

Planning and Development Control Committee

Agenda

Tuesday 20 April 2021
6.30 pm
Online - Virtual Meeting

MEMBERSHIP

Administration:	Opposition
Councillor Rachel Leighton (Chair) Councillor Rebecca Harvey (Vice-Chair) Councillor Colin Aherne Councillor Wesley Harcourt Councillor Natalia Perez Councillor Asif Siddique	Councillor Alex Karmel Councillor Matt Thorley

CONTACT OFFICER: Charles Francis
Committee Co-ordinator
Governance and Scrutiny
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THIS MEETING WILL BE HELD REMOTELY

It will be streamed via YouTube on: <https://youtu.be/YLb406M9atU>

For details on how to register to speak at the meeting, please see overleaf.

Deadline to register to speak is 4pm on Thursday 15 April 2021

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

PUBLIC SPEAKING AT PLANNING AND DEVELOPMENT CONTROL COMMITTEE (PROTOCOL)

Registering to 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 virtual meeting.

You must be registered to speak before addressing the committee. To register please send – your name, address, phone number, the application you wish to speak on, whether you are speaking for or against, and whether you are the applicant or an agent – to: speakingatplanning@lbhf.gov.uk by **4pm on Thursday 15 April 2021.**

Speaking at remote meetings

Remote meetings will take place through Zoom. Zoom is available on a wide range of devices and is free to use.

You can download Zoom here: <https://zoom.us/>.

After you register to speak at a remote meeting, a member of the Governance team will be in touch with guidance on joining and participating in remote meetings.

To ensure that your comments are still considered if you lose connection to the remote meeting please submit your intended remarks (either in full or a summary) to speakingatplanning@lbhf.gov.uk at least one day before the meeting. Your written comments will be circulated to the committee prior to the meeting.

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 Vice-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.

Watching remote meetings

You can watch remote Planning meetings on YouTube. All of our remote meetings are streamed live and recorded so you can watch them as they happen or later on.

You can find links to the YouTube livestream for each meeting on the agenda, on our website, or you can go directly to the Council's YouTube channel:

<https://www.youtube.com/user/hammersmithandfulham>

YouTube is available on a wide range of browsers and devices including phones, tablets, laptops, desktop computers, smart TVs. You can find information about how to watch YouTube on different devices on their help pages:

<https://support.google.com/youtube>

Planning and Development Control Committee Agenda

20 April 2021

Item

Pages

1. APOLOGIES FOR ABSENCE

2. ROLL-CALL AND DECLARATION OF INTERESTS

At the start of the meeting the Chair will carry out a roll-call of committee members to confirm attendance. Members will also have an opportunity to declare any 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 Standards Committee.

3. MINUTES

5 - 10

To approve as an accurate record, and the Chair to sign, the minutes of the meeting of the Committee held on 2 March 2021.

4. **IMPERIAL STUDIOS, 3 - 9 IMPERIAL ROAD, LONDON, SW6 2AG,
PARSONS GREEN AND WALHAM, 2020/02271/FUL** 11 - 54
5. **WARWICK BUILDING, KENSINGTON VILLAGE, AVONMORE ROAD,
LONDON, W14 8HQ, AVONMORE AND BROOK GREEN,
2020/03397/FUL** 55 - 93
6. **20 FULHAM BROADWAY, LONDON, SW6 1AH, FULHAM
BROADWAY, 2020/03054/VAR** 94 - 119

**London Borough of Hammersmith & Fulham
Planning and Development Control Committee
Minutes**



Tuesday 2 March 2021

APOLOGIES FOR ABSENCE

Apologies for absence were provided by Councillor Asif Siddique

ROLL CALL AND DECLARATION OF INTERESTS

PRESENT: Councillors Colin Aherne, Wesley Harcourt, Rebecca Harvey, Alex Karmel, Rachel Leighton (Chair), Natalia Perez and Matt Thorley

For transparency, Councillor Alex Karmel confirmed he had met one of the speakers in objection to the Ada Lewis application about 15 years previously. As he considered this would not prejudice his vote, he remained in the meeting and voted on the item.

MINUTES OF THE MEETING HELD ON 2 FEBRUARY 2021.

The minutes of the meeting held on 2 February 2021 were agreed.

DECISION TO CHANGE THE ORDER OF THE AGENDA

In view of the number of speakers for 50 Brook Green, the Chair proposed that the running order of the agenda be changed to: 50 Brook Green, followed Ada Lewis House, Highway outside Shepherd's Bush Station, Plimley Place and finally Land at Guinness Trust Estate, Confirmation of Tree Preservation Order. This was seconded by Councillor Alex Karmel.

ITEM 6 – 50 BROOK GREEN, LONDON, W6 7BJ, AVONMORE AND BROOK GREEN, 2020/01849/FUL

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

The Committee heard a representation from a resident in objection to the application and a representation from the Applicant in support.

The Committee voted on the recommendations for application 2020/01849/FUL as follows:

Officer Recommendation 1:

For:
6
Against:
1
Not Voting:
0

Officer Recommendation 2:

For:
7
Against:
0
Not Voting:
0

RESOLVED THAT:

Planning Application 2020/01849/FUL be approved, subject to:

1. That the Committee resolve that the Chief Planning Officer be authorised to grant permission upon the completion of a satisfactory legal agreement and subject to the conditions listed below;
2. That the Committee resolve that the Chief Planning Officer, after consultation with the Head of Law and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed Heads of Terms of the legal agreement or conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.

ITEM 7 – ADA LEWIS HOUSE, 2 PALLISER ROAD, LONDON, W14 9EF, NORTH END, 2019/02351/FUL

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

For transparency, Councillor Alex Karmel confirmed he had met one of the speakers in objection to the Ada Lewis application about 15 years previously. As he considered this would not prejudice his vote, he remained in the meeting and voted on the item.

The Committee heard two representations from residents in objection to the application. Both their objections related to the previous application that was granted

permission on 3 March 2020. This application only sought permission for changes to the affordable housing tenure.

The Committee voted on the recommendations for application 2019/02351/FUL as follows:

Officer Recommendation 1

For:

5

Against:

1

Not Voting:

1

Officer Recommendation 2

For:

7

Against:

0

Not Voting:

0

RESOLVED THAT:

Planning Application 2019/02351/FUL be approved, subject to:

1. That the Committee resolve that the Heads of Terms for the planning application agreed by Committee on 3 March 2020 to be varied to allow nine affordable London Living Rent units to change to nine affordable Shared Ownership units with a £60k household income cap, subject to the completion of a satisfactory legal agreement.
2. To authorise that the Chief Planning Officer after consultation with the Head of Law and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed Heads of Terms of the legal agreement or conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.

ITEM 5 - HIGHWAY OUTSIDE SHEPHERD'S BUSH STATION PLIMLEY PLACE, LONDON, 2019/03240/FR3

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

The Committee heard a representation from a resident in objection to the application.

Councillor Alex Karmel sought clarification about the use of the taxi rank and the implications of this for set up and take down of the market stalls. Councillor Alex Karmel proposed a second deferment to the application so this information could be provided to the Committee before a decision was taken. This was seconded by Councillor Matt Thorley.

In the course of discussions, Councillor Rebecca Harvey proposed that Condition 3 be amended to include: *that vehicles for loading and unloading arrive no earlier than 8 am for (market stall) set up and no earlier than 5:30 pm for pack down.*

This was seconded by Councillor Colin Aherne.

The Committee voted on the proposal to defer the application for a second time as follows:

For:
2
Against:
5
Not Voting:
0

The Committee voted on the proposal to amend Condition 3 (as set out above) as follows:

For:
7
Against:
0
Not Voting:
0

The Committee voted on the recommendations for application 2019/03240/FR3 as follows:

Officer Recommendation 1

For:
5
Against:
2
Not Voting:
0

Officer Recommendation 2

For:

7
Against:
0
Not Voting:
0

RESOLVED THAT:

Planning Application 2019/03240/FR3 be approved, subject to:

1. That the Committee resolve that the Chief Planning Officer be authorised to grant temporary planning permission subject to the conditions listed below;
2. That the Committee resolve that the Chief Planning Officer, after consultation with the Head of Law and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.

ITEM 4 – LAND AT GUINNESS TRUST ESTATE, FULHAM PALACE ROAD, W6, HAMMERSMITH BROADWAY - CONFIRMATION OF TREE PRESERVATION ORDER - T421/11/20

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

The Committee voted on the recommendation for application T421/11/20 as follows:

Officer Recommendation 1

For:
7
Against:
0
Not Voting:
0

RESOLVED THAT:

Application T421/11/20 be approved as follows:

1. That the Tree Preservation Order T421/11/20 be confirmed without modification.

Meeting started: 6:30 pm
8:45 pm

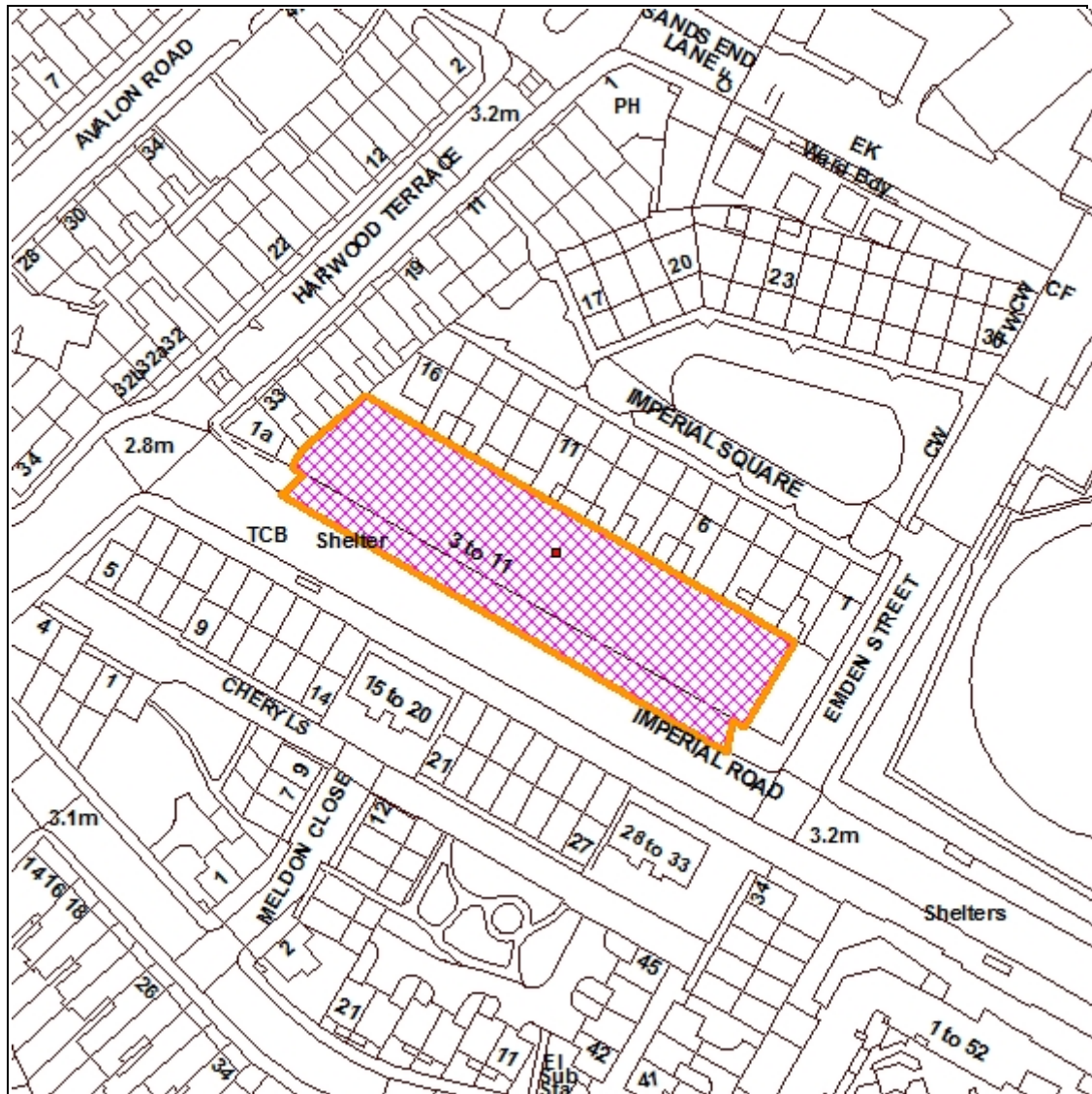
Chair

Contact officer: Charles Francis
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Ward: Parsons Green And Walham

Site Address:

Imperial Studios 3 - 9 Imperial Road London SW6 2AG



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For identification purposes only - do not scale.

Reg. No:
2020/02271/FUL

Case Officer:
Graham Simpson

Date Valid:
11.09.2020

Conservation Area:
Constraint Name: Imperial Square Conservation
Area - Number 6

Committee Date:
20.04.2021

Applicant:

Stonehaven Ltd
9 White Lion Street London N1 9PD

Description:

Demolition of existing building and erection of a replacement part one, part two, part three, part four storey building to provide flexible commercial floorspace for business/retail/cafe use (all Use Class E); creation of a new pavement; car parking and loading bays; landscaping; cycle parking; substation; and all associated works.

Drg Nos: IS-FCBS-ZZ-00-DR-A-2000 Rev 2; 01-DR-A-2001 Rev 2;02-DR-A-2002 Rev 2; 03-DR-A-2003 Rev 2;04-DR-A-2004 Rev 2; ZZ-DR-A-2700 Rev 2; ZZ-DR-A-2701 Rev 2;ZZ-DR-A-2800 Rev 2; ZZ-DR-A-2801 Rev 2;ZZ-DR-A-1400 Rev 2; ZZ-DR-A-1401 Rev 2; ZZ-DR-A-1402 Rev 2;Delivery and Servicing Plan dated April 2021;Energy Strategy and Sustainability Statement August 2020;

Application Type:

Full Detailed Planning Application

Officer Recommendation:

That the Committee resolve that the Chief Planning Officer be authorised to grant permission upon the completion of a satisfactory legal agreement and subject to the conditions listed below;

That the Committee resolve that the Chief Planning Officer, after consultation with the Head of Law and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed Heads of Terms of the legal agreement or conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.

Conditions:

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

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

- 2) The development shall not be erected otherwise than in accordance with the following approved drawings:

IS-FCBS-ZZ-00-DR-A-2000 Rev 2; 01-DR-A-2001 Rev 2;02-DR-A-2002 Rev 2; 03-DR-A-2003 Rev 2;04-DR-A-2004 Rev 2; ZZ-DR-A-2700 Rev 2; ZZ-DR-A-2701 Rev 2;ZZ-DR-A-2800 Rev 2; ZZ-DR-A-2801 Rev 2;ZZ-DR-A-1400 Rev 2; ZZ-DR-A-1401 Rev 2; ZZ-DR-A-1402 Rev 2

To ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with Policies DC1, DC4, and DC8 of the Local Plan 2018.

- 3) The development hereby approved, shall be constructed in line with the detailed technical specifications as set out within the Pell Frischmann (103837 27th August 2020) Construction Environmental Management Plan.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the building site, in accordance with Policies CC11, CC12 and CC13 of the Local Plan 2018.

- 4) The development hereby permitted shall not commence until a detailed Construction Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. This shall be in accordance with Transport for London Guidance on Construction Logistics Plans and shall include the demolition phase of the development. Each CLP shall include the following minimum information:
- o site logistics and operations;
 - o construction vehicle routing;
 - o Details of the estimated number, size and routes of construction vehicles per day/week
 - o details of the use of Ultra Low Emission Zone (ULEZ) compliant Vehicles e.g. Euro 6 and Euro VI;
 - o details of the access and egress arrangements
 - o delivery locations on the site;
 - o details of any vehicle holding areas; and other matters relating to traffic management to be agreed as required
 - o Efficiency and sustainability measures to be undertaken for the works
 - o membership of the Considerate Contractors Scheme.

The works shall be carried out in accordance with the relevant approved CLP unless otherwise agreed in writing with the Local Planning Authority. Approved details shall be fully implemented and retained and maintained throughout the construction phase of the development.

To minimise the impacts of construction-related vehicle movements and facilitate sustainable construction travel to the site in accordance with policies T1 and T6 of the Local Plan 2018.

- 5) The relevant parts of the development hereby permitted shall not commence until detailed drawings in plan, section and elevation at a scale of no less than 1:20 of:
- a.) typical bays, to include cladding details, soffits, balustrades, entrances, brise soleils, external light installations, plant room enclosures and separate bin store;
 - b.) detailed roof plan and typical sections showing all roof surfaces and installations including the green roof, plant, rooflights, railings, hatches, flues etc;
 - c.) landscape plans and sections, planting schedules/tree specifications, hard landscaping material samples, and details of light installations; and
 - d.) plan, section and elevation at a scale of no less than 1:10 (unless agreed otherwise) of the site boundary means of enclosures, including opening and closing mechanisms
- are submitted to and approved in writing by the Council. The relevant parts of

development shall be carried out in accordance with such details as have been approved and thereafter permanently retained in this form, unless otherwise agreed in writing with the local planning authority.

To ensure a satisfactory external appearance, in accordance with Policies D4 and HC1 of the London Plan (2021) and Policies DC1, DC2 and DC8 of the Local Plan 2018.

- 6) Prior to installation of the relevant parts of the development hereby permitted, details of samples of external materials including cladding mock-up panel(s) showing all main cladding material and junctions between them, to be viewed on site, shall be submitted to, and approved in writing by, the Council. The development shall be carried out in accordance with the approved details; and permanently retained as such.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, to preserve the character and appearance of the area; and the setting and special architectural and historic interest of the locally listed building in accordance with Policies D4 and HC1 of the London Plan (2021) and Policies DC1, DC2 and DC8 of the Local Plan 2018.

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

To ensure a satisfactory external appearance and to prevent harm to the amenities of the occupiers of neighbouring residential properties, in accordance with Policies DC1, DC2 and DC8 of the Local Plan 2018.

- 8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking or re-enacting that Order with or without modification), no aerials, antennae, satellite dishes or related telecommunications equipment shall be erected on any external part of the approved building, without planning permission first being obtained.

To ensure that the Council can fully consider the effect of telecommunications equipment upon the appearance of the buildings in accordance with Policies DC1, DC2 and DC8 of the Local Plan 2018.

- 9) The external sound level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the lowest existing background sound level (as presented within the XCO2 acoustic report, 14/08/2020 9.521) by at least 10dBA in order to prevent any adverse impact. The assessment shall be made in accordance with BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from plant/mechanical installations/equipment, in accordance with Policies CC11 and CC13 of the Local Plan 2018.

- 10) Prior to use, machinery, plant or equipment, extract/ ventilation system and ducting at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

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

- 11) Prior to commencement of the development, unless otherwise agreed in writing, details shall be submitted to and approved in writing by the Council, of the installation, operation, and maintenance of the odour abatement equipment and extract system, including the height of the extract duct and vertical discharge outlet, in accordance with Appendix 4G of the LBHF Planning Guidance Supplementary Planning Document - February 2018. Approved details shall be implemented prior to the commencement of the use and thereafter be permanently retained.

To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by cooking odour, in accordance with Policy CC13 of the Local Plan 2018.

- 12) Unless otherwise agreed in writing, the glass installed for the commercial frontage of Imperial Road shall be clear and shall be permanently retained and not permanently obscured in any way.

To ensure a satisfactory external appearance, in accordance with Policies DC1, DC2, DC8 and DC9 of the Local Plan 2018.

- 13) Prior to commencement of the relevant part of the development (excluding Enabling Works) hereby permitted, details of the proposed hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. Details shall include hard surfacing materials; vertical and horizontal greening, planting schedules and details of the species, height and maturity of any trees and shrubs including sections through the planting areas, depths of tree pits, containers and shrub beds; and an implementation programme. The hard landscaping shall be implemented in accordance with the approved details prior to first occupation of the development and any soft

landscaping within the first planting season following first occupation in full accordance with the 'Using Green Infrastructure to Protect People from Air Pollution', Mayor of London, GLA, April 2019 guidance and shall be permanently retained in this form.

In order that the Council may be satisfied as to the details of the development in the interests of visual amenity of the area in accordance with Policies SI 2, SI 3 and G5 of the London Plan (2021) and Policy OS5 of the Local Plan 2018.

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

To ensure a satisfactory external appearance and so that the use of the buildings does not harm the amenities of the existing neighbouring residential properties and future residential occupiers of the development due to overlooking, loss of privacy and noise and disturbance, in accordance with Policies DC1, DC2 and HO11 of the Local Plan 2018.

- 15) No part of the development hereby approved shall be occupied prior to the provision of the cycle storage for the commercial development hereby approved, as indicated on the approved drawing no. IS-FCBS-ZZ-00-DR-A-2000 Rev 2 and such storage facilities shall be permanently retained thereafter in accordance with the approved details.

To promote alternative, sustainable forms of transport, in accordance with Policy T5 of the London Plan (2021), and Policy T3 of the Local Plan 2018.

- 16) No part of the development hereby approved shall be occupied prior to the provision of the refuse storage enclosures, as indicated on the approved drawing IS-FCBS-ZZ-00-DR-A-2000 Rev 2.

To ensure that the use does not give rise to smell nuisance and to prevent harm to the street scene arising from the appearance of accumulated rubbish, in accordance with Policies DC8, CC6 and CC7 of the Local Plan 2018.

- 17) The development shall be implemented in accordance with the recommended flood mitigation measures in the Flood Risk Assessment April 2021 as hereby approved by the local planning authority. In line with advice from Thames Water, a non-return valve or other suitable device (which may need to be a pumped device) shall be installed to avoid the risk of the sewerage network surcharging wastewater to basement/ground level during storm conditions. The recommended mitigation measures shall be permanently retained thereafter.

To reduce the impact of flooding to the proposed development and future occupants, in accordance with Policies SI 12 and SI 13 of the London Plan (2021), and Policy CC3 of the Local Plan 2018

- 18) The development hereby permitted shall not be occupied until a revised Sustainable Drainage Strategy (SuDS Strategy), which details how surface water will be managed on-site in-line with the London Plan Drainage Hierarchy's prioritised SuDS measures, shall be submitted to and approved in writing by the Council, in consultation with the Environment Agency. Information provided in the SuDS Strategy shall include details on the design, location and attenuation capabilities of all proposed SuDS features. This includes provision of full details, including associated plans, of the proposed rainwater harvesting system, all soft landscaping features including the proposed swales and other permeable surfaces, including living roofs. The feasibility of managing run-off from impermeable surfaces by directing this into landscaped areas including tree pits should be assessed and integrated where possible. If included, full details, including location and drainage plans should be provided for permeable paving and attenuation tanks / crates.. Full maintenance information for all SuDS features should also be provided. The SuDS Strategy shall be implemented in accordance with the approved details, and thereafter all SuDS measures shall be retained and maintained in accordance with the approved details and shall thereafter be permanently retained in this form.

To prevent any increased risk of flooding and to ensure the provision of sustainable drainage measures in accordance with Policy SI 13 of the London Plan 2021; and Policy CC3 and CC4 of the Local Plan 2018.

- 19) The development hereby permitted shall not be occupied before implementation of the sustainable design and construction measures, energy efficiency, low carbon and renewable energy measures detailed in the submitted Energy Strategy and Sustainability Statement. All details shall be implemented prior to occupation/use of the development hereby permitted, and thereafter be permanently retained.

To ensure a satisfactory external appearance and the integration of energy generation from renewable sources, consistent with the Mayor's sustainable design objectives in accordance with Policies SI 2 and SI 3 of The London Plan (2021), and Policies DC1, DC2, DC8, CC1 and CC2 of the Local Plan 2018.

- 20) Prior to commencement of above ground works in the development a Ventilation Strategy Report to mitigate the impact of existing poor air quality for receptor locations where the air quality objectives for NO₂ and World Health Organisation (WHO) targets for Particulate Matter (PM_{2.5}, PM₁₀) are already exceeded and where current and future predicted pollutant concentrations are within 5 % of these limits shall be submitted to and approved in writing by the Local Planning Authority. The report shall include the following information:
- a. Details and locations of the ventilation intake locations at rear roof level
 - b. Details of restricted opening windows (except for emergency purge ventilation) rooms) with front elevations on Imperial Road

c. Details and locations of ventilation extracts, to demonstrate that they are located a minimum of 2 metres away from the air ventilation intakes, openable windows, terraces

d. Details of the independently tested mechanical ventilation system with Nitrogen Dioxide (NO₂) and Particulate Matter (PM_{2.5}, PM₁₀) filtration with air intakes on the rear elevation to remove airborne pollutants. The filtration system shall have a minimum efficiency of 75% in the removal of Nitrogen Oxides/Dioxides, Particulate Matter (PM_{2.5}, PM₁₀) in accordance with BS EN ISO 10121-1:2014 and BS EN ISO 16890:2016.

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

In the interests of air quality, in accordance with Policy SI 1 of the London Plan 2021, and Policy CC10 of the Local Plan (2018).

- 21) Prior to occupation of the development, details of a post installation report of the approved ventilation strategy as required by condition 20 to mitigate the impact of existing poor air quality shall be submitted to and approved in writing by the Local Planning Authority. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

In the interests of air quality, in accordance with Policy SI 1 of the London Plan 2021, and Policy CC10 of the Local Plan (2018).

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

In the interests of air quality, in accordance with Policy SI 1 of the London Plan 2021, and Policy CC10 of the Local Plan (2018).

- 23) Prior to occupation of the development hereby permitted, details of the installation including location and type of active rapid electric vehicle charging points (minimum 50 kW) for all car parking spaces and loading bays for servicing and deliveries must be submitted to and approved in writing by the Local Planning Authority. The approved electric vehicle charging points shall be installed and retained in working order for the lifetime of the development.

In the interests of air quality, in accordance with Policies SI 1 and T6 of the London Plan 2021, and Policy CC10 of the Local Plan (2018).

- 24) Prior to the commencement of the Demolition phase of the development hereby permitted, an Air Quality Dust Management Plan (AQDMP) in order to mitigate air pollution shall be submitted to and approved in writing by the Local Planning Authority. The AQDMP shall include:
- a) Site Location Plan indicating sensitive off-site receptors within 50m of the red line site boundaries
 - b) Demolition Site and Equipment Layout Plan
 - c) Inventory and Timetable of dust generating activities during Demolition;
 - d) Air Quality Dust Risk Assessment (AQDRA) that considers the potential for dust soiling and PM10 (human health) impacts for sensitive receptors off-site of the development within 250 m of the site boundaries during the demolition phase and is undertaken in compliance with the methodology contained within Chapter 4 of the Mayor of London 'The Control of Dust and Emissions during Construction and Demolition', SPG, July 2014
 - e) Site Specific Dust, Particulate (PM10) and NOx Emission mitigation and control measures as required by the overall Dust Risk Rating (Low, Medium, High) of the site and shall be in a table format as contained within Appendix 7 of Mayor's SPG including for on-road and off-road demolition traffic.
 - f) Details of Site Particulate (PM10) and Dust Monitoring Procedures and Protocols including locations of a minimum of 2 x MCERTS compliant (PM10) monitors on the site boundaries used to prevent levels exceeding predetermined PM10 threshold trigger levels, calibration certificates of MCERTS compliant PM10 monitors and details of real time internet based remote access to PM10 monitoring data
 - g) Details of the Non-Road Mobile Machinery (NRMM) used on the site with CESAR Emissions Compliance Verification (ECV) identification that shall comply with the minimum Stage IV NOx and PM10 emission criteria of The Non-Road Mobile Machinery (Type-Approval and Emission of Gaseous and Particulate Pollutants) Regulations 2018 and its subsequent amendments. This will apply to both variable and constant speed engines for both NOx and PM. An inventory of all NRMM for the first phase of demolition shall be registered on the NRMM register <https://london.gov.uk/non-road-mobile-machinery-register> prior to commencement of demolition works and thereafter retained and maintained until occupation of the development;
 - h) Details of the use of on-road Ultra Low Emission Zone (ULEZ) compliant vehicles e.g. minimum Petrol/Diesel Euro 6 (AIR Index <https://airindex.com/> Urban NOx rating A) and Euro VI;

Developers must ensure that on-site contractors follow best practicable means to minimise dust, particulates (PM10, PM2.5) and NOx emissions at all times. Approved details shall be fully implemented and permanently retained and

maintained during the demolition phases of the development.

In the interests of air quality, in accordance with Policy SI 1 of the London Plan 2021, and Policy CC10 of the Local Plan (2018).

- 25) Prior to the commencement of the construction phase of the development hereby permitted, an Air Quality Dust Management Plan (AQDMP) in order to mitigate air pollution shall be submitted to and approved in writing by the Local Planning Authority. The AQDMP shall include:
- a) Site Location Plan indicating sensitive off-site receptors within 50m of the red line site boundaries
 - b) Construction Site and Equipment Layout Plan
 - c) Inventory and Timetable of dust generating activities during Construction;
 - d) Air Quality Dust Risk Assessment (AQDRA) that considers the potential for dust soiling and PM10 (human health) impacts for sensitive receptors off-site of the development within 250 m of the site boundaries during the construction phase and is undertaken in compliance with the methodology contained within Chapter 4 of the Mayor of London 'The Control of Dust and Emissions during Construction and Demolition', SPG, July 2014
 - e) Site Specific Dust, Particulate (PM10) and NOx Emission mitigation and control measures as required by the overall Dust Risk Rating (Low, Medium, High) of the site and shall be in a table format as contained within Appendix 7 of Mayor's SPG including for on-road and off-road construction traffic.
 - f) Details of Site Particulate (PM10) and Dust Monitoring Procedures and Protocols including locations of a minimum of 2 x MCERTS compliant (PM10) monitors on the site boundaries used to prevent levels exceeding predetermined PM10 threshold trigger levels, calibration certificates of MCERTS compliant PM10 monitors and details of real time internet based remote access to PM10 monitoring data
 - g) Details of the Non-Road Mobile Machinery (NRMM) used on the site with CESAR Emissions Compliance Verification (ECV) identification that shall comply with the minimum Stage IV NOx and PM10 emission criteria of The Non-Road Mobile Machinery (Type-Approval and Emission of Gaseous and Particulate Pollutants) Regulations 2018 and its subsequent amendments. This will apply to both variable and constant speed engines for both NOx and PM. An inventory of all NRMM for the first phase of construction shall be registered on the NRMM register <https://london.gov.uk/non-road-mobile-machinery-register> prior to commencement of demolition works and thereafter retained and maintained until occupation of the development;
 - h) Details of the use of on-road Ultra Low Emission Zone (ULEZ) compliant vehicles e.g. minimum Petrol/Diesel Euro 6 (AIR Index <https://airindex.com/> Urban NOx rating A) and Euro VI.

Developers must ensure that on-site contractors follow best practicable means to minimise dust, particulates (PM10, PM2.5) and NOx emissions at all times. Approved details shall be fully implemented and permanently retained and maintained during the construction phases of the development.

In the interests of air quality, in accordance with Policy SI 1 of the London Plan 2021, and Policy CC10 of the Local Plan (2018).

- 26) Prior to occupation of the Development hereby permitted, a Delivery and Servicing Management Plan (DSMP), shall be submitted to and approved in writing by the Local Planning Authority. The DSMP shall include, freight consolidation facilities, vehicle tracking, detail the management of deliveries, emergency access, collection of waste and recyclables, times and frequencies of deliveries and collections, silent reversing methods, Use of Ultra Low Emission Zone (ULEZ) compliant vehicles in accordance with the emissions hierarchy (1) Cargo bike (2) Electric Vehicle, (3) Alternative Fuel e.g. CNG, LPG, (4) Petrol/Diesel Euro 6 (AIR Index <https://airindex.com/> Urban NOx rating A) and Euro VI, location of loading bays with active rapid electric vehicle charging points (minimum 50kW) , quiet loading/unloading measures and vehicle movements. The approved measures shall be implemented and thereafter retained for the lifetime of the commercial uses of the site. Any future occupier/tenant shall be notified of the DSMP so that they are aware of the scope of the Plan.

To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic in accordance with policies T1 and T6 of the Local Plan 2018.

- 27) Prior to occupation of the development, details of the installation of the Zero Emission Air / Water Source Heat Pumps and Zero Emission Emergency generators to be provided for space heating, hot water and power supply to the Class E uses all be submitted to and approved in writing by the Local Planning Authority. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

In the interests of air quality, in accordance with Policy SI 1 of the London Plan 2021, and Policy CC10 of the Local Plan (2018).

- 28) Prior to occupation of the development hereby permitted, details of the installation of Aerobic Food Digesters (AFD) for Class E use Class in order to mitigate the impact of air pollution from vehicles associated with the removal of food waste shall be submitted to and approved in writing by the Local Planning Authority. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

In the interests of air quality, in accordance with Policy SI 1 of the London Plan 2021, and Policy CC10 of the Local Plan (2018).

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

the development and thereafter be permanently retained.

To ensure that lighting does not adversely affect the amenity of occupiers of the development site/surrounding premises and natural habitat, in accordance with policy CC12 of the Local Plan 2018.

- 30) No part of the development hereby approved shall be used or occupied until a scheme for the control and operation of the proposed lighting within the office building, during periods of limited or non-occupation, has been submitted to and approved in writing by the Local Planning Authority, and the approved details have been implemented. The internal lighting shall be operated only in accordance with the approved details.

To ensure that the building does not cause excessive light pollution and to conserve energy when they are not occupied, in accordance with policy CC12 of the Local Plan 2018.

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

To ensure that the development incorporates suitable design measures to minimise opportunities for, and the perception of, crime, in accordance with Policies D3, D5 and D6 of the London Plan 2021 and Policy DC2 of the Local Plan 2018.

- 32) There shall be no use of the roof terrace at third floor level between 9.00pm and 8am Monday - Friday or on weekends or bank holidays and that there will be no music, amplified or acoustic, played on the terrace between the aforementioned hours.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, in accordance with Policies HO11 and CC11 and CC13 of the Local Plan (2018).

- 33) No development shall commence until a preliminary risk assessment report, in connection with land contamination, is submitted to and approved in writing by the Council. This report shall comprise: a desktop study which identifies all current and previous uses at the site and surrounding area as well as the potential contaminants associated with those uses; a site reconnaissance; and a conceptual model indicating potential pollutant linkages between sources, pathways and receptors, including those in the surrounding area and those planned at the site; and a qualitative risk assessment of any potentially unacceptable risks arising from the identified pollutant linkages to human health,

controlled waters and the wider environment including ecological receptors and building materials; and a statement of whether a site investigation is necessary to address these potentially unacceptable risks. 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 CC9 in the Local Plan 2018.

- 34) No development shall commence until a site investigation scheme, if a site investigation is to be required under the approved preliminary risk assessment, is submitted to and approved in writing by the Council. This scheme shall be based upon and target the risks identified in the approved preliminary risk assessment and shall provide provisions for, where relevant, the sampling of soil, soil vapour, ground gas, surface and groundwater. The site investigation should then progress in accordance with the agreed site investigation scheme. 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.

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 (2016), and Policy CC9 of the Local Plan 2018.

- 35) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until, following the site investigation undertaken in compliance with the approved site investigation scheme if required by the approved preliminary risk assessment a quantitative risk assessment report is submitted to and approved in writing by the Council. This report shall: assess the degree and nature of any contamination identified on the site through the site investigation; include a revised conceptual site model from the approved preliminary risk assessment based on the information gathered through the approved site investigation to confirm the existence of any remaining pollutant linkages which would require the submission of a remediation method statement and determine the remaining 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 2016, and Policy CC9 of the Local Plan 2018.

- 36) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until, a remediation method statement, if deemed to be required in the approved quantitative risk assessment, is submitted to and approved in writing by the Council. This statement shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved quantitative risk assessment. This statement will also include a plan to verify that the required remediation works are undertaken in line with the remediation method statement which will be compiled into a verification report. The remediation should then progress in accordance with the agreed remediation method statement. 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 (2016), and Policy CC9 of the Local Plan 2018.

- 37) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until the approved remediation method statement has been carried out in full if required by the approved quantitative risk assessment, and a verification report confirming these works has been submitted to, and approved in writing, by the Council. This report shall include: details of the remediation works carried out; results of any verification sampling, testing or monitoring including the analysis of any imported soil; all 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 Council is to be informed immediately and no further development (unless otherwise agreed in writing by the Council) shall be carried out until a report indicating the nature of the contamination and how it is to be dealt with is submitted to, and agreed in writing by, the Council. Any required remediation shall be detailed in an amendment to the remediation method statement to be submitted and approved by the Council 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 (2016), and Policy CC9 of the Local Plan 2018.

- 38) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until an onward long-term monitoring methodology report, is submitted to and approved in writing by the Council setting out where further monitoring is required past the completion of development works (as identified in the approved site investigation scheme or the approved remediation statement or the approved verification report) 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 Council 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 (2016), and Policy CC9 of the Local Plan 2018.

- 39) No part of the development hereby approved shall be used or occupied until details of the new non-openable windows (other than for cleaning and maintenance only), with fixed louvres attached, in the east elevation (facing Imperial Square excluding skylights) have been submitted to and approved in writing by the Local Planning Authority. The windows shall be implemented in the form approved and thereafter permanently retained. With the exception of the windows as shown on the drawings hereby approved, no additional windows shall be inserted.

Such a use would be harmful to the existing residential amenities of neighbouring occupiers as a result of overlooking and loss of privacy, contrary to Policy DC1, HO11 and DC4 of the Local Plan (2018).

Justification for Approving the Application:

- 1) 1. Land Use: It is considered that the proposed land use is acceptable. The extension of the existing Class E use is acceptable and in accordance with the NPPF (2018), Policies E1 of the London Plan (2021), and Local Plan Policy E1 and E2.

2. Design: The proposed development would be a high-quality development which would make a positive contribution to the urban environment in this part of the Borough. The proposed development would be compatible with the scale and character of existing development. The proposal would protect the character and appearance of Imperial Square Conservation Area. The development would therefore be acceptable in accordance with the NPPF (2018), HC1, D3, D4, D5 and D8 of the London Plan (2021) and Local Plan 2018 Policies DC1, DC2 and DC8.

3. Residential Amenity and Impact on Neighbouring Properties: The impact of the proposed development upon adjoining occupiers is considered acceptable with no significant worsening of noise, overlooking, loss of sunlight or daylight or outlook to cause undue detriment to the amenities of neighbours. In this regard, the development would respect the principles of good neighbourliness. The development would therefore be acceptable in accordance with Policies HO11 and DC4 of the Local Plan 2018, and Key Principles HS6, HS7 and 8 of the Planning Guidance Supplementary Planning Document (2018).

4. Safety and Access: The development would provide a safe and secure environment for all users in accordance with Policy D11 of the London Plan (2021) and Policy DC1 of the Local Plan 2013 (2018). The proposal would provide ease of access for all people, including disabled people, in accordance with Policies D5 and D7 of the London Plan (2021), and Policies DC1, DC4 and HO6 of the Local Plan 2018.

5. Transport: There would be no significant adverse impact on traffic generation and the scheme would not result in congestion of the road network. Conditions will secure provision of cycle and refuse storage. The development would therefore be acceptable in accordance with the NPPF (2018), Policies T3, T4, T5, T6 and T7 of the London Plan (2021), and Local Plan 2018 policies T2, T3, T4, T5 and T7.

6. Flood Risk: A Flood Risk Assessment (FRA) has been submitted and has considered risks of flooding to the site and adequate preventative measures have been identified. Implementation of the submitted details will be secured by condition. Details of SUDS will be secured by a condition. In this respect the proposal is therefore in accordance with the NPPF (2018), SI 12 and SI 13 of the London Plan (2021), and policies CC3 and CC4 in the Local Plan 2018.

7. Land Contamination: Conditions will ensure that the site would be remediated to an appropriate level for the sensitive residential and open space uses. The proposed development therefore accords with policy CC9 in the Local Plan 2018.

8. Air Quality: Subject to additional air quality, mechanical ventilation and fresh air intake details, the proposal will ensure neutral air quality outcomes in accordance with Policies S1 of the London Plan (2021) and Policy CC10 of the Local Plan 2018.

9. (Conditions) In line with the Town and Country Planning Act 1990 and the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, officers have consulted the applicant on the pre-commencement conditions included in the agenda and the applicant has raised no objections.

10. Planning Obligations: Planning obligations to offset the impact of the development and to make the development acceptable in planning terms are secured. A financial contribution towards low cost workspace, a payment in lieu contribution towards the zero-carbon emission target, a construction and operational phase contribution to economic development, the prohibition of any occupier to obtain a parking permit, and highways works are secured. The proposed development would therefore mitigate external impacts and would accord with London Plan (2021) Policy DF1 and Local Plan (2018) Policy CF1.

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

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

Application form received: 3rd September 2020
Drawing Nos: see above

Policy documents: National Planning Policy Framework (NPPF) 2019
The London Plan 2021
LBHF - Local Plan 2018
LBHF – Planning Guidance Supplementary Planning Document
2018

Consultation Comments:

Comments from:	Dated:
Crime Prevention Design Advisor - Hammersmith	25.09.20

Neighbour Comments:

Letters from:	Dated:
Imperial Square London Sw62AE	18.09.20
11 Imperial Square London SW6 2AE	14.10.20
6 Imperial Square Fulham SW6 2AE	18.09.20
NAG	29.11.20
9 Imperial Square London SW6 2AE	29.11.20
7 Imperial Square Fulham London SW62AE	17.09.20
Unit 5, Imperial Studios, Imperial Road London SW62AG	09.12.20
Cheffins Clifton House, 1 - 2 Clifton Road CAMBRIDGE CB1 7EA	06.01.21
Cheffins Clifton House, 1 - 2 Clifton Road CAMBRIDGE CB1 7EA	26.11.20
8 imperial square Fulham Sw6 2ae	18.09.20
25 Cheryl's Close London SW6 2AX	08.10.20
12 Cheryl's Close London SW6 2AX	02.10.20
10 Imperial Square London SW6 2AE	04.12.20
10 Imperial Square London SW6 2AE	26.11.20
9 Imperial Square London SW6 2AE	29.11.20
19 Imperial Square London SW6 2AE	26.11.20
7 Imperial Square London SW6 2AE	23.02.21
27 HARWOOD TERRACE LONDON SW6 2AF	21.09.20
LBHF Children's Services 145 King Street London W6 9XY	14.09.20
7 Harwood Terrace London sw62af	18.09.20

1.0 SITE DESCRIPTION

- 1.1 The application relates to the 3-9 Imperial Wharf studios site (0.23ha) which is on the north-east side of Imperial Road. The site includes a single storey, plus mezzanine level, warehouse building enclosed by a tall pitched roof, with off street parking to the front, located on the north side of Imperial Road between the junctions with Harwood Terrace and Emden Street. The warehouse was constructed in 1935 and originally functioned as a garage and works for the Imperial Gas Light and Coke Company. The premises are occupied by a number of different commercial uses that fall within Use Class E (previously Class B1) and these premises are therefore in employment use.
- 1.2 The surrounding area is mixed in character. On the opposite side of Imperial Road, to the south-west, are the part three storey part four storey residential properties on the 1980s Cheryl's Close housing estate. To the west are 2 storey residential properties of Harwood Terrace, designated as Buildings of Merit, and to the rear (north) is Imperial Square, a 1870s housing development for workers and pensioners of the gas works. To the east is situated No. 11 Imperial Road, a 2 storey (plus mansard roof) is a mixed use residential building at the corner with Emden Street. Further east and north, is former gas works site - one of the gas holders is listed and one is on the Council's register for Buildings of Merit. The site is located within the Imperial Square and Gasworks Conservation Area.
- 1.3 The site is in the Environment Agency's Flood Zones 2 and 3.
- 1.4 The site has a Public Transport Accessibility Level (PTAL) of 4 (Good).

2.0 RELEVANT PLANNING HISTORY:

- 2.1 In 1983 planning permission was granted for the change of use of former garaging bays to light industrial studios and offices (1983/00748/FUL).
- 2.2 In 1993 planning permission was granted for the use as a health studio with ancillary consulting rooms for the practice of alternative medicine (1993/01020/FUL).
- 2.3 In 2019, the applicants submitted pre-application proposals for the redevelopment of the site to provide approximately 5,000sqm of commercial floorspace. Overall, in land use terms the proposed retention of the existing employment use was considered acceptable in principle. The proposals included reducing the height of the rear boundary wall to improve outlook from the properties in Imperial Square, a new footpath along Imperial Road. The main concerns related to the proposed design, residential amenity (privacy, outlook and daylight) and affordable workspace.

3.0 PROPOSAL

- 3.1 The current proposal seeks the demolition of the existing building and erection of a replacement part one, part two, part three, part four storey building to provide flexible commercial floorspace for business/retail/cafe use (all Use Class E); creation of a new pavement; car parking and loading bays; landscaping; cycle parking; substation; and all associated works.

4.0 PUBLICITY AND CONSULTATIONS

Preapplication public consultation:

- 4.1 The applicant's Statement of Community Involvement (SOI) supports the current planning application and summarises the pre-application engagement undertaken.
- 4.2 The applicant held a series of meetings with the existing tenants in the Imperial Studios building to share the proposals with them, seek their feedback and discuss with them the opportunity to return to the new space. A promotional brochure was then designed, printed and distributed to local residents of 150 properties in the vicinity of the Site and also to local stakeholders who may have had an interest in the Site inviting residents to meetings on the 26th and 29th February 2020. Information on the project was also made available on a website.
- 4.3 Twenty-one residents attended provided feedback from 6 residents received. The applicant states that the comments received have helped to shape the scheme.

Statutory Consultation:

- 4.4 The planning application was publicised by way of letters sent to 263 surrounding properties. Site and press notices were also published. Representations have been received from 18 letters (including duplicates), including 15 objections. One letter of support was received from an existing tenant of the application site.
- 4.5 The objection comments can be summarised as follows:

- Noise pollution
- Air pollution
- Loss of daylight/sunlight and increased overshadowing
- Overlooking/loss of privacy
- Loss of outlook/increased sense of enclosure
- Limited consultation
- increase in noise and disturbance from the square being used as a cut through/shortcut for commuters/new residents and increased hours of use
- Dust, noise and disturbance from building works
- Proposed building would be too high, over-dominant and out of keeping with the character and appearance of the area and conservation area
- Over provision of car parking proposed
- More provisions for pedestrians should be provided
- Structural impacts on neighbouring buildings
- Light pollution
- Increased traffic and parking stress
- Impact on telecommunications
- Existing security measures to be protected
- Decrease in neighbouring property values
- Loss of existing businesses

Amenity groups:

- 4.6 The Fulham Society were consulted on the planning application and while supportive of the building remaining in commercial use, raised concerns over the height and bulk of the replacement building.

Technical Consultations:

- 4.7 Metropolitan Police Service Designing Out Crime Officer requests condition to ensure the proposals achieve full Secured by Design accreditation when completed.
- 4.8 The Environment Agency - no objection.
- 4.9 Thames Water consulted on the planning application and have not made any comments.
- 4.10 On the 9th April 2021 in response to concerns raised during the preapplication and statutory consultation the applicant continued to engage with local residents and officers and has amended the proposals. The amended proposals include the retention of the existing 5.6m high rear boundary wall which will screen the proposed development, removal of windows to the rear elevation to prevent overlooking, the design has altered to reduce the overall height and massing of the development.

5.0 POLICY FRAMEWORK

- 5.1 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.
- 5.2 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).
- 5.3 In this instance the statutory development plan comprises the London Plan (2021) and the Local Plan (2018). A number of strategic and local supplementary planning guidance and other documents are also material to the determination of the application.

National Planning Policy Framework (February 2019):

- 5.4 The National Planning Policy Framework (NPPF) came into effect on 27 March 2012 and was revised in 2019 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.
- 5.5 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.

London Plan:

5.6 The London Plan was published in March 2021. It sets out the overall strategic plan for London and a fully integrated economic, environmental, transport and social framework for the development of the Capital over the next 20-25 years. It forms part of the development plan for Hammersmith and Fulham

Local Plan:

5.7 The Council adopted the new Local Plan on 28 February 2018. The policies in the Local Plan together with the London Plan make up the statutory development plan for the borough. The Planning Guidance Supplementary Planning Document (SPD) (February 2018) is also a material consideration in determining planning applications. It provides supplementary detail to the policies and is organised around key principles.

6.0 PLANNING ASSESSMENT

6.1 The main considerations material to the assessment of this application have been summarised as follows:

- Principle of Land Use (intensification of the employment use on the site);
- Housing Supply (density/housing mix/affordable Housing provision);
- Design and visual amenity; including the impact on the surrounding heritage assets
- Residential Amenity (daylight and sunlight/outlook/privacy/noise)
- Highways and Transportation
- Environmental Matters

PRINCIPLE OF DEVELOPMENT

Employment Use

6.2 London Plan Policies E1 (Offices), Policy E2 (Providing suitable business space) and Policy E7 (Industrial intensification, co-location and substitution) and Local Plan Policy E1 are relevant in the proposal. The existing site includes underused and outmoded office space, and a number of leases were due to expire.

6.3 Since preapplication discussion in 2019 to avoid further vacancies existing short term leases and licenses have been extended by the applicant to provide tenants with accommodation and to keep the building occupied. Otherwise, most tenants would already have left the premises.

6.4 The proposed development would result in the retention of employment uses on site as well as provide an upgraded modern facility with additional net employment

generating floorspace within the borough. The applicants have engaged with existing tenants to try and secure their return within the proposed new development. Based on this, the proposal seeks to provide modern, flexible workspace for small and medium sized businesses and co-working hub that directly responds to an identified need through the public consultation for low-cost shared workspace for residents and local businesses as well as start-up businesses, entrepreneurs, and homeworkers post pandemic.

- 6.5 London Plan Policies E1, E2, E3 and E8 set out broad objectives of affordable workspace. In particular London Plan 2021 E1(G) regarding affordable workspace states that development proposals related to new or existing offices should take into account the need for a range of suitable workspace including lower cost and affordable workspace. The Local Plan under Policy E1 encourages the provision of a range of workspaces in terms of size, cost and leasing arrangements, including the provision of flexible leasing arrangements, any rent cross-subsidisation, reduced rent arrangements, provision of co hubs and start up space.
- 6.6 The proposed development includes the following affordable workspace provision:
1. Affordable Workspace Type A: 5% of total Gross Internal Floor Area (GIA) provided for 10 years from Practical Completion (PC) at 20% discount to Open Market Rental Value (OMRV). The priority is to tenants returning to the building. Once the initial tenant moves on to other space or should another returning tenant not take up this space, it will be available to the enterprises approaching the property owners or nominated by LBH&F focused on SME's, microbusinesses and start up enterprises.
 2. Affordable Workspace Type B: 2.5% of total GIA as co-working hub secured for 10 years at affordable rates bookable on an hourly basis for hot desking for use by local residents, microbusinesses, entrepreneurs, and others working within the building. Local residents will be offered a further 25% discount from the base affordable rates.
 3. Discounts for Returning Existing Tenants: 20% of the total floor area (GIA) will be made available to returning tenants that sign-up to take space at PC of the development. This space will be provided at 20% discount to OMRV for 2 years.
 4. Relocation / Re-accommodation Strategy - Relocation Strategy to be secured by the Section 106 Agreement in accordance with the attached terms, updated as per the Framework Workspace Management Plan and Relocation Strategy previously provided to Officers. This covers rights of renewal to remain in occupation until the building is required for redevelopment, first refusal on the new accommodation and relocation assistance should tenants choose not to return to the new accommodation.
 5. Workspace Management Plan to be provided and include details of: costs, how affordable workspace will be managed, delivered, monitored and reported. The monitoring will require a fee.
 6. Support for local employment and training skills for local businesses including a contribution of £50,000 for:

- 4 apprenticeships.
- Paid work placements (5)
- Unpaid work placements (5)
- 10% local labour during construction phase, including an employment and skills plan together with local supply chain procurement delivery plan.
- 10% of the construction cost be procured from local businesses,
- Operational phase - Local Procurement £4,300 to help with local supply chain activity
- Commercial and construction workers travel plans.

6.7 The above items 1-6 will contribute towards the borough's jobs and business employment strategy to maximise employment, training and business benefits of the development, including affordable workspace provision, which would be secured through a S106 agreement. It is considered that the proposal would comply with Local Plan 2018 Policy E1 and London Plan 2021 Policy E1.

HERITAGE IMPACT, DESIGN AND EXTERNAL APPEARANCE

Site location, surrounding townscape, and heritage context

6.8 The proposal site is on the edge of Imperial Square & Gasworks Conservation Area. The new development would replace a three-storey commercial building from the 1930's which is not considered to be of architectural value, however, it is sympathetic in scale to the adjoining buildings in Imperial Road. The Fulham Society considers the building to be a "delightful period piece" but does not object to a replacement. The site's commercial use is historically linked to the running of the gasworks.

6.9 The existing building lies between a 2-storey Victorian terrace (No 1A Imperial Road), and a single Victorian house of 2-storeys plus roof at the corner with Emden Street (No 11). No 1A is part of Harwood Terrace, designated as Building of Merit. The site opposite in Imperial Road is occupied by a 1980s development comprising 2-storey terraces and 4-storey residential blocks that does not positively contribute to the character and appearance of the adjacent conservation area. There is currently no footway on the east side of Imperial Road, the space along the street frontage is used as forecourt to the commercial units for parking.

6.10 To the rear of the site lies Imperial Square, an intimate open space contained by its surrounding terraces. The history of the houses in Imperial Square is inextricably linked with that of the Imperial Gas Works. They were developed in phases during the mid-1870s as 'tied cottages' originally let to workers and pensioners of the Imperial Gas Company, which merged into the larger Gas Light & Coke Company in 1876.

Policy Framework

6.11 The NPPF states that development should respond to local character and history and the surrounding environment and setting, whilst not preventing innovation - but extends this to recognise a role for change and increased densities. The NPPF advocates a positive strategy for conserving and enhancing the historic environment, taking account of (amongst other things) the desirability of new development to make a positive contribution to local character and distinctiveness. The NPPF state that economic, social and environmental gains are to be sought

jointly and simultaneously in order to deliver positive improvements in the quality of the built, natural and historic environment.

- 6.12 The NPPF states that good design is a key aspect of sustainable development, and should contribute positively to making places better for people. Part 12 of the NPPF outlines the requirement for good design and Paragraph 127 sets out that planning policies and decisions should ensure that developments:
- a) 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;
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
 - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 6.13 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.
- 6.14 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 Listed Buildings and Conservation Areas required by the relevant legislation, particularly the Section 72 duties of the Planning (Listed Buildings and Conservation Areas) Act 1990 together with the requirements set out in the NPPF.
- 6.15 Section 72 of the above Act states in relation to Conservation Areas that: In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 6.16 Paragraph 197 of the National Planning Policy Framework states that: 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 directly or indirectly affect 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.
- 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.

- 6.17 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 195 and 196, 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.
- 6.18 The Planning Practice Guidance notes which accompany the NPPF remind decision makers that it is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed.
- 6.19 As summarised above, the NPPF requires local authorities to conserve heritage assets in a manner appropriate to their significance. The more important the asset, the greater the weight that should be given to its conservation. National Policy does not preclude development of heritage assets or development which may affect them or their setting, but aims to put in place the requirement for a considered analysis of when and where this may be acceptable.
- 6.20 London Plan Policy HC1 states that "Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities".
- 6.21 Local Plan Policy DC1 states that all development within the borough 'should create a high quality urban environment that respects and enhances its townscape context and heritage assets. There should be an approach to accessible and inclusive urban design that demonstrates how good design, quality public realm, landscaping, heritage assets and land use can be integrated to help regenerate places'.
- 6.22 Local Plan Policy DC2 permits new build development that is of a high design standard and compatible with the scale and character of existing development and its setting. It requires proposals to respect:
- historical context, townscape and the sense of place of a site;
 - the surrounding area scale, mass, form and grain;
 - the relationship of the proposed development to the existing townscape;
 - local design context to promote and reinforce local distinctiveness;
 - good neighbourliness and principles of residential amenity;
 - local landscape context, providing high quality landscaping and public realm with good permeability where appropriate;
 - sustainability objectives;
 - the principles of accessibility and inclusive design; and
 - the principles of Secured by Design.
- 6.23 Policy DC8 (Heritage and Conservation) aims to conserve the significance of the borough's historic environment by protecting, restoring and enhancing its heritage assets.

DEMOLITION

- 6.24 The site is set in the Imperial Square and Gasworks Conservation Area. The Council's conservation area profile makes reference to the site in paragraph 5.15.
- 6.25 Nos. 3 to 9 (odd) Imperial Road is a workshop, built around 1935 as the works and garage of the Imperial Gas Light and Coke Company. It is a long single storey building with a tall pitched roof that makes it the equivalent of two storey height. It has little architectural value, but is historically linked to the running of the gasworks site, and is of a sympathetic scale to the adjoining buildings in Imperial Square and Harwood Terrace.
- 6.26 Officers consider that although the building has a historical link to the gasworks there is no direct heritage or architectural connection to the adjacent works. It was built in 1935 and is 79 years old. The building has been adapted and refurbished on numerous occasions over previous decades and has little architectural merit.
- 6.27 It is acknowledged that there is a strong statutory presumption under the Planning (Listed Building and Conservation Areas) Act 1990, as reflected in recent case law against the approval of planning permission for any development which would fail to preserve the setting of a listed building or the character or appearance of a conservation area. This is because the desirability of preserving the character or appearance of conservation areas is a consideration of considerable importance and weight. Officers would have to consider the proposals for demolition and acknowledge that harm would be caused to the current character and appearance of the Imperial Square Conservation Area.
- 6.28 Nevertheless, officers' assessment of the likely harm to the setting of the conservation area would be a matter of planning judgement and, for the demolition to be considered acceptable, would have to be considered as less than substantial. The following would be important factors which could outweigh the strong presumption against approval of demolition within conservation areas. Firstly, the proposal must accord with the development plan. Secondly, the scheme must permit the redevelopment benefits as identified in the Local Plan policies and thirdly officers would need to be satisfied that the harm caused to the setting of the conservation area would be less than significant. If this is demonstrated and considered to be the case, then officers would likely raise no objection to the demolition of this building. This is discussed in detail below.

HERITAGE ASSETS

Overview

- 6.29 The proposal includes the demolition of the existing building to make way for a new four storey building.

Impact on Heritage Assets

- 6.30 This is a development which due to its nature has implications for locally listed buildings in Harwood Terrace and their setting, as well as to the conservation area and the surrounding townscape. Officers have assessed the visual impact of the scheme on the setting of the locally listed buildings and the character and

appearance of the Imperial Square and Gasworks Conservation Area.

- 6.31 A new, commercial building of 4 storeys is proposed to be inserted into the site, stepping down to a 2-storey structure on either side that links to the adjacent residential buildings in scale and creates a townscape gap between them and the proposed building.
- 6.32 The architectural approach is based on the character, proportions and materiality of commercial/industrial buildings to clearly convey the proposed building's use as a workplace while referencing the historic legacy of the gasworks. The 4-storey street frontage therefore is clearly broken up in distinguished horizontal layers that express the provision of a variety of internal spaces, while stepping back on the lower levels to achieve external space needed for the servicing of the units and to provide a footway where currently none exists.
- 6.33 The 2-storey base of the building prioritises a vertical articulation of the facade which relates to the rhythm of historic terraces in the locality and provides a central, recessed entrance.
- 6.34 The proposed front elevation would have robust and high quality detailing and materials and an emphasised central entrance, all of which enliven the frontage and positively engage with the street. Whilst it is acknowledged that the majority of the ground floor frontage would extend marginally beyond the existing building line, this change would still provide sufficient open area to the front to provide parallel parking spaces for the commercial units and a new footway, including some street trees. The 2nd floor would cantilever out above the pavement, creating a distinctive industrial appearance, while the 3rd floor would step back again to avoid a top-heavy appearance and to create a roof line that terminates the building. The two top floor elevations would have a scalloped form with more refined, decorative detailing to form a light, dynamic roof line that breaks up the length of the elevation and creates rhythm in the immediate context of the small scale townscape. The proposed materials for the solid cladding are pre-cast concrete and a variation of aluminium profiles to achieve distinctive horizontal layering and details that convey an industrial aesthetic and contrast to the London Stock brick of the residential terraces in the neighbourhood. The materials would be secured by condition.
- 6.35 At the rear, the new building would recess back in several steps and slopes and only reach its full height approximately in the centre of the site's depth. The elevation directly visible from the rear of the residential terrace in Imperial Square would have integrated green roofs.

Historic and visual impact

- 6.36 The heritage assets affected by the proposal is the Imperial Square & Gasworks Conservation Area and the Buildings of Merit at Nos 1a, 19-33 Harwood Terrace.
- 6.37 The conservation area's character and appearance are based on the relationship between the former gas works that were developed in the 19th Century, with the associated workers' or company housing, of which Imperial Square with its surrounding Victorian terraces is a rare and well preserved example. Imperial Square is the heart of the conservation area while the gas works were added at a

later date, completing the historic character of the area. The gas works site that once dominated the townscape created an interesting contrast with the intimacy and small scale of the square which was overlooked by the large scale structures of the gas holders. Although the commercial character of the application site is linked to this history, the current building is not considered to contribute positively to the appearance of the conservation area edge, and in addition, the housing development on the opposite side of Imperial Road is unattractive and does not engage with Imperial Road so that the streetscape of Imperial Road is undefined, inactive and overall of low quality.

- 6.38 The locally listed Harwood Terrace houses contribute positively to the small scale character of the Imperial Square part of the conservation area. The application site abuts the rear addition of No 1a Harwood Terrace where the buildings form an accidental relationship that is not untypical for locations where two very different streets meet.
- 6.39 The development would not be visible from northern viewing points in Harwood Terrace and Sands End Lane. In Imperial Road, the visible flank elevations of the proposed building would be covered by green walls which would provide a visual buffer between the existing adjacent houses and the new development. Additional plant rooms have been located on the top of the 2-storey end elements, however, due to their recessed position and screening by climbing planting, they would visually blend into the green walls and their impact on the massing of the development and its relationship to the neighbours is not considered to be harmful to the setting of the locally listed terrace or the neighbouring historic building at the eastern end. All wall and roof planting should be designed to be suitable for their location, robust and adequately maintained at all times, and conditions to ensure this should be attached to a permission (Condition 6).
- 6.40 The increased height of the proposed building would be seen against the background of the emerging tall housing developments in the neighbourhood, and due to its visually interesting and refined design, the proposed building is not considered to cause harm to the setting of the locally listed Harwood Terrace. Overall, the combination of the massing and high quality architectural design detailing would enhance the streetscape and townscape and contribute positively to the diverse, industrial character of the conservation area around Imperial Square.
- 6.41 The gas works site is now in the process of redevelopment, and, increasingly, modern housing developments can be seen rising in the background of views from Imperial Square. Due to the number of large trees in the square, views out over the houses are restricted and the intimate atmosphere of the square is largely preserved.
- 6.42 The top of the sloping roof of the proposed development would be visible in long views across the square where there is gap in the tree cover. The visual impact has been sufficiently mitigated by the green roof/wall design with diverse varieties of planting. The view of the planted roof behind the Imperial Square terrace would not harm the intimate character of the square environment. Although the proposed lift overrun in the centre of the site would project over the curved roof, this has been reduced significantly so that it would no longer be visually prominent in views of the terrace from Imperial Square. The bulk of the overrun structure would be

screened by green walling, achieving a recessive appearance in views from the square.

- 6.43 The increase in massing on site and its impact on the outlook for the residents at the rear of the terrace abutting the site is mitigated by a well-designed back elevation that would be softened by urban greening. The proposed greening is shown in the upper parts of the sloping rear elevation/roof, as well as the vertical parts of the elevation in order to fully mitigate the visual impact of the increased massing on the rear of the terrace and to maximise environmental benefits with regard to cooling, biodiversity and rainwater attenuation.
- 6.44 The proposed building has a strong potential to improve the townscape and streetscape at the interface between the conservation area and the adjoining areas of Fulham, and to contribute positively to the evolving character and appearance of the conservation area.

DESIGN AND HERITAGE CONCLUSION

- 6.45 Overall, subject to conditions, the proposed works, due to their design, scale and situation, would not have any impacts on the settings of the above identified heritage assets. The works are designed sympathetically to the character of the site; the development would preserve the character and appearance of the Conservation area and the special architectural or historic interest and setting of the Buildings of Merit.
- 6.46 Officers have assessed the impact of the proposal on the heritage assets and consider that it is compliant with s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal is also in line with national guidance in the NPPF and strategic local policies on the historic environment and urban design.
- 6.47 The proposed development is also considered acceptable in accordance with the NPPF, Policies HC1, D1, D3 and D4 of the London Plan and Policies DC1, DC2, and DC8 of the Local Plan and Key Principles AH1, AH2 and CAG3 of the Planning Guidance SPD.

ACCESSIBILITY

- 6.48 London Plan Policy D5 'Inclusive Design' and Local Plan Policies DC1 and DC2 all relate to access to buildings, requiring that buildings should be accessible and inclusive both internally and externally. To provide appropriate access arrangements for users of the site, level access measures are proposed. Level access lifts are proposed within the new building to enable disabled access. The proposal's access arrangements are considered acceptable and in accordance with London Plan Policy D5 and LP Policies DC1 and DC2.

CRIME PREVENTION

6.49 London Plan Policy D11, Local Plan Policy DC1 and SPD "Sustainable Design and Construction" Key Principles requires new developments to respect the principles of Secured by Design and to ensure that proposals create a safe, secure, and appropriately accessible environment where crime and disorder and the fear of crime do not undermine quality of life or community cohesion. The details of how the proposal will incorporate measures for crime prevention will be secured by condition (Condition 31).

RESIDENTIAL AMENITY

6.50 Policies DC1, DC4, CC11, CC13 and HO11 of the LP 2018 require all proposals to be formulated to respect the principles of good neighbourliness. SPD Housing Key Principles 6, 7 and 8 seeks to protect the existing amenities of neighbouring residential properties in terms of outlook, light, privacy and noise and disturbance.

6.51 There are residential properties on three sides of the application building. The application site is located directly to south west of 4 x two storey properties which front Harwood Terrace, backs onto about 15 two storey houses in Imperial Square the north east, and to the south east some flats within the three storey building fronting Emden Street.

Outlook:

6.52 SPD Housing Key Principle Policy HS6 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. If any part of the proposed building extends beyond these lines then on-site judgement will be a determining factor in assessing the effect which the extension will have on the existing amenities of neighbouring properties.

Harwood Terrace

6.53 To the north west, there are windows in the rear elevations of No.s 29, 31 and 33 Harwood Terrace and 1a Imperial Road.

6.54 The proposed replacement building has been designed to step away from the shared boundary on this side to ensure that the development would not have any greater impact than the existing building. It is therefore considered that the existing residential amenities in terms of outlook for neighbouring residential properties to the north west would be retained and would be acceptable in terms of SPD Housing Key Principle Policy HS6.

Imperial Square

6.55 To the north east of the application site is the row of 16 two-storey terraced houses fronting Imperial Square. Although the proposed replacement building

would increase the existing overall height by approximately one storey, the development has been designed to push the increased mass towards the front of the building away from the rear elevation. Notably, the existing 5.6m high rear wall would be retained and would screen the proposed development from the rear gardens and elevations of the adjacent terrace in 1 to 16 Imperial Square. The outlook from the small rear gardens of the adjoining properties would also not be worsened. The proposal would therefore comply with the SPD Housing Policy 6.

11 Imperial Road

6.56 There are habitable room windows within the north west elevation at third floor level of No. 11 Imperial Road, which adjoins the application site and the increased massing at third floor level and above. The proposed upper adjacent upper floors have however been set away from the affected windows by 6m. It is therefore considered that adequate outlook to the affected windows at No. 11 Imperial Road would be maintained.

6.57 Overall, in terms of outlook, it is considered that the proposal would maintain a satisfactory sense of openness and not have an overbearing effect compared to the existing building, complying with SPD Housing Key Principles 6 and 7.

Privacy:

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

6.59 The nearest affected windows to the north east elevation of the replacement building are those in Imperial Square. The proposed openings in the rear elevation includes some non-habitable windows and these have been designed to prevent any loss of privacy or overlooking to Imperial Square and this would be secured by conditions. It is therefore considered that the proposal would not result in any additional opportunities for overlooking or loss of privacy. Other windows to neighbouring properties in the vicinity of the application site are positioned more than 18m away from any proposed windows, complying with SPD Housing Key Principle HS7.

Noise and disturbance:

6.60 NPPF paragraph 170 states that planning decisions should prevent new and existing development from contributing to unacceptable levels of noise pollution. Similarly, Paragraph 180 states that planning decisions should mitigate and reduce to a minimum potential adverse impact resulting from noise from new development - and avoid noise giving rise to significant adverse impacts on health and the quality of life.

6.61 London Plan Policy D14 seeks to ensure developments reduce, manage and mitigate noise to improve health and quality of life.

- 6.62 Local Plan Policy CC11 seeks to control the noise and vibration impacts of developments, requiring the location of noise and vibration sensitive development in the most appropriate locations. Design, layout and materials should be used carefully to protect against existing and proposed sources of noise, insulating the building envelope, internal walls floors and ceilings, and protecting external amenity areas. Noise assessments providing details of noise levels on the site are expected 'where necessary'.
- 6.63 Local Plan Policy CC13 seeks to control pollution, including noise, and requires proposed developments to show that there will be 'no undue detriment to the general amenities enjoyed by existing surrounding occupiers of their properties'.
- 6.64 A terrace is proposed at third floor level fronting Imperial Road. It is difficult to predict with any accuracy the likely level of noise/disturbance that would be generated by the use of the proposed terrace/amenity areas. Having regard to the size of the proposed office terrace as well as its very limited depth (200sqm and 2.35m in depth), together with its location and the relationship with adjoining properties, it is considered that the terrace has some potential to harm the existing amenities of adjoining occupiers as a result of additional noise and disturbance. It is considered that it would be necessary to control the hours of use of the terraces to ensure that the development would not harm the existing amenities of adjoining occupiers in terms of noise and disturbance, and this could be secured by condition (Condition 32). Subject to condition, it is considered that the proposal would not result in any significant noise and disturbance to the nearest neighbouring residential properties. The proposed development is therefore considered acceptable with regards to Policies DC4, HO11, and CC11 of the Hammersmith and Fulham Local Plan (2018), and Key Principle HS8 of the Planning Guidance Supplementary Planning Document (2018).

Daylight, Sunlight and Overshadowing

- 6.65 The British Research Establishment (BRE) guide on 'Site layout planning for daylight and sunlight', set out good practice for assessing daylight and sunlight impacts for new development. In urban and city centre areas, BRE Guidelines advise that the guidance be applied flexibly. The applicant's Daylight and Sunlight report which has been carried out in line with BRE and considers the potential impacts of the proposed development on daylight, sunlight and overshadowing on existing neighbouring residential buildings. Officers have considered applicants report in terms of impact on habitable rooms.

Daylight

- 6.66 The BRE Guidance sets out three different methods of assessing daylight to or within a room, the Vertical Sky Component (VSC) method, the plotting of the no-sky-line (NSL) method and the Average Daylight Factor (ADF) method.
- 6.67 The VSC method measures the amount of sky that can be seen from the centre of an existing window and compares it to the amount of sky that would still be capable of being seen from that same position following the erection of a new building. The measurements assess the amount of sky that can be seen by converting it into a percentage. An unobstructed window will achieve a maximum level of 40% VSC. The BRE guide advises that if the VSC is greater than 27%

then enough skylight should still be reaching the window of the existing window. If the VSC is both less than 27% and less than 80% of its former value, occupants of the existing building will notice the reduction in the amount of skylight. However, the Guidance makes clear that these values are advisory and para 2.2.1 states that 'Different criteria may be used based on the requirements for daylighting in an area viewed against other site layout constraints. Another important issue is whether the existing building is itself a good neighbour, standing a reasonable distance from the boundary and taking no more than its fair share of light.'

6.68 The applicants submitted a daylight and sunlight report includes an assessment of the impacts upon the residential properties in the immediate vicinity of the site. The relevant properties include the following:-

- o 1A Imperial Road
- o 1 to 16 Imperial Square
- o 27 to 33 (odd) Harwood Terrace
- o 9 to 33 Cheryls Close

Vertical Sky Component

6.69 Officers have considered the applicants report. A total of 185 windows across 38 properties were included in the Daylight and Sunlight assessment. In terms of VSC, 184 (99%) of the windows fall within the 20% VSC or are slightly above (between 20% and 25%) the target. The VSC infringements above 20% and below 25% are modest and under more detailed advice contained in the BRE these results are considered acceptable.

There are 2 windows on the rear of 1A Imperial Road (facing the existing north-west side of development) where the resulting VSC would be 28% and 33% - these windows do not appear to be main living areas, as the property's main larger windows are in the elevations facing Imperial Road and Harwood Terrace. On balance, the overall internal daylight provision to these spaces will continue to be good for an urban location, it is considered that it would be unreasonable in this instance to refuse permission on the impact on these windows alone given the overall daylight impact of the whole scheme.

No Sky-Line (Daylight Distribution)

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

6.71 The submitted daylight/sunlight report includes an NSL test to all relevant rooms within the neighbouring residential properties. The results demonstrate that of the total 101 rooms, 9 rooms fall short of the 20% NSL target. Noticeably, 6 would be less than 0.7 NSL. On balance, taking into account the wider benefits of the scheme in this urban setting, it is considered that the proposals are acceptable.

Average Daylight Factor (ADF)

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

Sunlight

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

6.74 The daylight/sunlight report includes a sunlight analysis of all relevant habitable rooms within neighbouring properties. There would be no failings against the APSH test and therefore officers conclude that there would be no unacceptable loss of sunlight to neighbouring properties.

Overshadowing

6.75 The BRE Guidelines recommend that for it to appear adequately sun lit throughout the year at least half of a garden or amenity space should receive a least 2 hours of sunlight on 21 March. If, because of new development, an existing garden or amenity area does not meet the above, and the area which can receive 2 hours of sunlight on the 21 March is less than 0.8 times its former value, then the loss of sunlight is likely to be noticeable.

6.76 Regarding overshadowing, as none of the neighbouring rear courtyards assessed would receive 2 hours of direct sunlight on March 21st in the existing condition, there would be a negligible effect from the proposed development. Overall, officers conclude that all properties would not suffer a noticeable or detrimental loss of

sunlight to their external amenity spaces.

- 6.78 The British Research Establishment (BRE) guide on 'Site layout planning for daylight and sunlight', set out good practice for assessing daylight and sunlight impacts for new development. In urban and city centre areas, BRE Guidelines advise that the guidance be applied flexibly. A Daylight and Sunlight report should be carried out in line with BRE and considers the potential impacts of the proposed development on daylight, sunlight and overshadowing on existing neighbouring residential buildings and submitted with any application.

Light pollution

- 6.79 Policy CC12 of the Local Plan 2018 seeks to control the adverse impacts of lighting arrangements including that from signage and other sources of illumination. The replacement building would include additional openings. Although officers do not consider the level of illumination likely to be harmful or out of character with the location, a strategy securing how internal lights to be turned off when not required to mitigate against unnecessary harm to sensitive receptors should be considered, which could then be secured by condition (Condition 30). In addition, further details of all external illumination is also to be secured by condition in order to provide a positive environment without harmful impacts upon adjacent residents or harm to the character of the area (Condition 29).

TRAFFIC AND HIGHWAYS

- 6.80 The NPPF requires developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised, and development should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people.
- 6.81 Policies T1, T4, T5, T6 and T7 of The London Plan set out the intention to encourage consideration of transport implications as a fundamental element of sustainable transport, supporting development patterns that reduce the need to travel or that locate development with high trip generation in proximity of public transport services. The policies also provide guidance for the establishment of maximum car parking standards and cycle standards. Policies SI 7 and SI 8 are relevant to waste and recycling.
- 6.82 LP Policy T1 'Transport' supports The London Plan and seeks to improve transportation within the borough, by working with strategic partners and relating the size of development proposals to public transport accessibility and highway capacity. LP Policy T2 'Transport Assessment and Travel Plans' states that all development proposals will be assessed for their contribution to traffic generation, and LP Policy T4 of the sets out vehicle parking standards, which brings them in line with London Plan standards and circumstances when they need not be met. LP Policy T3 'Increasing the Opportunities for Cycling and Walking' seek to ensure that satisfactory cycle space is provided for all developments.

Car parking

- 6.83 The existing arrangement provides 30 off street car parking spaces, and includes no pavement for pedestrians. This application proposes a reduction to 8 off street parking spaces along the frontage of the site accessed off Imperial Road, two of which would be for disabled access, as well as including electric vehicle charging points. The proposal also includes new hard and soft landscaping, with new pavements for pedestrians running along the length of the frontage of the replacement building and along the street side of the car parking spaces.
- 6.84 While it is acknowledged that in order to comply with local and London Plan standards, car-free development should be the starting point for all development proposals in places that are well-connected by public transport, it is noted that the if the number of operational car parking spaces were further reduced, it would be very detrimental to the type and range of tenants that could be attracted to this development and the employment opportunities in the locality. Removing or reducing the spaces would seriously affect the ability to re-accommodate those existing businesses that want to return, and these could be lost from the Borough. It is therefore considered that on balance, given the reduction compared to the existing, the provision of a new pavement and disabled parking spaces, the parking arrangements are considered acceptable in this instance.

Cycle parking

- 6.85 London Plan Policy T5 and Local Plan Policy T3 outlines the cycle parking requirements for development. These are required to be safe, accessible and conditioned for the life of the development.
- 6.86 The cycle parking will be provided within a secure and accessible store at ground floor level, with 52 long-stay cycle parking spaces. Short-stay cycle parking would also be provided in accordance with the London Plan standards and would be located within the new area of highway provided on Imperial Road, including 10 Sheffield stand spaces provided in convenient locations that are attractive to use for visitors, but which also maintain the circa 2m clear width along the new footway for pedestrians. The council's Highways Officer is satisfied that the proposed cycle parking provision is safe and accessible. A condition is attached for this to be implemented prior to the occupation of the development and retained thereafter (Condition 15).

Refuse:

- 6.87 London Plan Policy SI 7 outlines the Mayors approach to waste management. Policy CC6 and CC7 of the LP 2018 requires development to incorporate suitable facilities for the storage and collection of segregated waste. The plans indicate an expansion of the existing refuse storage and recycling facilities at ground floor level, and would be serviced as currently from Imperial Road. These arrangements are considered acceptable, and will be secured by condition for the Servicing and Delivery Management Plan (Condition 16).

Delivery/Servicing

6.88 A draft Delivery and Servicing Plan has been submitted. A draft Delivery and Servicing Plan (DSP) is included as part of the planning application. The DSP states that the operational bays have been designed in groups of two, facilitating simultaneous servicing activity by 3.5T panel vans or servicing by 7.5T box vans and refuse vehicles. The DSP states that the proposed development is likely to generate approximately 15 deliveries a day. Swept-path analysis has been provided which demonstrates the ability for vehicles to enter and leave the site in a forward gear. Refuse will be collected as per the existing arrangements from Imperial Road. The proposed delivery and servicing arrangements are considered acceptable and are not likely to have an impact on the local highway network. The implementation of the refuse stores and the submission of a detailed DSP will be secured by conditions (Conditions 16 and 26).

Travel Plan

6.89 The applicant is required to submit a Travel Plan in accordance with Local Plan Policy T2 in order to promote sustainable travel and to ensure that future occupants of the proposed development are informed of public transportation, car clubs, cycling provisions in the immediate vicinity of the site. This will be secured by via a S106 agreement.

Building Works:

6.90 The main impact of the development in highway terms would be at the demolition and construction stages. In accordance with Local Plan Policy T7 and Planning Guidance SPD Key Principle TR21 a draft Demolition and Construction Logistics Plan has been submitted.

6.91 To reduce the effects of construction vehicles and construction activity on the local highway network and the surrounding area, an Outline Construction Logistics Plan (CLP) has been prepared and submitted with the planning application. The CLP includes further information on the type and management of construction vehicles, construction vehicle access and routing arrangements, and measures to ensure pedestrian, cyclist and vulnerable road user safety during construction activity. A detailed Construction Logistics Plan will be secured by a condition (Condition 4).

Highway works:

6.92 The applicant has also committed to provide a new footway along the frontage of the site to conform with the council's streetsmart guidance. The works will be funded by the applicant and secured through a section 106 or 278 agreement.

6.93 Subject to the submission of the required documents by conditions and the mitigation to the impacts of the development required by way of legal agreement, officers consider that the proposed development would not detrimentally impact on the highway network and would be in accordance with the policies cited above.

ENVIRONMENTAL QUALITY

Flood Risk:

- 6.94 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.
- 6.95 London Plan Policies SI 12 and SI 13 requires new development to comply with the flood risk assessment and management requirements of national policy, including the incorporation of sustainable urban drainage systems, and specifies a drainage hierarchy for new development.
- 6.96 Local Plan Policies CC3 and CC4 which relate to Flood Risk and Sustainable Urban Drainage requires development proposals to reduce the use of water and minimise existing and future flood risk and the adverse effects of flooding on people by implementing a range of measures such as Sustainable Drainage Systems (SUDS) (where feasible) and also the use of water efficient appliances.
- 6.97 The site is in the Environment Agency's Flood Zone 3, so a Flood Risk Assessment (FRA) is required. Although the site is in Flood Zone 3 it is well protected by flood defences such as the Thames Barrier and local river walls. However, if these failed or were breached, parts of the site could be impacted by flood water according to Environment Agency modelling.
- 6.98 The FRA has identified mitigation measures to reduce flood risks. A range of additional flood resilient design measures have been included which would help the building recover in the event of a flood. The proposed measures have been reviewed by Council officers and found to be acceptable and will therefore be secured by condition (Condition 17).

SUDS

- 6.99 A detailed Sustainable Drainage Strategy will need to be submitted to show how surface water will be managed on site in line with the requirements of London Plan policy SI 13 and Local Plan policy CC2 and associated guidance which require peak surface water run off to be attenuated by as much as possible, or by a minimum of 50% compared to the current situation on site.
- 6.100 Subject to conditions ensuring the submission of a final SuDS Strategy in order to confirm the full details of the finalised measure, the proposals could accord with relevant flood risk and surface water drainage policies SI 12 and SI 13 of the London Plan 2021, and Local Plan policy CC2 (Condition 18).

Contamination

- 6.102 Local Plan Policy CC9 'Contaminated Land' 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.

6.103 Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. Conditions would be attached in event of permission being granted in order to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with policy CC9 of the Local Plan (Conditions 33-38).

Sustainable Design and Construction

6.104 The NPPF states that development proposals are expected to comply with local requirements and should take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption and to increase the use and supply of renewable and low carbon energy.

6.105 London Plan Policies SI 2, SI 3 and SI 7 require developments to make the fullest contribution to the mitigation of and adaptation to climate change, ensure sustainable design and construction and minimise carbon dioxide emissions. These policies also require developments to provide decentralised energy, renewable energy and innovative energy technologies where appropriate.

6.106 Local Plan Policy CC1 requires major developments to implement energy conservation measures by implementing the London Plan sustainable energy policies and meeting associated CO2 reduction target and demonstrating that a series of measures have been taken to reduce the expected energy demand and CO2 emissions. It requires the use of on-site energy generation to further reduce CO2 emissions where feasible. Policy CC2 seeks to ensure the implementation of sustainable design and construction measures by implementing the London Plan sustainable design and construction policies. These are supported by Key Principles set out in the Energy and Sustainable Design Construction Chapters of the Planning Guidance SPD.

6.107 As required of a major development, A Sustainability Statement has been provided which incorporates a BREEAM pre-assessment report. This shows that the proposal can achieve the "Very Good" rating.

6.108 The carbon reduction measures outlined in the Energy Strategy include energy efficiency measures such as higher levels of insulation, low air tightness levels, efficient lighting as well as energy saving controls for space conditioning and lighting are calculated to reduce CO2 emissions by 14.1 tonnes a year, equivalent to a reduction of 25.2%. This meets the Intend to Publish London Plan requirement for non-residential scheme such as this to reduce CO2 emissions by at least 15% (Policy SI 2). There are no local heat networks for the site to connect into but the scheme proposes to generate energy on-site through the use of Air Source Heat Pumps (ASHPs) which will be installed so that the site-wide network could be connected in the future to a wider network. The ASHPs are calculated to reduce CO2 emissions by 6.4 tonnes a year, equivalent to 11.4%. Overall, the proposed measures are calculated to reduce regulated CO2 emissions by 36.6% (20.5 tonnes per annum) across the whole site which meets the Intend to London Plan's minimum target of 35%. To achieve the zero carbon target therefore, a payment in lieu is required to offset these emissions. It has been calculated that to offset the remaining 35.6 tonnes of CO2, this would require a payment of £101,460, which will be secured through a S106 agreement. It is also noted that the development will incorporate monitoring equipment and systems to enable

occupiers to monitor and reduce their energy use. Smart meters will be installed to monitor the heat and electricity consumption; the display board will demonstrate real-time and historical energy use data and will be installed at an accessible location within the commercial spaces. This is inline with the requirements of the London Plan's requirement in this respect.

- 6.109 In broad terms, the approach is acceptable and will be secured by condition that requires the implementation of the measures as outlined (Condition 19). The CO2 offset payment will need to be included in the s106 Agreement.
- 6.110 In addition to the carbon reduction measures outlined in the Energy, other measures that will be designed in include water efficiency, waste management and recycling facilities, use of building materials with low environmental impacts where possible, including recycled materials where feasible, inclusion of measures to minimise noise pollution and air quality impacts, flood risk and sustainable drainage measures, sustainable transport measures and biodiversity improvements. The proposed approach in terms of sustainability is welcomed, although there may be specific areas where we may need additional measures to be taken to show compliance with the Council's Development Plan policies which go beyond the BREEAM requirements, e.g. surface water management (and possibly other areas, such as air quality, transport, carbon reduction etc). The implementation of the measures outlined in the Sustainability Statement and the submission of a post construction BREEAM assessment to demonstrate that the Very Good rating has been achieved will be secured by condition (Condition 19).

Air Quality

- 6.111 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).
- 6.112 London Plan Policy SI 1 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. Further the Mayor of London's Air Quality Strategy provides a framework of policy which aims to improve air quality in London. Development proposals should not lead to deterioration of existing poor air quality, create any new areas that exceed air quality limits or create unacceptable risk of high levels of exposure to poor air quality.
- 6.113 Local Plan Policies CC1 and CC10 seeks to reduce potential adverse air quality impacts arising from new developments and sets out several requirements. These are supported by Planning Guidance SPD Key Principles AQ1 to AQ5.
- 6.114 The development site is within the borough wide Air Quality Management Area (AQMA) and in an area of existing poor air quality due to the road traffic emissions from Imperial Road. The development proposal will introduce new receptors into an area of very poor air quality and will result in an impact on local air quality from the transport and energy plant emissions during the operational phase. Further

mitigation measures will therefore be required to make the development acceptable in accordance with Local Plan Policy CC10. On this basis, the Council's Environmental Quality officer has considered the proposal and has recommended conditions relating the submission of a Ventilation strategy, Ultra low emission strategy, Air Quality Dust Management Plan (Demolition, Construction), Zero Emission Heating Plant , and the provision of rapid electric vehicle charging points (Conditions 20-23).

6.115 On this basis officers consider that the proposed development would not detrimentally impact on Air Quality and would be in accordance with the policies cited above.

COMMUNITY INFRASTRUCTURE LEVY

Mayoral CIL

6.116 Mayoral CIL came into effect in April 2012 and is a material consideration to which regard must be had when determining this planning application. This development will be subject to a London-wide community infrastructure levy. This will contribute towards the funding of Crossrail, and further details are available via the GLA website at www.london.gov.uk. The GLA expect the council, as the collecting authority, to secure the levy in accordance with London Plan policy 8.3. The Mayoral CIL will be approx. £142,800.

Local CIL:

6.117 The Council has also set a CIL charge. The Council's Community Infrastructure Levy (CIL) is also a charge levied on the net increase in floorspace arising from development to fund infrastructure that is needed to support development in the area. The Council's CIL runs alongside Section 106 Agreements (S106s) which will be scaled back but will continue to operate. The CIL Charging Schedule was presented to Council and approved 20 May and has formally taken effect since the 1st September 2015. Office developments are exempt from the Council's CIL. The Borough CIL will be approx. £7,600.

POTENTIAL S106 CONTRIBUTIONS

6.118 In dealing with planning proposals, local planning authorities consider each on its merits and reach a decision based on whether the application accords with the relevant development plan, unless material considerations indicate otherwise. Where applications do not meet these requirements, they may be refused. However, in some instances, it may be possible to make acceptable development proposals which might otherwise be unacceptable, using planning conditions or, where this is not possible, through planning obligations. London Plan policy DF 1 recognises the role of planning obligations in mitigating the effects of development and provides guidance on the priorities for obligations in the context of overall scheme viability. Local Plan Policy INFRA1 (Planning Contributions and Infrastructure Planning) advises that the council will seek planning contributions to ensure the necessary infrastructure to support the Local Plan is delivered using two main mechanisms 'Community Infrastructure Levy (CIL) and Section 106 Agreements (s106).

6.119 It is anticipated that the S106 agreement for this development will include the following draft heads of terms:

- 1 The provision and retention of affordable workspace:
 - a.) Affordable Workspace Type A: 5% GIA provided for 10 years at 20% discount to Open Market Rental Value (OMRV), and how this is to be managed and run through a Workspace Management Plan.
 - b.) Affordable Workspace Type B: 125sqm (2.5% GIA) of co-working space at ground floor level including details of costs, and how this is to be managed and run through a Workspace Management Plan.
 - c.) Discounts for Returning Existing Tenants: Up to 20% of the total floor area (GIA) will be made available to returning tenants provided at 20% discount to OMRV for 2 years.
 - d.) Relocation / Re-accommodation Strategy
2. Support for local employment, training and local businesses including a contribution of £50,000 for:
 - 4 apprenticeships.
 - Paid work placements (5).
 - Unpaid work placements (5).
 - 10% local labour during construction phase, including an employment and skills plan
 - 10% of the construction cost be procured from local businesses,
 - Operational phase - Local Procurement £4,300 to help with local supply chain activity
- 3 Transport -
 - Commercial and construction workers travel plans.
 - Payments of £3,000 per travel plan at years 1, 3 and 5 (annually until completion for the construction workers travel plan) to fund the review of each of the development's travel plans.
 - On-street car parking permit-free development.
 - Developer to pay for Highway Works comprising footway paving.
- 4 Carbon Reduction
 - £101,460 payment in lieu contribution towards the zero-carbon emission target for commercial uses.
- 5 A commitment to meet the costs of the Council's associated legal fees.

7.0 CONCLUSION

7.1 The proposed development would create a well-designed commercial scheme that has been designed to complement the character and appearance of the locality and conservation area. The proposal would improve the existing site and the surrounding area and would result in an acceptable impact on the living conditions of neighbouring residential properties. The cumulative impact of the development, subject to conditions would not have a significant impact on the highway, parking, or environment. The proposal is in accordance with relevant national guidance, London Plan (2021) policies and associated SPGs, the Hammersmith and Fulham Local Plan (2018) and Supplementary Planning Document (2018).

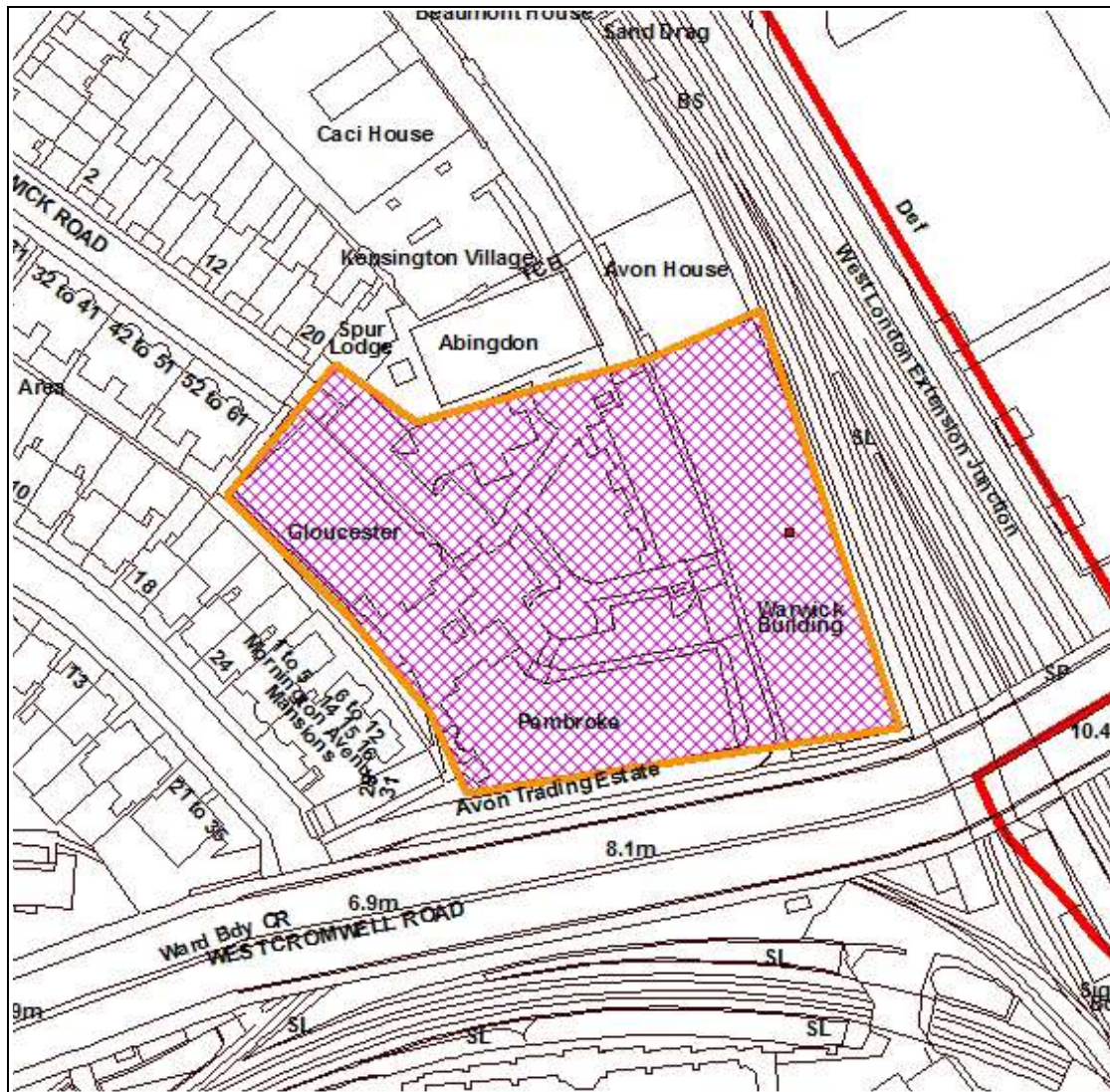
8.0 RECOMMENDATION

- 1) That the Committee resolve that the Chief Planning Officer be authorised to grant planning permission upon the completion of a satisfactory legal agreement and subject to the conditions listed below;
- 2) To authorise that the Chief Planning Officer after consultation with the Head of Law and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed Heads of Terms of the legal agreement or conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.

Ward: Avonmore And Brook Green

Site Address:

Warwick Building Kensington Village Avonmore Road London W14 8HQ



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For identification purposes only - do not scale.

Reg. No:
2020/03397/FUL

Case Officer:
Sian Brown

Date Valid:
21.12.2020

Conservation Area:
Constraint Name: Olympia And Avonmore
Conservation Area - Number 23

Committee Date:
20.04.2021

Applicant:

Reisen

CORE UK 2016 3 Sarl 121 Avenue de la Faiencerie L-511 Luxembourg

Description:

Demolition of existing rooftop plant rooms and existing roof, and erection of a single storey roof extension to provide additional office accommodation (Class E) with ancillary roof terrace and replacement plant room; installation of new entrance from Avonmore Road at ground floor level; ancillary alterations to the existing office building (including replacing louvres with new matching windows); and provision of disabled persons parking, ev points and cycle facilities.

Drg Nos: See condition 2

Application Type:

Full Detailed Planning Application

Officer Recommendation:

1) That the Committee resolve that the Chief Planning Officer be authorised to grant permission upon the completion of a satisfactory legal agreement and subject to the conditions listed below;

2) That the Committee resolve that the Chief Planning Officer, after consultation with the Head of Law and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed Heads of Terms of the legal agreement or conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.

Conditions:

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

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

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

Demolition plans:

WRW-MLA-DE-RF-DR-A-0415 Rev P02; WRW-MLA-DE-ZZ-DR-A-0420 Rev P02;
WRW-MLA-DE-ZZ-DR-A-0421 Rev P02; WRW-MLA-DE-ZZ-DR-A-0422 Rev P02

Proposed plans:

WRW-MLA-GA-XX-DR-A-1100 Rev P05; WRW-MLA-GA-B1-DR-A-1209 Rev P04;
WRW-MLA-GA-00-DR-A-1210 P08; WRW-MLA-GA-01-DR-A-1211 Rev P06;
WRW-MLA-GA-02-DR-A-1212 Rev P06; WRW-MLA-GA-03-DR-A-1213 Rev P06;
WRW-MLA-GA-04-DR-A-1214 Rev P06; WRW-MLA-GA-05-DR-A-1215 Rev P07;
WRW-MLA-GA-RF-DR-A-1216 Rev P04

Proposed elevations and section:

WRW-MLA-GA-ZZ-DR-A-1300 Rev P02; WRW-MLA-GA-ZZ-DR-A-1301 Rev P02;
WRW-MLA-GA-ZZ-DR-A-1302 Rev P02; WRW-MLA-GA-ZZ-DR-A-1320 Rev P01;
WRW-MLA-GA-ZZ-DR-A-1321 Rev P01; WRW-MLA-GA-ZZ-DR-A-1322 Rev P01;
WRW-MLA-GA-ZZ-DR-A-1330 Rev P01; WRW-MLA-GA-ZZ-DR-A-1350 Rev P04;
WRW-MLA-GA-ZZ-DR-A-1351 Rev P04

Approved documents:

Demolition Logistics Plan Revision 06 dated March 2021, prepared by Oakmont Construction; Construction Logistics Plan Revision 06 dated March 2021, prepared by Oakmont Construction; Demolition Environmental Management Plan Revision 04 dated March 2021, prepared by Oakmont Construction; Construction Environmental Management Plan Revision 04 dated March 2021, prepared by Oakmont Construction; Design and Access Statement including Accessibility Statement" prepared by Morrow Lorraine dated 01/12/20; Energy and Sustainability Statement dated 02/12/2020, prepared by Black & White Engineering, and Addendum dated 23rd March 2021, prepared by Black & White Engineering; Flood Risk and SuDS Statement Revision 2 dated 05 February 2021; Drainage Strategy Report Ref. 18-45-DMAG-DSR dated December 2020; Supplementary Drainage Report Ref. 18-45-DMAG-SDR dated February 2021.

In order to ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with Policies DC1, DC4, and DC8 of the Local Plan (2018).

- 3) Any alterations to the elevations of the existing buildings, including works of making good, shall be carried out in the same materials as the existing elevation to which the alterations relate.

To ensure a satisfactory external appearance of the development, to preserve the special architectural and historic interest of the building of merit and its setting, and to preserve the character and appearance of the Conservation Area in accordance with Policies D3 and HC1 of the London Plan (2021), and Policies DC1, DC4 and DC8 of the Local Plan (2018).

- 4) The external rooftop demolition and creation of rooftop accommodation (including piling works) hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) have been submitted to and approved in writing by the local planning authority which:

- provide demolition and construction details for demolition of rooftop plant rooms and single storey roof extension together with associated works

- provide details on the use of tall plant/scaffolding- Scaffold design, Cat3 checked and tied securely to the building together with RAMS for erection and dismantle of scaffolding. We will require lifting and location place of the mobile crane together with the collapse radius

- accommodate the location of the existing London Underground structures- an Impact Assessment will be required to assess the impact on the railway and the

LU Asset Wall 125 between the building and the district line

- demonstrate access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering our land
- demonstrate that there will at no time be any potential security risk to our railway, property or structures
- mitigate the effects of noise and vibration arising from the adjoining operations within the structures

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

Condition requested by Transport for London to ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan (2021) Policy T3 and Land for Industry and Transport Supplementary Planning Guidance (2012).

- 5) The works hereby permitted are to be carried out in accordance with the approved Demolition Logistics Plan Revision 06 dated March 2021 and Construction Logistics Plan Revision 06 dated March 2021, both prepared by Oakmont Construction. If works have not commenced within two months from the date of the decision notice, an updated Demolition Logistics Plan and Construction Logistics Plan must be submitted and approved in writing by the local planning authority prior to the commencement of works.

To ensure that appropriate steps are taken to limit the impact of the proposed demolition works on the operation of the public highway in accordance with Policy T7 of the London Plan (2021), and Policies T1, T6 and T7 of the Local Plan (2018).

- 6) The development hereby permitted shall be implemented in accordance with the approved Demolition Environmental Management Plan Revision 04 dated March 2021 and the Construction Environmental Management Plan Revision 04 dated March 2021, both prepared by Oakmont Construction.

To ensure that occupiers of surrounding premises are not adversely affected by noise, vibration, dust, lighting, or other emissions from the building site in accordance with Policy D14 of the London Plan (2021), Policies DC1, CC6, CC7, CC10, CC11 and CC12 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD (2018).

- 7) The external rooftop demolition and creation of rooftop accommodation hereby permitted shall not be commenced until samples of the external materials palette have been submitted to and approved in writing by the Local Planning Authority. These details will include:

- o Sample Photographs
- o Manufacturers Details / Specification Details

To ensure a satisfactory external appearance of the development, to preserve the special architectural and historic interest of the building of merit and its setting, and to preserve the character and appearance of the Conservation Area in accordance with Policies D3 and HC1 of the London Plan (2021), and Policies DC1, DC4 and DC8 of the Local Plan (2018).

- 8) The external rooftop demolition and creation of rooftop accommodation hereby permitted shall not be commenced until 1:20 sections of typical bays, including the roof extension, ground floor entrance and the replaced windows have been submitted to and approved in writing by the Local Planning Authority.

To ensure a satisfactory external appearance of the development, to preserve the special architectural and historic interest of the building of merit and its setting, and to preserve the character and appearance of the Conservation Area in accordance with Policies D3 and HC1 of the London Plan (2021), and Policies DC1, DC4 and DC8 of the Local Plan (2018).

- 9) The external sedum roof hereby permitted shall not be commenced until 1:10 sections of the proposed sedum roof and details of its maintenance regime is submitted to and approved in writing by the Local Planning Authority.

To ensure a satisfactory external appearance of the development, to preserve the special architectural and historic interest of the building of merit and its setting, and to preserve the character and appearance of the Conservation Area in accordance with Policies D3 and HC1 of the London Plan (2021), and Policies DC1, DC4 and DC8 of the Local Plan (2018).

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

To ensure a satisfactory external appearance of the development, to preserve the special architectural and historic interest of the building of merit and its setting, and to preserve the character and appearance of the Conservation Area in accordance with Policies D3 and HC1 of the London Plan (2021), and Policies DC1, DC4 and DC8 of the Local Plan (2018).

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

To ensure a satisfactory external appearance and to prevent harm to the amenities of the occupiers of neighbouring residential properties, in accordance with Policies D3, D14 and HC1 of the London Plan (2021), and Policies DC1, DC4, DC8, CC11, CC13 and H011 of the Local Plan (2018).

- 12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-

enacting that Order with or without modification), no aerials, antennae, satellite dishes or related telecommunications equipment shall be erected on any external part of the approved buildings, without planning permission first being obtained.

In order to ensure that the Council can fully consider the effect of telecommunications equipment upon the special architectural and historic interest of the building of merit and its setting, and to preserve the character and appearance of the Conservation Area in accordance with Policies D3 and HC1 of the London Plan (2021), and Policies DC1, DC4 and DC8 of the Local Plan (2018).

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

It is considered that such structures would seriously detract from the special architectural and historic interest of the building of merit and its setting, and would fail to preserve the character and appearance of the Conservation Area, contrary to Policies D3 and HC1 of the London Plan (2021), and Policies DC1, DC4 and DC8 of the Local Plan (2018).

- 14) No advertisements shall be installed on the building hereby permitted without the prior written approval of the Council.

To ensure a satisfactory external appearance of the development, to preserve the special architectural and historic interest of the building of merit and its setting, and to preserve the character and appearance of the Conservation Area in accordance with Policies D3 and HC1 of the London Plan (2021), and Policies DC1, DC4, DC8 and DC9 of the Local Plan (2018).

- 15) No part of the development hereby approved shall be occupied or used prior to the completion of the approved access improvements set out in the "Design and Access Statement including Accessibility Statement" prepared by Morrow Lorraine dated 01/12/20. The measures shall thereafter be permanently retained.

To ensure suitable entry into the building for disabled people. In accordance with Policy D5 of the London Plan (2021), and Policies DC1 and DC4 of the Local Plan (2018).

- 16) Other than the areas explicitly identified on the plans as a roof terrace, no other part of any roof of the building shall be used as a roof terrace or other form of open amenity space. No alterations shall be carried out; nor planters or other chattels placed on the roofs. No railings or other means of enclosure shall be erected on the roofs, and no alterations shall be carried out to any elevation of the application property to form access onto the roofs.

The use of the roof as a terrace would increase the likelihood of harm to the existing residential amenities of the occupiers of neighbouring properties as a result of overlooking, loss of privacy and noise and disturbance, contrary to Policies H011, CC11 and DC4 of the Local Plan (2018) and SPD Policy HS8 of the Planning Guidance Supplementary Planning Document (2018).

- 17) The roof terrace and balcony hereby approved shall only be used by office workers of the development hereby approved, and shall not be used by the members of the public outside of the approved development. The roof terrace and balcony shall only be used between the hours of 08:00 to 21:00 Monday to Saturday and between the hours of 10:00 to 20:00 on Sunday and Public/Bank Holidays, and shall not be used at any other time. No music (either acoustic or amplified) shall be played at any time on any of the outside areas.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise from activities or people using the terrace or balcony, in accordance with Policies H011, CC11 and DC4 of the Local Plan (2018), and SPD Policy HS8 of the Planning Guidance Supplementary Planning Document (2018).

- 18) The plant/equipment hereby approved shall not operate between the hours of 23:00 to 07:00hrs. Should the plant/equipment be required to be used at night-time outside of these hours additional mitigation will be required in order to prevent any adverse impact. Prior to the use of any plant/equipment being used between the hours 23:00 to 07:00hrs details confirming the external sound level emitted from plant, machinery or equipment will be lower than the lowest existing background sound level by at least 10dBA shall be submitted to, and approved in writing by the Council. The assessment shall be made in accordance with BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. The approved details shall be implemented prior to the use of the plant/equipment between the hours of 23:00 to 07:00hrs, and shall be permanently retained thereafter.

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

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

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

- 20) External artificial lighting at the development shall not exceed lux levels of vertical illumination at neighbouring premises that are recommended by the Institution of Lighting Professionals in the 'Guidance Note 01/20: Guidance Notes for the Reduction of Obtrusive Light'. Lighting should be minimized, and glare and sky glow should be prevented by correctly using, locating, aiming and shielding luminaires, in accordance with the Guidance Notes.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by lighting, in accordance Policy CC12 of the Local Plan (2018).

- 21) The development hereby approved shall not be occupied until the measures set out in the approved Energy and Sustainability Statement dated 02/12/2020, and the Addendum dated 23rd March 2021, both by Black & White Engineering, have been fully implemented on site and they shall be permanently retained thereafter.

In the interests of energy conservation and reduction of CO2 emissions, in accordance with Policies SI2 and SI4 of the London Plan (2021), and Policies CC1 and CC2 of the Local Plan (2018).

- 22) No part of the development hereby approved shall be occupied or used prior to a verification report / post construction assessment relating to the achieved BREEAM Excellent rating and the 'Gold' WELL Building Assessment rating has been submitted to and approved in writing by the Local Planning Authority.

In the interests of energy conservation and reduction of CO2 emissions, in accordance with Policy SI2 and SI4 of the London Plan (2021), and Policies CC1 and CC2 of the Local Plan (2018).

- 23) The development shall only be carried out in accordance with the flood mitigation measures set out in the approved Flood Risk and SuDS Statement, Revision 2 dated 05 February 2021; the Drainage Strategy Report Ref. 18-45-DMAG-DSR dated December 2020; and the Supplementary Drainage Report Ref. 18-45-DMAG-SDR dated February 2021. The measures shall be implemented in accordance with the approved details, and permanently retained and maintained in accordance with the approved details.

To reduce the impact of flooding for future occupants and the development and to make the development more resilient in the event of flooding in accordance with Policy SI12 of the London Plan (2021), and Policy CC3 of the Local Plan (2018), and 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 SI13 of the London Plan (2021), and Policies CC2 and CC4 of the Local Plan (2018).

- 24) Prior to occupation, a ventilation report shall be submitted to mitigate the impact of existing poor air quality for Class E use receptor locations where the air quality objectives for NO2 and World Health Organisation (WHO) targets for Particulate Matter (PM2.5, PM10) are already exceeded and where current and future predicted pollutant concentrations are within 5 % of these limits shall be submitted to and approved in writing by the Local Planning Authority. The report shall include the following information:

1. Details and locations of the ventilation intake locations at rear roof level remote as remote as practically possible from Talgarth Road (A4) and roof level Emergency Diesel Generator Plant

2. Details of restricted opening windows with front elevations with Avonmore Road and Talgarth Road (A4)

3. Details and locations of ventilation extracts, to demonstrate that they are located a minimum of 2 metres away from the air ventilation intakes, openable windows, terraces

4. Details of the independently tested mechanical ventilation system with Nitrogen Dioxide (NO₂) and Particulate Matter (PM_{2.5}, PM₁₀) filtration with air intakes on the rear elevation to remove airborne pollutants. The filtration system shall have a minimum efficiency of 75% in the removal of Nitrogen Oxides/Dioxides, Particulate Matter (PM_{2.5}, PM₁₀) in accordance with BS EN ISO 10121-1:2014 and BS EN ISO 16890:2016.

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

In the interests of air quality, in accordance with Policy SI1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

- 25) Prior to occupation of the development, details of a post installation report of the approved ventilation strategy as required by condition 24 shall be submitted to and approved in writing by the Local Planning Authority. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

In the interests of air quality, in accordance with Policy SI1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

- 26) Prior to the occupation of the development hereby permitted, a report with details of the combustion plant in order to mitigate air pollution shall be submitted to and approved in writing by the council. The report shall include the following:

1. Details to demonstrate that the termination height of the Flue stack for the combustion Plant has been installed a minimum of 2 metres above any openable window and/or roof level amenity area

2. Details of emissions certificates, and the results of NO_x and PM₁₀ emissions testing of each Emergency Diesel Generator Plant and associated abatement technologies including Diesel Particulate Filters (DPF) shall meet a minimum dry NO_x emissions standard of 100 mg/Nm³ (at 15% O₂) respectively by an MCERTS accredited organisation shall be provided following installation and thereafter on an annual basis to verify compliance of the relevant emissions standards in part b). The DPF particulate emissions abatement system must achieve a value less than 0.015 g/kWh and a minimum reduction of 95% in the weighted engine-out brake-specific PM mass emissions. Where any combustion plant does not meet the relevant emissions Standards in part b) above, it should not be operated without the fitting of suitable secondary NO_x abatement Equipment or technology as determined by a specialist to ensure comparable emissions.

3. Details to demonstrate where secondary abatement is used for the Emergency Diesel Generator the relevant emissions standard in part b) is met within 10 minutes of the generator commencing operation. During the operation of the emergency Diesel generators there must be no persistent visible emission. The maintenance and cleaning of the systems shall be undertaken regularly in accordance with manufacturer specifications. The diesel fuelled generators shall only be used for a maximum of 48 hours when there is a sustained interruption in the mains power supply to the site, and the testing of these diesel generators shall not exceed a maximum of 12 hours per calendar year.

Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

In the interests of air quality, in accordance with Policy SI1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

- 27) Prior to occupation of the development, details of the installation of the MSC 007 certified Zero Emission Air Source Heat Pumps for hot water production and the ErP compliant and Zero Emission VRF System for space heating to be provided shall be submitted to and approved in writing by the Local Planning Authority. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

In the interests of air quality, in accordance with Policy SI1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

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

In the interests of air quality, in accordance with Policy SI1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

- 29) Prior to occupation of the development hereby permitted, details of the installation including location and type of active rapid electric vehicle charging points (minimum 50KW) for a minimum of 6 of the total number of 12 surface car parking spaces must be submitted to and approved in writing by the Local Planning Authority. The remaining 6 surface car parking spaces provided on site shall be passive. The approved electric vehicle charging points shall be installed prior to

occupation of the development hereby approved and retained in working order for the lifetime of the development.

In the interests of air quality, in accordance with Policy SI1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

- 30) No part of the development hereby approved shall be occupied or used until the cycle storage arrangements and cycling facilities at ground and basement levels have been implemented in accordance with the details provided on drawing no.s WRW-MLA-GA-B1-DR-A-1209 Rev P04 and WRW-MLA-GA-00-DR-A-1210 Rev P08, and within the "Design and Access Statement including Accessibility Statement" prepared by Morrow Lorraine dated 01/12/20. Thereafter the provision for cycle storage shall be so maintained for the life of the development.

To ensure satisfactory provision for the bicycle and thereby promote sustainable and active modes of transport, in accordance with Policy T5 London Plan (2021), and Policy T3 of the Local Plan (2018).

- 31) No part of the development hereby approved shall be occupied or used until provision has been made for car parking for disabled users in the form of two Blue Badge-holder spaces as indicated on the approved drawing no. WRW-MLA-GA-00-DR-A-1210 Rev P08. Thereafter the provision for Blue Badge parking shall be permanently maintained in this form for the lifetime of the development.

To ensure that the development is accessible, in accordance with Policy T6 of the London Plan (2021), and Policies T4 and T5 of the Local Plan (2018).

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

To ensure that satisfactory provision is made for refuse storage and collection and that servicing activities do not adversely impact on the highway, in accordance with Policy T7 of the London Plan (2021), and Policy T2 of the Local Plan (2018).

- 33) The development hereby permitted shall only be used in connection with the continued use of the existing building as offices, and for no other purpose (including any other separate purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987, as amended, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

In granting this permission, the Council has had regard to the special circumstances of the case. Certain other uses within the same use class may be

unacceptable due to effect on residential amenity or traffic generation, in accordance with Policies DC1, DC4, HO11, CC11, CC13 and T1 of the Local Plan (2018).

Justification for Approving the Application:

- 1) 1) Principle: The proposals would support the retention, enhancement and intensification of the existing the employment use. Subject to a legal agreement the proposal would also offer a financial contribution towards Local Employment, Training and Skills Development Initiatives. The proposals therefore comply with London Plan (2021) Policies E1 and E2, and Local Plan (2018) Policies E1 and E4.
- 2) Design and Heritage: The proposed extension and alterations are judged to be acceptable in visual terms. The proposals are considered to be of a high quality of design having regard to the special architectural and historic interest of the Building of Merit, and to the character and appearance of the conservation area. The settings of nearby heritage assets would be preserved. The proposal therefore accords with the NPPF (2019), London Plan (2021) Policies D3 and HC1, Local Plan (2018) Policies DC1, DC4, DC5 and DC8, and Section 66 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Key Principles of the Planning Guidance SPD (2018).
- 3) Accessibility: The proposals include a number of access improvements by the refurbishment of the existing building, the implementation of which is secured by a condition. The proposal complies the NPPF (2019), London Plan (2021) Policy D5, Local Plan (2018) Policies DC1 and DC4, and Key Principles of the Planning Guidance SPD (2018).
- 4) Impact on Neighbouring Properties: The impact of the proposed development upon adjoining occupiers is not considered unacceptable. The impact to residential amenity from both demolition/construction and operational phases has been considered. There would be no significant worsening of outlook, overlooking, and noise/disturbance, and no unacceptable loss of sunlight or daylight to cause undue detriment to the amenities of neighbours. Measures would be secured by condition to minimise noise and disturbance to nearby occupiers from the demolition and construction phases as well as the operation of the proposed facilities. In this regard, the development would respect the principles of good neighbourliness. The proposed development therefore accords with the NPPF (2019), London Plan (2021) Policy D14, Local Plan (2018) Policies DC1, DC4, HO11, CC11, CC12 and CC13, and Key Principles of the Planning Guidance SPD (2018).
- 5) Transport: The application is supported by several documents including; a Transport Assessment, Workplace Travel Plan, draft Delivery and Servicing Plan, and Demolition and Construction Logistics Plan which provide a comprehensive review of all the potential transport impacts of the proposed development. It is considered that the scheme would not have a significant impact on the highway network or local parking conditions and is thus considered to be acceptable. Travel Plan monitoring will be secured by a satisfactory legal agreement. Satisfactory provision would be made for blue badge car parking, cycle parking and refuse storage. External impacts of the development would be controlled by conditions related to servicing and deliveries and demolition and construction logistics plans.

The proposed development therefore accords with the NPPF, London Plan (2021) Policies T1-T7, Local Plan (2018) Policies T1-T5, T7 and CC7, and Key Principles of the Planning Guidance SPD (2018).

6) Sustainability and Energy: The application is supported by an Energy and Sustainability Statement which demonstrates how the proposal seeks to minimise its environmental impact. The measures will be secured by a condition. The proposed development therefore accords with the NPPF, London Plan (2021) Policies SI2 and SI4, Local Plan (2018) Policies CC1 and CC2, and Key Principles of the Planning Guidance SPD (2018).

7) Flood Risk: Subject to a condition relating to the implementation of the proposed flood risk and sustainable drainage measures the development would not have a significant effect on flood risk or surface water run-off. The proposed development therefore accords with the NPPF (2019), London Plan (2021) Policy SI12, Local Plan (2018) Policies CC2, CC3 and CC4, and Key Principles of the Planning Guidance SPD (2018).

8) Air Quality: Subject to conditions relating the submission of a ventilation strategy and Ultra Low Emission Strategy (ULES) as well as details of the installation of combustion plant compliance, Zero Emission Air/Water Source Heat Pumps or Electric Boilers for space heating and hot water, and the provision of electric vehicle charging points the development would not have a significant effect on local air quality. The proposed development therefore accords with the NPPF (2019), London Plan (2016), London Plan (2021) Policy SI1 and Local Plan (2018) Policy CC10.

9) Conditions: In line with the Town and Country Planning Act 1990 and the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, officers have consulted the applicant on the pre-commencement conditions included in the agenda and the applicant has raised no objections.

10) Planning Obligations: Planning obligations to offset the impact of the development and to make the development acceptable in planning terms are secured. A financial contribution towards Local Employment, Training and Skills Development Initiatives, and travel plan monitoring are secured. The proposed development would therefore mitigate external impacts and would accord with London Plan (2021) Policy DF1 and Local Plan (2018) Policy CF1.

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

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

Application form received: 18th December 2020
Drawing Nos: see above

Policy documents: National Planning Policy Framework (NPPF) 2019
The London Plan 2021
LBHF - Local Plan 2018
LBHF – Planning Guidance Supplementary Planning Document
2018

Consultation Comments:

Comments from:	Dated:
Crossrail Limited	22.12.20
Transport For London - Land Use Planning Team	11.01.21
Crime Prevention Design Advisor - Hammersmith	07.01.21
Fulham Society	05.01.21

Neighbour Comments:

Letters from:	Dated:
CACI House Kensington Village Avonmore Road W14 8TS	15.01.21
13 Stanwick Road LONDON W14 8TL	18.01.21
Top Floor Flat 24 Stonor Road London W14 8RZ	22.01.21
Flat 9 Mornington Ave Mansion LONDON W148UW	12.01.21

SITE CONTEXT AND CONSTRAINTS

- 1.1 The Warwick Building is part of Kensington Village, a collection of seven buildings which provides a secure commercial estate consisting mainly of offices with an ancillary gym and restaurant. The Warwick Building itself is a five-storey brick commercial (Class E) building fronting Avonmore Road, and is directly adjoined to Avon House to the north, and Beaumont House beyond that.
- 1.2 To the south of the site runs the West Cromwell Road (A4), to the east several railway lines and to the west the Kensington Village courtyard and Pembroke House. The immediately surrounding area provides a mixture of uses and building styles, with industrial uses to the south in the Earl's Court and West Kensington Opportunity Area (the boundary of which runs along the northern edge of the A4 immediately to the south of the site), commercial, retail and residential properties to the east on the opposite side of the railway lines, and residential properties to the north and west.
- 1.3 The site is located within the Olympia And Avonmore Conservation Area and the Warwick Building, Beaumont House, Spur Lodge, Caci House and Abingdon

House (all located within Kensington Village) are locally listed Buildings of Merit. The railway lines adjacent to the site to the east are a designated Green Corridor.

- 1.4 The existing Warwick Building was originally part of a larger building that included Avon House and Beaumont House. This building was known as the Whiteley's Furniture Depository. Built in 1892 and designed by Alfred M Ridge the depository supplied Whiteley's Department Stores. In the 1970s, the Avonmore Trading Estate was affected by fire completely damaging the adjoining Avon House, which was subsequently rebuilt as a dark glass building in the late 1980s. In the 1990's, as part of the new Kensington Village, the Warwick Building was fully refurbished and adapted to office use.
- 1.5 The Royal Borough of Kensington and Chelsea is located immediately to the east of the site on the opposite side of the adjacent railway lines.
- 1.6 The main vehicular entrance and access to the Warwick Building is from within Kensington Village, on Avonmore Road via a 24/7 security gatehouse. Stanwick Road provides a secondary vehicular access to the site. The site benefits from the use of the shared basement car park beneath the central courtyard with access behind Pembroke House. The site has a PTAL of 6 meaning it has excellent access to public transport.
- 1.7 This site is in the Environment Agency's Flood Zone 1 which indicates a low risk to flooding from the River Thames.

2.0 RELEVANT PLANNING HISTORY

- 2.1 The most relevant planning permissions relate to the redevelopment of the former Avon Trading Estate as Kensington Village, facilitated by the planning permission 1988/01361/FUL granted 2nd June 1989 for the refurbishment and change of use of warehousing to business use and the erection of a six storey building (Pembroke) and a four storey building (Gloucester) with two basement levels below for car parking.
- 2.2 More recently, planning permission (2012/02817/FUL) was allowed on appeal under the written representations procedure for the "Erection of an extension to the roof of the Warwick Building to provide two floors of accommodation at fifth and sixth floor levels comprising of 25 residential units (4 x 1 bed, 18 x 2 bed and 3 x 3 bed), and a plant machinery enclosure for the new units and the existing offices within the building, with balconies at fifth and sixth floor levels on the northern and southern elevations and winter gardens on the eastern and western elevations; Use of 15 existing on-site car parking spaces at basement level within the courtyard of Kensington Village by occupants of the new flats; Change of use of 75 sq.m of office (Class B1) floorspace at ground floor level to create a lobby for the proposed flats; Creation of a new lift and canopy over the existing staircase in front of Warwick Building from ground floor level to the existing basement car park within the courtyard of Kensington Village; Creation of 28 covered cycle storage spaces within the courtyard of Kensington Village located between Gloucester House and Pembroke House for use by occupants of the new flats."

- 2.3 The 5 reasons for refusal can be summarised as:
- 1) Effect of the proposed development on neighbours, both commercial and residential in terms of noise and disturbance and disruption to the operation of the highway;
 - 2) Failure to provide adequate affordable housing;
 - 3) Prematurity in the absence of an overall plan or strategy for the future of Kensington Village;
 - 4) Inadequate living environment for future occupiers;
 - 5) Failure to demonstrate that the proposed development would be compliant with Level 4 of the Code for Sustainable Homes.

2.4 The application was subsequently allowed at appeal, but the permission was not implemented. This permission has now expired.

3.0 PROPOSAL

3.1 The current proposal relates to the extension and refurbishment of the existing office accommodation.

3.2 In more detail the proposed works include:

- o demolition of the existing rooftop plant rooms and existing roof;
- o erection of a single storey roof extension over part of the roof at 5th floor level to provide 605 sqm of additional office accommodation (Class E) with an ancillary enclosed roof terrace (303sqm) and replacement plant;
- o installation of a new repositioned entrance from Avonmore Road at ground floor level;
- o ancillary alterations to the existing office building (including replacing louvres with new matching windows);
- o alterations to the existing underground car park comprising the removal of 26 parking spaces and provision of 108 cycle parking spaces with associated showers, changing facilities and lockers; and
- o alterations to the 12 existing car parking spaces at street level to include 2 additional disabled parking spaces, 4 electric vehicle charging spaces and 2 passive electric charging spaces.

3.3 The main changes from the previous approval (2012/02817) include a reduction to the height and footprint of the proposed roof extension, and a change to its design; the removal of the residential accommodation; and the provision of additional office space including a roof terrace.

4.0 PUBLICITY AND CONSULTATIONS

+ Public Engagement

4.1 A Statement of Community Involvement (SOI) supports the current planning application and summarises the pre-application engagement undertaken.

4.2 Leaflets were posted to stakeholders and distributed by hand to 500 local residents during the week commencing 26 October 2020. In addition to providing a general overview of the proposal recipients were invited to view the revised proposal on a dedicated website. A feedback form allowed comments to be shared

on the merits of the proposal. Members from the Fulham Society also requested a site visit which was undertaken on the 13th November 2020.

- 4.3 457 residents and stakeholders were recorded as viewing the website. Of these 3 representations were received. Comments received requested restrictions to the hours of use of the roof terrace to avoid potential noise impacts; the restriction on the hours of construction; the minimising of external lighting around the roof terrace; and further details in respect to the loss of the car parking spaces on site; as well as concerns regarding the impact to the appearance of the warehouse.

+ Statutory Consultation

- 4.4 The planning application was publicised by way of letters sent to 1287 surrounding properties. Site and press notices were also published.

- 4.5 Representations have been received from 3 residents of Mornington Avenue Mansions, Stanwick Road and Stonor Road and 1 representation has been received from an existing business within Kensington Village raising the following summarised concerns:

- o There is no demand for additional office accommodation
- o The original warehouse building needs to be preserved
- o Harm to the building of merit and conservation area
- o Loss of light to properties on Mornington Avenue
- o Noise resulting from the roof terrace
- o Noise and disruption during construction works to surrounding residential streets and to businesses operating within Kensington Village
- o Obstruction to residential roads caused by heavy goods vehicles
- o Dirt and dust will result in additional window cleaning and plant equipment filters being change more regularly
- o Works to the basement will cause disruption to occupiers of existing businesses within Kensington Village
- o Will the electric parking space and cycle parking facilities be for use of all buildings?
- o Loss of privacy from the glazed elevations and roof terrace
- o Materials should be non-reflective

+ Amenity groups

- 4.6 The Fulham Society state: "The proposal to add an additional floor to the Warwick building alone would totally destroy the balance and harmony of the wonderful view of the buildings along the railway." "Beaumont and Warwick more or less preserve their original facades, including the brackets which supported the former glass roof.the proposals to open up the front façade to the Warwick building as a 'modern' entrance would be deleterious to the views along the whole sweep of the building." And"we feel that something more sensitive and imaginative could be provided, which would be less intrusive on the courtyard façade."
- 4.7 Avonmore Residents Association were consulted on the planning application and have not made any comments.

4.8 The Hammersmith and Fulham Historical Society, Hammersmith and Fulham Historic Buildings Group, The Hammersmith Society, and the National Amenity Societies and Theatre Trust were also consulted on the planning application and have not made any comments.

+ Technical Consultations

4.9 Transport for London have no objection subject to conditions to ensure that the development does not impact on existing neighbouring London Underground transport infrastructure.

4.10 Network Rail requests the applicant contacts the Network Rail's Asset Protection and Optimisation (ASPRO) team prior to works commencing and request a number of informatives.

4.11 Crossrail Limited confirm that the application relates to land outside the limits of land subject to consultation by the Crossrail Safeguarding Direction, and therefore does not wish to make any comment on the application as submitted.

4.12 Metropolitan Police Service Designing Out Crime Officer confirms he has no comments to make.

4.13 The Royal Borough of Kensington and Chelsea, the Environment Agency, Thames Water, London Underground, and The London Fire and Emergency Planning Authority were consulted on the planning application and have not made any comments.

+ Design Review Panel

4.14 The scheme was presented to the Councils Design Review Panel 6th October 2020. The panel recognised the challenges both from a structural and engineering perspective of adding a roof-top pavilion to the existing building. They considered that the scheme would benefit from further review to ensure that the new build element is integrated with the existing building and that the form and design of the extension of other elements serve to maximise opportunities to enhance the character and appearance of the host building overall.

4.15 The current proposal is considered to have responded to the comments made by the Design Review Panel.

5.0 POLICY FRAMEWORK

5.1 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.

5.2 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).

5.3 In this instance the statutory development plan comprises the London Plan (2021) and the Local Plan (2018). A number of strategic and local supplementary planning guidance and other documents are also material to the determination of the application.

+ National Planning Policy Framework (February 2019)

5.4 The National Planning Policy Framework (NPPF) came into effect on 27 March 2012 and was revised in 2019 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.

5.5 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.

+ London Plan

5.6 The London Plan was published in March 2021. It forms the Spatial Development Strategy for Greater London and sets out a framework for how London will develop over the next 20-25 years and the Mayor's vision for Good Growth. It forms part of the development plan for Hammersmith and Fulham.

+ Local Plan

5.7 The Council adopted the new Local Plan on 28 February 2018. The policies in the Local Plan together with the London Plan make up the statutory development plan for the borough. The Planning Guidance Supplementary Planning Document (SPD) (February 2018) is also a material consideration in determining planning applications. It provides supplementary detail to the policies and is organised around key principles.

6.0 PLANNING ASSESSMENT

6.1 The main considerations material to the assessment of this application have been summarised as follows:

- The principle of intensifying the existing employment use on the site;
- Design and visual amenity (including the impact on heritage assets);
- Residential Amenity (outlook/privacy/ daylight and sunlight/noise);
- Highways and Transportation; and
- Environmental Matters

LAND USE

6.2 London Plan Policies E1 and E2 support improvements to the quality, flexibility and adaptability of office space of different sizes and state that this should be supported by new office provision, refurbishment and mixed-use development. Local Plan Policies E1 and E2 also support the retention, enhancement and intensification of existing employment uses.

- 6.3 In line with these policies the proposals would both intensify and enhance the existing employment use which in turn will assist with its long term retention. The existing building has 740 full time employees. The proposal seeks to provide 605sqm of additional office accommodation at roof level, which would provide for 52 additional full-time employees on the site, as well as upgrading the existing office space to provide a high quality, modern working environment. The proposal is therefore judged to accord with the above policies.
- 6.4 Local Plan Policy E1 further states proposals are also subject to appropriate scale of development, with particular regard to local impact, the nature of the surrounding area, and public transport accessibility. These matters are considered in the subsequent sections of this report where it is concluded the proposal is acceptable in these respects.
- 6.5 Local Plan Policy E4 requires the provision of appropriate employment and training initiatives for local people of all abilities in larger employment generating developments when these are completed. Accordingly, the Council will ask applicants to commit to programmes which will enhance business and area competitiveness as well as maximising opportunities for local entrepreneurship and enterprise.
- 6.6 In this case the proposed development would consist of an additional gross internal floorspace of 605sqm and would provide an increase of 52 new full-time employees on the site. The Council's Local Procurement Code (LPC) sets out the necessary actions of the developers working in partnership with the Council's Local Procurement Initiative to ensure local small and medium sized local enterprises (SMEs) based in the borough, benefit directly from relevant developments taking place in the borough. In this case a financial contribution of £3,400 has been calculated for the facilitation of the LPC. In addition, according to the Council's Employment and Skill Code, £3,500 is required in this case for training and support necessary for a local person to move onto an apprenticeship. The applicant has agreed to enter into a Section 106 Agreement to provide a financial contribution of £6,900 for the above Local Employment, Training and Skills Development Initiatives. On this basis the proposal accords with Local Plan Policy E4.

DESIGN AND HERITAGE

+ Policies

- 6.7 The NPPF (section 12) states that development should respond to local character and history and the surrounding environment and setting, whilst not preventing innovation but extends this to recognise a role for change and increased densities. The NPPF (section 16) advocates a positive strategy for conserving and enhancing the historic environment, taking account of (amongst other things) the desirability of new development to make a positive contribution to local character and distinctiveness. The NPPF states that economic, social and environmental gains are to be sought jointly and simultaneously in order to deliver positive improvements in the quality of the built, natural and historic environment.

- 6.8 In determining applications, Paragraph 192 of the NPPF states that LPAs should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses; the positive contribution that conservation of heritage assets can make to sustainable communities; and the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 193 requires great weight to be given to an asset's conservation (and the more important the asset, the greater the weight should be) when considering the impact of a proposed development on the significance of a designated heritage asset, irrespective of the amount of harm. Paragraph 194 states that "Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of grade II listed buildings, or grade II registered parks or gardens, should be exceptional." Paragraph 196 states that where a development proposal will lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal `including, where appropriate, securing its optimum viable use`. Paragraph 197 concerns the effect of an application on non-designated heritage assets that should be taken into account in determining the application. "In weighing applications that directly or indirectly affect 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." Paragraph 200 states that "Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably." Paragraph 201 recognises that 'Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance'.
- 6.9 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.'
- 6.10 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.'
- 6.11 London Plan Policy D3 specifies that development must take a design led approach that optimises the capacity of sites, with specific regard to form and layout, experience, quality and character. London Plan Policy HC1 states that development proposals affecting heritage assets, and their setting should conserve their significance and avoid harm and identify enhancement by integrating heritage considerations early on the design process.

6.12 Local Plan Policy DC1 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'.

6.13 Local Plan Policy DC4 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. In considering applications for alterations and extensions the council will consider the impact on the existing building and its surroundings and consider the following:

- a) Scale, form, height and mass;
- b) Proportion;
- c) Vertical and horizontal emphasis;
- d) Relationship of solid to void;
- e) Materials;
- f) Relationship to existing building, spaces between buildings and gardens;
- g) Good neighbourliness; and
- h) The principles of accessible and inclusive design.'

6.14 Local Plan Policy DC6 states replacement windows should respect the architectural character of the building and its surroundings.

6.15 Local Plan Policy DC8 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'. This is supported by Planning Guidance SPD Key Principle CAG3.

6.16 Planning Guidance SPD Key Principles AH1 and AH2 relate to the protection of heritage assets, and SPD Key Principle BM2 states development will not be permitted if it would result in the demolition, loss or harmful alteration to buildings identified on the council's Register of Buildings of Merit.

+ Site context

6.17 The existing Warwick Building was originally part of a larger building that included Avon House and Beaumont House. This building was known as the Whiteley's Furniture Depository. Built in 1892 and designed by Alfred M Ridge the depository supplied Whiteley's Department Stores. In the 1970s, the Avonmore Trading Estate was affected by fire completely damaging the adjoining Avon House, which was subsequently rebuilt as a dark glass building in the late 1980s. In the 1990's, as part of the new Kensington Village, the Warwick Building was fully refurbished

and adapted to office use. The refurbishment included new windows, new cores and fire escapes. Later, due to water ingress, the roof was over-clad to provide enhanced protection from the elements and three rooftop plant enclosures were added.

- 6.18 The building along with the other 4 remaining original buildings (Beaumont House, Spur Lodge, Caci House and Abingdon House) at Kensington Village are on the Local Register of Buildings of Merit. The whole Kensington Village Estate is located within the Avonmore and Olympia Conservation Area.
- 6.19 In addition to heritage assets in LBHF, The Church of St Cuthbert and St Matthias (Grade I listed building), St Cuthbert's clergy house (Grade II listed building), and the Philbeach Conservation Area have been identified to the south-east of the application site, across the West Cromwell Road with the Royal Borough of Kensington and Chelsea.

+ Proposal

6.20 The proposed external works comprises:

1. A single storey roof level extension to the Warwick Building. These works include removing and replacing roof plant and the formation of a roof terrace;
2. A new ground floor entrance to the Warwick Building, including the introduction of an access ramp;
3. Reopening of blocked windows at ground floor level with new windows reinstated to match existing windows; and
4. Alterations to an existing basement floor car park to provide additional cycle parking and associated facilities.

+ Assessment

- 6.21 There are no objections to the principle of the roof extension which has been carefully considered in relation to viewpoints along the A4 and from neighbouring streets as well as from within the grounds of Kensington Village.
- 6.22 The existing building has a linear form and slightly cranked floorplan with a rhythm of bays across the masonry facades. These are constructed from brick and terracotta and incorporate a strongly vertical fenestration pattern. Conceived as a pavilion, the lightweight form of the proposed rooftop addition hovers above the existing façade. A strong, horizontal plane defined by a projecting canopy with terracotta coloured cladding around the perimeter of the extension reinforces the horizontality of the original building. Delicate supporting columns provide the pavilion with a lightweight aesthetic, while their regular spacing has been aligned to the host façade. Behind the primary grid of columns is a secondary rhythm of mullions from the curtain wall glazing which encloses the new office floorspace. An open sided terrace at the southern end of the building is incorporated within the primary grid and canopy so that it is discreet and integrated within the pavilion form. Rooftop plant is either contained within the pavilion structure or in a recessive roof enclosure that is attractively screened and proportioned to reinforce

the linearity of the pavilion structure. The existing roof level stair cores on the west elevation, do not make a positive contribution to the character and appearance of the building and would be substantially reduced in height and incorporated into the pavilion design of the façade.

- 6.23 In this instance the eastern range of warehouse buildings along the West London Line is broken by a modern office building inserted following fire damage. This insertion rises above the original warehouse buildings on either side and terminates the view northwards from the A4, assisted by the curve in the railway line. The southern end of the warehouse range now appears awkwardly lower in scale. Given the very limited vantage points from which the entire warehouse range is visible there are no objections to the southern end receiving a roof extension in isolation from the northern end. The modern insertion would continue to form the tallest part of the range.
- 6.24 The building currently lacks a legible entrance at ground floor level. The creation of the new entrance would result in the removal of existing fabric at ground floor level. It is considered that the removal of the fabric would not detract from key elements of significance associated with the heritage asset: its landmark character, its architectural interest reflecting its original use, and its historical associations. The new entrance incorporates full width glazing to one bay with a decorative terracotta frieze above. This is considered to make a positive contribution to the Warwick Building.
- 6.25 The proposal to restore full width glazing to bricked-up former ground floor windows will also provide a positive enhancement to the appearance of the building.
- 6.26 The proposed works to the basement car park would not result in any direct alteration to the Building of Merit as the subterranean works would have no physical manifestations above ground level.
- 6.27 The proposal has been reviewed by the Council's Design Review Panel and the design was substantially amended following the Design Review Panel meeting to respond to their concerns.
- 6.28 Officers consider that the pavilion roof extension would have a strong linear form that responds to the proportions and materiality of the host building. Alterations to the windows and the new entrance will be sympathetic to the architecture of the original building.
- 6.29 The proposal is considered to form a positive addition to the building and its setting within the Kensington Village estate and the wider Olympia and Avonmore Conservation Area. The scheme would therefore not result in any harm to the character or appearance of the Conservation Area. The proposals are considered to enhance the character of host building, its setting and its features and therefore would make a positive contribution to the significance of the non-designated heritage asset.
- 6.30 Considering the impacts of the development upon other heritage assets, particularly the Locally Listed, Buildings of Merit forming the Kensington Village; Beaumont House, Spur Lodge, Caci House and Abingdon House, and designated

heritage assets located within the Royal Borough of Kensington and Chelsea, (the Church of St Cuthbert and St Matthias (Grade I listed building), St Cuthbert's clergy house (Grade II listed building), and the Philbeach Conservation Area, whilst there would be some inter-visibility between the proposal and these assets, it is considered that given the design quality and complementary materiality of the proposal; there would be no harm caused to the setting of these assets overall.

- 6.31 Overall, subject to conditions, the proposed works, due to their design, scale and situation, would not harm the special architectural or historic interest of the Building of Merit (non-designated heritage asset) or its setting and would not harm the setting of adjacent designated/non-designated heritage assets in accordance with section 66 and section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. In addition, Officers consider that the proposed development would make a positive contribution to the character and appearance of the Conservation Area. The proposals would be in accordance with the NPPF (2019), Policies D3 and HC1 of the London Plan (2021), Policies DC1, DC4, DC6 and DC8 of the Local Plan (2018) and Key Principles AH1, AH2, BM2 and CAG3 of the Planning Guidance SPD (2018).

ACCESSIBILITY

- 6.32 The NPPF, London Plan D5, and Local Plan Policies DC1 and DC4 all seek to ensure that future development achieves the highest standards of accessible and inclusive design. Planning Guidance SPD Key Principles DA1, DA5, DA6, DA7, DA8, DA11 and DA12 all require that buildings are designed to be accessible and inclusive, both internally and externally, to all who may visit or use the building.
- 6.33 There are a number of access improvements proposed by the refurbishment of the existing building. The main pedestrian access will be via a new main entrance in the Village courtyard. The existing building has a step between the pavement and the entrance level. To provide level access, the external pavement level will include dropped kerbs and a gentle slope either side of the entrance. A new power assisted revolving door will provide the main access into the building, with a pass door operated by an automatic opening push button for those with reduced mobility. Level threshold access is proposed across the scheme at all entrances and to all terrace areas. All external entrance doors have suitable widths which are within the requirements of Approved Document Part M.
- 6.34 In terms of internal vertical circulation the four existing lift cars in the central core will be removed and replaced with three new 11 person lift cars serving all floors. In addition to this, a new fire-fighting lift is introduced to the central fire-fighting core, serving all levels. The existing building contains no provision for accessible WCs. As part of the refurbishment accessible WCs will be added to every level. WC provision generally is being upgraded to achieve BCO requirements for an occupancy level of 1:8.
- 6.35 The improvements to the existing building are welcomed and their implementation will be secured by a condition. The proposal in this respect will comply with the relevant aims and requirements of the policies cited above.

RESIDENTIAL AMENITY

6.36 Local Plan Policy HO11 states that proposals for extensions will be considered acceptable where it can be demonstrated that there is no detrimental impact on:

- Privacy enjoyed by neighbours in adjoining properties;
- Daylight and sunlight to rooms in adjoining properties;
- Outlook from windows in adjoining properties; and
- Openness between properties.

6.37 Policies DC1 and DC4 require all proposals for new builds and extensions to be formulated to respect the principles of good neighbourliness. Planning Guidance SPD Housing Key Principles 6,7 and 8 support Local Plan Policy HO11 and set out a more detailed means of assessment.

+ Privacy and Outlook

6.38 SPD Key Principle HS6 states that a general standard can be adopted for assessing outlook, by taking a line at 45 degrees from a point 2 metres high on the boundary with adjoining gardens. SPD Key Principle HS7(iii) states any new windows should be positioned at least 18 metres from existing habitable room windows measured by an arc of 60 degrees taken from the centre of the proposed new window. SPD Key Principle 8 states planning permission will not be granted for roof terraces if the use of the terrace would result in an additional opportunity for overlooking.

6.39 The rear elevation of flats at Mornington Avenue Mansions on Mornington Avenue to the west look into the courtyard of Kensington Village and face Warwick Building, however the site is in excess of 70m from their rear boundary. The nearest residential properties on Stanwick Road to the north west would also be in excess of 70metres from the proposed development. It is therefore considered that the proposed development would not have a detrimental impact upon outlook from or privacy at neighbouring residential properties in accordance with Planning Guidance SPD Key Principles 6, 7 and 8.

+ Daylight and Sunlight

6.40 The NPPF (Paragraph 123 part c) and footnote 37 states that daylight and sunlight guidance should be applied flexibly 'where they would otherwise inhibit making efficient use of a site', so long as they continue to provide adequate living standards.'

6.41 The Mayor's Housing SPG makes clear that 'an appropriate degree of flexibility' should be applied when assessing the impacts of new development on surrounding properties and within developments.

6.42 The British Research Establishment (BRE) guide on 'Site layout planning for daylight and sunlight', sets out good practice for assessing daylight and sunlight impacts for new development. The introduction to the guide however stresses that it should not be used as an instrument of planning policy and should be interpreted flexibly because lighting is only one design factor for any scheme.

6.43 The BRE provides for a number of methods to assess potential reduction of light. The applicant's daylight and sunlight assessment of the proposed scheme refers to the Vertical Sky Component (VSC) and the annual probable sunlight hours (APSH) to assess the potential reduction to daylight and sunlight on residential windows. The level of sunlight to the outdoor amenity spaces (i.e. gardens) within the surrounding properties and within the proposed development has also been considered.

6.44 In this case the daylight and sunlight assessment has analysed the residential windows facing towards the development within Mornington Avenue Mansions on Mornington Avenue to the west. The results confirm that all windows and rooms within these properties will meet the target values as set out in the BRE Guidelines for daylight (in terms of VSC and daylight distribution) and sunlight (in terms of APSH). The analysis further demonstrates that the amenity spaces both within the site (i.e. the roof terrace) and external (i.e. the courtyard) to the proposal will also meet the minimum target values set out within the BRE Guidelines.

6.45 It is therefore considered that the proposal would not have an adverse impact on the amenities of neighbouring residential occupiers in terms of loss of light.

+ Light Pollution

6.46 In addition to the abovementioned Policies Local Plan Policy CC12 states lighting arrangements should be appropriate for the intended use, provide the minimum amount of light necessary to achieve its purpose, and provide adequate protection from glare and light spill, particularly to nearby sensitive receptors such as residential properties.

6.47 A Light Pollution Report supports the application and concludes that residential properties would not experience any material additional light spill from the proposed development. Lighting simulations have been carried to assess the impact to the nearest residential windows which have a direct view of the proposed development within Mornington Avenue Mansions on Mornington Avenue to the west. Modelling is on a worse-case scenario where there are no blinds and the lights are all on. All lighting within the terrace will be positioned well within the perimeter of the terrace and controlled in such a way as to reduce any risk of spill light. A lighting control system will be utilised to provide the facility to automatically switch the external lighting off outside of designated times. The proposal will meet the recommendations within Institute for Lighting Practitioners' (ILP) Guidance Note GN01:2011 providing adequate protection from light spill and ensuring there will be no undue detriment to the general amenities enjoyed by existing surrounding occupiers of their properties. The Environmental Protection team has considered the proposals and raises no objections subject to a condition to ensure lighting accords with the Guidance Notes for The Reduction of Light Pollution.

+ Noise and Vibration

6.48 NPPF paragraph 170 states that planning decisions should prevent new and existing development from contributing to unacceptable levels of noise pollution. Similarly, Paragraph 180 states that planning decisions should mitigate and

reduce to a minimum potential adverse impacts resulting from noise from new development - and avoid noise giving rise to significant adverse impacts on health and the quality of life.

- 6.49 London Plan Policy D14 states in order to reduce, manage and mitigate noise to improve health and quality of life, development proposals should manage noise by avoiding significant adverse noise impacts on health and quality of life.
- 6.50 Local Plan Policy CC11 seeks to control the noise and vibration impacts of developments, requiring the location of noise and vibration sensitive development 'in the most appropriate locations'. Design, layout and materials should be used carefully to protect against existing and proposed sources of noise, insulating the building envelope, internal walls floors and ceilings, and protecting external amenity areas. Noise assessments providing details of noise levels on the site are expected 'where necessary'. Local Plan Policy CC13 seeks to control pollution, including noise, and requires proposed developments to show that there will be 'no undue detriment to the general amenities enjoyed by existing surrounding occupiers of their properties'.
- 6.51 For developments that have the potential to increase noise or vibration levels Planning Guidance SPD Key Principle NN1 requires the submission of a noise and/or vibration survey and report. SPD Key Principle NN4 requires all noise generating uses, including plant, machinery and equipment, will be subject to requirements to minimise noise to relevant criteria in order to protect residential and other noise sensitive amenity. SPD Key Principle NN7 requires the submission of a Demolition Management Plan and/or Construction Management Plan for substantial developments close to other premises. Finally, SPD Key Principle HS8 states that where balconies of terraces are provided, they must be designed to respect the amenity of neighbours in terms of potential for noise disturbance.
- 6.52 In accordance with the above policies a Noise Impact Assessment has been prepared. Noise breakout from plant as well as the from the use of the new development has been carefully considered, particularly due to the relatively close proximity of the neighbours to the west and north west. The Environmental Protection Team has considered the assessment and, subject to conditions, is satisfied the proposals would not result in unacceptable levels of noise.
- 6.53 In more detail, the proposed external plant to be located at roof level has been assessed to consider the noise impact on residential receptors in accordance with the principles of BS4142:2014. The closest residential receptors to the proposed external plant have been identified at 28-30 Mornington Avenue and Stanwick Road. The majority of the external plant is expected to operate during office hours only, however, for the purposes of the assessment, both the daytime (07:00hrs to 23:00hrs) and night time (23:00 to 07:00hrs) periods have been assessed.
- 6.54 The Noise Impact Assessment calculates that the night time plant noise levels will not meet the Councils required limits for night time but that the assessment has been calculated as 'worst case' and that as the plant is ancillary to the office use, it will not be operational at night time (23:00 to 07:00hrs). Should the plant be required to be used at night-time then additional mitigation will be required to ensure the sound level is lower than the lowest existing background sound level by

at least 10dBA, in accordance with BS4142:2014. This is secured by a condition.

- 6.55 Consideration is also given to the potential noise from the operation of the office building itself in respect to proposed hours of use of the building and other noise generated by general activities, including the proposed roof terrace area.
- 6.56 There are no time restrictions imposed on the use of the existing buildings from a planning perspective due to the historic nature. The Warwick Building already has E Class office use and it is anticipated that the type of use, and indeed the hours of use will not change from what has historically occurred. The number of car parking spaces has been reduced under the proposals and therefore no additional vehicle movements are expected. The operational phase of the internal office accommodation is therefore not expected to result in any increase in noise, when compared to the existing status.
- 6.57 Due to its elevated position it is important that the proposed roof terrace does not result in the potential for unacceptable levels of noise and disturbance at a time when residents expect a good degree peace and quiet. The Noise Impact Assessment confirms the proposed roof terrace is to be used by office workers only as ancillary function space. No music is expected to be played in the roof terrace area. It is assumed that 40 people would use the terrace at any one time and noise levels from people speaking have been assessed. The report estimates that noise from the roof terrace will be inaudible inside the closest residential receptor owing to the existing ambient noise levels being over 20dB higher than the estimated noise from the roof terrace and therefore the risk of adverse noise impact is negligible.
- 6.58 It is noted there is an existing outdoor seating area at the restaurant in Abingdon House which was originally restricted to the hours of 07:30 to 21:00 hours Monday to Friday. In 2019 permission was granted to allow the outdoor seating area to be used between 07:30 until 21:00 every day for temporary period. Due to the elevated position of the proposed terrace Officers consider it is reasonable to restrict the hours of use of this area as well. Following consultation with the Environmental Protection team and considering the planning permission at Abingdon House the use of the terrace shall be restricted to the hours of 08:00 to 21:00 Monday to Saturday and between the hours of 10:00 to 20:00 on Sunday and Public/Bank Holidays. This will be secured by a condition.
- 6.59 In terms of disturbance during building works the application is supported by a Demolition Management Plan (DMP) and Construction Management Plan (CMP). During these phases the implementation of good industry standards, guidance and practice procedures (i.e. Considerate Constructors scheme) will be followed in order to minimise noise effects. Noise and vibration will be managed to reduce impacts, and mitigation measures have been set out within the document. The Environmental Protection team has considered the plans and are satisfied the amenity of neighbouring properties would not be adversely affected during the demolition and construction phases. The implementation of these measures as submitted will be secured by a condition.
- 6.60 Subject to the inclusion of conditions and the implementation of the mitigation measures proposed officers consider the proposals would not cause undue detriment to the general amenities at present enjoyed by existing surrounding

residents in terms of noise and vibration, in accordance with the above stated policies.

HIGHWAYS AND TRANSPORTATION

- 6.61 Paragraph 108 of the NPPF states that applications for development should ensure that appropriate opportunities to promote sustainable transport modes are taken and that safe and suitable access to sites can be achieved. Paragraph 109 states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual impacts on the road network would be severe. Paragraph 111 states all developments that will generate significant amounts of movement should be required to provide a travel plan, and should also be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.
- 6.62 London Plan Policy T1 states development proposals should facilitate the delivery of the Mayor's strategic target of 80 per cent of all trips in London to be made by foot, cycle or public transport by 2041. The policy further states all development should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated.
- 6.63 London Plan Policy T2 actively supports facilities used to support and promote regular trips by walking or cycling. Policy T5 expands on this by requiring development proposals to help remove barriers to cycling and create a healthy environment where people choose to cycle. It is suggested that this can be done through the provision of appropriate levels of secure and well-located cycle parking.
- 6.64 London Plan Policy T4 states development proposals should reflect and be integrated with current and planned transport access, capacity and connectivity. When required in accordance with national or local guidance, transport assessments/statements should be submitted with development proposals to ensure that impacts on the capacity of the transport network (including impacts on pedestrians and the cycle network), at the local, network-wide and strategic level, are fully assessed. Where appropriate, mitigation, either through direct provision of public transport, walking and cycling facilities and highways improvements or through financial contributions, will be required to address adverse transport impacts that are identified.
- 6.65 London Plan Policy T6 requires car parking to be restricted in line with levels of existing and future public transport accessibility and connectivity. In this case the maximum car parking standards, disabled persons parking for Blue Badge holders and provision for infrastructure for electric or other Ultra-Low Emission vehicles should be in line with Policy T6.2 Office Parking.
- 6.66 London Plan Policy T7 states Construction Logistics Plans and Delivery and Servicing Plans will be required and should be developed in accordance with Transport for London guidance and in a way which reflects the scale and complexities of developments.

- 6.67 Local Plan Policy T1 sets out the Council's intention to 'work with strategic partners to improve transport provision, accessibility and air quality in the borough, by improving and increasing the opportunities for cycling and walking, and by improving connections for bus services, underground, national and regional rail'.
- 6.68 Local Plan Policy T2 relates to transport assessments and travel plans and states "All development proposals would be assessed for their contribution to traffic generation and their impact on congestion, particularly on bus routes and on the primary route network".
- 6.69 Local Plan Policies T3, T4, T5 and T7 relate to opportunities for cycling and walking, vehicle parking standards, blue badge holders parking and construction logistics.
- 6.70 The above policies are supported by Key Principles TR1 -TR4, TR7, TR21 and TR27 of the Planning Guidance SPD.
- 6.71 Local Plan Policy CC7 sets out the requirements for all new developments to provide suitable facilities for the management of waste. Planning Guidance SPD Key Principles WM1, WM2, WM7 and WM11 are also applicable which seek off-street servicing for all new developments.
- 6.72 In this case the construction phase and the intensified use of the site has the potential to impact on the public highway, the amenities of local residents and the area generally, from the comings and goings of people and of vehicles. In accordance with the above policies a Transport Assessment, Workplace Travel Plan, draft Delivery and Servicing Plan, and Demolition/Construction Logistics Plans have been prepared to support the planning application.

+ Access

- 6.73 Vehicle access to the site is via Avonmore Road, a 3.3m wide access limited in height (around 5m) by the presence of an arch. A barrier and a gatehouse are located at this point, where security access control is performed, ensuring all incoming vehicles (including pedestrians) are checked in and are familiar with how to access the different buildings within the estate. A traffic flow scheme is operated within the whole estate. Egress from the estate is provided through Stanwick Road, via a 4.8m wide access with unlimited height. Gates on Stanwick Road are locked from 19:00, from which time vehicles egress through the Avonmore Road access point.
- 6.74 Pedestrian access to the site is taken via the Avonmore Road access, and through a secured pedestrian entrance from the A4 West Cromwell Road. There are 4 pedestrian access/exit stairwells to the underground car park, two in front of the Warwick Building, one located between Pembroke House and Gloucester House and one located near the Stanwick Road's access gates.

+ Transport Assessment

- 6.75 The Transport Assessment (TA) indicates that the proposed additional office floorspace is forecast to generate a total of 141 two-ways daily person trips. A total

133 (95%) of trips will be by sustainable modes, including 49 walking (35%), 7 cycling (5%), 15 travelling by bus (10%), and 62 by tube/train (45%). Only 5 (3%) of trips are anticipated to be made by car/taxis, while servicing trips (2%) are anticipated to be existing and therefore already present in the local highways network. Given the high accessibility of the site, this level of additional person trips is anticipated to have a negligible impact on the operation of public transport services operating in the vicinity of the site. While the redevelopment of the site might result in an increase in the volume of deliveries/waste produced, these will be undertaken/collected within the existing vehicle trips made to the existing site and there will be no increase in the delivery/refuse movements.

+ Car parking

6.76 The Warwick Building currently has a total of 45 designated on-site car parking spaces (33 within the underground car park and 12 surface parking spaces along Avonmore Road). The London Plan Policy T6 states that 'where sites are redeveloped, parking provision should reflect the current approach and not be re-provided at previous levels where this exceeds the standards set out in this policy'. The proposal seeks a betterment of the existing situation, in accordance with the London Plan, by reducing the total number of parking spaces allocated to the Warwick Building from 45 to a total of 19 spaces.

6.77 In more detail, 26 parking spaces within the underground car park will be removed to facilitate the additional cycle parking and associated facilities, leaving a total of 7 car parking spaces at this level. Additionally, alterations will be made to the 12 car parking spaces available at street level. The building currently has no accessible car parking spaces. To overcome this deficiency, 2 street level parking spaces will be widened to provide accessible parking within close proximity of the main entrance. It was originally sought to provide 6 new Electric Vehicle charging points (including 2 passive EV points) within the reconfigured street level parking spaces. In the interests of air quality the applicant has agreed to increase the provision so that a minimum of 6 of the 12 surface car parking spaces have active rapid electric vehicle charging points and the remaining 6 surface car parking spaces shall have passive electric vehicle charging points. This will be secured by a condition.

6.78 The site is in a highly accessible location (PTAL 6) in relation to existing pedestrian, cyclists and public transport facilities and, as discussed earlier, it is anticipated that employees will travel using sustainable modes of transport. The provision of no general parking within the site in association with the removal of existing parking bays to make space for cycle parking spaces will support the site's accessible location and encourage access using sustainable modes of transport.

+ Cycle parking

6.79 A total of 108 additional cycle parking spaces will be created alongside the 23 Sheffield stands that are already allocated for the building. The additional provision will consist of 10 vertical cycle racks and 92 two tier cycle racks within the basement car park, and 6 new cycle stands at ground level for non-standard cycle parking (tricycles, handcycles, cycles for wheelchair users etc). In addition, 1 cycle maintenance station with tools and air pump, 11 showers, 2 WCs, associated changing areas and 204 lockers will be provided at basement level, which will

further support the shift towards sustainable modes of travel for those working in the Warwick Building's office facilities. The proposed total number of 131 cycle parking spaces is around 5.7 times the existing provision offering and is just 10 spaces short of the London Plan guidance. Given that it is only proposed 605m² of additional office space, the proposed number is considered to be a great betterment to the existing situation, for the benefit of staff of the whole building, and not only new staff associated with the proposal. A condition is attached to ensure the implementation of the cycle parking and associated facilities is implemented prior to the occupation of the development and retained thereafter.

+ Refuse and Delivery Serving Plan

6.80 A draft Delivery and Servicing Plan (DSP) is included as a separate document as part of the planning application. The DSP seeks to manage deliveries to occur off-peak. An existing secured refuse store is located between the Warwick Building and Avon House containing segregated bins for paper/card recycling, general waste, food waste, glass. Refuse collection within the whole estate is managed by a private company. Collections are undertaken daily, 5 days a week (Monday to Friday), in the morning before 9am, and once a week a second collection is also undertaken, occurring early afternoon. Refuse vehicles park on Avonmore Road near the refuse store while the refuse is collected. As stated above, while the proposed development might result in an increase in the volume of deliveries/waste produced, these will be undertaken/collected within the existing vehicle trips made to the existing site and as such there will be no increase in the delivery/refuse movements. Highways officers consider the details are sufficient to ensure that the servicing and delivery to the proposed new development will not have a detrimental impact on the safe operation of the highway network. A final DSP will be secured by a condition.

+ Travel Plan

6.81 In accordance with Local Plan Policy T2 a Workplace Travel Plan has been developed as a form of mitigation which demonstrates how the development will promote sustainable modes of travel. A legal agreement will secure the submission of an updated Travel Plan prior to the first use of the development which would be subject to ongoing monitoring and review, to ensure the development continues to encourage users of the development to travel by sustainable modes other than the car.

+ Building Works

6.82 The main impact of the development in highway terms would be at the demolition and construction stages. In accordance with Local Plan Policy T7 and Planning Guidance SPD Key Principle TR21 a Demolition Logistics Plan (DLP) and a Construction Logistics Plan (CLP) have been submitted.

6.83 The submitted DLP and CLP demonstrate that the demolition and construction works are unlikely to have a significant impact on the local highway network. The Plans will be secured by a condition, and will remain live documents with ongoing consultation with the Council's Highways Officers.

- 6.84 Subject to the submission of the required documents by condition and the mitigation to the impacts of the development required by way of legal agreement, officers consider that the proposed development would not detrimentally impact on the highway network and would be in accordance with the policies cited above.

ENVIRONMENTAL MATTERS

+ Sustainability and Energy

- 6.85 The NPPF states that development proposals are expected to comply with local requirements and should take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption and to increase the use and supply of renewable and low carbon energy.
- 6.86 The Mayor's Sustainable Design and Construction SPG provides guidance on the implementation of London Plan Policies and provides a range of additional guidance on matters relating to environmental sustainability.
- 6.87 London Plan Policy SI2 seeks to extend the extant requirement on residential development to non-residential development to meet zero carbon targets. It maintains the expectation that a minimum reduction of 35% beyond Building Regulations to be met on site (10% or 15% of which should be achieved through energy efficiency for residential development, and non-residential development). Where it is clearly demonstrated that the zero-carbon target cannot be met on site, the shortfall should be provided through a cash in lieu contribution to the borough's carbon offset fund, or off-site provided an alternative proposal has been identified and delivery is certain.
- 6.88 London Plan Policy SI4 seeks to minimise internal heat gain and the impacts of urban heat island effect through design, layout, orientation and materials. An energy strategy should demonstrate how development proposals will reduce potential for overheating and reliance on air conditioning systems in accordance with a hierarchy that prioritises the minimisation of internal heat generation through energy efficient design and reductions to the amount of heat entering a building.
- 6.89 Local Plan Policy CC1 requires major developments to implement energy conservation measures by implementing the London Plan sustainable energy policies and meeting associated CO2 reduction target and demonstrating that a series of measures have been taken to reduce the expected energy demand and CO2 emissions. It requires the use of on-site energy generation to further reduce CO2 emissions where feasible. Policy CC2 seeks to ensure the implementation of sustainable design and construction measures by implementing the London Plan sustainable design and construction policies. These are supported by Key Principles set out in the Energy and Sustainable Design Construction Chapters of the Planning Guidance SPD.
- 6.90 An Energy and Sustainability Statement has been submitted with the application. The current building performs badly in terms of energy use and energy efficiency and the extension and alterations provide an opportunity to upgrade the whole building. Inclusion of energy efficiency measures such as improved insulation levels, use of LED lighting, heat recovery on the ventilation system etc in both the proposed extension and in the existing building and the addition of renewable

energy generation on site in the form of Air Source Heat Pumps (ASHPs) and solar PV panels is calculated to reduce energy use and associated CO2 emissions by 51.1% across the whole scheme. This meets the London Plan target of achieving at least a 35% reduction in emissions compared to the Building Regulations requirements. The implementation of the energy efficiency and low/zero emission measures outlined in the Sustainability and Energy Statement will be secured by a condition.

- 6.91 In terms of wider sustainability issues, the report states that the building will achieve a BREEAM rating of Excellent. A WELL Building Assessment has also been carried out and it will achieve the "Gold" rating.
- 6.92 During the course of the application additional information has been provided on the design pre-assessments and the applicant has agreed to a condition that requires the submission of a post construction assessment which will verify that the agreed measures have been integrated as required.
- 6.93 Subject to the inclusion of conditions requiring the implementation of the submitted Energy and Sustainability Statement, together with a post construction assessment, officers consider that the proposed development accords with the policies cited above.

+ Flood risk

- 6.94 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'.
- 6.95 London Plan Policy SI12 states that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. Policy SI13 sets out the same requirement and additionally states that proposals for impermeable paving should be refused and that drainage should be designed and implemented to address water efficiency, water quality, biodiversity and recreation.
- 6.96 Local Plan Policy CC2 requires major developments to implement sustainable design and construction measures, including making the most efficient use of water. Local Plan Policy CC3 requires that new development is required to reduce the use of water and to minimise current and future flood risk. This is supported by Policy CC4 which seeks that developments manage surface water run-off and requires all major developments to implement SuDS and to provide a sustainable drainage strategy.
- 6.97 The SuDs, and Flood Risk and Water Efficiency Chapters of the Planning Guidance SPD support the above.
- 6.98 The site is in the Environment Agency's Flood Zone 1. This indicates a low risk of flooding from the River Thames. There is an existing basement on site which is not being extended. This does not contain any office accommodation but shower/toilet and changing facilities are proposed as part of the works which has the potential to increase the risk of sewer surcharge flood risk in this part of the building. The building is not in a surface water flooding hotspot, although during a major storm

event there could be some small areas of ponding of water close to the building and more extensive ponding in neighbouring streets.

6.99 In accordance with the above policies, a Flood Risk Assessment, a Drainage Strategy Report and a Sustainable Drainage Report have been submitted to support the application.

6.100 There is no requirement for flood risk mitigation for the Warwick Building as the main extension works are proposed at roof level which is not at risk from flooding. A Supplementary Drainage Report was submitted during the course of the application which includes sewer surcharge protection to prevent sewer water backing up through the drainage system and entering the basement from the toilet/shower facilities.

6.101 With regards to the proposed measures to manage surface water run-off, rainwater harvesting (RWH) is proposed to collect rainwater for re-use (for toilet flushing), which is at the top of the London Plan Drainage Hierarchy. Maintenance information has also been provided. During the course of the application additional SUDs measures were also explored. Further information has been provided on the feasibility assessment carried out on incorporating a living roof, but due to structural concerns this is not being progressed. The issue of including other measures has been considered but ruled on account of avoiding harm to the existing historic building and because the applicant does not own any of the surrounding land.

6.102 While the final discharge rate to the sewer is not fully in line with the requirements of the Local Plan, which would require discharge rates to be at greenfield rates where possible, given the proposal is not a completely new build scheme the proposed improvement to the discharge rates is acceptable in this instance.

6.103 The implementation of the flood risk mitigation measures and sustainable drainage measures will be secured by a condition. On this basis, officers consider that the proposed development would not detrimentally impact on flood risk or surface water run-off and would be in accordance with the policies cited above.

+ Air Quality

6.104 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).

6.105 London Plan Policy S11 states that development proposals should not lead to deterioration of existing poor air quality, create any new areas that exceed air quality limits or create unacceptable risk of high levels of exposure to poor air quality.

6.106 Local Plan Policies CC1 and CC10 seeks to reduce potential adverse air quality impacts arising from new developments and sets out several requirements. These are supported by Planning Guidance SPD Key Principles AQ1 to AQ5.

- 6.107 The development site is within the borough wide Air Quality Management Area (AQMA) and in an area of existing poor air quality that exceeds the WHO health based Air Quality Guideline Values for NO₂, PM₁₀ and PM_{2.5} due to the road traffic emissions from the elevated section of the West Cromwell Road (A4). The development proposal will introduce new receptors into an area of poor air quality and will lead to deterioration in local air quality due to the construction, and operational phases of the development.
- 6.108 On this basis, the application is supported by an Air Quality Assessment. The Council's Environmental Quality officer has considered the proposal and has recommended conditions relating the submission of a ventilation strategy and Ultra Low Emission Strategy (ULES) as well as details of the installation of combustion plant compliance, Zero Emission Air/Water Source Heat Pumps or Electric Boilers for space heating and hot water, and the provision of electric vehicle charging points.
- 6.109 On this basis officers consider that the proposed development would not detrimentally impact on Air Quality and would be in accordance with the policies cited above.

LAND CONTAMINATION

- 6.110 Paragraph 170 of the NPPF says that the planning system should contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.
- 6.111 Local Plan Policy CC9 requires a site assessment and a report on its findings for developments on or near sites known to be (or where there is reason to believe they may be) contaminated. Development will be refused 'unless practicable and effective measures are to be taken to treat, contain or control any contamination'. Any permission will require that any agreed measures with the council to assess and abate risks to human health or the wider environment are carried out as the first step of the development.
- 6.112 Key principles LC1-6 of the Planning Guidance SPG identify the key principles informing the processes for engaging with the council on, and assessing, phasing and granting applications for planning permission on contaminated land. The latter principle provides that planning conditions can be used to ensure that development does not commence until conditions have been discharged.
- 6.113 Given the scope of the proposed works, no contamination or ground investigations are deemed necessary by Land Contamination Officers.

7.0 PLANNING OBLIGATIONS / COMMUNITY INFRASTRUCTURE LEVY (CIL)

+ S106 Heads of Terms

- 7.1 The NPPF provides guidance for local planning authorities in considering the use of planning obligations. It states that 'authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations and that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning

condition'.

- 7.2 London Plan Policy DF1 (Delivery of the Plan and Planning Obligations) states that: "Development proposals should provide the infrastructure and meet the other relevant policy requirements necessary to ensure that they are sustainable and to support delivery of the Plan."
- 7.3 Local Plan Policy INFRA1 (Planning Contributions and Infrastructure Planning) advises that the council will seek planning contributions to ensure the necessary infrastructure to support the Local Plan is delivered using two main mechanisms 'Community Infrastructure Levy (CIL) and Section 106 Agreements (s106).
- 7.4 It is anticipated that the S106 for this development will include the following draft heads of terms:
- o A financial contribution of £6,900 for Local Employment, Training and Skills Development Initiatives (£3,400 for the facilitation of the Local Procurement Code and £3,500 for Employment and Skill Code)
 - o A workplace Travel Plan plus monitoring cost (£3,000 paid at review years 1, 3 and 5).
- + Mayoral and Local CIL
- 7.5 The Mayor's CIL (Community Infrastructure Levy) came into effect in April 2012 and new fee rates came into effect in April 2019. This would contribute towards the funding of Crossrail. The GLA expect the Council, as the Collecting Authority, to secure the levy in accordance with London Plan Policy DF1. This development would be subject to a London wide community infrastructure levy. This development is liable for an estimated Mayoral CIL of £48,400.00 (plus indexation).
- 7.6 The Council's Community Infrastructure Levy (CIL) is also a charge levied on the net increase in floorspace arising from development in order to fund infrastructure that is needed to support development in the area. The CIL Charging Schedule was presented to Council and approved 20 May and has formally taken effect since the 1st September 2015. Due to the location of the site within the CIL 'North' Charging Zone this development would not be subject to the Council's community infrastructure levy.
- 8.0 CONCLUSION
- 8.1 In considering planning applications, the Local Planning Authority needs to consider the development plan as a whole and planning applications that accord with the development plan should be approved without delay, unless material considerations indicate otherwise and any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 8.2 In the assessment of the application regard has been given to the NPPF, London Plan, and Local Plan policies as well as guidance.
- 8.3 In summary, the proposals would support the retention, enhancement and intensification of the existing the employment use. Subject to a legal agreement

the proposal would also offer a financial contribution towards Local Employment, Training and Skills Development Initiatives. The proposed extension and alterations are acceptable in visual terms. The proposals are considered to be of a high quality of design having regard to the special architectural and historic interest of the Building of Merit, and to the character and appearance of the conservation area. The settings of nearby heritage assets would also be preserved. Subject to conditions the proposal would not result in unacceptable impacts upon the amenities of neighbouring residential properties. Highways, transportation and environmental matters including energy and sustainability, flood risk, air quality and land contamination have also been satisfactorily addressed and will be subject to conditions and a legal agreement. In these respects, the proposals comply with the relevant policies of the NPPF (2019), the London Plan (2021), the Local Plan (2018) and the relevant Key Principles within the Planning Guidance Supplementary Planning Document (2018).

- 8.4 Officers have taken account of all the representations received and in overall conclusion for the reasons detailed in this report it is considered, having regard to the development plan as a whole and all other material considerations, that planning permission should be granted subject to the conditions listed, and the completion of a s106 legal agreement.

9.0 RECOMMENDATION

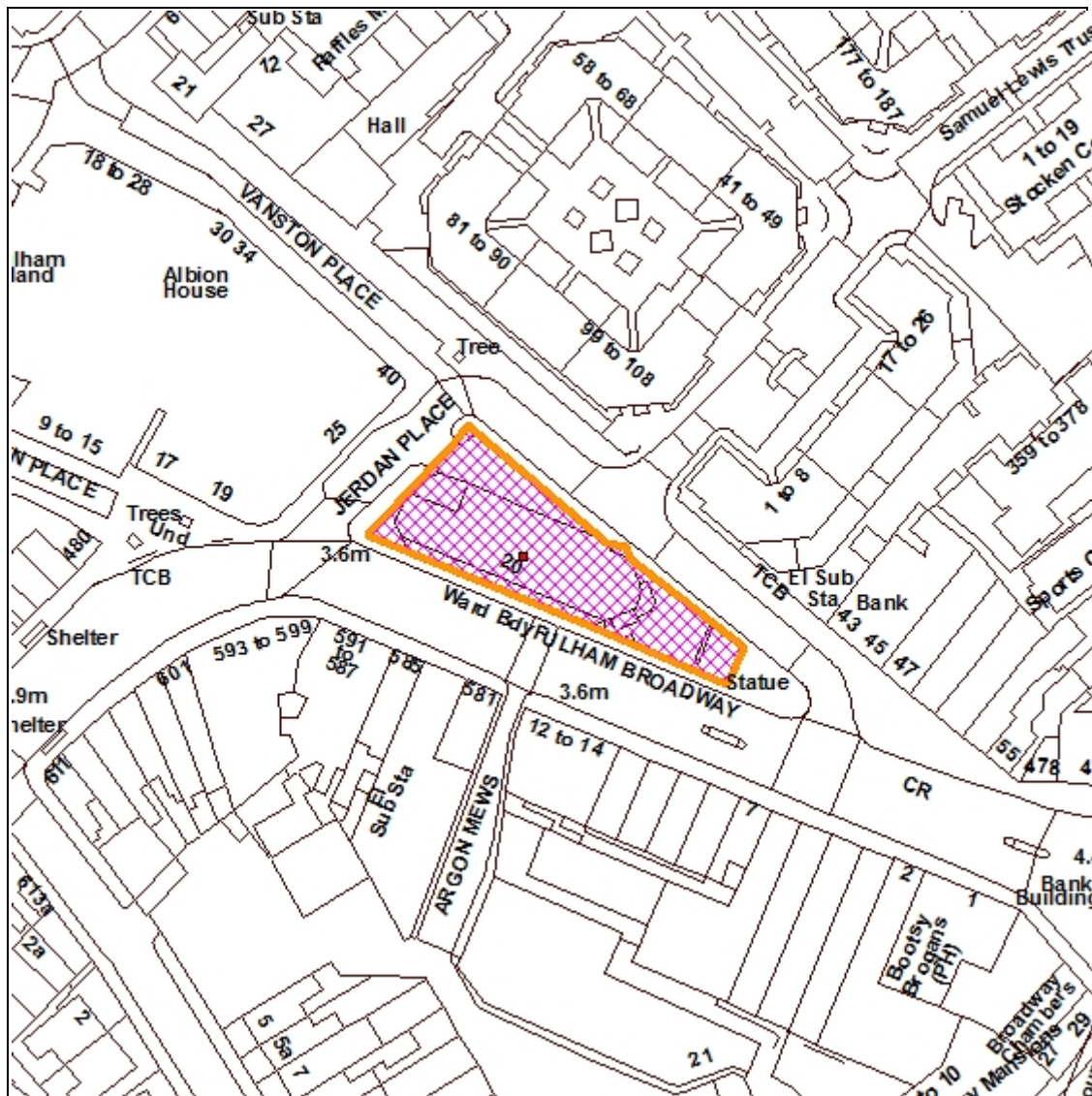
- 9.1 It is recommended that planning permission be approved subject to conditions and the completion of a satisfactory legal agreement.

Agenda Item 6

Ward: Fulham Broadway

Site Address:

20 Fulham Broadway London SW6 1AH



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For identification purposes only - do not scale.

Reg. No:

2020/03054/VAR

Case Officer:

Graham Simpson

Date Valid:

23.11.2020

Conservation Area:

Constraint Name: Walham Green Conservation Area - Number 14

Committee Date:

20.04.2021

Applicant:

Mr Jody Bishop
10 Maynard Close London SW6 2DB England

Description:

Variation of conditions 2, 12 and 26 of planning permission ref: 2015/00670/FUL granted on 13th October 2016 for the 'Erection of a double-height lobby extension to the existing forecourt and a part five part six storey extension fronting Vanston Place for enlarged A2 uses at ground floor level and office use (Class B1) above; roof terrace at fifth floor level; alterations to cladding and colour of ground floor level; re-glazing of external lift; plant structure at roof level', amended by planning permission ref. 2017/04094/FUL granted on 15th May 2018 for the 'Reduction of lobby extension to Fulham Broadway; increase public realm area in front of main entrance; relocate lift; additional floor area of 1st floor and upper floors at east elevation; alterations to ground level facades fronting Vanston Place and Fulham Broadway; and reduction of roof plant area', amended by planning permission ref. 2019/00664/VAR granted on the 24th October 2019 for the 'Change in the Vanston Place frontage to a flush facade; enclosure of roof terrace on the fifth floor and an extension to square off the north western corner of the building', amended by planning permission ref. 2020/01025/VAR granted on the 4th August 2020 for the 'Roof terraces on the sixth floor of the restored and extended building and on top of the new entrance pavilion at second floor level, and to change revolving door to pavilion entrance to sliding door'. Amendments to include: relocation of crossover to Fulham Broadway, and retaining the existing crossover on Vanston Place, for an on-site parking space; additional perforated metal panels at ground floor and the installation of a double door on Vanston Place frontage; re-positioning of entrance doors on Fulham Broadway frontage, and installation of sliding doors in lieu of the approved swing doors; new swing door for main reception; condition 12 to include updated Secured by Design details; condition 26 to include all outward opening emergency doors.

Drg Nos: Secure by Design Statement Rev B dated March 2021; PL-1900; 1901; 1902; 1903; 1904; AQDMP dated February 2020 received 11 March 2020; Revised Construction Logistics Plan Rev 2 received 12/04/19; DMP January 2019; Environmental Desk Study- REP/003/18 dated Jan 2018; Drainage Strategy dated Oct 2018; Landmark Envirocheck site sensitivity map; Spec for Ground Investigation TFC-ARP-ZZ-XX-SP-C-0001 Rev A; Email from Andy Tyler, Principal Geotechnical Engineer dated 21/12/18 1409_PL_1100 rev I; 1101 rev F; 1102 rev F; 1103 rev F; 1104 Rev F; 2100 rev F; 2101 rev G; 2102 rev F; 2103 rev G; 3100 rev E; 3101 rev F; 5101;

Application Type:

Vary or Delete Conditions Full/Outline

Officer Recommendation:

That the Committee resolve that the Chief Planning Officer be authorised to grant permission subject to the condition(s) listed below:

That the Committee resolve that the Chief Planning Officer, after consultation with the Head of Law and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed Heads of Terms of the legal agreement or conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.

Conditions:

- 1) The development hereby permitted shall not commence later than the expiration of 3 years beginning with the date of the planning permission ref. 2019/00664/VAR dated 24 October 2019.

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

- 2) The development shall not be erected otherwise than in accordance with the following approved drawings:
1409_PL_1100 rev I; 1101 rev F; 1102 rev F; 1103 rev F; 1104 Rev F; 2100 rev F; 2101 rev G; 2102 rev F; 2103 rev G; 3100 rev E; 3101 rev F; 5101.

In order to ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with Policies DC1, DC2, and DC8 of the Local Plan 2018.

- 3) The development shall be completed in accordance with the Demolition Management Plan, Construction Logistics Plan and Construction Management Plan approved under application 2019/03314/DET.

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

- 4) Details and samples of all materials to be used on the external faces of the new building, any new surface treatment, and any boundary walls, railings gates and fences, including the balustrade to the terraces at second and sixth floor levels, shall be submitted to and approved in writing by the Council before the relevant parts of the works are commenced. No part of the development shall be used or occupied prior to the completion of the development in accordance with the approved details.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, to preserve the character and appearance of the area; and the setting and special architectural and historic interest of the locally listed building in accordance with policies D4 and HC1 of the London Plan (2021) and Policies DC1, DC2, and DC8 of the Local Plan 2018.

- 5) The window glass of the shopfronts on the Vanston Place frontage and new and replacement glass of the shopfronts on the Fulham Broadway frontage shall not be mirrored, painted or otherwise obscured.

To ensure a satisfactory external appearance and to prevent harm to the streetscene, in accordance with Policies DC1, DC2, DC8 and DC9 of the Local Plan 2018.

- 6) None of the new shopfronts on the Vanston Place and Jerdan Place, nor the altered / new shopfronts on the Fulham Broadway frontages, shall be fitted with external roller shutters.

To ensure a satisfactory external appearance, in accordance with Policies DC1, DC2, DC8 and DC9 of the Local Plan 2018.

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

To ensure a satisfactory external appearance, in accordance Policies DC1, DC2, and DC8 of the Local Plan 2018.

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

To ensure a satisfactory external appearance, in accordance Policies DC1, DC2, and DC8 of the Local Plan 2018.

- 9) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no aerials, antennae, satellite dishes or related telecommunications equipment shall be erected on any external part of the approved buildings, without planning permission first being obtained.

In order to ensure that the Council can fully consider the effect of telecommunications equipment upon the appearance of the buildings in accordance with Policies DC1, DC2, and DC8 of the Local Plan 2018.

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

Due to the proximity to neighbouring properties and proposed design of the building on the site, the Council would wish to exercise future control over development which may affect residential amenity or appearance of the area, in accordance with Policies DC1, DC2, and DC8 of the Local Plan 2018.

- 11) No advertisements shall be displayed on or within the shopfronts on the Vanston Place frontage, or on the front Fulham Broadway frontages of the building itself, without details of the advertisements having first been submitted to and agreed in writing by the Council.

In order that any advertisements displayed on the building are assessed in the context of an overall strategy, so as to ensure a satisfactory external appearance and to preserve the integrity of the design of the building, in accordance with Policies DC1, DC2, DC8 and DC9 of the Local Plan 2018.

- 12) The development shall be completed in accordance with the "Secured by Design Statement Revision B - March 2021" details, hereby approved and permanently maintained thereafter.

To ensure that the development incorporates suitable design measures to minimise opportunities for, and the perception of, crime, in accordance with Policies D3, D5 and D6 of the London Plan (2021), and Policies DC1 and DC2 of the Local Plan 2018.

- 13) No burglar or fire alarms shall be mounted on the front elevation of the building or any key architectural features.

To ensure a satisfactory external appearance, in accordance Policies DC1, DC2, and DC8 of the Local Plan 2018.

- 14) With the exception of those indicated on the approved drawings, no new windows, doors or other openings shall be created in the external elevations of any part of the development hereby approved.

To ensure a satisfactory external appearance and so that the use of the buildings does not harm the amenities of the existing neighbouring residential properties and future residential occupiers of the development as a result of overlooking, loss of privacy and noise and disturbance, in accordance with Policies DC1, DC2 and HO11 of the Local Plan 2018.

- 15) The entrance doors hereby permitted shall have a level threshold at the same level as the area fronting the entrance. The entrance doors shall not be less than 800mm wide.

To ensure suitable entry into the building for disabled people. In accordance with Policies DC1 and DC2 of the Local Plan 2018.

- 16) With the exception of the roof terraces area shown on the approved drawings, no part of the remainder of the flat roof areas provided by the development hereby approved shall be used as a terrace or other accessible amenity space. The roof terraces hereby approved shall not be enlarged prior to approval from the Council. No walls, fences, railings or other means of enclosure shall be erected around the roofs (other than those shown on approved drawings), and no alterations shall be carried out to the approved building / extensions to form access onto the roofs (other than those shown on approved drawings).

To ensure a satisfactory external appearance and so that the use of the buildings does not harm the amenities of the existing neighbouring residential properties and future residential occupiers of the development as a result of overlooking and loss of privacy in accordance with Policies DC1, DC2 and HO11 of the Local Plan 2018.

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

To ensure that the amenity of occupiers of the development site/ adjacent dwellings/ noise sensitive premises is not adversely affected by noise, in accordance with policies CC11 and CC13 of the Local Plan 2018.

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

To ensure that the amenity of occupiers of the development site/surrounding premises and natural habitat is not adversely affected by lighting, in accordance with policy CC12 of the Local Plan 2018.

- 19) Before the relevant parts of work are commenced, details of suitable façade glazing lighting periods within side extension fronting Vanston Place and mitigation measures to minimise light trespass, glare and sky glow from internally transmitted or reflected artificial light shall be submitted to and approved in writing by the council. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

In order to ensure that the building does not cause excessive light pollution and in order to conserve energy when they are not occupied, in accordance with policy CC12 of the Local Plan 2018.

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

To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by cooking odour, in accordance with Policies DC1, DC2, and DC8 of the Local Plan 2019.

- 21) The development hereby permitted shall be completed in full accordance with the details approved under application 2018/04112/DET relating to Temporary Fencing

To ensure that the site remains in a tidy condition during and after demolition works and during the construction phase and to prevent harms to the street scene and character and appearance of the Walham Green conservation area, in accordance with Policies DC1, DC2, and DC8 of the Local Plan 2018.

- 22) No part of the development hereby approved shall be occupied prior to the provision of the refuse storage enclosures, have been submitted to and details approved by the Council, and such storage facilities shall be permanently retained thereafter in accordance with the approved details.

To ensure that the use does not give rise to smell nuisance and to prevent harm to the street scene arising from the appearance of accumulated rubbish, in accordance with Policies DC8, CC6 and CC7 of the Local Plan 2018.

- 23) The extended premises shall not be occupied until details of a servicing and delivery plan for the extended office space on the upper levels and the two Class E units at ground floor level hereby approved have been submitted to and approved by the council. Approved details shall be implemented throughout the lifetime of the development unless otherwise agreed by the Council.

To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise, in accordance with Policies T1, T2, CC11, CC13 and OS2 of the Local Plan 2018.

- 24) The commercial (Class E) floorspace hereby approved at ground floor level on the Vanston Place frontage shall be provided in the form of at least 2 separate units, as indicated on the approved drawings. The floorspace shall thereafter be retained in this form and shall not be amalgamated or occupied as one larger single unit.

The use of the retail floorspace as a single shop unit could raise materially different considerations which the Council would wish to have an opportunity to consider at that time, in accordance Policy T1 of the Local Plan 2018.

- 25) No part of the development hereby approved shall be occupied prior to the provision of 24 cycle storage for the development hereby approved, have been submitted to and details approved by the Council, and such storage facilities shall be permanently retained thereafter in accordance with the approved details.

In order to promote alternative, sustainable forms of transport, in accordance with Policy T3 of the Local Plan 2018.

- 26) With the exception of those outward opening doors indicated on the approved drawings, all external doors shall be designed and installed so that they open inwards and thereafter shall be retained in this form.

To ensure pedestrian flow is not unduly affected, in accordance with Policy T3 of the Local Plan (2018).

- 27) No tables and/or chairs shall be set outside the premises on the Vanston Place frontage for use in connection with the ground floor commercial floorspace hereby approved.

In order that the use of the commercial floorspace does not give rise to conditions detrimental to the amenities of the occupiers of neighbouring properties, in terms of noise and disturbance, and so as not to impede pedestrian flow, in accordance with Policies CC9 , CC13 and T3 of the Local Plan 2018.

- 28) The development shall not be occupied prior to the submission and approval in writing by the Council of a satisfactory Travel Plan, which shall include information on how alternative methods of transport to and from the development, other than by car, will be encouraged by the applicants. No part of the development shall be used or occupied prior to the implemented of the Travel Plan in accordance with the approved details, and the Travel Plan shall thereafter continue to be fully implemented.

To ensure that the use does not generate an excessive number of car trips which would be contrary to the Council's policies of car restraint set down in T2 and T4 of the Local Plan 2018.

- 29) No persons shall be on the premises in connection with the operation of the ground floor commercial (Class E) floorspace hereby approved between 21:00 hours and 07:00 hours the following day.

To ensure that the amenities of the occupiers of surrounding residential properties are not unduly affected as a result of noise and disturbance, in accordance with Policies CC11 and CC13 of the Local Plan 2018.

- 31) The development hereby permitted shall not be occupied before implementation of

the sustainable design and construction measures detailed in the submitted Sustainability and Energy Statement. All details shall be implemented prior to occupation/use of the development hereby permitted, and thereafter be permanently retained.

To ensure a satisfactory external appearance and the integration of energy generation from renewable sources, consistent with the Mayor's sustainable design objectives in accordance with Policies SI 2 and SI 3 of The London Plan (2021), and Policies DC1, DC2, DC8, CC1 and CC2 of the Local Plan 2018.

- 32) The development hereby permitted shall be completed in full accordance with the details approved under application 2018/03535/DET relating to Sustainable Urban Drainage System (SUDs)

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 SI 13 of the London Plan 2021, and Policy CC3 of the Local Plan 2018.

- 33) The development shall be implemented in accordance with the recommended flood mitigation measures as proposed in the submitted Flood Risk Assessment otherwise agreed in writing by the local planning authority. The recommended mitigation measures shall be permanently retained thereafter.

To reduce the impact of flooding to the proposed development and future occupants, in accordance with Policy SI 12 and SI 13 of the London Plan 2021, and Policy CC3 of the Local Plan 2018.

- 34) The development hereby permitted shall be completed in full accordance with the details approved under application 2018/03535/DET relating to the Drainage Strategy.

To ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community in accordance with Policies SI 12 and SI 13 of the London Plan (2012), and Policy CC3 of the Local Plan 2018.

- 35) The development hereby permitted shall be completed in full accordance with the details approved under application 2018/03535/DET relating to Preliminary Risk Assessment.

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 CC9 of the Local Plan 2018.

- 36) The development hereby permitted shall be completed in full accordance with the details approved under application 2018/03535/DET relating to Site Investigation Scheme.

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 CC9 of the Local Plan 2018.

- 37) The development shall be completed in accordance with the quantitative risk assessment approved under application 2019/03314/DET.

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 CC9 of the Local Plan 2018.

- 38) The development shall be completed in accordance with the quantitative risk assessment approved under application 2019/03314/DET.

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 CC9 of the Local Plan 2018.

- 39) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until the approved remediation method statement has been carried out in full if required by the approved quantitative risk assessment, and a verification report confirming these works has been submitted to, and approved in writing, by the Council. This report shall include: details of the remediation works carried out; results of any verification sampling, testing or monitoring including the analysis of any imported soil; all 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 Council is to be informed immediately and no further development (unless otherwise agreed in writing by the Council) shall be carried out until a report indicating the nature of the contamination and how it is to be dealt with is submitted to, and agreed in writing by, the Council. Any required remediation shall be detailed in an amendment to the remediation method statement to be submitted and approved by the Council 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 CC9 of the Local Plan 2018.

- 40) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until an onward long-term monitoring methodology report, is submitted to and approved in writing by the Council setting out where further monitoring is required past the completion of development works (as identified in the approved site investigation scheme or the approved remediation statement or the approved verification report) 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 Council 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 CC9 of the Local Plan 2018.

- 41) Before the relevant parts of work are commenced, detailed drawings in plan, section and elevation at a scale of no less than 1:20 of a typical bay of each elevation shall be submitted to and approved in writing by the Council. The development shall be carried out in accordance with such details as have been approved and thereafter permanently retained in this form.

To ensure a satisfactory external appearance, in accordance with Policies DC1, DC2, and DC8 of the Local Plan 2018.

- 42) Prior to commencement of above ground works in the development a Ventilation Strategy Report to mitigate the impact of air pollution shall be submitted to and approved in writing by the Local Planning Authority. The report shall include the following information:

- a) Details and locations of the air intake locations for B1 use class at rear roof level
- b) Details and locations of openable windows for B1 use class
- c) Details and location of the air intakes for A2 use class at rear elevations
- d) Details and locations of ventilation extracts, chimney/boiler flues, to demonstrate that they are located a minimum of 2 metres away from the fresh air ventilation intakes, openable windows, balconies, roof gardens, terraces

e) If part a) is not implemented details of the independently tested mechanical ventilation system with Nitrogen Dioxide (NO₂) and Particulate Matter (PM_{2.5}, PM₁₀) filtration to remove airborne pollutants and ventilation intakes located on the rear elevation. The filtration system shall have a minimum efficiency of 75% in the removal of Nitrogen Oxides/Dioxides, Particulate Matter (PM_{2.5}, PM₁₀) in accordance with BS EN ISO 10121-1:2014 and BS EN ISO 16890:2016

The whole system shall be designed to prevent summer overheating and minimise energy usage. The maintenance and cleaning of the systems shall be undertaken regularly in accordance with manufacturer specifications, and shall be the responsibility of the primary owner of the property. A post installation certificate of the approved ventilation strategy shall be submitted to the Council prior to the occupation/use of the development. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

To comply with the requirements of the NPPF (2018), Policy SI 1 of the London Plan 2021, and Policy CC10 of the Local Plan (2018).

- 43) Approved details under 2019/03314/DET shall be fully implemented and permanently retained and maintained during the demolition and construction phases of the development.

To comply with the requirements of the NPPF (2018), Policy SI 1 of the London Plan 2021, and Policy CC10 of the Local Plan (2018).

- 44) Prior to occupation of the development hereby permitted a Low Emission Strategy for the operational phase of the B1 and A2 class use of the development in order to mitigate the impact of air pollution shall be submitted to and approved in writing by the Local Planning Authority. The Low Emission Strategy must detail the remedial action and mitigation measures that will be implemented to protect receptors (e.g. design solutions). This Strategy must make a commitment to implement the mitigation measures that are required to reduce the exposure of poor air quality and to help mitigate the development's air pollution impacts, in particular non-combustion energy generation sources the emissions of NO_x and particulates from on-road vehicle transport by the use of Ultra Low Emission Vehicles in accordance with the emissions hierarchy (1) Cargo bike (2) Electric Vehicle, (3) Hybrid (non-plug in) Electric Vehicle (HEV), (4) Plug-in Hybrid Electric Vehicle (PHEV), (5) Alternative Fuel e.g. CNG, LPG, (6) Diesel (Euro 6 & Euro VI). Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

To comply with the requirements of the NPPF (2018), Policy SI 1 of the London Plan 2021, and Policy CC10 of the Local Plan (2018).

- 46) The Demolition and Construction Logistics Plan shall be implemented in accordance with the approved details under 2019/03314/DET throughout the relevant project period.

To comply with the requirements of the NPPF (2018), Policy SI 1 of the London Plan 2021, and Policy CC10 of the Local Plan (2018).

- 47) The Construction Logistics Plan shall be implemented in accordance with the approved details under 2019/03314/DET throughout the relevant project period.

To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise and disturbance, in accordance with Policies T1, T6, and T7 of the Local Plan 2018.

- 48) All the roof terraces within the building shall only be used between 0800hrs and 2100hrs Monday to Sunday, and shall not be used at any other time. No music (either acoustic or amplified) shall be played at any time on any of the terraces.

To ensure that the amenities of the occupiers of surrounding residential properties are not unduly affected as a result of noise and disturbance, in accordance with Policies DC1, HO11 and CC11 of the Local Plan (2018).

Justification for Approving the Application:

1. Land use: The extension of the building to provide additional commercial floorspace is considered acceptable in land use terms. The proposed development would increase office space and improve facilities that support Fulham Town Centre, in accordance with the NPPF (2018), Policy E1 of the London Plan (2021), and Local Plan 2018 Policy E1

2. Design: The proposed development would be a high quality development which would make a positive contribution to the urban environment in this part of the Borough. Further the proposal would not harm the character or appearance of the conservation area. The development would therefore be acceptable in accordance with the NPPF (2018), Policies HC1, D3, D4, D5 and D8 of the London Plan (2021), and Local Plan 2018 Policies DC1, DC4 and DC8.

3. Residential Amenity and Impact on Neighbouring Properties: The impact of the proposed development upon adjoining occupiers is considered acceptable in terms of noise, overlooking, loss of sunlight or daylight or outlook to cause undue detriment to the amenities of neighbours. In this regard, the development would respect the principles of good neighbourliness. The development would therefore be in accordance with Policies HO11 and DC4 of the Local Plan 2018.

4. Safety and Access: A condition will ensure the development would provide a safe and secure environment for all users in accordance with Policies D11 of the London Plan (2021), and Local Plan 2018, Policy DC4. Conditions will also ensure the proposal would provide ease of access for all people, including disabled people, in accordance with Policies D5 and D7 of the London Plan (2021), Policy DC4 of the Local Plan 2018.

5. Transport: Subject to conditions there would be no adverse impact on traffic generation and the scheme would not result in congestion of the road network. Conditions will also secure satisfactory provision cycle and refuse storage. The development would therefore be acceptable in accordance with the NPPF (2018), Policies T3, T4, T5, T6 and T7 of the London Plan (2021), Local Plan 2018 policies T2, T3, T4, T5 and T7.

6. Flood Risk: A Flood Risk Assessment (FRA) has been submitted and has considered risks of flooding to the site and adequate preventative measures have been identified. Details of SUDS will be secured by a condition. In this respect the proposal is therefore in accordance with the NPPF (2018), Policies SI 12 and SI 13 of the London Plan (2021), policies CC3 and CC4 in the Local Plan 2018.
7. Land Contamination: Conditions will ensure that the site would be remediated to an appropriate level for the sensitive residential use. The proposed development therefore accords with Policy 5.21 of the London Plan (2016), and Policy CC9 in the Local Plan 2018.
8. Air Quality: Subject to additional air quality, mechanical ventilation and fresh air intake details, the proposal will ensure neutral air quality outcomes in accordance with Policies S1 of the London Plan (2021) and Policy CC10 of the Local Plan 2018.
9. (Conditions) In line with the Town and Country Planning Act 1990 and the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, officers have consulted the applicant on the pre-commencement conditions included in the agenda and the applicant has raised no objections.
10. Planning Obligations: Planning obligations to offset the impact of the development and to make the development acceptable in planning terms are secured. A financial contribution towards low cost workspace, a payment in lieu contribution towards highways works, tree planting and Travel Plan monitoring are secured. The proposed development would therefore mitigate external impacts and would accord with London Plan (2021) Policy DF1 and Local Plan (2018) Policy CF1.

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

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

Application form received: 20th November 2020
Drawing Nos: see above

Policy documents: National Planning Policy Framework (NPPF) 2019
The London Plan 2021
LBHF - Local Plan 2018
LBHF – Planning Guidance Supplementary Planning Document
2018

Consultation Comments:

Comments from:

Dated:

Neighbour Comments:

Letters from:

Dated:

109 Samuel Lewis Trust Dwellings Vanston Place London SW6 1BU 17.02.21

1.0 SITE DESCRIPTION:

1.1 The application site relates to 20 Fulham Broadway which comprises a 6-storey building in use as A2 and B1 uses, located on the 'triangular piece of land' at the junctions of Vanston Place, Fulham Broadway and Jerdan Place. The building is located within the Walham Green Conservation Area and forms part of the North Fulham Regeneration Area.

1.2 To the north of the site, on the opposite side of Vanston Place is the residential Mansion Blocks of the Samuel Lewis Trust. These buildings are 4-storey brick buildings. To the south of the site, on the opposite side of Fulham Broadway are 4-storey terraced buildings comprising predominantly commercial uses with some residential on the upper floors. To the west of the site, is Jaden Place which is occupied by commercial and office uses and to the east is Fulham Broadway Station, Town Hall and Fulham Town Centre.

1.3 The site does not have any buildings that are subject to locally or statutory listing however is located within the Walham Green conservation area.

1.4 The application site benefits from very good public transport accessibility (PTAL 6a according to the Transport for London methodology) and is within the Environment Agency's Flood Zones 2 and 3.

2.0 RELEVANT PLANNING HISTORY:

2.1 In 2016, planning permission was granted (ref 2015/00670/FUL) for 'Partial demolition of existing building facades to enable the erection of a double-height lobby extension to the existing forecourt of the building and a part five part six storey extension fronting Vanston Place to provide enlarged A2 uses at ground floor level and office use (Class B1) on the floors above; formation of a roof terrace at fifth floor level; proposed change of colour of external render of the existing building and re-cladding of external walls at ground floor level; re-glazing of external lift to the east elevation; erection of additional plant structure at roof level'.

2.2 In 2018, a Material Amendment application (ref 2017/04094/FUL) was approved for changes to the above planning permission (ref: 2015/00670/FUL) which included the following amendments: a reduction of double height lobby extension fronting Fulham Broadway; increasing public realm area in front of main entrance from 82 m² (consented scheme) to 122m²; relocation of existing lift; additional floor area of 1st floor and upper floors at east elevation; refinement of facade design at ground level fronting Vanston Place; replacement of finishes to ground level fronting Fulham Broadway with curtain walling; and reduction of total roof plant area'.

2.3 In 2019 variation application was approved (ref 2019/00664/VAR) for changes to the above permission which included the following amendments: Change in the Vanston Place frontage from a 'stepped geometry' to a flush facade; enclosure of the approved roof terrace on the fifth floor of the building fronting Vanston Place and an extension to the north western corner of the building to 'square off' the currently chamfered corner.

2.4 In 2019 a non-material minor amendment application (2019/03299/NMAT) was approved, which was for the relocation of water tank from ground floor to roof area and reconfiguration of the retained entrances on the north eastern elevation and emergency access/plant room accesses on the north western elevation.

2.5 In March 2020 a non-material minor amendment application (2020/00414/NMAT) was approved, which was for wording of condition 4 of 2019/00664/VAR, to allow the approval of details of materials before the relevant parts of the work are commenced.

2.6 In August 2020 planning permission (2020/01025/VAR) was granted for the variation of condition 2 and 16 of planning permission ref: 2019/00664/VAR granted 24th October 2019 to allow amendments to the approved drawings to include: introduction of a new landscaped roof terrace on the sixth floor of the restored and extended Fulham Centre building and on top of the new entrance pavilion and to change the revolving door to the pavilion entrance to a sliding door.

3.0 PROPOSAL

3.1 This application follows on from the 2016 permission and the subsequent variations granted in 2018 (2017/04094/FUL), 2019 (2019/00664/VAR) and 2020 (2020/01025/VAR). This application seeks to vary Conditions 2 (drawings), 12 (secure by design) and 26 (emergency doors) to the following amendments: -

- o relocation of crossover to Fulham Broadway, and retaining the existing crossover on Vanston Place, for an on-site parking space;
- o additional perforated metal panels at ground floor on Vanston Place frontage;
- o re-positioning of entrance doors on Fulham Broadway frontage, and installation of sliding doors to replace the approved swing doors;
- o new swing door to main reception;
- o updated Secured by Design details (Condition 12);
- o condition 26 to include approved outward opening emergency doors

4.0 CONSULTATION RESPONSES (INTERNAL AND EXTERNAL):

4.1 The planning application has been advertised by means of Site Notice and Press Advert and 433 individual notification letters have been sent to the occupiers of neighbouring properties. Five objections have been received. Grounds of objection can be summarised as follows:

- o The existing bus stops in Vanston Place causing noise and air pollution, and if moved to the opposite side of the road would block light to the neighbouring residential properties
- o Relocation of the loading bay will cause increased traffic, adverse highways manoeuvrability impacts, noise and pollution which will contribute to an unneighbourly impact.
- o Increased blocking of vehicle access to/from the Samuel Lewis Trust dwellings the buses, lorries and vans already continually block this access.
- o The existing bus stops should not be moved
- o Provision of trees agreed under previous consents should still be provided
- o Development should include sustainable urban drainage
- o More parking should be provided for shoppers, as 20 Fulham Broadway used to have 3 parking spaces
- o The sloped pavement on Fulham Broadway, will make it difficult for those with disabilities as well as cause more delays from the cars turning, on an already congested Road.

(Officer response: It is noted that the proposal has been amended to retain the loading bay on the south west side of Vanston Place, and that this application does not include any changes to the existing bus stop arrangements. These and other issues raised are addressed in this report)

4.2 Transport for London: No objection.

5.0 PLANNING CONSIDERATION:

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise.

5.2 The main planning considerations to be considered during the assessment of this proposal, in accordance with the NPPF (2018), London Plan (2021), the Hammersmith and Fulham Local Plan (2018) and the Hammersmith and Fulham

Planning Guidance, Supplementary Planning Document (SPD) (2018) are: the principle of development in land use terms; design and visual amenity; impact on residential amenity of existing neighbouring properties; transport impact on the highways network and environmental quality matters.

5.3 Officers consider that the consented schemes, applications 2015/00670/FUL, 2017/04094/FUL, 2019/00664/VAR and 2020/01025/VAR shall be given weight and shall form a material consideration in the assessment of this application.

LAND USE:

5.4 The principle of the development has already been established by the previous planning approvals and this application does not propose any changes in land use terms, the proposals comply with the Local Plan 2018.

DESIGN AND APPEARANCE:

5.5 The London Plan Policies D3, D4, D5 and D8 requires good a quality environment that is designed to reinforce or enhance the character, legibility, permeability and accessibility of the neighbourhood. It requires developments to be designed to be of the highest quality, inclusive to have regard for the pattern and grain of the existing space, scale and mass and to make a positive contribution to a coherent public realm. Policy HC 1 states development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.

5.6 Local Plan Policies DC1 and DC4 state that all development within the borough should create a high-quality urban environment that respects and enhances its townscape context and heritage assets. The council will require a high standard of design in all alterations and extensions to existing buildings.

5.7 Local Plan Policy DC8 goes on to state that the Council will conserve the significance of the borough's historic environment by protecting, restoring and enhancing its heritage assets.

5.8 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.

5.9 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 Listed Buildings and Conservation Areas required by the relevant legislation, particularly the Section 16, Section 66 and Section 72 duties of the Planning (Listed Buildings and Conservation Areas) Act 1990 together with the requirements set out in the NPPF

5.10 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.

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

5.12 Paragraph 193 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

5.13 Paragraph 196 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, where appropriate, securing its optimum viable use.

5.14 Paragraph 197 of the National Planning Policy Framework states that: 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 directly or indirectly affect 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.

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.

5.15 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 195 and 196, 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.

5.16 The Planning Practice Guidance notes which accompany the NPPF remind decision makers that it is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed.

5.17 As summarised above, the NPPF requires local authorities to conserve heritage assets in a manner appropriate to their significance. The more important the asset, the greater the weight that should be given to its conservation. National Policy does not preclude development of heritage assets or development which may affect them or their setting but aims to put in place the requirement for a considered analysis of when and where this may be acceptable.

5.18 The design of the proposal has changed from that of the most recently consented scheme (2020/01025/VAR), including the following elements:

- o The existing access on Fulham Broadway to be closed up and replaced with a new repositioned crossover, that would be further east along Fulham Broadway,
- o The amended proposals include the retention of rather than an extension to the existing crossover on Vanston Place along with an amendment to the layout of the

- o external forecourt area to provide an on-site parking space;
- o Minor reconfiguration and improvement of the ground floor layout along with associated minor external alterations to the approved building comprising additional perforated metal panels at ground floor on the Vanston Place frontage to provide ventilation to the UKPN substation; and
- o Minor repositioning of entrance doors to the ground floor commercial units along Fulham Broadway and installation of sliding doors to replace the approved swing doors, along with new swing door to serve the main reception.

5.19 The proposed change to the entrance and access doors would have no significant impact on the appearance of the building and are considered to remain in keeping with the character and appearance of the site and surroundings. Furthermore, the proposed on-site parking space would not have any significant impact on the application site and building in terms of visual amenity.

5.20 The application site is situated in a prominent location within the Walham Green Conservation Area. Furthermore, the development would be inter-visible within the setting of several designated/non-designated heritage assets including:

9 - 19 Jerdan Place - Grade II listed
 45 Fulham Broadway - Locally Listed, Building of Merit

5.21 Given the nature of the additional works proposed by this application, with due regard to the extant consented scheme, the changes proposed to the building would not result in any additional harm to the character of appearance of the Walham Green Conservation Area. Overall, the proposals, given their quality and appearance would result in an enhancement of the Conservation Area, particularly when compared to the existing development occupying the site.

5.22 Considering the impact of the development upon the setting of adjacent designated/non-designated heritage assets, there would be some level of inter-visibility between the development and these assets. However, as set out above, officers consider that the development would not result in harm to the setting of these assets overall.

5.23 It is considered that the proposed design of the development is acceptable within the local context and would not cause harm to the existing character and appearance of the surrounding area. The proposal would make a positive contribution to the urban environment and would not detract from the character and appearance of the conservation area. The development is therefore acceptable in accordance with the principles of the NPPF 2018, The London Plan 2021 Policies HC1, D3, D4, D5 and D8 and Local Plan 2018 Policies DC1, DC4 and DC8.

5.24 Officers have assessed the impact of the proposal on the heritage assets and consider that it is compliant with section 66 and section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal is also in line with national guidance in the NPPF and strategic local policies on the historic environment and urban design.

RESIDENTIAL AMENITY:

5.25 Local Plan Policies HO11 and DC2 requires the Council to ensure that the design and quality of all new housing is of a high standard and that developments provide housing that will meet the needs of future occupants and respect the principles of good neighbourliness and principles of residential amenity.

5.26 SPD "Housing Standards" Key Principle HS6 seeks to protect the existing amenities of neighbouring residential properties in terms of outlook, privacy, light and noise and disturbance. Key Principle HS7 (iii) requires new windows to be positioned at least 18 metres away from existing windows or if the standard cannot be met, then they must be designed to ensure no loss of privacy. Key Principle HS8 requires that balconies and terraces do not cause harm to the existing amenities of neighbouring occupiers by reasons of noise and disturbance or opportunities for overlooking.

5.27 The proposals would not result in any increase in the scale and massing of the building or any additional loss of outlook to neighbouring properties. The development would also not result in any additional opportunities for overlooking or loss of privacy as the proposals relate to the ground floor of the site only. The proposed development is therefore considered to be in compliance with Policies HO11 and DC1 and DC4 of the Local Plan 2018, and SPD Housing Key Principle HS7.

Noise and disturbance:

5.28 Policies CC11 and CC13 of the LP 2018 relate to environmental nuisance and require all development to ensure that there is no undue detriment to the general amenities enjoyed by existing surrounding occupiers, particularly those of residential properties.

5.29 The proposal would not introduce the potential for any additional noise or disturbance. It is considered that the proposed development would accord with Policies HO11, CC11 and CC13 of the LP 2018 and SPD Key Principle HS8 regarding noise.

TRAFFIC GENERATION AND CAR PARKING:

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

5.31 Policies T1, T4, T5, T6 and T7 of The London Plan set out the intention to encourage consideration of transport implications as a fundamental element of sustainable transport, supporting development patterns that reduce the need to travel or that locate development with high trip generation in proximity of public transport services. The policies also provide guidance for the establishment of maximum car parking standards and cycle standards.

5.32 LP Policy T1 'Transport' supports The London Plan and seeks to improve transportation within the borough, by working with strategic partners and relating the size of development proposals to public transport accessibility and highway capacity. LP Policy T2 'Transport Assessment and Travel Plans' states that all development proposals will be assessed for their contribution to traffic generation, and LP Policy T4 of the sets out vehicle parking standards, which brings them in line with London Plan standards and circumstances when they need not be met. LP Policy T3 'Increasing the Opportunities for Cycling and Walking' seek to ensure that satisfactory cycle space is provided for all developments.

Car parking

5.33 The site historically provided capacity to accommodate at least 6 off-street car parking spaces. This application proposes one off street parking space accessed via the established route from Fulham Broadway through the site and onto the Vanston Place.

5.34 While it is acknowledged that in order to comply with local and London Plan standards, car-free development should be the starting point for all development proposals in places that are well-connected by public transport, it is noted that the original permission that this application is proposing to vary was only for an extension to the existing building, rather than a complete redevelopment of the site. It is therefore considered that on balance, given the reduction compared to the existing, the parking arrangements for single vehicle are considered acceptable in this instance.

5.35 The application proposes closing the existing access on Fulham Broadway and replacing it with a new crossover, further east along Fulham Broadway, and to retain the existing crossover on Vanston Place along with modifications to the external forecourt area to accommodate an on-site parking space. To enable egress from the proposed front forecourt onto Vanston Place, the proposals involve shifting the existing on-street loading bay in Vanston Place by 4m east towards Fulham Broadway. Vehicles will only be permitted to enter the site via the Fulham Broadway crossover and to exit via the Vanston Place crossover. A swept path analysis has been submitted showing that the proposed arrangements would not have any significant impact on vehicle movements in Vanston Place. Furthermore, as set out in the Transport Statement, the proposed access arrangements will ensure that vehicles can manoeuvre effectively into/out of the proposed parking space in a forward gear and without interfering with other traffic using Fulham Broadway or Vanston Place. The building and car parking will be carefully controlled by the building's onsite management, being managed from a central reception. In conclusion, the provision of one managed on-site car parking space will not have any significant impact on the surrounding highway and public transport network and is therefore considered acceptable in this regard.

Cycle parking

5.36 London Plan Policy T5 (cycling) states that developments should provide secure, integrated, convenient and accessible cycle parking facilities in line with the minimum standards set out in the London Cycle Design Standards.

5.37 Local Plan Policy T2 states borough wide targets are to develop and promote a safe environment for cyclists and pedestrians to encourage residents and businesses to consider these modes. Policy T3 seeks to increase and promote opportunities for cycling and walking through the provision of convenient, accessible and safe secure cycle parking within the boundary of the site.

5.38 The application does not propose any changes to the approved scheme in relation to cycling and therefore all previous conditions relating to cycle parking will remain (secured by condition 25).

Other highways matters

5.39 It is proposed to amend Condition 26, which relates to ensuring that no doors at ground floor level open outwards on to the highway. The condition as approved states:

"All external entrance doors hereby approved shall be designed and installed so that they only open inwards (with the exception of the existing fire exit door on Jerdan Place) and thereafter shall be retained in this form.

To ensure pedestrian flow is not unduly affected, in accordance with Policy T3 of the Local Plan (2018)."

5.40 Previous consents 2019/00664/VAR and 2020/01025/VAR have however included a further emergency access door on the Vanston Place elevation. For completeness it is therefore proposed to amend the condition to capture this additional door:

"With the exception of those outward opening doors indicated on the approved drawings, all external doors shall be designed and installed so that they open inwards and thereafter shall be retained in this form.

To ensure pedestrian flow is not unduly affected, in accordance with Policy T3 of the Local Plan (2018)."

5.41 It is considered that the amended condition would continue to ensure pedestrian safety, in accordance with Policy T3 of the Local Plan (2018).

ENVIRONMENTAL QUALITY:

Flood Risk and Sustainable Drainage Systems (SUDs)

5.42 London Plan Policies SI 12 and SI 13 requires new development to comply with flood risk assessment and management requirements of National Policy, including the incorporation of sustainable urban drainage systems, and specifies a drainage hierarchy for new development. Local Plan Policy CC3 and CC4 state that developments will be required to submit Flood Risk Assessments and Sustainable Drainage Strategies which demonstrate the reduction in the use of water and management of surface water run-off.

5.43 The site is located within the Environment Agency's Flood Zones 2 and 3 which indicates that the site would be at risk if there was a breach in the Thames

Tidal defences. However, the existing Thames Tidal flood defences provide a high standard of protection up to a 1 in 1000 (0.1%) chance in any year. As required, a Flood Risk Assessment (FRA) has been submitted with the application.

5.44 The application does not propose any significant changes to risk or sustainable drainage or energy. The proposals have been reviewed by the Council's Environmental Policy Team who raise no objections to proposals. The previous conditions relating to flood risk/SUD's will remain. (secured by conditions 32, 33 and 34)

Air Quality:

5.45 The London Plan Policy S 1 and Local Plan Policy CC10 seeks to reduce the potential adverse air quality impacts of new developments. Mitigation measures to reduce emissions and exposure to poor air quality must be taken. The Council's Environmental Quality Team have considered to the application proposal and have recommended a number of conditions relating to air quality, namely regarding compliance with emissions standards, low emissions strategy, mechanical ventilation and dust management. (secured by conditions 3,42,43,44 and 46).

Contamination:

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

5.47 The application does not propose any changes affecting land contamination and therefore all previous conditions relating to land contamination will remain. (secured by conditions 35, 26, 37, 38, 39 and 40)

CRIME PREVENTION

5.48 London Plan Policy D11, Local Plan Policy DC1 and SPD "Sustainable Design and Construction" Key Principles requires new developments to respect the principles of Secured by Design and to ensure that proposals create a safe, secure, and appropriately accessible environment where crime and disorder and the fear of crime do not undermine quality of life or community cohesion. The details of how the proposal will incorporate measures for crime prevention have been updated to take into account the minor amendments to the entrance arrangements and will be secured by condition (Condition 12).

Community Infrastructure Levy:

5.49 Mayoral CIL came into effect in April 2019 and is a material consideration to which regard must be had when determining this planning application. This development will be subject to a London-wide community infrastructure levy. This will contribute towards the funding of Crossrail, and further details are available via the GLA website at www.london.gov.uk. The GLA expect the Council as the collecting authority to secure the levy in accordance with London Plan Policy 8.3.

Local CIL:

5.50 The Council has also set a CIL charge. The Council's Community Infrastructure Levy (CIL) is also a charge levied on the net increase in floorspace arising from the development, in order to fund infrastructure needed to support development in the area. The Council's CIL runs alongside Section 106 Agreements (s106) which will be scaled back but will continue to operate. The CIL Charging Schedule was presented to Council and approved on 20th May 2015 and formally took effect on 1st September 2015. No additional floorspace is being proposed with this application.

PLANNING OBLIGATIONS:

5.51 The London Plan Policy DF 1 recognises the role of planning obligations in mitigating the effects of development and provides guidance of the priorities for obligations in the context of overall scheme viability.

5.52 The Legal Agreement signed for application 2015/00670/FUL, and subsequent Deed of Variation for application 2020/01025/VAR is to be the subject to a further Deed of Variation, and continue to secure the following clauses:

- Developer to pay the cost of the:

1. The removal of 1 crossover to Jerdan Place;
2. Repositioning 1 existing crossover to Fulham Road; and
3. Retention of 1 existing crossover on Vanston Place and the relocation of a loading bay.
4. Developer pays £5,000 towards the cost of planting trees in the area.
5. Travel Plan review and monitoring fees (£3,000 per review for Year 1, Year 3 and Year 5)

6.0 CONCLUSION

6.1 The proposed development would create a well-designed mixed-use residential scheme that has been designed to complement the character and appearance of the locality and adjacent conservation area. The proposal would improve the existing site and the surrounding area and would result in an acceptable impact on the living conditions of neighbouring residential properties. The cumulative impact of the development, subject to conditions would not have a significant impact on the highway, parking, or environment. The proposal is in accordance with relevant national guidance, London Plan (2021) policies and associated SPGs, the Hammersmith and Fulham Local Plan (2018) and Supplementary Planning Document (2018).

7.0 RECOMMENDATION

- 1) That the Committee resolve that the Chief Planning Officer be authorised to grant planning permission upon the completion of a satisfactory legal agreement and subject to the conditions listed below;
- 2) To authorise that the Chief Planning Officer after consultation with the Head of Law and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed Heads of Terms of the

legal agreement or conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.