Fulham Core Strategy (2011), and policies DM J2 and DM J4 of the Development Management Local Plan 2013 and the Council's Planning Guidance Supplementary Planning Document.

- 60) The residential car parking provision for the development shall not exceed 318 car parking spaces or as spaces per residential unit ratio of 0.34 on the whole site, unless otherwise agreed in writing by the Council.

To avoid creating unacceptable traffic congestion on the surrounding road network and to ensure there would be adequate parking for the development, in accordance with policies 6.13 and 7.2 of the London Plan (2015) and policy DM J2 of the Development Management Local Plan 2013 and the Council's Planning Guidance Supplementary Planning Document

- 61) Prior to first occupation of each Plot, details of the installation including location and type of active electric vehicle charging points within the car parking areas for the relevant Plot must be submitted to and approved in writing by the Council. The electric vehicle charging points comprising at least 20% of the total number of residential car parking spaces provided on each Plot shall be active electric vehicle charging points; a further 20% of the total number of residential car parking spaces provided on each Plot shall be passive. The approved electric vehicle charging points shall be installed and retained in working order for the lifetime of the relevant development on each Plot. The use of the electric vehicle charging points will be regularly monitored via the Travel Plan and if required the further 20% passive provision will be made available.

To encourage sustainable travel in accordance with policies 5.8, 6.13 and 7.2 of the London Plan (2015), policies CC1 and T1 of the London Borough of Hammersmith and Fulham Core Strategy (2011) and policy DM J2 of the Development Management Local Plan 2013.

- 62) A minimum of 10% of the residential car parking spaces approved on each Development Area shall be provided and maintained for use of wheelchair users.

To ensure the suitable provision of car parking within the development to meet sustainable transport objectives, in accordance with policies 6.13 and 7.2 of the London Plan (2015) and policy DM J4 of the Development Management Local Plan 2013 and the Council's "Planning Guidance" Supplementary Planning Document.

- 63) (i) A scheme which demonstrates how daytime deliveries and stopping by Blue Badge Holder vehicles and taxis outside buildings on the site will be managed, in the absence of kerbs and vehicular entries into the envelopes of individual buildings pull-ins, in such a way as to avert the risk of blind people colliding with stopped vehicles shall be submitted to the local planning authority and approved in writing, prior to first occupation of each relevant development plot. The scheme shall be implemented in accordance with the approved details prior to first occupation of the relevant part of the development.

(ii) A scheme for daytime deliveries and stopping by Blue Badge Holder Vehicles for Plot G2 has been discharged under ref: 2016/00189/DET dated 31st March 2016.

To ensure that deliveries and dropping off can occur without compromising highway safety or the safety of pedestrians on the footway, in accordance with policy 7.2 of the London Plan (2015), policy T1 of the Core Strategy 2011 and policy DM J4 of the Development Management Local Plan 2013 and the Council's "Planning Guidance" Supplementary Planning Document.

- 64) 10% of the total residential units hereby approved shall be provided to wheelchair housing standard or adaptable to this standard.

To ensure that the development provides for the changing circumstances of occupiers and responds to the needs of people with disabilities, in accordance with policy 3.8 of the London Plan (2015), policy H4 of the London Borough of Hammersmith and Fulham Core Strategy (2011) and policy DM B2 of the Development Management Local Plan 2013 and the Council's Planning Guidance Supplementary Planning Document.

- 65) The window glass of any shopfront hereby approved shall be clear and shall not be mirrored, tinted or otherwise obscured and shall be permanently retained as such.

To ensure a satisfactory external appearance and to prevent harm to the street scene, in accordance with policy BE1 of the Core Strategy 2011, policy DM G4 and DM C1 of the Development Management Local Plan 2013 and "Planning Guidance" Supplementary Planning Document 2013.

- 66) The development shall be carried out in accordance with the provisions of the approved Inclusive Access Management Plan, prepared by David Bonnett Associates, dated 28 May 2015. On-going consultation must then be carried out in accordance with the approved IAMP.

To ensure that the proposal provides an inclusive and accessible environment in accordance with the Policy 7.2 of the London Plan (2015) and policy DM B2 of the Development Management Local Plan 2013 and the Council's Planning Guidance Supplementary Planning Document.

- 67) Each building, where relevant, shall contain a fire rated lift and the details of which shall be submitted to and approved in writing by the Council prior to the occupation of that building, including details of lifts to the basement car park. The fire rated lifts shall be installed as approved and maintained in full working order for the lifetime of the relevant building.

To ensure that the development provides for the changing circumstances of occupiers and responds to the needs of people with disabilities, in accordance with Policy 3.8 of the London Plan (2015), policy H4 of the London Borough of Hammersmith and Fulham Core Strategy (2011).

- 68) The ground floor entrance doors to all publicly accessible buildings on each Plot and integral lift/stair cores shall not be less than 1 metre wide and the threshold shall be at the same level to the path fronting the entrance to ensure level access.

In order to ensure the development provides ease of access for all users, in accordance with Policy 3.1 and 7.2 of the London Plan (2015), and the Council's adopted supplementary planning document.

- 69) (i) The development shall be carried out in accordance with the detailed information provided by Pritchard Themis in respect of external lighting for the Forecourt area, Wood Lane frontage and area around Plot G2. The Plot G2 Pavilion building shall not be occupied until the lighting has been installed in accordance with the relevant approved details.

(ii) Details of all other proposed external artificial lighting for each Plot, including security lights, should be submitted to and approved in writing by the Council prior to the relevant part of the development. The relevant Plot shall not be occupied until the lighting has been installed in accordance with the relevant approved details. Such details shall include the number, exact location, height, design and appearance of the lights, together with data concerning the levels of illumination at the nearest facade and light spillage and the specific measures, having regard to the recommendations of the Institution of Lighting Engineers in the 'Guidance Notes For The Reduction Of Light Pollution 2011' (or other relevant guidance).

To ensure that adequate lighting is provided to the pedestrian pathways for safety and security and that the lighting does not adversely affect the amenities of occupiers of the surrounding premises, in accordance with Policies 7.3 and 7.13 of the London Plan (2015), policy BE1 of the Core Strategy (2011) and policy DM G1 of the Development Management Local Plan (2013) and the Council's Supplementary Planning Document (2013).

- 70) No roller shutters shall be installed on any shopfront, commercial entrance or display facade hereby approved.

To ensure a satisfactory external appearance and to prevent harm to the street scene, in accordance with policy BE1 of the Core Strategy 2011, policy DM G4 and DM C1 of the Development Management Local Plan 2013 and "Planning Guidance" Supplementary Planning Document 2013

- 71) (i) Prior to first occupation of each Plot, a statement of how "Secured by Design" requirements are to be adequately achieved for that part of development, shall be submitted to and approved in writing by the Local Planning Authority. The approved secure by design measures shall be implemented in accordance with the approved statement prior to occupation of the relevant part of the development hereby approved.

(ii) A Secure by Design statement has been approved in respect of Plot G2 (ref: 2016/00191/DET) dated 31st March 2016.

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

- 72) No advertisements shall be displayed on or within any elevation of the buildings, forecourt or public spaces without details of the advertisements having first been submitted to and agreed in writing by the Council.

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 the 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.

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

To ensure that the visual impact of telecommunication equipment can be considered in accordance with policy BE1 of the Core Strategy (2011) and SPD Design Policy 39 of the Planning Guidance Supplementary Planning Document 2013.

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

To ensure a satisfactory external appearance and prevent harm to the street scene, and to safeguard the amenities of neighbouring residential occupiers, in accordance with policy BE1 of the Core Strategy 2011 and policy DM G3 of the Development Management Local Plan 2013 and "Planning Guidance" Supplementary Planning Document 2013.

- 75) With regards to the upper ground floor in building G1 and ground, first and second floors in building G2 (within plot G):

Notwithstanding the information in the approved drawings or any subsequent approval of reserved matters relating to the internal layout of the building(s) and subject to the provisions within the relevant conditions set out in this planning permission, the following land uses are permitted within all or part of the specified floorspace in buildings G1 and G2, providing the total floorspace (within the combined development) does not exceed the maximum floorspace as approved for that use subject to condition 8 of this planning permission:

- Class A1 (retail)
- Class A3 (restaurant)
- Class A4 (Bar)
- Class B1 (Business)

As set out in Class E, Part 3, schedule 2 of the General Permitted Development Order 1995 or the provisions of the relevant class/part at the time of implementation, this permission benefits from a period during which changes of use of the above specified floorspace between uses A1, A3, A4 and B1 as set out in the description of development may take place without the need for further

planning permissions, subsequent to the approval of the reserved matters applications. This flexibility is for a period of ten years from the date of the approval of the last reserved matters application of the relevant plot.

To ensure the uses are compatible with the adjoining land uses, within the White City Opportunity Area and to ensure that the amenity of occupiers residing in surrounding residential properties would be safeguarded in accordance with policies WCOA, WCOA1 and BE1 of the Core Strategy (2011) and policies DM B1, DM C4, DM C6, DM D1, DM D2 and DM A9 of the DM Local Plan (2013) and the White City Opportunity Area Planning Framework (2013).

- 76) With the exception of the Class A4 use, the Class A uses hereby permitted within plots A, B, G and H shall operate only between 0700 hours and 2400 hours, on weekdays and on Saturdays and on 0700 hours to 2300 hours on Sundays and Bank Holidays.

To ensure that the amenities of surrounding occupiers are not unduly affected by noise and other disturbance, in accordance with policy CC4 of the Core Strategy 2011 and policy DM H9 of the Development Management Local Plan 2013.

- 77) The development shall be carried out in accordance with the approved arboricultural method statement which sets out the method(s) of tree protection of the relevant street tree(s) adjacent to the site on Wood Lane and within MacFarlane Road during demolition and construction, as approved under 2015/02069/DET dated 13th July 2015. Any works to tree(s) adjacent to the relevant parts of the development shall be carried out in accordance with BS5837:2012 Trees in relation to design, demolition and construction recommendations. The method(s) of tree protection shall be implemented in accordance with the approved details.

To ensure that the adjacent retained trees are protected during the construction processes to prevent their unnecessary damage or loss, in accordance with policy 7.21 of the London Plan (2015), policy OS1 of the Core Strategy 2011 and policies DM E3 and DM E4 of the Development Management Local Plan 2013.

- 78) Detailed drawings including where relevant, samples of materials of the proposed new entrance gates and new boundary walls (to Frithville Gardens) adjacent to Plots E and F and at Plot D (to Hammersmith Park), shall be submitted to the local planning authority and approved in writing, prior to construction on the relevant part of the development. The details of the boundary treatment and gates shall include a secure by design statement which will set out the operational specifications of the gate entry system. The details shall be implemented in accordance with the approved plans, samples and design statement, and shall be permanently retained thereafter.

To ensure a satisfactory external appearance and to ensure a safe and secure environment in accordance with policy 7.3 of the London Plan (2015), policy BE1 of the Core Strategy and policies DM G1 and DM G7 of the Development Management Local Plan 2013.

- 79) There shall be no CCTV cameras installed on Plot B unless otherwise approved in writing by the local planning authority.

In order to safeguard the special architectural or historic interest of the building in accordance with policy DM G7 of the Development Management Local Plan (2013) and policy BE1 of the Core Strategy (2011).

- 80) The development shall be carried out in accordance with the approved details (Gillespies drawing TVC-GI-X-XX-DR-L-100 Rev D1) for the drop-off bays for private hire cars/taxis. The drop off bays shall thereafter be retained for the life of the buildings on Plots A, B, C, D and G2 in the same location or in such alternative locations as may be approved from time to time by the Council.

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

- 81) The number of non-residential car parking spaces for Plots A, B, C, D and G2 shall not exceed 54 car parking spaces for the office accommodation, 3 spaces for the hotel and 5 spaces for the retail/restaurant and leisure units.

To avoid creating unacceptable traffic congestion on the surrounding road network and to ensure there would be adequate parking for the development, in accordance with in accordance with policies 6.13 and 7.2 of the London Plan (2015), policy T1 of the Core Strategy (2011) and policy DM J1, DM J2 and DM J3 of the Development Management Local Plan (2013).

- 82) 10% of the bedrooms within the hotel (Plot B) shall be designed to wheelchair housing standard or easily capable of being adapted to this standard.

To ensure that the development is fully inclusive and accessible for all and responds to the needs of people with disabilities, in accordance with policy 3.8 of the London Plan (2015), policy LE1 of the Core Strategy 2011 and policy DM B2 of the Development Management Local Plan 2013, and the Council's "Planning Guidance" Supplementary Planning Document.

- 83) Within a month of handover of the residential units comprised in Plot B created through refurbishment of an existing building hereby approved, a BREEAM for Domestic Refurbishment (2012) assessment report shall be submitted to the BRE (with a copy of the report provided to the Local Planning Authority) demonstrating that the relevant residential unit meets the requirements of 'very good'.

In the interests of energy conservation, reduction of CO2 emissions and wider sustainability, in accordance with policies 5.1, 5.2, 5.3, 5.6 and 5.7 of the London Plan (2015) and Policy CC1 of the London Borough of Hammersmith Core Strategy (2011).

- 84) Any outdoor seating areas within the Helios Courtyard in connection with the Class A3 floorspace hereby approved within Plots B shall operate within the following hours only:

Monday to Saturday: 0700 to 2200 hours
Sunday and Public Holidays 0700 to 2200 hours

The outdoor seating areas will be closed outside of these hours and any temporary seats/tables shall be removed and stored internally within the A3 unit(s).

To ensure that the development does not result in conditions prejudicial to the amenities of local residents by reason of noise and disturbance in accordance with Strategic Policy C and policy CC4 of the Core Strategy 2011 and policy DM C6 and DM H9 of the Development Management Local Plan 2013.

- 85) The Class A3 floorspace hereby approved within Plots A and B may be used only for restaurant/cafe use providing full meals served at table and shall not be used as a public house, wine bar, take-away or for any other purpose within class A3 of the schedule to the Town and Country Planning (Use Classes) order 1987 or any statutory replacement or modification thereof.

To ensure that the development does not result in conditions prejudicial to the amenities of local residents by reason of noise and disturbance in accordance with Strategic Policy C and policy CC4 of the Core Strategy 2011 and policy DM C6 and DM H9 of the Development Management Local Plan 2013.

- 86) The development (Plot B) shall be carried out in accordance with the approved Arup report 'Plot B - acoustic planning conditions 86 and 87' which details enhanced sound insulation measures for floor/ceiling/wall structures separating different types of rooms/uses in adjoining dwellings, namely living room and kitchens above bedrooms of separate dwellings (dated 25.06.15). Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure that the amenity of occupiers of the development site is not adversely affected by noise, in accordance with policy CC4 of the Core Strategy 2011 and policy DM H9 of the Development Management Local Plan 2013.

- 87) The development (Plot B) shall be carried out in accordance with the approved Arup report Plot B Acoustic Planning Conditions 86 and 87 which details sound insulation of the floor/ ceiling/ walls separating the plant rooms, basement car park (if below dwellings), and communal facilities from dwellings (dated 25.06.15). Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure that the amenity of occupiers of the development site is not adversely affected by noise from transport or industrial/ commercial noise sources, in accordance with policy CC4 of the Core Strategy 2011 and policy DM H9 of the Development Management Local Plan 2013.

- 88) The cinema facility within Plot A shall be used solely for the purposes of a cinema use only and shall be made available to members of the general public. The use shall not fall within in any other use falling within Class D2 of the Town and Country Planning (Use Classes) Order 2005 (or any order revoking and re-enacting that Order with or without modification).

In granting this permission, the Council has had regard to the particular circumstances of the case. The use of the site for any other purpose could raise

materially different planning considerations and the council wishes to have an opportunity to consider such circumstances at that time, and to ensure that there is appropriate provision of community leisure uses for the general public in the wider area in addition to the occupiers and visitors to the site, in accordance with policy CF1 and T1 of the Core Strategy 2011 and policy DM D2 and DM J1 of the Development Management Local Plan 2013.

- 89) The Gym/health/leisure/spa facilities within Plot B shall be used solely for the purposes of a health/leisure club/Gym/spa use only. The use shall not fall within in any other use falling within Class D2 of the Town and Country Planning (Use Classes) Order 2005 (or any order revoking and re-enacting that Order with or without modification).

In granting this permission, the Council has had regard to the particular circumstances of the case. The use of the site for any other purpose could raise materially different planning considerations and the council wishes to have an opportunity to consider such circumstances at that time, and to ensure that there is appropriate provision of community leisure uses for the general public in the wider area in addition to the occupiers and visitors to the site, in accordance with policy CF1 and T1 of the Core Strategy 2011 and policy DM D2 and DM J1 of the Development Management Local Plan 2013.

- 90) The approved Plot G2 'Pavilion' building shall be constructed with the enhanced façade design measures as detailed in the approved QCIC document: 'Pavilion Blast Enhancement', and the approved AHMM document: '150629_G2_Information to Discharge Condition 90; and permanently retained thereafter.

In order to ensure that the proposals deliver a high standard of design in accordance with policies BE1 of the Core Strategy (2011), Policies 7.4 and 7.13 of the London Plan (2015), policies DM G4 and DM C1 of the Development Management Local Plan 2013 and "Planning Guidance" Supplementary Planning Document 2013.

- 92) The development shall be carried out in accordance with the approved method statement for reconstruction of the Helios Statue and 7th floor structures (including the nib block) within Plots B and C (ref: 2015/05840/DET) dated 3rd March 2016 and the approved method statement for the reconstruction of the roof level rotunda in Plot B (ref: 2015/00192/DET) dated 3rd March 2016.

In order to safeguard the special architectural or historic interest of the building in accordance with policy DM G7 of the Development Management Local Plan (2013) and policy BE1 of the Core Strategy (2011).

- 93) The landscaping works subject to the detailed approval relate to specified parts of Plots A, B, C, D, E, the Helios courtyard, front forecourt and boulevard/ring road only, notwithstanding the landscaping details associated with Plots F, G, H and the parts of the Ring Road within as shown on the approved plans.

To ensure a satisfactory external appearance of the detailed aspects of the planning approval in accordance with 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.

- 94) The Class D uses hereby permitted within plots A and B shall operate only between 0600 hours and 2400 hours on any day

To ensure that the amenities of surrounding occupiers are not unduly affected by noise and other disturbance, in accordance with policy CC4 of the Core Strategy 2011 and policy DM H9 of the Development Management Local Plan 2013.

- 95) Conditions relating to Development Area 2 (or relevant part(s) thereof):

Class A4 use hereby permitted within plots G and H shall operate only between 0900 hours and 2400 hours, on weekdays and 0900 hours and 2400 hours on Saturdays and on 0900 hours to 2300 hours on Sundays and Bank Holidays.

To ensure that the amenities of surrounding occupiers are not unduly affected by noise and other disturbance, in accordance with policy CC4 of the Core Strategy 2011 and policy DM H9 of the Development Management Local Plan 201

- 96) Prior to the commencement of the works on Plot G1 (the tall building) - save for the approved Enabling Works, in addition to the samples of all external materials (required in condition 10), a supporting statement shall be submitted to the local planning authority for approval in writing setting out the detailed specifications of each material indicating performance, sustainability rating, impacts from weathering and exposure to pollution sources in order to demonstrate that the materials are of the highest quality. The development shall be carried out in accordance with such details as have been approved.

To ensure the external appearance and environmental performance of the tall building is of the highest quality and to prevent harm to the street scene and public realm, in accordance with policies 5.3, 7.6 and 7.7 of the London Plan (2015), policy BE1 of the Core Strategy 2011 and policies DM G1 and DM G2 of the Development Management Local Plan 2013 and White City Opportunity Area Planning Framework (2013).

- 97) New floorspace constructed on Plots F and H pursuant to this permission shall not exceed 21,668 square metres GEA.

To ensure the development carried out does not exceed the cumulative maximum approved, to ensure a suitable mix and distribution of land uses within the development and to ensure the quantum of floor space keeps within the parameters assessed pursuant to the EIA in relation to the development in accordance with policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8 and 7.9 of the London Plan (2015) policies BE1, WCOA, WCOA 1 of the London Borough of Hammersmith and Fulham Core Strategy (2011)

- 98) With regards to the ground floor within plot H:

Notwithstanding the information in the approved drawings or any subsequent approval of reserved matters relating to building(s) on plot H and subject to the provisions within the relevant conditions set out in this planning permission, the

following land uses are permitted within all or part of the specified floorspace on the ground floor in Plot H providing the total floorspace (within the combined development) does not exceed the maximum floorspace as approved for that use subject to condition 8 of this planning permission:

- Class A1 (retail)
- Class A3 (restaurant)
- Class A4 (Bar)
- Class B1 (Business)

As set out in Class E, Part 3, schedule 2 of the General Permitted Development Order 1995 or the provisions of the relevant Class/Part upon implementation, this permission benefits from a period during which changes of use of the above specified floorspace between uses A1, A3, A4 and B1 as set out in the description of development may take place without the need for further planning permissions, subsequent to the approval of the reserved matters applications. This flexibility is for a period of ten years from the date of the approval of the last reserved matters application, for that part of the development.

To ensure the uses are compatible with the adjoining land uses, within the White City Opportunity Area and to ensure that the amenity of occupiers residing in surrounding residential properties would be safeguarded in accordance with policies WCOA, WCOA1 and BE1 of the Core Strategy (2011) and policies DM B1, DM C4, DM C6, DM D2 and DM A9 of the DM Local Plan (2013) and the White City Opportunity Area Planning Framework (2013).

- 99) No commercial deliveries nor collections/ loading nor unloading shall occur on Plots E, F, G or H hereby approved other than between the hours of 08:00 to 18:00 on Monday to Saturdays and at no time on Sundays and Public/Bank Holidays.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise, in accordance with policy CC4 of the Core Strategy 2011 and policy DM H9 of the Development Management Local Plan 2013.

- 102) The Private Members Club (Sui Generis) hereby permitted within plot A shall operate only between 0600 hours and 0100 hours, on Sundays to Wednesdays and 0600 hours and 0300 hours on Thursdays to Sundays (including Bank Holidays).

To ensure that the amenities of surrounding occupiers are not unduly affected by noise and other disturbance, in accordance with policy CC4 of the Core Strategy 2011 and policy DM H9 of the Development Management Local Plan 2013.

- 103) With regards to the specified 3,433 sqm on floors, 8, 9 and 10 within plot A:

Notwithstanding the information in the approved drawings relating to plot A and subject to the provisions within the relevant conditions set out in this planning permission, the following land uses are permitted within the specified floorspace on the floors 8, 9 and 10 in Plot A (shown in the plans as 3,433 sqm of private members club) providing the total floorspace (within the combined development)

does not exceed the maximum floorspace as approved for that use subject to condition 8 of this planning permission:

Class B1 (Business)
Sui Generis (Private Members Club)

As set out in Class E, Part 3, schedule 2 of the General Permitted Development Order 1995 or the provisions of the relevant Class/Part upon implementation, this permission benefits from a period during which changes of use of the above specified floorspace between uses B1 and the private members club as set out in the description of development may take place without the need for further planning permissions, subsequent to the approval of the reserved matters applications. This flexibility is for a period of ten years from the date of this approval.

In granting this permission, the Council has had regard to the particular circumstances of the case. The use of the site for any other purpose could raise materially different planning considerations and the council wishes to have an opportunity to consider such circumstances at that time, and to ensure the uses are compatible with the adjoining land uses, within the White City Opportunity Area and to ensure that the amenity of occupiers residing in surrounding residential properties would be safeguarded in accordance with policies WCOA, WCOA1, BE1 and T1 of the Core Strategy (2011) and policies DM B1, DM C4, DM C6, DM D2, DM A9 and DM J1 of the DM Local Plan (2013) and the White City Opportunity Area Planning Framework (2013).

104) Any outdoor seating areas within the front forecourt, the boulevard and Plot D park-side cafe/restaurant in connection with the Class A3 floorspace hereby approved within Plots A and D shall operate within the following hours only:

Plot A Boulevard Seating Area
Monday to Saturday: 0800 to 2100 hours
Sunday and Public Holidays 0800 to 2100 hours

Plot A Front Forecourt Seating Area
Monday to Saturday: 0700 to 2200 hours
Sunday and Public Holidays 0700 to 2200 hours

Plot D Park-side Cafe/Restaurant Seating Area
Monday to Saturday: 0800 to 2100 hours
Sunday and Public Holidays 0800 to 2100 hours

The outdoor seating areas will be closed outside of these hours and any temporary seats/tables shall be removed and stored internally within the A3 unit(s).

To ensure that the development does not result in conditions prejudicial to the amenities of local residents by reason of noise and disturbance in accordance with Strategic Policy C and policy CC4 of the Core Strategy 2011 and policy DM C6 and DM H9 of the Development Management Local Plan 2013.

- 105) The rooftop terrace associated with the Private Members Club hereby approved within Plot A shall operate within the following hours only:

Monday to Saturday: 0700 to 2300 hours
Sunday and Public Holidays 0700 to 2300 hours

The roof terrace will be closed outside of these hours.

To ensure that the development does not result in conditions prejudicial to the amenities of local residents by reason of noise and disturbance in accordance with Strategic Policy C and policy CC4 of the Core Strategy 2011 and policy DM C6 and DM H9 of the Development Management Local Plan 2013.

- 106) Notwithstanding the provisions of the Town and Country Planning (Use Classes Order) 1987 (As Amended) or any subsequent order, change of use of the Class B1 (Business) accommodation to Class C3 (Residential dwellings) will not be permitted anywhere within the development site.

In granting this permission, the Council has had regard to the particular circumstances of the case. The use of the approved new office accommodation within Plots A, C or D to residential purposes could raise materially different planning considerations and the council wishes to have an opportunity to consider such circumstances at that time, and to ensure the uses are compatible with the adjoining land uses, within the White City Opportunity Area and to ensure that the amenity of occupiers residing in surrounding residential properties would be safeguarded in accordance with policies WCOA, WCOA1, BE1 and T1 of the Core Strategy (2011) and policies DM B1, DM C4, DM C6, DM D2, DM A9 and DM J1 of the DM Local Plan (2013) and the White City Opportunity Area Planning Framework (2013).

- 107) Neither music nor loud voices emitted from the development shall be audible/measurable above the lowest background noise level at the nearest or most affected external residential noise sensitive facade and should be at least 10 dB below the quiet background inside any dwelling.

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

- 108) Details of external use and measures to prevent the use and occupation of the external seating areas on the rear of Plot A and Helios Courtyard, and Plot D outside of the hours specified in condition 104 shall be submitted to and approved in writing by the Council. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

- 109) The private members club use shall not commence until all external doors to the premises (including those serving the roof areas of the building) have been fitted

with self-closing devices, which shall be maintained in an operational condition and at no time shall any external door nor windows be fixed in an open position.

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

- 110) Windows on the rear elevation of the three storey townhouses which directly face the 9 storey residential finger blocks, as approved within Plot E shall contain obscure glazing or glazing that will prevent direct views between directly facing habitable room windows. The details of obscure and/or opaque glazing including samples and detailed drawings shall be submitted to and approved in writing, prior to construction of the relevant part of the development. The glazing shall be implemented in accordance with the approved details and shall be permanently retained thereafter.

To ensure that the development does not result in unacceptable levels of overlooking between dwellings which would be prejudicial to the amenities of local residents by reason of visual intrusion in accordance with Strategic Policy C and policy CC4 of the Core Strategy 2011 and policies DM A2, DM A9 and DM H9 of the Development Management Local Plan 2013.

- 114) No part of the inner courtyard in Plots B and C shall be used as an outdoor seating area in connection with the approved Class A3 use in Plot B.

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

- 115) Notwithstanding the information in the approved plans, the southern flank elevation of Plot A which contains windows that would serve the offices and members club at 8th, 9th and 10th floors, shall contain obscure glazing only.

To ensure that the development does not result in unacceptable levels of overlooking between the commercial office/sui generis floorspace in Plot A and the residential dwellings in Plots B and C which would be prejudicial to the amenities of residents by reason of visual intrusion in accordance with Policy BE 1 of the Core Strategy and policies DM A2, DM A9 and DM H9 of the Development Management Local Plan 2013.

Justification for Approving the Application:

- 1) Principle of Development/Regeneration: The principle of a comprehensive mixed use redevelopment of the site including residential, office, hotel, retail, ancillary TV Studio and leisure uses including the sui generis members club is considered to be acceptable and in accordance with national, strategic and local planning policies, which advocate making the most efficient use of brownfield land in sustainable locations and would help meet local and strategic housing needs. The proposed development (as revised by way of amendments to conditions 3, 4, 8 and 97) would contribute to the regeneration of the area by increasing the range of employment opportunities, improve linkages and connections within the area and would promote sustainable economic growth. The relatively small size and

location of the proposed retail and leisure uses would not compromise the vitality or viability of surrounding centres. The proposed development, as revised, would contain appropriate land uses that are compatible with the White City Opportunity Area which is well served and accessible by public transport. There are no additional issues resulting from the variation to conditions 3, 4, 8 and 97 which challenges the principle of development. The proposed development (as amended) is therefore considered acceptable in accordance with policies 2.13, 2.15, 3.3, 3.4 of the London Plan (2015) and Strategic Policies WCOA, WCOA1, A, B, C and H1 of the Core Strategy (2011) and White City Opportunity Area Planning Framework (2013).

Housing: The proposed development (which includes increasing the residential floorspace maximum by 2,489sqm) would contribute towards providing much needed additional housing in accordance with London Plan Policies 3.3B, 3.3D and 3.3E and would help the borough meet its housing targets in accordance with Table 3.1 of the London Plan. It is considered that the development (as amended by way of the variations to conditions 3, 4, 8 and 97) would contribute towards the indicative housing targets set out in Strategic Policy H1 of the Core Strategy which promotes the development of new housing within the Strategic Sites and Core Strategy Policy WCOA and WCOA1 for developments within the White City Opportunity Area which set an indicative housing target of 5,000 homes is proposed across the plan period. The principle and density of residential development proposed is considered acceptable and would be in accordance with London Plan Policies 3.3 and 3.4 and Core Strategy Strategic Policies H1, H3, A and WCOA1. The proposed development (as amended) would comprise an appropriate mix of dwelling sizes that would meet local and London-wide housing needs and is therefore considered to be in accordance with policy 3.8 of the London Plan (2015) and policy H4 of the Core Strategy. In the context of these policies and having regard to the Viability Assessment, the individual circumstances of the site and the planning and regeneration benefits arising from the development, it is considered that the provision of affordable housing is acceptable and would be in accordance with Policies 3.8, 3.10, 3.11 and 3.12 of the London Plan (2015), and policies H1, H2, H3 and H4 of the Core Strategy 2011 and policies DM A1, DM A2, DM A3, DM A4, DMA9 of the Development Management Local Plan 2013 and the Council's Planning Guidance Supplementary Planning Document and White City Opportunity Area Planning Framework (2013).

Design: It is considered that the proposed development, subject of the detailed elements of the application would be of a high quality design and would make a positive contribution to the character and appearance of the White City Opportunity Area, both enhancing the character of the Wood Lane Conservation Area and the setting of the Grade II listed Television Centre building. The scale and massing of the detailed and outline components of the proposed development, as defined by the outline parameters plans and design codes is also considered to be appropriate. Specifically, the scale, massing, height, design and relocation of the new East Tower is considered to be supported by Core Strategy Strategic Policy WCOA. Although the proposed development will be visible and will have an impact on views from within LBHF it is considered that the impact is not one of significant harm to conservation areas or local townscape and the proposed development would positively contribute to the skyline of this part of White City. The proposed development, incorporating the minor material

amendments to the parameters plans of the outline elements, is therefore considered acceptable in accordance with policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8 and 7.21 of the London Plan (2015) and policies WCOA, WCOA1 and BE1 of the Core Strategy 2011 and policies DM G1, DM G2, DM G6 of the Development Management Local Plan 2013, and the Council's Planning Guidance Supplementary Planning Document and White City Opportunity Area Planning Framework (2013).

Built Heritage: The proposed internal and external alterations, including the new build additions, to the Grade II listed Television Centre building are considered to be sympathetic and would preserve the elements of highest significance within the building. As such, the alterations and additions are considered to preserve the special historic and architectural interest of the heritage asset. The proposed demolition of the peripheral buildings, including the MSCP, East Tower, Stages 4 and 5, Drama Block and Restaurant block, and the proposed demolitions of parts of the existing listed building is deemed acceptable given the satisfactory proposals for replacement buildings and structures and would cause less than substantial harm to the character or appearance of the conservation area and setting of the retained listed buildings. The proposed development would be visible from within LBHF and from isolated instances in the Royal Borough of Kensington and Chelsea. The impact of the proposal on the historic significance, visual amenity, character and appearance of these areas, in particular Wood Lane Conservation Area and setting of the Grade II listed buildings in the area, is considered on balance acceptable. The proposed development is therefore considered to be acceptable and would be in accordance with policies 7.4, 7.7 and 7.8 of the London Plan (2015), policies BE1 and WCOA 1 of the Core Strategy 2011 and policies DM G1, DM G2, DM G6 and DM G7 of the Development Management Local Plan 2013 and the Council's Planning Guidance Supplementary Planning Document and White City Opportunity Area Planning Framework (2013).

Residential Amenity: It is considered that the proposed development (as revised) would not result in significant harm to the amenities of adjoining occupiers in terms of daylight/sunlight, over-shadowing, and privacy. Potential impacts in terms of air quality, light pollution, solar glare, wind tunnelling, noise or TV/radio reception would be acceptable with regard to the various mitigation methods proposed which are secured by condition. In this regard, the development would respect the principles of good neighbourliness. The proposed development, incorporating the minor material amendments to the parameter plans of the outline elements, is therefore considered to be acceptable and would be in accordance with policies 3.5, 3.6, 3.8, 7.3, 7.6, 7.7, 7.14 and 7.15 of the London Plan (2015) and policies BE1, H3 and CC4 of the Core Strategy (2011) and policy DM A9 and DM G1 of the Development Management Local Plan 2013 and the Council's Planning Guidance Supplementary Planning Document and White City Opportunity Area Planning Framework (2013).

Access: Subject to conditions, it is considered that the development would provide a safe and secure environment for all users. The proposed amendments to the outline elements of the development do not result in any additional access or inclusivity impacts beyond those assessed in the former planning application. The development is therefore considered to be acceptable in accordance with Policies 3.8, 6.12 and 7.2 of the London Plan (2015)), policy H3 of the Core Strategy 2011

and policy DM H4 of the Development Management Local Plan 2013 and the Council's "Planning Guidance" Supplementary Planning Document.

Quality of Residential Accommodation: The proposal is considered to provide an acceptable standard of accommodation for future occupiers of the residential accommodation (private and affordable) in respect of the living space, aspect and amenity. The assessment is that the majority of the proposed units would benefit from acceptable levels of daylight/sunlight, outlook and privacy. The proposed amendments to the outline elements of the development do not result in any worsening of residential quality from what has been assessed in the former planning application. The development, incorporating the minor material amendments to the parameter plans of the outline elements, is therefore considered to be acceptable in accordance with Policies 3.5 and 3.8 of the London Plan (2015), Policy H3 of the Core Strategy (2011), Policies DM A2, DM A9 of the Development Management Local Plan 2013 and the Council's "Planning Guidance" Supplementary Planning Document and White City Opportunity Area Planning Framework (2013).

Highways: It is considered that the overall traffic impact of the proposed development would be less than anticipated in the forecasts undertaken by Transport for London in relation to the Transport Study undertaken for the White City Opportunity Area Planning Framework and as such, the traffic impact would be acceptable and in accordance with Core Strategy Policy T1 and DM Local Plan policy DM J1. The level of car, motorcycle and cycle parking is assessed as being acceptable in accordance with the policies DM J2, DM J3, DM J4 and DM J5 of the Development Management Local Plan 2013 and the Council's "Planning Guidance" Supplementary Planning Document. The site is accessible and well served by public transport, the proposed development would enhance pedestrian and cycle linkages to the north-south and east-west of the site to the benefit of the wider White City 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 White City 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 issues. The proposed amendments to the outline elements of the development do not result in any additional transportation or highways impacts beyond those assessed in the former planning application. 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 (2015) and policy T1 of the Core Strategy (2011) and policy DM J1, DM J2, DM J3, DM J4, DM J5 and DM J6 of the Development Management Local Plan 2013 and the Council's "Planning Guidance" Supplementary Planning Document and White City Opportunity Area Planning Framework (2013).

Sustainability: The proposed development has been designed to meet Level 4 of the Code for Sustainable Homes and a BREEAM rating of Very Good or Excellent subject to individual tenancy agreements. The proposed development would include a decentralised energy centre, which would provide the heating and hot water requirements for the development (with the exception of Plot H) through Gas fired CHP units. Each building will also provide further renewable energy technologies, green/brown roofs and photovoltaic panels to supplement the

provision of gas fired CHP units as appropriate to their carbon reduction target and energy profile. This will result in a significant reduction of CO2 emissions beyond the Building Regulations 2010 compliant level. The proposed amendments to the outline elements of the development do not result in any additional sustainability or energy issues beyond those assessed in the former planning application. Subject to conditions, the proposed development is therefore considered to be acceptable and would be in accordance with policies 5.1, 5.2, 5.3, 5.6, 5.7, 5.8, 5.9, 5.11, 5.12, 5.13, 5.14, 5.15, and 7.19 of the London Plan (2015) and policies CC1, CC2 and H3 of the Core Strategy (2011) and policy DM H1, DM H2, DM H3, DM H4, DM H5, DM H6, DM H7, DM H8, DM H9, DM H10, DM A2 and MD A9 of the Development Management Local Plan 2013 and the Council's Planning Guidance Supplementary Planning Document and White City Opportunity Area Planning Framework (2013).

Flood Risk: The site is located in flood zone 1 (low risk). A Flood Risk Assessment (FRA) has been submitted which advises standard construction practices in order to ensure the risk of flooding at the site remains low. The development would therefore be acceptable and in accordance with Policies 5.12 and 5.13 of the London Plan (2015) and policy CC2 of the Core Strategy 2011 and policy DM H3 of the Development Management Local Plan 2013 and the Council's Planning Guidance Supplementary Planning Document.

Environmental Impacts: All Environmental Impacts have been assessed with regards to construction, demolition, proposed development and alternatives, Noise, Air Quality, Ecology, Transport, Socio-economics, Archaeology, Sunlight, Daylight, Overshadowing, Solar Glare, Water Resources and Flood, Waste, Ground Contamination, Microclimate, Electronic Interference, Townscape and Heritage, Cumulative and Residual Impacts, set out in the Environmental Statement and Addendums, and subsequent related reports in accordance with the EIA Regulations 2011. The Environmental Statement, the subsequent Environmental Statement Addendums and the submitted further information to the Environmental Statement and their various technical assessments together with the consultation responses received from statutory consultees and other stakeholders and parties, enable the Council to determine this application with knowledge of the likely significant environmental impacts of the proposed development, as amended by way of the variation to conditions 3, 4, 8 and 97.

Legal Agreement: The application proposes that its impacts are mitigated by way of a comprehensive package of planning obligations to fund improvements that are necessary as a consequence of the increased use arising from the population yield from the development and additional new land uses. The financial contributions will go towards the enhanced provision of education, health, employment, community facilities, accessibility and sustainable transport, highways (including pedestrian and cycle routes) and the public realm . The proposed development (as revised) would therefore mitigate external impacts and would accord with London Plan (2015) policy 8.2, Core Strategy Policies CF1, WCOA and WCOA1 and the White City Opportunity Area Planning Framework (2013).

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

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

Application form received: 24th March 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: **Dated:**

1.0 Background

1.1 This planning report relates to an application (Application 5) to vary planning permission 2015/02646/VAR (dated 10th December 2015) for works relating to Development Plot F which is part of the comprehensive redevelopment of the Grade II listed BBC Television Centre (TVC) and surrounding land ('the Site') on Wood Lane, within the London Borough of Hammersmith and Fulham (LBHF). The planning application has been made by Stanhope/BBC in order to vary conditions 3, 4, 8 and 97 pursuant to ref: 2015/02646/VAR which relate to (3) approved drawings, (4) parameters plans (8) floorspace/land uses and (97) floorspace provision within Plots F and H. The application would create a new planning permission and comprise the fifth application submitted by the applicant for the comprehensive redevelopment of the site (details of the planning history is identified in sections 2.0-2.13) in this report). The application is made under Section 73 of the Town and Country Planning Act 1990 (as amended) as the proposed changes are considered to comprise a Minor Material Amendment to the permitted development scheme. The changes are proposed to Plot F which comprises the townhouses plot to the south of the former Drama Block.

1.2 The Application Site (Television Centre) became the first purpose built television studios in the country when it opened in 1960 and has since been home to the British Broadcasting Corporation (BBC) until its closure in 2013. The BBC have been based in White City for over 60 years since acquiring the site in 1951. The site formerly comprised of a complex group of interconnected bespoke buildings which contained 8 x TV studios, offices, production studios, warehousing, dressing rooms and set storage facilities and ancillary uses built around a central ring, extending outwards towards Wood Lane (the Spur) and to the rear (the drama block, East Tower and restaurant

block). The site also included the storage yard to the rear of the drama block and the multi storey car park (MSCP) to the south of the railway viaduct. The site (excluding the MSCP) was awarded a Grade II listed status in 2009. The site forms part of LBHF's Core Strategy Strategic Site (WCOA1) which lies within the White City Opportunity Area-a major area for intensification of new development as envisaged by the London Plan.

1.3 The approved redevelopment proposals for the Television Centre site will result in the creation of a new mixed use urban quarter with new retail, restaurant, community and leisure uses, enhanced office provision and additional homes, including affordable accommodation. The development proposes the renovation and adaptation of parts of the listed Television Centre building of greatest significance to its designation as a heritage asset; major redevelopment of the peripheral elements of lesser significance; and redevelopment of underused land to the south of the site including the multi-storey car park (MSCP). The site is circa 6 hectares in area.

1.4 The principal building on the site comprised the iconic BBC Television Centre question mark building which contained TV studios 1-8, offices production suites and the former newsroom. Parts of this building have been demolished and partially demolished as part of the on-going redevelopment works. The site of the former restaurant block is located to the north of the question mark building with the East tower and Drama block located to the south. The MSCP is a free standing building located to the south of the site, beyond the underground line viaduct. For the purposes of the redevelopment works, the site has been broken down into the following individual sub-plots:

Question Mark Building:

- o Stages 4 and 5 (Plot A); Now demolished.
- o Inner Ring, Helios (Plot B); Part demolished. Under refurbishment
- o Outer Crescent (Plot C); Now demolished
- o Studios 1-3 (Plot J); Under refurbishment
- o Stage 6 (Plot K). Under refurbishment

Peripheral Elements:

- o Restaurant Block (Plot D); Now demolished
- o Drama Block (Plot E); Currently being demolished
- o Land to the rear of the Drama Block (proposed townhouses) (Plot F);
- o East Tower (Plot G); Due for demolition in 2016
- o Multi-storey car park (MSCP) (Plot H); Due to be demolished.
- o Forecourt;

1.5 The application relates to minor material amendments to Plot F which comprises the townhouses plot that is located to the south of the former Drama Block and lies between the rear of the Frithville Gardens properties and the Hammersmith and City Line. Frithville Gardens comprises predominantly 3 storey Victorian terraces properties which comprise back gardens that back onto Plot F. The Hammersmith and City Line runs north-south and separates the eastern part of the former BBC Television Centre site (the MSCP building) from the main site. The Drama Block is in the process of being demolished and the remaining structures on the Plot F site have been removed. The applicant has applied for temporary permission for a site office to accommodate office workers and contractors whom are involved in the redevelopment works (Ref: 2016/00648/DET).

2.0 Planning History

2.1 There is significant recent planning history relating to the site. In July 2014, a hybrid outline/detailed application and corresponding listed building and conservation consents were approved, subject to a s106 agreement for the comprehensive redevelopment of the site for mixed uses including residential, offices, retention of TV studios and commercial uses with corresponding works to the Grade II listed building (Ref: 2013/02355/COMB, 2013/02244/CAC and 2013/2356/LBC). The proposals included major demolition of parts of the site and the erection of new buildings including a new 25 storey tower [Application 1].

2.2 In February 2015, the above planning permission was varied by way of a section 73 Minor Material Amendment (MMA) application (ref: 2014/04720/VAR) and corresponding Listed Building Consent (2014/04723/LBC), subject to s106 agreement. The consents allowed changes to the approved land uses and additional demolitions (with additional new build (Plot A)) [Application 2].

2.3 In April 2015, a new planning application (ref: 2014/02531/COMB) and listed building consent (2014/02532/LBC) were approved, subject to s106 agreement for a revised development scheme which comprised further design changes, revisions to the land use provisions and included additional detailed elements [Application 3]. The applicant subsequently obtained planning permission for a further S73 MMA application (ref: 2015/02646/VAR) and corresponding listed building consent (ref: 2015/02647/LBC) which vary details of the former planning permission in respect of changes to the land use provisions and minor design refinements [Application 4]. This application was approved on 10th December 2015.

2.4 The main 'comprehensive' planning applications are as follows:

Application:	Ref:	Description:
Application 1:	Ref: 2013/02355/COMB	Original Planning Permission
Application 2:	Ref: 2014/04720/VAR	MMA of Original PP
Application 3:	Ref: 2014/02531/COMB	2014 Scheme [Scheme 2]
Application 4:	Ref: 2015/02646/VAR	MMA of Scheme 2
<i>Application 5:</i>	<i>Ref: 2016/01373/VAR</i>	<i>MMA of Application 4 [THIS APPLICATION]</i>

2.5 Applications 3 and 4 (details set out below), alongside the corresponding listed building consents [2014/02532/LBC & 2015/02647/LBC] are of the most significance to the current application to vary the extant planning permission.

2014 Scheme [Scheme 2] [2014/02531/COMB & 2014/02532/LBC]

Ref: 2014/20531/COMB [Hybrid Planning Application]: Demolition of parts of the former BBC Television Centre, associated buildings & structures (including boundary walls) to facilitate comprehensive phased redevelopment of the site to provide up to 943 residential units with a range of land uses. Planning Permission is sought in detail for works to the main building comprising erection of new 10 storey Class B1 (office) building to replace Stages 4-5 incorporating a private members club (sui generis), cinema (Class D2) & restaurant (Class A3), extensions at roof level, ground & basement levels, refurbishment of facades & change of use of parts of the retained building to provide Use Class D2 (gym), C1 (hotel); C3 (residential); A1 (shops); A2 (financial &

professional services) & A3 (café/restaurants); erection of new 8-10 storey outer ring building replacing Studios 4-8 including provision of up to 941sqm Class B1 (new BBC offices) next to Studio 3, erection of new 6-9 storey office building with ground floor cafe (Class A3) to replace the canteen block, erection of new 3-9 storey building replacing the former drama block to provide residential use (Class C3) & redevelopment of the East Tower to comprise erection of 25-storey building & 3 storey pavilion building to provide residential accommodation (up to 17,670 sqm) with provision of up to 1,843 sqm flexible ground floor uses (Classes A1/A3/A4 or B1); provision of car, cycle & motorcycle parking, hard & soft landscaping within new public forecourt & Helios courtyard, new shared pedestrian & vehicular routes, installation of new plant machinery & other structures. Planning Permission is sought (with all matters to be reserved) for the erection of buildings on the multi storey car park site & land to the rear of the Drama block ranging from 3-10 storeys to provide Class C3 residential; flexible A1-A4 or B1 uses; provision of car parking; hard & soft landscaping areas; alterations to the vehicular/pedestrian routes/access & works

2.6 The applicant commenced development works under Application 1, until Application 2 was approved (at which point this became the extant permission). Likewise, on approval of each new permission, the works implemented under the former consent switched to the current permission to which works will be carried out under. Currently, work is being carried out on the implementation of Application 4 which will be replaced by Application 5, should the current works (subject to this application) be approved. Works are being implemented in connection with Development Area 1 [Plots, A, B, C, D and G2 and parts of the forecourt]. The applicant has served notice that works will commence on Development Area 2 [on Plot E] in 2016.

Ref: 2014/02532/LBC [Listed Building Consent]: internal and external alterations to the former BBC Television Centre buildings to include:-

- Works to the Inner Ring, Helios and Forecourt area;
- Roof top alterations to the Inner Ring;
- Demolition of Stages 4 and 5, Studios 4-8 and the wedge (within the question mark building) and erection of replacement structures
- Demolition of the Restaurant Block, Drama Block, East Tower, connecting bridges and tunnels;
- Demolition of gatehouses;
- Removal of boundary treatment;
- Proposed basement works;
- Access and egress works;
- Associated boundary treatment and landscaping; and
- Other associated and ancillary works

2.7 The works subject to the above LBC were consented on the basis that they would be carried out alongside the Scheme 2 development. The resultant LBC effectively replaced the previous LBCs submitted in connection with the development schemes subject to Applications 1 and 2. The Listed Building Consent is in the process of being implemented.

S73 Minor Material Amendment to 2014 Scheme [Ref: 2015/02646/VAR & 2015/02647/LBC]

2.8 The applicant has submitted a further application to vary the 2014 Scheme, alongside a new listed building consent for additional works to the listed building (to be implemented alongside the previous LBC and planning scheme). The application (as set out below) was approved 10th December 2015.

2015/02646/VAR [Variation of 2014 Scheme]: Variation of conditions 3, 8, 89 & 103 of planning permission 2014/02531/COMB 02.04.15 for Demolition of parts of former BBC Television Centre, associated buildings & structures (including boundary walls) to facilitate comprehensive phased redevelopment of the site to provide up to 943 residential units with a range of land uses. Planning permission is sought in detail for works to the main building comprising erection of new 10 storey Class B1 (office) building to replace Stages 4-5 incorporating private members club (sui generis), cinema (Class D2) & restaurant (Class A3), extensions at roof level, ground & basement levels, refurbishment of facades & change of use of parts of the retained building to provide Use Class D2 (gym & spa), C1 (hotel); C3 (residential); A1 (shops); A2 (financial & professional services) & A3 (café/restaurants); erection of new 8-10 storey outer ring building replacing Studios 4-8 including provision of up to 941sqm Class B1 (new BBC offices) next to Studio 3, erection of new 6-9 storey office building with ground floor café (Class A3) to replace the canteen block, erection of new 3-9 storey building replacing former drama block to provide residential use (Class C3) & redevelopment of East Tower to comprise erection of 25-storey building & 3-storey pavilion building to provide residential accommodation (up to 17,670sqm) with provision of up to 1,843 sqm flexible ground floor uses (Classes A1/A3/A4 or B1); provision of car, cycle & motorcycle parking, hard & soft landscaping within new public forecourt & Helios courtyard, new shared pedestrian & vehicular routes, installation of new plant machinery & other structures. Planning permission is sought (with all matters reserved) for the erection of buildings on the multi storey car park site & land rear of the Drama block ranging from 3-10 storeys to provide Class C3 residential; flexible A1-A4 or B1 uses; provision of car parking; hard & soft landscaping; alterations to vehicular & pedestrian routes & access

Ref: 2015/02647/LBC [Listed Building Consent for Additional Works to Listed Building]: Internal and external alterations to the former BBC Television Centre buildings (to be carried out alongside elements of listed building consent 2014/02532/LBC in connection with the comprehensive redevelopment of the site) comprising roof top alterations and extensions to the Inner Ring including demolition of the rooftop rotunda structure and erection of identical replacement structure, demolition/removal of 7th floor elements and erection of replacement structures and alterations to the canopy to South Hall, erection of replacement Stages 4-5 building (with alternative façade design, roof form and internal reconfiguration) and outer ring building (with alternative design of the upper floor facades and roof level articulation), demolition of external staircase at Studio 1, demolition of glazed walkway above Studio 1 canopy and re-cladding of external wall replacing the ceramic panels and other associated ancillary works.

2.9 The applicant has signed a new s106 agreement in connection with the 2015 MMA Scheme which confirms that this scheme will be implemented with the up-dated s106 provisions. The works specified in the corresponding LBC [2015/02647/LBC] will be carried out alongside the approved works set out in the previous listed building consent [2014/02532/LBC], which is in connection with the 2015 MMA scheme [the extant planning permission] [Ref: 2015/02646/VAR].

Planning Conditions

2.10 The applicant has discharged a number of planning conditions across the various planning permissions which are of relevance to the proposed section 73 application, given the amendments to the parameter plans affect parts of the site (ie: Plot F) whereby the below conditions have been discharged. The following conditions are site-wide discharges which were submitted and approved prior to commencement of works (in respect of Applications 1 and 2):

Condition 5: Enabling Works (multiple submissions for Infrastructure Works, minor demolitions and fabric removal)
Condition 29: Water Supply - Site Wide
Condition 27: SUDS - Site Wide
Condition 30: Foul and Surface Water Drainage - Site Wide
Condition 31: Preliminary Risk Assessment (Ground Contamination) - Site Wide
Condition 32: Site Investigation Scheme (Ground Contamination) - Site Wide
Condition 33: Risk Assessment (For Enabling Works Areas) - Partial
Condition 34: Remediation Method Statement (For Enabling Works Areas) - Partial

2.11 The applicant has discharged the following conditions pursuant to Application 3 for various details (of some relevance to Plot F).

- Ref: 2015/02063/DET: Condition 12: Archaeological Investigation (Site-wide) - partial discharge for part (i) (02.07.15)
- Ref: 2015/02069/DET: Condition 17: Arboricultural Method Statement (On-site trees) (13.07.15)
- Ref: 2015/02066/DET: Condition 27: SUDS - site wide (24.07.15)
- Ref: 2015/02066/DET: Condition 30: Foul Water Drainage - site wide (24.07.15)
- Ref: 2015/02076/DET: Condition 37: Wind Microclimate (site wide) (03.07.15)
- Ref: 2015/02075/DET: Condition 38: Airwaves Report (site wide) (03.07.15)
- Ref: 2015/02075/DET: Condition 40: TV Interference Report (site wide) (03.07.15)
- Ref: 2015/02076/DET: Condition 47: Vibration Report (Site-wide) (03.07.15)
- Ref: 2015/02106/DET: Condition 54: Road Layouts (site wide)
- Ref: 2015/02107/DET: Condition 59: Footpaths and Roads/Safety Audit (site wide) - full discharge (25.08.15)
- Ref: 2015/02073/DET: Condition 66: Inclusive Access Management Plan (side wide) (03.07.15)
- Ref: 2015/02069/DET: Condition 77: Arboricultural Method Statement (Off-site trees) (13.07.15)
- Ref: 2015/02107/DET: Condition 80: Drop Off Points (side wide)

2.12 The applicant has obtained permission (Ref: 2014/05788/DET) to partially discharge condition 5, pursuant to Application 1, in respect of the following enabling works:

- Below ground infrastructure works, including alterations and installation of new utilities infrastructure (on land adjacent to Studios 1-3 (comprising IWP2));
- Demolition of the Scenery Sheds (to ring road adjacent to Studios 4-8)
- Demolition of structures in Dodd's Yard (on Plot F);
- Demolition of the Cashier's Office and re-grading of front forecourt (in the front forecourt area (comprising part of IWP3));
- Demolition of the East Tower podium toe;
- Demolition of the Wood Lane boundary wall;

- Demolition of the Drama Block link bridges and canopy roof; and
- Demolition of the Security Hut canopy.

2.13 The applicant has discharged condition 12 (Archaeology – Post Completion including Plots D and F) pursuant to ref: 2015/02646/VAR.

3.0 Consultation Responses

3.1 The application has been advertised as a Major Development, which affects the setting of a Conservation Area and Listed Building and that is EIA Development. The application has been advertised by way of a Site Notice (12/04/2016) and a Press Release (12/04/2016). The expiry date is 03/05/2016.

3.2 Consultation letters (dated 04/04/2016) were sent to adjoining occupiers in Frithville Gardens and immediately surrounding properties (expiry date 27/04/2016).

No objections have been received

Statutory Consultations:

3.3 As the proposed minor alterations to the extant scheme relate to a defined part of the development site, officers have consulted the statutory consultees that are considered to be affected by the proposed amendments. The previous representations submitted by the statutory consultees are applicable (where they relate to Plot F) and will be referred to in the officer assessment.

London Underground: No response

Hammersmith Society: No response

Thames Water: No response

Environment Agency: No response

Internal Consultations:

Conservation and Design: No objections

Environmental Quality: No objections. No changes to land contamination here.

Environmental Health: No objections.

Environmental Policy: No objections. EPO has reviewed the proposed minor amendments and do not consider that they raise significant issues of concern in terms of sustainability or flood risk. I note that a basement level has been added to all units. This change should be factored into the flood risk assessment and appropriate mitigation measures proposed. Further details on these issues can be provided at the reserved matters stage and show how the proposals will comply with our requirements, providing mitigation measures where necessary.

Building Control: No response

Transport and Highways: No objections. Reminder to update Construction Logistics Plan to consider 20mph zones in LBHF.

Air Quality Officer: No response

4.0 The Proposals:

Minor Amendment Application (Section 73) Procedure

4.1 This report relates to a Minor Material Amendment (MMA) application for the variation of conditions (3) approved drawings, (4) parameters compliance, (8) floorspace/land uses and (97) floorspace maximum in Plots F and H, pursuant to the approved 2015/02646/VAR dated 10th December 2015. The applicant has applied to vary the 4 conditions as they consider the amendments would result in minor material changes to the planning permission. The applicant has submitted the MMA planning application to LBHF to obtain consent for the various changes to the approved scheme. The applicant is entitled to apply for an amendment to the extant scheme permission, under S73 of the Town and Country Planning Act (As Amended).

4.2 Section 73 of the Act can be used, amongst other things, to approve minor material amendments to an existing planning permission by amending a condition (or conditions) upon which the permission was granted. In law, a section 73 application results in the grant of a new planning permission affecting the same site that is subject to the relevant amended conditions.

4.3 This minor material amendment procedure was confirmed by the Government as appropriate in 2009 when it streamlined the procedure for section 73 applications and issued accompanying guidance on how best to achieve flexibility with planning permissions by allowing minor material amendments to planning permissions without the need for the submission of entirely new planning applications. The overriding purpose of the streamlined procedure and guidance was to avoid the burden that would fall on both planning authorities and developers if a fresh planning application had to be submitted every time that a development is materially amended.

4.4 The guidance is now contained in the Department for Communities and Local Government's National Planning Practice Guidance. Amongst other things the guidance states that a minor material amendment is likely to include any amendment whose *scale and/or nature results in a development which is not substantially different from the one which has been approved.*

4.5 The applicant contends that the proposed changes to the development as set out in the s73 proposals will not result in a scheme which is substantially different from that which is the subject of the hybrid Detailed/Outline Permission (ref: 2015/02646/VAR). Officers are in agreement that the changes to the approved development scheme would not be substantial enough to warrant the submission of an entirely new planning application for the reasons set out in the report below.

4.6 The applicant has evidenced that, cumulatively, the various changes to the parameters for the layout of Plot F would result in only a very small 'proportional' increase in floor space (in relation to the permitted total across the site) and would not substantially change the overall appearance or design of the development, in context with the other development plots.

4.7 In accordance with the S73 procedure, the variation of conditions 3, 4, 8 and 97 pursuant to the extant planning permission would necessitate the need to issue a new planning permission. The new planning permission would take the same hybrid form as the extant scheme, although it would have a new reference no. (Ref: 2016/01373/VAR).

Planning Conditions to be amended by way of the Section 73 (Minor Material Amendment) application:

4.8 The applicant is seeking amendments to conditions 3, 4, 8 and 97 to facilitate the submission of a Reserved Matters Application that will follow, should permission be granted for the variation of these conditions and the issuing of a new planning permission (ref: 2016/01373/VAR). The proposed alterations relate to Plot F only which comprises the townhouses plot that benefits from outline approval. No other amendments to the planning permission are proposed and there are no detailed drawings that require substitution. However, to permit the proposed alterations to Plot F, the following conditions require variation.

4.9 The amended condition wording is set out in the conditions schedule at the front of this report. For conciseness, a summary of the amendments to the conditions is provided below.

Condition 3. Approved Plans

4.10 Condition 3 requires the proposed development to be carried out in compliance with the submitted drawings. The applicant has submitted the following revised Parameters Plans which replace the former plans in the extant consent.

11066_M_(00)_109 P11, [to replace P10]
11066_M_(00)_110 P11, [to replace P10]
11066_M_(00)_111 P11, [to replace P10]
11066_M_(00)_119 P11, [to replace P10]
11066_M_(00)_125 P11, [to replace P10]
11066_M_(00)_131 P11, [to replace P10]
11066_M_(00)_132 P11, [to replace P10]

4.11 The applicant is seeking permission for additional floor area within the parameters that equates to 2,489 sqm. This additional floorspace would be found by amending the parameters plans to permit larger basements and floorplans, creation of an additional floor (whilst remaining within the maximum height established under the extant permission) and minor changes to vertical and horizontal parameters maximums in specified locations. A detailed assessment of the proposed changes to the parameter plans is set out in chapter 6 of this report.

Condition 4. Parameter Plans Compliance

4.12 Condition 4 requires that all reserved matters applications shall include a statement to demonstrate compliance with the parameters plans the principles and parameters set out in the Revised Parameters Report prepared by Gerald Eve (dated March 2016) , Design Guidelines (for Plots F and H) prepared by Alford Hall Monaghan Morris (dated March 2016) and the Public Realm Design Codes prepared by Gillespies (dated March 2016) or other such versions that are subsequently agreed in writing with the Local Planning Authority.

4.13 The main amendment to Condition 4 relates to the Revised Parameters Report, Design Guidelines and Public Realm Design Guidelines which have been updated to correspond to the proposed changes. Minor changes to the parameters report and design guidelines are proposed which allows the emerging proposals for Plot F to be accommodated. A full description of the changes to the design guidelines and parameters are set out in chapter 6 of this report.

Condition 8: Floorspace/Land uses

4.14 Condition 8 comprises amendments to the total gross external floorspace (GEA) areas of the development comprising the land uses. Firstly, part (a) of condition 8 should read that the overall gross maximum floor space of all the development, including parking, servicing, energy centre and plant and storage shall not exceed 206,503 square metres GEA (an additional 2,489 sqm). Secondly, the residential (Class C3) floorspace maximum (in part (b) of condition 8) is increased to 118,042 which comprises an increase of 2,489 sqm.

Condition 97: Floorspace Maximum in Plots F and G

4.15 Condition 97 is proposed to be amended to require that new floorspace constructed on Plots F and H pursuant to this permission shall not exceed 21,668 square metres GEA which equates to an additional 2,489sqm above the previously consented level.

The New Planning Permission ie: The 2016 'Minor Material Amendment' Application Development

4.16 The new planning permission will comprise the following breakdown of land uses and floorspace quantum's.

4.17 The site has been divided into 8 development plots and the Forecourt, which are referred to throughout this report. There are no alterations to the overall make-up of the development site, as proposed in the current s73 application:

1. Plot A: Stages 4 and 5;
2. Plot B: Inner Ring, Helios;
3. Plot C: Outer Crescent;
4. Plot D: Restaurant Block;
5. Plot E: Drama Block;
6. Plot F: Land to the rear of the Drama Block (proposed townhouses);
7. Plot G: East Tower;
8. Plot H: MSCP;
9. Forecourt

4.18 The variation of conditions 3, 4, 8 and 97 will not result in any change to the mix of residential floorspace or the quantum of units, as per the consented scheme. As such, the proposed development would comprise a maximum of 943 residential units.

The proposed residential mix within the outline components (including the unit mix within plot G) has not been detailed. The indicative mix of the minimum unit scheme is as follows:

Plot	Studio	1 Bed	2 Bed	3 Bed	4 bed Townhouse	Duplex/	Total
B	6	58	87	11	0	0	162
C	10	87	134	40	1	0	272
E	0	53	62	47	0	18	180
F	0	0	0	0	0	20	20
G	31	43	60	28	0	0	167
H	0	67	68	0	0	0	142
Total							943

4.19 The below table identifies the maximum scale of the proposed development. The proposed scale and layout of the outline components is reserved. As such, the figures provided for the outline plots F, G and H are indicative figures only:

Plot	Detail/Outline	Existing GEA (sq m)	Proposed GEA (sq m)
A	Detail	39,205	44,608
B	Detail	28,170	40,059
C	Detail	28,704	31,715
D	Detail	4,408	15,986
E	Detail	22,714	31,754
F	Outline	0	6,239
G	Detail (Internal layout Reserved)	14,051	19,513
H	Outline	25,477	15,429
Total		162,729	206,503

4.20 The total floorspace proposed for each individual land use (for all development plots) is subject to control through the maximum limits in the parameters plans. Planning approval is sought for the following maximum floorspace across the whole development taking into account both outline and detailed components, in relation to each land use:

- Hotel (C1): 2,147 sq m
- Residential (C3): 118,042 sqm (formerly 115,553 sq m)
- Business (B1): 57,801 sq m
- Retail (A1): 1,960 sq m
- Retail (A3): 5,346 sq m
- Retail (A4): 2,684 sq m
- Leisure (D2): 3,890 sq m;
- Private Members Club (Sui Generis): 3,433 sqm
- Flexible A3/D2 use: 253 sq m

Detailed Components:

4.21 There are no proposed amendments to the detailed elements of the development.

Outline Components:

4.22 The changes to the outline components requires the above planning conditions to be amended. In summary, these relate to changes to the following (a detailed description of the amendments is set out in part 6 of this report):

- Approved maximum GEA floorspace figures for Plot F; and
- Approved parameter plans relating to Plot F.

Format of the Section 73 MMA Application:

4.23 The following documentation has been provided in support of the current application to vary the extant planning permission.

- Completed S73 planning application forms;
- CIL Form;
- Drawing 11066_M_(00)_101_P02_Application Site Plan;
- Drawing 11066_SK_M_1196_Building plots;
- Approved Parameter Plans (under 2015/02646/VAR);
- Proposed Parameter Plans-
 - 11066_M_(00)_109 P11
 - 11066_M_(00)_110 P11
 - 11066_M_(00)_111 P11
 - 11066_M_(00)_119 P11
 - 11066_M_(00)_131 P11
 - 11066_M_(00)_132 P11
- Design Update Report: Parameter Plan Amendments, dated March 2016;
- Plot F S73 Proposed Description of Development and Conditions, dated 16.03.16;
- Parameters Report, Television Centre, dated March 2016;
- Television Centre Design Codes (incorporating Public Realm and Landscape Design Codes), dated March 2016; and
- Environmental Statement Addendum letter dated 24 March 2016 (prepared by Aecom).

5.0 Environmental Impact Assessment

5.1 Due to the scale, size and form of the development (as revised), the potential environmental effects need to be systematically assessed through an Environmental Impact Assessment (EIA), the results of which are presented in full within an Environmental Statement.

5.2 The variation of conditions 3, 4, 8 and 97 would result in amendments to the approved EIA development (subject to the extant planning permission). As such, the applicant has submitted a further ES Addendum in addition to the previously submitted ES and ES Addendums, which appraises the additional impacts of the development beyond that of the extant scheme (Application 4).

5.3 For the purposes of the current application for a minor material amendment to conditions pursuant to the extant planning permission, the resulting EIA is comprised of the following documents which have been considered by LBHF in the assessment of the planning application:

- ES Volume I: Main ES (Submitted in May 2014 as part of Ref: 2014/02531/COMB): this document forms the main body of the ES, detailing the results of environmental investigations, impacts arising and proposed mitigation measures. The ES also includes details of the Proposed Development and of the demolition and construction activities.
- ES Volume II: (Updated) Townscape, Conservation and Visual Impact Assessment (Submitted on 29th August 2014): a separate volume produced to assess the impact on key and strategic views to and from the site. Volume II also contains an assessment of impacts to conservation / above ground built heritage. The Townscape Assessment was resubmitted (in August 2014) to include updated images of the key views that would be affected by the design changes to plots D, E, G2 and the forecourt;
- ES Volume III: Technical Appendices (Submitted May 2014) (and Addendum – (Appendix G) Internal Daylight and Sunlight Report by GIA – Submitted in August 2014): Comprises survey data, technical reports and background information supporting the assessments and conclusions given within the main ES; and
- ES Non-Technical Summary (NTS): summarises the key findings of the ES in non-technical language (Submitted in May 2014).
- ES Addendum 2015 (Dated June 2015) by Aecom (formerly URS) – (submitted with the extant scheme planning application Ref: 2015/02646/VAR) comprises a summary of the proposed changes to the proposed development (subject to the MMA application) and summarises the additional impacts (where they occur).
- ES Addendum 2016 (Dated March 2016) by Aecom (submitted with this current application to vary the extant scheme) comprises a summary of the proposed changes to the development and summarises the additional impacts.

5.4 The ES Addendum (March 2016) concludes that given the nature of the proposed parameter changes to Plot F, it is considered that there will be no overall change in environmental effects and the conclusions of the 2014 ES and subsequent Addendums remain valid. The ES Addendum considers that the excavation and creation of new basement level accommodation on Plot F, subject to testing, is unlikely to give rise to effects which differ from those identified in the 2014 ES. However, the detailed design would be set out in the future reserved matters application and will be assessed, particularly with regard to effects on archaeology and ground conditions within a further ES Addendum. The March 2016 ES Addendum confirms that the results of the further testing will be presented within an ES Addendum which will be submitted in support of the reserved matters application.

6.0 Planning Considerations

6.1 The application has been considered in accordance with the National Planning Policy Framework, London Plan (2015), LBHF Core Strategy (2011), LBHF Development Management Local Plan (2013) and all other relevant Supplementary Planning Guidance documents including the White City Opportunity Area Planning Framework (WCOAPF (2013)), Mayoral SPGs and the Council's SPD (2013). The proposals (as amended) have been considered in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the protection of listed buildings and historic assets.

Principle of Development

6.2 The former planning permissions establish the principle of a comprehensive mixed use redevelopment of the site including residential, office, hotel, retail, ancillary TV Studio and leisure uses including the sui generis members club and would be in accordance with national, strategic and local planning policies, which advocate making the most efficient use of brownfield land in sustainable locations and would help meet local and strategic housing needs. The proposed development (as revised) would contribute to the regeneration of the area by increasing the range of employment opportunities, improve linkages and connections within the area and would promote sustainable economic growth. The relatively small size and location of the proposed retail and leisure uses would not compromise the vitality or viability of surrounding centres. The proposed development, as revised, would contain appropriate land uses that are compatible with the White City Opportunity Area which is well served and accessible by public transport. There are no additional issues resulting from the variation to conditions 3, 4, 8 and 97 which challenges the principle of development. The proposed development is therefore considered acceptable in accordance with policies 2.13, 2.15, 3.3, 3.4 of the London Plan (2015) and Strategic Policies WCOA, WCOA1, A, B, C and H1 of the Core Strategy (2011) and White City Opportunity Area Planning Framework (2013).

6.3 This application seeks approval for an additional 2,489 sqm (maximum) residential floorspace across Plot F, and various minor material amendments to the parameter plans. This is proposed via the variation of conditions 3, 4, 8 and 97 as summarised above. This application does not seek detailed approval for any development element relating to Plot F, rather, it proposes amendments to the outline parameters (specifically, the parameter plans and the maximum floorspace permissible) to enable the subsequent submission and consideration of reserved matters pursuant to the (amended) outline planning permission. Given there are no other changes to any other development plots proposed, this report does not seek to re-assess these principles.

6.4 Although the principle of the redevelopment of the site is well established, an assessment of the minor changes to the parameters and additional increase in residential floorspace, within the context of the overall scheme is set out in this report. The first issue which needs to be addressed is to determine whether the proposed replacement building would constitute a material amendment to the approved development.

6.5 As is set out earlier in this report, Section 73 of the Act can be used, amongst other things, to approve minor material amendments to an existing planning permission by amending a condition (or conditions) upon which the permission was granted. In law, a section 73 application results in the grant of a new planning permission affecting the same site that is subject to the relevant amended conditions.

6.6 Officers are of the view that the proposed changes to the parameters plans for Plot F would not cumulatively result in a scheme which is substantially different from that which is the subject of the extant permission. The applicant has evidenced that the additional floorspace (2,489sqm) would be entirely de minimus and that the predominant height of the Plot F townhouses remains as consented. Officers accept that the additional height (in one part of the site) and additional floorspace quantum would not correspond to a significant increase when considered in the context of the whole scheme.

6.7 Taking into account the marginal increase in approved residential floorspace and the increased footprint of the parameters plans, it is considered that the proposed alterations to Plot F, within the overall context of the comprehensive development, would not be of a fundamentally different nature to the extant permission scheme. Officers therefore consider that the proposed changes could appropriately be dealt with as a minor material amendment to the extant permission using section 73 of the Act.

6.8 It is considered that the Planning Application documentation provided in the Design and Access Statement (by Mikhail Riches), Revised Parameters Report (Gerald Eve/AHMM), Planning Cover Letter and ES Addendum (dated March 2016) submitted in support of the Section 73 Application form a satisfactory basis to assess the amended development proposals. In particular, the ES Addendum is considered to identify the extent of any differences in likely significant environmental effects resulting from the proposed changes to the approved scheme.

Floorspace Changes

6.9 Under the outline planning permission, Plot F was envisaged as delivering up to 3,750 sqm (GEA) residential floorspace. This application seeks to increase the maximum limit to 6,239 sqm: a maximum increase of 2,489 sqm. This additional maximum permissible floorspace for Plot F represents a 1.2% increase on the overall permitted floorspace for the development under planning permission 2015/02646/VAR (204,014 sqm).

6.10 The actual floorspace amount proposed for Plot F (which would be equal to or less than 6,239 sqm) will be confirmed as part of the future reserved matters submission, and assessed within the various supporting documentation (including Environmental Statement addendum and Townscape and Visual Impact Assessment Addendum).

6.11 The *principle* of increasing the maximum permissible floorspace on Plot F is considered to be acceptable in outline planning terms for the following reasons. As demonstrated in the accompanying information prepared by Mikhail Riches, much of the additional floorspace would be delivered within the existing building envelopes. Any additional floorspace will be confirmed at the reserved matters stage and submitted, with appropriate details and justification, for LBHF's consideration through the reserved matters process. The submission of the reserved matters can only take place following these proposed minor amendments to the outline planning permission.

6.12 In summary, as noted in the above paragraphs the proposed MMA scheme is seeking increased provisions of residential floorspace which necessitates the need to amend conditions 8 and 97. Officers consider that, quantitatively, the additional floorspace is de minimus and would not result a significant increase to the approved floorspace. Therefore, in terms of the land uses, it is considered that the proposals would be broadly in accordance with the policies set out in the Core Strategy (WCOA and WCOA1) and London Plan policy 2.13.

Design: Proposed amendments to parameter plans

6.13 The proposed amendments to the parameters plans are assessed against policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8 and 7.21 of the London Plan (2015) and policies WCOA, WCOA1 and BE1 of the Core Strategy 2011 and policies DM G1, DM G2, DM G6 and DM G7 of the Development Management Local Plan 2013, and the Council's

Planning Guidance Supplementary Planning Document and White City Opportunity Area Planning Framework (2013) that require new development to meet the highest standards of design quality.

6.14 The proposals include adjustments to six of the approved parameter plans are proposed under this S73 application. These changes are proposed in order to bring forward a revised design for the townhouses on Plot F, with a view to enhancing the development from the consented version. The enclosed document titled 'Design Update Report: Parameter Plan Amendments', prepared by Mikhail Riches, explains the rationale for the changes sought to the parameter plans. The applicant identifies that there are several key architectural moves, which require the parameters plans to be adjusted, namely:

- Realigning the party walls to be parallel with the southernmost boundary of the plot, regularising the end houses and their gardens and reducing 'direct' overlooking between the West Terrace and Frithville Gardens;
- Widening the public space by 3m by moving the East Terrace towards the viaduct; and
- Revised house widths – the West Terrace houses have increased centre-to-centre and the East Terrace houses have reduced centre-to-centre. This move has provided the opportunity for one additional townhouse to the East Terrace and one Mews house to the north east corner.

6.15 Though these moves have had minor impacts on the horizontal limits of deviation, it is important to note that the ridge heights would be maintained that are in line with the consented parameter plan requirements.

6.16 The applicant is proposing amendments to the following parameter plans which need to be noted.

Horizontal Limits of Deviation (plans affected (00)_109, (00) 110, (00)_111):

- There is a minor change to the West Terrace, where the corner of the north-end house steps outside of the parameter plan shaded area by 1200mm. This is local to the front elevation and should not impact on the neighbouring properties. This should have minimal impact on the north access road which will retain the proposed 3m wide pavement, reducing to 2.5m only at the point adjacent to the West Terrace. It is key to note that the proposed landscape treatment here is to be a shared surface.
- The double height rear projection to the West Terrace house type is in line with the lower ground floor parameter plan. Although it steps beyond the ground floor parameter plans it does not exceed the vertical limits of deviation for this area (10.50 AOD). The projection at the indicative 'ground floor' level could be a double height void and not usable floorspace (at upper level). The floor plate is set back from the rear façade by circa 2m and so overlooking potential to the Frithville Gardens properties will be unaffected (if not reduced).
- The north façade of the East Terrace projects outside of the parameter plans by 300mm. This should not impact on the landscape proposals to the north access road and should have minimal impact on the adjoining properties.

- The East Terrace properties are proposed to have living rooms to the rear with windows overlooking and animating the mews boundary with the railway viaduct. The living rooms are likely to be accessed from the main house at 'lower ground floor' level by glazed links. This amendment should have no impact on neighbouring properties.
- The indicative proposals show triangular sloping roof lights above the east terrace rear living rooms. These are at an elevated height to provide acoustic protection to the main houses from the railway viaduct and create the potential for an architecturally interesting and animated façade onto the mews. The roof light areas have been shaded on the 'ground floor level' parameter plan. They provide no usable floor area.
- The amended layout results in the potential for the introduction of a 1 bed Mews House to the northeast corner of the site. This could consist of 2 storeys above ground as well as a below ground basement storey. This should not impact on any adjoining properties. The Mews House has the potential to provide an architectural gateway to the mews on the railway viaduct boundary.
- The proposed amendments to the parameter plans (first to fourth) on the East Terrace side are due to the architectural moves listed above. As the East Terrace bounds the railway viaduct there should be no impact on neighbouring properties.

Vertical Limits of Deviation (plan affected (00)_119):

- All of the parameter limits on the west side of the site are complied with. To the east side the ridge heights remain unchanged. A minor amendment to the height of the rear projection on the east terrace is sought and this will future-proof the proposals against the installation of screening to the sedum roofs.
- To the northeast, the proposed mews house has two storeys above ground – the proposal is to increase levels from 10.00 AOD to 13.5 AOD in line with the maximum ridge height at the southeast boundary. As this area is nearest the railway viaduct this should have no impact on neighbouring properties.
- The number of above ground storeys is proposed to increase from 3 to 4. A basement level has also been added to all units. The building ridge heights remain unchanged by these adjustments. The 'maximum storey' parameters are amended to reflect these changes.

Other Parameter Plans (00)_131, (00)_132):

- Based on the above proposed amendments to vertical and horizontal limits of deviation, these two parameter plans require minor alterations to align with the proposed changes.

Summary of Proposed Changes to Parameter Plans

6.17 It is considered that none of the above proposed parameter amendments will give rise to any unacceptable impacts on residential amenities, unacceptable designs or a development which would be significantly different to that approved in outline. The proposed amendments to the approved Parameter Plans and the increase in maximum

permissible floorspace for Plot F are considered to be acceptable in outline planning terms in all respects. Approval of these amendments would provide the new parameters against which reserved matters would be submitted and assessed. Future reserved matters applications will be supported by comprehensive justification material, to be agreed with LBHF.

Design Conclusions

6.18 In conclusion, it is considered that the proposed development as amended by way of the changes to the parameter plans, in its entirety, would be of a high quality design and would make a positive contribution to the character and appearance of the White City Opportunity Area, both enhancing the character of the Wood Lane Conservation Area and the setting of the Grade II listed Television Centre building. The scale and massing of the detailed and outline components of the proposed development, as defined by the outline parameters plans is also considered to be appropriate. Specifically, the scale, massing, height, design and relocation of the new East Tower is considered to be supported by Core Strategy Strategic Policy WCOA. Although the proposed development will be visible and will have an impact on views from within LBHF it is considered that the impact is not one of significant harm to conservation areas or local townscape and the proposed development would positively contribute to the skyline of this part of White City. The proposed development is therefore considered acceptable in accordance with policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8 and 7.21 of the London Plan (2015) and policies WCOA, WCOA1 and BE1 of the Core Strategy 2011 and policies DM G1, DM G2, DM G6 of the Development Management Local Plan 2013, and the Council's Planning Guidance Supplementary Planning Document and White City Opportunity Area Planning Framework (2013). This S73 application has also been assessed in terms of potential environmental impacts and having regard to design / amenity related impacts as set out below.

Heritage

6.19 The proposals (as amended) have been considered in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the protection of listed buildings and historic assets. It is considered that the amendments proposed in this application do not have a direct relationship with the parts of the listed building that are of significance (ie: the question mark building comprising Plots B and J). Therefore, it is concluded that the impacts on heritage have been fully assessed under the previous applications and there is no requirement to reconsider these. In summary, the impacts of the proposal (as amended) on the historic significance, visual amenity, character and appearance of these areas, in particular Wood Lane Conservation Area and setting of the Grade II listed buildings in the area, is considered on balance acceptable. The proposed development amended by way of a variation to planning conditions is therefore considered to be acceptable and would be in accordance with policies 7.4, 7.7 and 7.8 of the London Plan (2015), policies BE1 and WCOA 1 of the Core Strategy 2011 and policies DM G1, DM G2, DM G6 and DM G7 of the Development Management Local Plan 2013 and the Council's Planning Guidance Supplementary Planning Document and White City Opportunity Area Planning

Housing

6.20 The proposed 2,489sqm additional floorspace within Plot F increases the amount of residential floorspace within Plot F to 6,239sqm and of the development (to 118,042

sqm) as confirmed in condition 8. The typology of the units would not change as a result of the increased floorspace as they would still be providing 4/5 bed townhouses. The overall housing mix and provision of housing would accord with the London Plan policies 3.3, 3.4 and 3.8, Core Strategy policies A, WCOA, WCOA1 H1, H3 and H4 and Development Management Local Plan policies DM A1, DM A2, DM A3, DM A4, DMA9 which seek to increase the residential supply of housing to suit local and London-wide needs.

6.21 It is not necessary to reconsider the principle of the unit typology, the quantum of units or the land uses within Plot F as set out in this application as these do not differ from the consented development. However, officers consider that the additional floorspace could result in significantly larger units which generate additional value to the development plot, and therefore, the scheme overall. Officers consider that the additional floorspace has the potential to affect the overall development viability which in turn, could result in affecting the maximum level of affordable housing to be provided as part of the development overall. London Plan policy 3.12 and Core Strategy policy H2 seek to provide the maximum level of affordable housing. Therefore, officers have given further consideration to whether the additional floorspace is taken account of within the provisions of the planning application and corresponding proposed legal agreement.

6.22 Officers have given due regard to the provisions of the section 106 agreement to the extant permission (which is recommended to be updated if the current s73 application is to be approved). The s106 includes the provision of a Review Mechanism which requires the developer to submit an updated viability review, prior to submission of the reserved matters applications in Development Area 2 in order to test whether the proposals can deliver additional affordable housing, above the minimum provision set in the planning permission. In regards to the development scheme, the applicant is obligated to deliver a minimum of 142 affordable homes (located in Plot H) which must be provided before any private housing within Development Area 2 (which comprises Plots E, F, G1 and H). In the event that the updated viability review results in a surplus profit (above the agreed threshold of 17.5% Internal Rate of Return), an additional 46 affordable homes could be provided in Plots H and G1, or whether there could be any changes to the tenure of base affordable housing units (ie: from DMS to social rent). The s106 defines the mechanism for how the surplus (if any) translates to the changes to the provision of affordable housing.

6.23 The applicant has submitted the First Viability Review under the terms of the s106 agreement (of the extant planning permission) which has been appraised by the Council's technical consultants. This exercise has taken place independently of the s73 application as its outcome would not affect the details within this planning application. This exercise has determined that although there has been an increase in development value of Plot F, the overall viability of the development site has not sufficiently improved. Therefore, it is concluded that the development viability does not currently justify the provision of additional affordable housing or /amendment to the tenure of the baseline affordable housing within the development. There is provision in the s106 agreement for a further 'contingent' review which would apply in the event the developer fails to implement the remaining parts of the development in accordance with the 'approved First Review'. In such a scenario, the council has a further opportunity to review the financial viability of the development in order to assess whether the target threshold has been breached which may result in the developer making a financial contribution (equal to the additional 46 affordable units as required by the First Review in the event of a surplus) towards the off-site provision of affordable housing in LBHF.

6.24 As such, it is considered that the section 106 agreement contains sufficient provisions which has allowed the council to consider 'the effect' on the development viability, of the additional floorspace within Plot F. It is not necessary to include further provisions or amendments to the legal agreement at this stage as the existing provisions provide the council with the additional opportunity to test whether the development will deliver the maximum reasonable level of affordable housing in accordance with the above cited policies, by virtue of the contingent review, if this is triggered.

Amenity Considerations

6.24 As noted above, the proposed development does not give rise to additional impacts in terms of daylight, sunlight, outlook, privacy, noise or light pollution beyond that of the consented development. The nearest existing residential properties are located to the west (on Frithville Gardens) and the amendments to the western terrace in Plot F do not move the building line any closer to these properties. The nearest premises to the east comprise the TfL owned railway arches and the impacts of the amended proposals do not extend beyond the consented levels.

6.25 Therefore, it is considered that the proposed development (as revised) would not result in significant harm to the amenities of adjoining occupiers in terms of daylight/sunlight, over-shadowing, and privacy. Potential impacts in terms of air quality, light pollution, solar glare, wind tunnelling, noise or TV/radio reception would be acceptable with regard to the various mitigation methods proposed which are secured by condition. In this regard, the development would respect the principles of good neighbourliness. The proposed development is therefore considered to be acceptable and would be in accordance with policies 3.5, 3.6, 3.8, 7.3, 7.6, 7.7, 7.14 and 7.15 of the London Plan (2015) and policies BE1, H3 and CC4 of the Core Strategy (2011) and policy DM A9 and DM G1 of the Development Management Local Plan 2013 and the Council's Planning Guidance Supplementary Planning Document and White City Opportunity Area Planning Framework (2013).

Accessibility

6.27 There are no proposed changes that will affect matters of accessibility or inclusivity established by the consented development. There are no alterations to the detailed design of the public realm in Plot F as these are matters that would be subject to consideration under the reserved matters submissions. Therefore, subject to conditions, it is considered that the development (as amended) would provide a safe and secure environment for all users. The development is therefore considered to be acceptable in accordance with Policies 3.8, 6.12 and 7.2 of the London Plan (2015)), policy H3 of the Core Strategy 2011 and policy DM H4 of the Development Management Local Plan 2013 and the Council's "Planning Guidance" Supplementary Planning Document.

Quality of Residential Accommodation:

6.28 The proposed amendments to Plot F result in the creation of additional floorspace (by creating an additional floor and by extending into the basement to all houses). The amendments also result in the potential to decrease the width of the eastern terrace properties. It is considered that the various potential design moves will improve the potential for an improved residential quality in Plot F. It is considered that the proposals

in their entirety would provide an acceptable standard of accommodation for future occupiers of the residential accommodation (private and affordable) in respect of the living space, aspect and amenity. The assessment is that the majority of the proposed units would benefit from acceptable levels of daylight/sunlight, outlook and privacy. The development is therefore considered to be acceptable in accordance with Policies 3.5 and 3.8 of the London Plan (2015), Policy H3 of the Core Strategy (2011), Policies DM A2, DM A9 of the Development Management Local Plan 2013 and the Council's "Planning Guidance" Supplementary Planning Document and White City Opportunity Area Planning Framework (2013).

Transport and Highways:

6.29 The Design and Access statement submitted demonstrates how the modified parameter plans could result in improvements to vehicle accessibility by making the car parking spaces within each unit more accessible. There are no other changes to the cycle parking provisions of car parking provisions to Plot F, having been considered to be acceptable previously. Therefore, it is considered that the overall traffic impact of the proposed development (as amended) would be acceptable. In its entirety, the proposed traffic impacts would be less than anticipated in the forecasts undertaken by Transport for London in relation to the Transport Study undertaken for the White City Opportunity Area Planning Framework and as such, the traffic impact would be acceptable and in accordance with Core Strategy Policy T1 and DM Local Plan policy DM J1. The level of car, motorcycle and cycle parking is assessed as being acceptable in accordance with the policies DM J2, DM J3, DM J4 and DM J5 of the Development Management Local Plan 2013 and the Council's "Planning Guidance" Supplementary Planning Document. The site is accessible and well served by public transport, the proposed development would enhance pedestrian and cycle linkages to the north-south and east-west of the site to the benefit of the wider White City 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 White City 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 issues. 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 (2015) and policy T1 of the Core Strategy (2011) and policy DM J1, DM J2, DM J3, DM J4, DM J5 and DM J6 of the Development Management Local Plan 2013 and the Council's "Planning Guidance" Supplementary Planning Document and White City Opportunity Area Planning Framework (2013).

Sustainability:

6.30 There are no changes to the sustainability statement or energy statement as a result of the proposed amendments to the parameter plans relating to Plot F. The proposed development (including Plot F) has been designed to meet Level 4 of the Code for Sustainable Homes and a BREEAM rating of Very Good or Excellent subject to individual tenancy agreements. The proposed development would include a decentralised energy centre, which would provide the heating and hot water requirements for the development (with the exception of Plot H) through Gas fired CHP units. Each building will also provide further renewable energy technologies, green/brown roofs and photovoltaic panels to supplement the provision of gas fired CHP units as appropriate to their carbon reduction target and energy profile. This will result

in a significant reduction of CO2 emissions beyond the Building Regulations 2010 compliant level. Subject to conditions, the proposed development is therefore considered to be acceptable and would be in accordance with policies 5.1, 5.2, 5.3, 5.6, 5.7, 5.8, 5.9, 5.11, 5.12, 5.13, 5.14, 5.15, and 7.19 of the London Plan (2015) and policies CC1, CC2 and H3 of the Core Strategy (2011) and policy DM H1, DM H2, DM H3, DM H4, DM H5, DM H6, DM H7, DM H8, DM H9, DM H10, DM A2 and MD A9 of the Development Management Local Plan 2013 and the Council's Planning Guidance Supplementary Planning Document and White City Opportunity Area Planning Framework (2013).

Flood Risk:

6.31 The site is located in flood zone 1 (low risk). A Flood Risk Assessment (FRA) has been submitted which advises standard construction practices in order to ensure the risk of flooding at the site remains low. The Environmental Policy Officer has reviewed the proposed minor amendments to Plot F and does not consider that they raise significant issues of concern in terms of flood risk. It is noted that a basement level has been added to all units in Plot F. This change should be factored into the flood risk assessment and appropriate mitigation measures proposed. Further details on these issues can be provided at the reserved matters stage and show how the proposals will comply with LBHF requirements, providing mitigation measures where necessary. On this basis, subject to conditions, the proposed development (as amended by way of a variation to conditions 3, 4, 8 and 97) would therefore be acceptable and in accordance with Policies 5.12 and 5.13 of the London Plan (2015) and policy CC2 of the Core Strategy 2011 and policy DM H3 of the Development Management Local Plan 2013 and the Council's Planning Guidance Supplementary Planning Document.

Environmental Impacts:

6.32 The amended application has been reviewed by the Council's Environmental Policy, Land Contamination, Environmental Health and Transport Officers who all raise no objections. At the time of writing this report, responses are due from Thames Water, Hammersmith Society, Environment Agency and London Underground as the statutory consultees on this application. However, it is considered that the revised parameters plans would not result in there being new planning or environmental issues that would go beyond the extent of impacts of the previous planning applications, which could not be mitigated by way of the planning conditions specified. As such, is considered that all Environmental Impacts have been assessed with regards to construction, demolition, proposed development and alternatives, Noise, Air Quality, Ecology, Transport, Socio-economics, Archaeology, Sunlight, Daylight, Overshadowing, Solar Glare, Water Resources and Flood, Waste, Ground Contamination, Microclimate, Electronic Interference, Townscape and Heritage, Cumulative and Residual Impacts, set out in the Environmental Statement and Addendums, and subsequent related reports in accordance with the EIA Regulations 2011. The Environmental Statement, the subsequent Environmental Statement Addendums and the submitted further information to the Environmental Statement and their various technical assessments together with the consultation responses received from statutory consultees and other stakeholders and parties, enable the Council to determine this application with knowledge of the likely significant environmental impacts of the proposed development.

Section 106 Obligations

6.33 The extant planning permission was approved subject to a replacement section 106 legal agreement, which superseded the legal agreement associated with the former planning permission (Application 3) ref: 2014/02531/COMB as it was deemed that the provisions of the agreement were necessary to mitigate the effects of the development, were directly related and be related in terms of scale and kind of the development. It was considered that the s106 obligations were required in order to make the development acceptable in planning terms.

6.34 It is considered that the extent of the potential impacts to arise from the current proposed development (as amended) would be broadly similar to those attributed to extant permission scheme. As such, the planning obligations set out in the replacement s106 would still apply in the event of approving this minor amendment application, which would create a new planning permission to supersede the previous one.

6.35 In light of the above, it is considered that a Deed of Variation of the former Legal Agreement is necessary in order to secure the necessary infrastructure to mitigate the impacts of the proposed development (as amended) and ensure the proposal (as amended by way of S73) is in accordance with the statutory development plan.

6.36 The applicant has agreed to enter into an updated Deed of Variation which carries over the provisions of the previous legal agreement (ref: 2015/02646/VAR) under Section 106 of the Town and Country Planning Act 1990 (As Amended) and S278 of the Highways Act 1980 that will relate to the new planning permission (subject to the new ref: 2016/01373/VAR). The new Legal Agreement will include the same affordable housing and financial contributions towards improvements to local highways, improvements to public transport, improvements to cycle facilities, contributions to health and education and new community facilities and employment and training initiatives. The contribution would be secured to enable any necessary infrastructure to be delivered within the vicinity of the site which is needed to accommodate the level of growth sought within the White City regeneration area, one of the five Regeneration Areas in the Borough. Officers have consulted with the various departments in the Council and TfL to confirm the individual requirements for this scheme. Non-financial contributions are sought to mitigate the impacts of the development (as amended) and to make the modified scheme acceptable in planning terms. It is considered that there are no additional obligations necessary and related to the revised development scheme as amended by way of this minor amendment application. In conclusion, the use of planning obligations, as set out in the provisions of the extant scheme s106 agreement are considered to be in accordance with the London Plan (2015) policy 8.2, Core Strategy Policies CF1, WCOA and WCOA1 and the White City Opportunity Area Planning Framework (2013).

Instalments Plan/Trigger Points

6.37 The proposed s106 payments will be staggered in accordance with the extant scheme payment plan set out in Schedule 2 of the signed s106.

Monitoring and Professional Fees

6.38 As is standard practice within LBHF, officers will recover the costs involved with the preparation and signing of the Deed of Variation of the section 106 legal agreement. A contribution will be secured by the Council towards the monitoring of obligations of the

new section 106 agreement and monitoring environmental and other development impacts during the construction process.

Mayoral CIL

6.39 The CIL regulations came into effect on 1 April 2012. The proposed development (as amended) will be liable for payment for Mayoral CIL (to go towards Cross rail) in accordance with policies 6.5 and 8.2 of the FALP (2015). The current estimate for this application (as amended) will be approximately £3.3million.

Equalities Considerations

6.40 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.

6.41 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).

6.42 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.

6.43 A full equalities impact assessment (EQIA) was undertaken as part of the former application ref: 2014/02531/COMB (Application 3). Here, officers summarised the positive and negative impacts which have been identified in the analysis and the proposed mitigation measures by way of condition and planning obligations. The subsequent variations proposed in 2015/02646/VAR and within this particular application 2015/01373/VAR are not considered to affect any of the outcomes of the original EqIA. It should be noted that further details have been submitted and approved under the planning conditions outlined in this report. In particular, the proposed amendments set out in this application within the parameter plans which create additional floorspace within Plot F do not have any impacts on the equalities groups as the design details remain essentially the same as consented. As such, it is considered that it is not necessary to revisit the previous EqIA attached to the planning permission 2014/02531/COMB and its conclusions on impacts are still applicable.

6.44 In conclusion, it is considered that LBHF has had due regard to section 149 of the Equality Act 2010 in its consideration of this application and resulting recommendations to PADCC Members.

Conclusion:

6.45 The proposed amendments to the approved Parameter Plans and the increase in maximum permissible floorspace for Plot F are considered to be acceptable in outline planning terms and in all other respects. Approval of these amendments would provide the new parameters against which reserved matters would be submitted and assessed. Future reserved matters applications will be supported by comprehensive justification material, to be agreed with LBHF. This S73 application has been assessed in terms of potential environmental impacts and having regard to design / amenity related impacts and the proposals are acceptable in all respects.

6.46 It is recommended that the proposed development is approved subject to conditions and a Deed of Variation of the previous Section 106 Agreement.