

Planning and Development Control Committee

Agenda

Tuesday 5 July 2022 at 7.00 pm
Main Hall (1st Floor) - 3 Shortlands, Hammersmith, W6 8DA

MEMBERSHIP

Administration:	Opposition
Councillor Omid Miri (Chair) Councillor Florian Chevoppe-Verdier (Vice-Chair) Councillor Wesley Harcourt Councillor Rebecca Harvey Councillor Nikos Souslous Councillor Patrick Walsh	Councillor Alex Karmel Councillor Adrian Pascu-Tulbure

CONTACT OFFICER: Charles Francis
Governance and Scrutiny
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E-mail: charles.francis@lbhf.gov.uk

Public Notice

The meeting is open to the press and public but spaces are limited. If you would like to attend the meeting in person please contact: charles.francis@lbhf.gov.uk

You can also watch live on YouTube: https://youtu.be/dO2Yrep_3QM

Should exempt information need to be discussed the committee will pass a resolution requiring members of the press and public to leave.

For details on how to register to speak at the meeting, please see overleaf.
Deadline to register to speak is 4pm on Thursday 30 June 2022.

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

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

PUBLIC SPEAKING AT PLANNING AND DEVELOPMENT CONTROL COMMITTEE

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

Who can speak?

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

Do I need to register to speak?

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

How long is provided for speakers?

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

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

What materials can be presented to committee?

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

What happens to my petition or deputation?

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

Planning and Development Control Committee Agenda

5 July 2022

<u>Item</u>		<u>Pages</u>
1.	APOLOGIES FOR ABSENCE	
2.	DECLARATION OF INTERESTS	
	<p>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.</p> <p>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.</p> <p>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.</p> <p>Councillors are not obliged to withdraw from the meeting where a dispensation to that effect has been obtained from the Standards Committee.</p>	
3.	MINUTES	4 - 10
	<p>To approve as an accurate record, and the Chair to sign, the minutes of the meeting of the Committee held on 7 June 2022.</p>	
4.	80 FULHAM PALACE ROAD, LONDON W6 9PL, HAMMERSMITH BROADWAY, 2021/03522/FUL	11 - 51
5.	WATERMEADOW COURT, WATERMEADOW LANE, LONDON SW6, SANDS END, 2022/00695/VAR	52 - 146

Agenda Item 3

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



Tuesday 7 June 2022

OPENING REMARKS FROM THE CHAIR OF THE COMMITTEE

The newly appointed Chair, Councillor Omid Miri, thanked his predecessors, Councillors Connell and Rachel Leighton for their years of diligence, care and fairness and for their service as Councillors.

The Chair welcomed the new Councillors to the Committee, thanked the existing members for their years of service, and officers for their support.

APOLOGIES FOR ABSENCE

There were no apologies for absence.

DECLARATION OF INTERESTS

PRESENT: Councillors Omid Miri (Chair), Florian Chevoppe-Verdier (Vice-Chair), Wesley Harcourt, Rebecca Harvey, Nikos Souslous, Patrick Walsh, Alex Karmel and Adrian Pascu-Tulbure

Councillor Wesley Harcourt declared interests in Items 7 and 8 – Old Oak Common Station as he was a member of the ODPC Planning Committee. He remained in the meeting but did not participate or vote on either item.

MINUTES OF THE MEETING HELD ON 20 APRIL 2022

The minutes of the meeting held on 20 April 2022 were agreed.

14 SEDGEFORD ROAD, LONDON W12 0ND, WORMHOLT, 2021/03218/FUL

In the course of discussions, Councillor Wesley Harcourt proposed a new condition, that should the Committee decide to approve the application, that a General Management Plan be included. This was seconded by Councillor Alex Karmel.

The Chair proposed a new condition in relation to the existing fence. That this be replaced by a brick wall of the same height of 1.8 m (as the existing fence). This was seconded by Councillor Rebecca Harvey.

Discussions also focused on parking permits associated with the development.

In relation to parking permits for the development, Councillor Alex Karmel proposed the following “*that any resident taking up at the property from the date of the completion of the application, shall not be entitled to do it*”. This was seconded by Councillor Adrian Pascu-Tulbure.

The legal advice provided at the meeting confirmed that the Authority could not prohibit existing residents with parking permits. The wording proposed by Councillor Karmel could be dealt with by way of Section 106 agreement rather than condition.

The Committee voted on the proposal to add a General Management Plan (including waste) as follows:

For:
8
Against:
0
Not Voting
0

The Committee voted on the proposal to replace the existing fence with a brick wall (of 1.8m) follows:

For:
6
Against:
2
Not Voting
0

The Committee voted on the recommendations for application 2021/03218/FUL as follows:

Officer Recommendation 1:

For:
6
Against:
2
Not Voting:
0

Officer Recommendation 2:

For:
8
Against:
0
Not Voting:
0

RESOLVED THAT:

Planning Application 2021/03218/FUL be approved subject to:

1. That subject to the amendment of the S106 (in relation to parking permits), 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. That the Chief Planning Officer, after consultation with the Assistant Director, Legal Services 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 proposed conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion

25 - 36 FITZJAMES AVENUE, LONDON W14 0RR, AVONMORE, 2022/00702/FUL

The Committee heard from the Agent speaking in support of the application.

The Committee voted on the recommendations for application 2022/00702/FUL as follows:

Officer Recommendation 1:

For:
6
Against:
2
Not Voting:
0

Officer Recommendation 2:

For:
8
Against:
0
Not Voting:
0

RESOLVED THAT:

Planning Application 2022/00702/FUL be approved subject to:

1. That the 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 Chief Planning Officer, after consultation with the Assistant Director, Legal Services 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 proposed conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.

LAND BOUNDED BY 58 WOOD LANE AND WESTWAY, LONDON W12 7RZ, COLLEGE PARK AND OLD OAK, 2021/03751/FUL

The Committee voted on the recommendations for application 2021/03751/FUL as follows:

Officer Recommendation 1:

For:
8
Against:
0
Not Voting:
0

Officer Recommendation 2:

For:
8
Against:
0
Not Voting:
0

RESOLVED THAT:

Planning Application 2021/03751/FUL be approved subject to:

1. That the Chief Planning Officer be authorised to grant permission subject to the conditions listed below
2. That the Chief Planning Officer after consultation with the Assistant Director, Legal Services 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 changes shall be within their discretion.

**OLD OAK COMMON STATION, OLD OAK COMMON LANE, LONDON NW10 6DZ,
COLLEGE PARK AND OLD OAK, 2022/01251/OPDOBS**

Councillor Wesley Harcourt declared interests in Items 7 and 8 – Old Oak Common Station as he was a member of the ODPC Planning Committee. He remained in the meeting but did not participate or vote on either item.

The Committee voted on the recommendation for application 2022/01251/OPDOBS as follows:

Officer Recommendation:

For:
7
Against:
0
Not Voting:
0

RESOLVED THAT:

That the Council raises no objections to the OPDC in relation to this application (2022/01251/OPDOBS).

OLD OAK COMMON STATION, OLD OAK COMMON LANE, LONDON NW10 6DZ,

COLLEGE PARK AND OLD OAK, 2022/01249/OPDOBS

Councillor Wesley Harcourt declared interests in Items 7 and 8 – Old Oak Common Station as he was a member of the ODPC Planning Committee. He remained in the meeting but did not participate or vote on either item.

The Committee voted on the recommendations for application 2022/01249/OPDOBS as follows:

Officer Recommendation 1:

For:
7
Against:
0
Not Voting:
0

Officer Recommendation 2:

For:
7
Against:
0
Not Voting:
0

RESOLVED THAT:

That the report recommendations for 2022/01249/OPDOBS be approved subject to:

1. That the Council raises an objection to the proposed development for the following reason(s):
 - 1) Highway Impacts: Additional information is required to fully demonstrate that the road layout and associated features can operate safely and to further demonstrate compliance with the London Plan. Please refer to the attached committee report to read the full assessment of the proposal and the Council's requested revisions should permission be granted.

2. That the Council raises an objection to the proposed development for the following

reason(s):

2) Insofar as it relates to the connectivity of Old Oak Common Station with the wider area, the design of the urban realm is unacceptable. LBHF strongly recommends that wider links and connectivity to Scrubs Lane, the Grand Union Canal and Wormwood Scrubs are delivered at an early stage of the development programme. Further details of LBHF's concerns in this regard are provided in the attached committee report.

Meeting started: 7:00 pm
Finished: 8:38 pm

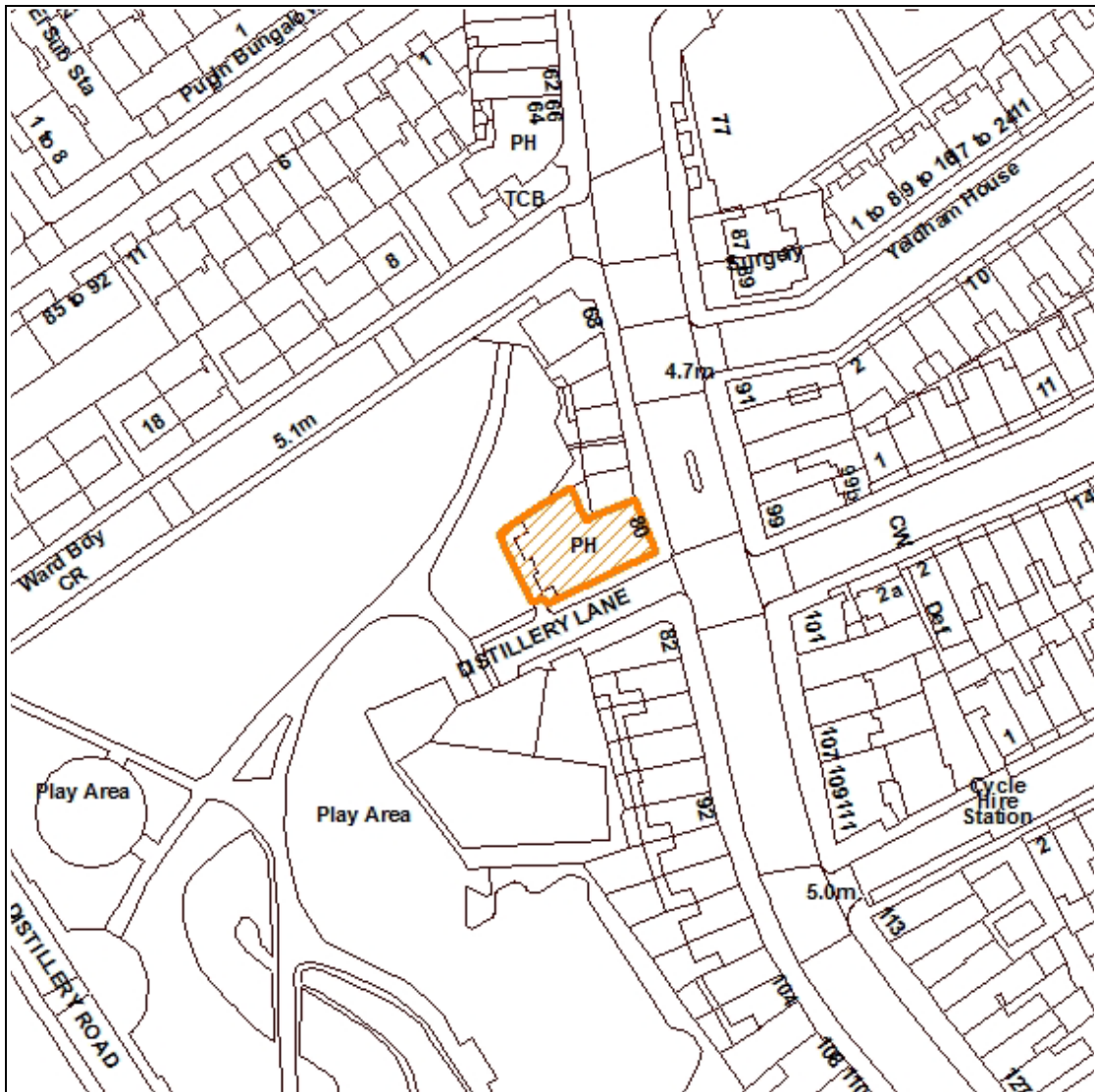
Chair

Contact officer: Charles Francis
Committee Co-ordinator
Governance and Scrutiny
Tel 07776 672945
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Ward: Hammersmith Broadway

Site Address:

80 Fulham Palace Road, London W6 9PL



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For identification purposes only - do not scale.

Reg. No:

2021/03522/FUL

Case Officer:

Sinead Winship-David

Date Valid:

17.11.2021

Conservation Area:

Constraint Name: Crabtree Conservation Area -
Number 28

Committee Date:

05.07.2022

Applicant:

C/o Agent

Description:

Demolition of the existing building except retention of existing front and side facades; and erection of a 3 storey plus basement and mansard roof hotel and reprovision of public house.

Application Type:

Full Detailed Planning Application

Officer 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) That the Committee resolve that the Chief Planning Officer, after consultation with the Assistant Director Legal Services 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 proposed conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.

Conditions:

1. Time Limit

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

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

2. Approved Drawings

The development hereby permitted shall be carried out in complete accordance with the following approved drawing numbers, other than where those details are altered pursuant to the conditions of this planning permission

2000a; [All received February 2022]: 1999; 2001; 2002; 2003; 2004; 3000; 3001; 3002; 3003; 4000; Energy Assessment (dated 28/01/22, issue no. 4); Arboricultural Impact Assessment & Method Statement (dated 13/10/2021); Ventilation Strategy (dated 21/10/2021, issue no. 1); Air Quality Assessment (dated 21/10/2021, issue no. 1); Sustainability Statement (dated 26/10/2021, issue no. 2); Noise impact and exposure assessment (ref.16888-NEA-01 Rev A; dated October 2021); Outline Construction Logistics Plan (dated October 2021); Draft Delivery and Servicing Management Plan (dated October 2021); Drainage Strategy (dated October 2021); Waste Management Plan (dated October 2021); Transport Statement (dated October 2021); Draft Travel Plan (dated May 2020,

Rev A); Transport Response Note, prepared by Caneparo Associates (dated June 2022); 80 Fulham Palace Fire Statement (Prepared by Marshall Fire Ltd, Dated 21 June 2022, Rev 01); Flood Risk Assessment (prepared by GeoSmart Information Ltd, ref. 75210R1)

Reason: To ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved plans.

3. Demolition Method Statement and Construction Management Plan

Prior to commencement of the development hereby permitted, a demolition method statement and a construction management plan shall be submitted to and approved in writing by the Council. Details shall include control measures for dust, noise, vibration, lighting, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800 -1300 hrs on Saturdays, advance notification to neighbours and other interested parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works.

Approved details shall be implemented throughout the project period.

Reason: 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. Demolition and Construction Logistics Plan

The development hereby permitted shall not commence until a detailed Demolition and 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.

The CLP shall include, but not be limited to, the following details:

- (i) site logistics and operations;
- (ii) construction vehicle routing;
- (iii) details of the estimated number, size and routes of construction vehicles per day/week
- (iv) details of the use of Ultra Low Emission Zone (ULEZ) compliant Vehicles e.g. Euro 6 and Euro VI;
- (v) details of the access and egress arrangements of delivery locations on the site;
- (vi) details of any vehicle holding areas; and other matters relating to traffic management to be agreed as required
- (vii) efficiency and sustainability measures to be undertaken for the works
- (viii) membership of the Considerate Contractors Scheme.

The works shall be carried out in accordance with the relevant approved CLP. 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.AQDMP – Demolition Phase

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 submitted shall include the following details:

- 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 Demolition site activities.
- 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 the Mayor of London 'The Control of Dust and Emissions during Construction and Demolition', SPG, July 2014 and its subsequent amendments
- e. Site Specific Dust, and NO_x Emission mitigation and control measures including for on-road and off-road construction traffic as required by the overall Medium/High Dust Risk Rating of the site and shall be in a table format.
- 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 Site Action Level (SAL) of 190 µg/m³, measured as a 1-hour mean, 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 NO_x 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 NO_x 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 NO_x rating A) and Euro VI

Developers must ensure that on-site contractors follow best practicable means to minimise dust, particulates (PM₁₀, PM_{2.5}) and NO_x emissions at all times. Approved details shall be fully implemented and permanently retained and maintained during the demolition phases of the development.

Reason: To comply with the requirements of Policy SI1 of the London Plan and Policy CC10 of the Local Plan (2018).

6. AQDMP – Construction Phase

Prior to the commencement of construction works 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 submitted shall include the following details:

- 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 site activities.
- 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 the Mayor of London 'The Control of Dust and Emissions during Construction and Demolition', SPG, July 2014 and its subsequent amendments
- e. Site Specific Dust, and NO_x Emission mitigation and control measures including for on-road and off-road construction traffic as required by the overall High Dust Risk Rating of the site and shall be in a table format.
- 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 Site Action Level (SAL) of 190 µg/m⁻³, measured as a 1-hour mean, 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 NO_x 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 NO_x 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 construction 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 NO_x rating A) and Euro VI

Developers must ensure that on-site contractors follow best practicable means to minimise dust, particulates (PM₁₀, PM_{2.5}) and NO_x emissions at all times. Approved details shall be fully implemented and permanently retained and maintained during the construction phases of the development.

Contamination (7-12)

7. Preliminary Risk Assessment

No development shall commence until a preliminary risk assessment report is submitted to and approved in writing by the Local Planning Authority. This report shall comprise: a desktop study which identifies all current and previous uses at the site and surrounding area as well as the potential contaminants associated with those uses; a site reconnaissance; and a conceptual model indicating potential pollutant linkages between sources, pathways and receptors, including those in the surrounding area and those planned at the site; and a qualitative risk assessment of any potentially unacceptable risks arising from the identified pollutant linkages to human health, controlled waters and the wider environment including ecological receptors and building materials. All works must be carried out in compliance with 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.

Reason: Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policies CC9 and CC13 of the Local Plan (2018) and SPD Key Principles LC1 to LC7 (2018).

8. Site Investigation Scheme

No development shall commence within the development until a site investigation scheme is submitted to and approved in writing by the Local Planning Authority. This scheme shall be based upon and target the risks identified in the approved preliminary risk assessment and shall provide provisions for, where relevant, the sampling of soil, soil vapour, ground gas, surface, and groundwater. All works must be carried out in compliance with 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.

Reason: Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policies CC9 and CC13 of the Local Plan (2018) and SPD Key Principles LC1 to LC7 (2018).

9. Quantitative Risk Assessment Report

Unless the Local Planning Authority agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until, a site investigation undertaken in compliance with the approved site investigation scheme, a quantitative risk assessment report is submitted to and approved in writing by the Local Planning Authority. This report shall: assess the degree and nature of any contamination identified on the site through the site investigation; include a revised conceptual site model from the

preliminary risk assessment based on the information gathered through the site investigation to confirm the existence of any remaining pollutant linkages and determine the risks posed by any contamination to human health, controlled waters and the wider environment. All works must be carried out in compliance with 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.

Reason: Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policies CC9 and CC13 of the Local Plan (2018) and SPD Key Principles LC1 to LC7 (2018).

10. Remediation Method Statement

Unless the Local Planning Authority agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until, a remediation method statement is submitted to and approved in writing by the Local Planning Authority. This statement shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved quantitative risk assessment. All works must be carried out in compliance with 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.

Reason: Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policies CC9 and CC13 of the Local Plan (2018) and SPD Key Principles LC1 to LC7 (2018).

11. Verification Report

Unless the Local Planning Authority agree in writing that a set extent of development must commence to enable compliance with this condition, no development shall commence until the approved method statement has been carried out in full and a verification report confirming these works has been submitted to, and approved in writing, by the Local Planning Authority. This report shall include:

details of the remediation works carried out; results of any verification sampling, testing or monitoring including the analysis of any imported soil; all waste management documentation showing the classification of waste, its treatment, movement and disposal; and the validation of gas membrane placement.

If, during development, contamination not previously identified is found to be present at the site, the Local Planning Authority is to be informed immediately and no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until a report indicating the nature of the

contamination and how it is to be dealt with is submitted to, and agreed in writing by, the Local Planning Authority. Any required remediation shall be detailed in an amendment to the remediation statement and verification of these works included in the verification report.

All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Reason: Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policies CC9 and CC13 of the Local Plan (2018) and SPD Key Principles LC1 to LC7 (2018).

12. Onward Long-Term Monitoring Methodology

Unless the Local Planning Authority agree in writing that a set extent of development must commence to enable compliance with this condition, no development (except Enabling Works) shall commence until an onward long-term monitoring methodology report is submitted to and approved in writing by the Local Planning Authority where further monitoring is required past the completion of development works to verify the success of the remediation undertaken. A verification report of these monitoring works shall then be submitted to and approved in writing by the Local Planning Authority when it may be demonstrated that no residual adverse risks exist. All works must be carried out in compliance with 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.

Reason: Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. This condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policies CC9 and CC13 of the Local Plan (2018) and SPD Key Principles LC1 to LC7 (2018).

13. Thames Water Infrastructure – Piling Method Statement

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in full accordance with the approved details.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

14. Thames Water Infrastructure – Water Mains

No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any construction must be undertaken in full accordance with the approved details.

Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure.

15. Flood Risk Assessment

The development shall be carried out and completed in full accordance with the details contained within the approved Flood Risk Assessment (prepared by GeoSmart Information Ltd, ref. 75210R1). No part of the development shall be used or occupied until all flood prevention and mitigation measures, including a water exclusion and water entry strategy to prevent a risk to life in the event of fluvial flooding, have been installed in accordance with the submitted details and the development shall be permanently retained in this form thereafter.

Reason: To reduce the impact of flooding to the proposed development and future occupants, in accordance with Policies CC3 and CC4 of the Local Plan (2018).

16. Fire Statement

The development shall be carried out and completed in full accordance with the details contained within the approved Fire Statement (Prepared by Marshall Fire Ltd, Dated 21 June 2022, Rev 01). No part of the development shall be used or occupied until all mitigation, measures and means within the approved document have been implemented in full and shall thereafter be retained for the lifetime of the building hereby approved.

Reason: To ensure that the development incorporates the necessary fire safety measures in accordance with the Policy D12 of the London Plan (2021).

Conservation and Design (17-22)

17. Build Contract

No demolition pursuant to the development hereby permitted shall take place until a build contract for the redevelopment of the site in accordance with this planning permission has been entered into, and a copy has been submitted to and approved in writing by the Local Planning Authority.

Written notice of the demolition works shall be submitted to the Local Planning

Authority prior to the commencement of the relevant works.

Reason: To ensure the protection and re-provision of the building which is a positive contributor to the Crabtree Conservation Area and to avoid harm to the heritage asset and wider streetscene that would otherwise arise in accordance with Policies DC1, DC2, DC4 and DC8 of the Local Plan (2018) and Policy HC1 of the London Plan (2021).

18. Façade Method of Protection

Prior to commencement of demolition, details of the method of protection and structural support of the retained facades of the building during demolition and construction works to be submitted to and approved in writing by the Local Planning Authority.

The demolition works and development shall be implemented in full accordance the approved details.

Reason: To ensure the protection of the building which is a positive contributor to the Crabtree Conservation Area and to avoid harm to the heritage asset and wider streetscene that could arise in accordance with Policies DC1, DC2, DC4 and DC8 of the Local Plan (2018) and Policy HC1 of the London Plan (2021).

19. Material Samples

Prior to the commencement of the relevant works, full details of all materials and a sample panel shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and to prevent harm to the Crabtree Conservation Area in accordance with Policies DC1, DC2, DC4 and DC8 of the Local Plan (2018) and Policy HC1 of the London Plan (2021).

20. Extension Materials and Making Good

Notwithstanding the provisions of Condition 19, the rear extensions hereby approved shall incorporate salvaged bricks where possible. Where new bricks are required, these shall be London Stock brickwork to match the existing in terms of colour, texture and bond of the original brickwork in the elevation to which it relates.

The roof slopes hereby approved shall be clad in natural slates.

Any works of making good to existing elevations shall be carried out in materials to match the elevation to which the works relate.

Reason: To ensure a satisfactory external appearance and to prevent harm to the Crabtree Conservation Area in accordance with Policies DC1, DC2, DC4 and DC8 of the Local Plan (2018) and Policy HC1 of the London Plan (2021).

21. No Other Alterations

No external rainwater goods, air-conditioning units, ventilation fans, extraction

equipment, flues or other plant equipment and associated external pipework or ducting shall be fitted to the exterior of the building unless otherwise shown on the approved drawings.

Reason: To ensure a satisfactory external appearance and to prevent harm to the Crabtree Conservation Area in accordance with Policies DC1 DC2, DC4 and DC8 of the Local Plan (2018) and Policy HC1 of the London Plan (2021).

22. Detailed Drawings

Prior to the commencement of relevant works, drawings at a scale of 1:20 in plan, section and elevation of all external windows and doors shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details as approved and thereafter permanently retained in this form.

Reason: To ensure a satisfactory external appearance and to prevent harm to the Crabtree Conservation Area in accordance with Policies DC1, DC2, DC4 and DC8 of the Local Plan (2018) and Policy HC1 of the London Plan (2021).

23. Ventilation Strategy

Prior to commencement of above ground works of the development hereby permitted, a Ventilation Strategy Report to mitigate the impact of existing poor air quality for the Hotel use shall be submitted to and approved in writing by the Local Planning Authority. This is applicable to all receptor locations where the Annual Mean Nitrogen Dioxide (NO₂), and Particulate (PM₁₀, PM_{2.5}) concentrations are equal to 30ug/m⁻³, 20ug/m⁻³ and 10 ug/m⁻³ respectively and where current and future predicted pollutant concentrations are within 5 % of these limits. The report shall include the following information:

- a) Details and locations of the ventilation intake locations at rear roof level or on the rear elevations of all floors
- b) Details and locations of ventilation extracts, to demonstrate that they are located a minimum of 2 metres away from the air ventilation intakes, in order to minimise the potential for the recirculation of extract air through the supply air ventilation intake in accordance with paragraph 8.9 part 'C' of Building Standards, Supporting Guidance, Domestic Ventilation, 2nd Edition, The Scottish Government, 2017
- c) Details of the independently tested mechanical ventilation system with Nitrogen Dioxide (NO₂) and Particulate Matter (PM_{2.5}, PM₁₀) filtration with ventilation 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 of the hotel use hereby permitted and thereafter permanently retained and maintained.

Reason: To comply with the requirements of Policy SI1 of the London Plan and Policy CC10 of the Local Plan (2018).

24. Ventilation Strategy – Compliance

Prior to occupation of the development hereby permitted, details of a post installation compliance report of the approved ventilation strategy as required by condition 23 to mitigate the impact of existing poor air quality shall be submitted to and approved in writing by the Local Planning Authority. The report shall be produced by an accredited Chartered Building Services Engineer (CIBSE).

Approved details shall be fully implemented prior to the occupation of the hotel use hereby permitted and thereafter permanently retained and maintained.

Reason: To comply with the requirements of Policy SI1 of the London Plan and Policy CC10 of the Local Plan (2018).

25. Zero Emissions Heating & Energy Plant – Compliance

Prior to occupation of the relevant part of the development hereby permitted, details of the installation/commissioning certificates of the Zero Emission MCS certified Air/ Water Source Heat Pumps or Electric Boilers to be provided for space heating and hot water for each of the Hotel and Public House uses shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To comply with the requirements of Policy SI1 of the London Plan and Policy CC10 of the Local Plan (2018).

26. Low Emission Delivery & Servicing Plan

Prior to occupation of the relevant part of the development hereby permitted, details of a Low Emission Delivery and Servicing Plan for each the Hotel and Public House use shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:

- a)** Use of Zero Exhaust Emission Vehicles in accordance with the emissions hierarchy (1) Walking Freight Trolleys (2) Cargo bike (3) Electric Vehicle, (4) Alternative Fuel e.g., CNG, Hydrogen,
- b)** Frequency of deliveries and collections
- c)** Reduction and consolidation of deliveries and collections e.g., Waste,
- d)** Re-timing of deliveries and collections outside of peak traffic time periods of 07:00-10:00 and 16:00-19:00 hrs;
- e)** Facilities and measures that will minimise the impact of vehicle emissions from increasing personal deliveries
- f)** Vehicle movements, and operations of the loading bay (s) as identified on the approved drawings

- g)** Quiet loading/unloading mitigation including silent reversing measures in accordance with Building Design Guidance for Quieter Deliveries, TFL, June 2018,

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

Reason: To comply with the requirements of Policy SI1 of the London Plan and Policy CC10 of the Local Plan (2018).

27. Aerobic Food Digesters

Prior to occupation of the Hotel or Public House uses in the development hereby permitted, details of the installation of Aerobic Food Digesters (AFD) 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.

Reason: To comply with the requirements of Policy SI1 of the London Plan and Policy CC10 of the Local Plan (2018).

28. Waste Management

Prior to the first occupation of the public house hereby permitted, full details of the dedicated refuse and recycling store shall be submitted to and approved in writing by the Local Planning Authority.

No part of the hotel hereby permitted shall be occupied prior to the provision of the waste storage as shown on approved drawing no. 2000 (received February 2022) and in accordance with the details within the approved Waste Management Plan (prepared by Caneparo, dated October 2021).

The refuse and recycling storage for each use shall thereafter be permanently retained and maintained.

Reason: To ensure adequate provision for refuse and recycling within the development in accordance with Policy CC7 of the Local Plan (2018).

29. Cycle Storage

Prior to the first occupation of the development hereby permitted, the employee cycle storage at basement level, shown on approved drawing no. 1999 (received February 2022) shall be installed in full accordance with the approved details.

The employee cycle storage shall thereafter be permanently retained and maintained.

Reason: To ensure adequate provision of cycle storage for employees in accordance with Policy T5 of the London Plan (2021).

30. Delivery and Servicing Plan

Prior to the first occupation of each use hereby permitted, a final Delivery and Servicing Plan (DSP) shall be submitted to and approved in writing by the Local Planning Authority. The DSP shall detail the management of deliveries, emergency access, collection of waste and recyclables, times and frequencies of deliveries and collections/ silent reversing methods/ location of loading bays and vehicle movement at the site entrance and throughout the development. The DSP shall demonstrate that all servicing and deliveries shall take place from existing loading bays on Fulham Palace Road.

The approved measures shall be implemented and thereafter retained for the lifetime of the development in the relevant part of the site.

Reason: To ensure highway safety and that satisfactory provision is made for refuse storage and collection and to ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by noise, in accordance with Policies T2, CC11 and CC13 of the Local Plan (2018) and SPD Key Principle TR28 (2018).

31. Inward Opening Doors

Notwithstanding any indication given on the approved plans, all external doors shall open inwards only.

To prevent an obstruction to the safe movement of pedestrians and vehicles in accordance with Policy T1 of the Local Plan (2018).

32. Secured by Design

The development hereby permitted shall incorporate security measures to minimise the risk of crime and to meet the specific Security needs of the development in accordance with the principles and objectives of Secured by Design. Details of these measures shall be submitted to and approved in writing by the local planning authority prior to commencement of the development and shall be implemented in accordance with the approved details prior to occupation.

To ensure that the development maintains and enhances community safety in accordance with Policy DC2 of the Local Plan (2018).

33. Restricted use (Public House)

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) or the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any orders revoking and re-enacting those orders with or without modification) the part of the building hereby approved as public house (sui generis) shall not be used for any purpose.

Reason: To ensure the protection of the public house use in accordance with Policy HC7 of the London Plan (2021), Policy TLC7 of the Local Plan (2018) and Paragraph 93 of the NPPF (2021).

34. Public House – Opening Hours

Customers are not permitted on the public house premises other than within the following times:

07:00 Hours to 23:00 Hours – Monday to Saturday

07:00 Hours to 22:30 Hours – Sundays, Bank Holidays or Public Holidays

Reason: To protect the amenities of adjoining occupiers and the surrounding area in accordance with Policy CC11 and HO11 of the Local Plan (2018).

35. Accessibility

No less than 10% of the total hotel bedrooms hereby approved shall be fully accessible for wheelchair users and designed in accordance with the requirements of 19.2.12 of British Standard BS8300-2:2018 (or any such subsequent version of this guidance).

A further 10% of hotel bedrooms shall be designed and capable of adaptation to the requirements of 19.2.12 of British Standard BS8300-2:2018.

The hotel bedrooms shall thereafter be permanently retained in this arrangement.

Reason: To ensure the provision and retention of facilities for all, including disabled people, in accordance with Policy E10 of the Local Plan (2018).

36. Customer Management Plan

The public house hereby permitted shall not be occupied until a customer management plan has been submitted and approved in writing by the local planning authority. This should include but not be limited to, hours of operation, management responsibilities during all operating hours, measures to control noise from live and amplified music (including the screening of sporting events and public address systems), details of a designated smoking area and minimising the effects of patrons coming and going from site and demonstrating how customers leaving the building will be prevented from causing nuisance for people in the area, including guests of the hotel hereby permitted. The use hereby permitted shall thereafter be operated in accordance with the approved details.

Reason: To protect the amenities of adjoining occupiers and the surrounding area in accordance with Policy CC11 and HO11 of the Local Plan (2018).

37. Sound Insulation – building envelope

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

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

38. Odour Abatement

Prior to commencement of relevant works, 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.

Reason: To ensure that the amenity of occupiers of the surrounding premises is not adversely affected by cooking odour, in accordance with Policy CC13 of the Local Plan (2018).

39. Sound insulation – adjacent uses

Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of the sound insulation of the floor/ ceiling/ walls separating the commercial part(s) of the premises from dwelling or noise sensitive premises. Details shall demonstrate that the sound insulation value $D_{nT,w} + C_{tr}$ [and $L'_{nT,w}$] is enhanced by at least 20dB above the Building Regulations value and, where necessary, additional mitigation measures are implemented to contain commercial noise within the commercial premises and to achieve the criteria of BS8233:2014 within the dwellings/ noise sensitive premises. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the adjacent dwellings/ noise sensitive premises is not adversely affected by noise, in accordance with Policies CC11 and CC13 of the Local Plan (2018).

40. Amplified Noise

Neither music nor amplified or loud voices emitted from the commercial part of the development shall be audible at any residential/ noise sensitive premises.

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

41. Acoustic Lobbies

Prior to commencement of above ground works, details shall be submitted to and approved in writing by the Council of the installation of acoustic lobbies to entrances and exits which would otherwise allow the emission of internal noise to neighbouring noise sensitive premises.

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

42. External Noise - plant

Prior to 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.

Reason: To ensure that the amenity of occupiers of the 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).

43. Artificial Lighting

Prior to the first use 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 Note 01/20: Guidance Notes for the Reduction of Obtrusive Light'. 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

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by lighting, in accordance with Policies CC12 and CC13 of the Local Plan (2018).

44. Outdoor seating

No outdoor seating associated with the public house hereby approved shall be placed on the public highway. No tables or chairs shall be made available for customers externally, including moveable furniture.

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

45. Bi-folding doors – Distillery Lane

The bi-folding doors to the ground floor Distillery Lane elevation hereby approved shall not be open other than between the hours of 08:00 – 21:00 daily.

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

Justification for Approving the Application:

- 1) Land Use – the application has demonstrated that the existing public house use will be protected and can continue to operate viably. The small-scale hotel is considered appropriate for this location. The proposal accords with Paragraph 93 and 187 NPPF, Policy HC7 and E10 of the London Plan and Policy E3 and TLC7 of the Local Plan.
- 2) Design & Conservation – the proposal would serve to preserve the character and appearance of the wider Crabtree conservation area, and the setting of nearby designated and non-designated heritage assets in accordance with s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF (2021), the London Plan (2021), Policies DC1, DC2, DC4 and DC8 of the Local Plan (2018) and Key Principles AH2 and CAG3 of the Planning Guidance SPD (2018).
- 3) Residential Amenity – The impact of the proposed development upon nearby residential occupiers is considered to be acceptable. The proposal would not have an unacceptably harmful impact on neighbouring residential amenity in terms of light, outlook/privacy or noise and disturbance. In this regard, the development would respect the principles of good neighbourliness, and would therefore be acceptable in accordance with Policies CC11, CC13, HO11 and DC2 of the Local Plan (2018)
- 4) Highways – Subject to conditions and obligations, the scheme would not have an adverse impact upon the highway network or parking stress. Satisfactory provision shall be made for cycle parking and refuse storage. The proposal accords with Policy T4, T5 and T6 of the London Plan and Policy T1, T3, T4, T5 and T7 of the Local Plan.
- 5) Environmental – The proposal would meet and exceed London Plan requirements for carbon emission reductions through the implementation of a number of energy efficiency and sustainable measures. Improvements to Frank Banfield Park have been secured by way of obligation. Flood mitigation will be secured by way of condition along with the necessary land contamination investigations. Subject to these conditions, and a financial contribution, the proposal would accord with Policy G7, SI2 and SI4 of the London Plan and Policy OS1, OS5, CC1, CC2, CC9, CC13 of the Local Plan.

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

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

Application form received: 1st November 2021
Drawing Nos: see above

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

Consultation Comments:

Comments from:	Dated:
Thames Water - Development Control	25.11.21
Environment Agency - Planning Liaison	29.03.22
Crime Prevention Design Advisor - Hammersmith	13.12.21
Transport For London - Land Use Planning Team	13.12.21
Winslow Road Amenity Group	19.12.22
Winslow Road Amenity Group	10.05.22
Winslow Road Amenity Group	04.05.22
Friends of Frank Banfield Park	10.05.22
Friends of Frank Banfield Park	09.05.22
Friends of Frank Banfield Park	04.05.22

Neighbour Comments:

Letters from:	Dated:
76A Fulham Palace Road London W6 9PL	17.12.21
76A Fulham Palace Road London W6 9PL	17.12.21
76A Fulham Palace Road London W6 9PL	01.12.21
78A Fulham Palace Road London W6 9PL	11.01.22
78a Fulham Palace Road London W69PL	19.01.22
78A Fulham Palace Road London W69PL	17.01.22
78A Fulham Palace Road London W6 9PL	09.01.22
78A Fulham Palace Road London W6 9PL	09.01.22
11 Beryl Road London W6 8JS	19.02.22
74 Beryl Road London W6 8JT	06.12.21
21 Winslow Road London W6 9SF	19.12.21
21 Winslow Road London W6 9SF	04.05.22
27 Winslow Road London W6 9SF	10.05.22
8 Beryl Road London W6 8JT	17.01.22
73 bath road Hounslow TW3 3BN	06.02.22
The Vicarage Thames Street TW16 6AA	18.01.22

71 King Henrys Reach Manbre Road London W6 9RH	09.05.22
90 St Dunstan's Road London W6 8RA	10.12.21
102 St Dunstan's Road London W6 8RA	10.12.21
110 St Dunstan's Road London W6 8RA	10.12.21
110 St Dunstan's Road London W6 8RA	10.12.21
110 St Dunstan's Road London W6 8RA	10.12.21
118 St Dunstan's Road London W6 8RA	10.12.21
128 St Dunstan's Road London W6 8RA	10.12.21
9 Winslow Road London W6 9SF	10.12.21
13 Winslow Road London W6 9SF	10.12.21
15 Winslow Road London W6 9SF	10.12.21
45 Winslow Road London W6 9SF	10.12.21
59 Winslow Road London W6 9SF	10.12.21
98 Fulham Palace Road London W6 9PL	10.12.21
70 Fulham Palace Road London W6 9PL	10.12.21
56 Fulham Palace Road London W6 9PH	10.12.21
111 Fulham Palace Road London W6 8JA	10.12.21
111 Fulham Palace Road London W6 8JA	10.12.21
115 Fulham Palace Road London W6 8JA	10.12.21
119 Fulham Palace Road London W6 8JA	10.12.21
7 Beryl Road London W6 8JS	10.12.21
8 Beryl Road London W6 8JT	10.12.21
43 Beryl Road London W6 8JS	10.12.21
43 Beryl Road London W6 8JS	10.12.21
18 Chancellor's Road London W6 9RS	10.12.21
22 Chancellor's Road London W6 9RS	10.12.21
24 Chancellor's Road London W6 9RS	10.12.21
44 Fulham Palace Road London W6 9PH	10.12.21

Main Report

1. Site and Surroundings

- 1.1. The application site comprises a vacant end of terrace, mainly two-storey public house (sui generis) with a basement cellar located on the western side of Fulham Palace Road at its junction with Distillery Lane. The premises ceased trading in March 2020 due to mandatory Covid-19 closures and has not reopened.
- 1.2. The ground floor and cellar were used as a public house. The upper floor has a 5-bedroom residential unit which was used as ancillary accommodation to the public house.
- 1.3. Immediately to the rear of the site is Frank Banfield Park. The site is within the Crabtree Conservation Area but the building itself is not statutory or locally listed. The site is also within Flood Risk Zone 3, with high residual risk and the Thames Policy Area. Fulham Palace Road is a London Distributor Road. The site is within a designated satellite shopping parade.



Figure 1 - site as existing, viewed from Fulham Palace Road

2. Planning History

- 2.1. 1983/00640/FUL - Erection of single storey rear extension and timber screen for paladin enclosure. Application approved.
- 2.2. 1994/00738/FUL - Alterations to elevations to provide new 'pub front' including new entrance doors and alterations to windows. Application approved.
- 2.3. 2002/02065/FUL - Erection of a canopy over main entrance; alterations to front elevation including the glazing and the fixing of six black galvanised planters at first floor level and installation of external floodlights to front and side elevations

at first floor level. Application approved

2.4.2007/03978/FUL - Formation of a new opening with glazed double doors; installation of two retractable awnings to rear elevation, alterations to the rear boundary. Application approved.

3. Proposals

3.1. The application seeks full planning permission for:

Demolition of the existing building except retention of existing front and side facades; and erection of a 3 storey plus basement and mansard roof in connection with a hotel (40 -bedrooms) and the reprovision of public house.

3.2. The application includes an enlargement of the existing basement and a traditional mansard roof extension. The front and side facades would be retained.

3.3. The proposed public house (sui generis) would be located at part of the ground floor and basement and hotel (use class C1) would be across the remaining floor areas.



Figure 2 - Proposed side (Distillery Lane) elevation

4. Publicity and Consultation

Pre-application Consultation

4.1. The applicant undertook a programme of public prior to the submission of this application. The applicant sent 1,500 invitations to a consultation event – the invites included details of a website that provided further information on the proposal. In total 22 residents attended the event, including representatives from

local amenity groups. In response, the applicant received feedback both by email and from questionnaires provided at the consultation event. The Statement of Community Involvement submitted with the application summarises the feedback and notes the following:

- 82% of respondents supported the retention of a public house and the provision of a new hotel.
- 89% supported the design approach
- 84% supported the proposed development.
- Residents raised concerns about overlooking from the hotel towards Millie's Nursery on Distillery Lane which has been addressed through the introduction of obscure glazing.
- Further information was also requested by a freeholder regarding the impact of the development on their property.

4.2. The applicant contacted Fulham Reach ward councillors and local amenity groups. The applicant committed to ongoing engagement with the Friends of Frank Banfield Park in response to representations received. The pre-application consultation took place prior to the ward boundary changes in 2022 and the site was previously within the Fulham Reach ward.

4.3. The applicant sought formal pre-application advice from Officers at Hammersmith and Fulham prior to the submission of this application. Officers advised that marketing evidence would be required to demonstrate the on-going viability of the public house. The applicant has provided evidence of the marketability of the proposed replacement public house in response to Officer's comments.

Formal Consultation

4.4. In addition to site and press notices, notification letters were sent to 187 neighbouring properties. 11 objections were received, along with one comment in support and one representation that neither objected nor supported the proposals.

4.5. The objections are summarised as follows:

- Impacts on neighbouring amenity (daylight, sunlight, outlook, privacy)
- Parking and traffic impacts
- Disturbance during construction period
- Overdevelopment, resulting noise and disturbance

4.6. Additionally, officers have received 27 template letters of support signed by local residents. These letters were submitted by the applicant and were collected by their communications consultant.

4.7. The Friends of Frank Banfield Park have submitted three comments in support of the proposal, welcoming the contribution that has been secured for improvements to the park. Two of these comments were also submitted in the individual's capacities as representatives of Winslow Road Amenity Group. Although the Winslow Road Amenity Group initially raised separate concerns regarding traffic and noise impacts, officers have worked with the applicant to overcome these to secure mitigation and improvements to the scheme.

External & Statutory Consultees

4.8. Thames Water – no objection subject to conditions

4.9. Environment Agency – no objection

4.10. Metropolitan Police (design out crime) – no objection subject to a condition

4.11. Transport for London – no objection subject to conditions

5. Policy Context and Planning Considerations

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. 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).

5.2. In this instance the statutory development plan comprises the London Plan 2021, LBHF Local Plan 2018 and the LBHF Planning Guidance SPD 2018.

National Planning Policy Framework (NPPF)

5.3. The NPPF (2021) 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.

5.4. 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

The London Plan

5.5. The London Plan was published in March 2021 and is the Spatial Development Strategy for Greater London. It sets out a framework for how London will develop over the next 20-25 years.

The Local Plan

5.6. The Council adopted the 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.

Planning Considerations

5.7. The main planning considerations in the assessment of this application include the following:-

- The protection of the existing public house and the ongoing viability of its replacement
- The principle of a hotel use on the site
- Impact on the character and appearance of the host building and the Crabtree Conservation Area
- Residential amenity of neighbouring occupiers
- Highways impacts

Planning Assessment

6. Land Use

Loss of public house floorspace

6.1. Public houses are protected by policy in both the Local Plan and the London Plan as well as within the NPPF.

6.2. **Paragraph 93 of the NPPF** advises that planning decisions should provide the social, recreational and cultural facilities and services the community needs, including public houses.

6.3. **Policy HC7 of the London Plan** requires planning decisions to protect public house and states that applications that propose their loss should be refused. This is unless there is authoritative marketing evidence that demonstrates there is no realistic prospect of the building being used as a pub in the foreseeable future. Part (c) of Policy HC7 states that proposals for redevelopment of associated accommodation, facilities or development within the curtilage of the public house that would compromise the operation or viability of the public house use should be resisted.

6.4. **Policy TLC7 of the Local Plan** sets out the considerations that apply when assessing an application for the redevelopment of a public house. The ongoing viability of the public house is a key consideration, along with the design, character and heritage value of the building.

6.5. The public house, as existing, comprises a trading area, bar and kitchen at ground floor level, storage and a further kitchen at basement level and a four bedroom staff accommodation at first floor level. The staff accommodation is ancillary to the public house and is not a C3 dwelling. The total floor area of the public house is 524sqm (including the ancillary accommodation) or 372sqm when considering only the basement and ground floor area. The pub is understood to have closed in March 2020 in line with mandatory Covid-19 restrictions and has not reopened since that time.

6.6. The public house would be re-provided within the development across part of the basement and ground floors. The pub would be accessible from the street and customers would not need to enter the hotel to access the pub. Although the

overall floor area of the replacement pub (248 sqm) would be reduced, it is more pertinent to consider whether the pub provided would remain viable long-term. A key consideration is the provision of ancillary features that contribute towards the viability of the pub. In this instance, a kitchen and associated storage can be provided at basement level. Notably, the staff accommodation would not be re-provided.

- 6.7. The applicant has submitted two separate marketing reports prepared by commercial agents with an expertise in hospitality. The first report (Christie & Co) advises that the proposed pub would likely be a viable offering and would be further supported by the trade from the hotel guests. This report highlights the importance of having on-site kitchen facilities. The second report (The Bowden Group) also confirms the importance of a food offering and the trade that would be provided by hotel guests.
- 6.8. Both reports conclude that the re-provided public house has the potential to be viable and emphasises the importance of the hotel in helping to support its profitability. Neither report identifies the loss of the ancillary staff accommodation as being detrimental to the ongoing viability of the pub. Having reviewed these reports, officers are satisfied that the proposed replacement public house would, despite being smaller than the existing unit, be a viable operation that would accord with the aims of Policy TLC7 of the Local Plan and Policy HC7 of the London Plan. The proposal would further accord with Paragraph 93 of the NPPF.

Hotel use

- 6.9. **Policy E3 of the Local Plan** and **Policy E10 of the London Plan** identify the areas in which visitor accommodation would be supported. The application site is not in a town centre or other identified area and as such only a small-scale hotel would be supported. A small-scale hotel is defined within the Local Plan as being one with no more than 50 bedrooms.
- 6.10. The scheme as proposed constitutes a small-scale hotel and so is acceptable in principle, subject to compliance with all other relevant policies.
- 6.11. **Paragraph 187 of the NPPF** sets out the agent of change principle, in which existing facilities should not have unreasonable restrictions put upon them as a result of development permitted after they were established. This is relevant noting that a sui generis public house remains the lawful use of the site, and hotel sleeping accommodation is proposed within the same building envelope. To ensure the protection of the public house use, a robust scheme of sound insulation, noise mitigation and customer management will be conditioned.

7. Conservation and Design

Policy Context

- 7.1. **Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990** requires Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas
- 7.2. **Section 16 of the National Planning Policy Framework** sets out how the

historic environment should be conserved and enhanced, and makes it clear at **Paragraph 190** that local authorities, which considering proposals that affect a heritage asset, should seek to avoid or minimise any conflict between the conservation of the heritage asset and any aspect of the proposal.

- 7.3. **Paragraph 200** states that when considering the impact of a proposed development on a heritage asset (which includes its setting), local planning authorities should give 'great weight' to preserving the asset's significance. Any harm or loss should require clear and convincing justification.
- 7.4. Where harm is caused to a heritage asset, the NPPF requires decision makers to determine whether the harm is substantial, or less than substantial. If the harm is deemed to be less than substantial, **Paragraph 202** of the NPPF requires that harm to be weighed against the public benefits of the proposals.
- 7.5. **London Plan - Policy HC1** states 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 by integrating heritage considerations early on in the design process.
- 7.6. **Local Plan - Policies DC1, DC2 and DC4** are particularly relevant to the assessment of design. Policy DC1 (Built Environment) states that all development within the borough should create a high-quality urban environment that respects and enhances its townscape context and heritage assets. There should be an approach to accessible and inclusive urban design that considers how good design, quality public realm, landscaping and land use can be integrated to help regenerate places. Policy DC2 (Design of new build), states that New build development will be permitted if it is of a high standard of design and compatible with the scale and character of existing development and its setting. Policy DC4 (Alterations and Extensions, Including Outbuildings) sets out to ensure that a high standard of design will be achieved in all alterations and extensions to existing buildings. **Policy DC8** seeks to protect the character and appearance of heritage assets.
- 7.7. **Planning Guidance SPD - Key principle CAG3** New Development in Conservation Areas states new buildings, extensions and alterations should be sympathetic to the architectural character of the built context and should not have a harmful impact on the character and appearance of the conservation area. Characteristics such as building heights, building lines, roof forms, rear and side additions, front gardens and boundary treatment, lightwells, materials, windows and building features as well as disabled access measures should be considered in this context. Key principle AH2 reiterates the principles of the NPPF, stating that there will be a presumption in favour of the conservation of heritage assets.

Identification of heritage assets

- 7.8. The existing building occupying the site is neither statutory nor locally listed. Consequently, the heritage assets potentially impacted by the proposal are the Crabtree Conservation Area, and the setting of a number of other heritage assets

including, the Grade II listed Brandenburgh House on the north side of Lochaline Street and the locally listed, (buildings of merit) further North and South along Fulham Palace Road (at 64, 66, 87, 89 108,112 and 114 Fulham Palace Road). The character of the area is detailed in the Crabtree Conservation Area Character Profile.

Demolition

- 7.9. The existing building has been substantially modified over time, with complete replacement including the ground floor, internal walls, flank wall facing Distillery Lane, parapet, cornice and fenestration as detailed in the submitted heritage statement. The facades fronting the prominent junction of Fulham Palace Road and Distillery Lane retain the appearance of a traditional 19th Century public house and by virtue of their age, architectural character, materials and use, make a positive contribution to the character and appearance of the conservation area. The domestic wing adjoining the main building, (fronting Distillery Lane and Frank Banfield Park), is considered to have limited significance overall; dating from the early 20th Century, this element features poorer quality brickwork and limited architectural character when compared to the host building.
- 7.10. The proposal scheme seeks to demolish the 20th Century wing and existing corner building with the exception of the existing front and side facades, which whilst modified, are the remaining elements of the building contributing to the character and appearance of the conservation area as identified above. The demolition and replacement of these elements would not cause harm to the conservation area based on the quality of their replacements, which is in keeping with the prevailing local character, including palette of materials, height, scale and proportions, reinforcing the historic relationship between the main building and its adjacent wing. The character of the Crabtree conservation area would not be harmed by the proposed changes and would be preserved overall.
- 7.11. In summary, the main building has been substantially modified over time, the proposed retention of the external facades which contribute positively to the character and appearance of the conservation area, combined with a contextually appropriate development securing the future use of the building as a public house results in the on-balance conclusion that the extent of demolition would not cause harm to the conservation area, preserving its character and appearance in compliance with the NPPF and Local Plan Policies DC1, DC2, DC4 and DC8.

Impacts upon adjacent heritage assets

- 7.12. Grade II listed Brandenburgh House (116 Fulham Palace Road) –Due to its distance and the curve of Fulham Palace Road, the listed building is appreciable in the background of long-distance views South of the application site along Fulham Palace Road but the host building does not form an immediate part of its setting. Due to the distance between the buildings and the contextual scale, palette of materials and architectural approach of the proposed extension, it is considered that the proposal would not cause harm to the setting of the designated heritage asset, in compliance with Local Plan Policy DC4.
- 7.13. Group of locally listed, (buildings of merit) further North and South along Fulham Palace Road (at 64, 66, 87, 89 108,112 and 114 Fulham Palace Road) –

The buildings are appreciable in long views looking North and South along Fulham Palace Road but are at a significant distance that the application site does not form part of their immediate setting. Whilst the new roof addition would be visible in these longer views, it is considered that due to its contextual scale, palette of materials and architectural approach the proposal would not cause harm to the setting of these non-designated heritage assets, in compliance with Local Plan Policies DC1, DC2, DC4 and DC8.

New build and extensions/alterations to existing building

- 7.14. The proposal scheme seeks to bring forward a new/extended basement to provide hotel accommodation, the existing building façade as retained would be extended by two-storeys to create an extruded full-height floor at second floor and a mansard roof extension at third floor. These elements would be complemented by a new rear offshoot to the main building with a four-storey massing, (three storey parapet and upper floor mansard roof).
- 7.15. Scale and massing - The proposed additional storey and traditional mansard roof extension are in keeping with the architectural character of the host building and prevailing height of surrounding buildings and the increase in height creates a strong corner, addressing the existing uncomfortable relationship created by the increased parapet height on Nos 76-78 Fulham Palace Road identified above.
- 7.16. Architectural approach – The design of the proposal is informed by an understanding of the character of the original building and its architectural composition. The retained and extended façades of the original building follow a clear hierarchy to the expression of the form which replicates and strengthens the use of fenestration, parapets and corncing to build upon and provide additional character and interest to the enlarged building.
- 7.17. To the rear, the new, enlarged rear off-shoot is detailed with a more simplified approach, to replicate the format of other rear off-shoots along Fulham Palace Road. The incorporation of chimney features, additional fenestration and ghost windows within these elevations assists in giving this element of the building character which reinforces the relationship to the main building
- 7.18. Relevant conditions are suggested to seek the submission of detailed 1:20 drawings of key elements of the scheme, alongside conditions relating to the submission of a palette and sample of materials to be used in the construction.
- 7.19. A detailed heritage analysis has been used to inform the design approach to the refurbishment and extension of the building. Refuse storage will be contained within the building. Cycle storage has also been provided internally but it is unclear how this is accessed- it appears to require access via the reception and down a set of stairs.
- 7.20. In relation to heritage assets potentially impacted by the proposal in longer views, it is considered that due to the contextual scale, palette of materials and architectural approach, the proposal would not cause harm to the setting of identified designated and non-designated heritage assets, in compliance with Local Plan Policies DC1, DC2, DC4 and DC8.

Conclusion

7.21. Overall, it is considered that the proposal would serve to preserve the character and appearance of the wider Crabtree conservation area, and the setting of nearby designated and non-designated heritage assets in accordance with s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF (2021), the London Plan (2021), Policies DC1, DC2, DC4 and DC8 of the Local Plan (2018) and Key Principles AH2 and CAG3 of the Planning Guidance SPD (2018).

8. Residential Amenity

8.1. **Local Plan Policy HO11** addresses detailed residential standards and, in seeking a high standard of design, seeks to ensure the protection of existing residential amenities; 'including issues such as loss of daylight, sunlight, privacy and outlook'. **Policy DC2** advises that good neighbourliness in particular the amenities of the neighbouring properties, and other properties most directly affected by the proposal will be a key consideration when assessing proposals.

8.2. **Key Principles HS6 and HS7** of the Planning Guidance SPD seek to protect the existing amenities of neighbouring residential properties, in terms of outlook, light, and privacy

Daylight, sunlight and overshadowing

8.3. The British Research Establishment (BRE) 'Site layout planning for daylight and sunlight' guidance sets out good practice for assessing daylight and sunlight impacts for new development. In urban areas, BRE guidance advises that the guidance be applied flexibly. The applicant's Daylight and Sunlight report has been carried out in line with the 2022 BRE guidance and considers the potential impacts of the proposed development on daylight, sunlight and overshadowing on existing neighbouring residential buildings.

8.4. All relevant properties were subject to testing including no's 78A and 76 Fulham Palace Road. Where properties are not discussed below, they have fully complied with BRE criteria and there would no material loss of daylight or sunlight.

8.5. No. 78A Fulham Palace Road is a two-storey residential unit set at first and second floor level. It is a small HMO, with four bedrooms and a shared kitchen/dining area to the rear at first floor level. The property further benefits from a small terrace leading from the kitchen, however, the terrace does not appear to benefit from planning permission. The daylight assessment demonstrates that impacts upon the second-floor windows, which are understood to all serve bedrooms, would be fully in accordance with BRE criteria. It can therefore be concluded that there would be no materially noticeable loss of daylight. At first floor level, there would be reductions of VSC that would exceed BRE criteria, although NSL levels would be fully in accordance with the guidance. However, the retained VSC values to these windows, that are understood to serve the kitchen/dining communal area, would be 23% and 26% respectively. This is a good retained value and the room would continue to be well daylight. The relevant rear facing windows have also been subject to sunlight testing. The APSH would

see reductions beyond that recommended within the BRE guidance. However, retained values would again be acceptable and would allow for good levels of sunlight to be received in the relevant rooms. It can therefore be concluded that the HMO within no. 78a would not see an unacceptable loss of daylight or sunlight in this urban setting as a result of the proposed development.

- 8.6. No. 76 Fulham Palace Road – this property again comprises of residential uses to the first and second floors. There would be no failings against BRE criteria in relation to daylight and therefore occupiers would not notice a material loss. One window, of four, would see a loss of sunlight (APSH) that would exceed BRE criteria. However, officers consider that the retained values would be acceptable. All remaining windows would be fully compliant with BRE criteria and would not have any noticeable loss of sunlight.

Privacy and overlooking

- 8.7. **Key Principle HS7 (iii)** of the Council's Planning Guidance SPD sets an 18m standard from windows in new development to existing windows, in order to protect privacy. The SPD clarifies that the 18m distance would be measured by an arc of 60 degrees taken from the centre of the proposed new window to ensure that there is no loss of privacy to neighbouring occupiers.

- 8.8. The development has been carefully designed to prevent views from the proposed hotel rooms towards existing residential properties from being achieved. The layout of the first and second floor would direct views away from no. 76 and 78 Fulham Palace Road. During the public consultation, some concerns were raised in relation to views that could be achieved of the neighbouring nursery. The submitted plans demonstrate that no such views were possible, however, the architect has opted to obscure selected windows along the relevant elevation to alleviate the resident's concerns. This proposed element has not been secured by condition as it is not necessary to make the development acceptable.

Outlook and sense of enclosure

- 8.9. **Key Principle HS6 of the Planning Guidance SPD** states that 'The proximity of a new building or an extension to an existing building can have an overbearing and dominating effect detrimental to the enjoyment by adjoining residential occupiers of their properties' and prescribes a method for assessment of outlook.' 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 would be a determining factor in assessing the effect which the extension would have on the existing amenities of neighbouring properties. Where there are existing circumstances, such as buildings which would be replaced in a redevelopment, it would be inappropriate not to have regard to these.

- 8.10. The rear of the site abuts Frank Banfield Park and as such it is not possible to assess impacts on residential properties using Key Principle HS6. The first and second floor of the development has been designed to step back from no. 76-78 Fulham Palace Road. Outlook from one small first floor window that appears to

serve a bathroom within no. 78 would be obscured by the development. This would not result in any harm to residential amenity owing to the use of the room. Contextual plans have been submitted which do demonstrate that outlook would not be restricted from windows serving habitable rooms. Oblique views from the terrace serving no. 78 may be restricted, however, the terrace does not benefit from planning permission and so cannot be considered further in this assessment. Officers conclude that there would be no unacceptable loss of outlook or increased sense of enclosure arising from the proposed development.

Noise and disturbance

- 8.11. The lawful use of the application site is a public house, which has no restrictive planning conditions relating to noise or hours of operation. The public house, being the existing use, must not have any unreasonable restrictions put upon it that could adversely affect its operation or ongoing viability. This is the 'agent of change' principle which is set out in Paragraph 187 of the NPPF.
- 8.12. The replacement public house would be smaller and would be within a largely new building envelope which provides potential for improvements to neighbouring residential amenity. Improvements, such as an enhanced scheme of sound insulation, can be implemented without adversely impacting upon the operation of the pub itself. This would also help mitigate against cumulative impacts arising from the additional noise and disturbance generated by the proposed hotel use. Details of sound insulation will be secured by way of condition which will protect existing residential properties from additional noise generated by both uses.
- 8.13. The proposed hotel use would be within the same building envelope as the pub but does not benefit from any noise or disturbance protections in policy. However, the agent of change principle does require that a proposed use does not unduly harm the operation of an existing use and therefore it is reasonable to secure some mitigation. A customer management plan will be secured by way of condition. This is considered proportionate and would not result in undue restrictions being put on the public house that may render it unviable. It would however likely be sufficient to minimise any complaints from hotel guests. A condition will restrict opening hours of the public house. This will allow for the pub to operate until the same hours as it was previously, but also allowing for an early open for a breakfast offering. Subject to these conditions, the proposal would accord with Policy CC11 of the Local Plan and Paragraph 187 of the NPPF.

9. **Highways**

- 9.1. **London Plan Policy T6** sets out the intention to encourage consideration of transport implications as a fundamental element of sustainable transport, supporting development patterns that reduce the need to travel or that locate development with high trip generation in proximity of public transport services. The policies also provide guidance for the establishment of maximum car parking standards in relation to hotel uses as well as blue badge parking at **Policies T6.4 and T6.5**. London Plan **Policy T5** sets out the requirements for cycle parking in accordance with the proposed use.
- 9.2. **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’.

9.3. **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”.

9.4. **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. **Local Plan Policy CC7** sets out the requirements for all new developments to provide suitable facilities for the management of waste.

Site Accessibility

9.5. The application site has a public transport accessibility rating (PTAL) of 6a on a scale of 0 (worst) to 6b (best). Guests, customers and employees accessing the site will therefore benefit from excellent access to public transport.

Car Parking

9.6. The development is proposed to be car free which is in accordance with Policy T6 of the London Plan. A s106 obligation will remove access to business parking permits. The application site is within a controlled parking zone, with parking restricted to permit holders only or pay and display with a maximum stay of 8 hours during weekdays. As such, hotel guests would be unable to arrive to the premises by private car and park their vehicle for the length of their stay during the week. Blue badge holders will be able to park in the existing bays along Distillery Lane.

9.7. A trip generation (TRICS) analysis has been undertaken by the applicant’s consultant and reviewed by the Council’s highways team. Using data from comparable developments, it is estimated there would be a total of 9 trips in the AM peak and 11 trips in the PM peak. This is across all modes of transport. As such, it is accepted that any increase in trips made by private vehicle would be minimal and would not have a material impact upon parking stress or congestion locally.

Cycle Parking

9.8. The application site is highly constrained which does present difficulties in providing a policy compliant quantum of cycle parking on site. For the hotel use, long stay storage for two bicycles is required, and short stay provision is required for one bicycle. The public house requires 13 short stay spaces and 2 long stay spaces. The applicant proposes to provide the cycle parking on Distillery Lane which would be acceptable in this instance. As this is outside of the site boundary, the cycle storage will be secured by way of a s106 obligation rather than a condition. However, storage for 3 bicycles for staff of both the hotel and public house uses will be provided within the basement. This will be secured by way of condition.

9.9. A contribution has also been secured towards the provision of a micro-mobility parking hub for electric bikes and scooters in the vicinity of the site. This will provide further options for guests and employees to travel to and from the site using a sustainable mode of transport.

Travel Plan

9.10. A draft travel plan has been submitted with the hotel and public house uses. The plan covers both employees and hotel guests and sets out objectives and targets for sustainable travel to and from the site. Whilst the principles of the draft travel plan are acceptable, a final travel plan will need to be submitted once the occupiers are confirmed to ensure that the targets remain relevant and achievable.

9.11. A final travel plan will be secured through a s106 obligation, along with a monitoring fee for years 1, 3 and 5.

Waste Management

9.12. A waste management strategy, prepared by Caneparo, has been submitted which outlines the arrangements to be made for refuse and recycling. Separate waste stores are proposed for the hotel and public house uses and provision will be made for refuse and recycling. Aerobic food digesters are to be secured by condition to deal with food waste in a sustainable manner. The waste management strategy has provided an estimate of the volume of refuse and recycling to be produced by each use and sufficient storage will be provided on site. Full details have been provided of the hotel store, but final details of the pub store will be secured by way of condition. With regard to collections, bins will be presented kerbside on Distillery Lane which is consistent with the existing arrangements. Subject to a condition, the proposed waste management strategy is considered to accord with Policy CC7 of the Local Plan.

Servicing & Deliveries

9.13. The development is expected to generate 11 delivery and servicing trips per day. This is across the two uses on site. Servicing will take place from the existing loading bays located on Fulham Palace Road. A delivery and servicing plan has been submitted; however, a final plan will need to be secured once the occupiers of the development are finalised. This will be secured by way of condition.

Construction Management

9.14. The applicant has submitted an outline Construction Logistics Plan in accordance with Local and London Plan policy. The document indicates that the development would be constructed within 17 months and that Distillery Lane will form the majority of the construction compound for the use of construction vehicles and the storage of associated plant. The CLP highlights that the construction works are likely to generate a peak of 400 monthly trips, which equates to 16 daily trips, during Q1 and Q2 of the construction works. It is proposed that scaffolding is located on the public highway with a gantry to enable continued use of the footways by pedestrians which is welcomed.

Access to Frank Banfield park must also be maintained throughout the construction of the development and proposed construction deliveries are required to take avoid the AM and PM peak periods when pedestrian movements in the vicinity of the site are likely to be high. Further details are required in the detailed Construction Logistics Plan which should be secured by condition. The applicant is also required to fund the monitoring of the CLP, which would include measures such as camera enforcement and this will be secured by obligation.

10. Accessibility

- 10.1. **Local Plan Policy DC1** requires all development to be of a high quality and should have an approach to accessible and inclusive urban design. **Policy D2** requires new buildings to follow the principles of accessible and inclusive design.
- 10.2. **London Plan Policy E10** specifically requires that 10 per cent of hotel rooms are delivered as wheelchair accessible units from the outset or that 15 per cent of new hotel bedrooms are accessible in accordance with the requirements of 19.2.12 of British Standard BS8300-2:2018 Design of an accessible and inclusive built environment. The application documents confirm that 10% of the hotel accommodation will be wheelchair accessible rooms from the outset, with a further 10% adaptable should future need arise.
- 10.3. The accessibility statement includes plans demonstrating that wheelchair accessible routes, from the street, are provided to all wheelchair accessible rooms. A DDA compliant WC is also provided in the public house. The proposal is therefore considered in compliance with Policy DC1 and DC2 of the Local Plan.

11. Arboriculture and Parks

- 11.1. **London Policy G7** states that existing trees of quality should be retained wherever possible or replace where necessary.
- 11.2. **Policy OS1 of the Local Plan** states that the council will protect, enhance and increase provision of parks, open spaces and biodiversity in the borough. Part c) of the policy advises that this can be achieved through improving existing parks, open spaces and recreational facilities throughout the borough. **Policy OS5** seeks to retain existing trees.
- 11.3. The proposals require the removal of two category C trees that are on the boundary of the application site, within Frank Banfield Park. Category C trees are trees of low quality, with category A being trees of the highest quality. All other trees will be protected throughout the construction period.
- 11.4. To mitigate against this loss, it is proposed to plant 4 trees in total. Each tree would be of a medium to heavy standard meaning that they are established and semi-matured at the time of planting. This strategy has been agreed with the Council's parks tree officer, subject to the species being agreed at a later stage. The replacement trees will be secured through the s106 agreement as they do not fall within the curtilage of the application site.

11.5. A contribution of £60,000 has been secured which will be ringfenced to deliver improvements to Frank Banfield Park. This will further mitigate against the loss of two trees and the increased use of the park as a result of the development. The Friends of Frank Banfield Park have submitted comments in support of the development.

11.6. Subject to the mitigation set out above, the proposal would accord with Policy OS1 and OS5 of the Local Plan and Policy G7 of the London Plan.

12. Climate, Energy and Sustainability

12.1. **London Plan Policy SI2** requires major developments to meet zero carbon targets. It maintains the expectation that a minimum reduction of 35% beyond Building Regulations to be met on site (15% of which should be achieved through energy efficiency). 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. **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.

12.2. **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.

12.3. **Local Plan Policy CC2** seeks to ensure the implementation of sustainable design and construction measures by implementing the London Plan sustainable design and construction policies.

Sustainability

12.4. As required of a major development, a Sustainability Statement has been provided, summarising the BREEAM Pre-Assessment report which shows that if the identified credits are achieved as outlined then the development would achieve a BREEAM rating of "Excellent". This is in line with the requirements of Policy CC2 of the Local Plan and a condition will be attached to the decision to require the submission of post-completion BREEAM certification.

Energy

12.5. As required, an Energy Assessment has been submitted with the application. The Energy Strategy for the site is to integrate energy efficiency measures and low/zero emission technologies including Air Source Heat Pumps and solar PV panels. The proposals exceed the minimum CO2 reduction target of 35% set in

the London Plan by achieving 53% reduction through on-site measures. The remaining CO2 emissions are to be offset with a payment in lieu and this is calculated to be £99,541. A 19% reduction in emissions is achieved through energy efficiency measures, with the remaining reduction achieved through on site renewable technologies.

- 12.6. A condition will secure the implementation of the measures outlined within the energy assessment. The proposal is in accordance with Policy SI 2 of the London Plan and Policy CC1 of the Local Plan.

Overheating

- 12.7. The Cooling Hierarchy, set out in Policy SI4 of the London Plan, has been applied in designing the proposed development. The design has implemented a number of strategies to avoid overheating and a reliance on mechanical cooling. This includes the use of reflective materials to minimise heat absorption, optimisation of windows to reduce solar gain, reduced air permeability and maximising insulation. Openable windows will be provided to all elevations to allow for passive ventilation. Despite the measures detailed, there will be a need for some mechanical cooling to ensure thermal comfort for building users particularly within the reception area. This is considered acceptable, noting that the Cooling Hierarchy has been followed and does allow for the use of mechanical cooling in these circumstances. The proposal is therefore in accordance with Policy SI4. The overheating and cooling assessment is within the energy assessment and compliance will be conditioned.

13. Air Quality

- 13.1. The development site is within the borough wide Air Quality Management Area (AQMA) and GLA Air Quality Focus Area 73 due to the road traffic emissions from Fulham Palace Road (A219). The development proposal would introduce new receptors into an area of existing poor air quality. In respect to this development site the annual mean concentrations of Nitrogen Dioxide (NO₂), and Particulates (PM₁₀, PM_{2.5}) concentrations at the proposed property even in the background currently fail the WHO Air Quality Guideline values (2005) for these air pollutants. Further Mitigation measures will be required to make the development compliant with **Local Plan Policy CC10** (2018) and **London Plan Policy SI1** (2021).
- 13.2. An air quality assessment has been submitted which models the existing air quality and concludes that the unmitigated risk to local sensitive receptors from emissions of dust and pollution from construction is deemed to be low. The Council's air quality officer has reviewed this report and has advised that some further mitigation will be required, which will be secured by way of condition. This is to include the submission of an air quality and dust management plan to manage the risks arising during the demolition and construction phases.
- 13.3. A ventilation strategy has also been submitted and reviewed by the Council's air quality officer. This report seeks to ensure that future guests and employees of the development will not suffer from poor air quality whilst inside the building. Mitigation measures proposed include the installation of a filtration system and installing air intakes where the air is least polluted (i.e. to the rear of the development). A final design stage ventilation strategy will be secured by way of

condition which will include further details of the filtration system and ventilation intakes/extracts.

- 13.4. An ultra-low emissions strategy will also be secured by condition to ensure compliance with Policy CC10 of the Local Plan. Finally, details of an aerobic food digester (AFD) will be secured by condition to mitigate the impact of servicing vehicles collecting food waste. Subject to these conditions, the proposal would accord with Policy CC10 of the Local Plan and Policy SI1 of the London Plan.

14. Flood Risk

- 14.1. **London Plan Policy SI12** sets out that proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed.
- 14.2. **Local Plan Policy CC2** requires major developments to implement sustainable design and construction measures, including making the most efficient use of water.
- 14.3. **Local Plan Policy CC3** requires a site-specific Flood Risk Assessment (FRA) for developments in Flood Zones 2 and 3 that: a. addresses the NPPF requirements; b. takes account of the risk of flooding from all relevant sources; c. integrates appropriate flood proofing measures where there is a risk of flooding; and d. provides structural waterproofing measures in subterranean elements and using non-return valves or equivalent to protect against sewer flooding.
- 14.4. The application site is within Flood Risk Zone 3 with a high residual risk of flooding. A flood risk assessment has been submitted which sets out the required mitigation for flood risk from fluvial, surface water and groundwater sources. This includes a water exclusion and water entry strategy. The provision of the required mitigation is to be secured by condition.
- 14.5. The Environment Agency were consulted on the scheme and raised no objections to the proposal.
- 14.6. Thames Water have raised no objection to the scheme, however, they have requested two conditions to protect their infrastructure. These conditions will secure a piling method strategy and details of rerouting of a water main.

15. Land Contamination

- 15.1. The council's Land Contamination Officers have advised that potentially contaminative land uses are understood to have occurred at, or near to, this site; or a sensitive use is proposed. As such conditions are required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, in accordance with Policies CC9 and CC13 of the Local Plan.

16. Fire Safety

- 16.1. Policy D12 of the London Plan states that major applications should be accompanied by a fire statement, prepared by a suitably qualified third-party assessor, demonstrating how the development proposals would achieve the

highest standards of fire safety, including details of construction methods and materials, means of escape, fire safety features and means of access for fire service personnel.

- 16.2. A Fire Statement produced by an independent and accredited specialist has been submitted as required by Policy D12 (b). The fire statement includes details of means of escape, the necessary separation of the two uses within the building, details of access for fire appliances, personnel and equipment, and features which reduce the risk to life. The fire statement provides details of each matter required by criteria 1 – 6 of Policy D12 (b). The proposal would be subject to a final assessment of compliance, which would be completed when the Building Regulations application is submitted and assessed. Officers are satisfied that the submitted Fire Statement provides sufficient information for planning stage and recommend that a condition is imposed to ensure that the strategy is implemented, and the development is carried out in accordance with this document.

17. Designing Out Crime

- 17.1. Policy DC2 of the Local Plan requires developments to be designed in line with the principles of Secured by Design.
- 17.2. The proposals have been reviewed by the Metropolitan Police's design out crime officer. A series of recommendations have been made which could feasibly be incorporated into the hotel and public house. The proposal would accord with the aims of Policy DC2, subject to secured by design accreditation being achieved.
- 17.3. A financial contribution of £15,000 has been secured to support the funding of LBHF's local law enforcement team initiative. The initiative seeks to reduce environmental crime and anti-social behaviour across the borough, including in parks. The contribution has been sought in light of the development's proximity to Frank Banfield Park.

18. Employment and Skills

- 18.1. **Local Plan Policy E4** requires the provision of appropriate employment and training initiatives for local people of all abilities in the construction of major developments including visitor accommodation and facilities.
- 18.2. A package of employment and skills contributions has been secured. This is summarised as follows:
- 1) Contribution of £10,500 to provide two construction period apprenticeships, one of which will be provided directly by the developer
 - 2) 10% of labour employed on the construction of the development to be H&F residents
 - 3) Contribution of £3,375 towards facilitating the Council in supporting local Small to Medium Enterprises to bid for contracts tendered in the supply chain
 - 4) 10% of build costs to be spent locally on H&F businesses
 - 5) Submission of delivery and monitoring plans
 - 6) 10% local labour target during the first 24 months of the operational phase

(based on employees being within one of the Council's target groups, otherwise a target of 20% applies).

19. Planning Obligations and CIL

Mayoral CIL

19.1. Mayoral CIL (Community Infrastructure Levy) came into effect in April 2012 and is a material consideration to which regard must be had when determining this planning application. Under the London wide Mayoral CIL the scheme would be liable for a CIL payment. An estimate of £56,960 based on the additional floorspace has been calculated. 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.

Local CIL

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

19.3. Hotels and public houses do not attract a charge under the adopted CIL Charging Schedule. Accordingly, no CIL would be due on this development.

Planning Obligations

19.4. London Plan Policy DF1 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.

19.5. The applicant would be required to enter into a legal agreement in the event that planning permission were to be granted. The Legal Agreement would include the following obligations:

- 1) £60,000 for improvements to Frank Banfield Park
- 2) Provision of 4no. trees within Frank Banfield Park
- 3) £15,000 towards LBHF's local law enforcement team
- 4) £99,541 payment in lieu contribution towards the zero-carbon emission target
- 5) Contribution to economic development (£13,875) including the following:
 - a. Contribution of £10,500 to provide two construction period apprenticeships, one of which will be provided directly by the developer
 - b. 10% of labour employed on the construction of the development to be H&F residents
 - c. Contribution of £3,375 towards facilitating the Council in supporting

- local Small to Medium Enterprises to bid for contracts tendered in the supply chain
- d. 10% of build costs to be spent locally on H&F businesses
 - e. Submission of delivery and monitoring plans
 - f. 10% local labour target during the first 24 months of the operational phase (based on employees being within one of the Council's target groups, otherwise a target of 20% applies)
- 6) On-street car parking permit-free development
 - 7) Travel plan monitoring fee of £3,000 per submission (submissions on years 1, 3 and 5)
 - 8) Developer to enter into a s278 agreement for works to the public highway as necessary
 - 9) A commitment to meet the costs of the Council's associated legal fees.

20. Conclusion

- 20.1. The proposal would see the re-provision of a public house that has been demonstrated to Officers will be a viable offering. The proposed hotel will not conflict with the public house use and would be of a suitable scale for the location. The replacement building is of a high quality and will not result in harm to the conservation area or wider streetscene. There would be no undue harm to residential amenity as a result of the proposals and sound mitigation would be enhanced from the existing baseline.
- 20.2. A package of obligations has been secured to mitigate the impacts of the development on the highway and to provide employment and training opportunities for local residents. Furthermore, the scheme would make a financial contribution towards the improvement of Frank Banfield Park and the Local Law Enforcement Team.
- 20.3. The proposal accords with the aims of all relevant policy and guidance and is recommended for approval, subject to conditions and a legal agreement.

21. Recommendation

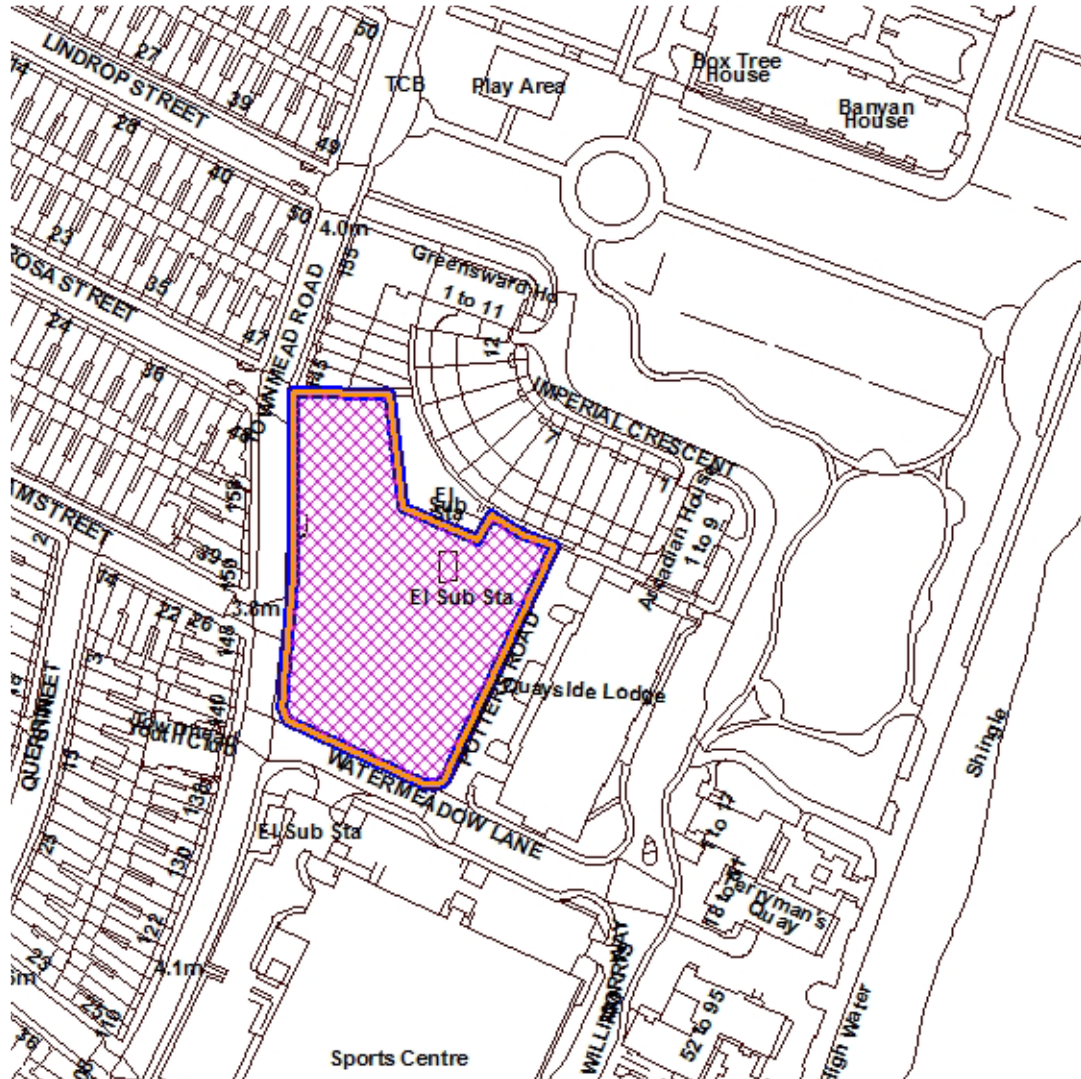
- 21.1. That the Committee resolve that the Chief Planning Officer be authorised to grant planning permission upon the completion of a satisfactory legal agreement and subject to the conditions listed.
- 21.2. That the Committee resolve that the Chief Planning Officer, after consultation with the Assistant Director Legal Services 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 proposed conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.

Agenda Item 5

Ward: Sands End

Site Address:

Watermeadow Court, Watermeadow Lane, London SW6



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Reg. No:
2022/00695/VAR

Date Valid:
11.03.2022

Committee Date:
05.07.2022

Conservation Area:
Sands End Conservation Area - Number 41

Case Officer:
John Sanchez

Applicant:

Mount Anvil And Peabody

C/o Agent

Description:

Variation to conditions 2 (Approved Drawings), 7 (Blue Badge Parking) and 56 (new condition relating to the amount of development, added to non-material amendment permission ref: 2021/03777/NMAT) of Planning Permission (ref: 2017/01841/FUL) granted 3 October 2019, for the "Erection of residential units (Class C3) across three blocks; shared single storey basement with car parking; private open space; hard and soft landscaping; preparatory and associated works. (EIA development)".

Application submitted in order to permit minor material amendments to the development under s73 of the Town and Country Planning Act (1990) as amended. Amendments comprise reconfiguration of internal layouts, change the mix, number, and tenure of dwellings (increasing the number of homes to 266 dwellings), regularisation of floor-to floor heights to facilitate insertion of additional floors into Blocks B and C and increase height of Block C to accommodate an additional floor. An Environmental Statement has been submitted with the application under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended).

Application Type:

Vary or Delete Conditions Full/Outline

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

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

Application form received: 10th March 2022

Drawing Nos: see Condition 2

Policy documents: National Planning Policy Framework (NPPF) 2021

The London Plan 2021

LBHF - Local Plan 2018

LBHF – Planning Guidance Supplementary Planning Document
2018

Consultation Comments:

Sport England	13.04.2022
Historic England - Archaeology Adviser (GLAAS)	20.04.2022
Historic England – London Region	20.04.2022
Environment Agency	27.04.2022
Crime Prevention Design Advisor – Hammersmith	28.04.2022
Greater London Authority (GLA)	29.04.2022
Transport for London (TfL)	09.05.2022

Neighbour Comments:

24 Glenrosa Street London SW6	03.05.2022
24 Glenrosa Street London SW6	04.05.2022
44 Glenrosa Street London SW6	07.04.2022
48A Glenrosa Street London SW6 (Glenrosa Street Flat Management Company Ltd.)	03.05.2022
48A Glenrosa Street London SW6	03.05.2022
146 Townmead Road London SW6	07.05.2022
146A Townmead Road London SW6	08.05.2022
148 Townmead Road London SW6	24.04.2022
32 Querrin Street London SW6	08.05.2022
44B Tynemouth Street London SW6	18.04.2022
61 Watermans Quay, William Morris Way SW6	19.04.2022
12 Imperial Crescent, London SW6	18.04.2022
55 Britannia Road London SW6	04.05.2022
Planning Consultant (On behalf of Quayside Lodge)	15.06.2022
61 Watermans Quay SW6	16.04.2022

Officer 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) That the Committee resolve that the Chief Planning Officer, after consultation with the Assistant Director, Legal Services 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 proposed conditions, which may include the variation, addition, or deletion of conditions, any such changes shall be within their discretion.**

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.

Time Limit

1) The development hereby permitted shall not commence later than the expiration of 3 years beginning with the date of the planning permission (ref: 201701841/FUL) dated 3 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).

Drawings

2) The development hereby permitted shall be carried out and completed only in accordance with the following drawings:

(01)-P-S0000_PL

M10002-HUN-10001_A - Phasing Plan

M10002-HUN-1000_A02 - Basement Plan

M10002-HUN-1001_A02 - Ground Floor Plan

M10002-HUN-1002_PL - First Floor Plan

M10002-HUN-1003_PL - Second Floor Plan

M10002-HUN-1004_PL - Third Floor Plan

M10002-HUN-1005_PL - Fourth Floor Plan

M10002-HUN-1006_PL - Fifth Floor Plan

M10002-HUN-1007_A02 - Sixth Floor Plan

M10002-HUN-1008_A02 - Seventh Floor Plan

M10002-HUN-1009_A02 - Eighth Floor Plan

M10002-HUN-1010_PL - Ninth Floor Plan

M10002-HUN-1011_PL - Tenth Floor Plan

M10002-HUN-1012_PL - Roof Plan

M10002-HUN-3000_PL - Section AA

M10002-HUN-3001_PL - Section BB

M10002-HUN-3002_PL - Section CC

M10002-HUN-3003_PL - Section DD

M10002-HUN-3004_A02 - Section EE

M10002-HUN-3005_PL - Section FF

M10002-HUN-3006_PL - Section GG

M10002-HUN-2001_A02 - Elevation AB West

M10002-HUN-2002_A02 - Elevation BC South

M10002-HUN-2003_A02 - Elevation C East

M10002-HUN-2004_A02 - Elevation AC North

M10002-HUN-2005_A02 - Elevation C West

M10002-HUN-2006_A02 - Elevation AB East

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 D3, D4, D5, D8, D9, D11, D12, D13, HC1, HC3, HC4 and G7 of the London Plan (2021), and Policies DC1, DC2, DC3 and DC8 of the Local Plan (2018).

Materials

3) The development shall not commence (save for below ground works) until particulars and samples (where appropriate) of all the materials to be used in all external faces of the buildings; including details of the colour, composition and texture of the brickwork including details of bond, colour, mortar mix and mortar colour to be used, stonework and metal; details of all surface windows; balustrades to roof terraces; roof top plant and general plant screening; including window opening and glazing styles and all external hard surfaces including paving, boundary walls, railings, gates, fences, and other means of enclosure have been submitted and approved in writing by the Local Planning Authority. External material sample panels, including samples of brickwork, mortar colour and mix shall be erected on site for the inspection by Local Planning Authority's Conservation Officer and written approval by Local Planning Authority. The development shall be carried out in accordance with the details as approved and thereafter permanently retained in this form.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, and to preserve the character and appearance of the conservation area in accordance with Policies D3, D4, D8, D9 and HC1 of the London Plan (2021), Policies DC1, DC2, DC3 and DC8 of the Local Plan (2018) and guidance contained within the Planning Guidance Supplementary Planning Document (2018).

1:20 Details

4) The development shall not commence (save for below ground works) until detailed drawings at a scale not less than 1:20 (in plan, section, and elevation) of typical sections/bays of each of the approved buildings have been submitted and approved in writing by the Local Planning Authority. These shall include details of the proposed cladding, fenestration (including framing and glazing details), balustrades (including roof terraces), entrances and roof top plant and plant screening. The development shall be carried out in accordance with the details as approved and thereafter permanently retained in this form.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, and to preserve the character and appearance of the conservation area in accordance with Policies D3, D4, D8, D9 and HC1 of the London Plan (2021), Policies DC1, DC2, DC3 and DC8 of the Local Plan (2018) and guidance contained within the Planning Guidance Supplementary Planning Document (2018).

1:20 Roof Top Plant Details

5) The development shall not commence (save for below ground works) detailed plans, sections, and elevations at a scale of 1:20 of the rooftop plant have been submitted to and approved in writing by the Local Planning Authority. No part of the

relevant buildings shall be used or occupied until the enclosures have been constructed in accordance with the approved details, and the enclosures shall thereafter be permanently retained in this form.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, and to preserve the character and appearance of the conservation area in accordance with D3, D4, D8, D9 and HC1 of the London Plan (2021) and Policies DC1, DC2 and DC8 of the Local Plan (2018).

Construction Management Plan / Construction Logistics Plan

6) The development hereby permitted shall not commence until a Construction Management Plan and a Construction Logistics Plan have been submitted to and approved in writing by the Local Planning Authority. These shall include details of the proposed control measures and monitoring for dust, noise, vibration, lighting, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800-1300hrs on Saturdays, advance notification to neighbours and other interested parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works. The details shall also include the numbers, size and routes of construction vehicles, any vehicle holding areas and access arrangements, delivery locations on the site, details of a Low Emission Vehicle Strategy, provisions within the site to ensure that all vehicles associated with the construction works are properly washed and cleaned to prevent the passage of mud and dirt onto the highway, and other matters relating to traffic management to be agreed. The Construction Management Plan and Construction Logistics Plan shall be implemented in accordance with the approved details throughout the relevant project period.

To ensure that appropriate steps are taken to limit the impact of the proposed construction works on the operation of the public highway, the amenities of local residents and the area generally, in accordance with policies D13, D14, SI 1, SI 7, SI 10, of the London Plan (2021), Policies DC1, T1, T6, T7, CC1, CC8, CC10, CC11, CC12 and CC13 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD (2018).

Blue Badge Parking

7) No part of the development hereby approved shall be used or occupied until 13 car parking spaces designated as blue badge parking spaces have been provided within the basement in accordance with approved drawing M10002-HUN-A02 - Basement Plan. These accessible parking spaces shall be permanently retained for the life of the development for use by disabled residents and visitors.

To ensure the satisfactory provision and retention of disabled car parking facilities, in accordance with Policy D5 and T6.1 of the London Plan and Policies HO6 and T5 of the Local Plan (2018) and SPD Key Principle TR6 (2018).

Electric Vehicle Charging Points

8) Prior to occupation of the development hereby permitted, details of the installation including location and type of active electric vehicle charging points (minimum 22 KW) for a minimum of three of the thirteen disabled car parking spaces provided on-

site must be submitted to and approved in writing by the Local Planning Authority. The remaining car parking spaces provided on site shall be passive. The approved electric vehicle charging points shall be installed and retained in working order for the lifetime of the development. The uptake of the active electric vehicle charging points shall be regularly monitored via the Travel Plan and if required additional charging points should be installed in place of the passive provision to meet demand.

To encourage sustainable travel in accordance with policies GG3, D5, SI 1, T6 and T7 of the London Plan (2021), and Policies CC1 and T4 of the Local Plan (2018).

Cycle Parking

9) No part of the development hereby approved shall be occupied or used until the provision of cycle parking spaces for such building have been provided in accordance with the approved plans and such cycle storage/parking facilities shall be permanently retained thereafter in accordance with the approved details.

To ensure the suitable provision of cycle parking within the development to meet the needs of future site occupiers, in accordance with Policy T5 of The London Plan (2021) and Policy T3 of the Local Plan (2018).

Cycle Parking Management Plan

10) No part of the development hereby approved shall be occupied or used until a Cycle Parking Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Cycle Parking Management Plan shall include details of the type of cycle spaces provided, access/security arrangements to the cycle parking facilities and how any potential conflicts with vehicles in the basement level would be resolved or managed. The development shall not be operated otherwise than in accordance with the Cycle Parking Management Plan as approved and shall thereafter be permanently retained in this form.

To ensure an appropriate level, mix and location of cycle parking is achieved for the development and that management arrangements are in place to control its allocation and use in accordance with Policies D5 and T5 of the London Plan (2021), Policies T1 and T3 of the Local Plan (2018) and SPD Transport Key Principles in the Planning Guidance Supplementary Planning Document (2018).

Refuse

11) No part of the development shall be occupied prior to the provision of the refuse storage enclosures, as indicated on the approved drawings, and shall include provision for the storage of recyclable materials. All the refuse/recycling generated by the development hereby approved shall be stored within the approved areas and shall be permanently retained thereafter in accordance with the approved details.

To ensure the satisfactory provision of refuse storage and recycling and to prevent harm to the street scene arising from the appearance of accumulated rubbish, in accordance with Policies DC2, CC6 and CC7 of the Local Plan (2018) and SPD Key Principle WM1 (2018).

Waste Management Strategy

12) No part of the development hereby approved shall be used or occupied until a Waste Management Strategy has been submitted and approved in writing by the Local Planning Authority. Details shall include how recycling will be maximised and be incorporated into the facilities of the development. All approved storage arrangements shall be provided in accordance with the approved details and shall be permanently retained thereafter in this form.

In order to protect the environment and to ensure that satisfactory provision is made for refuse/recycling storage and collection, in accordance with Policies DC2, CC6 and CC7 of the Local Plan (2018) and SPD Key Principle WM1 (2018).

Delivery and Servicing Management Plan

13) No part of the development hereby approved shall be occupied until a Delivery and Servicing Management Plan is submitted to and approved in writing by the Local Planning Authority. Details shall include: use of Zero Exhaust Emission Vehicle in accordance with the emissions hierarchy (1) Walking and Freight Trolley (2) Cargo bike (3) Electric Vehicle, (4) Alternative Fuel e.g. CNG, Hydrogen facilities, and measures that will minimise the impact of vehicle emissions associated with increasing personal deliveries, times and frequency of deliveries and collections, vehicle movements, quiet reversing methods, quiet loading/unloading measures. The measures/scheme shall be implemented in accordance with the approved details prior to occupation of the development hereby permitted, and thereafter be permanently retained in this form.

To ensure that servicing and deliveries are carried out without any significant impact on the flow of traffic and the local highway network and to prevent harm to the amenities of surrounding occupiers by reason of noise and disturbance, in accordance with Policy T7 of the London Plan (2021) Policies T2, CC11 and CC13 of the Local Plan (2018) and SPD Key Principle TR28 (2018).

Hoardings

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

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies D1 and D8 of the London Plan (2021), Policies DC1, DC2, DC8 and CC12 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD (2018).

Contamination (Preliminary Risk Assessment)

15) No development shall commence until a preliminary risk assessment report is submitted to and approved in writing by the Local Planning Authority. This report shall comprise: a desktop study which identifies all current and previous uses at the site and surrounding area as well as the potential contaminants associated with

those uses; a site reconnaissance; and a conceptual model indicating potential pollutant linkages between sources, pathways, and receptors, including those in the surrounding area and those planned at the site, and a qualitative risk assessment of any potentially unacceptable risks arising from the identified pollutant linkages to human health, controlled waters, and the wider environment including ecological receptors and building materials. All works must be carried out in compliance with the approved details and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters, or the wider environment during and following the development works, and in accordance with Policy SD1 of the London Plan (2021), Policies CC5, CC8, CC9 and CC11 of the Local Plan (2018) and SPD Key Principles LC1 to LC7 (2018).

Contamination (Site Investigation Scheme)

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

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters, or the wider environment during and following the development works, and in accordance with Policy SD1 of the London Plan (2021), Policies CC5, CC8, CC9 and CC11 of the Local Plan (2018) and SPD Key Principles LC1 to LC7 (2018).

Contamination (Quantitative Risk Assessment Report)

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

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters, or the wider environment during and following the development works, and in accordance with Policy SD1 of the London Plan (2021), Policies CC5, CC8, CC9 and CC11 of the Local Plan (2018) and SPD Key Principles LC1 to LC7 (2018).

Contamination (Remediation Method Statement)

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

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters, or the wider environment during and following the development works, and in accordance with Policy SD1 of the London Plan (2021), Policies CC5, CC8, CC9 and CC11 of the Local Plan (2018) and SPD Key Principles LC1 to LC7 (2018).

Contamination (Verification Report)

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

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters, or the wider environment during and following the development works, and in accordance with Policy SD1 of the London Plan

(2021), Policies CC5, CC8, CC9 and CC11 of the Local Plan (2018) and SPD Key Principles LC1 to LC7 (2018).

Contamination (Onward Long-Term Monitoring Methodology)

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

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters, or the wider environment during and following the development works, and in accordance with Policy SD1 of the London Plan (2021), Policies CC5, CC8, CC9 and CC11 of the Local Plan (2018) and SPD Key Principles LC1 to LC7 (2018).

Secure by Design

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

To ensure that the development incorporates suitable design measures to minimise opportunities for, and the perception of crime and provide a safe and secure environment, in accordance with Policies DC1, DC2, DC3 and DC8 of the Local Plan (2018).

Landscaping

22) Prior to the occupation of development hereby permitted, details of the proposed hard and soft landscape works in full accordance with the 'Using Green Infrastructure to Protect People from Air Pollution', Mayor of London, GLA, April 2019 guidance shall be submitted to and approved in writing by the Local Planning Authority. Details shall include vertical and horizontal greening of a minimum height of 1.5 m within 1 metre of the kerbside, where practicable, in order to mitigate existing poor air quality, planting schedules and details of the species, height and maturity of replacement trees and shrubs including sections through the planting areas, depths of tree pits,

containers, and shrub beds: hard surfacing materials and an implementation programme. Any plants which die, are removed, become seriously damaged and diseased within a period of five years from completion of the development shall be replaced in the next planting season with others of similar size and species. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

To ensure a satisfactory external appearance of the development and relationship with its surroundings, and the needs of the visually impaired are catered for in accordance with the Equality Act 2010, Policies D3, D4, D8, D9 and HC1 of the London Plan (2021) and Policies DC1, DC2, DC8, OS2 and OS5 of the Local Plan (2018).

Landscape Management Plan

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

To ensure that the development provides an attractive natural and visual environment in accordance with Policies DC1, DC2, DC8, OS2 and OS5 of the Local Plan (2018).

Protection of Existing Trees

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

To ensure that trees on site are retained and to prevent harm during the course of construction, in accordance with DC1, DC8, OS2 and OS5 of the Local Plan (2018).

Lighting

25) The development shall not commence (save for below ground works) until details of any proposed external artificial lighting, including security lights, have been submitted to and approved in writing by the Local Planning Authority and no occupation shall take place until the lighting has been installed in full accordance with the approved details. Such details shall include the number, exact location, height, design, and appearance of the lights, together with data concerning the levels of illumination and light spillage and the specific measures, having regard to the recommendations of the Institution of Lighting Professionals in the 'Guidance Notes for the Reduction of Obtrusive Light' 2020 (or relevant guidance) to ensure that any lighting proposed does not harm the existing amenities of the occupiers of neighbouring properties. No part of the development shall be used or occupied until any external lighting provided has been installed in accordance with the approved details and shall thereafter be permanently retained in this form.

To ensure that the amenity of occupiers of the development site / surrounding premises and natural habitat is not adversely affected by lighting, in accordance with Policies GG1, D3 and D11 of the London Plan (2021), policies CC12, DC1, DC2 and DC8 of the Local Plan (2018) and the Council's Planning Guidance Supplementary Planning Document.

Background Noise Levels

26) The development hereby permitted shall not commence (save for below ground works) until details of the external noise level emitted from plant/ machinery/ equipment and mitigation measures as appropriate have been submitted to and approved in writing by the Local Planning Authority. 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+A1:2019 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 in this form.

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).

Anti-vibration Measures

27) No part of the development hereby approved shall be used or occupied until details of anti-vibration measures has been submitted to and approved in writing by the Local Planning Authority. 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 in this form.

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).

Internal/External Room Noise Criteria

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

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

Residential Sound Insulation

29) The development hereby permitted shall not commence (save for below ground works) until details shall be submitted to and approved in writing by the Council, of

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

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

Basement Floor/Ceiling/Wall Insulation

30) The development hereby permitted shall not commence (save for below ground works) until details shall be submitted to and approved in writing by the Council, of the sound insulation of the floor/ ceiling/ walls separating the basement, plant room and lift shafts from dwellings. Details shall demonstrate that the sound insulation value $D_{nT,w}$ and $L_{nT,w}$ is enhanced by at least 10dB above the Building Regulations value and, where necessary, additional mitigation measures implemented to contain commercial noise within the commercial premises and to achieve the criteria $L_{Amax,F}$ of BS8233:2014 within the dwellings/ noise sensitive premises. 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).

Air Quality Dust Management Plan

31) The development hereby permitted shall not commence (save for below ground works) until 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 submitted shall be in accordance with the Councils AQDMP Template 'C' and shall include the following details:

- 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 site activities.
- 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 the Mayor of London 'The Control of Dust and Emissions during Construction and Demolition', SPG, July 2014 and its subsequent amendments
- e. Site Specific Dust, and NOx Emission mitigation and control measures including for on-road and off-road construction traffic as required by the overall High/Medium Dust Risk Rating of the site and shall be in a table format.
- 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 Site Action Level (SAL) of 190 µg/m-3, measured as a 1-hour mean, calibration certificates of MCERTS compliant PM10 monitors. The data from the on-site Particulate (PM10) monitors shall be made available on the council's construction site air quality monitoring register website.

- 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 construction 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.

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

Energy Strategy

32) The development shall be carried out and completed in full accordance with the details contained within the Energy Statement submitted with this application (Foreman Roberts (dated December 2021), as amended by the Energy Strategy File Note (Cooper Homewood ref: 9200-REP-002 REV P03 dated 20.05.2022). No part of the development shall be used or occupied until all the energy measures have been installed in accordance with the submitted details and the development shall be permanently retained in this form thereafter.

In the interests of energy conservation and reduction of CO2 emissions, in accordance with Policies London Plan Policies SI2, SI3 and SI4 and Policies CC1, CC2 and CC7 of the Local Plan.

Low Emissions Strategy

33) Within 3 months of the first occupation of the development hereby permitted, details of the installation/commissioning reports of the Zero Emission MCS certified Air/Water Source Heat Pumps or Electric Boilers to be provided for space heating and hot water for the 266 self-contained residential units 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.

To comply with the requirements of the NPPF, Policy SI1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

Mechanical Ventilation

34) The development hereby permitted shall not commence (save for below ground works) until a report including detailed information on the proposed mechanical ventilation system and, where required, inclusion of NO_x and PM_{2.5} filtration for Blocks A and B and/or air extract locations at roof level has been submitted to and approved in writing by the Local Planning Authority. This report shall specify air intake air extract locations, the design details, and locations of windows of the habitable rooms on all residential floors to demonstrate that they avoid areas of NO₂ or PM exceedance e.g. Townmead Road. The whole system shall be designed to prevent summer overheating and minimise energy usage. Chimney/boiler flues and ventilation extracts shall be positioned a suitable distance away from ventilation intakes, openable windows, balconies, roof gardens, terraces, and receptors. 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.

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

Roof Equipment

35) The development hereby permitted shall not commence (save for below ground works) until details of any enclosure(s) to be fitted to roof mounted equipment have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be used or occupied until any enclosure(s) have been constructed in accordance with the approved details, and the enclosure(s) shall thereafter be permanently retained in this form.

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).

Inclusive Access Management Plan

36) No part of the development hereby approved shall be occupied or used until an Inclusive Access Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall not be operated otherwise than in accordance with the Inclusive Access Management Plan as approved and thereafter be permanently retained in this form.

To ensure that the proposal provides an inclusive and accessible environment in accordance with the Policy D5 and E10 of the London Plan (2021) and Policies DC1, DC2, DC8 and HO6 of the Local Plan (2018).

Lifts

37) No part of the development hereby approved shall be used or occupied until details of fire rated lifts in each of the buildings, including details of the loading lifts to

the basement levels is submitted and approved in writing by the Local Planning Authority. All the lifts shall have enhanced lift repair services, running 365 days/24-hour cover, to ensure no wheelchair occupiers are trapped if a lift breaks down. The fire rated lifts shall be installed as approved and maintained in full working order for the lifetime of the development.

To ensure that the development provides for the changing circumstances of occupiers and responds to the needs of people with disabilities, in accordance with Policies DC2 and HO6 of the Local Plan (2018).

Flood Risk Assessment

38) The development hereby permitted shall not commence until a revised Flood Risk Assessment (FRA) demonstrating suitable basement waterproofing and flood proofing measures has been submitted to and approved in writing by the Local Planning Authority. The FRA shall be implemented in accordance with the approved details, and thereafter all approved measures shall be retained and maintained in accordance with the approved details and shall thereafter be permanently retained in this form.

To reduce the impact of flooding to the proposed development and future occupants, in accordance with Policies SI 12 of the London Plan (2021) and Policy CC2, CC3, and CC4 of the Local Plan (2018).

Drainage

39) The development hereby permitted shall not commence (save for below ground works) until a finalised Sustainable Drainage Strategy (SuDS) has been submitted to and approved in writing by the Local Planning Authority. The Strategy shall be based on the principles set out in the FRA Addendum document. Information shall include details on the design, location, and attenuation capabilities of all proposed SuDS measures, including rainwater harvesting, green and blue roofs, permeable paving, soft landscaping, attenuation tank(s) and discharge controls to the sewer, direct surface water connections to the Thames outfall and any other sustainable drainage measures. Information shall be provided on plans, drawings and in supporting explanatory text. Details of the proposed flow controls and flow rates for any discharge of surface water to the combined sewer system should also be provided. Maintenance details for each SuDS feature should be provided. The 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.

To prevent any increased risk of flooding and to ensure the satisfactory storage of/disposal of surface water from the site in accordance with Policies SI 12 and SI 13 of the London Plan (2021) and Policies CC3 and CC4 of the Local Plan (2018).

Window Cleaning Equipment

40) The development hereby permitted shall not commence (save for below ground works) until details of the proposed window cleaning equipment have been submitted and approved in writing by the Local Planning Authority. The details shall include the appearance, means of operation and storage of the cleaning equipment. No part of the development shall be used or occupied until the equipment has been installed in

accordance with the approved details and shall thereafter be permanently retained in this form.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies D3, D4, D8, D9 and HC1 of the London Plan, Policies DC1, DC2, DC3 and DC8 of the Local Plan (2018).

Archaeology

41) The development hereby permitted shall not commence until a Written Scheme of Historic Building Investigation (WSI) has been submitted to and approved in writing by the Local Planning Authority. Works shall be carried out only in accordance with the agreed WSI which shall include the statement of significance and research objectives, and include:

(i) A programme and methodology of site investigation and recording to be carried out and the nomination of a competent person(s) or organisation to undertake the agreed works; and

(ii) If heritage assets of archaeological interest are identified by the evaluation under Part (i), then before starting Advanced Works the applicant (or their heirs and successors in title) shall secure the implementation of a programme of archaeological investigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing.

(iii) No works shall take place other than in accordance with the Written Scheme of Investigation approved under Part (ii).

(iv) Occupation shall not occur until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (ii), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured. A programme for post-investigation assessment and subsequent analysis, publication & dissemination, and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Heritage assets of archaeological interest may survive on the site. The Local Planning authority wishes to secure the provision of appropriate archaeological investigation, including the publication of results, in accordance with Policy HC1 of the London Plan (2021), Policies DC1, DC8 of the Local Plan (2018) and key principles within the Planning Guidance Supplementary Planning Document (2018).

TV Interference

42) The development hereby permitted shall not commence (save below grounds works) until details of the methods proposed to identify any television interference caused by the proposed works on each stage, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the measures proposed to ensure that television interference which might be identified, is

remediated in a satisfactory manner. The approved remediation measures shall be implemented for each Stage immediately that any television interference is identified.

To ensure that television interference caused by the development is remediated, in accordance with Policies DC2 and DC10 of the Local Plan (2018).

Airwaves Interference Study

43) The development shall not commence (save for below ground works) until the following details have been submitted to and approved in writing by the Local Planning Authority:

(i) The completion of a Base-Line Airwaves Interference Study (the Base-Line Study) to assess airwave reception within/adjacent to the site; and

(ii) The implementation of a Scheme of Mitigation Works for the purpose of ensuring nil detriment during the Construction Works identified by the Base-Line Study. Such a Scheme of Mitigation Works shall be first submitted to and approved in writing by the Local Planning Authority.

The development shall be implemented in accordance with the approved details prior to occupation and shall thereafter be permanently retained in this form.

To ensure that the existing airwaves reception is not adversely affected by the proposed development, in accordance with Policies DC1, DC2 and DC8 of the Local Plan (2018).

Addresses

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

In order that the Council can update its records to ensure that parking permits are not issued to the occupiers of the proposed residential units and thus ensure that the development does not harm the existing amenities of the occupiers of neighbouring residential properties by adding to the high level of on-street, car parking stress in the area, in accordance with Policy T1 of the Local Plan (2018).

Obscured Glass

45) The window glass at ground level in the development shall not be mirrored, painted, or otherwise obscured.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies DC1, DC2 and DC8 of the Local Plan (2018).

No roller shutters

46) No roller shutters shall be installed on any entrance or display facade hereby approved.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, in accordance with Policies DC1, DC2 and DC8 of the Local Plan (2018).

No advertisements

47) No advertisements shall be displayed on or within any elevation of the building(s), forecourt or public spaces of the development hereby approved without details of the advertisements having first been submitted to and approved in writing by the Local Planning Authority.

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).

Replacement Trees, shrubs etc

48) All planting, seeding, and turfing approved as part of the agreed soft landscaping scheme shall be carried out in the first planting or seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner: and any trees or shrubs which die, are removed, or become seriously damaged or diseased within 5 years of the date of the initial planting shall be replaced in the next planting season with a new tree or shrub of similar size and species to that originally required to be planted.

To ensure a satisfactory external appearance in terms of the provision of tree and shrub planting, in accordance with policy G7 of the London Plan (2021) and policies OS1, OS2, OS5, DC1, DC2, DC8 of the Local Plan (2018).

No plant, water tanks

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

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

Changes to the external appearance of the new buildings

50) No alterations shall be carried out to the external appearance of the buildings, including the installation of air-conditioning units, ventilation fans or extraction equipment not shown on the approved drawings.

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 (July 2018).

External entrance doors

51) All external entrance doors facing the public highway in the building(s) hereby approved shall be designed and installed so that they only open inwards and shall thereafter be permanently retained in this form.

To prevent obstruction of the public highway in accordance with the Highways Act 1980, and Policy T1 of the Local Plan (2018).

PD Rights

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

To ensure that the visual impact of telecommunication equipment upon the surrounding area can be considered, in accordance with Policies DC1, DC2 and DC8 of the Local Plan (2018).

Level Threshold

53) The ground floor entrance doors to the buildings and integral lift/stair cores shall not be less than 1-metre-wide and the threshold shall be at the same level as the adjoining ground level fronting the entrances to ensure level access.

In order to ensure the development provides ease of access for all users, in accordance with Policy E10 of the London Plan (2021) and Policies DC1, DC2 and DC8 of the Local Plan (2018).

Piling

54) No impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water or sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with the relevant water or sewerage undertaker. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.

To prevent any potential to impact on local underground water and sewerage utility infrastructure, in accordance with Policy SI 5 of the London Plan (2021) and policies CC2, CC3, CC4 and CC5 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD (2018).

Vehicular Ramp and Car Park Height

55) No above ground works shall take place until details of the head height of the basement car park, including the height of the vehicular ramp access off Potters Road have been submitted and approved in writing by the Local Planning Authority. The car park height shall be carried out in accordance with the details as approved and thereafter permanently retained in this form for the lifetime of the development.

To ensure an appropriate function and operation of the basement car parking is achieved for the development in accordance with Policies D5, T5 and T6.1 of the

London Plan, Policies T1 and T5 of the Local Plan (2018) and SPD Transport Policies of the Planning Guidance Supplementary Planning Document (2018).

Amount of Development

56) The development hereby approved comprises the following:

a. 266 homes (Use Class C3), including 133 affordable homes comprised 83 London Affordable Rent and 50 intermediate tenure homes

b. A maximum floor area of 22,465 sqm (GIA)

c. Building heights comprising:

i. Block A – Four storeys (plus excluding plant) up to 22.82 AOD

ii. Block B – Seven storeys (plus excluding plant) up to 30.54 AOD

iii. Block C – Ten storeys (plus excluding plant) up to 40.81 AOD

To ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with the NPPF 2018, Policies D4, D5, D6, D7, D8, D9, HC1, SI 1 and G5 of the London Plan 2021 and Policies SFRRRA, DC1, DC2, DC3 and DC8 of the Local Plan 2018.

Extra Conditions

Ventilation Strategy (Post Installation)

57) Where the approved ventilation strategy agreed pursuant to condition 34 indicates mechanical ventilation is required to mitigate the impact of existing poor air quality, details of a post installation compliance report of the approved ventilation strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development hereby permitted. The report shall be produced by an accredited Chartered Building Services Engineer (CIBSE). 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 Policy SI1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018)

Fire Strategy

58) Prior to first occupation of the development hereby permitted, a final Fire Safety Statement shall be submitted and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the occupation of that phase of development and shall thereafter be permanently retained.

To ensure that the Development contributes to the minimisation of potential fire risk, in accordance with the Policies D9 and D12 of the London Plan (2021).

Work to existing Trees

59) Any works to tree(s) on the site shall be carried out only, in accordance with British Standard 3998:1989 - Recommendations for Tree Work:

In order to ensure the protection of the surrounding trees and prevent their unnecessary loss, in accordance with policy G7 of the London Plan (2021) and Policies DC8 and OS5 of the Local Plan (2018).

Zero Emission Heating compliance

60) Prior to occupation of the development hereby permitted, details of the installation/commissioning reports of the Zero Emission MCS certified Air/Water Source Heat Pumps or Electric Boilers to be provided for space heating and hot water for each of the two hundred and sixty-six self-contained residential units (Use Class C3) 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.

To comply with the requirements of Policy SI1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

Emergency Diesel Generator Plant Emission Standards

61) Prior to the occupation of the development hereby permitted, a NOx Emissions Compliance report of the Emergency Diesel Generator Plant in order to mitigate existing poor air quality shall be submitted to and approved in writing by the Local Planning Authority. The report shall include the following:

- a) 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
- b) Details of emissions certificates, and the results of NOx emissions testing of the Emergency Diesel Generator Plant to demonstrate that the Emergency Diesel Generator Plant and associated abatement technologies including Diesel Particulate Filters (DPF) shall meet a minimum dry NOx emissions standard of 100 mg/Nm-3 (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). 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 NOx and PM abatement Equipment or technology as determined by a specialist to ensure comparable emissions.
- c) 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 with opacity greater than 20%. 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

To comply with the requirements of Policy SI1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

Justification for Approving the Application:

1) **Land Use:** The principle of a comprehensive residential use redevelopment of the site was previously considered to be acceptable under extant permission (ref: 2017/01841/FUL) granted 3 October 2019 and revised by non-material amendment permission (ref: 2021/03777/NMAT) granted 1 April 2022. The current proposals submitted as a minor amendment application are considered to be acceptable in accordance with national, strategic, and local planning policies, which advocate making the most efficient use of brownfield land in sustainable locations. The proposed development, as amended, would contribute to the regeneration of the South Fulham Riverside Regeneration Area, and would make a significant contribution towards providing much needed additional housing and assist the borough in meeting its housing targets. Officers consider that the residential use is appropriate in this location and would replace an existing, vacant site set within a residential context. The proposal is therefore supported in land use terms subject to the satisfaction of other development plan policies and is considered to be in accordance with the NPPF, Policies GG1, GG2, GG4, SD1, H1, H4 and H8 of the London Plan (2021) and Policies SFRRRA, HO1, HO3 and HO4 of the Local Plan (2018).

2) **Housing:** The principle and density of residential development proposed is considered acceptable, given the location of the site within the South Fulham Riverside Regeneration Area and transport accessibility of the site and the resultant acceptable quality of the residential accommodation which will deliver 266 homes would provide an appropriate mix of dwelling sizes that would meet local and London-wide housing needs. The amenity and play space provided accords with the adopted policies and would provide a high quality of private and communal amenity for future occupants together with a high standard of residential accommodation. The proposal is therefore supported and is considered to be in accordance with the NPPF, Policies GG4 H1 H4, H8, H10, D4, D5, D6, D7, D8 and D12 of the London Plan (2021) and Policies SFRRRA, HO1, HO3, HO4, HO5 and HO6 of the Local Plan (2018).

3) **Affordable Housing:** The proposal would help to regenerate the wider South Fulham Riverside Regeneration Area whilst maximising the value of the existing vacant site. The development would maximise the delivery of on-site affordable housing and providing much needed affordable housing within the borough. The proposal is therefore considered to be in accordance with the NPPF, Policies H4, H6 and H8 of the London Plan (2021) and Policies HO3 of the Local Plan (2018). In the context of these policies and having regard to the Viability Assessment, and the planning and regeneration benefits arising from the development, it is considered that the provision of 50% affordable housing is acceptable.

4) Design and Conservation: Development of this site provides an opportunity for significant enhancement and regeneration of this area. It is considered that the proposed development, as amended, provides a satisfactory design response, in terms of having very limited adverse impacts on the surrounding built environment which includes the Sands End Conservation Area and other heritage assets. The proposal complies with Local Plan Policies DC1 and DC2 in that it respects the existing townscape context, demonstrates tangible urban design benefits and is consistent with the Council's wider regeneration objectives, and in doing so is sensitive to the setting of heritage assets. The proposed built form has a massing which responds to the proposed spaces and surrounding townscape at its edges. The elevations have an architectural character which provides interest across the frontages. It is considered that this 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, Policies GG2, D1, D3, D4, D5, D8, and HC1 of the London Plan (2021) and Policies HO4, DC1, DC2, DC3 and DC8 of the Local Plan (2018).

5) Transport: It is considered that the overall traffic impact of the proposed development would be broadly similar to the consented scheme and there would be no adverse impact on traffic generation and the scheme would not result in congestion of the road network. The 13 on-site disabled persons parking spaces provided are in line with adopted policy and are suitable for this development in this location. Conditions would secure satisfactory provision of cycle and refuse storage, construction and logistics and a car parking management plan and travel plan are secured by legal agreement. Adequate provision for storage and collection of refuse and recyclables would be provided. The accessibility level of the site is very good and is well served by public transport. External impacts of the development would be controlled by conditions and section 106 provisions. In addition, servicing and road safety and travel planning initiatives would be implemented in and around the site to mitigate against potential issues. The proposed development therefore accords with Policies T5, T6.1, T6.4 and T6.5, of the London Plan (2021) and Policies T1, T2, T3, T4 and T5 of the Local Plan (2018).

6) Impact on Neighbouring Properties: It is considered that the proposed development, as amended, would not result in significant harm to the amenities of adjoining occupiers in terms of daylight/sunlight, over-shadowing, outlook, and privacy. It is considered that the proposals, as amended, have been designed so that they do not unduly prejudice the development potential of the adjoining site which have the capacity to contribute towards the comprehensive regeneration of the area, by virtue of the extent of the daylight, sunlight, overshadowing and privacy impacts. Potential impacts (both of the amended scheme and its cumulative effects) in terms of air quality, light pollution, wind tunnelling and noise are considered to be acceptable, subject to the various mitigation methods proposed which are secured by conditions. In this regard, the amended development would respect the principles of good neighbourliness. In this regard, the development would respect the principles of good neighbourliness. The proposed development therefore accords with Policies D3, D6, D8 and D13 of the London Plan (2021) and Policies DC1 and DC2 of the Local Plan (2018).

7) **Safety and Access:** A condition would ensure the development would provide a safe and secure environment for all users. The development would provide 10% of all units as wheelchair units, level access, a lift to all levels and suitable circulation space. Conditions would ensure the proposal would provide ease of access for all persons, including disabled people and an Inclusive Accessibility Management Plan is provided for approval. Satisfactory provision is therefore made for users with mobility needs, in accordance with Policy D5 of the London Plan (2021), and Policy HO6 of the Local Plan (2018).

8) **Sustainability and Energy:** The application proposes a number of measures to reduce CO2 emissions with a carbon offset payment secured. Final details relating to a Sustainable Urban Drainage Strategy would be required by condition to reflect final design detail. The proposal would thereby seek to reduce pollution and waste and minimise its environmental impact. The proposed development therefore accords with Policies SI2, SI3 and SI4 of the London Plan (2021) and Policies CC1, CC2 and CC7 of the Local Plan (2018).

9) **Flood Risk/Drainage:** A Flood Risk Assessment has been submitted which advises standard construction practices in order to ensure the risk of flooding at the site remains low and is considered acceptable with further design details relating to basement and flood proofing secured by condition. Sustainable drainage systems (SUDS) would be integrated into the development to cut surface water flows into the communal sewer system with further information on surface water drainage secured by condition. The development would therefore be acceptable in accordance with the NPPF, Policies SI 12 and SI 13 of the London Plan (2021) , and Policies CC3 and CC4 of the Local Plan (2018).

10) **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 SD1 of the London Plan (2021), and Policy CC9 of the Local Plan (2018).

11) **Microclimate:** The amendments to the development would not result in an unacceptable wind microclimate that would cause harm, discomfort, or safety issues to pedestrians or the environment around the buildings. A condition is secured to provide additional mitigation measures through the materials and landscaping. The proposal is considered to comply with Policies D8 and D9 of the London Plan (2021) and Policies DC2 and CC2 of the Local Plan (2018).

12) **Air Quality:** There will be an impact on local air quality because of the construction and operation of the proposed development. However, inclusion of conditions are included to mitigate the development. During construction, an Air Quality Dust Management Plan for construction works is required by condition which will mitigate the air quality impacts of the development. The Air Quality Assessment shows that there is no significant impact on local air quality during the operation phase. As such the proposed development can accord with Policy SI 1 of the London Plan (2021) and Policy CC10 of the Local Plan (2018).

13) **Objections:** Whilst a number of issues have been raised by objectors received to the amended scheme it is considered, for the reasons explained in the detailed

analysis, that planning permission should be granted for the proposed development subject to appropriate safeguards to ensure that necessary controls and mitigation measures are established. This decision is taken on the basis of the proposed controls, mitigation measures and delivery commitments contained in the conditions and Heads of Terms for the Section 106 Agreement set out in this committee report, which are considered to provide an adequate framework of control to ensure as far as reasonably practicable that the public benefits of the scheme will be realised in accordance with relevant planning policies whilst providing the mitigation measures and environmental improvements needed to address the likely significant adverse impacts of the development.

14) **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. In the event any of the current discharge of condition applications (Conditions nos. 6, 14, 15-20, 38, 41, 42, 43 & 54) under consideration are approved by the Local Planning Authority, the wording of the aforementioned conditions shall be amended so to avoid the need for these conditions to be discharged.

15) **Planning Obligations:** Planning obligations to offset the impact of the development and to make the development acceptable in planning terms are secured. Contributions relating to securing the affordable housing provision by way of a commuted payment, offsetting highways impacts, carbon offset payment local training and employment opportunities and procurement are secured. The proposed development would therefore mitigate external impacts and would accord with Policy DF1 of the London Plan and Policy INFRA 1 of the Local Plan (2018).

OFFICERS' REPORT

1.0 BACKGROUND

- 1.1 The planning report relates to an application for the comprehensive redevelopment of a site known as 'Watermeadow Court,' in Watermeadow Lane.
- 1.2 The application seeks to vary the extant planning permission (ref: 2017/01841/FUL) granted 3 October 2019, which was revised by non-material amendment permission (ref: 2021/03777/NMAT) granted 1 April 2022.

- 1.3 The description of the approved development reads:

"Erection of residential units (Class C3) across three blocks; shared single storey basement with car parking; private open space; hard and soft landscaping; preparatory and associated works. (EIA development)"

- 1.4 A non-material amendment application, submitted under section 96A of the Town and Country Planning Act 1990 (as amended), was granted permission on 1 April 2022. This permission varied the original planning permission (ref: 2017/01841/FUL) dated 3 October 2019. The amendments approved included alterations to conditions 2 (Approved Drawings), 7 (Blue Badge Parking), 9 (Cycle Parking), 10 (Car and Cycle Parking Management Plan) and 55 (Vehicular Lift and Car Park Height), together with the addition of a new condition relating to the amount of permitted development (Condition 56) plus an amendment to the description of the development. The amendments allow an additional 8 units (226 residential units in total).
- 1.5 The current application is submitted under Section 73 of the Town and Country Planning Act 1990 (as amended). A S73 application facilitates the approval of minor material amendments to permitted development scheme. The proposed amendments include revisions to conditions 2 (Approved Drawings), 7 (Blue Badge Parking) and 56 (condition relating to the amount of development).
- 1.6 The amendments seek to facilitate a reconfiguration of the internal layouts, change to the mix and tenure, an increase in the number of dwellings (266 homes), regularisation of floor-to-floor heights to facilitate insertion of an additional floor in Blocks B and C and an increase in height of Block C to accommodate a part additional floor.
- 1.7 The description of the proposed development is as follows:

Variation to conditions 2 (Approved Drawings), 7 (Blue Badge Parking) and 56 (new condition relating to the amount of development, added to non-material amendment permission ref: 2021/03777/NMAT) of Planning Permission (ref: 2017/01841/FUL) granted 3 October 2019, for the "Erection of residential units (Class C3) across three blocks; shared

single storey basement with car parking; private open space; hard and soft landscaping; preparatory and associated works. (EIA development)".

Application submitted in order to permit minor material amendments to the development under s73 of the Town and Country Planning Act (1990) as amended. Amendments comprise reconfiguration of internal layouts, change the mix, number, and tenure of dwellings (increasing the number of homes to 266 dwellings), regularisation of floor-to-floor heights to facilitate insertion of additional floors into Blocks B and C and increase height of Block C to accommodate an additional floor. An Environmental Statement has been submitted with the application under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, as amended.

2.0 SITE DESCRIPTION AND SURROUNDINGS

The Site

- 2.1 The application site is an irregular shape (approximately 0.48 hectares in area). Bound by Watermeadow Lane to the south, Townmead Road to the west and Potters Road to the east. Immediately abutting the site to the north is the rear of a number of town houses, situated to the south of Imperial Crescent, including Greensward House. Vehicular and pedestrian access was formerly provided to the west, via Charlow Close (off Townmead Road). The site is currently vacant, cleared and relatively flat. The site is entirely enclosed by temporary hoardings.
- 2.2 Watermeadow Court formerly comprised of a 1980's purpose built housing estate, arranged in 3 flatted blocks, ranging from 3 to 4 storeys in height. The site consisted of 80 dwellings (62 social rented and 18 leaseholder properties under Right to Buy).
- 2.3 In 2008, the former homes were deemed no longer fit for purpose and declared surplus to Council's requirements. The site was vacated and identified suitable for disposal subject to remediation measures. In December 2016, the site was fully unoccupied. In 2019 the buildings were demolished leaving a mainly cleared site (ref: 2017/01219/FR3 granted June 2017 permitting demolition works) and temporary hoardings were erected. The only buildings remaining on site are electrical sub-stations.

Surroundings

- 2.4 The site is situated in an established residential area. Housing to the west of Townmead Road consist of Victorian terraces. More modern and taller residential developments up to 9/10 storeys are situated to the east and fronting the River Thames. On the east side of Potters Road is the former Quayside Lodge site. Planning permission was granted in September 2018 for re-development of a ten storey (plus basement) building comprising a mix of 110 private and affordable residential units on the upper floors, office floorspace at the ground floor level together with secure car, cycle, and refuse

storage in the basement (ref:201703561/FUL). Demolition works have been completed. Construction works are in progress.

Designations

- 2.5 The Local Plan (2018) designates the site within the South Fulham Regeneration Area (Strategic Site Policy SFRRRA) which seeks to secure a high quality residential area together with a mix of other uses. The site is located within the Sands End Conservation Area and the Thames Policy Area. The site does not contain any listed buildings or any nationally designated (protected) heritage assets, such as scheduled monuments or registered parks and gardens and is not within an Archaeological Priority Area nor is it affected by any strategic views. There are no listed buildings within 200m of the site. The closest listed structures are Langford School (Grade II) and Cremorne Bridge and West London Extension Railway Bridge (Grade II*) which lie 300m and 430m from the site, respectively.
- 2.6 The site is situated within the Environment Agency Flood Zone 3. The River Thames is located approximately 150m to the east of the site.

Transport

- 2.7 Imperial Wharf is the nearest railway station, situated approximately 450m to the north and served by London Overground and Southern services. Both Fulham Broadway and Parsons Green Tube Stations, served by the District Line, are approximately a mile away. Bus routes for the C3 and 306 run past the site on Townmead Road, with a bus stop adjacent to the site. Additional stops on Wandsworth Bridge Road serve the 28 and 295 routes. The site has a Public Transport Accessibility Level (PTAL) of 3 on the eastern side, and 4 of the western side, in the range from 1a to 6b, where a score of 1a indicates a "very poor" level of accessibility and 6b indicates an "excellent" accessibility level.

3.0 PLANNING HISTORY

- 3.1 The former Watermeadow Court development was demolished by April 2019.
- 3.2 Planning permission (ref: 2017/01841/FUL) was granted 3 October 2019, (subject to conditions and a S106 Agreement) to redevelop the site for 218 new homes, across three perimeter buildings, ranging from five to nine storeys in height, a residents landscaped communal garden at the centre and a site-wide basement level. The original description of development stated:

"Erection of 218 (Class C3) residential units (including 36 affordable units comprising 27 social rent and 9 intermediate units) across three blocks to a maximum floor area of approximately 22,661 sqm (GEA). Block A to comprise five stories (plus plant) rising to a height of approximately 22.82 AOD; Block B to comprise seven stories (plus plant) rising to a height of approximately 29.42 AOD; Block C to comprise nine stories (plus plant) rising to a height of approximately 36.90 AOD; shared single storey basement with car parking; private

open space; hard and soft landscaping; preparatory and associated works. (EIA development)”

- 3.3 The residential mix for the originally approved 218 residential units is as follows:

Block	1 bed 2 Person	2 Bed 3 Person	2 Bed 4 Person	3 bed 6 person	Total
A	23	0	13	0	36
B	38	0	30	2	70
C	50	9	51	2	112
Total	111	9	94	4	218

- 3.4 The application was accompanied by an Environmental Statement (ES) which covered a wide range of environmental effects.
- 3.5 The extant permission is subject to a 3 year consent which will expire on 3 October 2022.
- 3.6 The 2019 permission was part of a twin-tracked approach to deliver affordable housing in the borough; with a 100% affordable housing scheme proposed at Edith Summerskill House (ESH) on Clem Atlee Estate, whilst a concurrent development at Watermeadow Court would have delivered a predominantly market residential scheme, providing almost 17% on site affordable housing, however, with an off-site contribution towards replacement affordable housing at Edith Summerskill House. The two applications were submitted under a different JV partnership to the current proposal. The ESH proposal was uncontested by the Mayor of London and a JR was quashed. However, the SoS called in the application. A public inquiry was held November/December 2021. No SoS decision received at this stage, although anticipated shortly. The 2019 Section 106 Agreement secured the provision of 36 on site affordable units, comprising 27 social rented units and 9 intermediate units (split 75:25 social rent: intermediate), a £6 million payment in lieu of the provision of replacement and additional affordable housing at Edith Summerskill House, plus early and late stage viability review mechanisms.
- 3.7 In 2020, the Council undertook a procurement process to identify an alternative JV partnership in order to bring forward the development of the site in isolation, on the basis that there would be 50% affordable housing on-site, in line with local plan policy and consistent with the policy requirements for land in public ownership.
- 3.8 A 50:50 joint venture partnership between Mount Anvil and a registered provider, (Peabody) was selected to acquire and deliver the development. The applicant has subsequently sought to bring forward amendments to the extant planning permission in two stages, in order to meet the Council’s 50% affordable housing requirements and propose qualitative enhancements to the scheme to meet current London Plan standards.
- 3.9 In summary, the applicant set out the following amendments:

- (a) Delivery of a further 48 homes through a combination of changes to the internal layout of the proposed development, regularisation of floor-to-floor heights to accommodate the inclusion of 'slot-in' floors to Blocks B and C and an additional half storey to Block C;
 - (b) Increase the proportion of affordable housing delivered on the site from the consented 16.5% to 50% (by homes).
 - (c) Enable commencement of construction works within the original permitted time limit instead of leaving an empty/underutilised site.
 - (d) Aim to improve the quality and mix of homes in order to meet housing needs.
 - (e) Minimise the environmental impact of the proposed development with a smaller basement excavation, reducing the size of the basement car park from the original permitted 63 spaces (of which 8 were identified for wheelchair users) to 13 spaces, all fully accessible wheelchair user spaces.
 - (f) Maximise the sustainability credentials of the scheme.
- 3.10 The first step towards revising the extant permission involved the recent submission and approval of a Non-Material Amendment application (relevant to this current S73 variation application).
- 3.11 On 1 April 2022, permission was granted for non-material amendments to the 2019 permission (ref: 2021/03777/NMAT). The non-material amendments involved a change to the description of development, removing specific reference to the number of dwellings, floor areas and building heights. All these details were transferred to a new planning condition (Condition no. 56). The permission also enabled a reduction to the size of basement car park, providing no.13 blue badge parking bays together with a change in the mix and number of dwellings (+ no. 8 units) increasing the total number of homes to 226 units, contained within the massing of the approved buildings with minor elevational changes. Permission was also granted to vary conditions nos. 2 (Drawings), 7 (Blue Badge Parking), 9 (Cycle Parking), 10 (Car and Cycle Parking Management Plan) and 55 (Vehicular Lift and Car Park Height).
- 3.12 In summary, the non-material amendments approved on 1 April 2022 comprised the following changes:
- a) Reduction of the basement area by approximately 60%, retaining 13 fully accessible car parking spaces, plant, cycle, and refuse areas. A vehicular access via a ramp introduced off Potters Road as opposed to the consented car lifts. This would reduce the quantum of waste removal from site, shorten the traffic/construction programme, and enable the delivery of new homes sooner.
 - b) Provision of 8 additional homes (a 3.7% increase) within the consented mass, enlarging the total number of residential units to 226 homes. The increase in number of units is achieved through a reconfiguration of the ground floor of Block B, to accommodate cycle and refuse storage displaced by the smaller proposed basement and a revised internal layout and housing mix within Block C, which includes the introduction

of an additional core within Block C allowing for a reduction in homes per core from 14 to 8.

- c) Minor changes are proposed to the building elevations linked to the internal changes.
- d) Amendments to Condition no.2 (Drawings), plus the wording of Condition 7 (Blue Badge Parking), 9 (Cycle Parking), 10 (Car and Cycle Parking Management Plan) and 55 (Vehicular Lift and Car Park Height).

- 3.13 The housing mix approved under the S96a permission was modified from: 1 bed - 111 (51%); 2 bed - 103 (47%) and 3 bed - 4 (2%) to: studio - 14 (6%); 1 bed - 122 (54%); 2 bed - 84 (37%) and 3 bed - 6 (3%). Total: 226 residential units.
- 3.14 Twelve pre-commencement discharge of condition applications linked to the extant planning permission are currently under consideration at the time of publication of this report.

4.0 THE PROPOSAL

- 4.1 The proposal seek to amend the extant planning permission by way of a minor material amendment application, submitted under Section 73 (S73) of the Town and Country Planning Act (1990) as amended. The current permission allows the provision of 226 residential units. The proposed development seeks to deliver **266 residential units** (+ no.40 units) within the same block configuration and improve the delivery of affordable housing (all on site) up to 50%.
- 4.2 This S73 application seeks to vary a number of conditions attached to the planning permission granted 3 October 2019 (ref. 2017/01841/FUL), in order to amend the form of development for a comprehensive residential led redevelopment of the site. This includes the amendment of conditions nos. 2 (Approved Drawings), 7 (Blue Badge Parking) and 56 (an extra condition added by the recent non-material amendment permission - ref: 2021/03777/NMAT, relating to the amount of development permitted on site). The wording of Conditions 9, 10 and 55 had been revised under the previous permission (ref: 2021/03777/NMAT) and align with the submitted details and drawings.
- 4.3 As referenced in the planning history section above, approval for the demolition of the remaining buildings on the site (sub stations) has already been approved. As such this application relates solely to the construction and erection of the residential development.

Details of the Proposed Amendments

- 4.4 The S73 application brings together an increase in the total number of new homes.
- 4.5 The original 2019 permission has an approximate floorspace of 23,037 sqm (GEA) and 218 new homes with the following housing mix.

- Block A (36 units)
- Block B (70 units)
- Block C (112 units)

- 4.6 The approved non-material amendment permission allowed a small increase in the numbers of residential units from 218 to 226 units (+8 market units) and a total floorspace of 19,680 sqm (GIA). The reduction in floorspace is on account of the introduction of a smaller basement space.
- 4.7 The revised proposal alters the number of homes to 266 residential units (a total uplift of 40 units), with the provision of 133 affordable units (50% of the 266 units) compared to the consented 36 units (16.5%).
- 4.8 The development would have an approximate floorspace of 22,465 sqm (GIA) or 24,360 sqm (GEA).
- 4.9 The table below sets out the proposed breakdown of floorspace (GIA / GEA) per block for the proposed development.

Block	GIA (sqm)	GEA (sqm)
A	3,057	3,330
B	6,788	7,334
C	11,116	12,112
Sub-total	20,961	22,775
Basement (Block C)	1,504	1,585
Total	22,465 sqm	24,360 sqm

- 4.10 The following table summarises the breakdown of units (unit / habitable rooms / NIA floorspace) per block:

Block	Units	Habitable Rooms	NIA (sq m)
A	40	91	2,351
B	83	212	5,355
C	143	330	8,593
Total	266	633	16,299

- 4.11 The overall site layout and design concept remains broadly unchanged. Three perimeter residential blocks (Blocks A, B and C) are still proposed, linked by a landscaped central courtyard and a smaller basement beneath Blocks B and C. The increased number of units is broadly contained within the approved mass and scale of the approved scheme, equating to 23% more homes in 15% more area and with the main alterations proposed to Block B and C.
- 4.12 The amendments alter the housing mix and the internal layout of the blocks. Additional residential units would be slotted in to Block A (4 added), Block B (13 added) and Block C (31 added) whilst maintaining a similar massing to the 2019 approval. This would be achieved by optimising the building floor plates, reducing the floor to floor heights, per floor, from 3,300mm to 3,075mm, thus

adding an extra floor per block. An additional “pop-up” 11th floor is proposed at the southern end of Block C, adding a further 4 homes. The amendments result in minor changes to the overall elevation treatment of the building blocks.

- 4.13 The affordable units would be accommodated principally within two blocks: Block A and B, fronting Townmead Road.
- 4.14 Block A would comprise 40 shared ownership apartments, arranged across ground to fourth floors. Block B would comprise of 83 social rent apartments arranged from ground to seventh floors. Block C would comprise 143 units, arranged from ground to tenth floors, of which 133 would be for market/private sale and 10 for shared ownership at ground floor level.
- 4.15 The height of the three blocks would be adjusted to meet the increased number of floors and residential units. As approved, Block A: comprises 4 storeys and a setback 5th floor fronting Townmead Road. Block B: 6 stories plus a setback 7th floor. Block C: 8 stories plus a setback 9th floor fronting Potters Road. The extant permission set a maximum height of 22.82m AOD for Block A, 29.42m AOD for Block B and a 36.90m AOD for Block C.
- 4.16 Block A would continue to be a 5 storey building. Block B would be changed to a 7 stories plus a setback 8th floor and Block C would be a predominantly 10 stories with a part 11th floor set at the southern end, fronting Watermeadow Lane/Potters Road.
- 4.17 The table below summarises and compares the maximum AOD height per block:

Building	Consented Scheme (maximum AOD height)	Proposed Scheme (maximum AOD height)	Change
Block A	+22.82	+21.31	-1.51
Block B	+29.42	+30.54	+1.12
Block C	+36.90 (south elevation)	+40.81 (south elevation)	+3.91
	+33.53 (north elevation)	+34.86 (north elevation)	+1.33

- 4.18 A revised landscape design strategy is proposed. Qualitative improvements for future residents are included: increased greening, improved biodiversity value and carbon capture as well as responding to the increase play space needs and changes to the building design are proposed within the amended landscape proposals.
- 4.19 An updated energy strategy is proposed in order to comply with the latest technological and policy based requirements in the London Plan. Air Source Heat Pumps would replace the consent CHP system. Revised internal layouts seek to enhance the fire strategy for the development. An additional

evacuation lift is introduced in Block C to comply with London Plan Policy D12. Amendments to the refuse and cycle store arrangements are designed to meet the needs of the additional homes.

- 4.20 The smaller basement level would have a floor area of 1,504 sqm (GIA), and would be situated beneath part of Block B and C. This would include two refuse stores, two cycles stores totalling 230 cycle spaces, plant room and 13 disabled persons car parking spaces.
- 4.21 Vehicular access would be retained by way of Potters Road to the east of the site. Pedestrian access is proposed on Townmead Road to the west, Watermeadow Road to the south, and Potters Road to the east.
- 4.22 Ground floor arrangements to the three blocks have been revised. All key entrances and active frontages are retained. In terms of resident amenities, a dedicated concierge service and residents' lounge would be provided at ground floor level, located centrally between Blocks B and C. A shared entrance lobby is introduced between Block A and B with an internalised platform lift fronting Townmead Road. Refuse stores are relocated and grouped together within Block A and B, with servicing from Townmead Road. Refuse collection for Block C would take place in Potters Road. A small fitness studio is proposed adjacent to the concierge, overlooking the central landscaped gardens.

Section 73 Application Procedure

- 4.23 This application seeks an amended to the existing planning permission using a Section 73 application for the variation of conditions to the previous permission (ref: 2017/01841/FUL). The applicant can apply for an amendment to the scheme permission under S73 of the Town and Country Planning Act (As Amended).
- 4.24 Section 73 of the Act can be used, amongst other things, to approve amendments to an existing planning permission by amending a condition (or conditions) upon which the permission was granted. In law, a section 73 application results in the grant of a new planning permission affecting the same site that is subject to the relevant amended conditions.
- 4.25 This minor material amendment procedure was confirmed by the Government as appropriate in 2009, when it streamlined the procedure for section 73 applications and issued accompanying guidance on how best to achieve flexibility with planning permissions by allowing minor material amendments to planning permissions without the need for the submission of entirely new planning applications. The overriding purpose of the streamlined procedure and guidance was to avoid the burden that would fall on both planning authorities and developers if a fresh planning application had to be submitted every time that a development is materially amended.
- 4.26 The guidance is now contained in the Department for Levelling Up, Housing and Communities' National Planning Practice Guidance. Amongst other things the guidance states that a minor material amendment is likely to include any

amendment whose scale and/or nature results in a development which is not substantially different from the one which has been approved. Relevant and recent case law on this matter indicates that the section 73 route can be applied to determine amendments which do not result in a "fundamental" change to an approved development.

- 4.27 The proposal does not seek to amend the description of development, which cannot be secured by way of an application under S73. The description of development was amended by way of the S96a permission (ref: 2021/03777/NMAT) and now reads:

"Erection of residential units (Class C3) across three blocks; shared single storey basement with car parking; private open space; hard and soft landscaping; preparatory and associated works. (EIA development)."

- 4.28 Officers are satisfied that the proposed amendments to the development do not amount to a fundamental alteration to the approved scheme when considered as a whole, particularly given the scale of the development.
- 4.29 In accordance with the S73 procedure, the variation of conditions pursuant to the previous planning permission would necessitate the need to issue a new planning permission with a different a new reference number, subject to new or amended conditions and S.106 agreement.

Planning Conditions listed to be amended by way of the Section 73 application:

- 4.30 Condition 2: Relates to the approved drawing numbers. This application seeks to vary condition 2 through amendments to the approved drawings. Revised drawings are listed in the recommendation above.
- 4.31 Condition 7:relates to the provision of on-site Blue Badge Parking. This condition was amended previously under non-material amendment permission (ref: 2021/03777/NMAT). The condition has been revised to reflect amendments to the basement layout and provision of 13 disabled car parking spaces in accordance drawing M10002-HUN-A02 - Basement Plan.
- 4.32 Condition 56: An extra condition was added to non-material amendment permission (ref: 2021/03777/NMAT) relating to the amount of development. As a consequence of the amendments sought under the proposed S73 application, this condition has been amended to reflect the change to the number of residential units (including tenures); maximum floor area (GIA/sqm) and maximum AOD heights/per block. The recommended condition has been revised to:

"The development hereby approved comprises the following:

a. 266 homes (Use Class C3), including 133 affordable homes comprised 83 London Affordable Rent and 50 intermediate tenure homes

b. A maximum floor area of 22,465 sqm (GIA)

c. Building heights comprising:

i. Block A – Five storeys (plus excluding plant) up to 22.82 AOD

ii. Block B – Seven storeys (plus excluding plant) up to 30.54 AOD

iii. Block C – Nine storeys (plus excluding plant) up to 40.81 AOD”

- 4.33 The Applicant has submitted a series of discharge of pre-commencement condition applications. At the time of publishing the committee agenda, the applications in respect to conditions (nos. 6, 14, 15-20, 38, 41, 42, 43 & 54) listed in the report are under consideration. As the determination of the conditions listed above is still pending conclusion, the Applicant has requested that, should the submitted details be discharged prior to the determination of the S73 planning application, the wording of the relevant conditions in the decision notice be amended to reflect this.

Environmental Statement

- 4.34 An Environment Statement (ES) was submitted with the original application under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (amended 2015).

Scoping Opinion

- 4.35 The current proposal was the subject of a scoping opinion to identify the likely significant effects on the environment that may arise from the construction and operational phases of the proposed development. An EIA Scoping Report was submitted to the Council in support of a request for an EIA Scoping Opinion (ref: 2021/03746/SCOEIA) in accordance with Regulation 15 of the EIA Regulations. An EIA Scoping Opinion was issued by the Council on 12 May 2022, confirming acceptance of the disciplines to be scoped into the ES. These include Socio Economics, Population and Human Health; Air Quality; Daylight, Sunlight and Overshadowing; and Climate Change. The remainder of the topics considered under the ES are not considered to give rise to significant effects on the environment and are scoped out of the latest ES.
- 4.36 A review of the previous ES has been undertaken to determine changes to the results or conclusions of the assessments, given the nature of the amendments to the proposed development. Since the ES for the planning permission was completed, the 2017 EIA Regulations have also been adopted which have introduced new topics including climate change, human health and accidents and disasters.
- 4.37 This ES comprises ten chapters and is supported by figures/technical appendices and a non-technical Summary (NTS). The ES includes the following technical chapters set out in two volumes:

Volume 1:

Chapter 1: Introduction

Chapter 2: EIA Methodology

Chapter 3: Site and Development Description

Chapter 4: Alternatives and Design Evolution
Chapter 5: Construction Methodology and Phasing
Chapter 6: Population and Human Health
Chapter 7: Air Quality
Chapter 8: Daylight, Sunlight & Overshadowing
Chapter 9: Climate Change
Chapter 10: Summary and Residual Effects
Figures

Volume 2: Technical Appendices

- 4.38 A “Non-Technical Summary” of the ES is also provided as a standalone document.

Format of the Section 73 Application:

- 4.39 The following documentation has been provided in support of the application to vary the planning permission:

- Covering Letter
- Planning Application Form (inc. Certificates of Ownership)
- CIL Additional Information Form
- Planning Statement prepared by Barton Wilmore LLP
- Environmental Statement prepared by Barton Willmore LLP
- Drawings (including revised drawings) prepared by Hunters
- Design & Access Statement Addendum by Hunters
- Revised landscape drawings prepared by Exterior Architecture
- Heritage, Townscape and Visual Impact Assessment Review prepared by Smith Jenkins
- Updated Transport Assessment Addendum (June 2022) prepared by Milestone
- Outline Construction Management Plan Addendum prepared by Milestone
- Internal Daylight, Sunlight & Overshadowing Assessment prepared by the Chancery Group
- Acoustic Planning Report prepared by Hilson Moran
- Wind Assessment – Statement of Conformity prepared by RWDI
- Energy Statement prepared by Foreman Roberts as amended by the Energy Strategy File Note (Cooper Homewood ref: 9200-REP-002 REV P03 dated 20.05.2022).
- Sustainability Statement prepared by Greengage
- Whole Life Carbon Assessment prepared by Greengage
- Circular Economy Statement prepared by Greengage
- Health Impact Assessment prepared by Greengage
- Contamination Assessment Letter of Reliance prepared by Aecom
- Flood Risk Assessment Addendum prepared by Aecom
- Archaeological Assessment Addendum prepared by Aecom
- Arboriculture Letter of Reliance prepared by Aecom
- Basement Construction Statement Addendum prepared by Aecom
- Statement of Community Involvement prepared by BECG

- Fire Statement prepared by IFC
- Financial Viability Assessment prepared by Gerald Eve
- Social Value Report prepared by Sonnet

4.40 During the course of the application, further information and points of clarification were sought by officers, in respect of detailed aspects of the proposal. These included particulars relating to the brick detailing, fenestration, pv's and distribution of cycle parking spaces.

5.0 PUBLICITY AND CONSULTATION

5.1 The application has been advertised as an EIA / major development, which is within a conservation area and may affect its character or appearance. The application has been advertised by way of site notices posted around the site (dated: 13/04/2022) and a publicised press notice (13/04/2022) with an expiry date for comments of 04/05/2022.

5.2 750 individual notification letters were sent to the owners/occupiers of neighbouring properties/businesses, with an expiry date for comments of 06/05/2022.

5.3 14 representations were received (13 objections; 1 in support).

The representations are summarised as follows:

Objections

- S73 Procedure (addition of an extra floors/increase in height or the increase in the number of units) cannot be called a minor amendment and is a substantial revision to a major application.
- Cumulative impact associated with other developments in the surrounding area. Considered to be more than enough to cover the housing needs in the area.
- Additional homes will place burden on the local area in terms of public transport capacity, increased traffic, parking, and pollution. Failure to provide any additional infrastructure in the area to address this increase in homes.
- Welcome increase in affordable housing provision but weighted towards London Living Social Rent units and ignore shared intermediate housing provision.
- Development comprises mainly 1-2 bedroom flats. Need more family units. Will erode sense of community in the area.
- Development exceeds density levels compared to the neighbouring development Regent on the River and provide less open space provision and fewer car parking spaces.
- Proposed buildings' heights will have an adverse impact on the residential amenity of neighbouring two storey terraced houses on Townmead Road and surrounding streets, in terms of loss of daylight and sunlight, outlook, overbearing visual impact and loss of privacy.
- Proposed amendments would be out of character and appearance in the conservation area.

- Noise/traffic on Townmead Road will only get worse. Will generate a greater demand for on-street parking in surrounding residential streets and EV chargers
- Development will provide little benefit to the local economy.
- Proposed housing tenures will lead to an increase anti-social behaviour.
- Possibility of structural damage to neighbouring properties during construction works
- Lead to potential water supply issues.

Support

- No comment provided

5.4 A further representation received from a planning consultant acting for their client (SMC Fulham Limited), developer of the adjacent Quayside Lodge site. Comments focus on the Daylight, Sunlight and Overshadowing chapter (Chapter 8) of the amended ES, seeking clarification relating to the assessment carried out on Quayside Lodge. Recommend the additional floors proposed could be set back to mitigate the impact to the consented massing of Quayside Lodge.

External Consultation:

5.5 The following external consultations were undertaken:

5.6 **Greater London Authority:** The confirm that the amendments do not give rise to any new strategic planning issues. Advise that the Council can proceed to determine the application without further reference to the GLA.

5.7 **Transport for London:** The proposed development largely meets the transport policies of the London Plan, 2021. Planning conditions and obligations should be carried over to any new permission to ensure latest policy standards are met and contributions retained.

5.8 **Historic England:** No comment provided in this case.

5.9 **Historic England (GLAAS):** No additional archaeological implications. Condition 41 requiring a programme of archaeological work is to be addressed.

5.10 **Sport England:** Response received, no comments to make as the proposal falls outside Sports England's statutory and non-statutory remit.

5.11 **Environment Agency:** No objection to the proposals.

5.12 **London Fire and Emergency Planning Authority:** No response provided.

5.13 **Crime Prevention Officer:** No comments proposed to the amendments and changes will have no bearing on the secure by design requirements already agreed.

- 5.14 **Thames Water / Civil Aviation Authority / London Heliport / Fulham Society / The Hammersmith Society:** No response provided.

Community Engagement

- 5.15 A Statement of Community Involvement (SCI) has been submitted in support of the application. In summary the statement sets out that a virtual community engagement programme was undertaken by the applicants during December 2021 due to the ongoing Coronavirus pandemic and associated restrictions at this time. A newsletter outlining the proposals was posted to 984 neighbouring businesses and homes, to enable local residents and stakeholders to view the emerging proposals and provide feedback. A virtual public exhibition providing details of the proposals was hosted on the project website between 29th November to 16th December 2021. A total of five feedback forms, one phone call inquiry and 141 website visits were made. A webinar event was held on 7 December to discuss any queries with the emerging proposals. This event was attended by six people. Questions were raised and responded to regarding the height of the amended scheme, types of homes, neighbourhood safety and construction access. The Applicant also contacted key local stakeholders notifying them of the consultation and inviting any questions or the opportunity to meet.

6.0 ENVIRONMENTAL IMPACT ASSESSMENT

- 6.1 An Environmental Impact Assessment (EIA) was undertaken for the original planning permission due to the scale of the proposals and the potential for significant environmental effects to occur. An Environmental Statement (ES) was submitted with the planning application under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (amended 2015). The ES is referred to in this report as (April 2017 or '2017 ES').
- 6.2 The 2017 ES comprised the following topics: Socio-Economics; Transport & Access; Air Quality; Noise and Vibration; Wind Microclimate; Daylight, Sunlight and Overshadowing; Ground Conditions; Water Resources, Drainage and Flood Risk; Archaeology; Ecology and Nature Conservation and Townscape, Heritage, and Visual Impact.
- 6.3 The non-material amendment permission was supported by additional environmental information, in the form of an ES Statement of Conformity (the 2022 ES Statement of Conformity). It concluded that the amendments to the proposed development would not lead to any previously unidentified significant environmental effects and that the conclusions of the 2017 ES remained valid.
- 6.4 The Section 73 planning application seeks amendments to the planning permission primarily to vary the overall quantum of housing within the development site. The amendments have been assessed and an ES Addendum prepared. This supplements, updates and considered in conjunction with the 2017 ES.

- 6.5 An EIA Scoping Request was received by the Council prior to submission of the application (ref: 2021/03746/SCOEIA). The EIA Scoping Report set out in detail the scope of the revised ES on the basis of the findings of the April 2017 ES for the original permission. The scoping report set out the intention of submitting the following technical chapters, on the basis that only these topics are considered likely to give rise to significant environmental effects.
- Socio Economics, Population and Human Health
 - Air Quality
 - Daylight, Sunlight & Overshadowing
 - Climate Change
- 6.6 In terms of population and human health, Chapter 6 of the ES provides an assessment of the likely significant effects in relation to demographic, employment, and socio-economic infrastructure in response to the increase in dwellings.
- 6.7 In terms of education services, the baseline assessment found that there are 10 primary schools within 2km of the site and 12 secondary schools within 3.2km of the site. In terms of healthcare services, the assessment identified 2 GP surgeries with 1km and 6 dentists within 2km of the site. Community facilities near the site include four community centres, two libraries and a variety of open space. The assessment identified that there was sufficient capacity at local primary schools, secondary schools, and dentists relating to the proposed housing provision and the impacts would be negligible.
- 6.8 A Health Impact Assessment (HIA) based on the London Healthy Urban Development Unit (HUDU) Healthy Urban Planning Checklist and the HUDU Rapid HIA Tool is provided. The HIA notes the site is located within the 30% most deprived areas nationally with relatively high levels of crime. An assessment of the HIA against the Healthy Urban Planning Checklist demonstrates that the Development will have a positive health effect in relation to 27 of the 51 assessment criteria with 24 neutral impacts and no negative impacts. As a result, it is considered that the regeneration of this site will have a positive effect on the overall health and wellbeing of the community. Overall, the ES Addendum considers there would be minimal changes to the residual effects between the former ES and ES Addendum scheme and the previous conclusions remain unchanged.
- 6.9 The development is expected to provide in the region of 93 direct and indirect full -time jobs during the course of the proposed 3 year construction period. Additional local skills and employment opportunities will also be secured through the Section 106 Agreement. This will include a target for at least 10% of the construction workforce to be local residents, provision of at least 26 Apprenticeships, 11 Work Placements and 11 Work Experience Placements during construction and the organisation of two construction careers presentations to LBHF residents or local schools. This would result in a temporary Minor Beneficial residual effect.

- 6.10 Chapter 7 (Air Quality) of the ES has assessed the likely significant effects of the proposed development on air quality. The main likely significant effects are likely to take place during construction from dust deposition and emissions from construction vehicles and machinery on the site. The site is located within the Air Quality Management Area (AQMA) which covers the entire borough. During construction, a Construction Environmental - Management Plan (CEMP) would be implemented (secured by planning condition), to ensure best practice measures for controlling dust and emissions are included. The residual effect of the construction phase on air quality is therefore not considered significant (negligible).
- 6.11 It is noted that the additional residential units are included in the amended scheme and will lead to a marginal increase in emission rates from the energy centre. The ES however considers the increases are negligible and will not impact the conclusions from previous assessments with respect to the impact of these emissions on existing receptors. It should be noted that as opposed to the consented gas boiler communal system (a Combined Heat and Power system - CHP), the proposed development now seeks a communal air-source heat-pump driven heat network for the residential dwellings, together with the use of solar panels on the roof areas. In conclusion, best practise design measures are recommended, with no site-specific mitigation considered necessary.
- 6.12 Chapter 8 (Daylight, Sunlight and Overshadowing) of the ES deals with the findings of an assessment of the likely significant effects on daylight, sunlight and overshadowing as a result of the proposed development. A separate Internal Daylight and Sunlight report is also provided. The ES chapter considers the environmental effects during both the construction and the operational phases of the proposed development. The changes to daylight, sunlight, and overshadowing impacts to surrounding relevant receptors have been considered.
- 6.13 The level of effect on the availability of daylight and sunlight to surrounding properties and overshadowing to the amenity areas during the construction phase would vary but are considered to be short to medium-term, with a negligible to moderate adverse effect (significant). In terms of the impact of the development itself, the overall effect to this on neighbouring buildings and amenity spaces do not materially alter from the planning permission and the significance effects remain similar to those reported within the previous 2017 ES. In terms of the internal layout, the analysis carried out states that 82% of the rooms assessed for Average Daylight Factor (ADF) would be fully compliant with the BRE Guidelines and target values, which is again comparable to the previous planning permission.
- 6.14 Chapter 9 (Climate Change) of the ES assesses the likely significant effects of the proposed development on the environment in respect of climate change. The ES chapter considers the objectives of Policies G1, G5, SI1, SI2, SI3, SI4, SI7, SI12 and SI13 of the London Plan, which seek to minimise carbon dioxide emissions and mitigate the impact of development on the environment. In addition, Policies OS5, CC1, CC2, CC3, CC4, CC10, CC13

and T3 of the Local Plan, which include similar objectives to the London Plan in tackling climate change. The ES chapter considers the following technical reports that accompany the application (Construction Environmental Management Plan / Waste Management Strategy / Energy Statement / Overheating Statement / Whole Life-Cycle Carbon Assessment / Sustainability Statement and Circular Economy Statement. The ES chapter concludes that the residual effects of the proposed development would range between Negligible to Minor Adverse and therefore resilient to the impact of climate change.

- 6.15 There are also some new proposed developments that require consideration within the context of the ES, notably the development on the adjacent site, Quayside Lodge. The proposed developments which are considered to have the potential for in-combination effects with the proposed development, due to their proximity, nature, or scale. The new developments are set out in the 2021 ES Addendum (as new cumulative schemes) and have been agreed with officers as part of the EIA scoping process. Effects upon daylight, sunlight and overshadowing to some residential receptors and amenity areas in the vicinity of the site during the construction stage of the proposed development has been considered. In total 9 properties demonstrate minor adverse (not significant) to moderate adverse (significant) effect. On completion of the proposed development (9 properties demonstrate minor adverse (not significant) to moderate adverse (significant) for daylight and 2 properties demonstrate minor adverse (not significant) to moderate adverse (significant) for sunlight.
- 6.16 The above topics have subsequently included in the current application and have been given due consideration. The following topics: Heritage, Townscape and Visual Effects; Transport and Access; Noise and Vibration; Biodiversity; Water Resources and Flood Risk; Archaeology; Land Contamination; Wind Microclimate; Agricultural Land; Waste; Lighting; and Accidents and Disasters were considered not to give rise to likely significant effects on the environment and are considered separately as standalone documents.

ES Conclusions

- 6.17 The ES Addendum has been reviewed by the Council's officers who all raise no objections, subject to the imposition of planning conditions. The planning assessment part of the committee report will identify the planning issues and identify where conditions are necessary to mitigate the effect of the revised development.

7.0 POLICY CONTEXT AND PLANNING CONSIDERATIONS

Planning Framework

- 7.1 The Town and Country Planning Act 1990 (referred to as 'the Act'), the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011 are the principal statutory considerations for town planning in England and Wales. 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).

- 7.2 In this instance the statutory development plan comprises the London Plan (2021), the Local Plan (2018) and the Planning Guidance Supplementary Planning Document (2018) (hereafter referred to as Planning Guidance SPD).

National Planning Policy Framework (2021)

- 7.3 The NPPF came into effect on 27 March 2012 and was subsequently revised in 2019 and more recently in 2021 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.
- 7.4 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.

The London Plan (2021)

- 7.5 The London Plan (2021) was published in March 2021 and is the Spatial Development Strategy for Greater London. The proposed affordable housing provisions have been assessed in line with the updated policies set out in the Plan. Together with the Local Plan, the London Plan forms the Development Plan.

LBHF Local Plan (2018)

- 7.6 The Local Plan (February 2018) sets out the council's vision for the borough until 2035. It contains development policies to be used by the Council in helping to determine individual planning applications. The Local Plan should be read and considered alongside the London Plan and will be supplemented by supplementary planning documents (SPDs). The Local Plan incorporated a target of 4,000 additional new homes and 500 jobs within the South Fulham Riverside Regeneration Area.

S73 Amendments

- 7.7 The first consideration to be addressed in response to comments received, is to determine whether the proposed amendments, either individually or cumulatively can be approved as an amendment to the approved development under s73 of the Act. As set out previously in the report, Section 73 of the Act can be used, amongst other things, to approve amendments to an existing planning permission by amending a condition (or conditions) upon which the permission was granted.
- 7.8 The legal test, established by case law, is that amendments to planning permission can be permitted via s73 where they do not constitute a "fundamental" change to the approved development. The scale and nature of

the amendments proposed are examined in the section below to determine if they would fundamentally alter the planning permission.

- 7.9 Officers consider that the physical changes to the height and exterior of the buildings are comparatively minor changes in the context of the overall scale and mass of the scheme. The footprint of the buildings remains the same as would the general aesthetic and design approach of the scheme. Block A would be reduced in height by more 1m compared to the extant permission. The increase in the AOD heights to Blocks B and C is between about 3% and 9% which is modest in the context of the overall scheme. The proposed uplift in the number of homes would equate to about a 22% increase. The uplift in the number of homes is primarily driven by changes to the housing mix within the approved building envelope. This is demonstrated by a more modest uplift of about 16% in the number of habitable rooms and floorspace (NSA).
- 7.10 While a material change is clearly proposed to the extant permission, the revised proposals fundamentally take the same form of development originally consented. The Applicant sets out that by utilising a more efficient layout and design solutions, much of the proposed enhancements are delivered within the approved envelope of the buildings. The balanced planning conclusion is that whilst some increases in height and density are proposed, the current proposal is not considered to represent a 'fundamental or substantial' change to the approved scheme. Accordingly, officers are of the view that the proposals may therefore be reasonably considered under section 73 of the 1990 Act
- 7.11 Notwithstanding the above in-principle comment, it is necessary to interrogate the wider economic, social, and environmental impacts of the development (as amended) in order to determine whether the proposals are in accordance with the Development Plan (including the Local Plan 2018), the NPPF and any other relevant planning guideline.

Planning Considerations

- 7.12 The main planning considerations in the assessment of this application include:
- Land Use – Estate Regeneration.
 - Housing (including Affordable Housing and Viability).
 - Housing (quality and standards).
 - Design and Conservation.
 - Highways including parking.
 - Accessibility.
 - Amenity Impacts (Daylight and Sunlight; Noise and Vibration).
 - Environmental Considerations (Sustainability and Energy; Flood Risk. Sustainable Drainage; Ecology, Trees, Landscaping; Land Contamination; Air Quality; Archaeology; Fire Safety);
 - Economic Considerations and
 - Community Infrastructure Levy (CIL)

PLANNING ASSESSMENT

8.0 Estate Regeneration

8.1 **Policy H8 of the London Plan** relates to the loss of existing housing and estate regeneration proposals. The policy states that the loss of existing housing should be replaced by new housing at existing or higher densities with at least the equivalent level of overall floorspace. The Mayor's Good Practice Guide to Estate Regeneration also sets out the following principles for estate regeneration projects:

- a. Increase the amount of affordable housing
- b. Provide a full right of return to existing social housing tenants; and
- c. A fair deal for leaseholders and freeholders.

8.2 The site was formerly occupied by 80 units (62 social rent tenure homes and 18 leasehold private tenure homes, acquired by occupants under Right to Buy). The site was vacated prior to demolition works in 2019 due to the sub-standard accommodation provided. The proposal would bring the site back into residential use and increase the number of units above those that existed on the former estate and existing extant permission.

8.3 The principle of a residential development on the site is already established. In comparison with the extant permission where 36 of the 218 residential units would be affordable (27 social rent and 9 intermediate), all the affordable homes would now be replaced on site, and an additional 71 affordable homes would be included as part of the proposals. In total, 133 affordable homes are proposed, comprising a mix of 83 London Affordable Rent and 50 Shared Ownership.

8.4 Similarly the amount of affordable floorspace would increase in comparison with the homes that previously existed on the site.

Tenure	Former Homes (GIA sqm)	Proposed (GIA sqm)
Affordable	5,517 sqm	10,393 sqm

8.5 Subject to the satisfaction of other development plan policies. The proposal is considered to be in accordance with London Plan Policy H8.

9.0 Amendment to the Quantum of Development

9.1 **London Plan Policy GG2** sets out the Mayor's strategic policy with regard to the best use of land and states that planning must enable development on brownfield land, in particular in Opportunity Areas, on surplus public sector land and sites within and on the edge of town centres, as well as utilising small sites of less than 0.25 hectares, prioritising sites with good transport links.

9.2 In comparison with the 2019 permission, the proposal would result in an uplift in the number of homes, from 218 to 266 units, which equates to an

approximate 22% increase (18% increase from 226 units). The uplift in the number of homes is primarily driven by the proposed changes to the housing mix within the approved building envelope and the additional floor fitted in each block. The amendments result in an uplift of about 16% in the number of habitable rooms and floorspace (NSA). The revised proposals would take the same form of development as originally approved and operate within the general approved envelope of the previous permission however seek to utilise a more efficient layout, enhanced design solutions and extend the height of Block B and C.

- 9.3 The 2019 permission had an approximate floorspace (including the basement) of 21,112 sqm (GIA). The current proposed floorspace (including the basement) would increase the floorspace to 22,465 (GIA), an uplift of 1,353 sqm in floorspace or +6.4%. increase
- 9.4 The applicant has sought to optimise the capacity of the development in response for the needs for housing in the borough's regeneration areas and the requirements to provide 50% affordable housing on site. The applicants have carried out a detailed analysis of the extant permission to evaluate how this might be achieved whilst remaining broadly consistent within the scope of the original planning permission.
- 9.5 The physical changes to the basement design, height and exterior of the buildings are considered to be comparatively minor changes in the context of the overall scheme. The footprint of the buildings remains the same as would the general aesthetic and design approach. The increase in the AOD heights of Blocks B and C is between about 3% and 9% of the consented heights of these blocks, which is considered modest in the context of the overall scheme. Block A would be reduced by more than 1m compared to the previous planning permission.
- 9.6 The applicant has provided comparisons outlining the amendments to the revised quantum and height and it is considered that the amendments do not fundamentally change the scale or nature of the development as a whole. The amendments to the extant permission would enable the delivery of more housing, including affordable housing. The proposals will otherwise be substantially consistent with the consented development in land use and in terms of the principle of development. Officers therefore consider that the proposed changes can appropriately be dealt with as amendments to the extant permission using section 73 of the Act and in accordance with the Development Plan including the Local Plan 2018.

10.0 Housing

- 10.1 **Policy GG4 of the London Plan** seeks to create a housing market that works better for all Londoners and create mixed and inclusive communities that meet high standards of design and provide for identified housing needs. **Policy H1** recognises the pressing unmet need for housing across London and sets out the strategic approach for significantly increasing housing supply. In Hammersmith and Fulham, Table 4.1 of the London Plan specifies a

minimum ten year housing target of 16,090 homes, which is equivalent to 1,609 homes per annum. This target is an increase if compared to the previous version of the London Plan (2016) at the time of the original planning permission.

- 10.2 **Policy HO1 of the Local Plan** supports the delivery of new housing but is predicated on the housing target derived from the previous version of the London Plan. The housing target outlined in Policy HO1 is therefore superseded by the more up to date requirements of Policy H1 of the London Plan.
- 10.3 **Strategic Policy SFRRRA** for the South Fulham Riverside Regeneration Area identifies a target of 4,000 additional dwellings in the regeneration area by 2035.
- 10.4 The site is currently vacant. The extant permission establishes the principle of a comprehensive residential-led redevelopment of the site, providing 226 residential units across three new buildings.
- 10.5 The proposed development, as revised, delivers 266 new homes across the three separate Blocks (A, B and C). The proposed units would be allocated as shown in the table below.

Block	Unit Numbers
A	40
B	83
C	143
Total	266

- 10.5 The proposed development would include a range of tenures, with affordable rent, shared ownership, and private market housing provided. The breakdown is shown in the table below.

Tenure	Unit Numbers	%
London Affordable Rent	83	31.2%
Shared Ownership	50	18.8%
Market	133	50%
Total	266	100%

- 10.6 The proposed development as revised would continue to contain an appropriate land use compatible with South Fulham Riverside Regeneration Area. The proposed development, as amended would be acceptable subject to demonstration that the positive benefits of the proposed amendments can be delivered in a manner that is appropriate in design and townscape terms, and the environmental impacts remain acceptable. The detailed matters are set out in this report. However, the principle of the proposed development is considered acceptable in accordance with Policies GG2, GG4, and H1 of the London Plan (2021) and policies HO1 and SFRRRA of the Local Plan (2018).

11.0 Affordable Housing

- 11.1 **Policy H4 of the London Plan** sets a strategic target of 50% of all new homes delivered across London to be genuinely affordable. **Policy HO3 of the Local Plan** states that affordable housing will be sought on all developments capable of providing 11 or more self-contained dwellings and will be negotiated based on a borough wide target of 50% provision.
- 11.2 **Policy H6 of the London Plan** describes the preferred affordable housing tenure arrangements across London, which comprises 30% low-cost rented homes, 30% intermediate products and 40% to be determined by the borough. All affordable homes are expected to meet the Mayor's definition of 'genuinely affordable homes.' **Policy HO3 of the Local Plan** defines the Council's preferred affordable tenure split as 60% social/affordable rented accommodation and 40% intermediate tenure homes.
- 11.3 The original 2019 permission allowed for the delivery of 218 residential units. This included 36 on site affordable homes (approximately 17%) plus a £6m off site payment towards affordable housing in the borough. The proposed amendments seek to increase the delivery of on-site affordable homes. The proposed mix now equates to 50% of the total number of homes (133 out of 266 homes).
- 11.4 A total of 326 habitable rooms within the proposed development would be affordable tenures, which is equivalent to 52% of the total number of habitable rooms, reflecting the London Policy.
- 11.5 The site is a cleared and vacant brownfield site. Due to the poor quality of the former buildings, all former residents were decanted and rehouse elsewhere in 2019. As a result, there are no returning social tenants or resident leaseholders. Accordingly, and consistent with the approach permitted by part D of Policy H8 of the London Plan, the replacement low cost rented affordable housing is being delivered as London Affordable Rent (LAR) rather than social rent. The replacement and additional affordable housing have been integrated into the development and will enable a mixed and inclusive community to be created.
- 11.6 The 133 affordable homes would be delivered across two affordable tenure types (83 x London Affordable Rent units and 50 x Intermediate units). This would result in an increase of on-site affordable housing by 97 affordable homes compared to the extant permission and replaces the previous 62 social rented units formerly on site.
- 11.7 The increase in the quantum of homes has been achieved though reconfiguring the internal layouts of Blocks A and B and includes additional floors within Blocks B and C.
- 11.8 The proposed schemes provides 133 (50%) affordable homes. These are made up of 83 London Affordable Rent homes, which are genuinely affordable and will serve applicants on the council's social housing register,

and 50 homes to be delivered as shared ownership homes. The Section 106 will contain conditions to ensure all 50 shared ownership homes are demonstrably affordable to a range of household incomes, below the £90,000 maximum allowed for shared ownership. In addition, all shared ownership homes will be marketed and allocated through the council's home ownership team, H&F Home Buy, to people who either live or work in the borough. The affordable housing provision in the application is considered to be acceptable to the Council's Housing Officers.

- 11.9 Overall there is an even distribution between the private and affordable provision. The proposal would provide a significant contribution to affordable housing provision in the South Fulham Regeneration Area, as well as contribute to the borough's affordable housing need targets. The affordable homes provided would therefore meet the strategic policy objectives outlined in both Policy H4 of the London Plan and policy HO3 of the Local Plan.

12.0 Viability

- 12.1 The proposed development has followed the Viability Tested Route outlined in **Policy H5 of the London Plan** and the **Mayor's Affordable Housing and Viability SPG** to demonstrate the maximum reasonable amount of affordable housing is provided.
- 12.2 **London Plan Policy H8** states that all development proposals relating to estate regeneration that include the demolition and replacement of affordable housing are required to follow the Viability Tested Route and should seek to provide an uplift in affordable housing in addition to the replacement affordable housing floorspace. Therefore, a FVA is required to demonstrate that the maximum viable uplift in affordable housing has been achieved.
- 12.3 The application was submitted with a Financial Viability Assessment (FVA). The FVA sets out that the scheme provides the maximum reasonable amount that can be justified through viability and that the scheme demonstrates the inclusion of the appropriate level of replacement affordable housing and social rent units, being in mind costs including ground contamination remediation works which will require.
- 12.4 The FVA has been reviewed by the Council's appointment consultants Cushman and Wakefield. The purpose of this independent review is to determine, whether the submitted FVA represents a reasonable assessment of site viability and whether the proposed scheme is sufficiently viable to support LBHF's policy requirements. All parties agree that the proposed scheme can support provision of 50% affordable housing.
- 12.5 Officers are satisfied that the proposed 50% affordable housing split into 62% London Affordable Rent (LAR) and 38% intermediate tenures represents the maximum reasonable level of affordable housing the scheme can viably support. This exceeds the previous quantum of affordable housing (36 units) or 2,320 sqm NIA (24,976 sq. ft) of affordable housing that was approved within the extant permission and surpassing the previously existing 62 social

rent units prior to demolition. This reflects a significant increase of onsite affordable provision compared to the 2019 permission.

- 12.6 Given there is no longer a linkage between the application site and Edith Summerskill House and the target threshold of 50% affordable housing on public land has been met, officers consider that the clauses incorporated in the original S106 Agreement relating to review mechanisms and the payment of the £6m towards Edith Summerskill House can be removed via an amendment to the S106 Agreement.
- 12.7 Officers welcome the uplift in affordable housing as a result of the proposed amendments. Overall, the amended scheme would deliver an increase in affordable housing units via London Affordable Rent and shared ownership. In this regard, the amendments proposed would secure a significant uplift in housing provision, including affordable homes, representing a substantial benefit to H&F where, like most of London, there is a considerable need for new homes particularly affordable homes. The proposed development, as amended, would accord with Local Plan policies HO1, HO3 and HO4, as well as the suite of housing policies in the London Plan

13.0 Housing Mix

- 13.1 **Policy H10 of the London Plan** identifies the need for additional family housing but does not prescribe a particular housing mix.
- 13.2 **Policy HO5 of the Local Plan** sets out the required mix by tenure to ensure that high quality residential accommodation is provided that meets the size requirements of a variety of local people, with specific targets for affordable tenures. For market housing, the policy seeks a mix of unit sizes, including larger family accommodation.
- 13.3 The table below sets out the proposed housing mix for the proposed development by tenure in comparison with the original permission. In total, 18 units (7%) would comprise studio units; 139 units (52%) would be one-bedroom flats; 99 units (37%); two-bedroom flats; and 10 (4%) three-bedroom flats.
- 13.4 The affordable rented housing mix would consist of 43 one bed flats (52%); 34 two bed flats (37%) and 6 three bed flats (7%). In the case of the shared ownership, the mix would comprise 36 one bed flats (72%) and 34 two bed flats (38%)

Tenure/ Unit Size	Proposed Unit Numbers	% per tenure	Approved 2019 scheme	Change in comparison with approved scheme
Market				
Studio	18	14%	0	+18
1 bedroom	60	45%	88	-28
2 bedroom	51	38%	90	-39
3 bedroom	4	3%	4	0
Total	133	100%	182	-49
London Affordable Rent				
1 bedroom	43	52%	17	+26
2 bedroom	34	41%	10	+24
3 bedroom	6	7%	0	+6
Total	83	100%	27	+56
Shared Ownership				
1 bedroom	36	72%	6	+30
2 bedroom	14	28%	3	+11
Total	50	100%	9	+41
TOTAL	266		218	+48

- 13.5 The proposed development delivers a mix of market, social and intermediate rent housing. The affordable rent and shared ownership mix does not fully accord with Policy HO5. Studio sized units are introduced to the market housing mix. The development however provides a wide choice of high-quality residential accommodation that meets local residents' needs and aspirations, with demand for a higher proportion of one and two bedroomed properties.
- 13.6 The proposed unit mix has been brought forward following detailed discussions between the applicant and the H&F Housing team. The proposed housing mix is a driver of reconfiguring the internal layouts within the confines of the approved block footprints. Priority has been given to delivering a greater proportion of London Affordable Rent homes on the basis that these are in the greatest need. Officers consider that the development would provide an acceptable mix of unit sizes and types to ensure that a mixed and balanced community would be achieved without undermining the surrounding area.
- 13.7 In terms of density, **Policy D2 of the London Plan** states that the density of development proposals should consider, and be linked to, the provision of future planned levels of infrastructure rather than existing levels and be proportionate to the site's connectivity and accessibility by walking, cycling, and public transport to jobs and services (including both PTAL and access to

local services). **Policy D3** goes on to state that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. **Policy HO4 of the Local Plan** confirms that in existing residential areas, new housing will be expected to be low to medium rise with higher density housing with limited car parking in locations with high levels of public transport accessibility.

- 13.8 The Application Site has a PTAL of 4 and benefits from convenient access to various forms of public transport infrastructure in the form of London bus services, London Overground and London Underground services from Imperial Wharf station. The development would have a density of 554 (dwellings per hectare) 1,319 (habitable rooms per hectare). The development makes optimal use of the site and delivers 50% affordable housing. The density is considered appropriate for the site, given accessibility to public transport, its location within the South Fulham Riverside Regeneration Area and is of a similar scale to the larger residential blocks, in line with the emerging scale and character of new build in the area.
- 13.9 Officers consider the development delivers additional housing on the site without compromising the design quality and maintains a good level of quality living accommodation and is enhanced with improvements to the internal layout. Consideration to the impact on the amenities of neighbouring properties are assessed in the section below. In conclusion, officers consider the proposed density would not result in an excessive built setting, provides a satisfactory quality of residential environment and an acceptable level of accommodation for future occupiers of the development. The proposed development, as amended, would accord with Local Plan policies HO1, HO3 and HO5, as well as the suite of housing policies in the London Plan.

14.0 Housing Quality/Standards

- 14.1 Housing quality is a key consideration in the assessment of applications for new developments. **Policy D6 of the London Plan** requires all new dwellings to have 'high quality design and adequately sized rooms' in line with space standards. This is reinforced in Policy HO4 of the Local Plan. All the homes would comply and, in some cases, exceed the relevant space standards set in Policy D6 of the London Plan, which are consistent with the Nationally Described Space Standard.
- 14.2 All the residential units are efficiently designed and have a good level of outlook for future residents. In comparison with the extant permission the proposed development contains a higher proportion of dual aspect homes and minimises the number of single aspect homes. A total of 40% of the homes would be dual aspect (106 of 266 homes) and 60% single aspect (160 of 266 homes). This is a 5% improvement in the number of dual aspect homes compared to the previous planning permission 54 of 218 homes (25%). Furthermore, there are no single aspect north facing homes.
- 14.3 Improvements have been made to the cores and circulation spaces within the proposed blocks. The cores in all three blocks would be at the centre, An

additional core has been added within Block C, thereby reducing the number of residential units per core reducing the length of corridors and increasing the number of dual aspect homes. The additional core also reduces the escape distances in Block C by 50% thereby improving building regulations compliance. The cores would be naturally lit and ventilated to some degree. Up to 75% of cores would receive natural daylight, up from 33%. Two pedestrian lifts are to be provided per core. Separate firefighting, and evacuation lifts to each core for Block B and C are included. Block A would have evacuation lifts, as this block falls below the height threshold for a firefighting lift. Overall officers consider this meets the objective of Policy D6 of the London Plan.

- 14.4 **Local Plan Policy HO11** addresses detailed residential standards and, in seeking a high standard of design, seeks to ensure the protection of existing residential amenities: 'including issues such as loss of daylight, sunlight, privacy and outlook'. Local Plan Policy HO4 states that housing developments should respect the local setting and context, provide a high quality residential environment, and be well designed internally and externally, be energy efficient, and provide a good range of housing types and sizes. All new housing must take account of the amenity of neighbours and must be designed in accordance with London Plan internal space policies.
- 14.5 **Local Plan Policy DC2 and Policy DC3** state that all new builds and tall buildings must be designed to respect good neighbourliness and the principles of residential amenity. Local Plan Policy DC2, at part E states that all proposals must be designed to respect good neighbourliness and the principles of residential amenity. Key Principle HS6 and HS7 (iii) of the Planning Guidance SPD are also applicable.
- 14.6 In terms of privacy and outlook, Policies D6 and D9 of the London Plan plus Policy HO11 of the Local Plan requires the existing residential amenities to be protected, including levels of privacy and outlook. More detailed design guidance is included in the Council's Planning Guidance SPD. The residential layouts have also been assessed in terms of daylight and sunlight levels which are summarised below. Overall, officers are satisfied that the proposal would provide an acceptable standard of accommodation for its residents.
- 14.7 Officers are satisfied that the amendments sought by this submission would continue to allow the development to comply with Policies D6 of the London Plan (2021) and Policies DC2 and HO11 of the Local Plan (2018).

15.0 Accessibility

- 15.1 **London Plan Policy D5 (Inclusive Design)** seeks to ensure that development proposals achieve the highest standards of accessible and inclusive design and be designed to incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.

- 15.2 **Local Plan Policy DC1 (Built Environment)** require new development to be designed to be accessible and inclusive to all who may use or visit the proposed buildings. **Policy D2 (Design of New Build)** requires new buildings to follow the principles of accessible and inclusive design. **Principle DA1 (Inclusive design) together with DA2, DA3**, of the Planning Guidance SPD requires that new buildings are designed to be accessible and inclusive to all who may use or visit the building.
- 15.3 **London Policy D7 and Policy HO6 of the Local Plan** require 90% of new homes to be designed as 'accessible and adaptable' dwellings in accordance with Building Regulation requirement M4(2). The remaining 10% should be designed to be wheelchair user dwellings in accordance with Building Regulation requirement M4(3), i.e. designed from the outset to be wheelchair accessible, or easily adaptable for residents who are wheelchair users.
- 15.4 The proposed development complies with this requirement. In total 27 wheelchair user dwellings are proposed, with priority given to the affordable units in accordance with Building Regulation requirement M4(3), containing 15 London Affordable Rent, 5 Shared Ownership units together with 7 Market units. The wheelchair accessible units would be distributed throughout the three buildings to ensure that they are not clustered together. Accessible thresholds are provided off all the balconies. There are 3 separate Part M compliant accessible entry points to the buildings. The residential entrance between Blocks A and B on Townmead Road would have step-free access provided via platform lift within the entrance lobby). The residential concierge entrance between Blocks B and C on Watermeadow Lane would be provided with a step-free access via Part M compliant ramps. The residential entrance providing access to Block C on Potters Road would be at grade level and step-free. The apartment blocks fronting Townmead Road would also have individual secondary access points with stepped access. These features will however provide an active frontage to the street. The vehicular access to basement level parking on Potters Road, is via a ramp replacing car lifts. Step-free access points to the shared resident garden are provided off all the blocks and step-free footpaths are designed into the landscaped garden. Thirteen blue badge car parking spaces are provided and adapted/larger cycles spaces are also included on-site, accessible via lifts off the residential concierge entrance between Blocks B and C on Watermeadow Lane. An Inclusive Accessibility Management Strategy is secured by way of condition.
- 15.5 Although there are changes proposed to the internal or external access arrangements, the level of accessibility and inclusivity established by the consented development with respect to the public realm and the buildings will be safeguarded. Subject to conditions and s106 provisions, it is considered that the development (as amended) would provide a safe and secure environment for all users consistent with policy.
- 15.6 Officers consider these provisions satisfy the requirements of the above policies and the proposal is acceptable on accessibility terms subject to

conditions to ensure compliance with Policy D5 and D7 of the London Plan and Policy DC1 and HO6 of the Local Plan.

16.0 Amenity Space, Open Space and Play Space

- 16.1 **Policy D6 of the London Plan and the Mayor's Housing SPG** specify that where there are no higher local standards in the borough Development Plan Documents, a minimum of 5 sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sqm should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m.
- 16.2 **Policy HO4 of the Local Plan** sets out that ground level family housing should have access to private gardens/amenity space. Family housing on upper floors should have access to shared amenity space, children's play space, and/or a balcony or terrace subject to acceptable amenity and design considerations. Key principle HS1 of the Council's Planning Guidance SPD expects to see a more generous provision of outdoor amenity space. Every new family (3 or more bedrooms) dwelling should have access to amenity or garden space of no less than 36 sqm, which would equate to 360 sqm for the Proposed Development. Family dwellings (3 or more bedrooms) with accommodation at garden level should have at least one area of private open space with direct access to it from the dwelling. For family dwellings on upper floors this space may be provided either as a balcony or terrace and/or communally within the building's curtilage.
- 16.3 A total of 4,860 sqm of landscaping would be provided. This would include 3,024 sqm of hard landscaping and 1,835 sqm of soft landscaping. A total of 275 sqm of doorstep play space for 0-4 year olds is included as part of the development. Play features will include both prescriptive equipment (slides, balancing, climbing features) as well as multi-functional and integrated play features (boulders and natural play trails with wellness gardens).
- 16.4 As with the original planning permission, all of the proposed units would benefit from access to a private balcony or private terrace area. In total, 2,653 sqm of private amenity space is provided. Each 3 bedroom apartment benefits from an 8.1 sqm private amenity space, which equates to 74.2 sqm in total. Residents will also have access to a communal internal courtyard with 885 sqm of communal landscaped and useable amenity space. The combination of these spaces will provide residents with access to a choice of high quality amenity space. The combination of private and communal amenity space will also meet the amenity space of 36 sqm target outlined in Key Principle KS1 of the Planning Guidance SPD.
- 16.5 In terms of play space, **Policy S4 of the London Plan** states that new development should increase opportunities for play and informal recreation. The Mayor's 'Providing for Children and Young People's Play and Informal Recreation' SPG and associated GLA child yield and play space calculator has been used to estimate the child population in the Proposed Development. This in turn has been used to inform the amount of play space needing to be delivered as part of the Proposed Development.

- 16.6 Policy S4 and the SPG sets a benchmark of 10 sqm of usable child play space to be provided per child, with under-fives child play space provided within 100m of homes; play spaces of 6 to 11 year olds within 400m of homes; and play space for 12+ year old within 800m of homes. Paragraph 4.25 of the SPG also recognises that if there is an opportunity to access existing play provision or deliver enhancements as a result of the development, then the 10 sqm per child requirement does not need to be applied.
- 16.7 **Policy OS2 Access to Parks and Open Spaces** states that the Council will require the provision of accessible and inclusive new open space in major development.
- 16.8 **Policy OS3 (Play space for Children and Young People)** states that 'In new residential development that provides family accommodation; accessible and inclusive, safe and secure communal play space will be required on site that is well designed and located and caters for the different needs of all children.' Paragraph 10.11 of the Local Plan acknowledges that play space for older children could be located off-site.
- 16.9 Applying the child yield calculator, the amount of additional children's play space required to meet the needs of the 48 additional homes has been calculated as 271 sqm. As per the previous permission, priority has been given to delivering doorstep play facilities for younger children (under 5 years old). The inclusion of 275 sqm of doorstep play for 0-4 year olds, meets the needs on site. There are several other play spaces within reasonable walking distance from the site that could meet the play needs of older children (5-12+ years old).
- 16.10 Officers are satisfied that this represents adequate provision for door-step play and the development is also within 100 metres of Imperial Park, which provides play facilities for older children.
- 16.11 The provision and the quantum of open space and play space on site together with commitments to enhance other nearby public open space means that the Development will be compliant with Policy S4 of the London Plan, the Mayor's Play, and Informal Recreation SPG and Policy OS3 of the Local Plan.
- 17.0 **Urban Greening**
- 17.1 **Policy G5 of the London Plan** has been introduced since the determination of the original planning permission. The policy requires major developments to contribute to the greening of London through the incorporation of measures such as high-quality landscaping, green roofs, green walls, and nature based sustainable drainage. To help quantify this, policy G5 includes an Urban Greening Factor (UGF) that attributes a score to the extent of greening across a development. For residential-led developments the target score is 0.4.
- 17.2 The principle of the development is already established by the extant permission. Additional soft landscaping, biodiverse roofs and green walls

have however been added to improve urban greening performance of the development. The proposed development would achieve an UGF score of 0.34. Although this score is slightly below the target score noted in Policy G5, officers consider that the urban greening of the development has been maximised as far as reasonably practicable and for this reason is considered acceptable in this instance.

18.0 DESIGN, HERITAGE, AND TALL BUILDINGS

- 18.1 The NPPF states that the 'Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.'
- 18.2 The proposed changes to the approved permission have been assessed against London Plan policies GG2, D1, D3, D8 and D9 and Local Plan policies DC1, DC2, DC3, DC8 and SFRRA.
- 18.3 **Policy GG2 of the London Plan** states that development should apply a design-led approach to determine the optimum development capacity of sites. **Policy D3 (Optimising site capacity through the design-led approach)** states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites.
- 18.4 **Policy DC1 (Built Environment) of the Local Plan** seeks to ensure all development in the borough helps to create a high quality urban environment that respects and enhances its townscape context and heritage assets
- 18.5 **Policy DC2 (Design of New Build)** supported by the Planning Guidance SPD, includes a list of more detailed criteria to determine whether new build development achieve a high standard of design. In accordance with the policy, consideration is to be given to the historical setting of the site, whether the scale massing and form of surrounding development, local design context, sustainability objectives, good neighbourliness, and the principles of secure, accessible, and inclusive design. Consideration has also been given to the Sands End Conservation Area Character Profile.
- 18.6 The proposed development retains the fundamental design concept and layout of the original planning permission. The layout continues to be based upon the principle of a perimeter block approach; with three above ground blocks with a smaller basement located beneath Block C and the provision of private open space.
- 18.7 In terms of the amendments, an increase in height to Blocks B and C is proposed through a combination of inserting 'slot-in' floors and by optimising the floor-to-floor heights within the blocks and, in the case of Block C, a recessed "pop-up" floor on part of the roof is added to the building. The rationalisation of the floor plates would allow additional homes to be delivered and a reduction in the number of homes served by each core. Overall, the quality of the residential accommodation is maintained and improved in

several cases. The revised internal floor-to-ceiling heights of units would meet the minimum standards set out in the GLA Housing SPG where Standard 31 states that a minimum ceiling height of 2.5 metres for at least 75% of the gross internal area is strongly encouraged.

- 18.8 Several of the key design principles from the extant permission are maintained. Other principles of the scheme design have been amended to reflect updated guidance, particularly in relation to Building Regulations and fire safety. However, the approach to design and the architectural composition of the scheme, appears to retain a high-quality of design overall.
- 18.9 The development continues to feature brick as the primary building material. Contrasting cladding is retained at the recessed top floors to give these elements a light-weight appearance. The aluminium finish of these elements has been modified to metallic PPC for improved longevity / maintenance .
- 18.10 Changes to the elevations have been introduced to break-up the horizontal emphasis of the façade treatment using stronger vertical elements at mid-points across the block. Further refinements to the blocks include the introduction of a brick relief through ‘corduroy’ feature detailing and introduction of windows as a benefit from internal reconfiguration of units and the relocation of cores within blocks.
- 18.11 Projecting balconies and ‘corduroy’ brick detailing are retained within the revised proposals, and ‘Framing’ elements removed from balconies to refine their visual appearance. The additional height introduced to southern aspect of Block C, aids further the breaking of horizontal emphasis of building.
- 18.12 The arrangements at ground level ensure that the pedestrian experience of the site, providing active and animated frontages, would continue to be achieved around the perimeter of the site.
- 18.13 Overall, officers are satisfied that the current proposals retain the design principles and quality of the previous consented scheme, improving the composition of the facade by incorporating varied roof line and meaningful breaks along the facade to create greater visual interest. The proposed development continues to ensure that a high-quality design solution will be maintained. Accordingly, the proposed development would positively contribute to the quality of the local built environment and comply with the design Policies D1, D3, D8 and D9 of the London Plan, Policies DC1, DC2, DC3, DC8 of the Local Plan and the NPPF.

Tall Buildings

- 18.14 **Policy D9 of the London Plan** requires boroughs to determine if there are locations where tall buildings may be an appropriate form of development, subject to meeting the other requirements of the Plan. Additionally, the policy also states that tall building proposed should address the visual, functional, and environmental impacts associated with such proposals.

- 18.15 **Policy DC3 of the Local Plan** relates to tall buildings and sets out a series of detailed criteria, similar to those included in Policy D9 of the London Plan. The policy adds that tall buildings which are significantly higher than the general prevailing height of the surrounding townscape and which have a disruptive and harmful impact on the skyline, will be resisted by the Council. The policy identifies the White City Regeneration Area, Earls Court & West Kensington Opportunity Area, South Fulham Riverside Regeneration Area, and Hammersmith Town Centre as potentially appropriate locations for tall buildings.
- 18.16 In this case, the site is located within the South Fulham Riverside Regeneration Area, which is a location where tall buildings may be considered appropriate. Therefore, the development of tall buildings at this location would also follow the plan-led approach of London Plan Policy D9.
- 18.18 The heights of the proposed residential blocks will vary, with 5 storeys for Block A, located within the northwest section of the proposed development, to 11 storeys for Block C, located within the southeast part and 8 storeys for Block B within the southwest part of the development. The height of the proposed development is not proposed to significantly increase compared to the previous planning permission.
- 18.19 The design and townscape considerations for tall buildings proposed at this location were discussed at length in the officer report supporting the original extant permission for the redevelopment of the site. However, given the recent adoption of the new London Plan, it is worthwhile summarising the impacts of the development against the requirements of Policy D9.
- 18.20 A Heritage, Townscape and Visual Impact Assessment Review (HTVIA) accompanies the application. A Tall Building Assessment, which draws upon the findings of the various assessments that accompany the application, is set out in support Planning Statement, and considers the proposals against the criteria of Policy D9 of the London Plan.
- 18.21 Visual Impacts – The revised proposal is not considered to have any adverse or detrimental impacts upon long-range or medium range views of the site. Within immediate range views, the scheme would illustrate a change within these views which when considered cumulatively with other consented/implemented developments within the regeneration area would represent a neutral/beneficial change overall.
- 18.22 The development represents a high-quality of architecture and materials which would reinforce the quality and character of the regeneration area overall. It is not considered that the development would result in any harm to Sands End Conservation Area or any adjacent heritage assets. (Further detail upon these matters is providing in the latter sections of this report).
- 18.23 Functional impacts – Similar to the consented scheme, the functional impacts of the scheme have fully been considered throughout the development process. The scheme is designed following a perimeter block approach with

communal entrances and servicing designed to allow ease-of-access to adjacent streets and vehicular access/servicing discretely located to Potters Road.

- 18.24 Environmental impacts - The environmental impacts of the development have been considered throughout the design process and impacts upon microclimate, noise etc are considered elsewhere in this report.
- 18.25 The cumulative visual, functional, and environmental impacts of the proposed design have been fully considered and as such the development proposal is considered to comply with London Plan Policy D9.
- 18.26 Local Plan Policy DC3 advises that tall buildings which have a disruptive and harmful impact on the skyline will be resisted by the Council. The assessment below sets out why it is not considered that the current scheme would result in this impact.
- 18.27 The scale and built form of the proposals, has been carefully considered to create a positive relationship with the existing townscape context to the north of Townmead Road but also with the existing and consented/implemented developments of taller buildings within the South Fulham Riverside Regeneration Area. The scheme represents a high-quality of design and materials which would also complement other recent developments in the local area.
- 18.28 From a townscape perspective, whilst there would some visibility of the development in local views, the scale of the proposals would not have a harmful impact upon these views or upon the character/significance of local heritage assets, namely the Sands End Conservation Area. There would be no negligible impacts upon the views from the River Thames as a result of this development.
- 18.29 The scheme would provide active and animated frontages around the periphery of the site, adding to the experience of the public realm and local routes.
- 18.30 Consequently, the development is considered to accord with Policy DC3, Tall Building of the Local Plan and would not result in a disruptive or harmful impact upon the skyline.

Heritage and Townscape

- 18.31 **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.
- 18.32 It is key to the assessment of these applications that the decision-making process is based on the understanding of specific duties in relation to listed buildings and Conservation Areas required by the relevant legislation,

particularly the s.66 and s.72 duties of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the requirements set out in the NPPF.

- 18.33 **Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990** also provides that, in respect of development affecting conservation areas, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 18.34 **London Plan Policy HC1 (Heritage Conservation and Growth)** states 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 by integrating heritage considerations early on in the design process.
- 18.35 **Policy DC8 (Heritage and Conservation)** states that the council will conserve the significance of the Borough's historic environment by protecting, restoring, or enhancing its heritage assets, including the borough's conservation areas.
- 18.36 There are no listed buildings on site, but there are listed buildings in close proximity to the site, including Cremorne Bridge in RBKC (Grade II*); Langford School (Grade II); Former Townmead School, a building of merit within the Sands End Conservation Area and the façade of former substation on Townmead Road, a building of merit within the Sands End CA.
- 18.37 The site is located within the Sands End Conservation Area. Given the scale and massing of the proposed development, there is a need to consider wider impacts upon the setting, character and significance of surrounding Conservation Areas and heritage assets.
- 18.38 The character and significance of the Sands End Conservation Area is mainly drawn from its river frontage. At the point, the Conservation Area was designated in 1991, the site was populated by a variety of different uses and more modern developments which had replaced light industrial/warehouse developments; this pattern of development has continued since this time. The site of the proposal is now vacant following the demolition of Watermeadow Court and is enclosed predominantly by more modern developments.
- 18.39 As such, the redevelopment of the site is not considered to result in any harm to the character or appearance of the Sands End Conservation Area.
- 18.40 Furthermore the development, although visible within background views of Cremorne Bridge in RBKC (Grade II*); is not considered to result in any harm to the setting of this asset.

18.41 Langford School (Grade II); owing to intervening land use, the development would have limited visibility in background views from this asset and as such would not result in any harm to the setting of this asset.

18.42 Former Townmead School, is a building of merit within the Sands End Conservation Area, and the façade of former substation on Townmead Road, is a building of merit within the Sands End CA. The development would have limited visibility in background views from these asset and as such would not result in any harm to the setting of the assets.

Townscape

18.43 The application is supported by a Heritage, Townscape and Visual Impact Assessment Review which assesses the impact of the proposed development upon surrounding townscape views. A total of 9 views form part of this assessment. Officers agree with the outcomes of this assessment that the development would result in either neutral to beneficial impacts upon the wider townscape views of the proposal site.

Heritage and Townscape conclusion

18.44 Officers have assessed the impact of the proposal on the heritage assets and consider that it is compliant with 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 As such officers have considered the proposed development against the development plan and consider that the proposals would be in accordance Policies D3, D9 and HC1 of the London Plan, Policies D1, D2 D3 and D8 of the Local Plan and the NPPF.

19.0 Residential Amenity

19.1 **Policy D6 of the London Plan**, supported by the Mayor's Housing SPG, seeks to ensure a high quality housing scheme is delivered, which includes providing sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing, and maximising the useability of outside amenity space. **London Plan Policy D8** reiterates the importance of ensuring that tall buildings do not compromise the comfort and enjoyment of neighbouring residential properties and open spaces to new development

19.2 There are no specific policies about daylight, sunlight or overshadowing in the Local Plan. **Policy HO11 of the Local Plan** includes requirements for residential developments to avoid detrimental impacts on the amenities of residents in the surrounding area. The policy states the protection of existing residential amenities, including such issues such as loss of daylight, sunlight, privacy, and outlook. **Policy DC1 (Built Environment) and DC3 (Tall Buildings)** require development to be well designed and respect of the principles of good neighbourliness. **Policy DC2 (Design of New Build)** refers to impact generally and the principles of 'good neighbourliness'. **Key Principles HS6 and HS7** of the Planning Guidance SPD seek to protect the

existing amenities of neighbouring residential properties, in terms of outlook, light, and privacy.

- 19.3 The assessment carried out for the original permission was not considered to result in significant harm to the amenities of the nearest adjoining existing residential occupiers, in terms of daylight/sunlight, overshadowing, and overlooking/privacy (or noise or light pollution).
- 19.4. Officers have considered the impacts of the proposed changes to the development as a result of the increase in massing and height, in terms of the principles of good neighbourliness, upon existing occupiers and future occupiers of the development (and neighbouring developments). Officers have considered the impacts on the resulting levels of residential amenity in respect of the following matters:
- Daylight and Sunlight (within existing neighbouring residential accommodation and future potential residential accommodation).
 - Overshadowing of external spaces.
 - Overlooking and Privacy.
 - Noise or Light Pollution.

Daylight

- 19.5 An assessment has been carried out in accordance with the British Research Establishment (BRE) methods of assessing daylight to or within a room, utilizing the Vertical Sky Component (VSC) method and the plotting of the no-skyline method (NSL). The introduction to the guide stresses that the BRE guidelines 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.
- 19.6 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 converting it into a percentage. An unobstructed window will achieve a maximum level of 40%. A good level of daylight is considered to be 27%. Daylight will be affected if after a development the VSC is both less than 27% and less than 80% of its former value.
- 19.7 The plotting of the NSL measures the distribution of daylight within a room. The NSL indicates the area within a room where the sky cannot be seen through the window due to the presence of an obstructing building. For residential purposes, the point at which this is measured is 0.85m above floor level. This is approximately the height of a kitchen work surface. Daylight will be adversely affected if after the development the area receiving direct daylight is less than 80% of its former value.
- 19.8 The BRE document also refers in Appendix C (to other interior daylighting recommendations), in particular the British Standard for daylighting. This uses three main criteria, the Average Daylight Factor (ADF), the depth of the room

and the position of the no-skyline. Even if the amount of daylight in a room (given by the average daylight factor) is sufficient, the overall experience of daylight will be impaired if its distribution is poor.

- 19.9 It is considered that the most appropriate approach to the assessment of the impact upon daylight to existing dwellings is to consider different methods of assessing how well a room may be lit.

Sunlight

- 19.10 The Annual Probable Sunlight Hours (APSH) predicts the sunlight availability during the summer and winter for the main windows of each habitable room facing 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 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. Windows facing 90 degrees of due north need not be tested as they have no expectation of sunlight.
- 19.11 The introduction to the BRE 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. Guidelines should be applied sensitively to higher density development especially in opportunity areas, town centres, large sites, and accessible locations where BRE advice suggests considering the use of alternative targets.

Overshadowing

- 19.12 The BRE Guidelines recommend that at least half of a garden or amenity area should receive at least two hours of sunlight on March 21st.

Assessment

- 19.13 Daylight, sunlight and overshadowing impacts to neighbouring properties are assessed within Chapter 8 of the ES using the BRE guidelines. A standalone Internal Daylight and Sunlight Report is also submitted which considers levels of daylight, sunlight and overshadowing within the proposed residential buildings and amenity spaces of the proposed development itself.
- 19.14 The baseline assessment undertaken compares the existing cleared site, together with an additional baseline assessment centred upon the former buildings still in situ versus a completed proposed development. The scenario of a cleared site is uncommon for an inner-city location, and it is considered unrealistic to benchmark daylight and sunlight effects solely on this scenario. The assessment based upon the former buildings still in situ was also carried out in 2019 in respect to the existing planning permission and is therefore considered a more realistic and comparable alternative baseline. An additional assessment has been carried out for the current proposal, to compare the likely significant effects of the extant planning permission against the proposed development. This approach follows guidance and

recommendations set out in the BRE Guidelines, which states that a permitted development can be used to establish an alternative benchmark.

19.15 The assessment points out that the level of effect on the availability of daylight and sunlight to surrounding residential properties and overshadowing to the amenity areas would vary throughout the construction phases. This will depend on the level of obstruction at the time i.e. cranes and would steadily increase as the residential blocks are constructed. The effects are however considered to be short-term and therefore not significant.

19.16 VSC, NSL and APSH tests have been undertaken to assess the significance of any effect to the surrounding residential properties for the different situations. An additional ADF assessment has also been completed for the nearby consented scheme at Quayside Lodge which is currently under construction.

19.17 All relevant properties have been assessed. Where properties are not discussed below, they are considered to fully comply with BRE criteria and therefore no material loss of daylight or sunlight would occur. The following residential receptors are identified as sensitive in relation to daylight and sunlight and included within the assessment:

- 136-160 Townmead Road (evens).
- 145-155 Townmead Road (odds).
- 46-48 Glenrosa Street.
- 44 Glenrosa Street.
- 26 Byam Street.
- 1-12 Imperial Crescent.
- Arcadian House.
- Greensward House; and
- Quayside Lodge (consent).

19.18 The following external amenity areas have also been considered:

- Imperial Park
- Thames Path
- River Thames

Assessment (Baseline Conditions)

19.19 In terms of daylight, sunlight, and overshadowing levels for the current (cleared site) conditions, the basement assessment finds that 342 out of 487 windows (70%) have a baseline that is equal to or greater than the 27% recommended within the BRE guidance. In the case of the NSL criteria, 182 of the 198 rooms (92%) assessed have a daylight contribution to at least 80% of the total room area. With regard to sunlight, 159 (99%) of the 161 rooms assessed meet the BRE guidance for sunlight in terms of the Annual Probable Sunlight Hours (APSH).

19.20 As mentioned above, an additional baseline assessment based upon the pre-existing buildings still in situ has been completed. In this case, 62% of the windows benefit from a VSC of 27% or over, 91% of the rooms would meet the NSL 80% criteria and the Annual Probable Sunlight Hours (APSH) results show there is no change when assessed with the pre-existing buildings in place.

19.21 In terms of overshadowing, as the site is currently clear, the assessment states there would be no shadow cast on any of the amenity areas selected. In terms of the comparative assessment relating to the former pre-existing buildings, the results show that whilst some shadow is cast from the existing site on March 21st and December 21st, the buildings to the north and east prevent the shadow reaching the 3 amenity areas: Imperial Park, Thames Path, and the River Thames. On June 21st minimal shadow is cast from the site and the 3 amenity areas remain unaffected by shadow from the existing buildings. The baseline survey therefore indicates that for the majority of properties considered to be sensitive, adequate levels of daylight and sunlight are retained in line with the BRE guidelines.

Assessment (Proposed Development)

19.22 The potential daylight and sunlight effects of the proposed development have been assessed against the two baseline conditions for Vertical Sky Component (VSC), No Skyline (NSL) and Annual Probable Sunlight Hours (APSH).

Daylight

19.23 The baseline (cleared site) assessment results show 65% of the windows measured would meet the BRE daylight guideline criteria for VSC and 86% of the rooms assessed would meet the BRE criteria for NSL. The results for the pre-existing buildings assessment show that 70% of the windows assessed would meet the BRE Guideline criteria for VSC and 86% of the rooms assessed would meet the BRE criteria for NSL. The results therefore show a high percentage of full BRE compliance with both VSC and NSL upon the daylight of neighbouring properties when assessed against the baseline.

19.24 In contrast to the assessment carried out for the extant permission, the current appraisal identifies potential daylight and sunlight effects to occur principally at Nos.138-158 (evens) Townmead Road, 145 and 155 Townmead Road (odd) 48 Glenrosa Street/160 Townmead Road, Greenward House and 1,4-8 and 11 Imperial Crescent.

19.25 The results provided indicate a moderate adverse effect to 146 Townmead Road, a minor to moderate effect to 144, 148-154 and 158 Townmead Road, 48 Glenrosa Street/160 Townmead Road and 7 Imperial Crescent, with the rest of the properties listed identifying only a minor adverse (not significant) change. Although the impacts are greater than the suggested BRE target, the retained values are still considered to remain high for the urban context. The results for each of the properties are summarised in more detail below. For the purpose of this report, officers have summarised the impacts of the properties associated with either a moderate or minor to moderate effect.

- 19.26 146 Townmead Road: The results show all seven windows assessed would deviate from the BRE guidelines. It should be noted that these windows serve rooms with multiple windows i.e. 2 x three paned bay windows. In spite of this, 6 of the 7 windows would retain a VSC value of between 14.06% and 19.70%, following construction of the proposed development. This would therefore meet the alternative target criteria. The remaining window would retain a VSC value of 11.66%. In terms of the NSL the 2 rooms assessed would retain a daylight distribution level of 58%, which could be considered adequate within an urban location.
- 19.27 144 Townmead Road: The results show that all seven windows assessed would deviate from the BRE guidelines. However, 5 of the 7 windows would retain a VSC value of between 16.36% and 23.03%, following construction of the proposed development. This would therefore meet the alternative target criteria. The remaining window would retain a VSC value of 10.95% and 13.50%. In terms of the NSL 1 of the 2 rooms assessed would meet the BRE guidelines with the remaining room demonstrating a moderate alteration to the existing condition.
- 19.28 148 Townmead Road: The assessment shows reductions to the existing VSC values with 7 of the 10 windows demonstrating alterations over 40%. However, when compared to the pre-existing buildings, 1 of the 10 windows assessed would be fully compliant with the BRE Guidelines. Of the remaining 9 windows, 2 windows would demonstrate minor alterations from the existing condition, 2 windows would demonstrate a moderate alteration and 5 windows would demonstrate major alterations of over 40%. Following construction of the proposed development, 9 of the 10 windows would retain a VSC value of between 13.66% and 26.36%. This would therefore meet the alternative target criteria. The remaining window would retain a VSC value of 12.61%. The NSL results show that 3 of the 5 rooms assessed would be fully compliant with the BRE Guidelines. Of the 2 remaining rooms, 1 room would demonstrate a minor alteration from the existing condition and 1 room would demonstrate a moderate alteration. Both rooms would however retain a daylight distribution level of over 62%, which could be considered adequate within an urban location.
- 19.29 154 Townmead Road: The assessment shows reductions to the existing VSC values with 6 of the 7 windows demonstrating alterations over 40%. However, all windows would retain a VSC value of between 14.15% and 21.68%, following construction of the proposed development. This would therefore meet the alternative target criteria. The NSL results show that 1 of the 2 room would demonstrate a major alteration of over 40%. However, 1 room would retain a daylight distribution level of 67%, which could be considered appropriate within an urban location.
- 19.30 158 Townmead Road: The assessment shows reductions to the existing VSC values with 5 of the 7 windows demonstrating alterations over 40%. However, when compared to the pre-existing buildings, only 2 windows would demonstrate major alterations of over 40%. Following construction of the

proposed development, all windows would retain a VSC value of between 13.10% and 22.84%. This would therefore meet the alternative target criteria. The NSL results show that the 2 rooms assessed would deviate from the BRE Guidelines but 1 room would retain a daylight distribution level of over 56%, which is considered adequate within an urban location.

- 19.31 48 Glenrosa Street/160 Townmead Road: The assessment shows reductions to the existing VSC values with 9 of the 16 windows demonstrating alterations over 40%. Following construction of the proposed development, with the exception of 1 window, all the rest would retain a VSC value of between 14.79% and 23.01%. This would therefore meet the alternative target criteria. The remaining window would retain a VSC value of 12.40%. The NSL results show that 2 of the 4 rooms assessed would be fully compliant with the BRE Guidelines. Of the 2 remaining rooms, both would retain a daylight distribution level of over 53%, which is considered adequate within an urban location.
- 19.32 7 Imperial Crescent: The results of the VSC assessment show that 4 of the 15 windows assessed would be fully compliant with the BRE Guidelines. Of the remaining 11 windows and compared to the pre-existing buildings, 5 windows would demonstrate minor alterations from the existing condition and 6 windows would demonstrate moderate alterations. Following construction of the proposed development, 9 of the 11 windows would retain a VSC value of between 20.95% and 26.98%. This would therefore meet the alternative target criteria. The remaining 2 windows would retain VSC values of between 9.00% and 11.77%. The NSL results show that 3 of the 5 rooms assessed would meet the BRE Guidelines. Of the remaining 2 rooms, 1 of the rooms retaining a daylight distribution level of 69%, which is considered adequate within an urban location.

Sunlight

- 19.33 The results also show that over 90% of the windows assessed would meet the BRE Guideline criteria for both winter and total APSH. Nos. 1, 5, 6, 7, 8, 9 and 12 Imperial Crescent and 140, 142, 144, 146, 148 and 150 Townmead Road are now expected to experience a negligible effect (not significant), compared with the minor adverse effects reported upon in the ES for the Planning Permission. The remaining properties, 145, 147, 149, 152, 154, 156, 158, 48 Glenrosa Street, 1 Imperial Crescent and Arcadian House would retain reasonable levels of sunlight.

Overshadowing

- 19.34 The assessment demonstrates there will be an increase in overshadowing from the proposed development throughout the day. However, the 3 amenity areas would not be affected for most of the day on 21 March / 21 June / and 31 December .

Quayside Lodge

- 19.35 The impact of the proposed development on Quayside Lodge (currently under construction) and the cumulative impact of both developments has been taken into consideration. In response to the comments received, the Applicant has confirmed that Quayside Lodge has been considered as a sensitive receptor

and the results in the assessment demonstrates that the daylight and sunlight effects from the proposed development would be minor adverse (not significant). The Applicant also confirms that the daylight and sunlight assessment of Quayside Lodge has been based upon the drawings submitted for the approved non-material amendment (Ref: 2021/01613/NMAT).

- 19.36 The results of the VSC assessment show that 119 of the 125 windows assessed would be fully compliant with the BRE Guidelines. The NSL results show that all rooms assessed would meet the BRE Guidelines. The results of the APSH assessment also show that all rooms assessed would be fully compliant with the BRE Guidelines.
- 19.37 In terms of the cumulative as built the assessment considers there will be no materially greater alteration to the overall daylight and sunlight results. In terms of the cumulative effect on overshadowing there would be an increase, but the assessment explains this would be due to Quayside Lodge only.
- 19.38 A separate Internal Daylight, Sunlight and Overshadowing Assessment has been completed to evaluate the quality of the proposed development based on the habitable room layout of the scheme. The assessment sets out that the extant permission demonstrated that 82% of the rooms assessed would be fully compliant with BRE Guidelines/target values in daylight terms. The current assessment show that 82% would be fully compliant with BRE guidelines/target values for Average Daylight Factor (ADF). Of the remaining rooms, the overall daylight levels for future occupants would still be considered very good. The overall daylight levels of the proposed development is therefore considered comparable to the planning consent. .In relation to sunlight, all external façades are shown to have a good level of sunlight particularly those rooms located due south although lower levels would be seen within the lower levels of the blocks facing the courtyard would reduce yet achieve sunlight values that are comparable to the extant planning permission. In terms of overshadowing the results that none of the main ground floor courtyard would receive 2 hours of direct sunlight on March 21st. This is to be expected for a courtyard type design and expected for a development of this scale. The June 21st results show that 59% of the courtyard would receive over 2 hours of direct sunlight which is comparable with the extant permission.

Conclusion

- 19.39 Overall the updated assessment is considered not to reveal any significant material worsening of the previously approved conditions and therefore the development still represents a good level of performance for an urban development set within a close knit built environment. Where the proposed development results in transgressions beyond the criteria set out in the BRE Guidelines, it is considered these are generally limited to minor to moderate adverse effects with very few rooms serving neighbouring properties being subject to major adverse effects. The overshadowing analysis included in the ES demonstrates that the proposed development would not result in overshadowing for the majority of the year. Some modest additional overshadowing would occur later in the day during the winter months due to

the sun being lower in the sky. The extent of shadow would, however, overlap with properties along Imperial Crescent.

- 19.40 The overall effects to this on neighbouring buildings and amenity spaces do not materially alter from the extant planning permission and the significance effects remain similar to those reported within the previous 2017 ES.

Privacy, Overlooking, and Sense of Enclosure

- 19.41 In terms of privacy, the proposed development will have a similar impact to the previous planning permission. The proposed development is on a similar footprint and is therefore no closer to neighbouring properties. In terms of the increase in height and massing of the building, a good separation is still maintained and would result in no material change in terms of overlooking or outlook in comparison with the previously approved development. Will there is somewhat limited separation distance between Block B and C, a degree of mutual overlooking is expected in high density developments and would not be unusual in an urban context. The layout of the units and window placement in Block B and C have been designed so as to mitigate the level of overlooking and to create an adequate level of privacy within the development.

Noise and Disturbance

- 19.42 **London Plan Policy D14 (Noise)** sets out measures to reduce, manage and mitigate noise to improve health and quality of life.
- 19.43 **Local Plan Policy CC11 (Noise)** advises that noise and vibration impacts will be controlled by locating noise sensitive development in appropriate locations and protected against existing and proposed sources of noise through design, layout, and materials. Noise generating development will not be permitted if it would materially increase the noise experienced by occupants/users of existing or proposed noise sensitive areas in the vicinity.
- 19.44 The conditions imposed on the original permission would ensure that this policy can be broadly complied with, without fundamentally changing the permission. There would be no additional considerations arising as a result of the amendments proposed by this application.

Light Pollution

- 19.45 **Local Plan Policy CC12 (Light Pollution)** seeks to control the adverse impacts of lighting arrangements including that from signage and other sources of illumination.
- 19.46 The existing vacant site will be replaced with a residential development. A condition would ensuring that vertical external illumination of neighbouring premises from all external artificial lighting relating to the development shall be in accordance with the recommendations of the Institution of Lighting Professionals in the 'Guidance Note 01/21 for the reduction of obtrusive light 2021'.

19.47 As such officers consider that the proposal accords with the requirements of Policies CC12 of the Local Plan 2018.

20.0 Transport & Highways

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

20.2 In determining this application, consideration has been given to the requirements of **Policies GG2, GG3, T1, T2, T4, T5, T6, T6.1 and T7 of the London Plan**, as well as the Healthy Streets for London strategy, published by TfL in 2017, in assessing the effects on the local highway network along with the proposed car parking, cycling parking and servicing requirements. London Plan Policy T6 and T6.1 state that proposals should encourage the reduction in the need to travel, especially by car.

20.3 **Policies T1, T2, T3, T4, T5 and T7 of the Local Plan** which relate to traffic impact/transport assessments, car parking standards, cycle parking, encouraging walking have been considered. **Policy CC7** sets out the requirements for all new developments to provide suitable facilities for the management of waste. **Planning SPD (2018) Key Principles WM1, WM2, WM7 and WM11** are also applicable which seek off-street servicing for all new developments.

20.4 Chapter 7 (Transport and Access) of the 2017 ES dealt with transport. The consented planning application was also supported by a Transport Assessment (TA) and Travel Plan (TP) with a separate Delivery / Servicing and Refuse Plan. A Transport Assessment Addendum has been submitted in connection with the proposed development, which assesses the impact on trip generation, car and cycle parking, access arrangements, delivery, and servicing. As with the consented scheme, a delivery and servicing plan, a residential travel plan and a construction logistics plan have also been submitted. The construction logistics plan takes into account updated design changes and construction methodology associated with the latest design approach. The TA has been reviewed by the Council's Transport and Highways Officer who raises no objections to the proposals.

Site Access

20.5 Vehicle access and egress to the site was provided via Charlow Close, on the east side of Townmead Road. The site is enclosed with temporary hoardings. Townmead Road operates as a main distributor road. Comprises a single lane two-way carriageway that runs in a north to south alignment, connecting the site to Wandsworth Bridge Road (A217) to the south via a signalised junction, and Imperial Road and Harbour Avenue via three roundabout junctions to the north. There is a zebra crossing facility, comprising a refuge island and zig-zag markings, situated outside the site on Townmead Road, 10-metres north

of the junction Watermeadow Lane. Highway works to both Townmead Road, Potters Road and Watermeadow Lane would be carried out under S278 works.

- 20.6 The former Charlow Close site entry point would be reinstated as footway. The vehicle access arrangement for the development from Potter's Road would be retained. Vehicle access to the basement car parking layout will however be provided via a 1 in 6 ramp, with 3.0-metre transitions of 1 in 12 (in place of the originally approved car lift). Entry to the basement car park would be controlled by a signal control system.
- 20.7 Three separate accessible main pedestrian entry points are provided in the proposed development. Main entrance to Blocks A and B would be located on Townmead Road. The entrance to Block C would be on Potters Road and a concierge entrance between Blocks B and C would be provided on Watermeadow Lane.

Trip Generation

- 20.8 The site has a Public Transport Accessibility Level (PTAL) of 4, measured from the middle of the site. This represents a 'Good' level of accessibility to public transport services. The site lies approximately 450m from Imperial Wharf station, which provides London Overground services as well as Southern Mainline train services. London Bus routes for the C3 and 306 run past the site on Townmead Road on a frequent basis, with bus stops close to the site. Additional bus routes are provided approximately 500m from the site on Wandsworth Bridge Road
- 20.9 An updated trip generation assessment is provided in the Transport Assessment Addendum. Indicates there would be a negligible net increase in the number of vehicle movements associated with the proposed development. The transport assessment for the original permission indicated the development would have generated in the order of 1,024 two-way person movements over the course of a typical weekday, including 118 and 107 during the weekday AM (08:00 – 09:00) and PM (17:00 – 18:00) peak hour periods, respectively. In comparison, the proposed development would generate in the order of 1,222 person movements over the course of a typical weekday, including 165 and 63 during the AM (08:00 – 09:00) and PM (17:00 – 18:00) peak hour periods, respectively. In comparison, the proposed development would generate only a negligible increase in movements over the course of a typical weekday. It is estimated that the majority of the movements would be undertaken by public transport services, as well as the 'active' modes of walking and cycling.
- 20.10 With the reduction in the size of the basement and a reduced number of parking spaces, it is anticipated that the number of vehicle movements associated with the development will be less. Aside from servicing, most of the vehicular trips to the site associated with the development are likely to be by taxi (and private hire vehicle trips). An estimated 21 (AM) and 9 (PM) trips would be undertaken by private car. It is therefore considered that compared to the consented scheme there are no residual cumulative impacts in terms of

highway safety or the operational capacity of the surrounding transport network.

- 20.11 The Council's highways officer has considered the impacts of the proposed development in respect of trip generation alongside the submitted Transport Assessment and addendum and raises no objection to the proposals subject to conditions being secured.

Car Parking

- 20.12 The size of the basement car park was reduced under the non-material amendment permission and comprises no. 13 disabled persons parking spaces. This amendment has been carried through to the current S73 planning application. The 2019 permission included a significantly greater number of car parking spaces (no. 63 in total) with 8 disabled persons parking spaces. In comparison, the basement provides solely disabled persons parking spaces and signifies an increase in the disabled persons parking provision on site, with an additional no. 5 parking bays (63% uplift).
- 20.13 With the exception of disabled persons car parking spaces, the proposed development is a car-free scheme. This is in line with London Plan Policy T6 which aims to encourage future households to adopt sustainable travel patterns. Policy T6.1 (Residential parking) requires at least 20 per cent of parking spaces be designed as active charging facilities, with passive provision for all remaining spaces. Three parking spaces provided would have electric charging facilities and these spaces would be secured by condition. All 13 car parking spaces would be secured for disabled persons parking and for the affordable housing provision. This would be secured in the S106 Agreement.
- 20.14 The proposal accords with London Plan Policy T6 (criteria G). This policy states disabled persons parking should be provided for new residential developments. As a minimum, the development should ensure that for 3% of dwellings, at least one designated disabled persons parking bay/per dwelling is available from the outset, with a Parking Design and Management Plan taking into account how an additional 7% of dwellings could be provided with one designated disabled persons parking space per dwelling in future upon request, should the existing provision is insufficient. The 13 disabled persons spaces equate to 5% of the proposed 266 residential units. An additional 13 disabled persons parking bays (equivalent to 4% of residential units) have been identified off-site (i.e. on-street) if required. In the first instance, future households requiring a disabled persons parking space can park on street within an existing permit holder or pay & display space near to the site, exclusive of any controls, without this leading to the loss of existing parking provision. Only in the event that the demand for on-street parking exceeds available supply, and a future household has a valid medical reason for a designated disabled parking bay will consideration then be given to creating a designated disabled person parking spaces on-street. Therefore, the conversion of pay & display / permit holder spaces would only be necessary as a last resort and if a medically need arises for a change to a marked out disabled persons parking bays.

- 20.15 On-street parking bays available for permit holders (Zone Z) as well as pay / display users are situated on the western side of Townmead Road. Single yellow line waiting restrictions are in place between 08:00 – 18:30, Monday to Saturday along the eastern side of Townmead Road. Carriageway cycle lanes are present on either side of Townmead Road. Watermeadow Lane lies alongside the southern frontage of the site and comprises a single lane two-way carriageway that runs east to west, and facilitates access to a number of commercial, leisure and residential properties situated along William Morris Way. On-street parking bays available for permit holders (Zone Z), a Zipcar car club vehicle, electric vehicle recharging points (EVCPs) and pay / display users are present on either side of Watermeadow Lane. Potters Road lies on the eastern boundary and forms a cul-de-sac, also facilitating access Quayside Lodge, off the western side of the carriageway. On-street parking bays are also available for permit holders (Zone Z) as well as pay / display users. It is noted that within the surrounding streets, including Townmead Road, Watermeadow Lane, Potters Road and William Morris Way, blue badge holders can legally park for up to three hours on yellow lines if this does not cause an obstruction or break a loading restriction.
- 20.16 A parking 'stress' survey was undertaken during the night-time period over 2 consecutive days (November 2021) based on the 'Lambeth Methodology' guidance, where parking 'stress' is defined "as the number of vehicles parked on-street or in an area in relation to the amount of parking that is available. In total 493 vehicles were observed within a 300-metre study area. When taking into account all areas where cars can legally park overnight, the study area had an average parking stress of 58% and 364 spare spaces were observed. The sections of highway within the immediate vicinity of the site were subject to a low level of parking stress. Most notably, there was very few parked vehicles observed along Potters Road and Watermeadow Lane, generating an average parking stress of 0% and 6.5%, and a total of 26 and 21 spare parking spaces observed, respectively. The results of the parking surveys demonstrate that any future demand for blue badge parking generated by the development could be accommodated in Potters Road and Watermeadow Lane without causing parking stress in the vicinity of the site.
- 20.17 The s106 agreement would restrict future residents from obtaining local car parking permits except for blue badge holders. Details of a car parking design and management plan would also be secured by planning obligations in the S106 Agreement. The plan would include details of how off-street spaces are allocated, how access to the off-street spaces is controlled, a periodic monitoring/review system of blue badge parking and EVCP demand, and an obligation to meet the cost of any additional blue badge and EVCP demand generated on-street (up to London Plan policy requirement). Together with amendments to condition 7 and 8 the obligations will reflect the proposed on-site disabled persons parking arrangements and provide the Council with the opportunity to secure details and the future provision of on-street disabled parking bays if required.

Cycle Parking

- 20.18 **London Plan policy T5, and Local Plan Policy T2** seeks to develop and promote a safe environment for cyclists across the borough to encourage residents and businesses to consider these modes. **Policy T3** seeks to increase and promote opportunities for cycling through the provision of convenient, accessible, and safe secure cycle parking within the boundary of the site. Appendix 8 of the Local Plan seek to ensure that satisfactory cycle parking is provided for all developments.
- 20.19 The cycle parking provision for the development has been revised to reflect both the increase in residential unit numbers and the standards within the adopted London Plan (March 2021). The cycle parking provision in the original approved scheme is 325 cycle spaces.
- 20.20 The cycle parking provision in the original approved scheme is 325 cycle spaces. Based on the requirements under Policy T5 of the London Plan, an additional 64 long-stay cycle parking spaces are required to ensure compliance with the minimum standards. In total 389 long-stay cycle parking spaces (54 for Block A, 126 for Block B, and 210 for Block C) together with 7 short-stay cycle parking spaces would be required to ensure compliance with Policy T5 of The New London Plan.
- 20.21 A total of 390 long stay cycle spaces are provided. This includes 54 spaces (including 4 oversized spaces) for Block A, 102 spaces (including 4 oversized spaces) for Block B and 234 spaces for Block C (including 12 oversized spaces). The spaces would be located in secure residential cycle stores at ground floor and basement levels. Block A and B cycle storage would be accessed via a secure lobby fronting Townmead Road or the central courtyard and Block C in the basement car park. A large proportion of the total cycle parking provision would comprise 2-tier stackers, with standard 'Sheffield' stands used to accommodate larger cycles and visitors, in accordance with the principles set out in the London Cycling Design Standards (LCDS) regarding accessibility and security. An additional 4 'Sheffield' stands (equivalent to 7 spaces) seek to meet short stay residential cycle parking requirements and would be positioned adjacent to the entrances of Blocks A / B and C. Details of the final cycle parking provision and how facilities would be managed as proposed are to be secured by condition.

Residential Travel Plan

- 20.22 The Applicant is committed to implementing a Travel Plan, in order to actively encourage both residents and visitors of the proposed development to use non-car modes of travel and ensure the sustainability of the development. The objectives of the Travel Plan are to ensure that the development does not impact on the safety or amenity of adjacent residents or employees of businesses near the development
- 20.23 An updated Residential Travel Plan (RTP) is provided. The travel plan sets out a long-term strategy to encourage future households and visitors to reduce their dependency on travelling by single occupancy vehicles (SOVs) in favour of the more sustainable 'active' modes such as walking and cycling as

their primary means of transport. The site benefits from a good level of transport accessibility, being accessible on-foot and by cycle to public transport services operating from Townmead Road, Wandsworth Bridge Road and Imperial Wharf rail / London Overground station. The Travel plan sets out that a Travel Plan Coordinator (TPC) would be appointed by the developer prior to occupation of the development. Aim would be to promote the use of sustainable transport for travel to and from the development and be used in developing marketing literature with regular updates on travel information provided to residents and commercial occupiers over the lifetime of the Travel Plan to ensure residents and employees are aware of the latest local transport routes, timetables etc The monitoring of the RTP would be undertaken in years 1, 3 and 5 and would be carried out in consultation with the Council. The Council's highways officer is satisfied with the document and recommends that the Travel Plan be secured by condition and monitoring, and review be secured through the S106 agreement.

Delivery/Servicing and Refuse

- 20.24 Local Plan Policy CC7 seeks for all developments to have suitable facilities for the management of waste generated by the development. Key Principle TR27 of the Planning Guidance SPD seeks off-street servicing for all new developments.
- 20.25 A Delivery and Servicing Plan (DSP) has been prepared with the application in order to minimise the potential impact of delivery and servicing activity including waste and recycling collections on the local highway network and to ensure the amenity of local businesses and residents is maintained. The DSP details the locations from where servicing and deliveries will take place; the anticipated number of deliveries and service vehicles over the course of a typical weekday; as well as information on how refuse / recycling activity will be managed on-site, using best practice guidelines.
- 20.26 All delivery and servicing activity for the proposed development would take place on-street, through utilising permit holder / pay & display bays and single yellow line restrictions along Townmead Road, Watermeadow Lane and Potters Road. A dedicated loading bay will be located on the east side of Potters Road as part of the Quayside Lodge development but would only be used to accommodate delivery / servicing activity in association with Quayside Lodge development.
- 20.27 In terms of waste refuse and recycling, the applicant has provided details required for suitable facilities for storage and collection of segregated waste. Dedicated integral refuse and recycling stores would form part of the design of the proposed development and have been sized to ensure the waste generated by the additional homes proposed are accommodated. A total of 7 x 1,110 litre euro bins and 33 x 1,280 litre euro bins for residual and recyclable waste would be provided. This includes 7 x 1,110 litre euro bins for Block A, 13 x 1,280 litre euro bins for Block B and 20 x 1,280 litre euro bins for Block C. The refuse stores are located so to minimise carry distances and servicing time for waste operatives and would be located within the requisite carry / pull distances. The refuse stores for Blocks A and B will be located at

ground floor level and collected directly from the kerb on collection day. This will require alterations to the existing zig-zag road markings on Townmead Road which would be captured under S278 works. Two refuse stores serving Block C will be located at basement level. On collection day, an on-site management team will move the bins from the basement to a temporary holding point at ground level off Potters Road for collection. A swept path analysis has been provided which demonstrates that a fire tender vehicle and large trucks can pass parked vehicles. Final details of the delivery/servicing and refuse arrangements would be secured by condition.

- 20.28 After reviewing the Servicing and Delivery Plan, officers are satisfied that the adequate delivery and servicing arrangements would be in place on the site to minimise the development's impacts on the safety and capacity of the local highway network, in accordance with national, regional, and local planning policies and best practice guidance. A final Delivery and Servicing Plan and Waste Management Plan would be secured by conditions.

Construction Works

- 20.29 An Outline Construction Logistics Plan (CLP) has been submitted in accordance with Policy T7 of the Local Plan. Final documents including works associated with the demolition phase would be required to include updated construction vehicle routing, updated construction vehicle numbers, and other matters relating to traffic management to be agreed. The document at this stage identifies the construction phase is expected to be completed in approximately 3 years. Indicative construction vehicle movements including routing have been provided. The maximum number of construction vehicle trips would be during the basement excavation and piling phase of the construction programme. This phase would require a maximum of 1,200 construction vehicle trips per month, which would equate to a maximum of 50 trips per week. To minimise the likelihood of congestion during the construction period in conjunction with works on the adjoining site (Quayside Lodge), strict monitoring and control of vehicles entering and exiting, and routing and travelling to and from the site, would need to be implemented through the CLP. Construction deliveries would also need to be carefully planned with delivery times agreed with each contractor in order to regulate deliveries and eliminate bottle necks on surrounding roads. At this early stage, the information has yet to be fully finalised, and the documents need to be developed. Further details including the temporary redirection of pedestrians along Townmead Road to the opposite footway, temporary suspension of parking bays on Watermeadow Lane and Potters Road in order for loading and unloading of materials, and no parking provision for construction staff or operatives will need to be included. Officers consider this information needs to be provided in compliance with TfL guidelines. The documents would need to be developed to be in accordance with Transport for London (TfL) requirements, which seeks to minimise the impact of construction traffic on nearby roads and restrict construction trips to off peak hours only. These would be secured by condition.

- 20.30 Subject to the submission of the required documents by condition or obligation and the mitigation to the impacts of the development required by

way of a legal agreement, officers consider that the proposed development would be acceptable and in accordance with London Plan Policies T5, T6.1 and Local Plan policies T3, T4, T5, T7 and CC7.

- 20.31 Transport impacts arising from the development would be mitigated by conditions (as per the previous scheme) and S106 obligations. A car park management, servicing, road safety and travel planning initiatives would be implemented in and around the site to mitigate against potential issues.
- 20.32 Highway works were secured as part of the extant permission for S278 works. Proposed alterations to the public highway such as re-instating kerbs along Townmead Road, Watermeadow Lan and Potters Road would be completed under a s278 agreement. As part of the works, it is proposed that Charlow Close is e stopped up and footway reinstated along Townmead Road. In addition new vehicular accesses are to be provided to the development from Potters Road with the existing dropped kerbs along Potters Road reinstated as full height kerbs. Finally a new sub-station dropped kerb access is to be provided at the end of the development from Potters Road.
- 20.33 In summary, the Council's Highway officers consider that traffic impact is not harmful in the planning balance and further the proposal provides a new pedestrian link across the site. The proposal is therefore considered to accord with Policies T1, T2, T3, T5, T6 and T6.1 of the London Plan 2021 and Policies CC6, CC7, T1, T2, T3, T4 and T5 of the Local Plan 2018.

ENVIRONMENTAL CONSIDERATIONS

21.0 Air Quality

- 21.1 **NPPF Paragraph 124** relates to air quality, and states planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan.
- 21.2 **Policy SI 1 of the London Plan**, supported by the Mayor's Control of Dust and Emissions during Construction and Demolition SPG (July 2014), provides strategic policy guidance on avoiding a further deterioration of existing poor air quality. All developments will be expected to achieve Air Quality Neutral status with larger scale development proposals subject to EIA encouraged to achieve an air quality positive approach.
- 21.3 **Policy CC10 of the Local Plan**, states that the Council will seek to reduce the potential adverse air quality impacts of new developments through a range of policy measures.
- 21.4 The site is located within the borough wide Air Quality Management Area (AQMA) for two pollutants - Nitrogen Dioxide (NO2) and Particulate Matter (PM10).
- 21.5 Chapter 7 (Air Quality) of the ES assesses the likely effects of the proposed development on local air quality during the construction and operational

phases and its subsequent effect on sensitive receptors. The main effects are likely to take place during construction phase, related to dust deposition and emissions from construction vehicles and machinery on the site. During construction, a CEMP will be implemented (secured by planning condition), which will include best practice measures for controlling dust and emissions. Activity specific mitigation measures will also be implemented during the construction and operational phases.

- 21.6 A number of conditions are attached to the extant planning permission for various air quality control measures in relation to both construction and operational phases of the proposal.
- 21.7 The Council's air quality officer has reviewed the supporting information and requested revised and additional conditions in light of update policy and guidance considerations. A ventilation strategy, low emissions, delivery and servicing plan and Zero Emissions Heating (Air Source Heat Pump) compliance would be secured by conditions to ensure compliance with Policy CC10 of the Local Plan. Subject to these conditions, the proposal would accord with Policy CC10 of the Local Plan and Policy SI 1 of the London Plan.

22.0 Energy and Sustainability

- 22.1 **London Plan Policies SI 2, SI 3, SI 4** require development proposals should minimise carbon dioxide emissions and exhibit the highest standards of sustainable design and construction, they should provide on-site renewable energy generation and boroughs should seek to create decentralised energy network.
- 22.2 **Policies SI 2 and SI 3** set out how new development should be sustainable and energy saving. **Policy SI 2** of the London Plan sets out achieve a minimum 35% on-site reduction in CO2 emissions over Approved Document Part L (AD L) 2013, for all major developments and achieve zero carbon homes standard in full and, where this cannot be achieved on site, a commitment to offset the shortfall in CO2 emission through a carbon offset payment. **Policy SI 3** states that within Heat Network Priority Areas, which includes the site, major development proposals should have communal low-temperature heating systems in accordance with the following hierarchy:
- a. Connect to local existing or planned heat networks
 - b. Use zero-emission or local secondary heat sources (in conjunction with heat pump, if required)
 - c. Use low-emission combined heat and power (CHP) (only where there is a case for CHP to enable the delivery of an area-wide heat network, meet the development's electricity demand and provide demand response to the local electricity network)
 - d. Use ultra-low NOx gas boilers.
- 22.3 **Policy SI 4** requires development proposals to minimise adverse impacts on the urban heat island through design, layout, orientation, materials, and the incorporation of green infrastructure. This should be demonstrated by

following the cooling hierarchy along with an assessment using The Chartered Institution of Building Services Engineers (CIBSE) guidance on assessing and mitigating overheating risk in new developments, using TM59 and TM52 for domestic and non-domestic developments, respectively.

- 22.4 **Local Plan Policy CC1 (Reducing Carbon Dioxide Emissions)** requires all major developments to implement energy conservation measures with a view to reducing carbon dioxide emissions. The policy, however, refers to the previous version of the London Plan and as such has been partly superseded by the more up to date requirements contained in the new London Plan. **Local Plan Policy CC2 (Sustainable Design and Construction)** seeks to ensure the implementation of sustainable design and construction measures by implementing the London Plan sustainable design and construction policies.

Energy

- 22.5 As required, an Energy statement has been provided with the amended application. An updated Overheating Assessment has also been submitted. The recommendations of the Overheating Assessment have subsequently informed the building design and sought to strike a balance with competing issues, such as noise attenuation.
- 22.6 The required 35% emissions reduction from on-site efficiency and renewable/LZC technologies was not achieved by the strategy proposed within the original planning. The current proposed development has been updated to reduce energy demand in line with the 2021 London Plan requirements. The thermal performance of the building envelope has been maximised with a strong focus placed on optimising the glazed façade, use of balconies as shading, and the optimisation of U-values (improving the thermal performance of the building fabric elements exposed to outside). In addition, energy use is efficient due to the incorporation of features in the building services systems.
- 22.7 In 2019, the proposals would have achieved a 21% reduction in carbon dioxide emissions, compared to a 2013 Building Regulations baseline, which fell short of the on-site zero carbon target within the former London Plan. A carbon off-set payment was set at £363,600 secured through the S106 Agreement to account for the carbon savings shortfall compared to the zero carbon target. Since the grant of the original permission, there has been a change in policy direction in the London Plan, placing greater emphasis on the use of integrate energy efficiency measures and low/zero emission technologies such as Air Source Heat Pumps (ASHP) and solar PV panels. As opposed to consented gas boiler communal system (a Combined Heat and Power system - CHP), the proposed development seeks to remove a significant amount of CO₂ emissions from a scheme. A communal air-source heat-pump driven heat network for the residential dwellings, together with the use of solar panels on the roof areas is now the proposed strategy, providing additional energy generation and CO₂ emissions offset.

- 22.8 The Energy Statement sets out a 21% improvement in the Building Regulations Part L (2013) Target Emission Rate at the Be Lean stage of the Energy Hierarchy. This exceeds the 10% minimum requirement within the London Plan. In line with the latest GLA Energy Planning Guidance, the incorporation of the proposed air-source heat-pump driven heat network in place of a CHP system and Fan Coil Units (FCU's) would provide heating and cooling in the apartments. The air source heat pumps would also generate hot water for the whole development. A direct electric boiler will also be provided to support the heat pump system. For the purpose of the energy strategy and associated Carbon Offset Payment, the energy has been proportioned based on a 95% ASHP / 5% Direct Electric split. Furthermore an array of PV panels across the three blocks is proposed to provide renewable energy. The approach is welcomed and included in the Be Clean calculation stage for the residential elements of the scheme. This stage of the energy hierarchy records a further 42% improvement in CO2 emissions.
- 22.9 In terms of 'Be Green' The feasibility of a range of renewable energy technologies has been reviewed for use including wind turbines, biomass, ground-source, solar thermal and solar photovoltaic (PV). However, the nature of development preclude the use of many renewable energy technologies. Photovoltaic panels in the form of 85 panels are proposed on roof areas, based on a 365W panel (1m x 1.7m in size) distributed across the three blocks. The proposed panels, totalling 31.025kWp output, would generate an estimated 26,793.65 kWh per annum. The PV provision incorporated in the Be Green stage of the energy hierarchy and provides a further 2% reduction in CO2 emissions over the Building Regulations 2013 baseline TER. This exceeds the minimum on-site savings required of the London Plan. The proposed strategy would therefore result in a total site wide CO2 saving of 63% over the Building Regulations Part L (2013) Target Emissions Rate.
- 22.10 The new London Plan has introduced a fourth stage to the energy hierarchy 'Be Seen'. This stage requires monitoring and reporting of operational energy performance of major developments for a period no less than five years. The sustainability statement sets out that energy display devices will be provided to all the dwellings and separate metering will be provided and generation and export metering will be put in place for the photovoltaic panels. Submission of the annual monitoring reports for the period will be secured by way of a condition.
- 22.11 Overall, following the implementation of 'Be Lean, Be Clean and Be Green' measures across the development, the proposal is calculated to achieve a CO2 reduction of 63%. However, as this is a major scheme, a payment in lieu is required to meet net zero carbon target. Policy SI 2 requires a cash in lieu contribution to the borough's carbon offsetting fund where zero carbon cannot be achieved on site, to be ring fenced to secure delivery of carbon dioxide savings elsewhere. This offset would amount to 2,665.90 tonnes of CO2 over the 30 year assessment period. The Energy Strategy proposes a payment of £266,555. This would be secured via the S106 Agreement.

Sustainability

- 22.12 A Sustainability Statement has been provided. Environmental changes in the design has been estimated carbon savings reducing the size of the basement and construction. This equated to a reduction of 61% from the previously consented scheme. Similarly there are savings in other sustainable design and construction measures and in terms of the reduced number of car parking spaces, increased number of cycle parking spaces and the replacement of the car lifts with a basement access ramp.
- 22.13 Sustainable transport measures encourage walking, cycling and public transport to reduce congestion and pollution and sustainable materials will be sourced to reduce their environmental impacts. Waste reduction and recycling facilities will be integrated; water efficiency measures are proposed through the inclusion of water efficient fixtures and fittings; flood risk management and sustainable drainage measures are also proposed; air pollution, noise and light pollution minimisation measures have been integrated; ecology improvements have been included such as biodiverse living roof and new planting. To help manage impacts during construction, the scheme will be signed up to the Considerate Constructors Scheme so best practice will be followed to manage and reduce environmental impacts during this phase of the works.
- 22.14 Circular Economy and Whole Life Carbon assessments (WLCA) have been carried out in accordance with the emerging guidance from the GLA. The Whole Lifecycle Carbon Assessment forms part of the London Plan Policy SI 2 on Minimising Greenhouse Gas Emissions. The assessment indicates that the GLAs benchmark performance would be achieved. The WLCA notes that a total of approximately 7,200 tCO₂e can be saved in comparison to the grid remaining in the current conditions throughout the entire 60-year lifetime of the building.
- 22.15 The Circular Economy Statement is a requirement of London Plan Policy SI 7 and goes on provide a series of specific commitments and implementation approach, including minimising water and energy consumption during construction, responsible sourcing of materials, optimising the structural design and the consideration of the use of offsite prefabrication and standardisation of building components. The Circular Economy Statement has followed the GLAs guidance and shows how use of materials and other resources will be minimised and sourced responsibly and how waste will be managed and minimised as well.
- 22.16 Officers consider the proposed energy and sustainability strategies align with the latest requirements of the London Plan and represent a notable improvement in the performance of the proposed development compared to the original planning permission.
- 22.17 Officers therefore consider that subject to conditions requiring compliance with the updated Energy Strategy, the proposed development accords with Policies London Plan Policies SI 2, SI 3 and SI 4 and Policies CC1, CC2 and CC7 of the Local Plan.

23.0 Noise and Vibration

- 23.1 Together with **Policy D12, Policy D14 of the London Plan** seeks to ensure development proposals reduce, manage, and mitigate noise to improve health and quality of life. **Policy CC11 (Noise) of the Local Plan** states that Noise (including vibration) impacts of development will be controlled by locating development in the most appropriate locations and protect against existing and proposed sources of noise and vibration through careful design, layout, and use of materials, and by ensuring adequate insulation of the building envelope and internal walls, floors and ceilings as well as protecting external amenity areas.
- 23.2 A Construction Environmental Management Plan (CEMP) will be submitted to Council (and other statutory authorities) prior to the commencement of the works. The CEMP covers method of managing environmental effects resulting from construction works including hours of construction works. Compliance with the CEMP will be secured by planning condition.
- 23.3 An Acoustic Planning Report has been submitted with the amended application, prepared to consider the noise conditions experienced at the site for the future development as well as the potential impact of the proposed development on nearby noise sensitive properties. The report includes up to date survey of existing noise conditions and sets out measures to ensure good quality living conditions for future residents through the use of mitigation and attenuation measures. The properties facing onto Townmead Road, which are exposed to greater noise levels, would be designed to benefit from an effective noise attenuation strategy, whilst balancing competing issues such as maintaining a workable overheating strategy. Double-glazing package in combination with a ventilation strategy is considered suitable for controlling the ingress of environmental noise to achieve standard guideline levels for residential use.
- 23.4 The conditions imposed on the original permission would ensure that this policy can be broadly complied with, without fundamentally changing the permission. There would be no additional considerations arising as a result of the amendments proposed by this application.

24.0 Flood Risk and Surface Water Drainage

- 24.1 **The NPPF** seeks to meet the challenge of climate change, flooding, and coastal change by supporting the transition to a low carbon future in a changing climate taking account of flood risk and coastal change.
- 24.2 **Policies SI 12 and SI 13 of the London Plan** outline strategic objectives in relation to flood risk management and sustainable drainage. **Local Plan Policy CC2** requires major developments to implement sustainable design and construction measures, including making the most efficient use of water. **Policies CC3 and CC4 of the Local Plan** contain similar requirements

designed to assess and mitigate against the risk of flooding and integrate surface water drainage measures into development proposals.

- 24.3 A Flood Risk Assessment (FRA) Addendum has been submitted in support of the application, in order to assess the flooding and drainage related implications of the proposed development, having regard to the conclusions of Chapter 13 (Water Resources, Flood Risk and Drainage) of 2017 ES. The FRA Addendum updates the flood risk and drainage strategies, taking into account of the additional residential units and reconfigured internal layouts and alignment with the latest policy requirements and flood risk data. The FRA Addendum has been reviewed and additional supporting information has been provided in response to queries raised by the Council's Environmental Policy Officer.
- 24.4 Due to the proximity to the River Thames, which is approximately 100m east, the site is located in Flood Zone 3. The area is however well defended by flood defences in the form of the Thames Barrier and river wall defences. These protect the area against a river flood with a 1% chance of happening each year, or a flood from the sea with a 0.5% chance of happening each year. The site is located in an area of 'very low risk' of surface water flooding. This means that each year this area has a chance of flooding of less than 0.1%. The FRA Addendum notes that a ground floor level of 5.035m AOD would be set above the maximum modelled flood level of 4.469m AOD. To ensure that safe access and egress can be achieved in the event of breach, step free alternative means of access has been provided via the central courtyard at a level above 4.469m. In relation to flood risk, subject to further details being submitted for approval on waterproofing and flood proofing measures for the basement area, officers are satisfied that the proposed amendments do not increase flood risks on the site.
- 24.5 In terms of drainage, the strategy has been developed to allow for the increase in attenuation volume required as a result of the New London Plan Policy requirements to restrict flow rates to Greenfield run off rates and follows the London Plan SuDS hierarchy. SuDS measures that are proposed as part of the drainage strategy include blue roofs, permeable resin bound paving, and below ground attenuation.
- 24.6 The areas of blue roof atop of the 3 No. blocks have been increased from 1,360 sqm from the extant permission to 1,736 sqm in the current proposal (Block A: 493 sqm; Block B: 636 sqm and Block C: 607 sqm). The blue roofs will store and attenuate rainwater run-off from the roof areas within the 100mm deep drainage reservoir for all storm events up to the 1 in 100 year storm. Based upon the areas provided ,the maximum total storage volume is 164.9m³. Each blue roof outlet will be designed to discharge at a controlled flow rate, and these outlets are collected by the external drainage network before discharging into the public sewer. The blue roof areas would be planted to provide amenity and biodiversity benefits, with the drainage layer providing irrigation to the green roof through capillary action. The rainwater harvesting shall be included for irrigation of the soft landscaping.

- 24.7 Surface water run-off from areas of non-blue roof and external hard landscaped areas will be collected within channels and gullies and stored within a below ground attenuation tank. This has been revised and is instead of the podium deck storage proposed in the extant permission design, which has been removed. To limit flow rates to as close to Greenfield rates as possible, a total storage volume of 328m³ to reflect the changes in blue roof design, location of rainwater pipe outlets and depth of attenuation crates required to prevent flooding for all events up to the 1 in 100 year plus climate change. A total of 423m³ of storage volume (including blue roofs) is provided to cater for all events up to the 1 in 100 year plus climate change with a total discharge leaving the site of 8.8l/s. This compares to a total of 185m³ discharging at 25.2 l/s in the 2017 application.
- 24.8 The Environment Agency do not object. Thames Water have raised no comments to the proposal.
- 24.9 Subject to the inclusion of conditions requiring the submission of a final Surface Water Drainage Strategy and Flood Risk information relating to basement waterproofing and flood proofing measures, officers consider that the proposed development would be acceptable and in accordance with Policies SI 12 and SI 13 of the London Plan and policy requiring flood risk assessment and development to mitigate flood risk, Policies CC2, CC3 and CC4 of the Local Plan which requires development to minimise future flood risk.

25.0 Archaeology

- 25.1 **Policy HC1 of the London Plan** states that new development should make provision for the protection of archaeological resources. **Policy DC8 of the Local Plan** sets out the principles for the conservation and protection of heritage in the borough.
- 25.2 The site is not or located within an Archaeological Priority Area (APA). The closest APA is located approximately 230m, to the east across the Thames River in Wandsworth, and 400m from the William De Morgan Pottery Works APA.
- 25.3 Chapter 14 (Archaeology) of the 2017 ES including a desk-based archaeology assessment identified that the demolition and construction phase of the proposed development, particularly the construction of the basement could potentially disturb and cause physical impacts on known and unknown buried archaeological assets. The 2017 ES however concluded this would result in effects of minor adverse (not significant) to moderate adverse (significant) effects. The use of a condition including further monitoring/review of geotechnical investigations and a programme of archaeological recording was attached to the original permission thus reducing the effects to minor adverse (not significant).
- 25.4 An Archaeological Letter of Reliance has been submitted with this amended application, updating the former ES. The letter acknowledges the

amendments to the new design of the proposed development and potential impacts to buried archaeology. The document includes an updated Historic Environment Record. A Basement Construction Statement Addendum is also included to support the Section 73 application, illustrating the proposed changes to the consented scheme regarding basement construction. The already consented reduction to the size of the basement area by approximately 60%, means that any impacts on known and unknown buried archaeological assets would likely be less than what was assessed in the 2017 ES. The letter also acknowledges that the basement level would be lowered by approximately 1m above Ordnance Datum (AOD) together with the introduction of a water attenuation tank. Foundation piles would continue to be proposed and the depth of these piles is to be confirmed at the next design stage.

- 25.5 Historic England's – The Greater London Archaeological Advisory Service (GLAAS) provides archaeological advice to the borough and were consulted in the amended scheme. Although the site has been identified with a low potential to contain archaeological assets, a watching brief as set out above is recommended by officers to be undertaken during the basement and ground works in accordance with an approved Written Scheme of Investigation (WSI). it is recommended that archaeological matters be addressed by condition (as per Condition 41 of the original planning permission). This approach has been agreed GLAAS.
- 25.6 Officers consider that the proposed development will not impact on archaeology and accords with the NPPF, Policy HC1 of the London Plan 2021 and Policy DC8 of the Local Plan 2018.

26.0 Basement Construction Management

- 26.1 A Basement Construction Statement Addendum has been submitted with the application to take into account the reduction in the basement size, amended piling scheme design and revised construction sequence.
- 26.2 The Addendum confirms that the revised design approach has been developed and assessed to a sufficient level of detail covering structural and geotechnical design, limiting ground movements and sequencing, to ensure a sufficient design and safe method of construction without significant impact on the adjacent neighbouring properties and public highways.

27.0 Land Contamination

- 27.1 **NPPF Paragraph 183** states planning decisions should ensure that sites are suitable for its new use taking account of ground conditions and after remediation the land should not be capable of being determined as contaminated land.
- 27.2 **London Plan Policy SD1** encourages the strategic remediation of contaminated land.

- 27.3 **Local Plan Policy CC9** ensures that no unacceptable risks are caused to humans, controlled waters, or the wider environment during and following the development works. 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.
- 27.4 Contaminative land uses (past or present) are understood to occur at, or near to this site. A Desk Study and Preliminary Risk Assessment, produced by Arup in April 2017 were considered prior to the demolition of the existing buildings. The Assessment noted that the site is reported to have a number of potentially contaminative historic and current land, with the area surrounding the Site being uses as a number of potentially contaminative land uses (both historical and current). The Assessment identifies significant pollution pathways within the Site and surrounding area.
- 27.5 No objection is raised by the Council's Contaminated Land Officers to the proposed development or land uses subject to attaching the standard contaminated land conditions relating to investigation and remediation works. Subject to the inclusion of the conditions, officers consider that the proposed development accords with Policy SD1 of the London Plan and Policy CC9 of the Local Plan.

28.0 Ecology

- 28.1 **London Plan Policy G5 (Urban Greening)** states that development proposals should integrate green infrastructure from the beginning of the design process, which could include tree planting; green roofs and walls; and soft landscaping. Boroughs should develop an Urban Greening Factor (UGF) to identify the appropriate amount of urban greening required in new developments. Higher standards of greening are expected of predominately residential developments (target score 0.4). **Policy G7 (Trees and Woodlands)** seeks the retention of trees wherever possible, and states that any loss should be replaced, and additional trees should be planted where possible.
- 28.2 **Local Plan Policy OS5 (Greening the Borough)** seeks to enhance biodiversity and green infrastructure in the borough.
- 28.3 Chapter 15 of the 2017 ES was supported by a Preliminary Ecological Appraisal, which assessed the condition of the site and the effect on protected species and habitats. These surveys identified two buildings as being potentially suitable for roosting bats.
- 28.4 All the former residential buildings on the site were demolished in 2019. Two small buildings (security hut and sub-station) still remain. Permission to demolish these structure is however already permitted by the previous permission and could therefore proceed without the need for any further

consent from the Council. The Applicant states that the remaining demolition activities will be carried out in accordance with the relevant regulations and a licence obtained from Natural England prior to further works taking place.

29.0 Trees

- 29.1 All trees and vegetation were removed on site during the demolition works of the former buildings. Two trees located outside the site's boundary to the east, at the end of Potters Road. Both trees would be unaffected by the latest proposals which is generally equivalent to the footprint of the previous planning permission. An updated Tree Protection Plan has been provided to ensure that the trees in question are protected during construction works.
- 29.2 As part of the development trees and soft landscaping will be planted within the development. The biodiversity value of the development will be improved with planting as part of the overall landscaping strategy including biodiverse roof levels. The final measures to be included will come forward as part of the landscaping details required by condition. Subject to the inclusion of conditions officers consider that the proposed development accords with Policies G5 and G7 of the London Plan and Policies OS1 and OS5 of the Local Plan in terms of ecological and urban greening.

30.0 Wind Microclimate

- 30.1 **Policies D8 and D9 of the London Plan and Policy DC3 of the Local Plan** require consideration to be given to avoiding detrimental microclimatic impacts as part of tall building proposals. **Policy CC2** seeks to ensure that developments are comfortable and secure for users and avoid impacts from natural hazards.
- 30.2 A wind microclimate assessment (desk based) of pedestrian safety and comfort was provided in the 2017 ES and associated appendix. The wind microclimate conditions for the development were considered acceptable, in terms of both pedestrian safety and comfort, in and around the development.
- 30.3 A Statement of Conformity has been submitted with this amended proposal. It confirms the current application has been evaluated in order to consider the effects of the updated building heights and massing on wind conditions.
- 30.4 In summary, the statement states that the small increase in height of Blocks B and C, are not expected to alter the wind flow features around the site. Similarly adjustments to the location of entrances and balconies have also been considered and not expected to alter the wind conditions previously reported. Overall, the proposed development is not anticipated to result in any windier conditions than those considered acceptable in the previous assessment. Similarly the impacts on surrounding properties including amendments to the approved development at Quayside Lodge have been assessed. The current scheme is not expected to adversely affect the wind conditions of these receptors. Officers are therefore satisfied that wind

impacts can be adequately dealt with by way of conditions as mitigation measures.

- 30.5 Subject to the inclusion of conditions requiring the implementation the mitigation measures required, officers consider that the proposed development accords with Policies GG1, D8 and D9 of the London Plan and Policies DC3 and CC2 of the Local Plan in terms of wind and microclimate.

31.0 Fire Strategy

- 31.1 With the introduction of **Policy D12 in the London Plan** and updates to Planning Practice Guidance in relation to fire safety, the applicant has prepared a Fire Safety Statement prepared by a suitably qualified third-party assessor, to demonstrate that the proposed development has been designed to offer a safe environment for residents. **Policy D5** further seeks to ensure that developments incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum, at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the buildings.
- 31.2 The Fire Safety Statement outlines the design and safety measures that have been incorporated into the scheme to minimise the risk of fire and provide safe and inclusively designed evacuation routes. The internal escape distances within the residential blocks has been improved with reductions in all 3 Blocks. An additional core has also been inserted into Block C to reduce distances by 50%, therefore ensuring compliance with Building Regulations. Subject to the inclusion of a condition requiring the approval of the final details officers consider that the proposed development accords with Policy D12 of the London Plan.

32.0 Designing Out Crime

- 32.1 **Policy DC2 of the Local Plan** requires developments to be designed in line with the principles of Secured by Design.
- 32.2 The 2019 proposals were originally reviewed by the Metropolitan Police's design out crime officer and considered to accord with the aims of Policy DC2, subject to a condition requiring secure by design accreditation be achieved on completion of the development. No adverse comments have been received to the proposed amendments. The central courtyard will benefit from a large amount of active and passive surveillance due to the nature of the surrounding built form with private amenity spaces at both ground and above ground level. The street edge onto Townmead Road and Potters Road provides direct access to the units with further reception areas onto Watermeadow Lane, providing activity and surveillance. Lighting and CCTV will be provided throughout the development. The changes proposed to the amended scheme are considered relatively minor and would not have any bearing on the secure by design requirements already agreed. Final details of how the proposed development would incorporate crime prevention measures

to provide a safe and secure environment required by Secure by Design accreditation is secured by a condition. The proposal is therefore considered to be well designed and in accordance with the Policy DC2 of the Local Plan to reduce the opportunities for criminal behaviour.

33.0 Socio-economic Benefits/Social Value

- 33.1 As secured in the original S106 Agreement, the applicant would be required to work with the borough and local training, employment, and education agencies to maximise local take up of these positions during the construction phase of the development. The S106 secure 10% of the construction costs will be offered as local procurement contracts and are secured for the local economy together with delivering by way of a contribution secured by obligation to apprentices, and work placements.
- 33.2 A Social Value report has been submitted with the application to evidence the projected beneficial impacts of the proposed development. Currently as the site is vacant, with the former residential properties having been demolished in 2019, there are no employment generating activities on-site. The report highlights the benefits from the delivery of more affordable homes and benefits associated with providing good quality housing accommodation in terms of mental and physical wellbeing. The report notes that the new buildings would enable reductions in carbon emissions as well as the Net Present Value of both the new London Affordable Rent and shared ownership homes. The London Affordable Rent homes are projected to generate a present value of over £52m over a 60 year period and £3.9m of the new shared ownership homes. The additional residential expenditure through the provision of 266 new homes (including 133 affordable homes) would lead to an increase in spending in the Greater London economy by £5.5 million.

34.0 Planning Obligations and CIL

Planning Obligations

- 34.1 **London Plan Policy DF1** 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.
- 34.2 **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).
- 34.3 A Section 106 Agreement formed part of the of the original planning permission. An updated S.106 Agreement will be required which updates the provisions of the former Legal Agreement where necessary in order to secure the necessary infrastructure to mitigate the impacts of the proposed development (as amended) and ensure the proposal (as amended by way of S73) is in accordance with the statutory development plan. This would include:

- a) Secure 50% affordable housing including, amendments to the affordable housing definitions, tenure definitions (inclusion of London Affordable Rent and London Shared Ownership units) and service charges. Update number of affordable homes, tenure mix and nomination agreements.
- b) Carbon offset payment reduced (£266,555) to reflect changes to updated Energy Strategy.
- c) Remove viability review requirements.
- d) Remove reference to the Edith Summerskill House / off-site affordable housing contribution.
- e) 10% of the 266 residential units to be wheelchair dwellings (no. 27) built out in accordance with Building Regulation requirement M4(3) and marketing scheme.
- f) Car Parking Design & Management Plan (include details of how off-street spaces are allocated, how access to the off-street spaces is controlled, a periodic monitoring/review system of blue badge parking and EVCP demand) and an obligation to meet the cost of any additional blue badge and EVCP demand generated on-street (up to London Plan policy requirement) if spaces are required.
- g) Obligations towards employment, skills and training and local procurement.
- h) Restrictions on residents' parking permits.
- i) Submission/implementation and monitoring of travel plan and contribution for each review (years 1, 3 and 5).
- j) £5,000 towards monitoring of obligations contained in the Agreement.
- k) A S278 Agreement (under the Highways Act 1980) to carry out Highway Works.
- l) Confirmatory Deed.

CIL

- 34.5 The proposals are liable to pay a charge under both the Council and Mayor of London's Community Infrastructure Levy (CIL) charging schedules. The proposed development decreases the amount of chargeable floorspace contained within the scheme given the increase level of affordable housing on the site.
- 34.6 The revised Mayoral and Borough CIL liability and associated social housing relief for the Proposed Development has been estimated. The figures provided below for the CIL liability are included in the supporting Planning Statement as a guide and will be verified by the Council's CIL Officer.

Mayoral CIL:

- Chargeable amount: £1,811,190.79
- Social housing relief: £818,217.71
- Net CIL payable: £992,973.08

Borough CIL:

- Chargeable amount: £11,027,545.36
- Social housing relief: £4,981,768.34
- Net CIL payable: £6,045,777.05

35.0 CONCLUSION AND RECOMMENDATIONS

- 35.1 This S73 application has been assessed in terms of potential environmental impacts and having regard to design / amenity related impacts and the proposed changes to the detailed component of the scheme are acceptable in all respects.
- 35.2 The application has been assessed against all relevant planning policies in the Development Plan including the Local Plan (2018) and London Plan (2021) and against the guidance set out in the National Planning Policy Framework (2021).
- 35.3 Officers support the proposed development in line with the recommendations at the start of the report.