

Planning and Development Control Committee

Agenda

Tuesday 5 December 2017

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 Wesley Harcourt Councillor Natalia Perez	Councillor Jacqueline Borland Councillor Lucy Ivimy Councillor Alex Karmel Councillor Viya Nsumbu

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Public Notice

Members of the press and public are welcome to attend this and all other Council meetings. Should exempt information need to be discussed the committee will pass a resolution requiring members of the press and public to leave.

For details on how to register to speak at the meeting, please see overleaf.
Deadline to register to speak is 4pm on Thursday 30th November 2017

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

The open part of this agenda is available for public inspection at the Town Hall and may be viewed on the Council's website www.lbhf.gov.uk/councillors-and-democracy

A loop system for hearing impairment is provided, along with disabled access to the building.

Rights of access to meetings are subject to the provisions of the Local Government Act 1972 and the Local Government (Access to Information) Act 1985.

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

5 December 2017

<u>Item</u>		<u>Pages</u>
1. MINUTES		1 - 9
	To approve as an accurate record, and the Chair to sign, the minutes of the meeting of the Committee held on 7 th November 2017.	
2. APOLOGIES FOR ABSENCE		
3. DECLARATION OF INTERESTS		
	If a Councillor has a disclosable pecuniary interest in a particular item, whether or not it is entered in the Authority's register of interests, or any other significant interest which they consider should be declared in the public interest, they should declare the existence and, unless it is a sensitive interest as defined in the Member Code of Conduct, the nature of the interest at the commencement of the consideration of that item or as soon as it becomes apparent.	
	At meetings where members of the public are allowed to be in attendance and speak, any Councillor with a disclosable pecuniary interest or other significant interest may also make representations, give evidence or answer questions about the matter. The Councillor must then withdraw immediately from the meeting before the matter is discussed and any vote taken.	
	Where Members of the public are not allowed to be in attendance and speak, then the Councillor with a disclosable pecuniary interest should withdraw from the meeting whilst the matter is under consideration. Councillors who have declared other significant interests should also withdraw from the meeting if they consider their continued participation in the matter would not be reasonable in the circumstances and may give rise to a perception of a conflict of interest.	
	Councillors are not obliged to withdraw from the meeting where a dispensation to that effect has been obtained from the Audit, Pensions and Standards Committee.	
4. PLANNING APPLICATIONS		10 - 94

London Borough of Hammersmith & Fulham

Planning and Development Control Committee Minutes



Tuesday 7 November 2017

PRESENT

Committee members: Councillors Adam Connell (Chair), Iain Cassidy (Vice-Chair), Michael Cartwright, Colin Aherne, Wesley Harcourt, Lucy Ivimy, Natalia Perez, Jacqueline Borland and Alex Karmel

Others: Councillor Harry Phibbs

1. MINUTES

The minutes of the meeting held on 10 October 2017 were agreed as an accurate record.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Viya Nsumbu

3 DECLARATION OF INTERESTS

Councillor Lucy Ivimy declared a non pecuniary interest in respect of 12 and 14 Wellesley Avenue as she lived nearby and knew a number of the objectors. She remained in the meeting, participated and voted on the item.

4 DECISION TO RE-ORDER THE AGENDA

In view of members of the public present for particular applications the Chair proposed that the agenda be re-ordered, with which the Committee agreed, and the minutes reflect the order of the meeting

**5 Cumberland Lodge, 21 Cumberland Crescent, London, W14 8XB,
Avonmore and Brook Green 2017/02684/FUL**

Please see the Addendum attached to the minutes which made minor changes to the report.

The Committee heard a representation in support of the application by the Applicant's agent. Some of the points raised included: a mixture of changing teaching methods and statutory requirements necessitated the need for additional space. The application was for a temporary change of use only. No external works were required and only minor internal conversion work was required. There was no scope for the another site to be used and there was no increase in pupil numbers associated with the application.

Councillor Karmel formally proposed an amendment to condition 1 which would permit the proposed use for a limited period of 'up to' five years.

The Committee voted on application 2017/02684/FUL and whether to agree the officer recommendation of approval and the changes set out in the addendum. This was put to the vote and the result was as follows:

For:

9

Against:

0

Not Voting:

0

The Committee also unanimously resolved to approve the amendment to Condition 1.

RESOLVED THAT:

That application 2017/02684/FUL be approved subject to the changes set out in the Addendum.

**12 and 14 Wellesley Avenue, London, W6 0UP, Ravenscourt Park
2017/02065/FUL**

Please see the Addendum attached to the minutes which amended the report.

Councillor Lucy Ivimy declared a non pecuniary interest in respect of 12 and 14 Wellesley Avenue as she lived nearby and knew some of the objectors. She decided to remain in the meeting, and participated and voted on the item.

Officers drew the Committee's attention to the addendum and corrected the error in relation to Councillors Morton and Fiske being cited incorrectly as Ward Councillors for Ravenscourt Park ward.

The Committee heard a representation from the Applicant in support of the application. Some of the points raised included: the proposal was a high quality design, amended drawings had been submitted to address concerns which had been raised and it was similar in design to an adjacent building. Further points included: the proposal was not overly dominant, there would be limited overlooking, the tall elements of the design were set back, B1 usage was appropriate for the site and no trees would be removed during construction.

The Committee heard a representation in objection to the proposal from two residents. Some of the points included: the proposal was detrimental to the street scene, it was a tall building which would create overlooking and privacy issues and would cause parking stress. Additional points included: the proposal would not reduce vehicular movements in the area, goods and services deliveries would be disruptive, the sunlight and daylight forecasts were not realistic and overall the design was overwhelming.

Councillor Harry Phibbs spoke as a Ward Councillor. He highlighted that a great number of residents had written to the Council expressing a number of valid concerns. He explained that the existing building was attractive and the scale and design of the proposal was alien to the surrounding environment. Further points included: it would be damaging to the conservation area and increase traffic locally.

The Committee discussed the existing building, the height and design of the proposal in the context of the local area and conservation area, as well as privacy and right to light issues.

The Committee voted on application 2017/02065/FUL and whether to agree the officer recommendation of refusal. This was put to the vote and the result was as follows:

For:
9
Against:
0
Not Voting:
0

RESOLVED THAT:

That application 2017/02065/FUL be refused for the reasons set out in the report.

The Triangle (5-17 Hammersmith Grove) and Britannia House (1-11 Glenthorne Road), 3 and 3A Hammersmith Grove and 12-18 Beadon Road, Hammersmith, London W6 0LH, Hammersmith Broadway 2017/02717/FUL

Please see the Addendum attached to the minutes which amended the report.

Officers provided a comprehensive overview of the proposal and highlighted the main planning considerations. Officers explained to members the reason why the planning application was brought back to the Committee for further consideration.

The Committee heard a representation in support of the application by the Applicant's agent. Some of the points raised included: The proposal would define the north side of Lyric Square and provide employment at ground floor level. The improved scheme included: a building line which had been pulled back by 3 metres on Hammersmith Grove maintaining the line of the existing building and a façade which had been pulled back by 4 metres. The building scale had been adjusted to reduce the scale of the proposal on Beadon and Glenthorne Road and the loss of 3 Hammersmith Grove was justified in the context of the design. The proposal would also create new retail and gallery spaces, provide a distinguished building and the appeal for the previous scheme would be withdrawn.

Councillor Alex Karmel commented that a decision on the application had been made at the previous meeting. As such, he would not be voting on the item.

During the course of discussions, the Committee explored a number of issues which included: the increased height, changed building lines, the loss of the building of merit and the applications' spatial context. Other points included: the shortfall in relation to carbon reduction targets which could be ameliorated through an offset payment, transport considerations and need for a comprehensive travel plan to be submitted.

The Committee voted on application 2017/02717/FUL and whether to agree the officer recommendation of approval for the reasons set out in the planning report and addendum. This was put to the vote and the result was as follows:

For:

6

Against:

2

Not Voting:

1

RESOLVED THAT:

That application 2017/02717/FUL be approved for the reasons set out in the report and addendum.

Former Laundry Site Rear of Nos 9 - 61 Pennard Road, London W12, Shepherd's Bush Green 2017/03851/FUL

Please see the Addendum attached to the minutes which amended the report.

Officers introduced the report and drew the Committee's attention to the additional letters of objection which had been received since the agenda was published.

The Committee heard a representation in objection to the application by two members of the Shepherds Bush Market Tenants Association. Some of the points raised included: The containers were sited without permission and the proposal was a retrospective application to legitimise this action. The application failed to safeguard the local community, the containers were an eyesore and a temporary solution failed to address the long term needs of the market. A s106 agreement should be imposed on the site so that the timescales associated with the change of use terms could not be extended.

The Committee heard a representation from the Applicant. Some of the points raised included: the rationale behind the application was to increase footfall in the area which was at an all-time low and to enhance commercial opportunities. The containers provided affordable workspace and supported food and beverage sales as well as storage facilities. The Applicant was committed to the long term success of the market. If the application were approved, it would bring investment to the existing market.

In the course of discussions, the Committee sought clarification regarding the removal of the second storey of containers and the implications of extending the two-year permission. Further points raised included: the consultation process which differed from the September 2017 application, potential noise to neighbouring residential properties and whether soft landscaping might be used to mitigate against increased noise.

The Committee voted on application 2017/03851/FUL and whether to agree the officer recommendation of approval and the changes set out in the addendum. This was put to the vote and the result was as follows:

For:

8

Against:

1

Not Voting:

0

RESOLVED THAT:

Planning Application 2017/03851/FUL be approved for the reasons set out in the report and addendum

The Gateway Site, White City Place, 201 Wood Lane, London W12, College Park and Old Oak 2016/04452/COMB

Please see the Addendum attached to the minutes which amended the report.

The Committee heard a representation in support of the application by the Applicant. Some of the points raised included: there were a number of economic and public benefits of the scheme that aligned with the Opportunity Area policies. The proposal would provide further retail space as well as two public squares. The proposal site will be the first site in London to commit to a defined, output based offer for entrepreneurs and SME's. Details were provided about the inducements on offer to encourage early adopters to the site.

The Committee discussed the height, the detailed comments received from neighbours as well as the feedback from the GLA. Further concerns included: the views of residents from Wood Lane, the impact of general development on local residents and need to apportion section 106 monies accordingly. Finally, the impact on the microclimate and prevalence of wind tunnels was discussed.

The Committee voted on application 2016/04452/COMB and whether to agree the officer recommendation of approval and the changes set out in the addendum. This was put to the vote and the result was as follows:

For:
9
Against:
0
Not Voting:
0

RESOLVED THAT:

That application 2016/04452/COMB be approved for the reasons set out in the report.

Meeting started: 7:00 pm
9:57 pm

Chair

Contact officer: Charles Francis
Committee Co-ordinator
Governance and Scrutiny
Tel 020 8753 2062
E-mail: charles.francis@lbhf.gov.uk

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

PLANNING AND DEVELOPMENT CONTROL COMMITTEE
Addendum 07.11.2017

REG REF.	ADDRESS	WARD	PAGE
2016/04452/COMB	The Gateway Site White City Place 201 Wood Lane London, W12	Collage Park & Old Oak	84
Pages 94, 99, 114, 115	Amend Conditions 22, 36, 86, 87 to read "Prior to each development phase"		
Page 99	Condition 35: Change "190mg" to "150mg"; Include "for a maximum of 48 hours" between 'used' and 'when' in second to last sentence; add "Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained."		
Pages 100, 110	Conditions 37, 73: Change "commencement" to "occupation"		
Pages 102 & 148	Condition 45 & Para 6.124: Delete last sentence.		
Page 108	Condition 65: Change "the development" to "works to GWE Phase".		
Page 114	Condition 85: Delete duplicate condition.		
Page 117	Point 2, Second para: Delete third and fourth sentence.		
Pages 122 & 146	Para 3.1 & Para 6.110 & Para 7.2: Increase number of cycle parking to "1151 (801 GWE, 320 GWC, 30 GWW)"; delete "146 short term cycle parking spaces"		
Page 124	Para 4.1: Increase residents consulted from "213" to "994". Replace last sentence with "One representation has been received raising concerns regarding insufficient site notices."		
Page 154	Replace "36.9%" with "35.5% for GWE, 36.1% for GWC and 37.4% for GWW"		

2017/03851/FUL **Former Laundry Site** **Shepherds Bush Green** **165**

Page 166 Condition 2 – replace 'TBC' with;

Planning Statement prepared by Lichfields dated 02/10/2017;
Design and Access Statement prepared by We Like Today and Farrer Huxley Associates dated October 2017;
Delivery and Servicing Management Plan prepared by Motion, dated 20/09/2017;
Landscape Statement prepared by Farrer Huxley Associates (Ref. 171002-FHA-693-R-01-P4);
Noise Impact Assessment prepared by Scotch & Partners Acoustics (dated October 2017);
Transport Statement prepared by Motion dated 29/09/2017;
Travel Plan prepared by Motion dated 29/09/2017;
Sustainable Urban Drainage Scheme Assessment (Rev C) dated 18/09/2017 prepared by Motion;

Drawings: SBM_1001_Rev ; SBM_1002_Rev A; SBM_1003_Rev A; SBM_1004_Rev A; SBM_1005; SBM_1010_Rev C; SBM_1012_Rev E; SBM_1013_Rev E; SBM_1013a_Rev E; SBM_1014_Rev E; SBM_1014a_Rev E; SBM_1015_Rev D; SBM_1017_Rev C; SBM_1022; SBM_1023; SBM_1024_Rev A; SBM_2001_Rev A; SBM_2002_Rev A; SBM_2003_Rev A; SBM_2004; SBM_2005; SBM_2005a; SBM_2006; SBM_2010_Rev D; SBM_2011_Rev C; SBM_2012_Rev D; SBM_2013_Rev B; SBM_2014; SBM_2014a; SBM_2015_Rev A; SBM_4002; SBM_4003.

Page 169 Condition 16 – replace with:

Upon first occupation of the development the Delivery and Servicing Management Plan prepared by Motion dated 29/09/2017, shall be implemented in full compliance with the approved document, and shall thereafter continue to be fully implemented for the period of the development.

Page 170 Condition 18 – replace with:

Upon the commencement of the use, the Travel Plan prepared by Motion dated 29/09/2017 shall be implemented in full compliance with the approved details, and shall thereafter continue to be fully implemented for the period of the development.

Page 183 Para.4.4 – amend to read;

During the consultation period 221 responses were received, of these 49 were comments in support and 172 were objections. A Petition was also received with 92 signatories. The petition raised concerns over the linear character of the market, drainage, parking, odours, noise, and waste removal.

Page 184 Para 4.6 –replace with:

It is noted that many of the objections received discussed issues that were not material planning considerations and as such have not been responded to within the report.

Page 184 Para 4.10 –replace with:

Shepherds Bush Market Tenants Association (SBMTA) has objected on the following grounds:

- o Lack of adequate consultation period;
- o Compromise of character and linear dynamic;
- o Disturbance to neighbouring residences;
- o Visual amenity;
- o Increased traffic and parking pressure;
- o Lack of cycle spaces;
- o Impacts to drainage and potential flooding;
- o Waste management arrangements;
- o Land contamination;
- o Odours and noise from cooking; and
- o Impact to the viability of Shepherds Bush Market.

Page 193 Para. 6.51 – delete and replace with:

TfL guidance suggests the need for a travel plan for workplace sites with more than 20 employees. The B1 use will employ more than 20 and as such a Travel Plan has been submitted and is considered acceptable.

2017/02065/FUL **12 and 14 Wellesley Avenue, W6** **Ravenscourt Park** **197**

Page 212 Para 3.19, Line 1: Delete 'units' replace with `unit`

Page 216 Para 3.39, Line 6: Delete 'the' before Wellesley.

Page 217 Para 3.47, Line 1: Delete 'house' replace with `residential unit`

Since the agenda was published letters of support have been received from Councillor David Morton and Councillor Caroline Ffiske

2017/02684/FUL **Cumberland Lodge,** **Avonmore and Brook** **233**
Cumberland Crescent W14 **Green**

Page 238 Para 3.2, Line 3: Deletes 'states' replace with `state`

Page 239 Para 3.11, Line 2: Insert `application` before site.

Agenda Item 4

London Borough Of Hammersmith & Fulham

Planning Applications Committee

Agenda for 5th December 2017

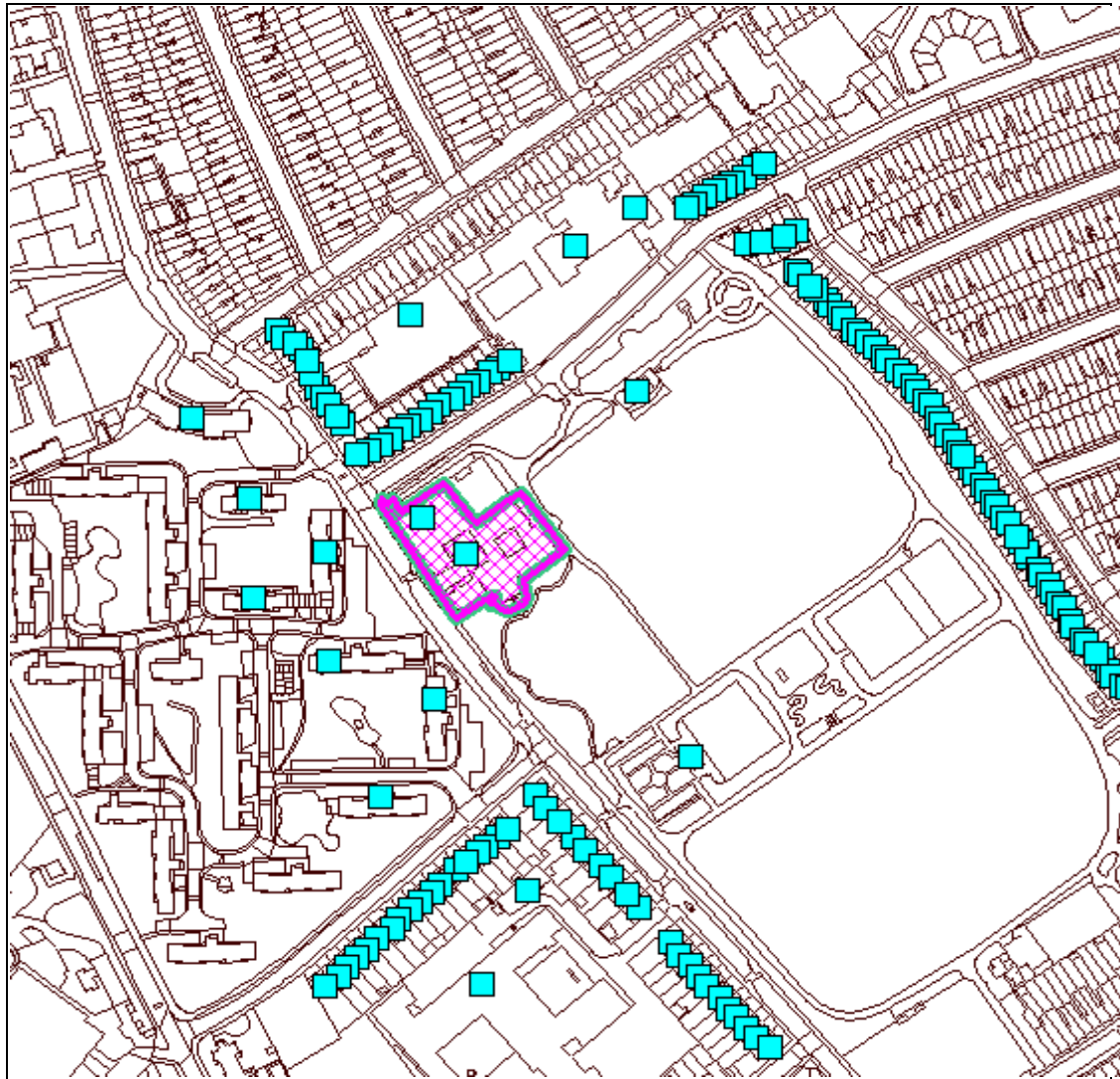
Index of Applications, Enforcement Actions, Advertisements etc.

WARD: REG NO:	SITE ADDRESS:	PAGE:
Sands End 2017/03997/FR3	Clancarty Lodge Depot South Park Peterborough Road London SW6 3AF	11
North End 2017/02180/FUL	62 Lillie Road London SW6 1TN	62
North End 2017/02181/LBC	62 Lillie Road London SW6 1TN	70
Ravenscourt Park 2017/02970/FUL	3 St Peter's Square London W6 9AB	73
Ravenscourt Park 2017/02971/LBC	3 St Peter's Square London W6 9AB	92

Ward: Sands End

Site Address:

Clancarty Lodge Depot South Park Peterborough Road London SW6 3AF



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For identification purposes only - do not scale.

Reg. No:
2017/03997/FR3

Case Officer:
Peter Wilson

Date Valid:
17.10.2017

Conservation Area:
Hurlingham Conservation Area - Number 4

Committee Date:
05.12.2017

Applicant:

London Borough Of Hammersmith And Fulham
c/o agent

Description:

Refurbishment of Clancarty Lodge, demolition of attached pavilion building and erection of new buildings to provide an arts and community centre with ancillary cafe and children's day nursery, associated landscaping works, cycle parking and new pedestrian entrance to the site.

Drg Nos:

Application Type:

Full Regulation 3 - LBHF is Developer

Officer Recommendation:

1) That the Director for Regeneration, Planning and Housing Services be authorised to determine the application and grant permission pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992 and subject to the conditions listed below;

2) To authorise the Director for Regeneration, Planning and Housing Services after consultation with the Director of Law and the Chair of the Planning and Development Control Committee to make any minor changes to the proposed conditions, any such changes shall be within their discretion.

Time Limit

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

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

Drawings

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

1706-04-001-P01; 1706-05-001-P01; 1706-05-100-P01; 1706-06-001-P01; 1706-06-100-P01; 1706-06-101-P01; 1706-06-200-P01; 1706-06-300-P01; 1706-06-301-P01; 1706-06-310-P01; 1706-06-311-P01; 1706-06-312-P01; 1706-06-400-P01; 1706-06-401-P01; 1706-06-402-P01; 1706-07-500_P01; 1706-07-501_P01; 1706-07-502_P01; 609PL11; 609PL12; 609PL13; 609PL14; 609PL15; 609PL16; 609PL17; 609PL18; 609PL19; 609PL20.

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 Hammersmith and Fulham Core Strategy (2011) and Policy DM G1 and DM G7 of the Development Management Local Plan (July 2013).

Demolition Management Plan and a Demolition Logistics Plan

- 3) The development hereby permitted shall not commence until a Demolition Management Plan and a Demolition Logistics Plan have been submitted to and approved in writing by the Local Planning Authority. These shall include details of the proposed control measures and monitoring for noise, vibration, lighting, a dust management plan in accordance with the Mayor's SPG, 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 vehicles, any vehicle holding areas, access arrangements and delivery locations on the site, details of a Low Emission Vehicle Strategy, provisions within the site to ensure that all vehicles associated with the demolition 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 Demolition Management Plan and Demolition Logistics Plan shall be implemented in accordance with the approved details throughout the relevant project period.

To ensure that appropriate steps are taken to limit the impact of the proposed demolition works on the operation of the public highway, the amenities of local residents and the area generally, in accordance with Policies 5.18, 5.19 and 7.14 of the London Plan, Policies CC1, CC4 and T1 of the Hammersmith and Fulham Core Strategy (2011), Policies DM H1, DM H2, DM H5, DM H8, DM H9, DM H11, DM J1 and DM J6 of the Development Management Local Plan (July 2013) and SPD Amenity Policy 26 of the Planning Guidance Supplementary Planning Document (July 2013).

Construction Management Plan and a Construction Logistics Plan

- 4) The development hereby permitted shall not commence (excluding works of site clearance and demolition) until a Construction Management Plan and a Construction Logistics Plan have been submitted to and approved in writing by the Local Planning Authority. These shall include details of the proposed control measures and monitoring for noise, vibration, lighting, a dust management plan in accordance with the Mayor's SPG, 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 construction vehicles, any vehicle holding areas and access arrangements, delivery locations on the site, details of a Low Emission Vehicle Strategy, 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 Construction Management Plan

and Construction Logistics Plan shall be implemented in accordance with the approved details throughout the relevant project period.

To ensure that appropriate steps are taken to limit the impact of the proposed demolition works on the operation of the public highway, the amenities of local residents and the area generally, in accordance with Policies 5.18, 5.19 and 7.14 of the London Plan, Policies CC1, CC4 and T1 of the Hammersmith and Fulham Core Strategy (2011), Policies DM H1, DM H2, DM H5, DM H8, DM H9, DM H11, DM J1 and DM J6 of the Development Management Local Plan (July 2013) and SPD Amenity Policy 26 of the Planning Guidance Supplementary Planning Document (July 2013).

Hoardings

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

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies 7.1 and 7.6 of the London Plan, Policy BE1 of the Hammersmith and Fulham Core Strategy (2011) and Policies DM G1 and DM G7 of the Development Management Local Plan (July 2013).

Contamination preliminary risk assessment

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

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

2013) and SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document (July 2013).

Contamination site investigation scheme

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

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with Policy 5.21 of the London Plan, Policy CC4 of the Hammersmith and Fulham Core Strategy (2011), Policies DM H7 and DM H11 of the Development Management Local Plan (July 2013) and SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document (July 2013).

Contamination quantitative risk assessment

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

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with Policy 5.21 of the London Plan, Policy CC4 of the Hammersmith and Fulham Core Strategy (2011), Policies DM H7 and DM H11 of the Development Management Local Plan (July 2013) and SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document (July 2013).

Contamination remediation method statement

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

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with Policy 5.21 of the London Plan, Policy CC4 of the Hammersmith and Fulham Core Strategy (2011), Policies DM H7 and DM H11 of the Development Management Local Plan (July 2013) and SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document (July 2013).

Contamination verification report

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

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

2013) and SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document (July 2013).

Contamination long-term monitoring methodology

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

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with Policy 5.21 of the London Plan, Policy CC4 of the Hammersmith and Fulham Core Strategy (2011), Policies DM H7 and DM H11 of the Development Management Local Plan (July 2013) and SPD Amenity Policies 2-17 of the Planning Guidance Supplementary Planning Document (July 2013).

Materials

- 12) The development shall not commence (excluding works of site clearance and demolition) until particulars and samples (where appropriate) of all the materials to be used in all external faces of the buildings; including details of the colour, composition and texture of the metal and stone work; details of all surface windows; roof top plant and general plant screening; window opening and glazing styles and all external hard surfaces including paving, have been submitted and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details as approved and thereafter permanently retained in this form.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies 7.1 and 7.6 of the London Plan, Policy BE1 of the Hammersmith and Fulham Core Strategy (2011), Policies DM G1 and DM G7 of the Development Management Local Plan (July 2013) and SPD Design Policy 44 of the Planning Guidance Supplementary Planning Document (July 2013).

Ultra Low NOx Boiler

- 13) Prior to the commencement of the development (excluding site clearance and demolition) details must be submitted to and agreed in writing by the Council of the Ultra Low Nox Gas fired boilers to be provided for space heating and hot water. The Gas fired boilers to be provided for space heating and domestic hot

water shall have dry NOx emissions not exceeding 40 mg/kWh (at 0% O2). Where any installations do not meet this emissions standard it should not be operated without the fitting of suitable NOx 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. The development shall not be occupied until the scheme has been carried out in accordance with the approved details, and it shall thereafter be permanently retained as such.

To comply with the requirements of the NPPF, Policies 7.14a-c of the London Plan (2016), Core Strategy 2011 Policy CC4, and Policy DM H8 of the Development Management Local Plan (2013).

Secure by Design

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

To ensure that the development incorporates suitable design measures to minimise opportunities for, and the perception of crime and provide a safe and secure environment, in accordance with Policy 7.3 of the London Plan, Policy BE1 of the Hammersmith and Fulham Core Strategy (2011) and Policy DM G1 of the Development Management Local Plan (July 2013).

Landscaping

- 15) The development hereby permitted shall not commence (excluding works of site clearance and demolition) until details of the proposed soft and hard landscaping of all areas external to the building have been submitted to and approved in writing by the Local Planning Authority. The details shall include: planting schedules and details of the species, height and maturity of any trees and shrubs, including sections through the planting areas; depth of tree pits, containers and shrub beds; details relating to the access of each building, including pedestrian surfaces, materials, kerb details, external steps and seating that ensure a safe and convenient environment for blind and partially sighted people. The landscaping details shall accord as a minimum with the enhancement of biodiversity as set out in the submitted Design and Access Statement. The landscaping works shall be carried out in accordance with the approved details and shall thereafter be permanently retained in this form.

To ensure a satisfactory external appearance of the development and relationship with its surroundings, and the needs of the visually impaired are catered for in accordance with the Equality Act 2010, Policies 3.1, 7.1 and 7.6 of the London Plan, Policy BE1 of the Hammersmith and Fulham Core Strategy

(2011) Policies DM E4, DM G1 and DM G7 of the Development Management Local Plan (July 2013) and SPD Sustainability Policies 14-24 of the Planning Guidance Supplementary Planning Document (July 2013).

Replacement Trees, shrubs etc

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

To ensure a satisfactory external appearance in terms of the provision of tree and shrub planting, in accordance with Policies 7.1 and 7.6 of the London Plan, Policy BE1 of the Hammersmith and Fulham Core Strategy (2011), Policies DM E4, DM G1 and DM G7 of the Development Management Local Plan (July 2013) and SPD Sustainability Policies 14-24 of the Planning Guidance Supplementary Planning Document (July 2013).

Landscape Management Plan

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

To ensure that the development provides an attractive natural and visual environment in accordance with Policies 7.1 and 7.6 of the London Plan, Policies BE1 and OS1 of the Hammersmith and Fulham Core Strategy (2011), Policies DM E4, DM G1 and DM G7 of the Development Management Local Plan (July 2013) and SPD Sustainability policies 14-24 of the Planning Guidance Supplementary Planning Document (July 2013).

Protection of Existing Trees

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

To ensure that trees on site are retained and to prevent harm during the course of construction, in accordance with Policy BE1 of the Hammersmith and Fulham Core Strategy (2011) and Policy DM E4 of the Development Management Local Plan (July 2013).

Lighting

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

To ensure that the amenity of occupiers of the development site / surrounding premises and natural habitat is not adversely affected by lighting, in accordance with policies 5.11, 7.3 and 7.13 of the London Plan, Policies BE1 and CC4 of the Hammersmith and Fulham Core Strategy (2011), Policies DM E1, DM E4, DM G1, DM H10 and DM H11 of the Development Management Local Plan (July 2013) and the Council's Supplementary Planning Document (July 2013).

Cycle Parking

- 20) No part of the development hereby approved shall be occupied or used until details of the secure storage arrangements for not less than 33 cycles, as indicated on the approved drawings and set out within the submitted Transport Statement, have been submitted to and approved in writing by the Local Planning Authority. 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 Policies 6.9, 6.13 and Table 6.3 of the London Plan, Policy T1 of the Hammersmith and Fulham Core Strategy (2011) and Policy DM J5 of the Development Management Local Plan (July 2013).

Site and Park Gates

- 21) No part of the development hereby approved shall be occupied or used until particulars and samples (where appropriate) of all the materials to be used for the access gates to Peterborough road and the means of securing the development from the park outside of the hours of park operation, have been submitted and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details as approved and thereafter permanently retained in this form.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies 7.1, 7.3 and 7.6 of the London Plan, Policy BE1 of the Hammersmith and Fulham Core Strategy (2011)

and Policies DM G1 and DM G7 of the Development Management Local Plan (July 2013).

Background Noise Levels

- 22) Noise emitted by all building services plant including from atmospheric vents shall be -10dBA below the existing measured lowest LA90(15min) background noise level at any time when all plant is in use, where the plant noise source is tonal it shall be -15dBA. The noise emitted shall be measured or predicted at 1.0m from the facade of the nearest residential window or at 1.2m above any adjacent residential garden, terrace, balcony or patio. The equipment shall be serviced regularly in accordance with manufacturer's instructions and as necessary to ensure that the requirements of the condition are maintained. If at any time the plant is unable to comply with this condition, it shall be switched off and not used again until it is able to comply.

To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment, in accordance with Policies DM H9 and DM H11 of the Development Management Local Plan (July 2013).

Anti-vibration Measures

- 23) Prior to use, machinery, plant or equipment 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 permanently 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 Policies DM H9 and DM H11 of the Development Management Local Plan (July 2013).

Hours of operation

- 24) (i) The development, with the exception of the nursery use, hereby approved shall only operate between the hours of 0700-2300 Sunday to Thursday and 0700-0000 Friday and Saturday.

(ii) The nursery use by exception shall only operate for that purpose between the hours of 0700-1900 Monday to Friday.

In order that noise and disturbance which may be caused by users leaving the premises is confined to those hours when ambient noise levels and general activity are sufficiently similar to that in the surrounding area, thereby ensuring that the use does not cause demonstrable harm to surrounding residential occupiers, in accordance with Policies DM H9 and DM H11 of the Hammersmith and Fulham Development Management Local Plan (July 2013).

Approved Use

- 25) The development hereby approved, with the exception of the nursery use, shall be used solely for the purposes of arts, cultural, community, leisure and recreation use and shall be made available and accessible to members of the

general public. Only the areas identified on the approved drawings as being for a children's nursery shall be used for the purposes of a children's nursery for use by children between the ages of 2-5 years old; when the areas allocated for nursery use are not used for that purpose they shall revert to arts, cultural, community, leisure and recreation use and be made available and accessible to the general public. The use shall not fall within in any other use, whether falling within Classes D1 or D2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any order revoking and re-enacting that Order with or without modification), or otherwise.

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 Hammersmith and Fulham Core Strategy (2011) and policy DM D2 and DM J1 of the Development Management Local Plan (July 2013).

Accessibility

- 26) The development shall be implemented in accordance with the accessibility statement within the Design and Access Statement dated May 2017. The approved details shall then be retained thereafter in this form.

To ensure that the proposal provides an inclusive and accessible environment in accordance with policy 7.2 of the London Plan (2016) and DM G1 and DM G3 of the Development Management Local Plan (2013).

FRA

- 27) The development hereby permitted shall only be implemented in accordance with the submitted Flood Risk Assessment (Elliott Wood 2170282 Rev. P3 dated October 2017) and thereafter all approved measures shall be retained and maintained in accordance with this this document and shall thereafter be permanently retained in this form.

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, Policy CC1 and CC2 of the Hammersmith and Fulham Core Strategy (2011) and Policy DM H3 of the Development Management Local Plan (July 2013).

Sustainability Matrix

- 28) The development hereby permitted shall only be implemented in accordance with the submitted Sustainability Matrix (Max Fordham) and thereafter all approved measures shall be retained and maintained in accordance with this this document and shall thereafter be permanently retained in this form.

In the interests of energy conservation and reduction of CO2 emissions, in accordance with Policies 5.1, 5.2, 5.3, 5.6 and 5.7 of the London Plan, Policy CC1 of the Hammersmith and Fulham Core Strategy (2011) and Policies DM H1

of the Development Management Local Plan (July 2013) and SPD Sustainability Policies 29, 30 and 31 of the Planning Guidance Supplementary Planning Document (July 2013).

Energy Statement

- 29) The development hereby permitted shall only be implemented in accordance with the submitted revised Energy Statement (Max Fordham 26 October 2017 issue B) and thereafter all approved measures shall be retained and maintained in accordance with this document and shall thereafter be permanently retained in this form.

In the interests of energy conservation and reduction of CO2 emissions, in accordance with Policies 5.1, 5.2, 5.3, 5.6 and 5.7 of the London Plan, Policy CC1 of the Hammersmith and Fulham Core Strategy (2011) and Policies DM H1 of the Development Management Local Plan (July 2013) and SPD Sustainability Policies 29, 30 and 31 of the Planning Guidance Supplementary Planning Document (July 2013).

Drainage

- 30) The development hereby permitted shall only be implemented in accordance with the submitted Sustainable Drainage Strategy outlined within the submitted Design and Access Statement and the Proposed Suds Strategy Tank Option drawing ref. 2170282 EW 00 L00 DR D 1001 Rev. P1. Thereafter all approved measures shall be retained and maintained in accordance with these details and shall thereafter be permanently retained in this form.

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 5.13 of The London Plan and Policy CC2 of the Hammersmith and Fulham Core Strategy (2011).

Green Roofs

- 31) The development hereby permitted shall not commence (excluding works of site clearance) prior to the submission and approval in writing by the Local Planning Authority of details of the green roof, including planting and maintenance plan. The development shall not be occupied until the scheme has been carried out in accordance with the approved details, and shall thereafter be permanently retained in this form.

To ensure the provision of green roof 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 and Policy DM E4 of the Hammersmith and Fulham Development Management Local Plan (2013).

Travel Plan

- 32) Prior to occupation of the development hereby approved, full details of a Nursery Travel Plan shall be submitted to and approved in writing by the Council.

Thereafter the Nursery Travel Plan shall be reviewed annually, in line with Transport for London's STAR Framework, to a minimum of 'Bronze' standard.

To ensure that the development does not generate an excessive number of car trips which would be contrary to the Council's policies of car restraint set down in policy T1 of the Core Strategy (2011) and policy DM J2 of the Development Management Local Plan (2013).

Nursery Management Plan

- 33) Prior to occupation of the nursery, full details of a Nursery Management Plan for the nursery shall be submitted to and approved in writing by the Local Planning Authority. Upon the commencement of the use, the Nursery Management Plan shall be implemented in full compliance with the approved details, and shall thereafter continue to be fully implemented whilst the use remains in operation. Such details shall include information on the nursery hours of use; management and hours of use of the nursery courtyard/play area(s); the number and times of recreation breaks; and a plan for staff supervision at arrival and leaving times and recreation times including after school and pre-school activities.

To ensure that the use does not result in loss of amenity to neighbouring residents in terms of noise and disturbance, in accordance with Policy T1 of the Core Strategy (2011) and Policies DM H10, DM H11 and DM J2 of the Development Management Local Plan (2013).

Arts and Community Centre Management Plan

- 34) Prior to first use of the development hereby permitted, full details of an Arts and Community Centre Management Plan for the nursery shall be submitted to and approved in writing by the Local Planning Authority. Upon the commencement of the use, the Arts and Community Management Plan shall be implemented in full compliance with the approved details, and shall thereafter continue to be fully implemented whilst the use remains in operation. Such details shall include information on the hours of use; management and hours of use of the courtyard area(s); and the measures taken to promote and encourage sustainable modes of transport of staff and visitors.

To ensure that the use does not result in loss of amenity to neighbouring residents in terms of noise and disturbance, in accordance with Policy T1 of the Core Strategy (2011) and Policies DM H10, DM H11 and DM J2 of the Development Management Local Plan (2013).

Justification for Approving the Application:

- 1) Land use: The proposal is considered to be accessible, adaptable and offers flexible accommodation that can be used for a variety of community, leisure and recreational uses by the local community. The small net loss of open space within the context of the wider open space designation is considered to be outweighed by the substantial benefits to the community through the community, leisure and recreational functions whilst enhancing the open character, quality and access to the open space. The proposal is considered to accord with the

NPPF, London Plan Policy 7.18, Core Strategy Policies CF1 and OS1, DMLP Policies DM E1, DM D1 and DM D2, and Draft Local Plan Policies OS1, OS2, CF1, CF2 and CF3.

- 2) Design and heritage: The proposed retention and refurbishment of Clancarty Lodge is welcomed, the demolition of the pavilion building is supported. The architectural quality of the development will enhance the appearance of the Hurlingham Conservation Area and strengthen its character by bolstering the block character, providing more definition for street edges and providing a scale compatible with the modern emerging post-industrial character. The proposal would be in accordance with Core Strategy Policies BE1, DMLP Policies DM G1 and DM G7, Draft Local Plan Policies DC1 and DC2, London Plan Policies 7.1, 7.2, 7.3 7.4, 7.5, 7.6 and 7.8 and the NPPF.
- 3) Highways: The proposal is car free with cycle provision and this is supported, the trip generation levels demonstrate that there will be limited impact in the area. Demolition and Construction Logistics Plans and a nursery travel plan are secured by condition. The proposal is therefore accords with Policies 6.1, 6.3, 6.9, 6.10, 6.11, 6.13 of the London Plan, Policy T1 and CC3 of the Core Strategy and DMLP Policies DM A9 DM J1, DM J2 and DM J5.
- 4) Amenity: The location of the premises away from residential dwellings is considered to result in no loss of amenity as a result of noise to neighbouring residents with conditions secured in relation to noise thresholds and anti-vibration measures. Due to the distances and boundary screening no loss of outlook or privacy would result from the proposal to those properties closest to the site. Appropriate means of limiting illumination are part of the proposed development and further details of the external lighting as well as the interaction with biodiversity measures are secured by way of a condition. Lighting usage and energy usage are monitored as set out in the sustainability matrix, compliance with which is secured by condition. The proposal is considered to be in accordance with Policy 7.15 of the London Plan, DMLP Policies DM G1, DM H9, DM H10 and DM H11 and SPD Housing Policies 7 and 8.
- 5) Biodiversity: As part of the ecological enhancements proposed the site will see the introduction of a significant increase and enhancement to the benefit of biodiversity both on site and in the immediate area. Biodiverse roofs will be integrated into the external stores and bin enclosure with downpipes from these directed to nearby planting. Each of the gardens will be planted in the interests of wildlife. Wood piles and insect hotels are integrated into the eastern elevation of the building onto the Community Garden. The boundaries of the site have been designed to allow the free movement of hedgehogs. Bird and bat boxes will be provided within roof spaces and trees, with three new trees being introduced. These details are all secured by way of condition. The existing value of the habitat is extremely limited and can be appropriately enhanced by way of the landscaping details to be submitted. As such the proposal is considered to be in accordance with the NPPF, London Policies 5.11 and 7.19, Core Strategy Policy OS1, DMLP Policies DM E1, DM E3 and DM E4, Draft Local Plan Policies OS4 and OS5 and Planning SPD Sustainability Policies 14-24.
- 6) Energy and Sustainability: The development would reduce CO2 emissions by 35% compared to the baseline Building Regulation minimum standards. The

proposals are acceptable in terms of achieving sustainable design and construction requirements. Given the low risks of flooding on-site approach within the Flood Risk Assessment are acceptable. The scheme is not a major application but the proposal includes a range of Sustainable Drainage Systems (SuDS) to manage surface water on the site, including retention of large areas of soft landscaping which will allow direct infiltration of rainfall, provision of permeable paving adjacent to the new building, supplemented by an underground attenuation storage which will be utilised in the event of a major storm, meeting the minimum requirement to reduce surface water run-off by at least 50%. The implementation of the submitted FRA, SuDs measures, Sustainability Matrix and Energy Statement are required by condition. 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, Policies CC1 and CC2 of the LBHF Core Strategy, Policies DM H1, DM H2, DM H3 of the DMLP together with SPD Sustainability Policies 1, 2, 25 and Policy 29.

- 7) Accessibility: The proposal will be fully accessible with appropriate doors widths and level thresholds, level floors and accessible facilities. The landscaping scheme and compliance with the submitted accessibility provisions is secured by condition. These provisions satisfy the requirements of London Plan Policy 7.2, DMLP Policies DM A4 and DM G1 and Planning SPD Design Policies 1 and 8.
- 8) Crime Prevention: The site will be secured on all access points when not in use. When the park closes at the respective seasonal times, the proposal features rotating panels to the south-east of the Lodge courtyard that close to form a 3m barrier preventing access to the park. CCTV is to be provided which will be controlled and monitored centrally by the council, security lighting is also proposed. Secure by Design accreditation is secured by condition. The proposal accords with London Plan Policy 7.3, Core Strategy Policy BE1 and DMLP Policies DM A9 and DM G1.
- 9) Contamination: The development is considered to be in accordance with relevant national, regional, and local contaminated land policies which seek to manage the development of land to minimise the potential harm of contaminated sites and where appropriate, ensuring that mitigation measures are put in place. Conditions are secured to provide further required information prior to the relevant stages of works. The proposed development therefore accords with Policy 5.21 of the London Plan, Policy CC4 of the Core Strategy and DMLP Policy DM H7.

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

All Background Papers held by Helen Murray (Ext: 3439):

Application form received: 13th October 2017
Drawing Nos: see above

Policy documents: National Planning Policy Framework (NPPF) 2012
The London Plan 2016
LBHF - Core Strategy Local Development Framework 2011
LBHF - Development Management Local Plan 2013
LBHF - Planning Guidance Supplementary Planning Document
2013

Consultation Comments:

Comments from:	Dated:
Peterborough Road And Area Residents' Association	10.11.17
Historic England London Region	27.10.17
Natural England	13.11.17

Neighbour Comments:

Letters from:	Dated:
Flat 4 Lowlands Clancarty Road sw6 3AE	11.11.17
59 Clancarty Road Fulham London SW6 3AH	10.11.17
72 PETERBOROUGH ROAD LONDON SW6 3EB	10.11.17
31 Jepson House Pearscroft Road London SW62BG	11.11.17
16 epple road london sw6 4dh	07.11.17
6 Beltran Road London SW63AJ	13.11.17
53 Perrymead Street London SW63SN	11.11.17
50 Peterborough Road London SW6 3EB	25.10.17
72 peterborough road london sw6 3eb	10.11.17
156 Lewis Trust Vanston Place London SW61AW	11.11.17
Flat 30 Pearscroft Court, Pearscroft Road London SW62BL	11.11.17
99 Peterborough Road London SW6 3BU	26.10.17
97 Peterborough Road London SW6 3BU	22.11.17
184 Wandsworth Bridge Road Fulham SW6 2UF	07.11.17
53 Perrymead Street London SW6 3SN	18.10.17
48 Peterborough Road London SW6 3EB	19.10.17
1 Rosaville Road London SW6 7BN	08.11.17
16 Daisy Lane London, UK sw63dd	27.10.17
53 Perrymead Street London SW63SN	11.11.17
96D Wandsworth Bridge Road London SW62TF	11.11.17
7C Benbow Road	31.10.17
20 Hamble Street London SW62RS	11.11.17
16 epple road London sw6 4dh	07.11.17

16 epple road London Sw6 4dh
53 Perrymead Street London SW63SN
14A Broughton Road London SW6 2LA

07.11.17
11.11.17
26.10.17

OFFICERS' REPORT

1.0 SITE AND SURROUNDINGS

- 1.1 The application site is set within the north-western corner of South Park and is bound by Clancarty Road to the north and Peterborough Road to the west, to which there is a vehicular access. South Park itself forms the southern and eastern edges. To the west are the southern parts of the Sullivan estate. To the northern edge of Clancarty Road are two storey residential properties. The site comprises a council parks depot with access onto Peterborough Road and Clancarty Lodge to the south. The depot is characterised by an area of loose hardstanding and a number of shipping containers used for storage. To the northern boundary are some single storey seed buildings that are outside of the application site boundary.
- 1.2 Clancarty Lodge itself is a two storey detached building that was originally one of the park lodges. This has a later single storey extension to the western elevation. The lodge is not in use and is boarded up for security reasons.
- 1.3 To the east of the site, within the park, is the community garden. To the south east is a Walnut Grove and to the south at a lower level is the children's playground. The wider park comprises sports pitches, open grassed area, a cricket pavilion to the north east, tennis courts to the centre and Hugon Lodge to the southern boundary.
- 1.4 The site is located within the Hurlingham Conservation Area. South Park itself, including the application site, is designated as open space within the Local Plan, with Clancarty Lodge being designated a Building of Merit. The site is within Flood Zone 3. The south eastern part of the site that comprises the Walnut Orchard is located within the nature conservation area that covers the rest of the park
- 1.5 The site has a Public Transport Accessibility Level (PTAL) of 3. A PTAL score can range from 1a to 6b, where a score of 1a indicates a "very poor" level of accessibility and 6b indicates an "excellent" accessibility level.
- 1.6 The Site falls within Controlled Parking Zone (CPZ) Q - which operates between 09:00 and 17:00 Monday to Saturday. Loading or unloading is permitted on yellow lines for up to 40 minutes during the hours of control.
- 1.7 Cycle hire docking stations are located in the immediate area with the closest found on Peterborough Road, 120m south of the site (1 minute walk) where 28 spaces are available. A further 27 spaces can be found further south on Peterborough Road, approximately 400m (5 minutes walk), as well as 29 spaces on Broomhouse Lane, 400m west of the site (5 minutes walk).

Planning History

- 1.8 The planning history for the site is limited and in summary:
- 1.9 1988/00142/FUL - Erection of extension to existing workshop along Clancarty Road frontage. Planning permission granted 21 August 1988.

- 1.10 1981/01728/FUL - The erection of single storey buildings to provide park store and toddler's club. Planning permission granted 15 February 1982.

Proposal

- 1.11 The application seeks full planning permission for the refurbishment of Clancarty Lodge, demolition of attached pavilion building and erection of new buildings to provide an arts and community centre with ancillary cafe and children's day nursery, associated landscaping works, cycle parking and new pedestrian entrance to the site.

- 1.12 The applicant has submitted the following in support of the application:

- Application drawings; Mae Architects.
- Landscape Drawings: JLG.
- Design & Access Statement; Mae Architects.
- Built Heritage Statement; CGMS.
- Flood Risk Assessment; Elliot Wood.
- Contamination / Ground conditions survey; GEA Ltd.
- Tree Survey and AIA; CBA Trees.
- Transport Report; Caneparo Associates.
- Ecology Survey; Ecology Consultancy.
- Sustainability Matrix: Max Fordham.
- Revised Energy Statement; Max Fordham.
- Statement of Community Involvement; Cascade.

2.0 PUBLICITY AND CONSULTATIONS

- 2.1 Residents were notified of the application by way of 361 letters, a site notice posted on 20th October 2017 and a press advert published 20th October 2017. A total of 5 objections and 19 letters of support were received.

Objections:

- The planning application concerns land that is part of South Park and always has been since the park opened in 1904. The proposal treats this area as if it has no real connection with the park and there is minimal integration with the main body of the park. Therefore think that it is incorrect use of this open land. There needs to be revisions to the design including a reduction on the built to open land ratio so that the structures are supportive of the park's recreational mandate.
- I support the proposal which is a high quality design and carefully and sensitively designed in all but one aspect, with the Walnut Grove being unattractive and needing the removal of every other tree with a diagonal route to the park to create an attractive and inviting link from the park.
- There should be a 1:1 replacement of any green space taken up with the new building. Hedges would be better for biodiversity and easier to maintain than green walls, and that the tarmac surrounding the walnut trees could be removed, and the area could be allowed to return to a more natural state.

- It is disappointing that this application, which is sponsored by the Council, conflicts with the recommendations made by its own Commission. For example, the ratio of green space to build structures does not appear to be in the ratio of 1:1 the ratio is in favour of the build structures.
- While there are commendable features to the proposed development, from a biodiversity viewpoint, there are just not enough of them. Court yards could have more inspirational use of hedges. Green walls need to be installed with some understanding of longevity and long term maintenance. Hedging along community centre walls with native species might prove a more appropriate solution than green walls and is likely to be better from a biodiversity and maintenance standpoint.
- One way in which to improve the biodiversity aspect of the whole proposal would be to rip up the existing asphalt surface under the walnut trees in the walnut grove, remove the spoil and allow the earth under the trees to regenerate naturally. Compacted gravel is not the answer and will produce minimal gains to biodiversity.
- There needs to a substantial fence between the community garden and the new centre as the community garden functions as a separate entity. Rubbish accumulation and damage to raised beds are likely possibilities should there be open direct access from the centre. Similarly, bees are kept in the garden - for the sake of bees and human beings separation is necessary.

The Peterborough Road and Area Residents' Association object:

- The current site is open space and largely clear of buildings.
- Currently an open space depot and has always been integral to South Park either as a service area for the recreational use of the park or accessible by the public. Until it was abandoned the Lodge was a public refreshment room and previously several glasshouses which were open to the public.
- The local community has desired for some considerable time that the land be restored to become accessible to park users with an appropriate use, years of prevarication has led to this part of the park being in the state it is.
- Not intrinsically against a scheme which would bring this area back into full park use. The current proposal does not constitute an appropriate use and particular the so called café is in entirely the wrong location.
- Builds over a significant percentage of the open land and are not convinced that the amount of construction so permissible under open space planning regulations.
- Scheme does not satisfy the council's biodiversity policy that the build to green space ratio is 1:1.
- Minimal linkage to the main part of South Park and negligible integration with the rest of the park.
- The connection between the community centre area and main area of the park is restricted physically and visually, the need to isolate the centre from the rest of the park when the park is closed creates a further barrier.
- A new café is called for in the masterplan, good catering facilities are required in public buildings and areas. a proper café is important for any sustainability plan for bringing this part of the park back into public use.

- Current café is just an adjunct to the main hall, is not a proper café or park café as it is separated from activities taking place in the main park.
- Please that the Lodge is retained, the café should be based in that building with a conservatory extension wrapped around to provide space for customers.
- A café here has benefits such as a visual link to the park and centre; reduction the size of community centre increasing open space; outdoor seating adjacent to the walnut grove; being next to the play area for parents; encourage use by children.
- The roof height is excessive and unnecessary.
- Design is visually inconsistent with other buildings in the park and unsympathetic to their location.
- The higher side roofs should be lowered so they do not dominate the skyline like a sore thumb.
- Height is entirely unacceptable from Clancarty Road.
- A reduction in height would not impact the functionality of the buildings.
- It appears a small area of the park would be given over to the nursery. prohibiting public use, uncertain about the practicality of this arrangement
- Although not strictly a planning matter there is a strong restrictive covenant on the park requiring the land is maintained as a recreational facility for the local community and buildings must support that use. Not convinced the proposal is consistent with this.

Support:

- This is a fantastic idea. The community is lacking a community centre. It should definitely go through, as it is so important to us especially for people of a young age, this will help to create a relationship through all the generations.
- It is a great idea, because it is a way for the community to socialise and gives an opportunity for kids to have clubs for them to socialise.
- A very clever idea, it gives me an opportunity to socialise with many of my friends and for us to help the community from a young age.
- A great idea, as a community we will all benefit from this development.
- The new community centre in Sands End is greatly appreciated by all residents. It will address problems of social isolation and enhance community cohesion. It will provide activities over a wide range of interest and also be somewhere people can gather and meet informally. It will be accessible to everyone living in Sands End as the 424 bus connects everyone in the Sands End Ward. This means that the young and old will have easy access.
- A community centre will take the place of the local pubs which were places where local people could meet informally. It won't cost money to use as you don't have to buy a drink. People can get to meet their neighbours, make new friendships in the way that previous generations did. The sad loss of the local pub is a great loss to the community. Perhaps the community centre can fill this loss to local people.
- This is good for the community.
- This project will bring the community together and gives people opportunities to mix and socialise.

- This is a tremendous project and it will be an enormously positive amenity for the community, promoting cohesion, combating social isolation, and offering an outlet for the arts and community involvement that Sands End lacks.
- This development will enhance our community. This has the potential to be a tremendous addition to the community and a productive and constructive use of space. The potential of the project is exciting. The Arts and Community Centre will offer all members of the community opportunities which are presently unavailable in South Fulham.
- It would be beneficial to the community and community spirit.
- This neighbourhood badly misses the old Sands End Community Centre which was all used all the time. The whole community could interact with each other with all the various classes, from Yoga, Pilates, Pottery, and the Gymnasium. There is nowhere where people can meet up and have a coffee with friends and neighbours which is so important for a healthy, happy and calm community. All this would be welcome in the new Arts Community Centre. This is heard all the time at our Neighbourhood Watch Meetings. So please consider this for the wellbeing of the local people.

2.2 As part of the number of representations received summarised above comments were received by two further resident's associations which can be summarised as follows:

2.3 The Fulham Society have commented:

- Very pleased the Lodge is to be retained and restored.
- Essentially happy with the plan for the community centre and supporting building on this corner of the park as long as it is obvious and easy for park users to use the centre facilities.
- Very concerned that the development should be simply and easy to maintain to avoid future maintenance expenditure.
- Would like views of the roof of the hall to be as invisible as possible from adjacent streets.
- Not happy with the café being part of the hall complex and would prefer this to be centred around Clancarty Lodge where it will be focused on the park. The present location would cause conflicts of interests.
- Separation of the café would also help the major problem of how the hall area can be safely separated when the park is closed, a matter that is imperative to be sorted out before consent is given.
- Although not a planning issue there is concern over future funding and maintenance, it is good that a Trust is being set up but future funding from the nursery is an issue, which is not 'public recreation'.

2.4 The Friends of South Park have commented:

- Pleased to see re-development of this part of the park and the Lodge repaired.
- The open space should only be used for leisure and the nursery is not, it also extends into park space currently not part of the depot.
- Concerns that a private nursery would benefit from public funds.
- The location of the café should be changed to next to the playground.

- It is difficult to any reason for the buildings to be so high, they change the views of that corner of the park unnecessarily and a flat roof would improve biodiversity and green space.
- Access to the park through the building has raised some concerns with the park closed at night.
- It is queried whether the extensive network of community centres and activities provided locally and the difficulty these organisations having at making ends meet has been taken into account.
- A similar project was proposed 5 years ago and it was made clear that this would not be allowed due to road infrastructure, open space policy and size.
- Although not in keeping with the masterplan, members have welcomed the redevelopment save for the above concerns and it is an ambitious and generous development in the heart of our community.

2.5 Technical consultations were undertaken and are summarised below:

2.6 Environment Agency: no objection on flood risk safety grounds.

2.7 Historic England: do not wish to make comments and do not require to be consulted further.

2.8 Natural England: no comment to make.

Applicant Consultation

2.9 The applicant has submitted a Statement of Community Involvement setting out the pre-application public engagement that was undertaken. This consisted of a stakeholder workshop dated 6th July 2017 that involved invitations to stakeholders and representatives of local groups and the community to discuss their vision for the Sands End community and ideas of what would take place in the proposed centre. Subsequently, a stakeholder preview presentation on 12th September and a public exhibition on 13th and 16th September. The exhibition invitation was by way of letter on 25th August to 9,689 residents and businesses as well as political and community stakeholders. A press release was also issued on 1st September with a dedicated page on the council website providing a link to a comment website.

3.0 PLANNING CONSIDERATIONS

Policy Framework

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

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

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

- 3.3 In this instance the statutory development plan comprises the following the London Plan (2016), the Hammersmith and Fulham Core Strategy (2011) (the Core Strategy) and the Hammersmith & Fulham Development Management Local Plan (2013) (DMLP). A number of strategic and local supplementary planning guidance and other documents are also material to the determination of the application.
- 3.4 The National Planning Policy Framework (NPPF) came into effect on 27 March 2012 and is a material consideration in planning decisions. The NPPF, as supported by the Planning Practice Guidance (PPG), sets out national planning policies and how these are expected to be applied.
- 3.5 The NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up to date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.
- 3.6 The NPPF is aimed at safeguarding the environment while meeting the need for sustainable growth. The NPPF sets out a presumption in favour of sustainable development. For decision-taking this means:
- approving development proposals that accord with the development plan without delay; and
 - where the development plan is absent, silent or relevant policies are out of date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

Proposed Local Plan

- 3.7 The council submitted, on 28 February 2017, the Proposed Submission Local Plan and supporting documents to the Secretary of State for Communities and Local Government. The Proposed Submission Local Plan was subject to examination in public between 13 and 22 June 2017. Proposed main modifications to the plan were consulted on for six weeks ending on 15 September 2017 and it is anticipated that adoption will take place in early 2018. In light of the fact that an independent examination and consideration of the modifications has concluded it is considered the Proposed Submission Local Plan should be given weight in considering and determining this application.

Assessment

- 3.8 The principle issues to be assessed in relating to the submitted development proposal are considered to consist of:

- Land use
- Design and heritage
- Highways implications
- Residential amenity
- Energy and sustainability
- Biodiversity
- Land contamination
- Flood risk and drainage

Land Use

- 3.9 **The NPPF** sets out that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities with planning decisions aiming to achieve places that promote opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity. Decisions should promote the provision and use of shared space, community facilities and other local services to enhance the sustainability of communities and residential environments.
- 3.10 Paragraph 74 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
1. an assessment has been undertaken which has clearly shown the open space, building or land to be surplus to requirements; or
 2. the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location, or;
 3. the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
- 3.11 **London Plan Policy 7.18 (Protecting Open Space and Addressing Deficiency)** states that the loss of protected open spaces must be resisted unless equivalent or better quality provision is made within the local catchment area.
- 3.12 **Core Strategy Strategic Policy CF1 (Supporting Community Facilities and Services)** sets out that the council will work with its strategic partners to provide borough wide high quality accessible and inclusive facilities and services for the community by, in the context of this application:
- encouraging the co-location of community facilities and services where opportunities arise;
 - improving the range of leisure, recreation, sports, arts and cultural facilities by:
 - supporting re-provision of facilities for existing users in outworn premises where opportunities arise;
 - seeking new facilities
 - enhancing sport, leisure and cultural provision for schools and public use in suitable local parks

3.13 **Core Strategy Strategic Policy OS1 (Improving and Protecting Parks and Open Spaces)** sets out to protect and enhance parks, open spaces and biodiversity in the borough by:

- designating a hierarchy of open space that includes metropolitan open land (MOL), open space of borough wide importance and open space of local importance (see Appendix 2) as well as a hierarchy of nature conservation areas of metropolitan, borough and local importance, and green corridors along the borough's railway lines (see Appendix 3);
- requiring a mix of new public and private open space in the White City and Earls Court and West Kensington Opportunity Areas and the South Fulham Riverside regeneration area when development takes place;
- improving parks and recreational facilities through a planned asset renewal programme in accordance with the council's Parks and Open Spaces Strategy. Major refurbishment of Shepherds Bush Green and Bishops Park will be complemented with investment in improved local play and sports facilities across the borough. Strategic masterplanning will guide future investment in Ravenscourt Park, South Park and Wormholt Park;
- protecting back garden space and encouraging the enhancement of front gardens, and adding to the greening of streets and the public realm;
- ensuring provision of quality accessible and inclusive open space, including areas of nature conservation interest, and children's play provision in new developments, including in the identified regeneration areas; and
- improving provision and access to parks and open spaces, play space and areas of nature conservation interest.

3.14 It further states that although most open spaces in Hammersmith and Fulham provide a valuable open space function, there are some open spaces, often because of their location, which have very limited existing or potential value as either open space, for local amenity, or for biodiversity. In these cases, it may be appropriate to consider alternative uses.

3.15 **Draft Local Plan Policy OS1 (Parks and Open Spaces)** largely mirrors the existing Core Strategy Policy OS1 and states that the council protect, enhance and increase provision of parks, open spaces and biodiversity in the borough by:

- a. designating a hierarchy of open space that includes metropolitan open land (MOL), open space of borough wide importance and open space of local importance as well as a hierarchy of nature conservation areas of metropolitan, borough and local importance, and green corridors along the borough's railway lines
- b. requiring a mix of new public and private open space in the White City and Earls Court and West Kensington Opportunity Areas and the South Fulham Riverside Regeneration Area and in any new major development; and
- c. improving existing parks, open spaces and recreational facilities throughout the borough.

3.16 Open spaces provide opportunities for people to exercise and to take part in outdoor sport and recreation which enhances the health of local people. It is therefore important to maintain open spaces for the benefit of the community and

involve local communities in the use of such spaces. The Council's 2006 Open Spaces Audit reveals that Hammersmith and Fulham has relatively little open space per person and with more people living and working in the borough, the improvement of existing parks and open spaces and facilities within them, and the provision of more public open space and private amenity space as part of new developments will be important.

3.17 **DMLP Policy DM E1 (Access to Parks and Open Spaces)** states that the council seek to reduce open space deficiency and to improve the quality of, and access to, existing open space by:

- refusing development on public open space and other green open space of borough-wide importance unless it can be demonstrated that such development would preserve or enhance its open character, its function as a sport, leisure or recreational resource, and its contribution to biodiversity and visual amenity

3.18 Notwithstanding the need to protect, improve and increase open space in the borough, situations may arise when the benefits of protecting existing open spaces (private and public) need to be considered against the benefits of allowing some limited development on them. The policy criteria that relate to the possible release of open spaces of borough-wide importance and local importance are considered appropriate to clarify the special circumstances where limited types of development on public and private open space may be acceptable.

3.19 **Draft Local Plan Policy OS2 (Access to Parks and Open Spaces)** effectively mirrors and replaces DMLP Policy DM E1 and states that, in the context of this proposal, the council will seek to reduce open space deficiency and to improve the quality of, and access to, existing open space by:

a. refusing development on public open space and other green open space of borough-wide importance unless it can be demonstrated that such development would preserve or enhance its open character, its function as a sport, leisure or recreational resource, and its contribution to biodiversity and visual amenity.

3.20 This policy also sets out that it is important to have a general presumption against development on existing open space, however, notwithstanding the need to protect, improve and increase open space in the borough, situations may arise when the benefits of protecting existing open spaces (private and public) need to be considered against the benefits of allowing some limited development on them.

3.21 **DMLP Policy DM D1 (Enhancement of Community Services)** sets out that proposals for new or expanded community uses should meet local need, be compatible with and minimise impact on the local environment and be accessible to all in the community they serve. Community uses cover a variety of activities ranging from schools and churches to some public houses and the council will seek to co-locate community facilities for which it is responsible and will encourage others to do so in order to provide services that are better integrated with both public and private sectors. The multi-use of facilities will allow for more sustainable forms of development. Where new or expanded community uses are

provided they should be designed to meet local need by where appropriate, being accessible, affordable and adaptable, offering flexible accommodation that can be used for a variety of uses by the local community.

- 3.22 **DMLP Policy DM D2 (Enhancement of Arts, Culture, Entertainment, Leisure, Recreation and Sports Uses)** the council will support the continued presence of the borough's arts, culture, entertainment, leisure, recreation and sports venues subject to the local impact of venues being managed without added detriment to local residents; proposals for new and expanded venues to be supported where appropriate by evidence of how impacts such as noise, traffic, parking and opening hours have been assessed, minimised and mitigated.
- 3.23 **Draft Local Plan Policy CF1 (Supporting Community Facilities and Services)** sets out that the council will work with its strategic partners to provide borough-wide high quality accessible and inclusive facilities and services for the community by:
- Improving the range of leisure, recreation, sports, arts, cultural and entertainment facilities by supporting re-provision of facilities for existing users in outworn premises where opportunities arise;
 - Enhancing sport, leisure and cultural provision for schools and public use in suitable local parks;
 - Supporting provision of childcare nurseries
- 3.24 **Draft Local Plan Policy CF2 (Enhancement and Retention of Community Uses)** states that proposals for new or expanded community uses should meet local needs, be compatible with and minimise impact on the local environment and be accessible and inclusive to all in the community they serve. Where new or expanded community uses are provided, they should be designed to meet need and should be accessible, affordable and adaptable, and where appropriate offer flexible accommodation that can be used for a variety of uses.
- 3.25 **Draft Local Plan Policy CF3 (Enhancement and Retention of Arts, Culture, Entertainment, Leisure, Recreation and Sport use)** the council will support the continued presence of these venues subject to the local impact of venues being managed without added detriment to local residents; requiring proposals for new and expanded venues to be accessible and inclusive and to be supported by evidence of how impacts such as noise, traffic, parking and opening hours have been assessed, minimised and mitigated;
- 3.26 Community Facilities are defined as being uses comprising education (including adult learning, nurseries and creches); community services and third sector (including community halls, meeting rooms, hubs and young people's faculties); arts, cultural and entertainment uses (including galleries, concert halls and music venues); and leisure, recreation and sports uses. As such, sport, leisure or recreational resources fall within the definition of being community facilities.
- 3.27 The council has prepared a number of documents in relation to open space provision that have been submitted as part of the Draft Local Plan examination, namely the Open Space Audit (2006), the Open Space Background Paper (2016) and the Parks and Open Spaces Strategy 2008-2018. These support and inform the approaches taken in draft Policies OS1 and OS2 which seeks the protection,

provision and enhancement of open space. This information is considered to be consistent with the requirements of the NPPF, providing robust and up to date evidence in regard to open space need, opportunities and deficiencies.

- 3.28 The council have taken paragraph 74 of the NPPF into account when preparing draft Policy OS2 which provides sufficient protection for open spaces whilst allowing for some flexibility for potential losses where justified and in line with the policy criteria. However, the approach taken reflects locally specific circumstances. With deficiencies in open space identified across the borough and with increases in population expected, this places further pressure on existing open spaces. In addition to this, given the lack of land available, there are also difficulties in providing new areas of public open space in the borough. Given the dense and built up nature of the borough, the council therefore considers that whilst all of the borough's open spaces have value and none can be considered surplus to requirements, the policy also sets out the circumstances where certain types of development on open space may be considered acceptable. These circumstances are outlined in criteria a and b of draft Policy OS2 and are considered to be in line with exceptions in Paragraph 74 of the NPPF.
- 3.29 In summary, these studies demonstrate that the borough has lost little open space since 2006 and instead has seen the provision of additional open space and play areas and improvements to individual parks. It is also noted that since the adoption of the 2011 Core Strategy the southern boundary of South Park has been extended to include the games courts in order to reflect that these are part of the open space. This has resulted in the South Park open space designation area increasing from 8.49 hectares to 8.58 hectares.

Assessment

- 3.30 The application site is currently in use as a council depot, with storage containers and staff facilities on site. Hardstanding is present with parking, general storage and operational equipment present. The Lodge is shut, boarded to prevent access and in a poor state of repair. The eastern part of the site is made up of the Walnut grove, with tarmac hardstanding in a poor condition and the grove itself in need of attention. The depot site is inaccessible to the public and is not part of the wider recreational park.
- 3.31 The site measures 0.3 hectares, or 3,000sqm. The majority of this is and will be open, such as the Walnut grove which is subject to pruning to lift the canopy and improvements to the hardstanding. The impact upon the open space therefore falls to be considered against the removal and introduction of the existing and proposed built form in addition to the temporary structures, nature, quality of, and access to, the site.
- 3.32 The proposal sees the introduction of 668sqm of new built form, the demolition of 149sqm by way of the existing pavilion building and the refurbishment of the 99sqm Lodge. As such the proposal sees the net introduction of 519sqm of new build. The remaining 2,481sqm of the application site is subject to new and enhanced landscaping.
- 3.33 The existing open space designation of South Park, as set out above, equates to 85,800sqm. As such the net introduction of 519sqm of building to the site would

represent 0.6% of the open space. As stated, since 2011 the open space area has actually increased by 900sqm from 84,900sqm due to changes in the designation boundary meaning that as a result of the proposal the open space would still have increase by some 400sqm since the 2011 Core Strategy.

- 3.34 The proposal would see the introduction of a community and arts centre providing a multifunctional, flexible space capable of hosting a wide range of arts, community, leisure and recreational uses that would serve the immediate and wider community seven days a week managed by the community. Changing rooms are provided to supplement the range of leisure and recreational uses that can be provided and the main hall is of a size that takes account of the Sport England design guidance for community halls. An ancillary café for use by both the users of the building and the wider park is provided which can also service events within the main hall. Separate rooms can be isolated and utilised for smaller groups, while the flexibility of the space provides for the potential of larger groups and leisure and recreational activities. The nursery is to operate Monday to Friday, with the space then provided for evenings and weekends into the wider uses.
- 3.35 Whilst the existing depot use is a parks related use, it is closed to the park and the public and offers no recreational or community benefit beyond serving that function as provided by the wider park itself. It is considered by officers that the proposal significantly improves upon this in its contribution to the function of the park and the wider community by providing an alternative community, cultural, leisure and recreational provision. The quality and improvements of the reintegrated space and the introduction of access to it from both the park and Peterborough Road are substantial benefits to the park, the community and the open space and officers consider that these benefits outweigh the loss of the 519sqm increase in built form.
- 3.36 The degree of landscaping both new and improved is considered by officers to be a large benefit from proposed development as it would deliver a much improved quality in the location of the application site which encompasses a wider area than the footprint of the building itself, which is limited to the current depot. The proposal would re-integrate the site back into the recreational use of the park and provide permeability during park opening hours through to Peterborough Road whilst providing new, high quality, multi-functional facilities that would contribute to the leisure and recreational function. The improvements to the Walnut Grove would lead to a new access route to the site as well improving the quality of this area of South Park substantially.
- 3.37 Given the size of the net loss of open space within the context of the wider open space designation, officers consider that the benefits of this proposal outweigh the relatively small impact upon the open space. The proposal is considered to enhance the open character, its function as a sport and leisure and recreational resource. This is subject to the contribution to biodiversity and visual amenity of the site which is subject to further assessment within this report.
- 3.38 Adopted and draft planning policy sets out that the council will support the enhancement and provision of community uses, improving the range of leisure, recreation, arts, cultural and entertainment facilities and enhancing, leisure and cultural provision for schools and public use in suitable local parks. The proposal

is considered to be accessible, adaptable and offers flexible accommodation that can be used for a variety of uses by the local community including all of those listed. The impacts of noise, traffic, parking and opening hours are subject to further assessment within this report. Officers consider that the proposal accords with adopted and draft policies and will provide a valuable, flexible community facility offering a range of supported uses that is suitable in this location.

- 3.39 The proposed nursery is considered by officers to be acceptable and is supported. The hours of operation, 7am-7pm Monday to Friday, mean that the nursery area will be open to the wider function between 7pm-11pm on weekdays as well as Saturday and Sunday. The footprint of this element is some 103sqm including toilets and lobby which equates to 15% of the total proposed building. Given the multi-functional nature of the use and the percentage of the overall proposal the nursery element is considered to be acceptable.
- 3.40 It is therefore considered that the principle of the proposed development is acceptable in this location, provides a flexible facility for a wide range of supported uses and that the benefits as set out outweigh the relatively limited amount of development and the small loss of open space while enhancing its quality, openness and access and accords with the NPPF, London Plan Policy 7.18, Core Strategy Policies CF1 and OS1, DMLP Policies DM E1, DM D1 and DM D2, and Draft Local Plan Policies OS1, OS2, CF1, CF2 and CF3.

Design and Heritage

- 3.41 **Paragraph 56 of the NPPF** states that great importance is attached to the design of the built environment. **Paragraph 58** states that planning decisions should aim to ensure that developments 'will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks; respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation; create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping'.
- 3.42 **Paragraph 60 of the NPPF** states 'Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness'. Paragraph 63 adds that great weight should be given to outstanding or innovative designs which help raise the design more generally in the area.
- 3.43 **Paragraph 132 of the NPPF** states that:

'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's

conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.'

3.44 Paragraph 133 of the NPPF states that:

'Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

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

3.45 Paragraph 134 of the NPPF states that:

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

3.46 These paragraphs make a clear distinction between the approach to be taken in decision-making where the proposed development would result in 'substantial' harm and where it would result in 'less than substantial' harm.

3.47 Case law indicates that following the approach set out in the NPPF will normally be enough to satisfy the statutory tests. However, when carrying out the balancing exercise in paragraphs 133 and 134, it is important to recognise that the statutory provisions require the decision maker to give great weight to the desirability of preserving the heritage asset and/or its setting.

3.48 Paragraph 135 of the NPPF states:

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

- 3.49 **The Planning Practice Guidance** which accompanies the NPPF reinforces that it is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed.
- 3.50 In the first instance, the assessment to be made is whether the development within the setting of a heritage asset will cause harm to that asset or its setting. If no harm is caused, there is no need to undertake a balancing exercise. If harm would be caused, it is necessary to assess the magnitude of that harm before going to apply the balancing test as set out in paragraphs 133 and 134 of the NPPF as appropriate. A judgement is required as to the impact upon a non-designated heritage asset.
- 3.51 **The Planning (Listed Buildings and Conservation Areas) Act 1990** sets out the principal statutory duties which must be considered in the determination of any application affecting listed buildings or conservation areas.
- 3.52 It is key to the assessment of this application that the decision making process is based on the understanding of specific duties in relation to the listed buildings and conservation areas required by the relevant legislation, particularly the Section 16, 66 and 72 duties of the Planning (Listed Buildings and Conservation Areas) Act 1990 together with the requirements set out in the NPPF.
- 3.53 **Section 72 of the above Act** states in relation to conservation areas that: 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. '
- 3.54 **London Plan Policy 7.1** requires that all new development is 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.
- 3.55 **London Plan Policy 7.2** requires all new development in London to achieve the highest standards of accessible and inclusive design. **London Plan Policy 7.3** seeks to ensure that developments reduce the opportunities for criminal behaviour and contribute to a sense of security, without being overbearing or intimidating.
- 3.56 **London Plan Policy 7.4** states that 'Buildings, streets and open spaces should provide a high quality design response that: a) has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass, b) contributes to a positive relationship between the urban structure and natural landscape features, c) is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings, d) allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area, and e) is informed by the surrounding historic environment.'
- 3.57 **London Plan Policy 7.5** promotes public realm and requires the provision of high quality public realm that is comprehensible at a human scale.

- 3.58 **London Plan Policy 7.6** addresses architecture and states that buildings should be of the highest architectural quality which "is often best achieved by ensuring new buildings reference, but not necessarily replicate, the scale, mass and detail of the predominant built form surrounding them, and by using the highest quality materials." Contemporary architecture is encouraged, but it should be respectful and sympathetic to the other architectural styles that have preceded it in the locality".
- 3.59 **London Plan Policy 7.8** requires that development respects affected heritage assets by being sympathetic to their form, scale, materials and architectural detail.
- 3.60 **Policy BE1 of the Core Strategy** states that 'Development 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. In particular, development throughout the borough should be of the highest standard of design that respects local context and character and should protect and enhance the character, appearance and setting of the borough's conservation areas and its historic environment'.
- 3.61 **Policy DM G1 of the DMLP** seeks to ensure that new build development to be of a high standard of design and compatible with the scale and character of existing development and its setting. It states that:
- "All proposals must be designed to respect:
- a) the historical context and townscape setting of the site, and its sense of place;
 - b) the scale, mass, form and grain of surrounding development;
 - c) the relationship of the proposed development to the existing townscape, including the local street pattern, local landmarks and the skyline;
 - d) the local design context, including the prevailing rhythm and articulation of frontages, local building materials and colour, and locally distinctive architectural detailing, and thereby promote and reinforce local distinctiveness;
 - e) the principles of good neighbourliness;
 - f) the local landscape context and where appropriate should provide good landscaping and contribute to an improved public realm; and
 - g) sustainability objectives; including adaptation to, and mitigation of, the effects of climate change;
 - h) the principles of accessible and inclusive design; and the principles of Secured by Design."
- 3.62 **Policy DM G7 of the DMLP** states that the Council will 'aim to protect, restore or and enhance the quality, and character, appearance and setting of the borough's conservation areas and its historic environment, including listed buildings, historic parks and gardens, buildings and artefacts of local importance and interest, archaeological priority areas and the scheduled ancient monument'.

3.63 **Draft Local Plan Policy DC1** requires all development within the borough including the regeneration areas to create a high quality urban environment that respects and enhances the townscape context and heritage assets. This should be an approach to accessible and inclusive urban design that demonstrates how good design, quality public realm, landscaping, heritage assets and land use can be integrated to help regenerate places.

3.64 **Draft Local Plan Policy DC2** states that new 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.

Assessment

3.65 The site is within the Hurlingham Conservation Area, which is a designated heritage asset. Clancarty Lodge and adjacent pavilion are Buildings of Merit on the local list and are therefore non-designated heritage assets.

3.66 The Lodge and adjacent pavilion were built in 1903 when South Park was originally laid out. Clancarty Lodge was constructed as the park keeper's lodge whilst the pavilion was built to accommodate a refreshment room. The site is bounded to the west by a brick and terracotta wall along Peterborough Road and a terracotta balustrade to the south that are both Buildings of Merit. The Hurlingham Conservation Area Profile refers to the boundary walls as follows: "The park boundary walls and gates, of glazed brick and stone dressings with iron railings, provide an important built framework to the open space".

3.67 The Hurlingham Conservation Area Profile refers to the Lodge as "an important element of the early park landscape structure". It is most prominent in views into the depot site and above the boundary walls from Peterborough Road and also from Clancarty Road from where it is partially screened by mature trees. Its Edwardian Tudor revival facades make a positive contribution to the character of the park. Within the park itself it is heavily screened from view by the Walnut Grove and other mature planting.

3.68 The Lodge's significance lies mostly in the architectural interest of its exterior elevations and the historical connection with South Park. The attached pavilion building has lost its most attractive architectural feature, the veranda which overlooked the park, during the 1980's when it was replaced with a modern conservatory. Boarded up for many years and in a declining physical state, the pavilion has not in recent years made a positive contribution to the character of the park. It has little architectural interest and its interest lies mostly in its historical connection to the park. The depot site itself is considered to detract from the setting of the buildings and the Walnut Grove is considered to hide them from view. The significance of the park's boundary wall and the terracotta balustrade lies mostly in their aesthetic interest and the historical connection with the park.

3.69 The proposed retention and refurbishment of Clancarty Lodge is welcomed. Its exterior is retained and restored to conserve its existing architectural quality. A new entrance is added to the north to enhance accessibility. The demolition of the pavilion building is supported as it meets the tests set out in SPD Design Policy 21. a) The building is no longer capable of beneficial use, and its fabric is

beyond repair, b) the proposed replacement would bring substantial benefits to the community which would decisively outweigh the loss and c) The proposed development cannot practicably be adapted to retain any historic interest that the building possesses.

- 3.70 The design of the new building draws inspiration from James Veitch's greenhouse structures that historic records indicate occupied the compound for many years. Clancarty Lodge is retained as a focal point for the new centre. The elevated roof forms are a modern interpretation of the greenhouse character with high level large glazed windows set within timber reveals onto the Peterborough Road and Clancarty Road elevations. In combination, the roof to the north adjacent to the seed bank and the roof to the west, adjacent to the boundary wall, will frame the view of Clancarty Lodge from Peterborough Road and enhance its setting.
- 3.71 The roof forms are dramatic in their profiles but are nevertheless subordinate in scale to Clancarty Lodge that will remain the tallest structure on the site. The building will stand well above the boundary walls and will be attractive structures in their own right that will enhance the character of the Hurlingham Conservation Area through the quality of their design.
- 3.72 Officers consider that the approach to the new centre has been well thought out. The alignment of the buildings helps to frame the views of Clancarty Lodge whilst a new wide entrance through the boundary walls opens the view to the one storey, glazed entrance lobby which offers views through the building to Clancarty Lodge and a new Lodge Terrace. Visitors enter through an attractively landscaped "Arts Yard" and will be aware of the flank walls of the building wings either side of the entrance that will be clad with terracotta tiles, which is a material popular during Edwardian era and which is used in the boundary walls.
- 3.73 The landscaped Lodge Courtyard is enclosed on 3 sides by the new building and in part by the north side of Clancarty Lodge. The east side of the courtyard is open to the park during opening hours. The junction of the new building with Clancarty Lodge is sympathetically handled with the one storey new building set back behind the principal north and south elevations of the lodge. The full height glazing to the Community Hall and café sections allow good visibility to and from the building and create a welcoming, transparent edge to visitors entering the space from the park side.
- 3.74 The café has been located to the centre of the complex to serve both the Lodge courtyard and the functions of the building. The outside space of the facility interacts with the Walnut Grove and the perimeter of the Lodge itself to form a frontage to the east and south-east. The Walnut trees are to be pruned to lift the canopy to single storey level, much improving the legibility from within the park as well as the views and access with replacement hardstanding to this area.
- 3.75 Comments have been received that Clancarty Lodge itself is in a more obvious location for a café. However, the elevations of Clancarty Lodge do not lend themselves to providing more visual and physical connectivity to the park. Small windows and the position of the entrance are not ideal and would require likely significant adaptations that may well have a negative impact on the character of the building. Functionally speaking, the proposed café seating and kitchen total

85sqm in comparison to the Lodge floor area of 40sqm. It is noted that the intention of the applicant is that the proposed kitchen area will also function as a teaching kitchen space. To maintain a similar level of floorspace would therefore require the retention of the first floor with resulting accessibility issues and/or large alterations through extension. As such officers consider the proposed café location suitable.

- 3.76 Creating the new main entrance and a new entrance for the nursery from Peterborough Road will require creating new openings in the boundary wall. These changes have been handled sympathetically. New sections of walls and piers will replicate the original brick, stone and terracotta design of the original. The unwanted entrances will also be infilled to the original wall design. The new entrances will be set within piers that fit into the original pattern of bays.
- 3.77 The architectural quality of the development will enhance the appearance of the Hurlingham Conservation Area and strengthen its character by bolstering the block character, providing more definition for street edges and providing a scale compatible with the modern emerging post-industrial character. It is therefore compliant with DMLP Policy DM G7.
- 3.78 Officers have assessed the impact of the proposal on the designated and non-designated heritage assets. It is considered that there is no harm upon the conservation area with the loss of the pavilion building is considered acceptable. Therefore, it is considered that the proposal is compliant with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the national guidance in the NPPF and strategic local policies on the historic environment and urban design.
- 3.79 As such officers have considered the proposed development against the development plan and consider that the proposals would be in accordance with Core Strategy Policies BE1, DMLP Policies DM G1 and DM G7, Draft Local Plan Policies DC1 and DC2, London Plan Policies 7.1, 7.2, 7.3 7.4, 7.5, 7.6 and 7.8 and the NPPF.

Accessibility

- 3.80 **Policy 7.2 of the London Plan** requires all new development to achieve the highest standards of accessible and inclusive design.
- 3.81 **Policy DM A4 of the DMLP** states that car parking spaces provided on site should include the needs of blue badge holders. **DMLP Policy DM G1** and **SPD Design Policies 1 and 8** require new development to be designed to be accessible and inclusive to all who may use or visit the proposed buildings.
- 3.82 **SPD Design Policy 1** states that buildings should be accessible and inclusive to all. It states that drawings submitted for planning approval should show external access features for detailed approval, showing how internal facilities will cater for different users and how barriers to access will be overcome, as well as showing circulation routes and explaining how accessibility will be managed when the development has come into use. **SPD Design Policy 2** refers to entrances into a building and states that any entrances to a building which are above or below

street level, or positioned to be street level, should level or the slope should not exceed a gradient of 1 in 20 from the street.

- 3.83 The proposal will be fully accessible with appropriate doors widths and level thresholds. An accessible toilet is located within the toilet block and an accessible toilet and changing room within the changing area. A further accessible toilet is located within the nursery. All floor levels are level. The landscaping scheme is subject to condition and further details of appropriate seating, levels and circulation will form part of that submission.
- 3.84 Compliance with the submitted accessibility provisions is secured by condition and this is considered reasonable and necessary to secure appropriate accessibility as these design elements evolve. Officers consider these provisions satisfy the requirements of London Plan Policy 7.2, DMLP Policies DM A4 and DM G1 and Planning SPD Design Policies 1 and 8.

Crime Prevention

- 3.85 **Policy 7.3 of the London Plan** advises that new development should seek to create safe, secure and appropriately accessible environments.
- 3.86 **Core Strategy Policy BE1** advises that developments throughout the borough should be designed to enhance community safety and minimise the opportunities for crime. **DMLP Policy DM A9** refers to a safe and secure environment whilst **Policy DM G1** requires new development to respect the principles of Secure by Design.
- 3.87 The site will be secured on all access points when not in use. When the park closes at the respective seasonal times, the proposal features rotating panels to the south-east of the Lodge courtyard that close to form a 3m barrier preventing access to the park. CCTV is to be provided which will be controlled and monitored centrally by the council, security lighting is also proposed.
- 3.88 The development will also be required to achieve Secure by Design accreditation by condition. As such officers consider that the proposal is acceptable subject to securing the required accreditation and in accordance with London Plan Policy 7.3, Core Strategy Policy BE1 and DMLP Policies DM A9 and DM G1.

Highways

- 3.89 **The NPPF** requires that developments which generate significant movement are located where the need to travel would be minimised, and the use of sustainable transport modes can be maximised; and that development should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people.
- 3.90 **London Plan Policies 6.1, 6.3, 6.9, 6.10, 6.11, 6.12 and 6.13** set out the intention to encourage consideration of transport implications as a fundamental element of sustainable transport, supporting development patterns that reduce the need to travel or that locate development with high trip generation in proximity of public transport services. The policies also provide guidance for the establishment of maximum car parking standards.

- 3.91 **Core Strategy Policy T1** supports The London Plan, **Policy CC3** requires sustainable waste management. **DMLP Policy DM J1** states that all development proposals will be assessed for their contribution to traffic generation and their impact on congestion. **DMLP Policies DM J2** set out vehicle parking standards, which brings them in line with London Plan standards and circumstances when they need not be met. **DMLP Policy J5** seeks to increase opportunities for cycling and walking. **DMLP Policy DM A9** requires residential developments to achieve a high level of design including the Provision of waste and recycling storage facilities;
- 3.92 **Core Strategy Policy CC3** seeks to ensure that the Council ‘pursue waste management’ facilities within new development, notably through means of ‘ensuring that all developments proposed suitable waste and recycling storage facilities’. **SPD Transport Policy 34** seeks off-street servicing for all new developments.
- 3.93 **Draft Local Plan Policy T2** relates to transport assessments and travel plans and states “All development proposals will be assessed for their contribution to traffic generation and their impact on congestion, particularly on bus routes and on the primary route network”
- 3.94 **Draft Local Plan Policies T3, T4, T5 and T7** relate to opportunities for cycling and walking, vehicle parking standards, blue badge holders parking and construction and demolition logistics.

Site Accessibility

- 3.95 The application site falls within a location which has a PTAL level of 3 which is classed as moderate using Transport for London’s methodology. All public transport modes in London currently available which include National Rail, London Overground and buses, which are within walking distance of the application site.

Cycle Parking

- 3.96 The application sets out that a total of 33 cycle parking spaces will be provided within the application site. This comprises of 18 Sheffield style stands, 15 by the main pedestrian access and 3 by the nearest nursery entrance. The proposed cycle parking provision is in accordance with Policy 6.13 of the London Plan (2016). A plan demonstrating the provision of secure cycle parking within the application site is secured by condition.

Car Parking

- 3.97 No off-street parking is to be provided for the proposed development. Officers are supportive of a car-free development and the proposal is in accordance with the parking standards of the London Plan (2016). As a result of the car-free approach there are no on-site parking spaces for blue badge holders proposed. There are constraints on site which prevent the on-site provision of accessible parking for blue badge holders. Blue badge holders visiting the site can utilise the existing parking spaces on the public highway.

- 3.98 The applicant has provided parking beat surveys undertaken within the vicinity of the application site, which were carried out at the request of officers. The results of these surveys highlight that parking stress is not considered a problem in the area, this is also confirmed with data held by the council. As such the approach to parking and on street blue badge provision is supported.

Home-School Agreement

- 3.99 The applicant has stated that the proposed nursery and parents will enter into an agreement aimed at preventing nursery drop-offs using motorised vehicles. There are a number of home-school agreements in place across Hammersmith and Fulham and officers support this measure which encourages the use of sustainable alternative modes of travel. Full details of the home-school agreement should be disclosed in the school travel plan secured by condition.

Construction Logistics Plan

- 3.100 An outline construction logistics plan (CLP) is required to be submitted as part of this planning application. A detailed CLP is secured by condition to be submitted and approved prior to commencement of demolition and construction. This will contain information of the demolition logistics required to ensure that the proposed development does not have an adverse impact on the public highway.

Deliveries and Servicing

- 3.101 The proposed development is to be serviced from Peterborough Road as the arrangement is currently. The proposed uses on the application site are likely to generate a maximum of 5 servicing trips per day, which officers consider is unlikely to have an impact on the operations of the public highways. It is assumed that deliveries for the proposed development would take place from the public highway, utilising existing yellow lines and parking bays. Officers are satisfied that the delivery and servicing of the proposed development will not have an adverse impact on the local highway network.

Trip Generation/ Modal Split

- 3.102 The information submitted regarding the predicted modal split is satisfactory (see below). Data from the 2011 census has been used to derive the modal split and has then been applied to the average weekday trips and peak weekday trips respectively, to determine how many trips are likely to be undertaken by each mode.
- 3.103 The trip generation results undertaken for the proposed community use, indicates that most trips (150/180 total person trips) would be undertaken by alternative sustainable modes of travel (Bus, Rail & Walking). As demonstrated in the results of the parking beat surveys, the 9 trips predicted to be carried out by car can be accommodated in the parking bays near the application site. Officers accept that no trip generation information is required for the proposed nursery as there is a proposed agreement to ensure no trips to the nursery are carried out using cars. The Café use on the application site is to be an ancillary use and is not predicted to generate any significant trips and the omitted trip generation information is

accepted. As such officers are satisfied with the trip generation information which the applicant has submitted.

Travel Plans

- 3.104 The submitted travel plan for the nursery is to be resubmitted and this is secured by condition. The applicant has submitted a framework travel plan for the proposed community use. The travel plan is extensive and has passed TfL's ATTrBuTe test.

Refuse and Recycling

- 3.105 Refuse collection is to take place on Peterborough Road and bins stores located on the Southern boundary of the site. The information submitted is satisfactory and in accordance with Policy DM A9 of the DMLP
- 3.106 Officers consider the car free approach, significant improvement in cycle provision and trip generation acceptable. Submitted documents in relation to servicing, deliveries and construction are considered acceptable. Demolition and Construction Logistics Plans and a nursery travel plan are secured by condition. The proposal is therefore considered to accord with Policies 6.1, 6.3, 6.9, 6.10, 6.11, 6.13 of the London Plan, Policy T1 and CC3 of the Core Strategy and DMLP Policies DM A9 DM J1, DM J2 and DM J5.

Residential Amenity

- 3.107 **Policy DM G1 of the DMLP** states all proposals must be formulated to respect the principles of good neighbourliness. **DMLP Policies DM H9 and DM H11** relate to noise nuisance. **SPD Housing Policies 7 and 8** seek to protect the existing amenities of neighbouring residential properties in terms of outlook and privacy. SPD Housing Policy 8 (i) acknowledges that a building's proximity can have an overbearing and dominating effect detrimental to the enjoyment by adjoining residential occupiers of their properties. Although it is dependent upon the proximity and scale of the proposed development, a general standard can be adopted by reference to a line produced at an angle of 45 degrees from a point 2 metres above the adjoining ground level of the boundaries of the site where it adjoins residential properties. SPD Housing Policy 8 (ii) relates to privacy and overlooking and 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.
- 3.108 The Sullivan Estate to the west is some distance from the proposal, with the closest blocks being Nos 25-44 and Nos 45-64 Sullivan Court which are some 30m and 40m from the changing room block on the western boundary of the site that represents the closest part of the development. This is well in excess of the guideline of 18m and officers consider that this relationship is acceptable with no loss of privacy or outlook.
- 3.109 To the north the terraced row of properties of Nos 76-90 Clancarty Road would face the proposal, with Nos. 82-90 being opposite. The proposed buildings would be 12.6m AOD in height to Clancarty Road at a distance of 13m from the northern boundary. The northern elevation of the proposal would be between

24m and 26m from the front elevations of these properties to Clancarty Road with mature trees and vegetation for the majority of this part of the boundary. The lower part of the northern elevation is also screened by the existing seed bank buildings are 8.3m AOD at some 7m from the boundary. The distance between the proposal and those properties would be in excess of the guideline 18m with mature planting, trees and an existing albeit lower building offering further levels of screening.

- 3.110 As such officers do not consider that any harm to outlook or privacy would result from the proposal to those properties closest to the site in accordance with DMLP Policies DM G1, DM H9 and DM H11 and SPD Housing Policies 7 and 8.

Noise

- 3.111 **London Plan Policy 7.15** 'Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes';
- 3.112 **DMLP Policy DM H9** advises that noise and vibration impacts will be controlled by locating noise sensitive development in appropriate locations and protected against existing and proposed sources of noise through design, layout and materials. Noise generating development will not be permitted if it would materially increase the noise experienced by occupants/users of existing or proposed noise sensitive areas in the vicinity.
- 3.113 Officers consider that the only building services plant being installed will be a kitchen extract system for the new café, with the impacts in relation to this being from noise and cooking odours. The location of the premises away from residential dwellings is considered to result in no loss of amenity to neighbouring residents from this use. The nursery is also some distance from receptors and in officer's view there should also be no loss of amenity arising from its use. The hours of operation of the new centre would be as defined in the application
- 3.114 No objection is raised by the council's Noise and Nuisance officers to the proposed development or land uses. The proposal is therefore considered to accord with Policy 7.15 of the London Plan and Policy DM H9 of the DMLP.

Lighting

- 3.115 Policy DM H10 of the DMLP seeks to ensure that development proposals include lighting that is appropriate for the intended use, is energy efficient and provides adequate protection from glare and light spill to surrounding residential properties.
- 3.116 External lighting will be limited to downward security lighting out of hours and areas of communal lighting during operation. Internally the building will be lit during the hours of operation and windows are present to the western and northern boundaries in particular that face toward residential receptors. Appropriate means of limiting this illumination, details of the external lighting as well as the interaction with biodiversity measures are secured by way of a condition. Lighting usage and energy usage are monitored as set out in the sustainability matrix, compliance with which is secured by condition.

3.117 Officers therefore consider that, subject to condition, the lighting of the proposal is acceptable and in accordance with Policy DM H10 of the DMLP.

Sustainability and Energy

- 3.118 **As required by the NPPF**, the application proposes to incorporate design features in order to reduce on-site carbon emissions through the implementation of energy efficiency and low carbon energy generation technologies. Wider sustainability measures are also planned to help reduce resource use, minimise waste generation and mitigate pollution impacts.
- 3.119 The proposal has been considered against **Policies 5.1, 5.2, 5.3, 5.6, 5.7, 5.8, 5.9, 5.11, 5.12, 5.13, 5.14, 5.15, and 7.19 of the London Plan and Policies CC1 and CC2 of the Core Strategy** which promote sustainable design, adaptation to climate change and carbon emissions reductions, together with **DMLP Policies DM H1 and DM H2**.
- 3.120 **SPD Sustainability Policy 25** requires major planning applications to provide details of how use of resources will be minimised during construction and **Policy 29** requires submission of a detailed energy assessment.
- 3.121 As required, supporting information has been provided on the proposed sustainability performance of the development. This has been done in the form of a Sustainability Matrix which provides details of the measures to be integrated to reduce environmental impacts and improve sustainability. Sustainable design and construction issues covered include energy use and carbon reduction - also covered in more detail in the submitted Energy Statement - water use and sustainable drainage, improved landscaping and biodiversity benefits, waste minimisation and recycling measures and use of sustainable building materials.
- 3.122 For most aspects of the design and construction process, a minimum of best practice levels of performance will be achieved, with a number of elements achieving more innovative levels of sustainability which is welcomed. Officers consider that the proposals are acceptable in terms of achieving sustainable design and construction requirements and the implementation of the measures outlined in the Sustainability Matrix can be conditioned.
- 3.123 The approach in terms of energy use and carbon dioxide emissions is acceptable. The submitted Energy Statement details the energy efficiency and low/zero carbon technologies to be integrated into the development which are calculated to reduce CO₂ emissions by 35% compared to the baseline Building Regulation minimum standards. This is in line with the London Plan carbon reduction target, which is usually applied to major developments, so the inclusion of energy efficiency measures and solar PV installation on this site is welcomed.
- 3.124 Subject to the inclusion of a condition requiring the implementation of the submitted documents as set out above, officers therefore consider that the proposed development accords with Policies 5.1, 5.2, 5.3, 5.6, 5.7, 5.8, 5.9, 5.11, 5.12, 5.13, 5.14, 5.15 and 7.19 of the London Plan, Policies CC1 and CC2 of the Core Strategy, Policies DM H1 and DM H2 of the DMLP and SPD Sustainability Policy 25 and Policy 29.

Flood Risk and Drainage

- 3.125 **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.
- 3.126 **London Plan Policies 5.11, 5.12, 5.13, 5.14 and 5.15** require new development to comply with the flood risk assessment and management requirements of national policy, including the incorporation of sustainable urban drainage systems, and specifies a drainage hierarchy for new development.
- 3.127 **Core Strategy Policy CC1** requires that new development is designed to take account of increasing risks of flooding. **Core Strategy 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.
- 3.128 **DMLP 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) where feasible and also the use of water efficient fittings and appliances. **SPD Sustainability Policies 1 and 2.**
- 3.129 This site is in the Environment Agency's Flood Zone 3. As required, a Flood Risk Assessment (FRA) has been provided with the application. The site is well defended from flood risk from the River Thames by existing flood defences such as the Thames Barrier and local river walls. These provide a high level of protection, although in the unlikely scenario of them being breached or overtopped, it is possible that flood water could make its way to the site, although this would be relatively shallow and is categorised as presenting a low hazard by the Environment Agency.
- 3.130 It is noted in the FRA that the floor levels are being raised for the new development compared to existing which will put them above expected flood water levels. There is no basement proposed on site so flood risks from groundwater and sewer flooding are considered to be low. The site is not in a surface water flooding hotspot, although there are some locations in streets around South Park that would be expected to be impacted by surface water ponding in the event of a major storm. The use of Sustainable Drainage Systems (SuDS) is planned, which will reduce surface water run-off from the site and help reduce the pressure on the local sewer network.
- 3.131 In terms of the flood risk mitigation measures outlined in the FRA, the raising of finished floor levels is the main measure, which given the low risks of flooding on-site officers consider to be an acceptable approach with the FRA secured by condition.
- 3.132 The scheme is not a major application but the proposal includes a range of Sustainable Drainage Systems (SuDS) to manage surface water on the site, including retention of large areas of soft landscaping which will allow direct infiltration of rainfall, provision of permeable paving adjacent to the new building, supplemented by an underground attenuation storage which will be utilised in the

event of a major storm. Run-off will be stored temporarily here before being released in a controlled way using a hydrobrake device into the sewer network at a rate that is 35% of the current run-off rate. Raingardens are also to be provided which will take some of the roof run-off to irrigate planting directly and there are 2 areas of green roof on the small storage units which will allow direct infiltration. A maintenance plan for the proposed SuDS measures has also been provided.

- 3.133 Officers consider the approach outlined is acceptable and complies with London Plan Policy 5.13 and Local Plan Policy DM H3 meeting the minimum requirement to reduce surface water run-off by at least 50%.
- 3.134 Subject to the condition requiring the implementation of the FRA and SuDs measures as per the submitted details, officer's consider that the proposed development would therefore be acceptable in accordance with Policies 5.11, 5.13, 5.14 and 5.15 of the London Plan, policy requiring flood risk assessment and development to mitigate flood risk, Policies CC1 and CC2 of the LBHF Core Strategy which requires development to minimise future flood risk and Policy DM H3 of the LBHF DMLP together with SPD Sustainability Policies 1 and 2.

Biodiversity

- 3.135 **The NPPF, at section 11**, states that when determining planning applications authorities should aim to conserve and enhance biodiversity.
- 3.136 **Policy 5.11 of the London Plan** supports the provision of green roofs within new development as a way of enhancing habitat diversity within London. **Policy 7.19** seeks the enhancement of London wide biodiversity and states that development proposals, where possible, should make a positive contribution to the protection, enhancement, creation and management of biodiversity.
- 3.137 **Core Strategy Policy OS1** states that the Council's objective to protect and enhance biodiversity in the Borough.
- 3.138 **DMLP Policy DM E1 (Access to Parks and Open Spaces)** states that new development should demonstrate that it would preserve or enhance the contribution of existing open space to biodiversity.
- 3.139 **DMLP Policy DM E3 (Nature Conservation)** sets out that nature conservation areas will be protected from development likely to cause demonstrable harm to their ecological value and will not be permitted unless:
- a. the proposed development would release a site for built development needed to realise a qualitative gain for the local community in pursuance of other physical, social and economic regeneration objectives of the Local Plan, and measures are included for the protection and enhancement of any substantive nature conservation interest that the site may have so that there is no net loss of native species and no net loss of habitat; or
 - b. provision is made for replacement nature conservation interest of equal or greater value elsewhere in the locality.
- 3.140 Elsewhere on development sites, proposals should protect any significant nature conservation of the site and any nearby conservation areas and green corridors

and where appropriate to the scale and nature of the site, should enhance the nature conservation interest through initiatives such as tree planting and brown and green roofs

- 3.141 **DMLP Policy DM E4 (Greening the Borough)** states that the council will seek to enhance biodiversity and green infrastructure in the borough by maximising and protecting garden space, soft landscaping, green roofs, and other planting within new development together with seeking to prevent removal of or mutilation of protected trees and seeking retention of existing trees and provision of new trees on development sites. **Draft Local Plan Policy OS5** mirrors this with the addition of seeking to add to the greening of streets and the public realm.
- 3.142 **Draft Local Plan Policy OS4 (Nature Conservation)** mirrors the intent of DMLP Policy DM E3 for sites within nature conservation areas and sets out that outside of the areas identified on the Proposals Map, proposals should enhance the nature conservation interest through initiatives such as new green infrastructure and habitats, tree planting and brown and green roofs and protect any significant interest on the site and any nearby nature conservation area, appropriate to the scale and nature of the development.
- 3.143 **Planning SPD Sustainability Policies 14-24** are also relevant, these seek to ensure that development works are undertaken to provide an enhancement to the site post build for biodiversity, protecting the numbers of species, the state of populations, the sizes and types of habitat, the functionality and sustainability of the ecosystems protected or provided through the build processes.
- 3.144 The south eastern part of the site that comprises the Walnut Orchard is located within the South Park nature conservation area that covers the rest of the park. The site is not subject to any statutory designation. It is noted that this designation does not cover the depot area that is subject to the proposed new built development. This orchard area is subject to pruning with the hardstanding to be replaced with a new surface. These details are all subject to the secured landscaping condition. Officers do not consider that any impact will take place to this habitat.
- 3.145 The application was submitted with an Ecological Appraisal which draws upon a habitat survey carried out on 19 July 2017. This finds the site is currently 70% hardstanding, 11% grassland 8% building and 7% shrub. The survey found that the site had the potential to have bats, breeding birds and invasive plant species present.
- 3.146 The buildings and tree have the potential for roosting bats. A further preliminary roost assessment was then undertaken to establish the presence or absence of roosts and any mitigation required. No bats were recorded emerging or entering the building, although foraging and commuting activity was recorded. As such the site is not home to roosting bats. Whilst common breeding birds are supported by the site, this would only require supervision of the removal of shrub and buildings if undertaken during the breeding season March-September. Virginia Creeper is present on site and measures must be taken to prevent this from spreading.

- 3.147 As part of the surveys, bat boxes were recommended and artificial lighting should be limited. As part of the lighting assessment submitted within the Design and Access Statement a lighting strategy developed by an ecologist is to be developed and this is secured by condition.
- 3.148 As part of the ecological enhancements proposed the site will see the introduction of a significant increase and enhancement to the benefit of biodiversity both on site and in the immediate area. Comments have been received in relation to requiring a 1:1 ratio with the buildings, however this is not adopted or proposed planning policy or guidance. Biodiverse roofs will be integrated into the external stores and bin enclosure with downpipes from these directed to nearby planting. Each of the gardens will be planted in the interests of wildlife. Wood piles and insect hotels are integrated into the eastern elevation of the building onto the Community Garden. The boundaries of the site have been designed to allow the free movement of hedgehogs. Bird and bat boxes will be provided within roof spaces and trees, with three new trees being introduced. These details are all secured by way of condition.
- 3.149 The existing value of the habitat is extremely limited and can be appropriately enhanced by way of the landscaping details to be submitted. As such the proposal is considered to be in accordance with the NPPF, London Policies 5.11 and 7.19, Core Strategy Policy OS1, DMLP Policies DM E1, DM E3 and DM E4, Draft Local Plan Policies OS4 and OS5 and Planning SPD Sustainability Policies 14-24

Land Contamination

- 3.150 **National Planning Policy Framework paragraph 121** states planning decisions should ensure that the site is suitable for its new use taking account of ground conditions and after remediation the land should not be capable of being determined as contaminated land.
- 3.151 **Policy 5.21 of the London Plan** states the support for the remediation of contaminated sites and that appropriate measures should be taken to control the impact of contamination with new development.
- 3.152 **Core Strategy Policy CC4** 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.
- 3.153 **DMLP Policy DM H7** states When development is proposed on or near a site that is known to be, or there is good reason to believe may be, contaminated, or where a sensitive use is proposed, an applicant should carry out a site assessment and submit a report of the findings in order to establish the nature and extent of the contamination. Development will not be permitted unless practicable and effective measures are to be taken to treat, contain or control any contamination so as not to:
- (i) expose the occupiers of the development and neighbouring land uses including, in the case of housing, the users of gardens to unacceptable risk;
 - (ii) threaten the structural integrity of any building built, or to be built, on or adjoining the site;

(iii) lead to the contamination of any watercourse, water body or aquifer; and
(iv) cause the contamination of adjoining land or allow such contamination to continue.

3.154 Any application will be assessed in relation to the suitability of the proposed use for the conditions on that site. Any permission for development will require that the measures to assess and abate any risks to human health or the wider environment agreed with the authority must be completed as the first step in the carrying out of the development.

3.155 **SPD Amenity Policies 2, 3, 4, 5, 7, 8, 12, 13, 14 and 15** deal with contamination. Policy 16 sets out the common submission requirements for planning conditions relating to contamination and **Policy 17** deals with sustainable remediation.

3.156 A Preliminary Risk Assessment, Site Investigation Scheme and Ground Investigation Report have been submitted with the application, however further details are considered to be required prior the commencement of works. As such the conditions proposed are required to ensure that no unacceptable risks are caused 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.

3.157 The development is considered to be in accordance with relevant national, regional, and local contaminated land policies which seek to manage the development of land to minimise the potential harm of contaminated sites and where appropriate, ensuring that mitigation measures are put in place. The proposed development therefore accords with Policy 5.21 of the London Plan, Policy CC4 of the Core Strategy and DMLP Policy DM H7.

Air Quality

3.158 LBHF was designated as an Air Quality Management Area (AQMA) in 2000 for two pollutants - Nitrogen Dioxide (NO₂) and Particulate Matter (PM₁₀). The main local sources of these pollutants are road traffic and buildings (gas boiler emissions).

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

3.160 **Policy 7.14 of the London Plan** seeks that development proposals minimise pollutant emissions and promote sustainable design and construction to reduce emissions from the demolition and construction of the buildings; not worsen existing poor quality air quality. Where additional negative air quality impacts from a new development are identified, mitigation measures will be required to ameliorate these impacts. This approach is consistent with paragraphs 120 and 124 of the NPPF. Further the Mayor of London's Air Quality Strategy provides a framework of policy which aims to improve air quality in London.

3.161 **Core Strategy Policy CC4** explains that the Council will reduce levels of local air pollution and improve air quality in line with the national air quality objectives.

3.162 **DMLP Policy DM H8** states the Council will seek to reduce the potential adverse air quality impacts of new major developments by:

- Requiring all major developments to provide an air quality assessment that considers the potential impacts of pollution from the development on the site and on neighbouring areas and also considers the potential for exposure to pollution levels above the Government's air quality objective concentration targets;
- Requiring mitigation measures to be implemented to reduce emissions, particularly of nitrogen oxides and small particles, where assessments show that developments could cause a significant worsening of local air quality or contribute to exceedances of the Government's air quality objectives; and
- Requiring mitigation measures that reduce exposure to acceptable levels where developments are proposed that could result in the occupants being particularly affected by poor air quality.

3.163 The application site is located within and orientated towards the park, with roads to the north and west. Limited power requirements would result in minimal emissions, however a condition requiring details of the installation of an ultra-low NOx boiler are secured. To limit the exposure to possible low air quality, a nursery management plan is secured requiring details of the hours of operation and use of outdoor spaces. Through demolition and construction details of dust management and monitoring are required as part of the secured demolition and construction management plans.

3.164 Officers consider that subject to the conditions mentioned above the development meets with policy requirements. Officers therefore consider that the proposed development accords with London Plan Policy 7.14, LBHF Core Strategy Policy CC4 and LBHF DMLP Policy DM H8 and that there are no material considerations which indicate that planning permission should not be granted.

Community Infrastructure Levy

3.165 The proposed use is charged at a nil rate under the borough CIL and as such no payment is required.

4.0 CONCLUSION & RECOMMENDATION

4.1 Officers consider that the proposed development is accessible, adaptable and offers flexible accommodation that can be used for a variety of community, leisure and recreational uses by the local community. The small net loss of open space within the context of the wider open space designation is considered to be outweighed by the substantial benefits to the community and the recreational, leisure and recreational function whilst enhancing the open character, quality and access to the open space. The proposal will significantly enhance the biodiversity the site currently offers, with further details secured by condition.

4.2 The retention and refurbishment of Clancarty Lodge is welcomed in terms of bringing this building back into active use, preserving its character and securing its future contribution to both the park and the conservation area, the demolition

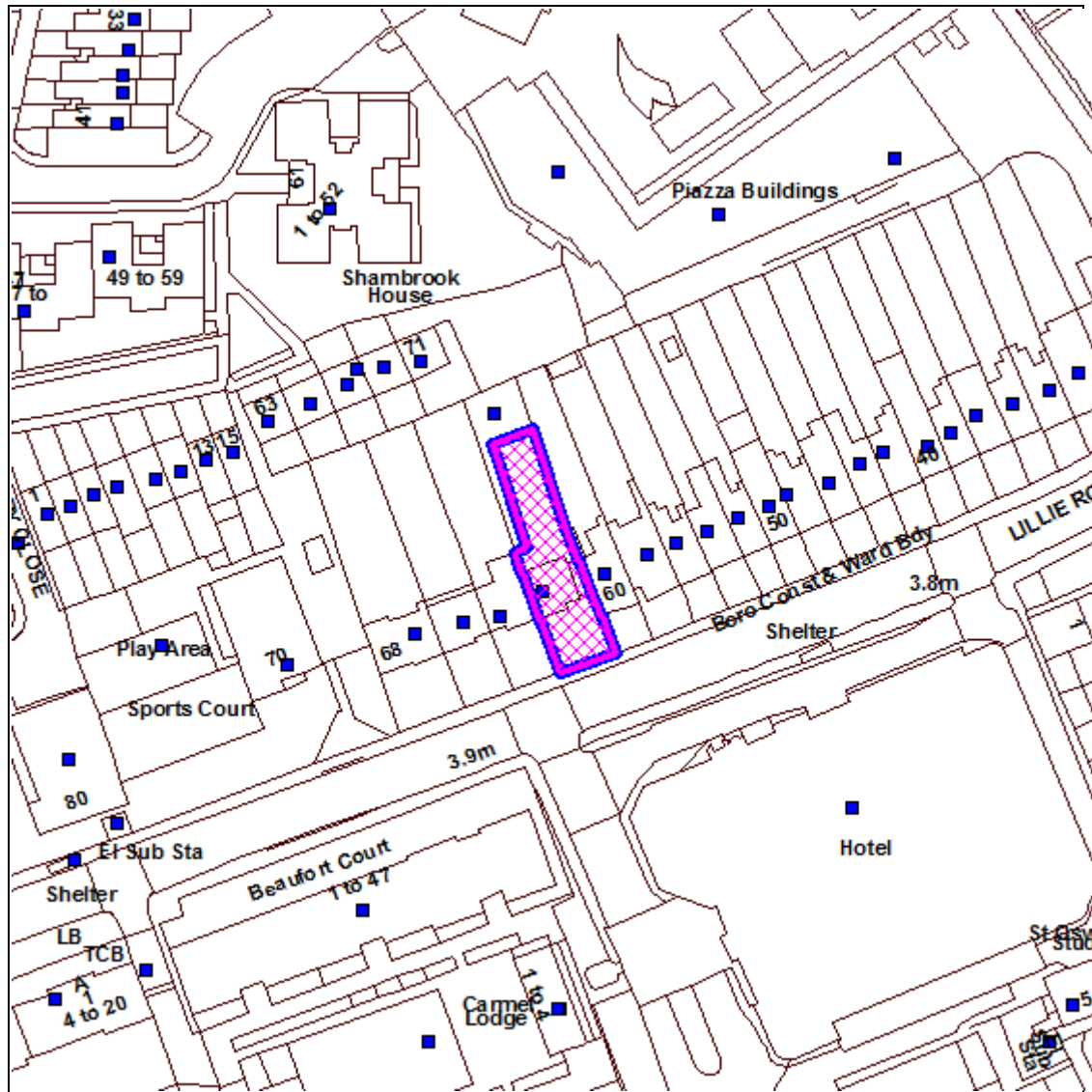
of the pavilion building is supported. The architectural quality of the development is considered to enhance the appearance of the Hurlingham Conservation Area.

- 4.3 Due to the distances between neighbouring properties and the proposal it is considered that there will be no adverse impacts relating to overlooking, outlook, noise, air quality or lighting and conditions are secured to require further management of these matters. Security measures including CCTV and securing the site when the park is closed are provided and further details are secured by condition.
- 4.4 Accordingly it is recommended that the proposed development be granted planning permission subject to the conditions listed.

Ward: North End

Site Address:

62 Lillie Road London SW6 1TN



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For identification purposes only - do not scale.

Reg. No:
2017/02180/FUL

Case Officer:
David Heighton

Date Valid:
13.06.2017

Conservation Area:

Committee Date:
05.12.2017

Applicant:

Ms Nicolette Karmel-Awad
62 Lillie Road London SW6 1TN

Description:

Retention of trellis fencing along the boundary between Studio 62A Lillie Road and 62 Lillie Road in the rear garden.

Drg Nos: Garden Drawings 11.06.17

Application Type:

Full Detailed Planning Application

Officer Recommendation:

A That the application be refused and Enforcement Action be taken for the reason(s) set out below:

- 1) The retention of the trellis is considered to be unacceptable in relation to its impact on visual amenity and on the significance of heritage assets including the setting of the listed buildings. More specifically the trellis is not in keeping with the surrounding architectural character and would be harmful to the significance and unified appearance of the group of heritage assets. The development does not meet the statutory tests set out within Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The development is considered to cause harm to the significance of the listed buildings; it fails to preserve the character, appearance and settings of the listed buildings contrary to the NPPF, policy BE1 of the Core Strategy (2011) and policies DM G1, DM G3 and DM G7 of the Development Management Local Plan (2013) and SPD Design Policies 60, 61 and 62 of the Planning Guidance Supplementary Planning Document (2013).
- 2) The development is considered to be unacceptable in the interests of residential amenity. More particularly the trellis constitutes an inappropriate and unneighbourly form of development harmful to the existing amenities of the occupiers of The Studio, 62A Lillie Road as a result of loss of outlook and an increased sense of enclosure contrary to Policy DM A9 of the Development Management Local Plan (2013) and SPD Housing Policy 8 of the Planning Guidance Supplementary Planning Document (2013).

B That the Head of Legal Services be authorised to institute appropriate enforcement and/or Legal proceedings to secure the cessation of the breach of planning control described for the reason(s) stated above.

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

All Background Papers held by Helen Murray (Ext: 3439):

Application form received: 27th May 2017
Drawing Nos: see above

Policy documents: National Planning Policy Framework (NPPF) 2012
The London Plan 2016
LBHF - Core Strategy Local Development Framework 2011
LBHF - Development Management Local Plan 2013
LBHF - Planning Guidance Supplementary Planning Document
2013

Consultation Comments:

Comments from: Historic England London Region	Dated: 19.06.17
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Neighbour Comments:

Letters from: 64B LILLIE ROAD LONDON SW6 1TN The Studio 62a Lillie Road London SW6 1TN 68 Lillie road London sw6 1tn	Dated: 08.07.17 05.07.17 31.07.17
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OFFICER'S REPORT

1.0 BACKGROUND

1.1 The application relates to the rear garden of a Grade II listed early/mid nineteenth century four storey house forming part of a Grade II listed terrace on the north side of Lillie Road. At the far end of the rear garden is a late Victorian studio building which is now occupied as a single dwelling house; it is listed by virtue of dating from before 1948 and being within the curtilage of a Grade II listed building. Access to the studio building is via an unenclosed path to the side of the rear garden of the main house.

1.2 The studio building has also been included on the Local Register of Buildings of Merit since 1994 as it is also a structure of local architectural and historic interest. The rear garden between the two properties is largely open, allowing views across the site. The site is not located within a Conservation Area. The property is within Flood Risk Zone 2 and 3.

1.3 Relevant Planning History:

Planning permission and Listed Building consent were granted in 2016 for alterations and extension to the studio.

1.4 The construction of a trellis fence to the rear of the property was brought to the attention of the Council's planning enforcement team in April 2017 and was found to require planning permission and listed building consent.

1.5 The planning and Listed Building Consent applications subject of this report are for the retention of trellis fencing in the rear garden, situated along the boundary between The Studio 62A Lillie Road and 62 Lillie Road.

1.6 The requirement for Listed Building Consent has been triggered by the physical connection between the trellis to the single storey annex. In the event that the connection was to be removed then Listed Building Consent would not be required, only planning permission.

1.7 The main elevation of the studio house is a double height white rendered facade with a Gothic triple arched window with leaded glass. The first floor is not original and is set well back from the front elevation, it has four pointed arch windows with leaded glass. Gothic follies became popular in the nineteenth century and were typically designed as single storey buildings in order to form subservient elements in the landscape and/or in relation to the main house, in this case the original folly was a double height space and the first floor was added later. A single storey annex runs between the rear elevation of the main house and the studio building, providing a third elevation to the garden, it is also white rendered and is a continuation of the style of the studio building. There is a tall stone classical column in the centre of the rear garden which was originally topped by a statue. The studio building, annex and column form an impressive Gothic folly composition in the rear garden, one of the largest and most elaborate such groupings in the Borough and the only one to be statutory listed. Officer's research has revealed that the composition was built by Joseph Bickler, the owner of No. 62 Lillie Road from 1885 until the 1920s, who was an architectural model maker and builder. Therefore, there is a clear historical association with the main house fronting Lillie Road and part of the single storey annex remains within the demise of the main house fronting Lillie Road. The remainder of the single storey annex lies within the demise of the studio house.

1.8 This is a joint report relating to matters arising from both the planning application and the listed building consent application.

2.0 PUBLICITY AND CONSULTATION

2.1 The current application has been publicised by means of statutory site and press notices. Individual notification letters were also sent to occupiers adjoining the site. Three responses were received from neighbours; two were objections and one was in support of the application.

2.2 The objections were on the following grounds:
Too high, not appropriate, overbearing blocking out light, not sympathetic, poor design materials, does not enhance the area or conserve heritage, does not promote good neighbourliness, reduced openness and outlook.

2.3 The Hammersmith and Fulham Historic Buildings Group raised the following objection:

"We consider the attempt to divide the space between number 62 and the Studio with a brown stained 'off the peg' lattice fence is not only un neighbourly but has a detrimental

impact upon the setting of a listed building. Regardless of whether or not it is attached to the structure of the building it pays scant regard to the concept of a house with a 'folly' in the garden. If it is necessary for legal or other reasons to mark the boundary between the two properties, we would hope an alternative method could be found. Perhaps low hedging or a more sympathetically designed fence could be considered."

2.4 Conservation and Design: Objection on grounds of visual amenity and harm to significance of heritage assets.

3.0 PLANNING CONSIDERATIONS

3.1 The main planning issues to be considered in this case are whether the development is acceptable in terms of its visual appearance, impact on heritage assets and impact on residential amenity.

The following policies are applicable:

(Core Strategy 2011)
BE1 Built environment

(Development Management Local Plan 2013)
DM A9 Detailed residential standards
DM G1 Design of New Build
DM G3 Alterations and Extensions
DM G7 Heritage and Conservation

(Planning Guidance Supplementary Planning Document 2013)
Housing Policy 8 Protection of amenities
Design Policy 60 Information requirements for applications for consent affecting heritage assets
Design Policy 61 Policies guiding the determination of applications for consent relating to all heritage assets
Design Policy 62 Policies guiding the consideration of applications for consent relating to designated heritage assets

3.2 In respect of heritage assets, among the core planning principles of the National Planning Policy Framework (NPPF) is to 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. Para 129 requires to assess the significance of any heritage assets affected by development, including their effect on their setting. Para 132 of the NPPF requires clear and convincing justification to be given for any harm or loss to heritage assets. Para 134 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. In respect to design, among the core planning principles of the NPPF is to always seek to secure high quality design.

3.3 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

3.4 Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that 'In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

3.5 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.'

3.6 Policy DM G1 of the DM LP (Design of New Build) states 'that new build development will be permitted if it is of a high standard of design and compatible with the scale and character of existing development and its setting.'

3.7 Policy DM G3 of the DM LP (Extensions and alterations) relates to the design of extensions and alterations and states that 'the council will require a high standard of design in all alterations and extensions to existing buildings. These should be compatible with the scale and character of existing development, their neighbours and their setting. In most cases, they should be subservient to the original building. Alterations and extensions should be successfully integrated into the architectural design of the existing building.' It also identifies criteria to be considered in the assessment of the application including scale, form, height, mass, proportion, relationship to existing buildings and spaces between buildings, materials and neighbourliness.

3.8 Policy DM G7 of the DM LP (Heritage and Conservation) relates to the protection, restoration or enhancement of the quality, character, appearance and setting of the Borough's historic environment, including Listed Buildings. The policy states 'the presumption will be in favour of the conservation and restoration of heritage assets, and proposals should secure the long-term future of heritage assets. The more significant the designated heritage asset, the greater the presumption should be in favour of its conservation,' it continues 'development affecting heritage assets will be determined having regard to the scale and impact of any harm or loss and the significance of the heritage asset.'

3.9 Planning Guidance SPD Design Policies 60 and 61 are relevant as they relate to the determination of applications for consent to all heritage assets and Design Policy 62 is relevant as it relates to the determination of applications for consent to designated heritage assets.

3.10 The connection between the main trellis and the single storey annex building is by a linking piece of trellis at high level. The main part of the trellis restricts views of the studio building from the garden of 62 Lillie Road and encroaches on the openness of the rear garden, which reduces the ability to appreciate the composition of listed buildings arranged around the garden. The listed buildings have a group value which would be harmed by this intrusive and visually incongruous structure placed in an unsympathetic location. The boundary between properties could be delineated by a lower trellis or planting without causing harm to heritage assets.

3.11 The potential issues arising from the juxtaposition of the amenity space for one property with the main windows to the other property are acknowledged, however the proposed retention of the trellis is not considered to be an appropriate solution. The proximity of the trellis to the habitable room windows of the studio building and the annex creates an unneighbourly relationship, especially since these are the only windows to those rooms. Furthermore, the retention of the trellis could give rise to future pressure for further unsympathetic alterations, including the enclosure of the rear garden of 62 Lillie Road in its entirety, in order to separate the garden from the adjacent path to the studio building. A significantly lower trellis painted to match the studio building, together with planting could be a less harmful alternative means of providing privacy to the occupants of both the rear garden and the studio building.

3.12 The retention of the trellis in its current form would cause less than substantial harm to the character, appearance and settings of the listed buildings contrary to the NPPF, Core Strategy Policy BE1, DM Local Plan Policies DM G1, DM G3 and DM G7 and Planning Guidance SPD Design Policies 60, 61 and 62 and would fail to preserve the character, appearance and settings of the listed buildings which are desirable to preserve in accordance with S.16(2) and S.66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. No public benefits have been identified to outweigh the harm.

3.13 Residential Amenity

Policy DM A9 of the DM LP requires to respect the principles of good neighbourliness. The policy continues proposals will be considered acceptable where it can be demonstrated that there is no detrimental impact on: privacy enjoyed by adjoining neighbours; daylight and sunlight to rooms in adjoining properties; outlook from windows in adjoining properties and openness between properties. SPD Housing Policy 8 respectively requires that there is no significant loss of outlook and privacy to existing residential amenities.

3.14 It is important that the residential amenity of properties surrounding the application property is not compromised as a result of the development. The retention of the trellis fence eliminates the previously traditional historical openness of the rear garden setting and results in a loss of light to habitable windows. More particularly it reduces the light to the ground floor windows of the studio building, contributing to a loss of outlook and an increased sense of enclosure. In this regard, it does not respect the principles of good neighbourliness as it has a significant adverse impact on residential amenity contrary to DM Local Plan Policy DM A9 and SPD Housing Policy 8.

4.0 CONCLUSION and RECOMMENDATION

4.1 The trellis fence would not preserve the character and appearance or the openness of the rear garden setting including the special and historic interest of the listed buildings which are desirable to preserve, contrary to S.16(2) and S.66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The development fails to comply with Core Strategy Policy BE1, DM Local Plan Policies DM G1, DM G3 and DM G7 and Planning Guidance SPD Design Policies 60, 61 and 62 and the NPPF including paragraphs 129, 132 and 134.

4.2 The trellis fence has an unacceptable impact on the neighbouring living conditions in terms of loss of light and outlook and is an inappropriate and unneighbourly form of

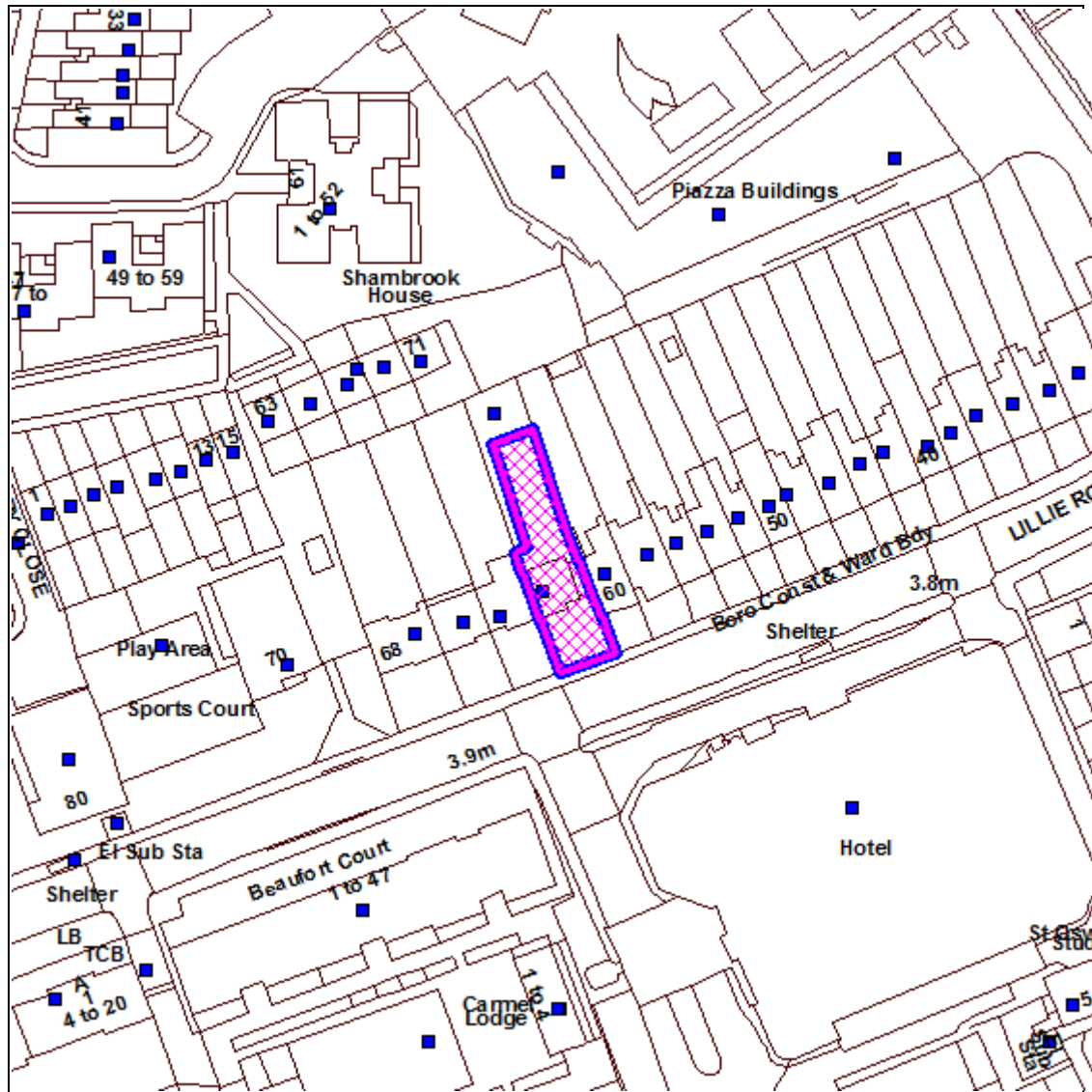
development that is harmful to the existing amenities of the occupiers of the studio building as a result of loss of outlook and an increased sense of enclosure. In this respect, the development is contrary to DM Local Plan Policies DM A9, DM G3 and SPD Housing Policy 8.

4.3 Refuse planning permission and Listed Building Consent and Enforce.

Ward: North End

Site Address:

62 Lillie Road London SW6 1TN



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Reg. No:
2017/02181/LBC

Case Officer:
David Heighton

Date Valid:
13.06.2017

Conservation Area:

Committee Date:
05.12.2017

Applicant:

Ms Nicolette Karmel-Awad
62 Lillie Road London SW6 1TN

Description:

Retention of trellis fencing along the boundary between Studio 62A Lillie Road and 62 Lillie Road in the rear garden.
Drg Nos: Garden Drawings 11.06.17

Application Type:

Listed Building Consent

Officer Recommendation:

A That the application be refused and Enforcement Action be taken for the reason(s) set out below:

- 1) The retention of the trellis is considered to be unacceptable in relation to its impact on visual amenity and on the significance of heritage assets including the setting of the listed buildings. More specifically the trellis is not in keeping with the surrounding architectural character and would be harmful to the significance and unified appearance of the group of heritage assets. The development does not meet the statutory test set out in Section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990. The development is considered to cause harm to the significance of the listed buildings; it fails to preserve the character, appearance and settings of the listed buildings contrary to the NPPF, policy BE1 of the Core Strategy (2011) and policies DM G1, DM G3 and DM G7 of the Development Management Local Plan (2013) and SPD Design Policies 60, 61 and 62 of the Planning Guidance Supplementary Planning Document (2013).

B That the Head of Legal Services be authorised to institute appropriate enforcement and/or Legal proceedings to secure the cessation of the breach of planning control described for the reason(s) stated above.

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

All Background Papers held by Helen Murray (Ext: 3439):

Application form received: 27th May 2017
Drawing Nos: see above

Policy documents: National Planning Policy Framework (NPPF) 2012
The London Plan 2016
LBHF - Core Strategy Local Development Framework 2011
LBHF - Development Management Local Plan 2013
LBHF - Planning Guidance Supplementary Planning Document
2013

Consultation Comments:

Comments from:	Dated:
Hammersmith & Fulham Historic Buildings Group	21.07.17
Historic England London Region	19.06.17

Neighbour Comments:

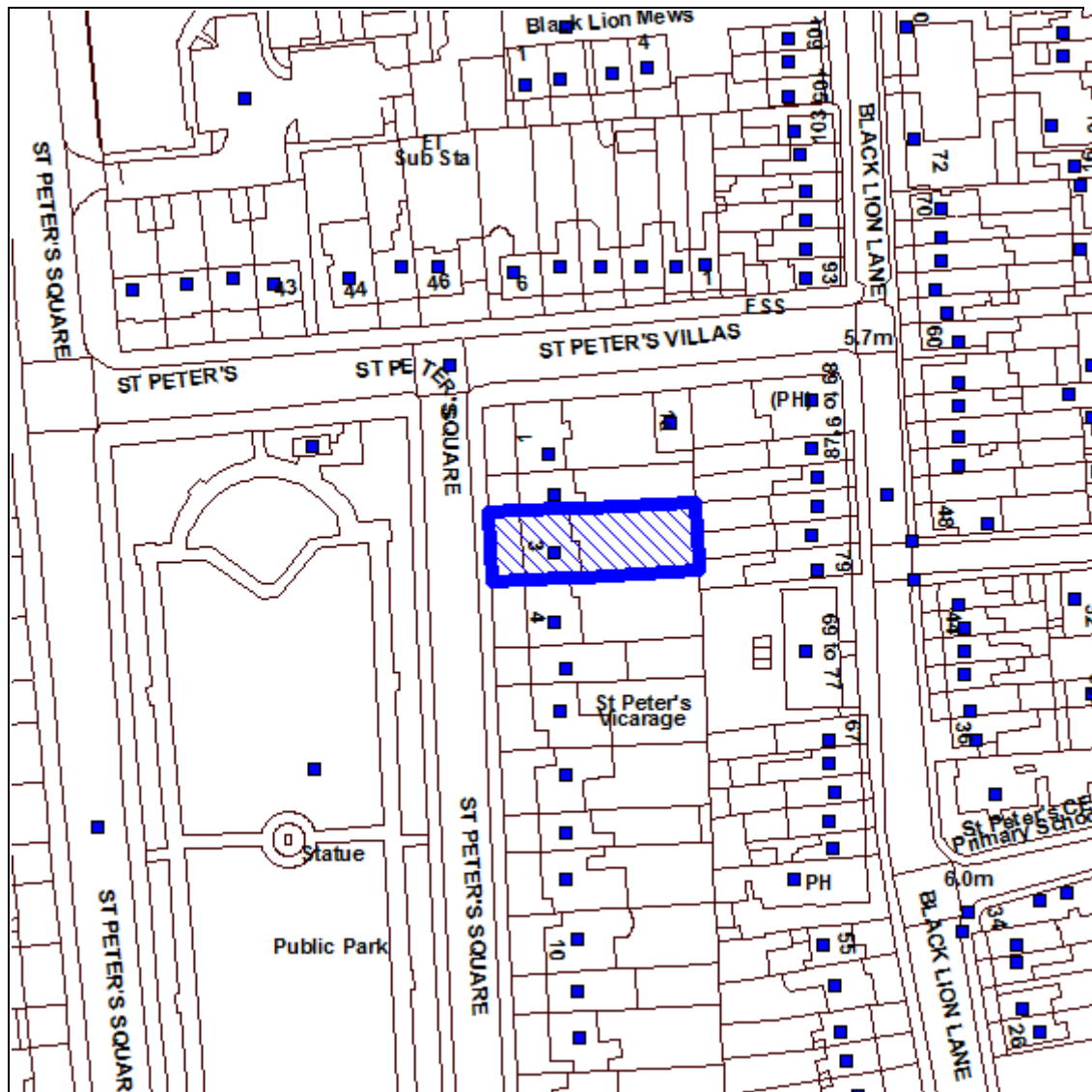
Letters from:	Dated:
32 Lillie Road London SW6 1TN	26.07.17
The Studio 62a Lillie Road London SW6 1TN	05.07.17
64B LILLIE ROAD LONDON SW6 1TN	08.07.17

See joint officers report in Planning Application ref: 2017/02180/FUL.

Ward: Ravenscourt Park

Site Address:

3 St Peter's Square London W6 9AB



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For identification purposes only - do not scale.

Reg. No:
2017/02970/FUL

Case Officer:
Raj Satheesan

Date Valid:
08.08.2017

Conservation Area:
St. Peter's Square Conservation Area - Number 1

Committee Date:
05.12.2017

Applicant:

Mr & Mrs NOTT
C/O Agent

Description:

Erection of a two storey rear extension at lower ground and upper ground floor levels incorporating re-attachment of the existing balcony and external staircase from lower ground to upper ground floor level at the rear; replacement of 1no window with a door at lower ground floor level to the rear elevation.

Drg Nos: 1396/1F

Application Type:

Full Detailed Planning Application

Officer Recommendation:

That the application be refused for the following reason(s):

- 1) The proposed extension, by virtue of its location, height, bulk, design and impact on plan form would cause harm to the character, appearance, setting and special architectural and historic interest of the listed building, which it is desirable to preserve in accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Area Areas) Act 1990. The proposal would also fail to preserve or enhance the character and appearance of the St Peter's Square Conservation Area which it is desirable to preserve or enhance in accordance with s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The harm to heritage assets would not be outweighed by public benefits, which would not result in sustainable development. In these respects the proposal is contrary to policy BE1 of the Core Strategy (2011), policies DM G3 and DM G7 of the Development Management Local Plan (2013), Design Policies 31, 34, 60, 61 and 62 of the Planning Guidance SPD (2013) and the NPPF (2012) including paragraphs 132 and 134.
- 2) The proposed balcony, by virtue of its elevated position and close proximity to the neighbouring residential property at no. 2 St Peter's Square, together with a lack of sufficient screening, would constitute an inappropriate and unneighbourly form of development that would be harmful to the existing amenities of the occupiers of those properties, as a result of overlooking and loss of privacy. In this respect the proposal is contrary to Policy DM A9 and DM G3 of the Development Management Local Plan (2013), and SPD Housing Policy 8 (ii) of the Planning Guidance Supplementary Planning Document (2013).

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

All Background Papers held by Helen Murray (Ext: 3439):

Application form received: 27th July 2017

Drawing Nos: see above

Policy documents: National Planning Policy Framework (NPPF) 2012
The London Plan 2016
LBHF - Core Strategy Local Development Framework 2011
LBHF - Development Management Local Plan 2013
LBHF - Planning Guidance Supplementary Planning Document
2013

Consultation Comments:

Comments from:

Historic England London Region

Dated:

15.08.17

Neighbour Comments:

Letters from:

Dated:

Flat 5 Albion House 39 St Peter's Square London W6 9NN	21.09.17
NAG	25.09.17
NAG	22.09.17
10 St Peters Square London W6 9AB	24.08.17
NAG	24.08.17
2 St. Peter's Square London	02.09.17
4 St Peter's Square London W6 9AB	22.09.17
2 St Peter's Square London W6 9AB	02.10.17
6 St Peter's Villas London W6 9BQ	30.08.17
2 Queen's Wharf 2 Crisp Road London W6 9NE	21.08.17
75 Bolingbroke Road London W14 0AA	04.09.17
8 Saint Peter's Square London W6 9AB	12.09.17
9 St Peters Square Hammersmith W6 9AB	12.09.17
83 Black Lion Lane London W6 9BG	02.09.17
6 St Peter's Square London W6 9AB	14.09.17
18 St Peter's Square London W6 9AJ	02.10.17
30 St Peter's Square London W6 9UH	20.09.17
27 St Peter's Square London W6 9NW	22.09.17
58 Black Lion Lane London W6 9BE	19.09.17
16a St Peters Square London W6 9AJ	12.09.17
81 Black Lion Lane London W6 9BG	18.08.17
1, St. Peters Square london W6 9AB	05.09.17
43 Black Lion Lane London W6 9BG	06.09.17
85 Black Lion Lane London W6 9BG	02.09.17

OFFICERS' REPORT

1.0 BACKGROUND

1.1 The application property, 3 St. Peter's Square, is a three storey plus lower ground floor level building located on the eastern side of the square.

1.2 The property is located within the St Peter's Square Conservation Area. This property forms part of a Grade II listed terrace (Nos. 1 to 6 consec.) dating from circa 1825 to 1830. There are a significant number of listed buildings within the vicinity of the site, including Nos. 7 to 15 St Peter's Square (consec.) (Grade II listed) to the south, Nos. 3 to 6 St Peter's Villas (consec.) (Grade II listed) to the north and Nos. 79 to 87 (odds) (Grade II listed) Black Lion Lane to the east. The garden in the centre of St Peter's Square is included on the Historic England Register of Historic Parks and Gardens at Grade II.

1.3 The site has a Public Transport Accessibility Level (PTAL) of 4 (good).

1.4 The site is located in Flood Risk Zones 2 and 3 as defined by the Environment Agency.

PLANNING HISTORY

1.5 Listed building consent (1983/00974/LBC) was granted on 14/07/1983 for alterations at first floor level to front elevation involving the installation of French windows and canopy roof, removal of rear extension at ground floor level and formation of balcony and external staircase and alterations to the fenestration of the rear elevation.

1.6 Listed building consent (ref: 1996/00280/LBC) was approved on 19.04.1996 for the alterations to rear fenestration by lowering a window sill at upper ground floor level and replacing window.

1.7 Planning Application and Listed Building Consent applications (ref: 2013/01934/FUL and 2013/01935/LBC) were withdrawn for the Erection of a two storey rear extension at semi-basement and upper ground floor level, including the creation of a balcony at upper ground floor level and the erection of an external staircase from upper ground floor level to lower ground floor level; excavation of part of the rear garden in connection with the enlargement of the lower ground floor level, including associated landscaping and new trellis; internal alterations include bricking up existing window opening at lower ground floor level; removal of existing wall between new kitchen and living room at upper ground floor level; creation of two new internal door openings to the dining room at upper ground floor level; cupboards to bathroom removed at first floor level.

1.8 Planning permission (2014/02131/FUL) was refused on 03/07/2014 for the erection of a two-storey rear extension at lower ground and upper ground floor level, creation of a balcony at upper ground floor level, erection of an external staircase from upper ground floor level to lower ground floor level, excavation of part of the rear garden in connection with the enlargement of the lower ground floor level, including associated landscaping and new trellis. The reason for refusal was as follows:

'The proposed two storey extension would result in an overdevelopment of the site and would be unacceptable in the interests of residential amenity. More particularly, the proposed rear extension, by reason of its excessive size, bulk, height and depth in close proximity to the neighbouring residential property at 4 St Peter's Square would result in an unneighbourly and overbearing form of development and an unacceptable loss of light, outlook and increased sense of enclosure to this neighbouring property. Furthermore, the Vertical Sky Component (VSC) test demonstrates that there would be noticeable loss of daylight to the bedroom window at 4 St Peter's Square. The proposal is thereby contrary to Development Management Local Plan (2013) policies DM G3 and DM A9, and SPD Housing Policy 6 and Criteria 3 of SPD Housing Policy 7 of the Planning Guidance Supplementary Planning Document (2013).'

1.9 The Council's decision to refuse planning permission was appealed (APP/H5390/D/14/2226014); and the appeal was subsequently dismissed on 29/10/2014.

1.10 A listed building consent application (2014/02132/LBC) that accompanied the above planning application (2014/02131/FUL) was granted on 01/08/2014. The description of development was as follows:

'The erection of a two storey rear extension at semi-basement and upper ground floor level, including the creation of a balcony at upper ground floor level and the erection of an external staircase from upper ground floor level to lower ground floor level; excavation of part of the rear garden in connection with the enlargement of the lower ground floor level, including associated landscaping and new trellis; internal alterations include bricking up existing window opening at lower ground floor level; removal of existing wall between new kitchen and living room at upper ground floor level; creation of two new internal door openings to the dining room at upper ground floor level; cupboards to bathroom removed at first floor level; and replacement of timber floor in lower ground floor spare room with solid concrete floor'.

1.11 Planning permission (2014/05968/FUL) was refused on the 03/03/2015 for the erection of a two-storey rear extension at lower ground and upper ground floor levels, creation of a balcony at upper ground floor level and the erection of an external staircase from upper ground floor level to lower ground floor level; excavation of part of the rear garden in connection with the enlargement of the lower ground floor level, including associated landscaping and new trellis.

1.12 The reason for refusal was as follows:

'The proposed extension by virtue of its height, depth, bulk and location would have an unacceptable impact on neighbouring living conditions and would be unneighbourly. In particular the proposed extension would appear unacceptably dominant and overbearing when viewed from the rear lower ground floor bedroom window located within No.4 St Peter's Square. The proposal is contrary to policies in the adopted Development Management Local Plan (2013), particularly policies DM G3 and DM A9. The proposal is also considered not to accord with guidance outlined in the Planning Guidance Supplementary Planning Document (2013), particularly SPD Housing Policies 6 and 7.'

1.13 A listed building consent application (2014/05969/LBC) that accompanied the above planning application (2014/05968/FUL) was granted on 03/03/2015. The

description of development was as follows 'erection of a rear extension at lower ground and upper ground floor; including the creation of a balcony at upper ground floor level and the erection of an external staircase from upper ground floor level to lower ground floor level; excavation of part of the rear garden in connection with the enlargement of the lower ground floor level, including associated landscaping and new trellis; Internal alterations to lower ground and ground floor levels including bricking up of window to the rear elevation at lower ground floor level; replacement of timber floor in lower ground floor spare room with solid concrete floor; installation of folding partitions at lower ground floor level; removal of existing kitchen at lower ground floor; installation of gas log fire at lower ground floor; new internal door opening at lower ground floor level; removal of existing wall between new kitchen and living room at upper ground floor level; creating a new opening in the existing wall between the study and dining room and installing a jib door at upper ground floor level; installation of a new serving hatch with jib door; alterations to first floor bathroom.'

1.14 The Council's decision to refuse planning permission (2014/05968/FUL) was appealed (APP/H5390/D/15/3038210); and the appeal was subsequently dismissed on 24/08/2015 on grounds that 'the extension would appear unacceptably dominant and overbearing from the relevant bedroom window at no. 4'.

1.15 Planning application ref: 2015/01357/FUL was refused by planning committee on 09.03.2016 for the erection of a two- storey rear extension at lower ground and upper ground floor levels, creation of a balcony at upper ground floor level and the erection of an external staircase from upper ground floor level to lower ground floor level; excavation of part of the rear garden in connection with the enlargement of the lower ground floor level, including associated landscaping and new trellis. The application was refused for the following 2 reasons:

1) The proposed extension, by virtue of its size, location, and design would have an unacceptable impact on neighbouring living conditions, and would be unneighbourly. In particular, the proposed extension would be unacceptably dominant and overbearing when viewed from the rear lower ground floor bedroom window located within 4 St Peter's Square. The proposal is thereby considered to be contrary to policies DM G3 and DM A9 of the Development Management Local Plan (2013). The proposal is also considered not to accord with guidance outlined in the Planning Guidance Supplementary Planning Document (2013), particularly SPD Housing Policy 7.

2) The proposed extension, by virtue of its size and design, would cause harm to the appearance of the property. The proposal would also fail to preserve or enhance the character and appearance of the conservation area, of which the property forms part. The proposed development would not meet the statutory tests set out within Section 66 (1) and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal would not comply with policy BE1 of the Core Strategy (2011), or policies DM G3 and DM G7 of the Development Management Local Plan (2013). The proposal is also considered to be contrary to the aims of the NPPF, in particular paragraphs 129 and 132.

1.16 An appeal against the refusal of planning permission was lodged and the appeal was subsequently dismissed due to: 1) harm to the character, appearance and setting of the listed building and harm to the character and appearance of the Conservation Area and 2) the proposal would have a harmfully overbearing and oppressive impact on the occupiers of no. 4 St Peter's Square. The Inspector's appeal decision has not been

challenged and therefore must be a material consideration in the decision making process.

1.17 A listed building consent application (2015/01358/LBC) that accompanied the above planning application (2015/01357/FUL) was also refused by planning applications committee on 09.03.2016. The description of the proposed works was as follows: 'Erection of a rear extension at lower ground and upper ground floor; including the creation of a balcony at upper ground floor level and the erection of an external staircase from upper ground floor level to lower ground floor level; excavation of part of the rear garden in connection with the enlargement of the lower ground floor level, including associated landscaping and new trellis. Internal alterations to lower ground floor level includes bricking up of window to the utility room to the rear elevation; replacement of timber floor in the spare room with solid concrete floor; installation of folding partitions; removal of existing kitchen; installation of gas log fire; creation of a new door opening and reinstatement of original door. Internal alterations to upper ground floor level includes removal of existing wall between new kitchen and living room; creation of a new door opening in the existing wall between the study and dining room, installation a jib door and installation of a new serving hatch with jib door. Internal alterations to first floor bathroom includes removal of cupboards and alteration of layout'.

1.18 This listed building application (2015/01358/LBC) was refused by Planning applications committee for the following reason:

The proposed extension, by virtue of its size and design, would cause harm to the appearance of the property. The proposal would also fail to preserve or enhance the listed building/terrace and their setting. The proposed development would not meet the statutory test set out in Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal would not comply with policy BE1 of the Core Strategy (2011), or policies DM G3 and DM G7 of the Development Management Local Plan (2013). The proposal is also considered to be contrary to the aims of the NPPF, in particular paragraphs 129 and 132.

1.19 The subsequent appeal (ref: APP/H5390/Y/16/3158203) was withdrawn by the applicants and therefore the refusal of listed building consent remains.

Current Proposal:

1.20 Planning permission is sought for the erection of a two storey rear extension at lower ground and upper ground floor levels incorporating re-attachment of the existing balcony and external staircase from lower ground to upper ground floor level at the rear; replacement of 1no window with a door at lower ground floor level to the rear elevation.

1.21 Listed building consent is also sought for the erection of a two storey rear extension at lower ground and upper ground floor levels incorporating re-attachment of the existing balcony and external staircase from lower ground to upper ground floor level at the rear; replacement of 2no windows to rear elevation at basement level with french doors; replacement of 1no window with a door at lower ground floor level to the rear elevation; installation of a new door in the corridor area to access the living room at lower ground floor level; infilling of serving hatch in corridor at lower ground floor level; removal of 1no door and installation of 2no doors to reconfigure rear corridor area at upper ground floor level.

1.22 This is a joint report relating to matters arising from both the planning application and the listed building consent application.

1.23 The proposed two storey rear extension would be located on the northern side of the property. The extension would extend to a depth of 3.5m from the current rear wall, which is slightly shorter and lower than an existing extension at No.2. The proposed extension is the width of the existing northern bay of the house and would provide a garden room at the lower ground floor and a new kitchen on the upper ground floor. The east elevation of the extension replicates the existing elevation with doors replacing windows at the lower ground floor. The walls are rendered and painted white with the new doors made of hard wood and painted, all to match the existing. There is a low parapet with a lead roof discharging into a cast iron downpipe. The cast iron balcony and steps are the existing one repositioned on the new extension. In front of this extension at ground floor level would be a terrace/balcony that would extend 1m from the rear wall of the extension and be 4m in width. Centrally located steps would lead from the terrace/balcony to the garden. On the rear elevation of the rear extension two sets of timber framed French doors at upper ground floor level and lower ground floor level are proposed. The external wall of the extension would match the existing building in painted sand and cement render with ashlar coursing lines.

1.24 The proposed two storey rear extension is 3.5m in depth which is the same depth as the previously refused scheme (ref: 2015/01357/FUL and 2015/01358/LBC).

1.25 The main differences between the current planning and listed building applications and the previously refused applications (ref: 2015/01357/FUL and 2015/01358/LBC) are:

- The proposed two storey rear extension, balcony and external steps are now located on the northern side of the property adjacent to no. 2 St Peters Square, whereas the previous refused applications were on the southern side of the house adjacent to no. 4 St Peters Square.
- The proposed height of the extension is now 5.25m above the existing main garden level whereas the earlier refused scheme (ref: 2015/01357/FUL and 2015/01358/LBC) was 4.5m high above the existing main garden level.

2.0 PUBLICITY and CONSULTATIONS

2.1 Both the planning permission and the listed building applications were advertised by way of site and press notices, and letters were sent to neighbouring properties. Twenty letters of objection have been received in connection with the planning application, and fifteen objections have been received in connection with the listed building consent application. The letters of objection are from residents in Black Lion Lane; St. Peter's Square; St. Peter's Villas; Bolingbroke Road; and Crisp Road.

2.2 The concerns of the objectors can be summarised as follows:

- The Proposal is unnecessary to extend a very large house which already has very large extensions to the side of the property. The available living space for applicants is sufficient.
- Concerns regarding harm to the listed building and conservation area. Proposal is not appropriate to this Georgian house, listed building in a conservation.

- Proposal would affect the harmony of the lines of the houses at the rear and set a harmful precedent for further extensions on neighbouring properties.
- Bulk and scale not in keeping with the original Georgian house / not subservient to listed building, and will have negative impact on garden and neighbouring properties.
- Proposal is overbearing, would result in loss of daylight and sunlight to adjacent properties and gardens.
- Architectural style of proposed extension which is large and bulky bears no relation to the original style of these listed buildings.
- Overdevelopment: The extension projects 1.5 metres further into the garden than the previous one which was refused. The balcony and staircase extends 7m into the garden.
- Harm to the historic internal character of listed building / Loss of original back façade/ loss original back full length windows. Harm to the plan form of the original building. Proposed kitchen is too small (smaller than the existing), and proposals harmful to the character of sitting room (direct access to and views of the rear garden will be lost). Room will require permanent artificial lighting as a result of the rear extensions.
- Loss of openness of rear garden, and loss of soft landscaping.
- Party wall concerns.
- Loss of privacy/overlooking into neighbouring gardens and neighbouring terrace.
- Noise and disturbance from balcony.
- Cooking odours, from kitchen appliances and extractor.
- Extent of excavation: water table displacement which may cause issues damp issues to neighbouring properties.
- Statement of Community Involvement, shows individuals personal details and photographs. Permission has not been given to take photographs of the consultation meeting, and personal details should be removed (Officers Response: This statement has since been removed from the Council website.
- Previous applications were refused and therefore a waste of time / money in determining the current application. Applicants refuse to acknowledge objections from neighbours.
- Drawings are very small scale, which is deliberate tactic to hide detail.
- Volume of application material is an attempt to intimidate.
- Involvement of Quinlan Terry intended to intimidate Council.
- Disruption to adjacent properties.

2.3 Four responses were received in support of the application from neighbouring properties in Crisp Road, St Peter's Square and Bolingbroke Road. Comments can be summarised as follows:

- Modest extension, sympathetic to this period property and in keeping with the area.
- Extension occupies only a small part of the rear garden.
- Proposed extension lower and shorter than the existing rear extension at no. 2. Proposal would not impact on neighbours.

2.4 Hammersmith and Fulham Historic Buildings Group were consulted, and in summary have raised the following objections and comments:

- The application relates to a stuccoed property the end of a trio of linked properties, within the St Peter's Square Conservation Area. We have responded to previous applications and although this one has minor differences the concept is similar and in consequence our objections remain fundamentally the same.

- The extension if approved would result in overdevelopment of this property which would be harmful to the character of this listed building and that of the Square as a whole.
- The extension by its size and position will cause further damage to the original design of number 3 and the setting of the neighbouring listed buildings.
- The extension by its size and position will cause damage to the Conservation Area and the gardens to the rear of the property.
- The proposed balcony at upper ground floor level will result in overlooking of neighbouring properties
- In further support we quote from the report of the Planning Inspector's report on earlier appeal which we consider is still relevant.

'There is no doubt in my mind that the buildings and layout of St Peter's Square are an outstanding example of the well-ordered architecture and town layout of their period and together they form a residential enclave of exceptional amenity and visual quality. In such places the spaces between the buildings whether they form part of the public gardens in the centre of the square or the private gardens at the rear, are of considerable environmental importance both in importance both in the contribution they make to the setting of the listed buildings and as an example of one part of the social history and beliefs of their time. For this reason, the retention and enhancement of such spaces are as important as the preservation of the buildings with which they are associated"

2.5 The St. Peter's Residents' Association were consulted, and in summary have raised the following comments and objections:

- This is the fifth similar application at this property and it is larger in terms of its additional easterly projection into the garden space than the previous scheme which was refused and dismissed at appeal. The fundamental concept is not significantly different from previous, refused applications, three of which have been dismissed at appeal.
- Our overriding concern, is the precedent this application would set if approved in the wider neighbourhood due to impacts on the setting and context of the listed buildings and on the conservation area as well as issues of neighbourliness and the suitability and sustainability of the design.
- There will still be a significant loss of amenity by adjoining owners if the proposal to install what is effectively a first floor balcony and French doors is allowed since this will create overlooking where none exists at present; an uncomfortable of sense or feeling of being watched and consequent loss of privacy in neighbouring gardens and property from the new French doors.
 - When the French doors are opened and when occupants are standing outside on the balcony or using the proposed external steps there will be noise disturbance.
 - It seems that the proposal, apart from being unneighbourly, is inconsiderate in that it ignores the pleas of adjoining owners and seems to violate the general planning principal that terraces and balconies where they lead to overlooking should not be permitted.
 - Further, the proposed extension will obscure the original rear wall of the listed building and will be nearly half its width. Thus this fifth application raises additional heritage concerns due to the potential impact on the setting and context of the listed building, surrounding listed buildings and on the conservation area which should be preserved or enhanced.
 - Also of concern is the impact on the fine dual aspect upper ground floor sitting room of the listed building and the new lounge (currently the kitchen) at lower ground floor. Current historic features will be lost and the rooms will be deprived of morning sunlight

by the extension which will have a significant impact on the living areas of this listed building.

- Nothing in this proposal has changed our view that the application should be refused by the council. Any new rear outreach extensions above a single storey should be resisted by the council as should terraces or balconies at raised ground level or above in similar terraced situations. Approval of this proposal would set a serious and dangerous precedent in this conservation area and could open the floodgates for similar applications.

2.6 Historic England was consulted in connection with the listed building consent and has advised the council to determine the application as they see fit.

2.7 The Gardens Trust were consulted and in summary have raised the following comments:

- Thank you for consulting the Gardens Trust in its role as Statutory Consultee on the above application which affects St Peters Square, an historic designed landscape of national importance which is included by Historic England on the Register of Parks and Gardens of Special Historic Interest at Grade II.

- We have considered the information provided in support of the above application and on the basis of this, do not wish to comment on the proposals at this stage. We would however emphasise that this does not in any way signify either our approval or disapproval of the proposals.

2.8 The Council for British Archaeology, Ancient Monuments Society, the Georgian Group, the Twentieth Century Society, the Society for the Protection of Ancient Buildings, and the Victorian Society were consulted in regard to the listed building consent application. No responses have been received.

3.0 PLANNING CONSIDERATIONS

3.1 The relevant planning considerations in this case, to be assessed against the policies in the National Planning Policy Framework (NPPF), The London Plan and the Council's Local Development Framework, comprising the Core Strategy, Development Management Local Plan (DMLP) and the Planning Guidance Supplementary Planning Document (PG SPD) are:

- Impact of the development on neighbouring living conditions.
- Whether the proposal would preserve the special architectural or historic interest of the listed building.
- Whether the proposal would preserve the setting of the listed building and whether the proposal would preserve the settings of other listed buildings including the listed terrace at Nos. 1-6 St Peter's Square.
- Whether the proposal would preserve or enhance the character or appearance of the conservation area.
- Whether the proposal would preserve the setting of the Registered Historic Park and Garden.
- The impact on flooding and whether the proposal provides accessible accommodation.

IMPACT ON NEIGHBOURING LIVING CONDITIONS

Loss of Outlook:

3.2 The most recent refused planning application (2015/01357/FUL) which was subsequently dismissed at appeal, for a lower ground and upper ground floor rear extension, was dismissed on grounds that the proposal would have a harmfully overbearing and oppressive impact on the occupiers of no. 4 St Peter's Square. However, the current application seeks to overcome this objection by relocating the proposed two storey rear extension adjacent to the existing two and a half storey rear extension at no. 2 St Peter's Square. As the proposal is shorter in depth and lower in height than this existing adjoining extension, the proposal would not be expected to result in any loss of outlook or any increased sense of enclosure to this neighbouring residential property. With regards to No. 4 St Peter's Square the proposed extension is now 6m away from the shared boundary with this neighbouring property. As such no loss of outlook or increased sense of enclosure is expected to result to either neighbouring properties and no objections are raised on these grounds.

Loss of Light

3.3 The applicants have submitted a daylight and sunlight report based on the British Research Establishment (BRE) guidelines 2011 "Site layout planning for daylight and sunlight-A guide to good practice". Regarding any impact on loss of light to windows of both adjoining residential properties the proposed extension was tested against the BRE guidance and was found to comply. Officers assessed the report and concur that there would be no conflict with the BRE Guidelines or harmful reduction in the amount of daylight reaching the neighbouring properties windows.

Loss of Privacy

3.4 In terms of privacy, the Council's Planning Guidance SPD Housing Policy 8 part ii) states that windows should normally be positioned so that the distance to any existing residential windows is not less than 18m measured in an arc of 60 degrees from the centre of the new window and roof terraces are generally unacceptable if it would result in additional opportunities for overlooking or a significantly greater degree of overlooking than from the access point into the proposed roof terrace.

3.5 The proposed new windows and doors would comply with this policy and would experience similar views as existing openings. These views would primarily be of the neighbouring gardens rather than of neighbouring windows and would not be sufficiently detrimental to neighbouring living conditions to justify the refusal of planning permission.

3.6 The proposed balcony at upper ground floor level and external staircase has been designed with metal railings of 1.1m high on both of the side and the rear elevations and would be positioned in close proximity to an existing roof terrace at no. 2 St. Peters Square. Prior to the submission of this application there was a high trellis and vegetation along the boundary with no. 2 and 3 St Peter's Square which prevented any direct overlooking between these properties. However, Officers have been advised by the applicant's agent that this trellis has been removed by the owners of no. 2 St. Peter's Square during the course of this application. However, planning permission is not required for the removal of a trellis from a garden wall and as such, the removal of

the existing trellis is immune from any enforcement action. Furthermore, it is understood that the owners of 2 St Peter's Square do not intend to re-instate it.

3.7 In the absence of any screening, Officers consider that the new balcony at no. 3 St. Peter's Square would allow direct views towards this neighbouring terrace and garden at no. 2 St Peter's Square. Therefore, the proposed balcony and external steps by virtue of its elevated position and proximity to 2 St Peter's Square together with a lack of sufficient screening would constitute an inappropriate and unneighbourly form of development that would be harmful to the existing amenities of the occupiers of those properties, because of overlooking and loss of privacy. As such an objection is raised under criterion 2 of Housing Policy 8, and policy DM G3 and DM A9.

Noise and Disturbance:

3.8 Part 3 of Housing Policy 8 of the Planning Guidance SPD states that '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 existing amenities of neighbouring occupiers by reason of noise and disturbance'.

3.9 The balcony, given its small size, would not be able to hold a significant number of people. As such it is unlikely to generate significant noise disturbance. It should be noted that a similar balcony and proposed extension formed part of the previously refused, dismissed at appeal planning application. Neither the Council nor the Inspector raised objection to the proposed balcony's impact with regards to noise and disturbance. No objection is therefore raised under Development Management Local Plan (2013) policies DM A9, DM H9 and H11 and SPD Housing Policy 8 (criteria 3).

IMPACT ON HERITAGE ASSETS - CONSERVATION AREA AND LISTED BUILDINGS

3.10 Core Strategy Policy BE1 'Built Environment' states that all development within the borough, including in the regeneration areas should create a high quality urban environment that respects and enhances its townscape context and heritage assets. DM LP Policy DM G3 states that the council will require a high standard of design in all alterations and extensions to existing buildings. They are required to be compatible with the scale and character of existing development, their neighbours and their setting and should successfully integrate into the architectural design of the existing building. DM LP Policy DM G7 seeks to protect, restore or enhance the quality, character, appearance and setting of the borough's heritage assets.

3.11 Policies within Planning Guidance SPD (2013) provide greater detail on the application of the policies set out in the Core Strategy (2011) and Development Management Local Plan (2013).

3.12 SPD Design Policy 31 (Alterations to Buildings) states that extensions and alterations should be appropriate to the architectural character of the building and should not have a significant effect on the character of the conservation area and the building line and the pattern of development must be protected.

3.13 SPD Design Policy 34 (Rear Extensions) states that 'the design and materials of rear extensions should be in keeping with the architectural character of the existing property and conservation area and should integrate successfully with the building concerned'.

3.14 SPD Design Policies 60, 61, and 62 (Applications relating to designated heritage assets) are also relevant.

ASSESSMENT OF SIGNIFICANCE OF HERITAGE ASSETS

3.15 It is key to the assessment of these applications that the decision-making process is based on the understanding of specific duties in relation to listed buildings and Conservation Areas required by the relevant legislation, particularly the Section 16, 66 and Section 72 duties of the Planning (Listed Buildings and Conservation Areas) Act 1990 set out below together with the requirements set out in the NPPF. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states in relation to listed buildings that:

'In considering whether to grant listed building consent for any works, the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the [listed] building or its setting or any features of special architectural or historic interest which it possesses.'

3.16 A similar statutory duty in section 66(1) of the Listed Buildings Act applies to the determination of planning applications. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that: 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

3.17 Section 72 of the above Act states in relation to Conservation Area that: 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

3.18 Paragraph 129 of the NPPF requires planning authorities to assess the significance of any heritage assets affected by development proposal, including their effect on their setting. This assessment shall be taken 'into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal' (para 129 of the NPPF).

3.19 Paragraph 132 of the NPPF states that:

'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.'

3.20 Paragraph 134 of the NPPF states that:

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

LISTED BUILDING

3.21 The statutory list entry for the Grade II listed Nos. 1-6 St Peter's Square dates from 1985 and is relatively short, as was normal for the time:

'Terrace of houses, arranged as two linked trios. c 1825-30. Stucco. 3 storeys and basement. Each house three windows wide. Centre house in each trio recessed, with projecting Ionic colonnade to ground floor, with iron balustrade over. Houses to either side with two bays projecting beneath pediment and outermost bays recessed with projecting Ionic porches. Balconies over with tented canopies. String courses between storeys; cornice and blocking course. Windows square headed, sashed except for ground floor, with French windows opening onto balconies with iron balustrades. Glazing bars mostly retained. Nos 1 and 3 with one bay extensions. Part of coherent scheme with Nos 7 to 19, 22 to 39 and 44 to 46 consec'.

3.22 No. 3 St Peter's Square forms part of a unified scheme of houses, built in groups of three, with a single symmetrical façade, each house being three windows wide to give the scale and appearance of a large detached villa. Later extensions have infilled the gap between the two groups which form Nos. 1-6 St Peter's Square.

LISTED BUILDING SETTING AND SETTINGS OF OTHER LISTED BUILDINGS INCLUDING TERRACE AT Nos. 1-6 ST PETER'S SQUARE

3.23 At the front of the building the wider setting is formed by the other buildings enclosing the central garden in St Peter's Square. At the rear of the building the wider setting is formed by the buildings within the street block formed by St Peter's Square, Black Lion Lane and St Peter's Villas including the other Grade II listed buildings around St Peter's Square and the Grade II listed buildings at Nos. 79-87 Black Lion Lane and Nos. 1-6 St Peter's Villas. On the east side of St Peter's Square the gaps between houses have been eroded by incremental extensions since the properties were built and many houses have been extended to the rear. The extension would be seen from a limited range of vantage points in the context of both the original groups of three houses and their later extensions, together with the rear elevations of properties in Black Lion Lane.

CHARACTER AND APPEARANCE OF THE CONSERVATION AREA

3.24 St Peter's Square Conservation Area consists of a nineteenth century predominantly residential speculative development which originally stretched from King Street to Hammersmith Terrace. Within the Conservation Area there is a variety in scale, form and architectural style. St Peter's Square itself forms the centrepiece of the Conservation Area with tall stuccoed houses, three storey over semi-basement overlooking a central garden square. Of a grand scale and proportions the uniform materials and design provide a homogenous and impressive townscape with a strong sense of place. The Square has a strong feeling of enclosure created by the height of the facades and the uniform building line which is strengthened in places by the remaining linking screen walls.

REGISTERED HISTORIC PARK AND GARDEN

3.25 The rectangular public garden at the centre of St Peter's Square was laid out between 1825 and 1830 by J. C. Loudon and forms the focal point for the residential development laid out around it. Originally the garden was private, but was bought by the local authority and opened as a public garden in 1915. The garden is included on Historic England's Register of Historic Park and Gardens at Grade II and forms the setting for the houses built around it. Registered Historic Parks and Gardens are defined as designated heritage assets in the NPPF. The garden forms one element of Loudon's planned hierarchy of landscape in the residential development around the square which also includes front and rear gardens.

DESIGN AND CONSERVATION CONSIDERATIONS

Whether the proposal would preserve the special architectural or historic interest and setting of the listed building.

3.26 The previous Inspector found that the 'box-like form' of the appeal proposal would be 'out of keeping with the simple form of the back wall of the dwelling, which is important to the character and special interest of the listed building. Thus, the proposal would intrude into the back garden, beyond the historic building line at the back of the listed building.' The appeal Inspector placed importance on the need to preserve the listed building and stated that 'As other dwellings in the listed building [have] been extended at the back over time, this makes it all the more important to preserve the appeal dwelling'.

3.27 The current proposals would overlap the rear elevation of the main part of the house instead of the rear elevation of the rear outshoot in the appeal proposal. The current proposals would be 0.75m taller than the appeal proposal. The new rear building line would be on the same alignment as the appeal proposal. The current proposal would be narrower than the appeal proposals, 5.4m rather than 6m.

3.28 Officers view is that the case should be considered on its merits but are concerned that the harm identified in the Inspector's appeal decision may also be repeated by the current proposals. There are concerns about the height, bulk, footprint and design of the proposed extension. The current proposals would obscure the main part of the rear elevation and would not respect the original rear building line, which is of considerable significance. The extension would be largely solid and would appear bulky and erode the spacious rear garden setting of the listed building. It would be out of keeping with the character and appearance of the listed building including the simple form of the rear wall. The existence of a previous rear extension, demolished around 25 years ago is not considered to justify the grant of consent for the erection of a replacement now. Nor are older approvals for rear extensions relating to other properties in St Peter's Square, all of which predate the NPPF and the Local Plan, considered to justify the grant of consent for the proposals.

3.29 The upper ground floor of each of the listed houses in St Peter's Square forms the piano nobile, which was traditionally used for entertaining guests and this was

reflected in the richer architectural decoration and generous floor to ceiling height of the rooms on that floor. The proposals would cause harm to the plan form of the building, the deepening of the property at upper ground floor level in particular would fail to respect the traditional arrangement of front and rear reception rooms with windows offering views to front and rear gardens respectively. The existing rear reception room would become sandwiched between the existing front reception room and the solid rear extension and its significance as a principal room would be diminished as a result. There would be limited opportunity to retain views into the rear garden from the existing rear reception room.

3.30 It is considered that the development will not preserve the special architectural or historic interest and setting of the listed building. In terms of the degree of harm it is considered that the proposals would cause less than substantial harm to the character and appearance of the listed building and its setting.

Whether the proposal would preserve the settings of adjacent listed buildings including the terrace at Nos. 1-6 St Peter's Square.

3.31 The previous Inspector found that the appeal proposal would preserve the settings of adjacent listed buildings. Officers have considered the relationship of the current proposals to adjacent listed buildings and consider that the settings of adjacent listed buildings would be preserved.

Whether the proposal would preserve or enhance the character or appearance of the Conservation Area.

3.32 The previous Inspector found that the appeal proposal 'would damage the appearance and historic character of the back of the appeal dwelling, and it would erode the openness in the back garden. Because the proposal would also overlap the rear outshoot of the original dwelling, which is important to the significance of the appeal dwelling as a part of the listed building, it would also fail to respect the important historic building line at the back.' She also found that the spacious rear garden contributes positively to the setting of the listed building.

3.33 As stated earlier the case should be considered on its merits but officers are concerned that the harm identified in the Inspector's appeal decision may also be repeated by the current proposals. There are concerns about the impact of the height, bulk, footprint and design of the proposed extension on the significance of the Conservation Area. The current proposals would obscure the main part of the rear elevation and would not respect the original rear building line, which is of considerable significance. The extension would be largely solid and would appear bulky, eroding the spacious rear garden which makes a positive contribution to the landscape within the Conservation Area.

3.34 The development would not preserve or enhance the character or appearance of the conservation area. In terms of the degree of harm it is considered that the proposals would cause less than substantial harm to the character and appearance of the Conservation Area.

Whether the proposal would preserve the setting of the Registered Historic Park and Garden.

3.35 Officers consider that the setting of the Registered Historic Park and Garden would not be harmed and would be preserved since the proposed development would be at the rear of the building and would not be seen from within the garden at the centre of St Peter's Square or in conjunction with it.

DESIGN AND CONSERVATION CONCLUSION

3.36 The proposals would fail to preserve the character, appearance, setting and special architectural and historic interest of the listed building contrary to s.66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 and would fail to preserve the character and appearance of the Conservation Area contrary to s.16(2) of the Planning (Listed Building and Conservation Areas) Act 1990.

3.37 The harm identified to heritage assets is not outweighed by public benefits and therefore the proposals would not result in sustainable development. The proposals would be contrary to Core Strategy Policy BE1, DM Local Plan Policies DM G3 and DM G7, Planning Guidance SPD Design Policies 31, 34, 60, 61 and 62, the London Plan and the NPPF including paragraphs 132 and 134.

IMPACT ON TREES

3.38 The proposed extension would not involve loss of trees. A number of shrubs would be lost as a result of the proposed development but these are not protected by planning law. The proposal is considered to comply with Development Management Local Plan (2013) policy DM E4.

FLOODING

3.39 This site is in the Environment Agency's Flood Zone 3. Part of the proposals include a ground floor/lower ground floor extension to the existing dwelling. As required, a Flood Risk Assessment (FRA) has been submitted with the application. This confirms that appropriate flood resilience measures will be incorporated. Given the scale and nature of the development, the FRA is considered to be acceptable and can be conditioned. The FRA also confirms inclusion of sustainable drainage measures in the form of permeable paving and water butts, which is welcomed as it shows compliance with the requirements of Local Plan Policy DM H3. In addition, if the planned works include installation of new water using fixtures/fittings etc then these should also be water efficient, in line with the requirements of Local Plan Policy DM H3. Subject to this condition it is considered that the proposal would not have an unacceptable impact on flooding or flood risk.

4.0 CONCLUSION and RECOMMENDATION

4.1 It is considered that the proposals would cause harm to the character, appearance, setting and special architectural and historic interest of the listed building which it is desirable to preserve, contrary to s.16(2) and s.66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

4.2 The proposed development would cause harm to the character and appearance of the Conservation Area which it is desirable to preserve, contrary to s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4.3 The harm would not be outweighed by public benefits, which would not result in sustainable development and the proposal would fail to comply with Core Strategy policy (2011) BE1; Development Management Local Plan (2013) policies DM G3, DM G7; and Planning Guidance SPD Design Policies 31, 34, 61 and 62; London Plan (2015) and the NPPF including paragraphs 132 and 134.

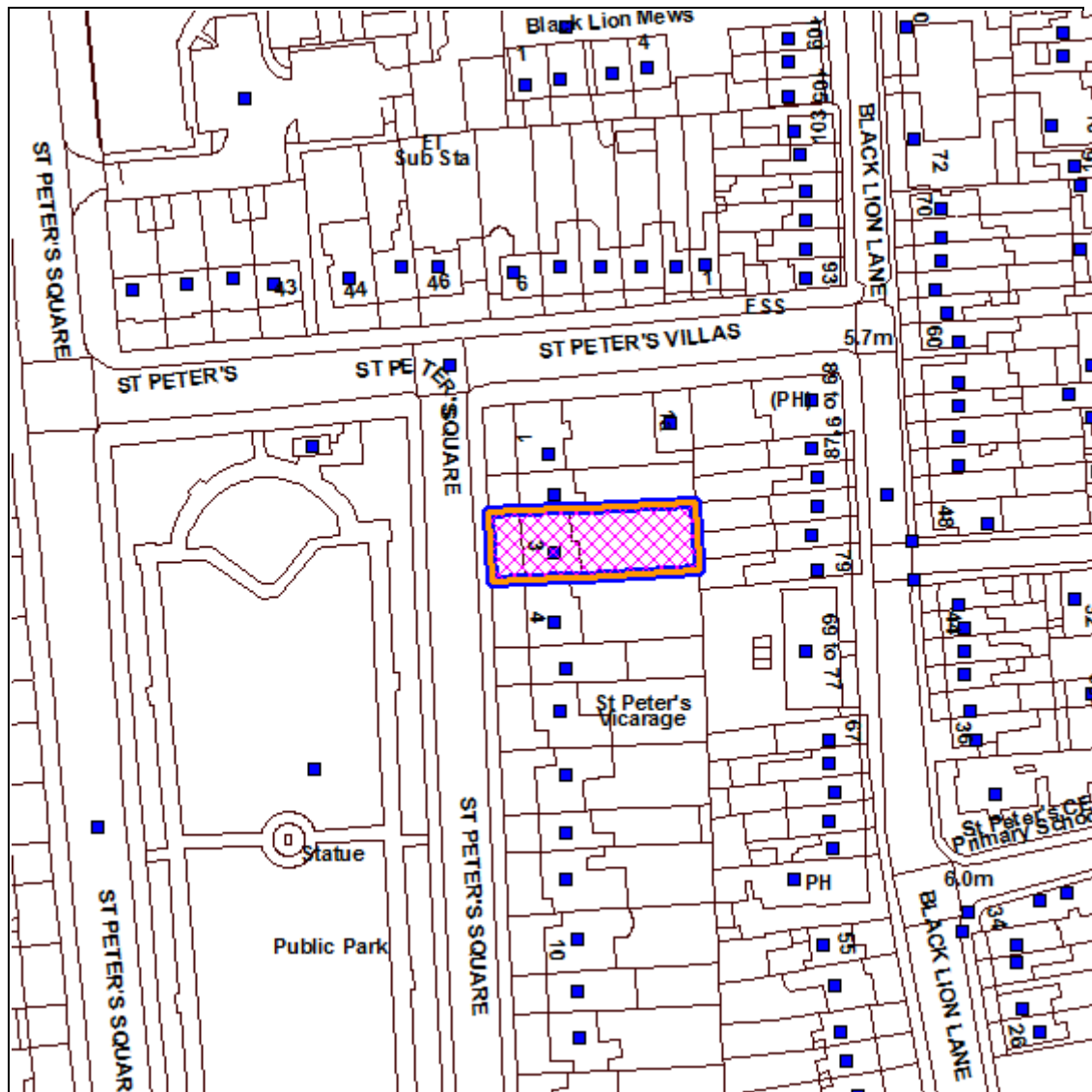
4.4 The proposed balcony, by virtue of its elevated position and close proximity to the neighbouring residential property at No. 2 St Peter's Square, together with a lack of sufficient screening, would constitute an inappropriate and unneighbourly form of development that would be harmful to the existing amenities of the occupiers of those properties, as a result of overlooking and loss of privacy. In this respect, the proposal is contrary to Policy DM A9 and DM G3 of the Development Management Local Plan (2013), and SPD Housing Policy 8 (ii) of the Planning Guidance Supplementary Planning Document (2013).

4.5 It is therefore recommended that planning permission and Listed Building Consent should be refused.

Ward: Ravenscourt Park

Site Address:

3 St Peter's Square London W6 9AB



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For identification purposes only - do not scale.

Reg. No:
2017/02971/LBC

Case Officer:
Raj Satheesan

Date Valid:
08.08.2017

Conservation Area:
St. Peter's Square Conservation Area - Number 1

Committee Date:
05.12.2017

Applicant:

Mr & Mrs NOTT
C/O Agent

Description:

Erection of a two storey rear extension at lower ground and upper ground floor levels incorporating re-attachment of the existing balcony and external staircase from lower ground to upper ground floor level at the rear; replacement of 2no windows to rear elevation at basement level with french doors; replacement of 1no window with a door at lower ground floor level to the rear elevation; installation of a new door in the corridor area to access the living room at lower ground floor level; infilling of serving hatch in corridor at lower ground floor level; removal of 1no door and installation of 2no doors to reconfigure rear corridor area at upper ground floor level.

Drg Nos: 1396/1F

Application Type:

Listed Building Consent

Officer Recommendation:

That the application be refused for the following reason(s):

- 1) The proposed extension by virtue of its location, height, bulk, design and impact on plan form would cause harm to the character, appearance, setting and special architectural and historic interest of the listed building, which it is desirable to preserve in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The harm caused would not be outweighed by public benefits, which would not result in sustainable development. In these respects the proposal is contrary to policy BE1 of the Core Strategy (2011), policies DM G3 and DM G7 of the Development Management Local Plan (2013), Design Policies 31, 34, 60, 61 and 62 of the Planning Guidance SPD (2013) and the NPPF (2012) including paragraphs 132 and 134.

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

All Background Papers held by Helen Murray (Ext: 3439):

Application form received: 27th July 2017
Drawing Nos: see above

Policy documents: National Planning Policy Framework (NPPF) 2012
The London Plan 2016
LBHF - Core Strategy Local Development Framework 2011
LBHF - Development Management Local Plan 2013
LBHF - Planning Guidance Supplementary Planning Document
2013

Consultation Comments:

Comments from:	Dated:
Hammersmith & Fulham Historic Buildings Group	27.09.17
Hammersmith & Fulham Historic Buildings Group	11.09.17
Historic England London Region	15.08.17
Garden History Society - Conservation Department	14.09.17

Neighbour Comments:

Letters from:	Dated:
NAG	24.08.17
NAG	22.09.17
2 St. Peter's Square London W6 9AB	25.09.17
79 Black Lion Lane Hammersmith London W6 9BG	06.09.17
58 Black Lion Lane London W6 9BE	19.09.17
4 St Peter's Square London W6 9AB	22.09.17
2 St. Peter's Square Hammersmith London W6 9AB	02.10.17
30 St. Peter's Square London W6 9UH	20.09.17
16a St Peters Square London W6 9AJ	12.09.17
Flat 5 Albion House 39 St. Peters Square London W6 9NN	21.09.17
8 Saint Peter's Square London W6 9AB	12.09.17
8 St Peters Square Hammersmith W6 9AB	12.09.17
44 St Peter's Square London W6 9AA	25.08.17
18 St Peters Square	02.10.17
53 Black Lion Lane London W6 9BG	06.09.17
49 Black Lion lane London W6 9BG	26.08.17

See joint Officer's report in Planning Application ref: 2017/02970/FUL.