

# Planning and Development Control Committee

## Agenda

Tuesday 11 October 2022 at 7.00 pm

Main Hall (1st Floor) - 3 Shortlands, Hammersmith, W6 8DA

Watch the meeting live: [youtube.com/hammersmithandfulham](https://youtube.com/hammersmithandfulham)

### 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](mailto:charles.francis@lbhf.gov.uk)

### Public Notice

This meeting is open to the public and press but spaces are limited. If you'd like to attend please contact: [charles.francis@lbhf.gov.uk](mailto:charles.francis@lbhf.gov.uk). The building has disabled access.

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 6 October 2022**

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

## **PUBLIC SPEAKING AT PLANNING AND DEVELOPMENT CONTROL COMMITTEE**

### **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 Councillors, 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 is by email only. Requests should be sent to [speakingatplanning@lbhf.gov.uk](mailto: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

11 October 2022

<u>Item</u>	<u>Pages</u>
<b>1. APOLOGIES FOR ABSENCE</b>	
<b>2. DECLARATION OF INTERESTS</b>	
<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>	
<b>3. MINUTES</b>	5 - 9
<p>To approve as an accurate record, and the Chair to sign, the minutes of the meeting of the Committee held on 21<sup>st</sup> September 2022.</p>	
<b>4. 227 WOOD LANE &amp; BROWNING HOUSE, LONDON W12 0DG, COLLEGE PARK &amp; OLD OAK, 2020/00300/FUL</b>	10 - 173
<b>5. FORMER EARLS COURT 2 EXHIBITION CENTRE LAND, EMPRESS PLACE SW6 1TW, WEST KENSINGTON, 2022/02045/FUL</b>	174 - 215

6. **CONFIRMATION OF TREE PRESERVATION ORDER T427/05/22,  
LAND AT WESTSIDE, RAVENSCOURT PARK, W6, RAVENSCOURT** 216 - 223
  
7. **MITRE WHARF, SCRUBS LANE, NW10, COLLEGE PARK & OLD  
OAK, 2022/01107/OPDOBS** 224 - 235

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



**Wednesday 21 September 2022**

## **APOLOGIES FOR ABSENCE**

Apologies for absence were provided from Councillors Wesley Harcourt and Rebecca Harvey

## **DECLARATION OF INTERESTS**

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

For transparency, Councillor Alex Karmel declared an interest in Item 4 - Land At The Former Hartopp Point And Lannoy Point, Aintree Estate, Pellant Road, as the application was in his ward. He confirmed that he had attended all the public consultation meetings he was permitted to. However, as he had not pre-determined the application, he remained in the meeting and voted on the item.

## **MINUTES OF THE MEETING HELD ON 6 SEPTEMBER 2022**

The minutes of the meeting held on 6 September 2022 were agreed.

### **LAND AT THE FORMER HARTOPP POINT AND LANNOY POINT, AINTREE ESTATE, PELLANT ROAD LONDON SW6 7NG, MUNSTER, 2022/01346/FR3**

For transparency, Councillor Alex Karmel declared an interest in Item 4 - Land At The Former Hartopp Point And Lannoy Point, Aintree Estate, Pellant Road, as the application was in his ward. He confirmed that he had attended all the public consultation meetings he was permitted to. However, as he had not pre-determined the application, he remained in the meeting and voted on the item.

A representative of the applicant attended the meeting. As no objectors had registered to speak, he waived his right to speak at the meeting.

During discussions, (and in relation to parking permits) Councillor Alex Karmel proposed a minor amendment to the Heads of Terms to introduce a Grandparent Right to allow up to six former Hartopp and Lannoy residents who have a right to return to the new development, that they should be afforded the same right to parking. This was seconded by Adrian Pascu-Tulbure.

The Committee voted on the minor amendment to the Heads of Terms as follows:

For:  
2  
Against:  
6  
Not Voting:  
0

The Committee voted on the recommendation for approval of application 2022/01346/FR3 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 2022/01346/FR3 subject to the changes in the Addendum be approved subject to:

1. 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.

**Meeting started: 7:05 pm**  
**Finished: 8:12 pm**

Chair .....

Contact officer: Charles Francis  
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**PLANNING AND DEVELOPMENT CONTROL COMMITTEE**  
**Addendum 21.09.2022**

<u>Reg. No:</u>	<u>Site Address:</u>	<u>Ward</u>	<u>Page</u>
2022/01346/FR3	<b>The Former Hartopp Point And Lannoy Point Aintree Estate, Pellant Road, SW6 7NG</b>	Munster	12

**Page 16**

Add the following drawings to Condition 2 (Drawings) to secure the detail of the design now rather than by condition Nos 42 and 43 (page 32)

Typical Window Details - Language A (HLPT-BPTW-ZZ-ZZ-DR-A-3904-P01)  
 Typical Window Details - Language B (HLPT-BPTW-ZZ-ZZ-DR-A-3905-P01)  
 Setback - Typical Terrace-Wall (HLPT-BPTW-ZZ-ZZ-DR-A-3656-P01)  
 Typical Parapet Upstand Detail (HLPT-BPTW-ZZ-04-DR-A-3657-P01)  
 Typical Cantilevered Balcony Junction Detail (HLPT-BPTW-ZZ-ZZ-DR-A-3705-P01)  
 Deck Access Junction Detail (HLPT-BPTW-ZZ-ZZ-DR-A-3706-P01)  
 Typical Window Ground Section Language A (HLPT-BPTW-ZZ-00-DR-A-3906-C01)  
 Typical Window Ground Section Language B (HLPT-BPTW-ZZ-00-DR-A-3907-C01)  
 Typical Bin Store External Door (HLPT-BPTW-ZZ-ZZ-DR-A-3908-C01)  
 Typical Communal Entrance Detail (HLPT-BPTW-ZZ-ZZ-DR-A-3910-C01)  
 Typical Inset Brick Bay Detail (HLPT-BPTW-ZZ-ZZ-DR-A-3054-C01)  
 Typical Window Jamb and Section Language A (HLPT-BPTW-ZZ-ZZ-DR-A-3902-C03)  
 Typical Plant Room Louvre Window (HLPT-BPTW-ZZ-ZZ-DR-A-3909-C01)  
 Typical Cantilevered Balcony Junction Detail (HLPT-BPTW-ZZ-ZZ-DR-A-3701-C02)  
 Deck Access Junction Detail (HLPT-BPTW-ZZ-ZZ-DR-A-3702-C02)  
 Typical Window Jamb and Section (HLPT-BPTW-ZZ-ZZ-DR-A-3902-C02)  
 Block A Entrance (HLPT-BPTW-ZZ-00-DR-A-4100-C01)  
 Block B Entrance (HLPT-BPTW-ZZ-00-DR-A-4101-C01)  
 Block C1 Entrance (HLPT-BPTW-ZZ-00-DR-A-4102-C01)  
 Block C2 Entrance (HLPT-BPTW-ZZ-00-DR-A-4103-C01)  
 Typical Window Details - Language A (HLPT-BPTW-ZZ-ZZ-DR-A-3902-C04)  
 Typical Window Details - Language A (HLPT-BPTW-ZZ-ZZ-DR-A-3904-C01)  
 Typical Window Details - Language A (HLPT-BPTW-ZZ-ZZ-DR-A-3906-C02)  
 Typical Window Details - Language B (HLPT-BPTW-ZZ-ZZ-DR-A-3907-C02)

**Page 44**

Since the Agenda print date the following comments have been received from a Chaldon Road resident;

- Questions the number of drawings and the lack of information presented.
- Overlooking, loss of amenity to Chaldon Road properties and lack of privacy screens on balconies on Block C facing Chaldon Road properties.
- Noise and nuisance caused to Chaldon Road residents due to intensification of traffic use.
- Questions validity of the viability appraisal and that it is out of date.
- Level of parking not justified and contradicts comments made by the Design Review Panel and TfL
- Massing of Building C should be reduced
- Officers should properly scrutinise the application and where necessary challenge supporting expert studies.
- Committee report gives a misrepresentation to suggest residents have been properly consulted.
- The biodiversity net gain assessment should be compared with previous site before trees were removed.
- The loss of trees is not justified. The 63 proposed trees will have very small girths and will take some years to mature.



**Page 55**

Para 8.4: Replace '5' with '2 to 3' and replace 'highly' with 'moderately'

**Page 106**

Part D add: 'Construction Site AQDMP compliance - Monitoring cost (£6000 submitted prior to commencement and then paid every 12 months until completion of construction phase of the development

Part G clarify estimated Carbon offset contribution - £55,752

Part H clarify estimated Economic Development figures:

- 25 Apprenticeships
- 3 paid work experience placements into which a local resident is employed,
- 13 unpaid work experience placement is created for local residents and students of local schools,
- Local procurement financial contribution of £12,750.

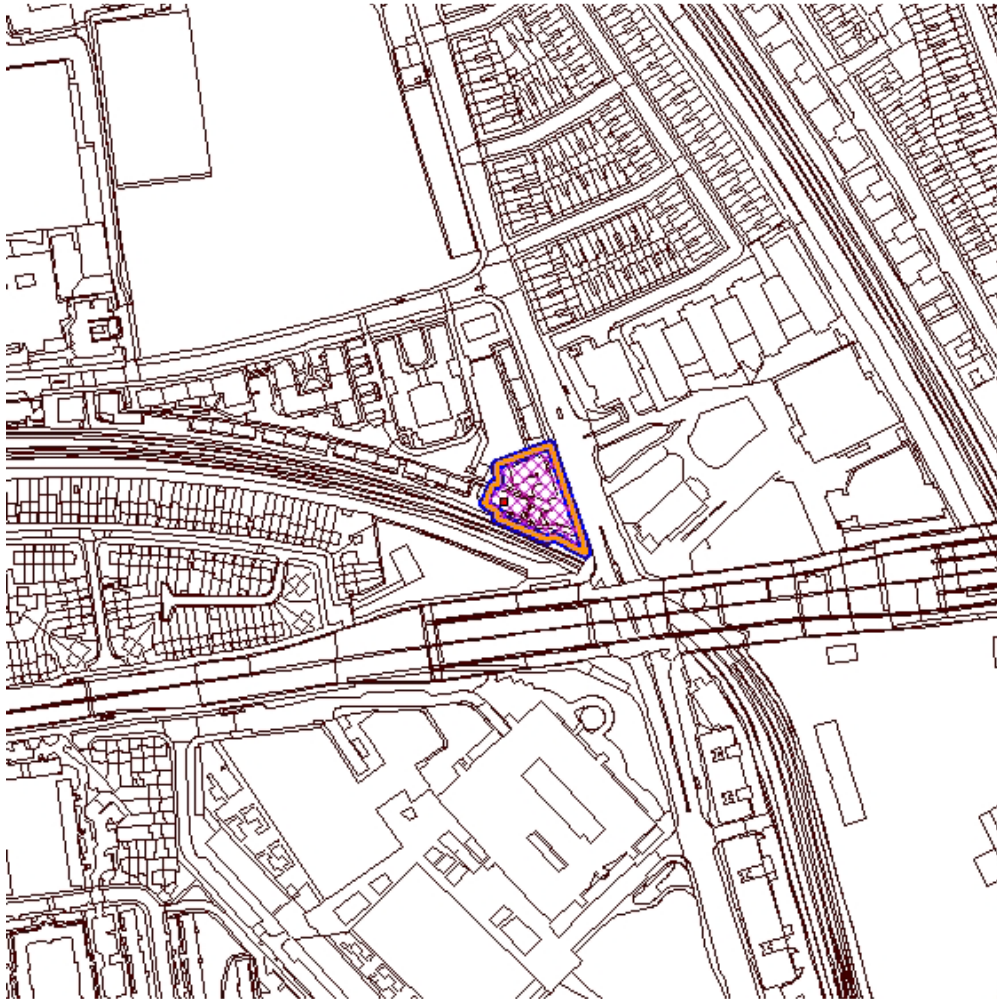
# Agenda Item 4

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**Ward:** College Park & Old Oak

**Site Address:**

227 Wood Lane & Browning House, London W12 0DG



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**Reg. No:**  
2020/00300/FUL

**Date Valid:**  
27.01.2020

**Committee Date:**  
11.10.2022

**Conservation Area:**  
N/A

**Case Officer:**  
John Sanchez

**Applicant:**

Wood Lane Real Estate LLP & Women's Pioneer Housing Ltd

C/o Agent

**Description:**

Demolition of existing buildings and structures and redevelopment of the site in the form an 18-storey building (plus part lower-ground floor) with two connected 7-storey elements, providing a mix of residential apartments, office space and co-living accommodation, together with associated co-living amenity space and facilities, workspace and a ground floor cafe/ restaurant; new public realm, pedestrian access, landscaping and associated works.

Drg. Nos: See condition 2

**Application Type:**

Full Detailed Planning Application

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**REPORT CONTENTS**

**OFFICER RECOMMENDATION**

**CONDITIONS**

**JUSTIFICATION FOR APPROVING THE APPLICATION**

- 1.0 **SITE DESCRIPTION AND SURROUNDINGS**
- 2.0 **SITE HISTORY**
- 3.0 **CURRENT APPLICATION**
- 4.0 **PUBLICITY AND CONSULTATION**
- 5.0 **ENVIRONMENTAL STATEMENT**
- 6.0 **POLICY CONTEXT**
- 7.0 **PLANNING CONSIDERATIONS**
- 8.0 **PRINCIPLE OF DEVELOPMENT**
  - Replacement/New Housing (Housing Mix, Affordable Housing, Tenure, Viability Assessment)
  - Co Living (standard of accommodation Daylight/Sunlight within the development)
  - Office/Cafe Uses
  - Accessibility
  - Fire Strategy
  - Designing out Crime/Safety/Security
- 9.0 **AMENITY CONSIDERATIONS**
  - Amenity Impacts (Daylight, Sunlight, Overshadowing and Solar Glare), Daylight/Sunlight within the development, Overlooking/Privacy)
- 10.0 **DESIGN, HERITAGE, AND TOWNSCAPE**
  - Design, Tall Building Assessment, Heritage and Townscape, Heritage Constraints, Impacts on Heritage Assets.
- 11.0 **HIGHWAYS AND TRANSPORT**

Access, Car Parking, Accessible Car Parking, Cycle Parking, Trip Generation, Construction Logistics, Travel Plan)

12.0 **ENVIRONMENTAL CONSIDERATIONS**  
Flood Risk and Drainage  
Energy and Sustainability  
Air Quality  
Ground Contamination  
Noise and Vibration/Light Pollution  
Archaeology  
Arboriculture, Ecology and Biodiversity  
Wind Microclimate

13.0 **SOCIO ECONOMICS/SOCIAL VALUE**

14.0 **COMMUNITY INFRASTRUCTURE LEVY (CIL)**

15.0 **SECTION 106 HEADS OF TERMS**

16.0 **CONCLUSION**

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**Officer Recommendation:**

1) That the Committee resolve that, subject to there being no contrary direction from the Mayor for London, 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.

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**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.

**1. Time Limit**

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

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

## **2. Drawings**

The development hereby permitted shall be carried out and completed in accordance with the following drawing numbers:

### Floor Plans

19025\_(00)\_P003  
19025\_(00)\_P004\_02  
19025\_(00)\_P005  
19025\_(00)\_P109\_03  
19025\_(00)\_P100\_03  
19025\_(00)\_P101\_01  
19025\_(00)\_P102\_02  
19025\_(00)\_P103\_03  
19025\_(00)\_P104\_03  
19025\_(00)\_P105\_03  
19025\_(00)\_P106\_03  
19025\_(00)\_P107\_01  
19025\_(00)\_P108\_01

### Proposed Elevations

19025\_(00)\_P201\_02  
19025\_(00)\_P202\_02  
19025\_(00)\_P203\_02  
19025\_(00)\_P204\_02

### Proposed Sections

19025\_(00)\_P301\_03  
19025\_(00)\_P302\_02  
19025\_(00)\_P303\_02  
19025\_(00)\_P304\_03  
19025\_(00)\_P305\_03  
19025\_(00)\_P306\_02  
19025\_(00)\_P307\_03

### Landscape

19025\_(00)\_P050  
19025\_(00)\_P051  
19025\_(00)\_P052  
19025\_(00)\_P053  
19025\_(00)\_P054  
19025\_(00)\_P055

To ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with D1, D2, D3, D4, D5, D6, D7, D8, D9, D11, D12, D13, D14, H16, HC1, HC3, HC4, G5 and G7 of the London Plan 2021 and Policies DC1, DC2, DC3, DC7 and DC8 of the Local Plan (2018).

### **3. Hoardings**

No development (excluding enabling works) 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. The temporary fencing and/or enclosure shall 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 commercial advertisement hoardings unless the relevant advertisement consent is sought from the Local Planning Authority.

To ensure a satisfactory external appearance and to prevent harm to surrounding residential occupiers, the street scene and public realm, in accordance with Policy D4 of the London Plan (2021), Policies DC1, DC8 and CC12 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD (2018).

### **4. Infrastructure Protection – London Underground**

Prior to the commencement of the development (excluding enabling and demolition works) hereby permitted a detailed design and method statement (in consultation with London Underground) for the foundations, lower ground, and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), shall be submitted to and approved in writing by the Local Planning Authority in consultation with London Underground which:

- a) provide details on all structures;
- b) provide details on the use of tall plant/scaffolding;
- c) demonstrate that there will at no time be any potential security risk to the railway, property or structures;
- d) accommodate the location of the existing London Underground structures and tunnels;
- e) accommodate ground movement arising from the construction thereof;
- f) mitigate the effects of noise and vibration arising from the adjoining operations within the structures.

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

To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan Policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

## **5. Demolition Management Plan**

Prior to the commencement of the development (excluding Enabling Works), a Demolition Management Plan (DMP) shall be submitted to and approved in writing by the Local Planning Authority. The DMP shall include:

- details location of site offices, ancillary buildings, plant, wheel-washing facilities, stacking bays and car parking
- storage of any skips
- oil and chemical storage
- membership of the Considerate Contractors Scheme
- delivery locations and the proposed control measures and monitoring for noise, vibration, lighting, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800-300hrs 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.
- details shall also include the use of on road Ultra Low Emission Zone compliant Vehicles e.g. Euro 6 and Euro VI
- provisions within the site to ensure that all vehicles associated with the demolition works are properly washed and cleaned to prevent the passage of mud and dirt onto the highway.

The works shall be carried out in accordance with the relevant approved CMP throughout the project period.

To ensure that occupiers of surrounding premises are not adversely affected by noise, vibration, dust, lighting, or other emissions from the building site in accordance with Policy D14 of the London Plan, Policies DC1, DC12, CC6, CC7, CC10, CC11 and CC12 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD (2018).

## **6. Demolition Logistics Plan**

Prior to the commencement of the development (excluding Enabling Works), a Demolition Logistics Plan (DLP) in accordance with the Transport for London Guidance shall be submitted to and approved in writing by the Local Planning Authority.

The works shall cover the following minimum requirements:

- Site logistics and Operations;
- Demolition vehicle routing;
- Details of the estimated number, size and routes of demolition vehicles per day/week;
- Details of the use of Ultra Low Emission Zone (ULEZ) compliant Vehicles e.g. Euro 6 and Euro VI;
- Details of the access arrangements and delivery locations on the site;
- Details of any vehicle holding areas; and other matters relating to traffic management to be agreed as required;
- Efficiency and sustainability measures to be undertaken for the works; and Membership of the Considerate Contractors Scheme.

The works shall be carried out in accordance with the relevant approved CMP throughout the project period.

To ensure that occupiers of surrounding premises are not adversely affected by noise, vibration, dust, lighting, or other emissions from the building site in accordance with Policy T7 of the London Plan and T1, T6 and T7 of the Local Plan (2018).

## **7. Construction Management Plan**

Prior to the commencement of the development hereby permitted (excluding Demolition Works), a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include:

- a detailed plan showing phasing
- relevant foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent),
- contractors' method statements
- waste classification and disposal procedures and locations
- location of site offices, ancillary buildings, plant, wheel-washing facilities, stacking bays and car parking ,
- details of storage and any skips,
- oil and chemical storage,
- membership of the Considerate Contractors Scheme,
- delivery locations and the proposed control measures and monitoring for noise, vibration, lighting, 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.
- details of the use of on-road Ultra Low Emission Zone compliant Vehicles e.g. Euro 6 and Euro VI
- 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.

The works shall be carried out in accordance with the relevant approved CMP throughout the project period.

To ensure that occupiers of surrounding premises are not adversely affected by noise, vibration, dust, lighting, or other emissions from the building site in accordance with Policies SI 1, T7 and GG3 of the London Plan (2021) Policy D14 of the London Plan, Policies DC1, DC12, CC6, CC7, CC10, CC11 and CC12 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD (2018).

## **8. Construction Logistics Plan**

Prior to commencement of the development hereby permitted (excluding Demolition Works) a Construction Logistics Plan in accordance with Transport for London guidance shall be submitted to and approved in writing by the Local Planning



Authority (in consultation with Transport for London). The Construction Logistics Plan shall cover the following minimum requirements:

- Site logistics and operations;
- Construction vehicle routing;
- Contact details for site managers and details of management lines of reporting;
- Detailed plan showing phasing;
- Location of site offices, ancillary buildings, plant, wheel-washing facilities, stacking bays and car parking;
- Storage of any skips, oil, and chemical storage etc.; and
- Access and egress points;
- The impact on the bus stop adjacent to the site on Wood Lane and include details of temporary bus stop facilities during the construction phase of the development.
- The Cumulative impact on Wood Lane associated with the construction of the TfL cycleway on Wood Lane, and other construction activities along the Wood Lane corridor.
- Membership of the Considerate Contractors Scheme.

The works shall be carried out in accordance with the approved Construction Logistics Plan throughout the whole construction 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 residents and the area generally in accordance with Policy T7 of the London Plan and T1, T6 and T7 of the Local Plan (2018).

### **9. Contamination: 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.

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. Contamination: 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.

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. Contamination: 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.

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. Contamination: 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.

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. Contamination: 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.

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).

### **14. Contamination: 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.

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).

### **15. Piling Method Statement**

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 would 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.

To prevent any potential to impact on local underground water and sewerage utility infrastructure, in accordance with Policies CC3 CC5 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.

#### **16. Air Quality Dust Management Plan (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 be in accordance with the Councils AQDMP Template 'A' 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 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<sub>x</sub> 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 Particulate (PM10) monitors on the site boundaries used to prevent levels exceeding predetermined PM10 Site Action Level (SAL) of 190 µg/m<sup>3</sup>, measured as a 1-hour mean. Prior to installation of the PM10 monitors on site the calibration certificates of MCERTS compliant PM10 monitors and the internet-based log-in details to enable access to the real-time PM10 monitoring data from the PM10 monitors shall be issued to Hammersmith & Fulham Council by e-mail to [constructionairqualitymonitoring@lbhf.gov.uk](mailto:constructionairqualitymonitoring@lbhf.gov.uk) The data from the on-site Particulate (PM10) monitors shall also 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 NO<sub>x</sub> and PM<sub>10</sub> 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<sub>x</sub> 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<sub>x</sub> rating A) and Euro VI.

Developers must ensure that on-site contractors follow best practicable means to minimise dust, particulates (PM<sub>10</sub>, PM<sub>2.5</sub>) and NO<sub>x</sub> emissions at all times. Approved details shall be fully implemented and permanently retained and maintained during the demolition phases of the development.

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

### **17. Air Quality Dust Management Plan (Construction phase)**

Prior to the commencement of construction phase of the development hereby permitted (not including demolition works), an Air Quality Dust Management Plan (AQDMP) in order to mitigate air pollution within the relevant phase 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 PM<sub>10</sub> (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<sub>x</sub> Emission mitigation and control measures shall be in a table format and include mitigation for on-road and off-road construction traffic as required by the overall Medium/High Dust Risk Rating of the site.

f. Details of Site Particulate (PM10) and Dust Monitoring Procedures and Protocols including locations of a minimum of 2 x MCERTS compliant Particulate (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. Prior to installation of the PM10 monitors on site the calibration certificates of MCERTS compliant PM10 monitors and the internet-based log-in details to enable access to the real-time PM10 monitoring data from the PM10 monitors shall be issued to Hammersmith & Fulham Council by e-mail to [constructionairqualitymonitoring@lbhf.gov.uk](mailto:constructionairqualitymonitoring@lbhf.gov.uk). The data from the on-site Particulate (PM10) monitors shall also be made available on the council's construction site air quality monitoring register website <https://www.envimo.uk/>

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 Policy SI 1 of the London Plan and Policy CC10 of the Local Plan (2018).

## **18. Ventilation Strategy**

Prior to installation of ventilation equipment, a Ventilation Strategy Report to mitigate the impact of existing poor air quality for the residential use (Class C3), Co-Living use (Sui Generis) and Office Use (Class E) 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, PM2.5) 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 restricted opening windows (maximum 200mm for emergency purge ventilation only) for habitable rooms (Bedrooms, Living Rooms).

c. 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.

d. Details of the independently tested mechanical ventilation system with Nitrogen Dioxide (NO<sub>2</sub>) and Particulate Matter (PM<sub>2.5</sub>, PM<sub>10</sub>) filtration with air intakes on the rear elevation to remove airborne pollutants. The filtration system shall have a minimum efficiency of 75% in the removal of Nitrogen Oxides/Dioxides, Particulate Matter (PM<sub>2.5</sub>, PM<sub>10</sub>) in accordance with BS EN ISO 10121-1:2014 and BS EN ISO 16890:2016.

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

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

#### **19. Ventilation Strategy (compliance)**

The development shall be implemented in accordance with the details submitted under condition 18 prior to occupation and shall thereafter be permanently retained in this form. A compliance report shall be produced by an Accredited Chartered Building Services Engineer (CIBSE) and submitted for approval in writing to the Local Planning Authority prior to the occupation of the development.

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

#### **20. Zero Emission Heating compliance**

Prior to installation of the heating equipment of the development hereby permitted, details of the installation of the Zero Emission MCS certified Air Source Heat Pumps to be provided for space heating and hot water 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 and Policy CC10 of the Local Plan (2018).

#### **21. Revised Flood Risk and Sustainable Drainage Strategy**

Prior to commencement of the development (excluding Enabling and Demolition Works) hereby permitted, a revised Flood Risk and Sustainable Drainage Strategy (SuDS), identifying further details updated flood mitigation measures and details of how surface water would be managed on-site in line with principles of the approved

Flood Risk Assessment (ref. 190520-02A) and Flood Risk Addendum (ref. 190520-10) be submitted to and approved in writing by the Local Planning Authority.

Information shall include details on the proposed flood mitigation measures to the proposed basement levels, the design, location, and attenuation capabilities of the proposed sustainable drainage measures including rain gardens, green roofs and attenuation tanks. Details of the proposed flow controls and flow rates for any discharge of surface water to the combined sewer system should also be provided, with the aim of achieving greenfield rates for final discharges. Rainwater harvesting should also be integrated to collect rainwater for re-use in the site. 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 and shall thereafter be permanently retained in this form.

To ensure that sufficient drainage capacity is made available to cope with the new development, and to avoid adverse environmental impact upon the community and to prevent any increased risk of flooding and to ensure the satisfactory storage of/disposal of surface water from the site in accordance with Policy SI 13 of the London Plan (2021) and Policy CC3 and CC5 of the Local Plan (2018).

## **22. Green/Brown Roofs**

Prior to commencement of the relevant part of the development, details of all green/brown roofs within the development; including the identification of further opportunities for these roofs, including details of types of roofs and a planting maintenance plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme has been carried out in accordance with the approved details and shall thereafter be permanently retained in this form.

To ensure the provision of green roofs in the interests of sustainable urban drainage and habitat provision, in accordance with Policies S1 13, G1 and G6 of the London Plan (2021) and Policy OS5 and CC4 of the Local Plan (2018)

## **23. Non- return valve**

Prior to the occupation of the development hereby approved, details of the need to install a non- return valve and pump device to prevent sewage 'back-surfing' into the basement in times of heavy rain and to allow the property's sewage to continue to flow properly into the sewer network shall be submitted to and approved in writing by Local Planning Authority. Should a non-return valve and pump device be required it shall be installed prior to the occupation of the development.

To protect the new units from flooding, as recommended by Thames Water and in accordance with Policy CC4 of the Local Plan (2018).

## **24. Sustainability**

Within 6 months of occupation or any use of each building, a BREEAM (2011) certificate confirming that the buildings achieve an 'Excellent' BREEAM rating shall be submitted to and approved in writing by the Local Planning Authority.



In the interests of energy conservation, reduction of CO2 emissions and wider sustainability, in accordance with Policies SI 1, SI 2, and SI 3 of the London Plan (2021) and Policies CC1, CC2 of the Local Plan (2018)

### **25. Revised Energy Strategy**

Prior to commencement of the development hereby permitted (excluding enabling and demolition works), a revised Energy Strategy for the development shall be submitted to and approved in writing by the Local Planning Authority. The revised strategy shall include details of energy efficiency and low/zero carbon technologies and confirm that CO2 emissions would be reduced in line with the London Plan targets. No part of the development shall be used or occupied until it has been carried out in accordance with the approved details and shall thereafter be permanently retained in this form.

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 (2018).

### **26. Waste Capacity (Thames Water)**

The development shall not be occupied until confirmation has been submitted to and approved in writing by the Local Planning Authority, in consultation with Thames Water, that either waste capacity exists off site to serve the development, or all wastewater network upgrades required to accommodate the additional flows from the development have been completed prior to occupation of the development, or an infrastructure phasing plan has been agreed with Thames Water to allow the development to be occupied.

The development may lead to sewage flooding and Thames Water may need to undertake network reinforcement works to ensure sufficient capacity is provided to accommodate additional flows from the new development. The developer can request information to support the discharge of this condition by visiting the Thames Water website at [thameswater.co.uk/preplanning](http://thameswater.co.uk/preplanning).

### **27. Water Infrastructure (Thames Water)**

The development shall not be occupied until confirmation has been submitted to and approved in writing with Thames Water that either all water network upgrades required to accommodate the additional flows from the development has been completed, or an infrastructure phasing plan has been agreed with Thames water to allow the development to be occupied. Where an infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed infrastructure phasing plan.

The development may lead to no/low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development. The developer can request information to support the discharge of this condition by visiting the Thames Water website at [thameswater.co.uk/preplanning](http://thameswater.co.uk/preplanning).

## **28. Noise Levels**

Prior to commencement of above ground works, the development, a noise assessment shall be submitted to the Council for approval of external noise levels incl. reflected and radiated noise and details of the sound insulation of the building envelope, orientation of habitable rooms away from major noise sources and of acoustically attenuated mechanical ventilation as necessary to achieve internal room- and (if provided) external amenity noise standards in accordance with the criteria of BS8233:2014. 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 and surrounding premises is not adversely affected by vibration, in accordance with Policies CC11 and CC13 of the Local Plan (2018).

## **29. Background Noise Levels from machinery, extract/ ventilation ducting, mechanical gates, etc.**

Prior to the first installation of any plant within/on each building, details of the external noise level emitted from plant/ machinery/ equipment and mitigation measures as appropriate for that building, shall be 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 would 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. Approved details shall be implemented prior to occupation of each building and thereafter be permanently retained in this form. 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.

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).

## **30. Anti- vibration mounts and silencing of machinery etc.**

Prior to commencement of the relevant part of the development, Prior to their installation, details of anti-vibration measures shall be submitted to and approved in writing by the Local Planning Authority. The measures shall ensure that machinery, plant/ equipment are mounted with proprietary anti-vibration isolators and fan motors are vibration isolated from the casing and adequately silenced. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

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

## **31. Vibration levels**

Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of building vibration levels and, together with

appropriate mitigation measures where necessary. Details shall demonstrate that vibration will meet a level that has low probability of adverse comment, and the assessment method shall be as specified in BS 6472:2008. No part of the development shall be occupied until the approved details have been implemented. Approved details shall thereafter be permanently retained.

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

### **32. Sound Insulation**

Prior to commencement of the development, details shall be submitted to and approved in writing by the Local Planning Authority, of the sound insulation of the floor/ ceiling/ walls separating the commercial part(s) of the premises from [dwellings] [noise sensitive premises]. Details shall demonstrate that the sound insulation value  $D_{nT,w}$  [and  $L'_{nT,w}$ ] is appropriately enhanced by at least 10 dB above the Building Regulations value and, where necessary, additional mitigation measures are implemented to contain commercial noise associated with the gym and café use 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.

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).

### **33. Hours of Use of Terraces**

Any outdoor seating areas associated with the ground floor café use and the roof top co-living shall only be used between 06:30 hours and 23:00 hours daily.

To ensure that control is exercised over the use of these terraces so that undue harm is not caused to the amenities of the occupiers of the development and neighbouring residential properties because of noise and disturbance, particularly in the quieter night-time hours, in accordance with policy CC11 and CC13 of the Local Plan (2018) and guidance within the Planning Guidance Supplementary Planning Document (2018).

### **34. Flat roof areas**

There shall be no access to the flat roof areas (excluding the roof top terrace areas identified on the approved plans) provided by the development hereby approved, except for maintenance purposes.

To ensure a satisfactory external appearance and so that the use of the building does not harm the amenities of the existing neighbouring residential properties because of overlooking, loss of privacy and noise and disturbance, in accordance with Policies DC1, DC2, DC8, CC11 and CC13 of the Local Plan (2018) and Key Principle HS8 of the Planning Guidance Supplementary Planning Document (2018).

### **35. Lighting**

Prior to their installation, details of external artificial lighting shall be submitted to and approved in writing by the Local Planning Authority. 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 01/21: 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.

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

### **36. Materials**

Prior to the commencement of the façade installation, details of particulars and samples (where appropriate) of all the materials to be used in all external faces and roofs of the buildings; including details of the colour, composition and texture of the brick, and metal work; details of all surface windows including window opening and glazing styles (in a manner that will take into account the privacy and amenity of residential premises overlooked by the development); balustrades to balconies and roof terraces; roof top plant and general plant screening; entrances and ground floor glazing, including shopfronts, shall be submitted to and approved in writing by Local Planning Authority.

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 surrounding conservation areas and other heritage assets; 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) and guidance contained within the Planning Guidance Supplementary Planning Document (2018).

### **37. Sample Panels**

Prior to the installation of the facade installations, sample panels for the development, detailing brick colour, bond, pointing style, mortar colour, and curtain walling shall be produced for on-site inspection by Council Officers, along with the submission to the Local Planning Authority of samples of these materials, for subsequent approval in writing. The development must be carried out in accordance with the submitted material samples and sample panel, and the development shall thereafter be permanently retained and maintained as such.

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 surrounding conservation areas and other heritage assets; 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), and guidance contained within the Planning Guidance Supplementary Planning Document (2018).

### **38. 1:20 Details – Buildings**

Prior to the commencement of the above ground works, detailed drawings at a scale not less than 1:20 (in plan, section, and elevation) of typical sections/bays of the approved buildings shall be submitted and approved in writing by the Local Planning Authority. These shall include details of the proposed façade and cladding treatment, fenestration (including framing and glazing details), balustrades (including roof terrace), entrances, and ground floor glazing details. 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 surrounding conservation areas and other heritage assets; 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), and guidance contained within the Planning Guidance Supplementary Planning Document (2018).

### **39. 1:20 Details – Boundaries**

Prior to the commencement of the public realm surface works, detailed drawings at a scale not less than 1:20 (in plan, section, and elevation) of boundary walls, fences, railings and gates for such phase shall be submitted and approved in writing by the Local Planning Authority and no phase of the development shall be used or occupied prior to the completion of the relevant works for such phase in accordance with the approved details.

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).

### **40. 1:20 Roof Top Plant Enclosures**

Prior to completion of the above ground core structures within each building, detailed drawings at a scale not less than 1:20 (in plan, section, and elevation) of the rooftop plant enclosures for each building shall be submitted to and approved in writing by the Local Planning Authority. No part of the relevant building 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, 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).

### **41. Secure by Design**

Within 3 months prior to occupation, a statement of how 'Secure by Design' requirements are to be adequately achieved shall be 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 (including the new link between Wood Lane and Pioneer Way, and the section of Pioneer Way at the rear of the site) and feasibility study relating to linking CCTV with the Council's borough wide CCTV system, access controls, lower ground floor 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 Policy D11 of the London Plan (2021), and Policies DC1 and DC8 of the Local Plan (2018).

#### **42. Obscured Glass**

The window glass at ground level along the Wood Lane frontage , including the shop fronts, shall not be mirrored, painted, or otherwise obscured and shall be permanently retained as such.

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

#### **43. Protection of Existing Trees**

The development hereby permitted shall not commence until all the existing trees in the proximity of the development to be retained, including those that site within the proposed hoarding line of the development 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 accordance with Policies DC1, DC8, OS2 and OS5 of the Local Plan (2018).

#### **44. Landscaping & Public Realm**

Prior to commencement of the landscape/public realm works hereby permitted, details of the proposed soft and hard landscaping of all areas external to the buildings shall be submitted to and approved in writing by the Local Planning Authority. The details shall include, but are not limited to: planting schedules and details of the species, height and maturity of any trees and shrubs, including sections through the planting areas; depth of tree pits, containers and shrub beds; details relating to the access of each building, pedestrian surfaces, wayfinding, disabled drop off areas, loading bays, pedestrian crossings means of pedestrian/cyclist conflict resolution, materials, kerb details, external steps and seating, street furniture, bins and lighting columns that ensure a safe and convenient environment for blind and partially sighted people. The landscaping works shall be carried out in accordance with the approved details and shall thereafter be permanently retained in this form.

To ensure a satisfactory external appearance of the development and relationship with its surroundings, and the needs of the visually impaired are catered for in accordance with the Equality Act 2010, Policies D3, D4, D8, D9 and HC1 of the London Plan, Policies DC1, DC2, DC3, DC8, OS2 and OS5 of the Local Plan 2018.

#### **45. Landscape and Ecological Management Plan**

Prior to the commencement of the public realm works within the development hereby permitted, a Landscape and Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority for all the landscaped areas in the development. This shall include details of management responsibilities and maintenance schedules for all landscape areas, as well as a habitat management plan and monitoring report which shall set out objectives and prescriptions for the management of new areas of vegetation and public open spaces within the development, for a minimum period of 5 years from the date of occupation of that phase.

Any landscaping removed or severely damaged, dying or becoming seriously diseased within 5 years of first planting shall be replaced with a tree or shrub of similar size and species to that originally required to be planted.

The landscape and ecological 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, and that the biodiversity of the site is protected and enhanced where possible in accordance with Policies CC2, DC1, DC8, OS2, OS4, and OS5 of the Local Plan (2018).

#### **46. Artificial Nesting Opportunities**

Prior to occupation of the development, details of 'artificial nesting opportunities' within the development shall be submitted to the Local Planning Authority for approval. These details shall incorporate bird and bat boxes, including specialise boxes for Black Redstarts. The details to be submitted to the Local Planning Authority for approval shall include a timetable for provision and shall be implemented in accordance with the approved timetable and thereafter retained in accordance with the approved details.

To ensure that satisfactory provision is made for 'artificial nesting opportunities' within the development thereby enhancing the biodiversity of the site in accordance with policy OS4 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD 2018.

#### **47. Television Interference**

Details of methods proposed to identify any television interference caused by the proposed development, including during the construction process, and the measures proposed to ensure that television interference that might be identified is remediated in a satisfactory manner shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development above ground (excluding site clearance and demolition) hereby permitted. The approved remediation measures shall be implemented 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).

#### **48. Airwaves Interference Study**

Prior to commencement of development (excluding site clearance) the following details shall be 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 of required; and
- (ii) The implementation of a Scheme of Mitigation Works for the purposed 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).

#### **49. Permitted Development Rights - Telecommunications**

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 and DC8 of the Local Plan (2018).

#### **50. Window Cleaning Equipment**

Prior to the occupation of each building, details of the proposed window cleaning equipment for each relevant building shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the appearance, means of operation and storage of the cleaning equipment. Each building shall not 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).

#### **51. Blue Badge Parking**

The development shall not be used or occupied until the provision of 4 blue badge parking spaces have been provided in accordance with the approved plans. The accessible parking space shall be permanently retained for the life of the development for the sole use of blue badge holders.



To ensure the provision and retention of disabled car parking facilities, in accordance with Policies T6, T6.1, T6.4 and Policy T6.5 of the London Plan and Policy E3, T1 and T5 of the Local Plan (2018).

### **52. Cycle Parking**

The development shall not be used or occupied until the provision of cycle parking spaces have been provided in accordance with the approved plans and made available to visitors and staff, 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 and Policy T3 of the Local Plan (2018).

### **53. Cycle Parking Management Plan**

Prior to first occupation of the development, a Cycle Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This management plan shall include details of access to cycle parking, security measures, and a system for monitoring demand for charging facilities for electric bikes and accessible cycle parking. 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 T1, T2, T4 and T5 of the London Plan (2021) Policies CC1, CC2, CC6, CC7, CC9, CC10, CC11, CC12, CC13, T1 and T6 of the Local Plan (2018) and SPD Transport Policies of the Planning Guidance Supplementary Planning Document (2018).

### **54. Car Parking Management Plan**

Prior to first occupation of the development, a car parking management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of the detailed design, layout, and parking allocation/management/enforcement of the accessible car parking spaces to be provided. The car parking shall be delivered in full accordance with the approved details and shall thereafter be permanently retained.

To ensure that the detailed design of the roads, footways and cycleways would avoid vehicle/pedestrian conflict in accordance with Policy T1, T4, T5 and T6 of the Local Plan (2018).

### **55. Electric Vehicle Charging Points**

Prior to the first occupation of the development hereby permitted, details of the installation including location and type of active electric vehicle charging points (minimum 22 kW) for all four on-site car parking spaces shall be submitted to and approved in writing by the Local Planning Authority. The approved electric vehicle charging points shall be installed and retained in working order for the lifetime of the development.

To encourage the use of electric vehicles and to mitigate against poor air quality in accordance with Policy SI 1, and T6 of the London Plan (2021) and Policy CC10 of the Local Plan (2018)

#### **56. Active Travel Zone Assessment**

Prior to the first occupation of the development hereby permitted, a night-time Active Travel Zone Assessment shall be submitted to and approved in writing by the Council. The assessment shall be undertaken in accordance with TfL's methodology and shall include, but not be limited to, details of the management of personal safety and lighting.

Any necessary mitigation identified within the approved night-time Active Travel Zone Assessment shall be implemented in full prior to the first occupation of each use and shall be permanently retained thereafter.

To ensure the quality, safety and accessibility of pedestrians and cyclists in accordance with Policy T1, T2, T4 and T5 of the London Plan (2021).

#### **57. Delivery and Servicing Plan**

Prior to first occupation of the development hereby permitted, a final Delivery and Servicing Management Plan (DSP) 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. On-site freight consolidation facilities to minimise the number of vehicle movements to the site
- 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. Times, frequency and management of deliveries and collections including collection of waste and recyclables
- g. Operations of the loading bay (s) as identified on the approved drawings
- h. Emergency access, and vehicle movement at the site entrance and throughout the development
- i. Quiet loading/unloading mitigation including silent reversing measures in accordance with Building Design Guidance for Quieter Deliveries, TFL, June 2018,

The DSP shall demonstrate that all servicing and deliveries shall take place from within the site. Approved details shall be fully implemented prior to the

occupation/use of the development and thereafter permanently retained and maintained for the lifetime of the development.

To ensure that satisfactory provision is made for refuse storage and collection; to ensure that potential conflicts between servicing vehicles and other road users/pedestrians are adequately mitigated and to ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by noise, in accordance with Policy T7 of the London Plan and Policies T2, CC11 and CC13 of the Local Plan (2018) and SPD Key Principle TR28 (2018).

#### **58. Refuse**

Prior to the first occupation of the development hereby approved, the refuse storage enclosures, including provision for the storage of recyclable materials shall be provided as indicated on the approved drawings. All the refuse/recycling generated by the building hereby approved shall be stored within the approved areas and shall be permanently retained thereafter in accordance with the approved details.

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

#### **59. Waste Management Strategy**

The development hereby permitted shall be undertaken in full accordance with the approved Waste Management Strategy.

Prior to the first occupation of each use, all storage arrangements shall be provided in accordance with the approved details and shall thereafter be permanently retained in this form.

To protect the environment and to ensure that satisfactory provision is made for refuse/recycling storage and collection, in accordance with Policy T7 of the London Plan (2021) and Policies CC6 and CC7 of the Local Plan (2018) and SPD Key Principle WM1 (2018).

#### **60. Pedestrian Ramp Access**

Prior to commencement of development above ground (excluding Enabling and Demolition Works) detailed drawings of ramp access arrangements including a layout plan, section, and elevation at a scale of not less than 1:20, which should illustrate its relationship with the existing façade from Wood Lane to Pioneer Way shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details which shall be completed prior to occupation of the development and thereafter permanently retained.

In order that the works are carried out in a satisfactory manner and to ensure that the development provides for an inclusive and accessibly safe environment, in accordance with Policies DC8, T3 and DC2 of the Local Plan (2018).

### **61. Inclusive Access Management Plan**

No part of the development hereby approved shall be occupied or used until an Inclusive Access Management Plan for the relevant part of the site has been submitted to and approved in writing by the Local Planning Authority. The plan shall set out a strategy for ongoing consultation with specific interest groups regarding accessibility of the relevant part of the site. On-going consultation shall then be carried out in accordance with the approved IAMP. 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 E10 of the London Plan and Policy E3 of the Local Plan (2018).

### **62. Lifts**

Prior to first occupation of each building, details of fire rated lifts shall be 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 D12 of the London Plan (2021), and Policy DC1 and HO6 of the Local Plan (2018).

### **63. Fire Strategy**

The development shall be carried out and completed in accordance with the submitted Revised Fire Statement. The development shall be implemented in accordance with these details prior to occupation and shall thereafter be permanently retained in this form.

To ensure full compliance with, in accordance with Policy D12 of the London Plan 2021.

### **64. Microclimate**

Prior to commencement (excluding Enabling Works and Demolition Works), details of microclimate mitigation measures necessary to provide an appropriate wind environment throughout and surrounding the development shall be submitted to and approved in writing by the Local Planning Authority. Approved details shall be implemented in full prior to the first occupation of the development and shall be permanently retained thereafter.

To ensure that suitable measures are incorporated to mitigate potential adverse wind environments arising from the development, in accordance with Policies GG1, D8 and D9 of the London Plan (2021) and Policies DC3 and CC2 of the Local Plan (2018).

### **65. Co-living Management Plan**

Prior to first occupation of the co-living building, a Co-Living Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This management plan shall include details for the arrangement for day-to-day management; access and security; communal area management; accessibility management; maintenance; individual room management; tenancy agreements (including but not limited to tenant conduct and car ownership); moving in and out procedure (including vehicular and pedestrian arrivals/departures); antisocial behaviour and fire and health and safety procedures and liaison. The development shall not be operated otherwise than in accordance with the Co-Living Management Plan as approved and shall thereafter be permanently retained in this form.

To comply with the requires of London Plan Policies T1, T6 and H16.

### **66. Operational Management Plan**

Prior to first occupation of the development hereby approved, an Operational Management Plan shall be submitted to and approved in writing by the Local Planning Authority, relating to the Co Living, office space, and café areas. This shall include details about hours of operation, physical access between all the spaces within the development, use of the terrace areas, lighting, security, maintenance, deliveries and serving, and all operational and management details relating to the development and shall include an agreed programme and mechanism for reviewing the Plan. The development shall be implemented in accordance with the approved details prior to occupation, and the Plan shall be submitted and approved in writing by the Local Planning Authority at each major review as set out in the Plan. Thereafter the use shall only be operated in accordance with the approved Operational Management Plan.

To ensure the satisfactory operation of the approved development, and to ensure that the amenities of surrounding occupiers are not unduly affected by disturbance in accordance with Policies CC11, CC12, T1, T4 and DC8 of the Local Plan (2018).

### **67. Revised Whole Life-Cycle Carbon Assessment**

- i) Prior to commencement of the development hereby permitted (excluding enabling and demolition works), a revised Whole Life-Cycle Carbon Assessment for the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in compliance with the approved details.
- ii) Within 6 months of occupation or any use of the development, a post-construction monitoring report setting out how the development met with the requirements of the approved Assessment in part (i) of the condition shall be submitted to and approved in writing by the Local Planning Authority.

In the interests of energy conservation and reduction in carbon, in accordance with London Plan Policy SI2.

### **68. Circular Economy Assessment Post-Construction Report**

Within 6 months of occupation or any use of the development, a post-construction monitoring report setting out how the construction process met the requirements of the approved Circular Economy Statement shall be submitted to and approved in writing by the Local Planning Authority.

In the interests of reducing waste and supporting the Circular Economy, in accordance with London Plan Policy SI7.

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## **JUSTIFICATION FOR APPROVING THE APPLICATION**

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1) Land Use: The proposed land uses are supported by adopted policy. Officers consider that the residential use development is appropriate in this location. Although the site is located outside the White City Opportunity and Regeneration Area it is located in a highly sustainable location, with a PTAL rating of 6a. The proposal has adopted a design-led approach to optimise the capacity of a site in keeping with its surroundings. The Co-Living element has been fully assessed and considered to provide an acceptable form of shared residential accommodation with a good range services and provision of indoor/outdoor amenity space which will complement the proposed replacement/additional on site housing. The proposed uses in conjunction with the replacement offices space and café/restaurant use are 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 GG2, SD1, H1 and H16 of the London Plan 2021; and Policies HO1, HO3 and HO4 of the Local Plan 2018.

2) Housing: The proposal would contribute to the overall housing delivery targets for the borough and wider area with the provision of 269 units (233 net), increasing the range and choice of housing on the site. The provision of 60 Class C3 residential units goes towards meeting the borough's affordable housing provision and is considered at this stage to provide the maximum reasonable proportion of affordable housing on site. A late stage review mechanism is recommended and would be secured through the Section 106 agreement. The proposed housing mix is acceptable in this instance, considering the particular circumstances of the Applicant and their commitment as an affordable housing provider for women. Overall the proposal would provide an acceptable standard of accommodation for residents. The proposal is therefore considered to be in accordance with the NPPF; Policies GG4, H1, H4, H6 H8, H10 and H16 of the London Plan 2021; and Policies HO1, HO2 (b), HO3, HO5 and HO11 of the Local Plan 2018.

3) Design and Heritage: It is considered that the proposals will deliver good quality architecture which optimises the capacity of the site with good quality residential and commercial accommodation. In considering the urban design and heritage impacts, it is acknowledged that the application site is not within an area identified for development of a tall building and therefore would in part conflict with Local Plan Policy DC3. Notwithstanding this conflict, the development is not considered to have a disruptive and harmful impact on the skyline and would comply with the impact framework of London Plan (2021) Policy D9 and with Policy D9 considered as a whole. The proposals are not considered to result in any harm to the setting of any adjacent heritage assets, having regard and applying the statutory provisions of Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal is also considered to be in line with national guidance in the NPPF and strategic local policies on the historic environment and urban design. Although some elements of conflict with policy have been identified above overall,

the Proposed Development is considered acceptable having regard to the NPPF, Policies D3, D4, D6, D8, D9 and HC1 of the London Plan 2021 and Policies DC1, DC2, DC3, DC4, DC7 and DC8 of the Local Plan 2018.

4) Impact on Neighbouring Properties: The impact of the proposed development upon adjoining occupiers is considered acceptable. There would be no significant worsening of noise/disturbance and overlooking, no unacceptable loss of sunlight or daylight or outlook to cause undue detriment to the amenities of neighbours. In this regard, the development would respect the principles of good neighbourliness. The proposed development therefore accords with Policies D3, D6, D8 and D13 T4, D4, D11 and D14 of the London Plan 2021 and Policies CC11, CC13, DC2, DC3, HO4 and HO11 of the Local Plan 2018 and Key Principle HS6 and HS7 of the Planning Guidance SPD.

5) Transport: It is considered that the scheme would not have a significant impact on the highway network or local parking conditions and is thus considered to be acceptable. Provision would be made for blue badge car parking and cycle parking. External impacts of the development would be controlled by conditions and section 106 provisions, related to blue badge parking, cycle and refuse storage, construction logistics plans while the monitoring of the Travel Plans is secured by legal agreement. Subject to the agreement of this the development would not generate congestion or disturbance as a deliveries and servicing and drop off/pick up parking. Adequate provision for storage and collection of refuse and recyclables would be provided. The accessibility level of the site is excellent, and the site is well served by public transport. 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 T1, T2, T3, T4, T5, T6.1, T6.4 and T6.5 of the London Plan 2021 and Policies T3, T4, T5, T7 and CC7 of the Local Plan 2018.

6) Sustainability and Energy: The proposed development has been designed to meet the highest standards of sustainable design and construction. The application proposes several measures to reduce CO2 emissions to exceed London Plan targets, a revised Energy Strategy is secured by condition to ensure the highest levels of savings. The proposal would achieve an 'excellent' BREEAM rating and delivering this is secured by condition. The proposal would incorporate brown and green roofs and a revised Sustainable Urban Drainage Strategy would be required by condition to reflect final design detail. The proposal would thereby seek to reduce pollution, waste, and minimise its environmental impact. Subject to the inclusion of conditions requiring the implementation of the submitted and revised documents requiring submission of Sustainability and Energy Statements, the proposed development accords with Policies SI2, SI3 and SI4 London Plan Policies of the London Plan 2021 and Policies CC1, CC2 and CC7 of the Local Plan 2018.

7) Flood Risk and drainage: The site is in Flood Zone 1. A Flood Risk Assessment (FRA) and Addendum have been submitted which advises standard construction practices to ensure the risk of flooding at the site remains low, however mitigation measures are required to be submitted and approved by condition. Sustainable drainage systems (SUDS) would be integrated into the development to cut surface water flows into the communal sewer system. Subject to the inclusion of conditions

requiring the submission of a Surface Water Drainage Strategy and submission of an updated Flood Risk Assessment officers consider that the proposed approach would be acceptable and in accordance with Policies SI 12 and SI 13 of the London Plan 2021 and policy requiring flood risk assessment and development to mitigate flood risk, Policies CC2, CC3, CC4 and CC5 of the Local Plan 2018 which requires development to minimise future flood risk.

8) 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 prior to the commencement of above ground works for each phase of the development 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. It is noted that there is not expected to be an exceedance of the one-hour objective at any onsite location where there is relevant exposure, and the air quality neutral target is met. As such the proposed development can accord with Policy SI 1 of the London Plan 2021 and Policy CC10 of the Local Plan 2018.

9) 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 Policies CC9 of the Local Plan 2018.

10) Microclimate: 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 or surrounding properties. Conditions are secured to provide additional mitigation measures through the materials and landscaping. The proposal is considered to comply with Policies GG1, D8 and D9 of the London Plan 2021 and Policies DC3 and CC2 of the Local Plan 2018.

11) Arboriculture, Ecology and Biodiversity: As part of the development new trees/shrubs will be planted within the public realm and within the roof terraces. The new public realm incorporates recommendations to enhance the biodiversity value such as the inclusion of wildlife planting as part of the landscaping and a biodiverse roof. Subject to the inclusion of conditions the proposed development accords with Policies G5 and G7 of the London Plan 2021 and Policies OS1 and OS5 of the Local Plan 2018 in terms of ecological and urban greening.

12) Security: No objections are received from the Designing Out Crime Officer. The overall security strategy and design intent is considered acceptable at this stage and the next stage of the process is to continue dialogue with the applicant and architects to agree the detail of measures to be incorporated within the development. A condition would ensure the development would provide a safe and secure environment for all users. The proposals are considered to be well designed and in accordance with the NPPF and Policy DC1 of the Local Plan 2018.

13) Archaeology: The site is not located within a locally defined Archaeological Priority Area. A Historic Environment Assessment was submitted. The assessment concludes that there is low potential for the site to contain archaeology remains. The Greater London Archaeological Advisory Service (GLAAS) support the findings and



confirm that no further archaeological work or condition is required in this particular instance. The proposed development therefore accords with Policy HC1 of the London Plan 2021 and DC1 and DC8 of the Local Plan 2018.

14) Local Economy and Employment: The proposal would provide employment opportunities both in the borough. The development would generate construction related full time equivalent (FTE) jobs over the build period and jobs once the development is complete and operational. The employment and training initiatives secured through the S106 agreement would bring significant benefits to the local area while a local procurement initiative will be entered into by way of the legal agreement to provide support for businesses. Furthermore, contributions through the community use for borough residents would have a positive effect on the borough. The development is therefore in accordance with London Plan Policy E2 and Local Plan Policies E1 and E4.

15) Accessibility and Safety: 13% of the co-living units and 10% of the residential units would be wheelchair accessible, four blue badge car parking spaces and cycle storage spaces for adapted/larger cycles are provided on-site. The development would 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. Satisfactory provision is therefore made for users with mobility needs, in accordance with Policies D5 and D11 of the London Plan 2021; and Policy H06 of the Local Plan 2018. An Inclusive Accessibility Management Strategy is secured by way of condition.

16) The Fire Strategy has been agreed with the required evacuation lifts being provided. The proposal will provide a high quality environment for disabled and impaired members of the community and the commitments within the Access Statement are positive and deliverable by way of conditions. As such the proposal will comply with London Plan Policies E10, D5 and D12 Local Plan Policies DC1 and DC2 as well as Planning Guidance SPD Key Principles DA1, DA4, DA5, DA6, DA7, DA8, DA9, DA11, DA12 and DA13.

17) Environmental Impact Assessment: The Environmental Statement, and the subsequent Environmental Statement Addendum and the various technical assessments together with the consultation responses received from statutory consultees and other stakeholders and parties, enable the Council to determine this application with knowledge of the likely significant environmental impacts of the proposed development.

18) Objections: Whilst many issues have been raised by objectors to the scheme it is considered, for the reasons explained in the detailed analysis, that planning permission should be granted for the application 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 draft 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.

19) 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.

20) 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 the provision of economic development initiatives, including local training and employment opportunities and procurement, local infrastructure improvements, monitoring, carbon offset payment are secured. The proposed development would therefore mitigate external impacts and would accord with Policy CF1 of the Local Plan 2018.

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

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

Application form received: 16 January 2020

Drawing Nos: See Condition 2 below

**Policy documents:**

National Planning Policy Framework (NPPF) 2021

The London Plan 2021

LBHF - Local Plan 2018

LBHF – Planning Guidance Supplementary Planning Document 2018

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## LIST OF CONSULTATION & NEIGHBOUR COMMENTS (ADDRESSES).

<b>Consultation Comments:</b>	<b>Date:</b>
Sport England	20.06.2022
Historic England London Region	22.06.2022
Thames Water – Development Control	22.06.2022
Metropolitan Police Service	27.06.2022
Crime Prevention Design Advisor - Hammersmith	
Historic England (GLAAS)	27.06.2022
Royal Borough of Kensington & Chelsea	28.06.2022
Greater London Authority (GLA)	18.07.2022
Historic England London Region	19.07.2022
London Underground Limited (LUL)	07.09.2022
HSE – Planning Gateway One	22.09.2022

<b>Neighbour Representations Objecting:</b>	<b>Date:</b>
St Quintin And Woodlands Neighbourhood Forum	07.08.2022
Hammersmith Society	23.08.2022
Du Cane Road Residents Association	04.09.2022
32 Pankhurst House, Du Cane Road, W12	19.06.2022
32 Pankhurst House, Du Cane Road, W12	05.09.2022
17A Eynham Road, W12	20.06.2022
193 Bentworth Road, W12	22.06.2022
193 Bentworth Road, W12	22.06.2022
193 Bentworth Road, W12	22.06.2022
11 Nascot Street (1 <sup>st</sup> Floor Flat), W12	04.07.2022
78 Banstead Court, West Way, W12	13.07.2022
100 St Dunstan's Avenue, W3	03.08.2022
Adelaide Grove, W12	05.08.2022
48 St Marks Road, W10	11.08.2022
20 Rosaline Road, SW6	11.08.2022
13-44 Pankhurst House, W12	26.09.2022
13-44 Pankhurst House, W12	20.09.2022
13-44 Pankhurst House, W12	02.09.2022
13-44 Pankhurst House, W12	02.09.2022
13-44 Pankhurst House, W12	01.09.2022
13-44 Pankhurst House, W12	23.08.2022
13-44 Pankhurst House, W12	12.08.2022
13-44 Pankhurst House, W12	12.08.2022
13-44 Pankhurst House, W12	08.08.2022
13-44 Pankhurst House, W12	04.08.2022
13-44 Pankhurst House, W12	17.07.2022
13-44 Pankhurst House, W12	12.07.2022
13-44 Pankhurst House, W12	10.07.2022
13-44 Pankhurst House, W12	08.07.2022
13-44 Pankhurst House, W12	08.07.2022
13-44 Pankhurst House, W12	07.07.2022
13-44 Pankhurst House, W12	07.07.2022
13-44 Pankhurst House, W12	27.06.2022

13-44 Pankhurst House, W12	24.06.2022
13-44 Pankhurst House, W12	16.06.2022
13-44 Pankhurst House, W12	15.06.2022

**Neighbour Representations In Support:**

**Date:**

54 Wormholt Road, W12	17.07.2022
56 Wormholt Road, W12	17.07.2022
Pioneer Way (Flat 4), W12	28.06.2022
Pioneer Way (Flat 7), W12	30.06.2022
Pioneer Way (Flat 10), W12	28.06.2022
5 Pioneer Way, W12	22.07.2022
25 Pioneer Way, W12	04.07.2022
29 Pioneer Way, W12	29.06.2022
31 Pioneer Way, W12	29.06.2022
40 Pioneer Way, W12	23.06.2022
45 Pioneer Way, W12	01.07.2022
22 Nightingale House, Du Cane Road, W12	28.06.2022
18 Nightingale House, Du Cane Road, W12	07.07.2022
165 (Flat B) Holland Park Avenue, W11	15.02.2022
165 (Flat F) Holland Park Avenue, W11	16.06.2022
21 Stanley Crescent, W11	15.02.2022
25 Bramham Gardens (Flat 12), Mary Flux Court, SW5	18.06.2022
25 Bramham Gardens (Flat 12), Mary Flux Court, SW5	18.06.2022
9 Cromwell Road (Flat 10), SW7	22.06.2022
Clarion Housing, 1-7 Corsica Street, N5	27.06.2022
15 The Bowers, Durham	30.06.2022
82 Wentworth Street, E1	07.07.2022
No Address Given	08.07.2022
No Address Given	08.07.2022

**First Consultation (January 2020 – December 2021)**

**Consultation Comments:**

**Date:**

Historic England London Region	13.02.2020
Thames Water - Development Control	17.02.2020
Natural England	19.02.2020
London Underground	25.02.2020
Greater London Archaeology Advisory Service	03.03.2020
Environment Agency	05.03.2020
Disability Forum	09.03.2020
Greater London Authority (GLA)	09.03.2020
Royal Borough of Kensington And Chelsea	10.03.2020
Transport For London - Land Use Planning Team	16.03.2020
The Hammersmith Society	18.03.2020
London Underground	31.03.2020
Historic England London Region	18.05.2020
Sport England	20.05.2020

<b>Neighbour Representations Objecting:</b>	<b>Date:</b>
Du Cane Estate Residents Association	05.02.2020
Du Cane Estate Residents Association	06.03.2020
St Quintin and Woodlands Neighbourhood Forum	04.05.2020
Du Cane Estate Residents Association	02.09.2020
25 Pankhurst House, Du Cane Road, W12	30.01.2020
25 Pankhurst House, Du Cane Road, W12	26.02.2020
25 Pankhurst House, Du Cane Road, W12	11.06.2020
29 Pankhurst House, Du Cane Road, W12	27.02.2020
29 Pankhurst House, Du Cane Road, W12	28.02.2020
30 Pankhurst House, Du Cane Road, W12	06.02.2020
32 Pankhurst House, Du Cane Road, W12	20.02.2020
32 Pankhurst House, Du Cane Road, W12	20.02.2020
38 Pankhurst House, Du Cane Road, W12	23.02.2020
38 Pankhurst House, Du Cane Road, W12	24.02.2020
38 Pankhurst House, Du Cane Road, W12	28.07.2020
7 Nightingale House, Du Cane Road, W12	13.02.2020
9 Cavell House, 243 Wood Lane, W12	27.02.2020
9 Cavell House, 243 Wood Lane, W12	26.02.2020
9 Cavell House, 243 Wood Lane, W12	25.02.2020
15 Holst House, Du Cane Road, W12	18.03.2020
15 Holst House, Du Cane Road, W12	01.06.2020
34 Holst House Du Cane Road, W12	28.02.2020
47 Holst House, Du Cane Road, W12	27.02.2020
19 Christie House, Du Cane Road, W12	20.02.2020
49 Bentworth Road, W12	17.02.2020
79 Bentworth Road, W12	18.02.2020
79 Bentworth Road, W12	14.05.2020
79 Bentworth Road, W12	22.06.2020
120 Bentworth Road, W12	13.03.2020
193 Bentworth Road, W12	06.02.2020
193 Bentworth Road, W12	11.02.2020
69 Braybrook Street, W12	05.05.2020
25 Pavilion Terrace, Wood Lane, W12	26.02.2020
8 Terrick Street, W12	05.02.2020
209 Westway, W12	14.02.2020
13-44 Pankhurst House, W12	30.01.2020
13-44 Pankhurst House, W12	06.02.2020
13-44 Pankhurst House, W12	08.02.2020
13-44 Pankhurst House, W12	10.02.2020
13-44 Pankhurst House, W12	12.02.2020
13-44 Pankhurst House, W12	15.02.2020
13-44 Pankhurst House, W12	18.02.2020
13-44 Pankhurst House, W12	18.02.2020
13-44 Pankhurst House, W12	19.02.2020
13-44 Pankhurst House, W12	19.02.2020
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13-44 Pankhurst House, W12	21.02.2020
13-44 Pankhurst House, W12	21.02.2020
13-44 Pankhurst House, W12	21.02.2020
13-44 Pankhurst House, W12	22.02.2020
13-44 Pankhurst House, W12	22.02.2020
13-44 Pankhurst House, W12	22.02.2020
13-44 Pankhurst House, W12	23.02.2020
13-44 Pankhurst House, W12	24.02.2020
13-44 Pankhurst House, W12	24.02.2020
13-44 Pankhurst House, W12	24.02.2020
13-44 Pankhurst House, W12	25.02.2020
13-44 Pankhurst House, W12	25.02.2020
13-44 Pankhurst House, W12	26.02.2020
13-44 Pankhurst House, W12	26.02.2020
13-44 Pankhurst House, W12	26.02.2020
13-44 Pankhurst House, W12	27.02.2020
13-44 Pankhurst House, W12	28.02.2020
13-44 Pankhurst House, W12	16.03.2020
13-44 Pankhurst House, W12	17.03.2020
13-44 Pankhurst House, W12	04.06.2020
13-44 Pankhurst House, W12	29.08.2020
13-44 Pankhurst House, W12	15.12.2020
13-44 Pankhurst House, W12	16.12.2020
13-44 Pankhurst House, W12	03.10.2020
13-44 Pankhurst House, W12	30.11.2021
13-44 Pankhurst House, W12	01.12.2021
13-44 Pankhurst House, W12	15.12.2021
136 Highlever Road, W10	18.05.2020
15 Barlby Road, W10	11.06.2020
69 Harlesden Gardens, NW10	07.02.2020
69 Harlesden Gardens, NW10	11.06.2020
No Address Given	20.02.2020
No Address Given	28.02.2020
No Address Given	06.03.2020
No Address Given	22.02.2020

**Petition received 25/02/2020 - Objection**

202 signatures (mostly from residents in Bentworth Road/Westway) relating to the original part 9-storey, part 29-storey building).

**Neighbours Representations In Support:**

**Date:**

1 Pioneer Way, W12	24.08.2020
3 Pioneer Way, W12	01.09.2020
11 Pioneer Way, W12	24.08.2020
12 Pioneer Way, W12	25.08.2020
20, Pioneer Way, W12	27.08.2020
22 Pioneer Way, W12	24.08.2020

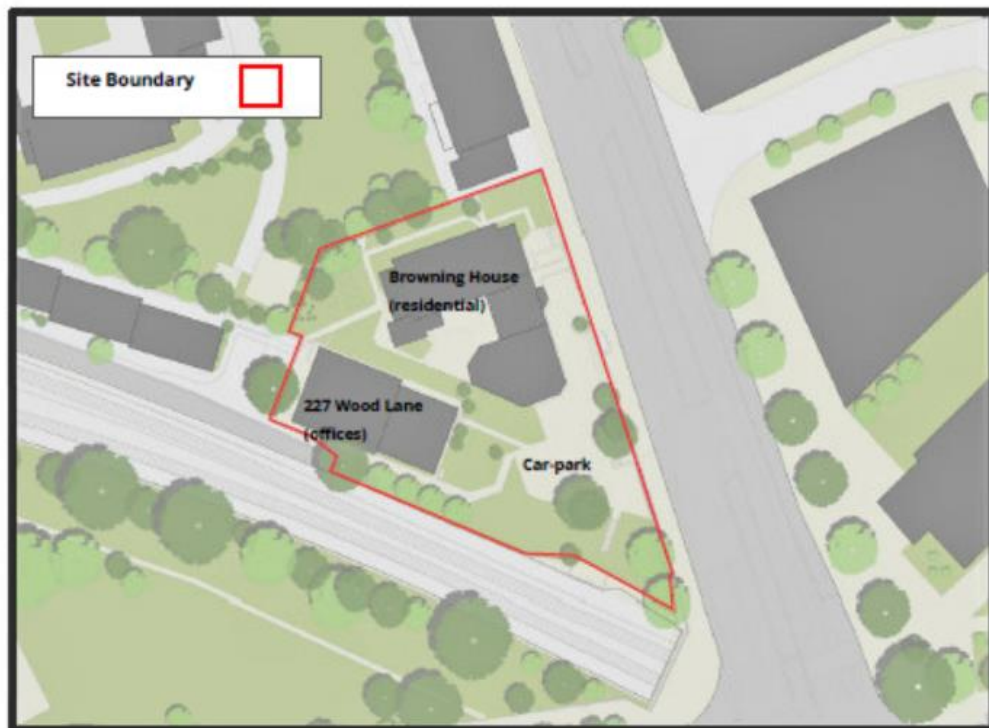
22 Pioneer Way, W12	24.08.2020
8 Shinfield St, W12	10.02.2020
8 Shinfield St, W12	03.03.2020
222 Du Cane Road, W12	16.02.2020
Flat 50 Cranston Court, 56 Bloemfontein Road, W12	17.02.2020
Flat 23 Grey House, White City, W12	18.02.2020
522 Television Centre, W12	05.03.2020
Flat 22, Mary Flux Court, 25 Bramham Gardens, SW5	02.04.2020
Clarion Housing, Reed House, Norwich	26.02.2020
Solace Women's Aid Unit, 5/7 Blenheim Court, N7	06.04.2020
IKWRO Women's Rights Organisation, E15	24.08.2020
21 Stanley Crescent, W11	29.08.2020
No Address Given	01.09.2020
No Address Given	01.09.2020
No Address Given	06.09.2020
No Address Given	24.08.2020

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## 1.0 SITE DESCRIPTION AND SURROUNDINGS

### The Site

- 1.1 The application site ('the site') covers 0.22 hectares in area and is triangular shaped. Located on the west of Wood Lane (A219), north of the A40 Westway and railway line. The administrative boundary with the Royal Borough of Kensington and Chelsea (RBKC) is located approximately 200 metres to the east of the site.
- 1.2 The site comprises two buildings. Browning House is a four storey (1950's) residential building, fronting Wood Lane, containing 36 studio/1-bed flats, let on social rent tenure by Women's Pioneer Housing ('WPH'), a local housing association providing women-led long-term housing. 227 Wood Lane, is a purpose built, part two-storey office building fronting Pioneer Way, occupied by WPH as their office headquarters. The remainder of the site consist of a mix of hardstanding, including car parking, and grass embankments and trees. The primary vehicular/pedestrian access point is via Wood Lane. A secondary pedestrian access is provided off Pioneer Way to the southwest.



- 1.3 Ground levels vary across the site. Levels fall from Wood Lane towards the railway lines and Pioneer Way, creating level changes of between 4 to 5 metres. Wood Lane bridges over the London Underground Central Line rail lines which is in a sunken cutting in this location. A steep bank with the railway lines abuts the southern boundary. A pedestrian route on Pioneer Way leads to Du Cane Road. This walkway is served by a set of steps providing pedestrian access up to the footway on Wood Lane. There is also a small fall in ground level south to north.



## **Surroundings**

- 1.4 The site is bounded by Wood Lane to the east; the Central Line and A40 to the south; and four storey residential blocks fronting Du Cane Road to the north (Cavell, Hoist House and Pankhurst House). Cavell House to the north of the site, looks onto Wood Lane and comprises ground floor retail and commercial uses with residential accommodation above. Pankhurst is a four storey apartment block, designed in the form of an 'H' plan layout/courtyards, which lies to the west of Cavell House, fronting Du Cane Road. Hoist House lies to the west of Pankhurst House. All these blocks are owned and managed by Clarion Housing Group (CHG), a registered housing association. An open green space located to the north of the site between Cavell House and Pankhurst House is owned by WPH but leased to CHG. This land is referred to as 'the green' provides a visual and physical link between Browning House and Nightingale House.
- 1.5 A row of single storey residential units on Pioneer Way are owned and managed by WPH together with Nightingale House, which lies on the corner of Du Cane Road/Wood Lane. Hammersmith Hospital, Latymer Upper School Playing Fields and Ark Burlington Danes Academy primary school are located to the north of Du Cane Road.
- 1.6 Imperial College London's new White City Campus North is located on the opposite side of Wood Lane. This area has witnessed significant change and intensification in the last 10 years. The campus includes a range of uses including residential, student accommodation, offices, laboratory, and research space, in buildings between 3 and 35 storeys. Plot G fronting Wood Lane and immediately opposite the site is currently under construction and due to be occupied by the School of Public Health when completed. Plot A is the remaining building to be constructed. Edwardian terraced housing lies immediately to the north of the Imperial College campus, set between Wood Lane to the west and railway lines to the east and the administrative boundary with the Royal Borough of Kensington and Chelsea.
- 1.7 A residential area lies to the southwest which includes the Wormholt and Old Oak estates. The former Dairy Crest site is situated to the southeast south of the A40 Westway, within the White City Regeneration Area (WCRA), which has Outline Planning Permission for a comprehensive employment-led mixed use redevelopment by Imperial College London. There are several other significant developments in the immediate area south of the A40 Westway (also within the WCRA). These include White City Place and the 'Gateway' development, the BBC Television Centre, White City Living and Westfield, together with the White City estate and the ed city development. The Wood Lane Estate is to the south, is also located in the WCRA.

## **Designations**

- 1.8 The site has no specific site designation in the development plan. It is located immediately to the west of the northern boundary of the White City Regeneration Area (WCRA), as designated in the Local Plan (2018) and the White City Opportunity Area (WCOA) in the London Plan (2021).

- 1.9 The site is not in a conservation area nor any of the buildings listed (statutory or local listings) or in a designated area of archaeological importance. The closest conservation areas are the Old Oak and Wormholt Conservation Area to the west; Wood Lane Conservation Area to the south; and Oxford Gardens/St Quintin Conservation Area (the Royal Borough of Kensington and Chelsea) to the east. The closest listed buildings are the Burlington Danes School (Grade II) which is 350 metres to the north and the BBC Television Centre (Grade II) which is 500 metres to the south. Kensal Green Cemetery in the Royal Borough of Kensington and Chelsea is located approximately 1.2 kilometres to north which is a Grade I Registered Park and Garden and is covered by two conservation areas. The site is not within any designated London View Management Framework view or key views as defined in the Local Plan.
- 1.10 The site falls within the Environment Agency's Flood Risk Zone 1 (low probability of flood risk) and an Air Quality Management Area (which covers the whole borough).
- 1.11 The site lies adjacent to a designated Nature Conservation Area and includes a portion of the site in the south-eastern part. This is a rail side habitat (lines and embankment) that forms part of a local, non-statutory ecological area, classified as a Site of Importance for Nature Conservation (SINC) – Central Line West of White City SINC in the Local Plan. The SINC is well vegetated with scrub, occasional grassy clearings, and patches of woodland. Wormwood Scrubs Local Nature Reserve (LNR) is located approximately 525 metres north-west of the site. There are trees on the site, but none are protected by Tree Preservation Orders (TPO's).

### **Transport**

- 1.12 The site is highly accessible, with a Public Transport Accessibility Level (PTAL) of 6a on a scale of 0 to 6b, where 6b represents the highest level of access to the public transport network, indicating an "Excellent" level of accessibility. A bus stop (northbound – Wood Lane) is located directly outside the site and serves four bus routes. Further bus routes are served within the vicinity of the site.
- 1.13 White City London Underground station (Zone 2) is 6 minutes (500 metres) walk to the south of the site, served by the Central line. Wood Lane London Underground station, served by the Circle and Hammersmith & City lines, is a further 200m to the south. The closest cycle hire docking station is located on Wood Lane, approximately 100 metres (3 minutes) walk to the south of the site. TFL have proposed new cycle dedicated cycle lane to run between Wood Lane and Notting Hill gate.
- 1.14 The (A40) Westway (an elevated dual carriageway at this location) runs east-west, located 30 metres to the south. Forms part of the Transport for London Road Network (TLRN). Wood Lane forms part of the Strategic Road Network (SRN). Pioneer Way is a private road owned by WPH. Controlled Parking Zone 'N' operates Monday to Saturdays, between 09.00 – 17.00.

- 1.15 The surrounding White City Regeneration/Opportunity Area is undergoing significant regeneration and development. Imperial College London's White City Campus North is located on the opposite side of Wood Lane and includes various buildings in residential, student accommodation and office, laboratory and research and development use ranging in height between 9 and 35 storeys. The White City Campus South also extends to the south of the Westway flyover. Further south is the Gateway and Ed City plus the White City Living and Centre House residential-led developments which are being constructed.

## **PLANNING HISTORY**

- 2.1 There is no significant planning history. Browning House is a 1950's building, extended in the mid 1970's. The office building (227 Wood Lane) was originally constructed in 1983. In June 1995 planning permission was granted for the erection of an additional floor, to form a part two-storey building.
- 2.2 An Environmental Impact Assessment (EIA) has been undertaken. An EIA scoping opinion (ref: 2019/02088/SCOEIA) was issued by the Council on 9 August 2019 ahead of the submission of the planning application for the original (larger) proposals.
- 2.3 The application was first submitted to the Council in January 2020.
- 2.4 Permission was first sought for the demolition of the existing buildings and redevelopment of the site for up to 430 units, comprising 80 residential apartments in affordable tenure, 350 co-living apartments and office space (632 sqm.), in a part 9-storey, part 29-storey development.
- 2.5 Significant concern was expressed by some residents and amenity groups regarding the proposed height, scale, and massing of the original proposals (particularly the proposed 29-storey tower element). The Applicant has undertaken a full review of the original scheme and developed, in consultation with the local community, key stakeholders and officers a revised scheme which seeks to address these concerns and remain deliverable whilst funding new affordable homes for WPH.
- 2.6 The proposal has been revised under the same application reference (rather than in the form of a new application) and the amendments made to the original proposals are the subject of this report. The key changes made to the original proposals are summarised below.
- A reduction to 269 units comprising: 209 co-living units (Use Class - Sui Generis) and 60 WPH apartment units (Use Class C3).
  - Reduction in height of the tallest part of the development from 29-storeys to up to 18-storeys.
  - Reduction in total number of co-living apartments from 350 to 209 units.
  - Reduction in the height of the lower part of the development by one-storey (now ground plus six floor above).
  - Reduction of proposed WPH residential apartments from 80 1-bed units to 60 1-bed units.

- Reduction in co-living amenity space from 1,635 sqm. to 1,061 sqm.
- 1,789 sqm (GIA) of internal amenity space for co-living including a gym, café, communal kitchen dining area, lounge plus lobby spaces.
- 824 sqm of external amenity space including co-living terraces and ground floor landscaping areas.
- Reduction in WPH office space (Class E (g)) from 632sqm to 497sqm.
- Redesigned public realm and landscaping scheme to provide additional useable space.
- 652 sqm (GIA) of plant and storage space.
- Provision of 4 accessible car parking spaces and 320 cycle spaces (308 long stay and 12 short stay).
- Amendments to the elevational treatment of the tallest building.

## **CURRENT APPLICATION**

- 3.1 The application before the committee seeks full (detailed) planning permission for the demolition and redevelopment of Browning House and the Women's Pioneer Housing office building (227 Wood Lane) for a residential-led mixed use scheme.
- 3.2 The site is owned and occupied by Women's Pioneer Housing ("WPH") Ltd. WPH was established in the 1920's and is a registered provider (RP) for women across several London boroughs, the majority of which are studio and one-bedroom flats. WPH have been based in the borough for more than 40 years.
- 3.3 In 2017, WPH launched a procurement process with the objective of finding a partner to regenerate the site. WPH state that they explored different options to increase the quantum and quality of on-site affordable housing and re-provide new offices.
- 3.4 An initial feasibility exercise was carried out by WPH to consider the different options which included the retention and extension of Browning House. WPH identified that the existing buildings on the site were in significant need of repair and considerable investment would be required to bring them up to modern standards. WPH's objective was to re-provide their headquarter office accommodation on site and increase the quantum of on-site affordable housing at zero cost.
- 3.5 WPH opted to bring forward a Joint Venture (JV) to redevelop the site and in 2018, appointed HUB as their preferred development partner. HUB is a developer with a focus on the Build to Rent sector.
- 3.6 The joint applicants in this case are Women's Pioneer Housing Ltd (as the site owner and occupier) and Wood Lane Real Estate LLP or HUB (as the developer).

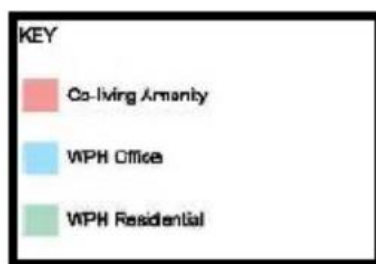
## Details of the Proposed Development

- 3.7 The proposed development involves the demolition of two existing buildings and redevelopment to provide 60 one-bedroom residential units (Class C3) in affordable tenure and a replacement office space (497 sqm.) for WPH, alongside 209 co-living studio units (sui generis) provided by HUB. The co-living product is a relatively recent form of shared housing, with ancillary communal amenity space and facilities and a publicly accessible café unit at ground level on Wood Lane. Co-living is a form of shared rented accommodation where occupants have their own private space (the co-living apartments) but share communal spaces for dining, leisure, socialising, and exercise, which are included within the rental package. It is essentially an alternative to traditional residential rental accommodation.
- 3.8 The overall site layout and design concept comprises one development with two interlinked elements which respond to the shape of the site. The two elements are referred to in the report as the 'WPH building' or the 'Co-Living building' and comprise:
- Co-Living building: an 18-storey element (ground floor levels, with 16-storeys of accommodation above and a storey of plant above) plus a part lower ground level, located at the southern tip of the site and providing 209 co-living units, including ancillary amenity space and facilities and a ground floor cafe use with a seating capacity for 50 persons (+69.9 AOD).
  - The WPH building: formed by two connected 7-storey annexes or 'wings' (ground floor plus 5 residential floors/per above) located at the western and northern parts of the site, which follow the building line on Wood Lane and Pioneer Way. The 'V' shape layout make space available for a central courtyard and a single storey podium infill. The building would contain 60 affordable, self-contained residential units for WPH and a new ground office space (Class E) for WPH (497 sqm.) (+37.9 AOD).
  - In addition, a part lower ground floor level would extend beneath the southern half of the ground floor footprint. Space would include associated cycle parking, blue badge parking bays, laundry, storage, refuse facilities and plant with direct access to Pioneer Way.
- 3.9 The table below summarises the proposed floorspace per use across the site:

<b>Proposed Use</b>	<b>Floorspace (SQM. GIA)</b>	<b>Floorspace (SQM. GEA)</b>
WPH Residential Units	3,894	4,294
WPH Residential Ancillary Space	347	375
Co Living Units	7,574	8,358
Co Living Ancillary Space	1,789	2,047
Share Plant/Storage	652	819
WPH Office	497	561
<b>TOTAL</b>	<b>14,753</b>	<b>16,454</b>

- 3.10 The two distinguishable elements provide a stepped transition from a taller building to the south to the north of the site (see ground and typical upper floor layouts below). Whilst the two building components are co-joined, each element will have its own architectural expression which responds to the different surrounding contextual constraints.

#### Proposed Ground Layout



- 3.11 Separate pedestrian entrances are proposed on the ground floor level fronting Wood Lane for the co-living units, office space and WPH homes. The co-living building entrance would be located on the southeast corner of the site and include a 24 hour concierge. Contains a shared entrance to a gym (for resident use) and a publicly accessible café. The WPH residential component entrance would be sited in the centre, fronting Wood Lane off the 7-storey wing and the office entrance would be located at the northern extent of this building.



Ground floor layout



Typical Upper Floor Layout

### **HUB - The Co Living Building**

- 3.12 The proposed tallest element on the site. An 18 storey building (ground floor, 16 storeys of shared living, residential accommodation above plus a storey of plant on top). In addition, a lower ground floor would be present below the ground floor of the building.

- 3.13 The proposed mass of the co-living element would be in the southeast corner of the site. Shaped into the narrowest point or “prow” and broadly triangular in shape. The base of the building would provide an active frontage to Wood Lane, served by a publicly accessible café use, together with a gym and lobby/reception for residents. Disabled car parking, cycle parking, refuse and storage facilities would be located at lower ground floor level, accessible via Pioneer Way.
- 3.14 **209 co-living apartments** are proposed (levels 01 to 06 and 08 to 16). Each studio apartment would consist of either a single or dual aspect unit depending on the location within the building and range between 23-31 sqm. (GIA) in size. Each residential floor would comprise a cluster of 15 co-living units, including up to 2 wheelchair adaptable studios. 27 wheelchair adaptable apartments would be provided in total (representing 13% of the total units) and would be distributed across the different residential floors. Each wheelchair unit would be approximately 27 sqm in size.
- 3.15 A typical co-living studio would be approximately 24 sqm. in size. All the apartments would have similar facilities. Include an en-suite shower room next to the entrance, a central bed area, a separate living area next to the window opening for eating and socialising, limited kitchen facilities (a hob and fridge, but no oven) and inbuilt storage areas around the room. All the units would be fully serviced including linen and towels. The image below shows a concept sketch of a typical co-living unit.



- 3.16 All the apartments are served by communal internal/external amenity space, with shared facilities, breakout, and workspaces. This includes a café and gym space on the ground level, communal kitchens, dining and informal seating areas and a library/lounge area (level 7), and a games area, multifunctional lounge/screening room (level 16). Outdoor communal space is provided in the form of two terraces (levels 7 and 16).
- 3.17 Level 7 of the co-living element, which is situated almost in the middle of the building and in line with the roof level of the adjoin WPH element, provides the co-living residents with several different amenity spaces. The floor would



provide a range of shared kitchens facilities, capable of being used by 53 people at a time, plus dining areas including booths or more traditional tables/chairs. Use of this level is expected to vary throughout the week, as residents are expected to cook/dine individually or in small groups.

- 3.18 The central amenity space provides direct access to an outdoor terrace area 203 sqm on the roof level of the WPH building (Pioneer Way wing). The terrace would include seating and tables, as well as outdoor screening, covered seating and soft landscaping. The WPH plant would be located on the opposite Wood Lane wing. Would be screened to all sides and designed to integrate visually into the overall architectural form.
- 3.19 Level 16 is the final amenity level for the co-living building. This floor is set back and outdoor terrace with more informal and flexible indoor space in terms of the uses. Large open plan space is proposed which can be configured to host a range of entertainment events and games room. A quieter space is provided to the northwest corner and is intended as a library / lounge and reading room where residents can relax, work, and have quieter discussions. This space can double as a co-working area during the daytime hours.
- 3.20 Level 17 is the roof level of the building and is the general building plant level. The roof is accessed by a continuation of the stair to roof level. Where there is no requirement for service plant, the roof will be covered by a biodiverse green roof.
- 3.21 The combined indoor and outdoor communal amenity space provision within the site amounts to circa. 2,040 sqm (GIA).
- 3.22 A ground floor concierge is proposed with a reception and seating/display areas and parcel storage lockers. This would lead to a lift lobby and back of house area with storage and WC facilities. A gym is located off the western side of the co-living reception and café use. The combined co-living reception, entrance lobby, café and gym is 404 sqm (GIA). The publicly accessible café space would have a shared entrance from Wood Lane at ground level within the co living building and include associated outdoor seating.
- 3.23 The lower ground floor of the building (488 sqm. (GIA)) is where the majority of back of house functions for both the co-living and WPH housing is proposed. The space would include such uses as storage, laundry room, refuse & recycling, bicycle, and plant space. Tenants & staff would have access to specific spaces. 4 accessible parking bays would also be provided in an undercroft space beneath the WPH office space.
- 3.24 Plant rooms are proposed at the lower ground floor and ground floor levels, at Level 07 (rooftop level on the WPH Building), and at Level 17 (rooftop level on the Co-Living Building). Rooftop plant would be screened on all sides while allowing sufficient open area for ventilation. The proposed screening would integrate into the architectural form of the buildings. Two substations are also

proposed within the WPH Building at ground floor level, located adjacent to the WPH office entrance.

- 3.25 A proposed landscape route from Wood Lane to Pioneer Way is proposed to replace the existing informal route and deal with the level changes across the site. Route formed through a series of shallow ramp gradients/steps and a safe route overlooked by the WPH office and residents and proposed to be covered by security lighting and CCTV. The route will be landscaped with trees, shrubs, and planters to enhance the setting of the building.

### **Women's Pioneer Housing – The WPH Building**

- 3.26 The WPH residential apartments and associated office space would be provided to the north and west of the co-living building, where the site widens. The WPH building would take the form of 7-storey "V shaped" annexes set around a single storey podium level, with the two wings facing directly onto either Wood Lane or Pioneer Way. The office space and communal residential entrance space would be provided at ground floor level. The two residential annexes would provide 60 one-bedroom WPH homes (levels 1 to 6), all served by deck access and entrances facing onto an open podium level courtyard.
- 3.27 The WPH element comprises of the following uses/space:
- 60 one-bedroom residential apartments providing affordable housing for women.
  - 36 of these will replace existing poor quality studios, and would be let at social/affordable rents. The additional proposed 24 homes would be let at intermediate rent levels.
  - Each apartment is sized and designed as a 1 bed (2 person) unit. The apartments are however intended for single occupancy, reflecting WPH's requirements and need to provide affordable housing for single women.
  - Each home would measure a minimum 50 sqm in area (an uplift of around 20sqm on the existing accommodation) and are designed as a dual aspect unit, with an open plan living and kitchen/dining room. The bedrooms are located on the deck side of the wing, taking advantage of the quieter environment away from Wood Lane and the Westway.
  - Each apartment would have a private balcony located on the Wood Lane or Pioneer Way side of the building. Residents would also have access to the central outdoor landscaped courtyard. The area would comprise a garden with seating areas.
  - Each apartment would be accessed via the central core and external deck facing the central courtyard with 5 units located on each 'wing' of the building. 10 units would be provided on each level.
  - 6 residential units (10%) would be designed as larger adaptable wheelchair accessible units (approximately 62 sqm) in compliance with Category M4(3) of Building Regulations Part M (wheelchair user dwellings). The remaining 90% would comply with Category M4(2)

(wheelchair accessible and adaptable dwellings). Wheelchair units would be located close to the lift core and on different levels.

- WPH ancillary uses would be located on the lower ground and ground floors. The lower ground ancillary uses would include back of house (BOH) uses such as a bin store, cycle store and storeroom. The ground floor would comprise the WPH residential entrance.
- Office Space (497 sqm GIA floorspace) provided at ground floor level for use by WPH as their headquarters, and replacing the existing office space on the site (the proposals would result in a net uplift of 138 sqm. of office floorspace for WPH). The new office space would include meeting rooms, desk spaces, outdoor terrace and associated facilities that have been designed in a bespoke manner to meet the needs and requirements of WPH. As part of this revised application, it is proposed that the WPH office space would also be available for community use for groups as well as a location to hosting regular Community Forum meetings.

3.28 Public and private realm and landscape improvements including a new route through the site, from Wood Lane, alongside Cavell House and connecting to Pioneer Way are proposed. This route would include an accessible ramp to accommodate the steep gradient on the site. Landscaping improvements are proposed around the perimeter of the site, including at the prow where an area of street level planting is proposed. The WPH amenity terrace located at Level 01 would be a private space, including small trees grown in planters, and shrub planting. The amenity terrace located on Level 07 would be sheltered from wind using wind tolerant species. These would be mostly evergreen but some deciduous species would be used. This larger amenity terrace would include sitting area with generous planting, a shady cooking and eating area with less planting, and a small lawn area with sheltered belt planting and climbing plants. Two brown roof areas (totalling 74 sqm) would be located on inaccessible rooftops at Level 07 and 17. These brown roof areas would be left to self-seed, providing biodiversity enhancements. Two green roof areas (totalling 259 sqm) would also be provided at Levels 07 and 17. The roofs would provide wildflowers and some smaller shrubs which would provide biodiversity enhancements. Vertical greening would also be introduced where possible. An 8,000 litre tank would be located on the roof of the WPH Building and harvested rainwater would be used for the irrigation of ground floor planted areas.

3.29 The proposed external lighting and installation would be designed to provide sufficient light for safe access onto and around the site. The public access route, the pedestrian walkways, vehicle pathways and the car park would be lit. The lighting scheme would be designed to be as energy efficient as possible, using LEDs and designed to minimise light spill. Fittings would be switched on at dusk and off at dawn to reduce light pollution and energy waste.

3.30 The proposed development is car free, save for four access blue badge car parking spaces with electric vehicle (EV) Charging Points, proposed in an

undercroft space at lower ground floor level of the tower building. Vehicular access for parking and servicing is proposed via Pioneer Way.

- 3.31 A total of 320 cycle parking spaces (308 long stay and 12 visitor) are proposed in different locations on the ground and lower ground levels. 20 spaces would be accessible. Separate cycle parking spaces are provided for the WPH residents (91 spaces), WPH employees (8 spaces) and co-living tenants (209 spaces) respectively. The long-stay cycle parking facilities for the WPH residential and co-living units would be provided at lower ground level and the WPH office would have its own separate cycle store located at ground floor level which would be accessed via Wood Lane. The short stay 'visitor' cycle parking would be in the form of Sheffield stands located at ground floor level. These would be accessed off Wood Lane to the north of the site.
- 3.32 Pedestrian access to the Co-living Building for both residents and visitors to the café would be provided via a shared entrance at the ground floor on the central, eastern façade of the building on Wood Lane. Pedestrian access to both the WPH office and WPH residential units would also be provided from Wood Lane at ground floor level, but via separate entrances, with the office entrance located to the north of the residents' entrance. The residents' entrance would be set back from the street to provide separation from the public realm.
- 3.33 The existing vehicular access via Wood Lane is proposed to be closed off and a new vehicular access provide from Pioneer Way in the south-west corner of the Site. Pioneer Way is a private road (owned by WPH) that is accessed from Du Cane Road. Long-stay cycle parking facilities for the WPH residential and co-living units would be provided at lower ground level. The spaces would be accessible by both Pioneer Way and Wood Lane. Cyclists travelling to / from Wood Lane would utilise the proposed ramp route along the northern extent of the site.
- 3.34 Small delivery items would be delivered to their respective ground floor entrances via Wood Lane outside the hours of loading restrictions (Monday to Saturday 07:00-10:00 and 16:00-20:00). During the hours of the loading restrictions, deliveries would be undertaken via Pioneer Way. Due to the bus stop and adjacent no-loading zone which occupy a stretch of Wood Lane the length of the Site, small delivery vehicles would use the loading zone in front of Cavell House further north along Wood Lane. Each WPH residential unit and co-living unit would be provided with their own individual lockable post boxes within their respective entrance lobbies and only registered delivery services would be provided access to this area. The delivery of larger items such as furniture or supermarket shopping would be undertaken via Pioneer Way to the lower ground floor entrance.
- 3.35 The development would provide internal refuse storage areas at lower ground level for use by residents and office users. All bin stores are located within a maximum 10m carry distance for collection. In terms of refuse vehicle routing,

it is anticipated that the site would be served by the same refuse collection route as the existing residential properties on Pioneer Way.

- 3.36 WPH residential units would be required to provide 8 no. 1100 litre euro bins and 2 no. 240 litre wheelie bins. WPH residents would be responsible for transferring refuse and recycling waste from their units to the WPH refuse store. The co-living units would require 26 no. 1100 litre euro bins and 5 no. 240 litre wheelie bins.
- 3.37 The co-living building would be fully serviced and maintained by on-site staff. Most of the refuse and recycling from the co-living units and communal areas would be taken to the co-living refuse store by cleaning and maintenance staff. If tenants decide to take their own waste and recycling to the refuse stores, they have access to several bins would be positioned by the management staff for this purpose.

### **Energy Provision**

- 3.38 Heating and cooling would be provided by Air Source Heat Pumps (ASHPs) which would form the central component of the energy strategy for the development. Each building would have an individual ASHP located at roof level. The roof-mounted ASHPs would generate the heat energy, which would feed down to the buffer tanks before being distributed around the buildings via a centralised low temperature heat-loop. The centralised low temperature heat-loop would directly feed into localised Water Source Heat Pumps (WSHPs) and Variable Refrigerant Flow (VRF) units within each floor and to each individual dwelling / co-living unit. Where required, this system would be able to provide heating, cooling and domestic hot water.

### **Architectural Treatment**

- 3.39 A brick façade treatment is proposed for both the WPH and co-living buildings with features of metalwork and glazing. Whilst the two buildings are joined and have a shared material palette, they each have their own architectural expression and respond to differing contextual constraints. A light pale/buff colour brick would be the dominant brick proposed for both the WPH/co-living buildings, with horizontal white brick spandrels to complement on the tower building. A mixture of dark bronze colour aluminium windows/door systems, gold / bronze colour to the plant screens, and a bronze colour to powder coated metal handrails and balustrades are proposed. The amenity area at Level 07 of the building has also increased its floor to floor height to give it a distinction to the residential floors with additional glazing. The ground floor would be recessed from the main building line giving more depth to the façade and a canopy to the entrance would provide more space for the public realm. Substations required to be located on Wood Lane for access and maintenance would be screened by a decorative set of doors. These would be used for signage or artwork relating to WPH. The brick piers would stop above the ground floor would allow for a wide entrance portal on the ground floor. Planters with flora would be located at each pier to soften the ground floor appearance.

### **Construction Works**

- 3.40 Demolition and construction works are estimated to take approximately 30 months (2.5 years) to complete and allow for enabling and fitting out works. The construction of the proposed buildings would be in a single phase.
- 3.41 A site-specific Outline Construction Environmental Management Plan (OCEMP) and Construction Logistics Plan (CLP) have been produced for the development. Subject to the grant of full planning permission and once the Principal Contractor has been appointed, the OCEMP and CLP would be further developed to include details of the proposed methodologies, programme, method statements and detailed mitigation measures, forming a full OCEMP and CLP. The contents of the OCEMP and CLP would at this stage be secured by planning conditions.

### **Environmental Impact Assessment**

- 3.42 An Environmental Impact Assessment (EIA) request for a Scoping Opinion, pursuant to Regulation 15 of the Town and Country Planning (EIA) Regulations 2017, was submitted to the Council in July 2019 (ref: 2019/02088/SCOEIA). The EIA screening letter related to the following development:

“The demolition of the existing buildings and construction of a new building of up to 105 metres Above Ordnance Datum (AOD)) in height (including basement level), providing up to 350 co-living residential units (Sui Generis); up to 89 affordable residential units (Class C3) for Women's Pioneer Housing (WPH); up to 611 sq. metres (GIA) of office floorspace for use by WPH, as the organisation's head office; a variety of shared spaces for use by residents and site visitors; provision of operational plant; up to 5 car parking spaces, private outdoor amenity areas and public realm improvements.”

- 3.43 The scope of the Environmental Statement (ES) was determined by the Council on 9 August 2019.
- 3.44 The ES was originally submitted in the form of: Volume 1: Non-Technical Summary; Volume 2: Main Text; Volume 3: Townscape, Visual Impact and Heritage Assessment and Volume 4: Technical Appendices.
- 3.45 The ES has been amended to take account the changes made to the proposals. The ES still comprises four volumes: ES Volume 1 - Main Text and Figures (main document); ES Volume 2 – Heritage, Townscape and Visual Impact Assessment; ES Volume 3 – Appendices and ES Volume 4 - Non-Technical Summary.

### **Other Supporting Information**

- 3.46 Together with the ES, the following supporting documents have been submitted with the revised application:
- Town Planning Statement, prepared by Avison Young
  - Design and Access Statement (“DAS”), prepared by AHMM
  - Accommodation Schedule Summary, prepared by AHMM
  - Tall Building Statement prepared by Avison Young

- Co-Living Management Plan, prepared by HUB
- Internal Daylight/Sunlight Statement, prepared by Skelly and Couch and letter dated 29 September 2022 prepared by EB7.
- Refuse and Recycling Management Plan (part of DAS), prepared by AHMM
- Indicative Lighting Strategy (part of DAS), prepared by Skelly and Couch
- Energy Strategy, prepared by Skelly and Couch
- Healthy Streets Transport Assessment, prepared by Ardent
- Sustainability Statement (including BREEAM Pre-Assessment), prepared by Scotch Partners
- Foul Sewage and Utilities Statement, prepared by Skelly and Couch and Whitby Wood
- Statement of Community Involvement, prepared by Comm Comm UK
- Financial Viability Appraisal, prepared by Gerald Eve LLP
- Affordable Housing Statement, prepared by Avison Young
- Fire Statement and Fire Gateway One Form prepared by OFR Consultants
- Whole Life Cycle Carbon Assessment prepared by Scotch Partners
- Circular Economy Statement prepared by Scotch Partners
- Environmental Statement – Volume 1: : Main Text, prepared by various
- Environmental Statement – Volume 2: Townscape, Visual Impact and Heritage Assessment, prepared by Smith Jenkins and Miller Hare
- Environmental Statement – Volume 3: Technical Appendices prepared by various
- Environmental Statement – Volume IV: Non-Technical Summary, prepared by various
- Historic Environment (Archaeology) Assessment, prepared by MOLA
- Phase 1 Ground Conditions and Contamination Report, prepared by Hydrock.
- Framework Travel Plan, prepared by Ardent
- Framework Delivery and Servicing Management Plan, prepared by Arden;
- Flood Risk Statement and Drainage Strategy, prepared by Ardent
- Ecological Impact Assessment, prepared by Basecology
- Tree Survey, Arboricultural Impact Assessment and Tree Protection Statement, prepared by Middlemarch
- Outline Construction Environmental Management Plan prepared by HUB
- Outline Construction Traffic Management Plan, prepared by Ardent; and
- Outline Construction Logistics Plan, prepared by Henry Construction.

### **Amendments**

- 3.47 During the course of consideration of the application, substantial amendments have been made to the original scheme. This revised application now seeks planning permission for:

Demolition of existing buildings and structures and redevelopment of the site in the form an 18-storey building (plus part lower-ground floor) with two connected 7-storey elements, providing a mix of residential apartments, office space and co-living accommodation, together with associated co-living

amenity space and facilities, workspace and a ground floor cafe/ restaurant; new public realm, pedestrian access, landscaping and associated works.

#### **4.0 PUBLICITY AND CONSULTATION**

- 4.1 The applicant has entered into three Planning Performance Agreements and has been in pre-application dialogue with the Council since mid-2019, although there was a long gap in 2020-21 due to the impact of the COVID pandemic and re-assessment of the proposals by the Applicant.

##### **Referral To The Mayor Of London**

- 4.2 Under the terms of the Town & Country Planning (Mayor of London) Order 2008, the Greater London Authority (GLA) has been notified.
- 4.3 The Mayor of London formally considered the original proposal on 9 March 2020 and issued a Stage 1 report, a summary of which is set out in paragraph 4.28 this report. A second updated report was issued on 18 July 2022 to reflect the amendments made to the proposals and summarised in paragraph 4.46.
- 4.4 Should committee resolve to grant planning permission the application would need to be referred to the Mayor of London again (Stage 2) prior to the issue of any decision notice. The Mayor has a period of 14 days from the date of notification to consider the council's resolution before issuing a decision as to the call-in of the application for the Mayor to act as the local planning authority, or to allow the application to proceed.

##### **Pre-Application Public Engagement**

- 4.5 In accordance with the National Planning Policy Framework (NPPF), the Applicant has undertaken a detailed programme of pre-application engagement with the Council's Planning, Urban Design Officers, and other officers.
- 4.6 The Applicant has submitted a Statement of Community Involvement (SOCI) which sets out the programme of engagement undertaken with local stakeholders, local groups, and residents between the pre-application period, submission of the original proposal and preparation/submission of the revised scheme. This included pre-application meetings with officers at H&F and GLA/TfL.
- 4.7 The Applicants have sought to engage with residents and the site's immediate neighbours through a series of consultation events in the last 3 years. This has allowed the applicant to take into account the views of Council, GLA, key shareholders and the local community when developing the final revised plans submitted earlier this year. The consultation has been undertaken in accordance with the adopted Statement of Community Involvement for the borough, as well as being in line with principles of the Localism Act and the National Planning Policy Framework.



- 4.8 The emerging proposals were presented to the Design Review Panel on 25 September 2019 (original scheme) and 4 November 2021 (the revised proposals currently under consideration).
- 4.9 The Statement of Community Involvement submitted with the original application summarised the pre-application engagement undertaken by the application from 2019. Engagement in the local community has included focus groups such as Women’s Pioneer tenants and residents, key stakeholders, pop-up focus groups, roving exhibition, street interviews and online engagement through surveys. The Applicants acknowledged there was a mistake which led to consultation material not reaching a group of residents for one of the events, but subsequently consultation on the revised proposals has been extensive and over a prolonged period of time.
- 4.10 Prior to the submission of the application, a full-day public exhibition was held on 16 October 2019 at WPH office (227 Wood Lane) for the emerging proposals. The applicant affirms that a leaflet-style invitation to the exhibition was distributed within half a mile of the site (8,500 addresses) and was sent to both residential properties and businesses. In addition, WPH’s tenants were invited to a separate event. Other stakeholders and amenity groups invited to the exhibition were also given the opportunity of a ‘one to one’ presentation. A second ‘Preview’ exhibition was held on 8 January 2020 at Brickfield Hall (prior to the submission of the planning application), in response to comments received via residents regarding the lack of publicity of the main October exhibition event. In this case, 245 individual letters were sent to the immediate neighbours and a further 750 flyers were distributed to homes in the locality. 311 people gave their views on the emerging designs: 218 completed individual responses, 75 people were engaged in 29 Street Focus Groups in the Roving Exhibition, 4 online questionnaires were completed and 14 people gave feedback at/following the Preview Event.
- 4.11 A total of 24 persons also attended the second exhibition event and 13 completed feedback forms were provided. Feedback was recorded via questionnaires available to complete in writing or online at the exhibition.
- 4.12 An updated project website was published on Friday 20 August 2021, which acted as a hub of information throughout the third round of consultation for the revised proposals. The Applicant states there had been 539 unique visitors to the project website and 749 visits (up to 4 April 2022).
- 4.13 The Applicant highlights that extensive consultation during the redesign process has been undertaken with Council officers, key stakeholders, and the local community during a six month period. In summary there were four key stages:

Stage one: Friday 20 August 2021, flyers were distributed to 1,652 addresses in the immediate surrounding area. The flyer introduced the revised proposals, the project website and included a questionnaire, which could be completed and returned via Freepost or online.

Stage two: Thursday 8 October 2021, a public exhibition was held to talk to the community about the emerging proposals for the site. Ahead of the exhibition, 1,652 invitation flyers were delivered to addresses in the immediate surrounding area. The event was attended by 40 people.

Stage three: Wednesday 3 November 2021, a further public consultation workshop was held to show how the feedback received was being responded to, as well as to continue and progress conversations from previous events and obtain further feedback. Ahead of the exhibition, 1,652 invitation flyers were hand-delivered to addresses in the immediate surrounding area. The event was attended by 18 people.

Stage four: Wednesday 9 March 2022, a further public exhibition was held to show the revised scheme intended for submission and to update the local community about how feedback had informed the final design. Ahead of the exhibition, 1,652 invitation flyers were hand-delivered to addresses in the immediate surrounding area. The event was attended by 14 people

- 4.14 In the first round of consultation undertaken, some 1,300 people engaged in the consultation. In the second round of consultation, nine meetings were held with members of the public, including chairs of local residents' associations and 40 people visited the website. In the third and final round of consultation a total 611 people engaged in the latest round of consultation. Key themes of feedback received during the process related to the design, landscaping, transport, safety and security, local infrastructure, and new homes.

#### **Design Review Panel**

- 4.15 The first Design Review Panel (DRP) was held 25 September 2019 at the pre-application stage. In summary the DRP generally welcomed the proposal's massing, height, and materiality. Summarised that was strength and simplicity in the architecture and form and were generally supportive of the scheme. The DRP suggested considering an increase to the height of the Co-Living tower to match the height of the adjacent Imperial College White City Campus tower. Overall, the south and east facades were described as being very successfully designed. The DRP however advised that further development was required to the courtyard facade design and the north façade treatment.
- 4.16 The second DRP was held on 4 November 2021, following a review of the original proposals and additional public engagement at this time ahead of the formal submission of revisions to the planning application in May 2022. The panel accepted that there was a desire to reduce the massing of the scheme to reflect that the site is outside the Regeneration Area; and to reflect the proximity to the residential flats to the north. Although they considered the previous scale appropriate for this site, the panel supported the updated massing proposal and the rationale of the overall datum height being relative to other buildings within the Imperial North campus. The panel supported the general principles of the new design proposal and retention of the key principles of the Women's Pioneer Housing element of the scheme. The panel did however suggest that the detailed appearance and materiality of the co-living part of the scheme would benefit from additional review to ensure

that a high-quality approach is retained overall. Comments noted the detail of the brickwork, glazed waistband, and appearance of the northern flanks of all elements of the scheme alongside the crown of the building.

### **Disability Forum Planning Group**

- 4.17 Detailed proposals were presented to the Council's Disability Forum Planning Group ('DFPG'). The DFPG met the applicants at the pre-application stage, 1 March 2020 and again on 16 November 2021. DFPG acknowledged this is a challenging site with co-living units designed to be as inclusive as possible in the absence of mandatory standards. DFPG advise that what matters is the outcomes for both residential units and the public realm work for everyone using the site. Highlighted the need for the need for M4(3) accessible wheelchair dwellings from the outset and discussions with the Council's Housing Allocations Team. Recommend the Co-living standard and wheelchair adaptable units be accessible and inclusive for the age range and profile of prospective co-living tenants together with a strategy for supporting them if they become a part time or full-time wheelchair user. Similarly the DFPG expect the developer to ensure community facilities including cooking and storage area are accessible to wheelchair users. Do not generally welcome substantially longer step free routes but acknowledge the significant changes of levels across this small site. Request the proposals are designed to achieve the best possible design and asked if the route will be open 24/7.

### **Secured by Design**

- 4.18 The applicant met the Secured by Design Officer on 1 October 2019 and provided comments which are reflected in the updated proposals. The key area discussed was the ground floor including the proposed public route through the site, access levels at entrances, CCTV. As summarised below the perimeter of the site will have CCTV cameras – including outside the front doors to allow for monitored access after hours

### **Application Stage**

- 4.19 The planning application has been the subject of two separate publicity and consultation stages by the Council as local planning authority, in accordance with statutory requirements.
- 4.20 The application has been advertised on the following basis:
- The scheme comprises a Major Development.
  - Accompanied by an Environmental Statement in accordance with EIA Regulations 2017.
  - Might affect the character and appearance of neighbouring conservation areas and heritage assets.
  - The development is a departure from the development plan in force in the area in which the land to which the application relates is situated, as it proposes a building exceeding six storeys which is considered a tall building according to the London Plan in an area not allocated for tall buildings.

### **Second Public Consultation (June 2022 - October 2022)**

- 4.21 The application was revised at the end of May 2022. The revisions included amendments and changes to both the planning application material and a revised Environmental Statement (ES). The revised application was the subject of a second round of consultation between June-August 2022.
- 4.22 The second round of consultation mirrored the procedures and scope of the original consultation in January 2020, by way of site notices posted around the site, a press advert (published 29 January 2020) and by way of 1,600+ neighbour letters to individual properties in surrounding buildings or streets. The letters sent were to all residents who were previously notified and all of those who commented on the previous consultation in January 2020.
- 4.23 In summary the following neighbour comments were received:
- 33 objections, including 21 representations (objections and general comments) from the same resident “13-44 Pankhurst House’ London W12”
  - 3 representations from Amenity Groups (Hammersmith Society, Du Cane Estate Residents Association (DCERA) and St Quintin and Woodlands Neighbourhood Forum).
  - 24 in support.
- 4.24 The objections/support comments along with consultee/resident association representations are summarised in paragraphs 4.28 -4.45 below:

### **First Public Consultation (January 2020 – December 2020)**

- 4.25 The application was publicised by way of site notices posted around the site, a press advert (published 29 January 2020) and by way of 1,600 neighbour letters to individual properties in surrounding buildings or streets on 29 January 2020.
- 4.26 In summary the following comments were received:
- 81 objections, including 42 representations (objections and general comments) from the same resident “13-44 Pankhurst House’ London W12”
  - 5 representations from Amenity Groups (Hammersmith Society, 3 x Du Cane Estate Residents Association (DCERA) and St Quintin and Woodlands Neighbourhood Forum).
  - 202 signatory petition objecting to the original proposal.
  - 22 representations in support.
- 4.27 The objections/support comments along with consultee/resident association representations are summarised in paragraphs 4.46 – 4.64 below:

### **Consultation Responses - Second Public Consultation (June 2022 - October 2022)**

#### **Greater London Authority (GLA)**

- 4.28 The Mayor of London Stage 1 response is summarised below:

Estate regeneration: The like for like replacement of the existing social rented units would be provided as well as an overall increase in social rented

floorspace. The scheme accords with the relevant key principles for estate regeneration

Land use principles and co-living: Residential-led mixed use redevelopment is supported. The shared living accommodation is acceptable accords with the qualitative criteria in London Plan Policy H16 and would meet most proposed standards in the Mayor's draft London Plan guidance on shared living.

Housing and affordable housing: The applicant's Financial Viability Appraisal is being scrutinised to ensure the scheme delivers the maximum viable amount of affordable housing. Early and late stage viability review mechanisms are required, in line with the Viability Tested Route. Replacement social rent units should be secured and the affordability of intermediate DMR units confirmed.

Urban design and heritage: The design, layout, and residential quality of the Class C3 accommodation is supported. The application would not harm the significance of any heritage assets. A tall building is proposed in a location which is not identified as suitable for tall buildings. The locational and plan-led principle set out in London Plan Policy D9 is therefore not met. However, the proposal would accord with the qualitative criteria for tall buildings. The architectural and materials quality is supported, and the visual, functional, environmental and cumulative impact is acceptable.

Transport: A financial contribution of £231,500 towards White City Station step free access and station capacity enhancement scheme is required. The impact of construction and delivery and servicing on planned cycle improvements along Wood Lane needs to be fully considered and mitigation measures secured.

Climate change and sustainability: The energy and urban greening strategy is supported subject to further information being provided. The approach to air quality and noise is acceptable subject to mitigation measures being secured.

#### **Transport for London (TfL)**

4.29 TfL confirm comments do not change significantly compared to the original proposals. Re-state support for a car free development, provision of the four disabled spaces in this instance, and cycle parking provision in line with London Plan standards. Acknowledge that a Healthy Streets Transport Assessment has been submitted which includes a revised trip generation to reflect the reduction in units. TfL request:

- A contribution of £231,500 towards White City LU station SFA and capacity scheme is required.
- Arrangements for delivery and servicing movements, construction, and interface with planned cycle improvements on Wood Lane all need to be confirmed and necessary provisions secured as part of any permission.

### **Royal Borough of Kensington and Chelsea**

4.30 Object to the 18-storey tower element. Submit that it will harm townscape views from within the Borough and have a harmful impact on several heritage assets:

- a. The grade I listed registered park and garden of Kensal Green (All Souls) Cemetery, which includes the grade I listed Anglican Chapel;
- b. From other conservation areas, in particular, Oxford Gardens/St Quintin's Conservation Area.

RBKC considered that the proposals would detract from the significance of the assets and thereby fail to preserve their significance.

### **Health and Safety Executive**

4.31 The HSE responded confirming that as the application was submitted before 1st August 2021 they are not a statutory consultee in respect of Gateway 1 in respect of this application and therefore would not be providing a response.

### **Historic England**

4.32 No comments to make on the revised scheme.

### **Historic England (The Greater London Archaeological Advisory Service – GLAAS)**

4.33 The proposal is unlikely to have a significant effect on heritage assets of archaeological interest. Archaeological desk-based research suggest the site has a low archaeological potential. No further assessment or conditions are therefore necessary.

### **Sport England**

4.34 Reviewed the amendments. Do not consider the revised scheme materially affects the impact on sport/sport facilities compared to the original scheme submitted.

### **Metropolitan Police**

4.35 The Designing Out Crime Officer raises no objection to the proposal, subject to Secured by Design (SBD) principles being incorporate into the layout and design of this development. The Designing Out Crime Officer made further recommendations relating to:

Site layout (planting/street furniture/clear sight lines/mitigation for anti-social riders/appropriate CCTV (with lighting strategy) linked up with H&F control room / robust management of public amenity space against ASB, vagrancy and crime, especially at night.

Building Envelope (no linkage between residential and commercial areas /compartmentalisation of the floors of the residential blocks / main communal entrance doors to be a security rated / Airlocks in the residential lobbies / audio/visual (colour) access control system with fob control for the residential communal entrances / postal strategy / direct access to flats, external doors

cycle and refuse store doors to be security rated / introduce data logging through fob system to record activation / lighting to be carefully co-ordinated.

Further consultation is encouraged once the detailed design stage is reached and planning permission is granted, to discuss any aspect of the SBD accreditation.

**4.36 London Underground Infrastructure Protection**

No objection subject to conditions

**Thames Water**

4.37 No objection, with regard to Foul Water sewerage and Surface Water network infrastructure capacity based on the information provided. The proposed development is located within 15 metres of an underground wastewater assets. Conditions and informatives are recommended.

**Environment Agency**

4.38 No further comment received.

**Residents and Amenity Groups**

**Objections from Individual Residents**

4.39 12 representations received, objecting to the revised proposals. The content of these representations are summarised below.

- Site falls outside of the White City Regeneration Area (WCRA).
- Not in a planned tall building zone. Outside WCRA, new developments ought to be low to medium rise. 18 storeys exceeds this limit. Would be the only high-rise building in the block (Old Oak conservation area).
- Too many tall buildings going up in the area.
- Height unacceptable in context with its surroundings.
- Need more open space.
- Major development sites should come forward outside Regeneration Areas.
- Disrupts the skyline/block views and sunlight/daylight.
- Overlooking to neighbouring gardens and houses.
- Oppose development on human rights grounds.
- Co-living in reality is a hostel. Can only be used short term.
- Wood Lane too narrow. Cannot handle additional traffic.
- Low return on social housing provision. People want more affordable homes.
- Lead to increase traffic pollution and worsening of air quality with impact on existing infrastructure due to the construction of neighbouring developments/new building.
- Not enough car parking provided. Parking off Pioneer Way unacceptable.
- Unacceptable proposal to replace existing bus shelter.
- Inadequate Parking Provision for Deliveries at Proposed Development.
- More and unsuitable delivery arrangements will cause congestion on Wood Lane and narrow pavements
- Noise from Central Line trains not properly measured.

- Will result in a densely populated small area.
- Development will impact on local services in the area such as healthcare and GPs.
- Lack of fire safety. High rise flats are becoming fire risks.

4.40 In addition, a further 21 representations (objections / general comments) received from one occupier in 13-44 Pankhurst House, Du Cane Road, W12. Comments received are summarised below:

- Reduced 18-storey tower not in a planned tall building zone. Reference made to Edith Summerskill House proposal.
- Building should relate to surrounding neighbourhood context. Not in keeping with anything in the area.
- Revised proposal still hugely out of scale for its setting.
- Tower not needed for West London “wayfinding”. Imperial’s tower already does this.
- A tall building needs to show genuine community benefits.
- Offers no real community benefits to College Park and Old Oak Ward residents.
- No genuine consultation took place with Du Cane Estate and Bentworth residents. Residents not included in planning work ups. Means LBHF’s Design Review Panel and the GLA (Greater London Authority) had no meaningful community consultation input.
- Development not going to create a lot of local jobs.
- No understanding of local crime patterns and women’s safety issues.
- Co-living is still experimental and risky. GLA still working out guidelines on how to run them.
- Weak fire and safety report plans.
- Poor door approach. Separate buildings/entrances for social and private housing.
- Question developer’s long term investment intentions.
- Question proposed community forum and unquantified new community fund offer.
- 18-storey tower is targeted at the student market. Targeted at international students attending London universities.
- Concerns expressed around "studentification" of College Park and Old Oak Ward. Such developments will price out local people.
- University students, including international students, do not pay Council Tax and will lower Council revenue.
- Imperial College have a better proven for the neighbourhood in the long term.
- The proposed tower building would not fit for standard dwelling purposes.
- No local support in principle for a private tall co-living tower.
- No opportunity for anyone to buy on the site. Instead development only offers lifetime of renting, with short-term co-living residents paying high rents.
- Browning House tenants moved to alternative accommodation and property allowed to fall into disrepair.
- Women need safe housing, not separate housing.



- Open Du Cane estate grounds need a community warden type presence.
- Reference to existing anti-social problems.
- No plans for CCTV in the development proposal or understanding where to effectively deploy them.
- No mention what happens if a resident has a child and if they will need to move out.
- Only 4 disabled person parking spaces provided.
- Daylight survey takes no account of the internal layout arrangements of Pankhurst House studios.
- No account of the differential noise zones around Cavell and Pankhurst Houses in comparison with Wood Lane.
- Noise disturbance to Cavell and Pankhurst House residents from balconies/terraces.
- Small delivery zone under Cavell House unacceptable. Will lead to increase noise and disturbance.
- No evidence of any action taken on any of the Crime Prevention Design Officers recommendations for Pankhurst House.
- Assumption the development will improve women's safety but not how, in particular for existing Du Cane Estate residents.
- No clarity on who manages/pays for the "green amenity space" between Cavell and Pankhurst Houses and how this will be managed/made safe.
- No plans for the developers to fund/provide the type of community wardens which make the TV Centre and Berkley Homes open spaces genuinely attractive for all residents to enjoy.
- Recessed entrances or covered areas will not make people feel safe.
- Existing bus stop location. Need assurance it will not be sited underneath Cavell House.
- Concerns expressed to GLA about initial consultation undertaken by the developers and the information presented to the GLA for its report.
- Recommend better use of the Clarion/Women's Pioneer land as a whole site, with lower heights capped from maximum 10/12 storey to 8 storey continuous mansion blocks to replace Browning (WP), Cavell, (Clarion) and (Nightingale) WP Houses 4 storeys.
- Increase noise and dust levels through construction works.
- Question content in the proposed building management plan.
- Existing rats and infestation problem in the area
- 3 month minimum tenancies, could increase security risk in the area.
- Reference to naming of existing and proposed development. WPH logo not particularly inclusive.

#### **Du Cane Estate Residents Association (DCERA)**

4.41 The Du Cane residents' group objects to the revised proposals on the following grounds:

- Not in the agreed LBHF tall building zone.
- Deck access design will cause late night noise for Pankhurst House residents.
- Unlike Imperial College (university), insufficient public benefit outweigh not being in tall building zone.

- No understanding or compassion shown for seriously overcrowded families living in (Pankhurst House) in terms of loss of light.
- Private developer Hub has no long term commitment to the area.
- Contrary to LBHF policy, no option to progress to home ownership.
- No sense of place in the proposals.
- High rate of rented social housing already exist in this ward. Plans exacerbate this.
- Already a lot of short term purpose built student accommodation in the area.
- Development only offers short term tenancies.
- 4 parking spaces unacceptable.
- Strong concerns for women’s safety and Crime Prevention Design recommendations repeatedly ignored by the private developers.
- No sense of place in context with surrounding buildings. Residents have made enquiries about getting Pankhurst House listed as a building of historic merit.
- The private developer’s Women’s Pioneer approach is damaging to Imperial College.
- No reference to housing needs – in particular, families and vulnerable single males with multiple life challenges.
- The Imperial tower is the only tall way finder needed.
- Women’s Pioneer track record as an estate manager is not good.
- The initial private developer’s consultation ignored Du Cane Estate Residents.
- Development is contrary to basic good practice and has not meaningfully involve those most impacted from outset to inform design principles.
- Nearby White City estate does not want any tower blocks on its estate or more within its sight.

4.42 Du Cane Residents Association’s response letter also sets out several criteria which, if met, they say could result in them taking a supportive view to a development on this site:

- Fully support provision of genuinely affordable social housing on the Browning House site.
- Will take a very supportive approach to any planning application that:
  - Include a local lettings plan for the Women’s Pioneer Housing and Du Cane Estate site, designed with input from Imperial College’s (university) community team/Imperial NHS Trust
  - Fund a 24/7 community warden presence for a minimum of 3-years for the shared common grounds able to enter all site buildings and provide evidence of any illegal drug misuse or transactions/noise nuisance/intimidation/begging or fly tipping so all women living on the site shared by Women’s Pioneer and Clarion Housing have a safe and peaceful neighbourhood – inside their building and in its grounds.
  - Get a tenancy audit in place for the Du Cane Estate to make sure every support is offered to residents from highly vulnerable individuals posing a risk to women housed on the site.

### **Hammersmith Society**

- 4.43 The Hammersmith Society welcome the proposed reduction in height from 29-storeys. HS also acknowledge the requirement for WPH housing. The reduced height is still an issue in this location (outside the Regeneration Area). Note that the revised proposal is still significantly more than the surrounding 4-storey properties and creates an overbearing presence in views of the south sky and, a perceived compromise of privacy. They are concerned to avoid the development being used as an example/precedent for other future tall buildings in the local area.

### **St Quintin and Woodlands Neighbourhood Forum**

- 4.44 Object to the proposals on the following grounds:
- Contrary to London Plan Policy D9 on Tall Buildings. The site is adjacent to (but not inside) the designated Regeneration Area which is to the east Wood Lane. As such, the application does not accord with the locational and plan-led principle set out in Part B of London Plan Policy D9.
  - If the Council consider the location to be suitable for a tall building (given its proximity to the Oxford Gardens Conservation Area) this needs to be established via a new Local Plan with adequate consultation and an Examination in Public.
  - Fire Safety. Tall buildings should not continue to be constructed with a single staircase and a 'stay put' evacuation strategy. Co-living studios are more likely to be occupied by tenants with a relatively high turnover as compared with normal residential developments, and occupants are therefore less likely to be familiar with evacuation procedures.
  - Increased traffic and congestion levels on road networks resulting from a further major development on Wood Lane.

### **Support**

- 4.45 24 representations have been received in support of the revised proposals (including from Clarion Housing). The grounds for support can be summarised as follows:
- Applicants have listened to the local community and their concerns and as a result they have reduced the tall building by 10-storeys.
  - Additional amendments made include reconfiguring a bus stop location and retaining access to existing bus stop, providing accessible sloped routes with ramps and well as steps, resting places, a continuous handrail, rain garden and green roofs.
  - Amendments also to the design, including increasing passive surveillance from office windows.
  - Support innovative scheme to build quality housing for vulnerable women and continue the century-long work of Women Pioneer Housing.
  - Provision of 60 homes all at either social or intermediate rent will bring much needed further housing for those in need and change women's lives in the area.
  - New and larger homes providing high quality and safe accommodation replacing existing small studio flats.
  - Revisions are a huge improvement to the look of the current site and would bring much need housing.

- Development has been carefully designed, will be a huge improvement to the current site and integrate well into the area.
- Will provide a greater sense of community cohesion compared to the existing.
- Hub have liaised positively with residents and their concerns and speaking to a local police officer regarding design features. They are extremely keen to work with Clarion on safety issues in the local environment and partnership welcomed to deal with anti-social behaviour.
- Women will feel safer because the environment will be taken care of and well lit.
- The co-living concept is new to the UK, but it has successfully launched elsewhere in London and is proven to help combat social isolation.
- New office premises will allow WPH to remain on site for the foreseeable future.
- Welcome café use to socialise with neighbours and the locals.

### **Consultation Responses – First Public Consultation (January 2020 – December 2021)**

#### **Greater London Authority (GLA)**

4.46 The Mayor of London formally considered the original proposal on 9 March 2020 and issued a Stage 1 report. In summary, the Mayor’s Stage I supports the proposal in principle and makes the following comments:

- **“Principle of estate regeneration:** The like for like replacement of the existing social rented units would be provided as well as an overall increase in social rented floorspace. The scheme accords with the relevant key principles of estate regeneration”.
- **“Land use principle and Co-living:** Replacement office floorspace would be provided with a substantial quantitative and qualitative improvement proposed. Whilst the principle of large scale co-living could be acceptable, the quantum of communal kitchen/dining facilities proposed is not sufficient for the number of residents and would not be convenient to access for residents on upper floors. To ensure compliance with the criteria set out in Policy H16 of the Mayor’s Intend to publish London Plan, the floorplans should be revised to provide additional communal kitchen facilities”.
- **“Housing and affordable housing:** The applicant’s Financial Viability Appraisal is being scrutinised to ensure the scheme delivers the maximum viable amount of affordable housing. Early and late stage viability review mechanisms are required, in line with the Viability Tested Route. Replacement of social rent units should be secured and the affordability of intermediate DMR units confirmed”.
- **“Urban design and heritage:** The design, layout, height, and massing of the scheme is acceptable. Further clarification and discussion is required in relation to the applicant’s energy strategy and urban greening”.
- **“Transport:** Disabled parking and cycle parking is acceptable, subject to the latter being redesigned to ensure compliance with the London Cycle Design Guide. Commensurate financial contributions are required towards

the provision of step free access and increased station capacity at White City Station”.

### Transport for London (TfL)

4.47 TfL made the following comments summarised below:

- **Transport Assessment:** The approach to trip generation and mode share is acceptable.
- **Public Transport:** Development warrants a contribution (commensurate to those secured from other developments in the area) towards the station scheme in line with policy T3 of the Mayor’s Intend to publish London Plan.
- **Bus Services:** Mitigation is not sought in this instance.
- **Access and Site Layout:** Further information requested to ensure sufficient capacity and no user conflicts.
- **Car Parking:** Absence of general carparking spaces is supported. Disabled persons parking provision for Co-Living (1%) below standard of 3% from the outset (10% in general) in Policy T6.1 of the Mayor’s Intend to publish London Plan (itpv). TfL however satisfied that the provision of disabled parking spaces has been maximised taking into account the site constraints and proximity to public transport. As such, the disabled parking provision is acceptable in this instance.
- **CPZ Parking Permit free-obligation:** Should be secured in any Section 106 agreement, together with policy compliant electric vehicle charging points.
- **Cycle Parking:** Cycle parking meets standards. Requested that the design is reviewed to accommodate 5% larger or adapted cycles.
- **Active Travel Zone / Healthy Streets:** Council is encouraged to secure the appropriate improvements in line with policy T2 (Healthy Streets) of the London Plan (itpv). Applicant should confirm the levels of lighting and passive surveillance in place on Pioneer Way as this is a private road and not addressed in the TA.
- **Cycling Improvements along Wood Lane:** Continued dialogue with TfL needed.
- **Delivery and Servicing:** Policy T7 of the London Plan (itpv) requires development proposals to provide off-street servicing as a starting point. No possible in this case. Information should be provided on expected delivery vehicle numbers, so it can be assessed if on-street servicing can be accommodated without adversely impacting the transport network. Final servicing arrangements should be incorporated into the final DSP which should be secured by condition in line with Policy T4 of the London Plan (itpv).
- **Construction:** To accommodate the demolition and construction the proposed development proposes a gated loading area on Wood Lane. This would require temporary closure of the footway and bus lane, alongside the relocation of bus stop P on Wood Lane. Liaison with TfL and the Council is required to agree detail of construction arrangements and a construction logistics plan (CLP) should be conditioned and signed off by

the Council in consultation with TfL prior to commencement in line with policy T4 of the London Plan (itpv).

- **London Underground Infrastructure Protection:** LU infrastructure protection conditions should be attached to any permission.

#### **Royal Borough of Kensington and Chelsea (RBKC)**

- 4.48 Objected to the development on the grounds that would harm townscape views, fail to preserve the setting of heritage assets within RBKC, and the character and appearance of views into and out of the Borough.

#### **Historic England**

- 4.49 Proposed tall building has potential to impact on the on the setting of a range of heritage assets in the wider area beyond the site. Recommend that further assessment of View 8 (view looking south from Kensal Green Cemetery) be undertaken looking south towards the Surrey hills originating from the raised ground in front of the Anglican Chapel and from beneath the portico to the Anglican Chapel. In the absence of these views, unable to fully assess and comment upon the impact of the proposals on the historic environment.

#### **Historic England - Greater London Archaeological Advisory Service**

- 4.50 No further assessment or conditions are necessary.

#### **Environment Agency**

- 4.51 No objection. Do not wish to offer any comments.

#### **Natural England**

- 4.52 Has no comments to make on this application. Based upon the information provided, proposal unlikely to affect any statutorily protected sites or landscapes. Have not assessed the application and associated documents for impacts on protected species.

#### **Sports England**

- 4.53 No objection.

#### **Thames Water**

- 4.54 Request conditions be added to any planning permission to determine the waste and water infrastructure needs and the existing water supply infrastructure has insufficient capacity to meet the additional demands for the proposed development.

#### **London Underground Infrastructure Protection**

No objection. Request a condition be included (given the proximity to operational railway).

#### **Civil Aviation Authority (CAA) NATS Safeguarding**

No comment received.

#### **Residents and Amenity Groups**

#### **Objection from Individual Residents**

- 4.57 39 representations received, objecting to the original proposals. The objections can be summarised as follows:
- Oppose a 29-storey tower block in a residential area.
  - Proposed tower is located outside the White City Opportunity Area.
  - Development would add another monstrosity / is incongruous / unsightly / large / and ugly tower building in the local area.
  - Proposal lacks vision and imagination.
  - Development is far too tall and does not fit the area. Will change the local skyline to the detriment of the environment and its neighbours.
  - Height/Scale of the development not in compliance with Local Plan Policy DC3.
  - Already surrounded by tall buildings on Imperial College site. Do not need more high-rise buildings in the area.
  - A low to medium rise development would be a much better option.
  - All the new developments and high-rise buildings on Wood Lane should be built between Westfield and the A40.
  - Development will destroy character of surrounding conservation area.
  - The ethos of Women's Pioneer housing does not seem to be reflected in any way in the building's appearance.
  - Height would contribute to wind tunnel eddies. Design does not seem to address this. More planting is needed.
  - Not enough genuinely affordable social housing are planned. Levels of affordable housing need to be increased.
  - Affordable housing will only increase from 36 to 80 flats: 18.6% of the total. More than 80% will be unaffordable.
  - Local Plan Policy HO3 states requires at least 50% should be affordable and "not be concentrated on one part of the site".
  - Rents for the intermediate housing and Co living units are not affordable for local wage earners.
  - Waiting lists for genuinely affordable social housing on nearby developments are years long.
  - Unlike the Imperial College development, the proposals offer no real or needed community benefits.
  - Co Living is an unknown quantity and too risky as planning guidance is still being developed.
  - White City has been massively redeveloped in the last ten years, mostly with the provision of expensive flats.
  - Development will change the character of the surrounding residential area into an industrial, commercial, and family unfriendly environment.
  - Existing antisocial behaviour in the area.
  - Proximity between the proposed tower and many residential houses.
  - Will result in overlooking, overshadowing and block out daylight/sunlight to many neighbouring homes.
  - Neighbouring homes will feel intruded by the proximity of the development.
  - Will block out views for many existing homes.
  - Already a noisy polluted area. Noise and disruption during building works will be disruptive/unbearable to the amenity of neighbouring residential properties.

- Will adversely impact on the residential character of Bentworth Road and the existing family oriented community.
- Will add to an already overpopulated and densely built up area.
- Increase the density of population in the tiny area by building a further 394 homes: an increase of 1094.4%.
- Major development that makes little to no provision to train and employ local people.
- Overpopulation will affect travel on the underground and road congestion. Development will further aggravate the situation for all the current residents.
- Will impact on vehicular traffic, local amenities (shops, schools, GP's and hospitals), transport links, on street parking and possible increase in crime related matters.
- Limited off street parking provided. Development will force people to park illegally in the surrounding residential areas.
- Relocation of bus stop to outside Cavell House is unacceptable in terms of noise/disturbance, waste and pollution. Bus stop should remain where it is.
- Already a large influx of people using bus stops/routes locally, particularly at peak times.
- The Wood Lane / Du Cane Rd junction already a huge problem (traffic jams, significant air and noise pollution, pedestrian safety) especially considering near two schools and playing fields). Must address these issues as part of this development.
- Tall building will be unsafe. The fire brigade can only reach 13 storeys.
- Existing open green space to the rear of Cavell House (between Pankhurst House & Cavell House) incorrectly gives the impression that this area is for the new development.
- Lack of external amenity space for the development.
- Too close to the A40 in terms of pollution.
- Sustainability of the demolishing an existing building and the proposed development is questioned with a rating of only Very Good.
- Tenants on the Du Cane Rd estate were not notified or asked to take part in any public consultation events held by the applicant until January 2020.
- Meeting held on 8th January was an afterthought and issues & questions raised by attendees were not answered sufficiently.
- Few properties on Bentworth Road were notified or consulted regarding the planning application.
- After Coronavirus challenges & Grenfell tower tragedy this tall building type is an unsuitable development and does not provide the amenities that are necessary in the area.

- 4.58 In addition, a further 42 representations (objections / general comments) were received from one occupier in 13-44 Pankhurst House, Du Cane Road, W12.
- Proposed tower falls outside the White City Opportunity Area and therefore not appropriate in this location
  - Proposal is contrary to Local Plan policy DC3.
  - Proposed buildings are too tall and impact on skyline
  - Planning policy on tall buildings and co-living is only emerging in the Draft London Plan



- Residential intermediate units are not affordable
- Single women would prefer smaller studio units to save cost on rent
- Development would not provide a safe, diverse, or secure neighbourhood.
- Co Living use is not socially diverse.
- Splitting the affordable residential units and co-living units in two towers is against borough's integrated communities' policy.
- Adverse impact on existing low rise residential properties to the north.
- Community engagement carried out by applicant did not initially include and engage with Clarion Housing or its residents.
- No consideration given to impact on Nightingale House residents.
- Development would only create a limited level of low value jobs.
- Comments and recommendation from the SBD officer relating to safety/security measures have been ignored in the proposals
- Daylight/Sunlight assessment does not consider the aggravating effect of low sunlight on the living conditions of vulnerable persons.
- Wind testing needs to consider impact on vehicles on the A40.
- Weaknesses highlighted in respect to details in the Co Living Management Plan.
- No evidence provided that Co Living tower will be well managed.
- Impact on foul and water utilities.
- Queries discharge levels into the main sewer.
- Adverse noise impacts.
- Insufficient blue badge parking provided.
- No secure parking provided for motorcycles.
- Queries relating to Healthy Streets Assessments & Financial Viability Appraisal.

4.59 Furthermore, general comments also submitted by the same resident relate to: LA suicide prevention plan/measures / development team has no professionals involved from ethnic backgrounds / impact on the water supply to the NHS Hammersmith Renal and Transplant Centre / reference to hydrant capacity for firefighters / plastic piping for any utilities will be use / rat/pest infestation / bedbug management / security risk to HMP Wormwood Scrubs from tall building / insecure Clarion managed communal doors / highlight of possible data breach in initial Financial Viability Assessment document and unavailability of Legionella or Asbestos report. These are not considered to be strictly material to the planning considerations of this case.

4.60 A petition containing 202 signatures was submitted, primarily from residents in Bentworth Road/Westway, opposing the development on grounds of height, impact on surrounding low-rise properties and overshadowing.

**Du Cane Residents Estate Residents Association**

4.61 Objection received from the Chair of the Du Cane Estate Residents Association (DCERA) - comprising Cavell House, Pankhurst House, Holst House, and Christie House – objecting to the original proposals on the following grounds.

- It is a major development. Due to the smaller nature of the sites outside of the Regeneration Areas, LBHF does not expect major development sites to come forward outside of Regeneration Areas.
- Residents of Cavell Pankhurst, Christie, Holst and Cavell House were not approached by developers to help shape plans until January 2020.
- It falls outside of the White City Regeneration Area (WCRA). The planning conditions outside WCRA state that new developments ought to be low to medium rise. 29 storey significantly exceeds this.
- The design fails to create a high quality urban environment that minimises ASB and crime; Drug related crime and ASB have been plaguing Browning House and its surroundings for years.
- It is a high density scheme that shows no regard for the impact it has on long term residents' environment, many of whom are single women, some with restricted mobility and local keyworkers on low to moderate incomes.
- The 29-storey tower element disregards the amenity of the neighbours (Cavell and Pankhurst House are maximum 4 storey high).
- The proposed land use and movement patterns do not take a holistic approach to the context of the existing neighbourhood and therefore fail to create a safe, functional, and inclusive environment.
- Fails to consider the wider context of the Du Cane Estate (low rise residential, Hammersmith Hospital, Latymer School Playing fields, HMP Wormwood Scrubs) and only cares to try and mirror the Imperial tower that sits within WCRA.
- Residential density will increase by a minimum of 10 times (36 current units to 350 plus social housing units, plus visitors & staff, contractors) putting pressure on the frequently overcrowded bus stops, bus routes and overcrowded pavement.
- It does not reflect the key element of LBHF strategy to provide a significant proportion of new housing as low to medium rise housing with gardens and shared amenity space.
- 29 storeys is disruptive to the skyline outside of the WCRA. Policy D3 on tall buildings states LBHF resist developments causing such disruption.
- 29 storeys causes loss of day light and sun light especially to Cavell and Pankhurst House. There will be no gap for sun light between the proposed 29 storey and the Imperial Tower. When viewed from the back of Pankhurst House both will overlap.

- 29 storeys causes loss of privacy: residents will be looking down into living rooms, bedrooms, and balconies of the Du Cane Estate.
- 350 co-living apartments will significantly increase light pollution and cause light spillage.
- No provisions to protect, by a clear impenetrable boundary, the existing residential amenities (communal grounds for which Clarion tenants/leaseholders pay maintenance). On the contrary, existing brochures portray the green space under Cavell House as a benefit for future residents of the proposed development.
- It is a major development that makes little to no provision to train and employ local people in its operation.
- It does not use on site renewable energy generation.
- It provides only a maximum of 20% of affordable housing (350 co living apartments for private rent – 80 flats social/ affordable) – LBHF target for newly built is minimum 50%. The developers are demanding an almost 13% return, offset against the small amount of social housing provision. This high rate is because, in their own words, the Tower is “risky” with an immature market.
- It does not provide a good range of housing types and sizes so disregards LBHF housing policy mix. Women Pioneer house independent women. The proposed range of social housing ignores that independent women now have families and children with other women. They cannot be expected to live in a 1-bedroom flat and LBHF will not knowingly allocate a person with a child to one.
- The proposed social and affordable housing does not accord with LBHF strategic vision to house mixed cohesive and stable communities that thrive on the diversity of their population.
- It is not affordable to people earning £21000 or less (starting figure of range of incomes for new/ intermediate affordable housing in LBHF) and Women Pioneer house single women of modest means, not sharers.
- Rent is too high for various low wage earners, so it does not foster a mixed and inclusive neighbourhood as required by the GLA planning provisions.
- Following on from the previous point, such high rents do not support tenants to move into homeownership as they make saving for a deposit very difficult.
- It has no provisions to move people into homeownership – e.g. a rent to buy approach or shared ownership.

- It will increase population and visitors so putting pressure on demand for community services and facilities that are already overstretched, without any CIL payment, as the developers are offsetting the social housing so avoiding any financial contribution.
- No provisions for cultural initiatives promoting inclusion as required by GLA planning provisions (nothing for disabilities, life changing conditions, pregnant women, minority languages LGBT).
- The affordable dwellings and the co-living space are clearly separate – LBHF plan states that affordable dwelling should be located throughout a new development.
- The developers are trying to shift the ASB magnet bus stop by Browning House to under Cavell House magnet by a £90,000 payment to TfL, buried in the small print of the financial viability document.
- Not consulted police on moving bus stop.
- Not considered views of stakeholders. Cavell and Pankhurst Residents have not been approached (See TfL Accessible Bus Stop Design Guidance).
- Locating bus stop closer to Cavell House will impact journey times and accessibility. Users from major developments plus users from proposed development will be squashed onto a pavement crowded by customers of 3 shops and existing residents of Du Cane Estate. This will be exacerbated by pupils from 3 local schools boarding/ alighting there.
- Developers' intent to use Cavell House loading zone for delivery vehicles will affect use of bus stop and bus journey time.
- Insufficient parking will put pressure on already limited space on Du Cane Road and aggravate misuse of the car park between Pankhurst and Holst House, including from Hammersmith Hospital patients, worried and seeking last minute parking.
- No parking provision for car clubs, which must be of accessible width and length.
- Insufficient provision of disabled parking bays.
- Transport assessment disregards existing major developments: 3 schools, high security prison, hospital, teaching hospital, Imperial College, Upper Latymer, Playing Fields. It also ignores the Wood Lane/Du Cane Rd junction (frequently gridlocked).
- Any increase in residential density will impact the above junction as more pedestrians crossing the road will slow traffic down and worsen air quality

and pollution in our neighbourhood. Very weak management plan for the co-living space.

- No reference to actively discourage use and dealing of drugs, which is rife in the Wood Lane/ Du Cane Road area – attracted by the wide open site Clarion Housing and Women’s Real Estate share.
- The granting of memberships as opposed to tenancies will result in a less secure tenure just like “The Collective” in Willesden. A development offering insecure tenure cannot, by its nature, be classed as social housing.
- Fails to offer the range of tenures that is expected to be provided as accessible housing
- It is not tenure blind the development significantly fails to take the opportunities available for improving the character and quality of the Du Cane area as a whole and the way it functions.
- DCERA are aware of other local amenity groups opposing this development. If this application is to be decided by councillors, please take this as notice that DCERA committee members and myself would like to speak at the meeting of the committee at which this application is expected to be decided. Please let us know as soon as possible the date of the meeting”.

#### **The Hammersmith Society**

- 4.62 Considered the proposed 29-storey tower creates monotonous and monolithic elevations, and the relentless grid form dominates the elevations. Consider that the scale/proximity of the proposed development would also lead to an unacceptable adverse impact on neighbouring residential buildings to the north and west and would not create a positive relationship to the surrounding townscape in terms of scale, streetscape and built form. Overall the application proposal fails to take due account of the existing residential surroundings, and the design remains lacking in the inspiration and interest essential to a building of this size. State most of these issues were raised at the consultation stage. Further work therefore essential before consent is allowed.

#### **St Quintin and Woodlands Neighbourhood Forum**

- 4.63 The St Quintin and Woodlands Neighbourhood Forum (covers an area of North Kensington RBKC) with a membership of 420 residents and businesses. Support the comments made by the Hammersmith Society and Du Cane Residents Association. Request the application be refused permission for the following grounds.
- The proposals are contrary to the development plan in terms of the impact of the tall building.
  - Reference made to the negative impact already set by the Imperial tower and developments along Scrubs Lane.
  - Will not prove to be environmentally sustainable over future decades.

- Will not provide residential accommodation that meets the needs and aspirations of Londoners in a post Covid era.
- Site does not lie within the WCRA or WCOA boundaries and does not support justification for exception to be made in this case.
- The proposed tower building as with the Imperial tower, would have a disruptive and harmful impact on the skyline as seen from streets in North Kensington including those in the St Quintin/Oxford Gardens Conservation Area.
- Co Living element is not a standard residential development and will accommodate people of a similar age range and requirements in terms of use of transport and local amenities.
- Transport implications in terms of deliveries, servicing, and congestion. Further assessment required in terms of vehicle trip generation and TfL proposals for a dedicated cycleway along Wood Lane.
- Fire Safety report treats the building as 'residential' throughout rather than a mix of residential units and Co Living and is inappropriate for future occupants who will not develop familiarity with means of escape and fire safety measures as many will be on short term tenancies. Single staircases in residential towers needs to be considered very carefully.

## Support

- 4.64 22 representations were received in support of the original scheme (including from Clarion Housing and the WPH Chair of the Residents Engagement and Scrutiny Panel). The grounds of support can be summarised as follows:
- Supportive of the investment and vibrancy into the area.
  - Efficient use of land, in a borough where the potential to increase density is limited.
  - Makes sense to build housing in this location with increasingly employment focused developments proposed on neighbouring sites.
  - Will reduce the need to travel to work to the neighbouring Imperial College development and office accommodation.
  - Desperately need new housing in London.
  - Wards in the area are disproportionately dominated by social housing. Pressing need for market housing to create mixed and sustainable communities for all.
  - Propose tower should be taller to match the same height as the Imperial West Tower.
  - Tall building 'cluster' already forming. The proposal will fit in with the forthcoming townscape in the area.
  - Utilises high quality materials.
  - Would create a positive street scene at ground floor level.
  - Responds positively to the surrounding area.
  - Tall element improves legibility and then 'steps down' to respect the low rise buildings in the immediate vicinity.
  - Will make a valuable contribution to the borough's housing requirements whilst providing women's sheltered accommodation.
  - The site is also close to White City and Wood Lane underground stations. Therefore, in a very sustainable location.

- The proposed residential units would provide well appointed, light and comfortable homes and the inclusion of facilities to encourage communal socialising is commendable.

## **5.0 ENVIRONMENTAL STATEMENT**

- 5.1 An Environmental Impact Assessment (EIA) has been undertaken and the findings are included in an updated Environmental Statement (ES), submitted by the applicant under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The original '2020' ES, has been revised by the '2022' ES and comprises the ES for the redevelopment proposals.
- 5.2 The proposals do not constitute an EIA development under the EIA Regulations. The development does not fall within a Schedule 1 classification. The proposal does fall within the definition of a Schedule 2 'urban development project' however, it would not meet any of the screening thresholds for this type of development. The development is not located within a 'sensitive area' as defined by the EIA Regulations and the total site area would not comprise more than 1 ha. of urban development.
- 5.3 The threshold for developments under column 1 of Schedule 2, 10(b) are that:
- The development includes more than 1 hectare of urban development which is not dwelling house development; or
  - The development includes more than 150 dwellings; or
  - The overall area of the development exceeds 5 hectares
- 5.4 The threshold for developments under column 1 of Schedule 2,10(b) refers to: The development includes more than 150 dwellings. In planning terms, the co-living accommodation is not considered a 'dwelling' and classified as a 'Sui Generis' use under the Use Class Order. The applicant has considered the proposed co living accommodation within the overall total dwellings calculation. The applicant has therefore voluntarily elected to submit an Environmental Statement (ES) on the basis that the proposed development exceeding the 150 dwellings threshold.
- 5.5 The applicant has considered the potential for likely significant environmental effects and identified technical topics that should be addressed through the Environmental Impact Assessment (EIA) process. On this basis, the applicant elected to undertake an EIA, and an Environmental Statement (ES) supports the application.
- 5.6 In January 2020, the original planning application submitted comprised of 80 residential apartments, office space and 350 co-living apartments, in a part 29 storey and part 9 storey development. The original ES was submitted on this basis in response to a Scoping Opinion issued by the Council on 9 August 2019. The scoping study set out the following topic areas would be 'scoped in' and included for the purpose of the ES:
- Socio-Economics;
  - Townscape, Visual Impact and Built Heritage;
  - Daylight, Sunlight, Overshadowing, Solar Glare and Light Pollution;

- Wind Microclimate;
  - Noise and Vibration; and
  - Air Quality.
- 5.7 The scoping opinion also agreed that topics ‘scoped out’ in the main ES document could be included for ease of reference within the appendices. The topics covered by standalone technical reports which also accompany the planning application and relate to: Transport; Ground Conditions; Water Environment; Biodiversity; Archaeology and Waste Management. The likely significant environmental effects of the development have been assessed for both the enabling, demolition and construction phases (the ‘Works’), and once completed and operational.
- 5.8 A review of the original ES has been undertaken to determine the changes to the results or conclusions of the assessments, considering the amendments to the proposed development. The updated ES assessment follows the scope of the original ES (January 2020) and assesses the same environmental topics listed above and summarises the environmental effects (both beneficial/adverse) arising from the development and the significance of these, comparing them to the existing land uses and activities. The updated ES includes refers to climate change, human health and accidents and disasters however, standalone technical chapters relating to these matters have not been produced. These are addressed under the specific chapters of the ES.
- 5.9 The Environmental Statement (ES) comprises:
- ES Volume 1 - Main Text and Figures.  
 ES Volume 2 – Heritage, Townscape and Visual Impact Assessment.  
 ES Volume 3 - Appendices.  
 ES Volume 4 - Non-Technical Summary.
- 5.10 The main part of the ES comprises thirteen chapters and is supported by figures/technical appendices and a non-technical Summary (NTS). The main text includes the following technical chapters:
- Chapter 1: Introduction
  - Chapter 2: EIA Methodology
  - Chapter 3: Existing Land Uses and Activities
  - Chapter 4: Alternatives and Design Evolution
  - Chapter 5: The Development
  - Chapter 6: The Works
  - Chapter 7: Socio-economics.
  - Chapter 8: Air Quality.
  - Chapter 9: Noise and Vibration.
  - Chapter 10: Wind Microclimate.
  - Chapter 11: Daylight, Sunlight, Overshadowing, Light Pollution and Solar Glare
  - Chapter 12: Summary of Mitigation and Residual Effects/Effect Interactions



- Chapter 13: Glossary and Abbreviations

- 5.11 Consideration of alternatives sites, land uses, and layouts are set out in ES. The primary objectives of WPH is for a continual presence on the site and for the proposed development to deliver an uplift of both affordable residential units and new office headquarters. Co-living (and HUB) was selected by WPH as their preferred complimentary use. The proposed design concept and layout has gone through a series of iterations following the first pre-application discussions in 2019 which subsequently evolved into the final 'Flat Iron' design. The design evolved into two separate buildings, in the form of a 'V' shape layout that are joined together but expressed differently through the façade treatment and materials. An inner courtyard is formed either side of the WPH wings to the north.
- 5.12 The height, massing, and layout of the WPH building 'wings' have been designed to respond to the existing residential blocks to the north in terms of view and light and to allow for dual aspect flats. The pedestrian public access route was discussed in detail and revised to allow accessibility across the site. The overall height of the tower and the WPH building have subsequently been reduced during the course of the application.
- 5.13 The ES is based on an existing and proposed scenario. The assessment has considered the relevant planning effects at the different stages of the proposed development. This includes site preparation, construction, and completion/operational stages. Each assessment in the ES includes a consideration of the effects on sensitive receptors and mitigation if required to reduce the effects. Most of the construction works have been assessed qualitatively rather than quantitatively and would be for the most part temporary. The construction phase has been estimated to take approximately 30 months. Operational works assess the effects quantitatively. An assessment of the cumulative effects arising from the proposed development have been considered in the ES. Assessment of the likely residual effects that would remain after the application of any additional mitigation measures, as well as the cumulative effects of the development together with other relevant cumulative schemes has been taken into consideration.
- 5.14 The significance or magnitude of each change or effect is defined with reference to specific standards, accepted criteria and legislation where available. The effects have been classified as being Negligible, Minor, Moderate or Major. In addition, to the significance of the effect, the ES refers to whether the effects are adverse or beneficial, direct or indirect, temporary or permanent, reversible or irreversible, short, medium or long term and/or cumulative.
- 5.15 In summary, the EIA has identified that, once the proposed development is completed and occupied, most adverse effects would be reduced to insignificant levels through the implementation of mitigation measures.
- 5.16 The environmental considerations are addressed in Section 8-13 of this report. Each topic contains a factual summary of the findings contained within

the Environmental Statement (ES). Officers are satisfied that the ES complies with the 2017 Regulations and that sufficient information has been provided for the assess the environmental impact of the proposal.

### **ES Conclusions**

- 5.17 The ES 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 identifies the relevant planning issues and where conditions are considered necessary to mitigate the effect of the revised development.

## **6.0 POLICY CONTEXT**

### **Planning Policy Framework**

- 6.1 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.
- 6.2 Collectively the three Acts create a plan led system which requires local planning authorities to determine planning applications in accordance with an adopted statutory development plan unless there are material considerations which indicate otherwise (section 38 (6) of the 2004 Act as amended by the Localism Act).
- 6.3 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). Several strategic and local supplementary planning guidance and other documents are also material to the determination of the application.

### **National Planning Policy Framework (2021)**

- 6.4 The National Planning Policy Framework - 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.
- 6.5 The NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

### **The London Plan**

- 6.6 The London Plan (2021) was published in March 2021 and is the Spatial Development Strategy for Greater London. The Plan provides the strategic planning policies for London, setting out an integrated economic, environmental, transport and social framework for growth over the next 20-25 years. The proposal has been assessed in line with the updated policies set out in the Plan. The key policies of the London Plan which apply to the site are summarised below:

- Policy GG1: Building strong and inclusive communities
- Policy GG2: Making the best use of land
- Policy GG3: Creating a healthy city
- Policy GG4: Delivering the homes Londoners need
- Policy GG5: Growing a good economy
- Policy GG6: Increasing efficiency and resilience
- Policy D1: London's form, character, and capacity for growth
- Policy D2: Infrastructure requirements for sustainable densities
- Policy D3: Optimising site capacity through the design-led approach
- Policy D4: Delivering good design
- Policy D5: Inclusive design
- Policy D6: Housing quality and standards
- Policy D7: Accessible housing
- Policy D8: Public realm
- Policy D9: Tall buildings
- Policy D11: Safety, security, and resilience to emergency
- Policy D12: Fire safety
- Policy D13: Agent of Change
- Policy D14: Noise
- Policy H1: Increasing housing supply
- Policy H4: Delivering affordable housing
- Policy H6: Affordable housing tenure
- Policy H8: Loss of existing housing and estate redevelopment
- Policy H10: Housing size mix
- Policy H16: Large-scale purpose-built shared living
- Policy E1: Offices
- Policy G1: Green Infrastructure
- Policy G5: Urban Greening
- Policy G6: Biodiversity and Access to Nature
- Policy G7: Trees and Woodlands
- Policy SI1: Improving air quality
- Policy SI2: Minimising greenhouse gas emissions
- Policy SI3: Energy infrastructure
- Policy SI5: Water infrastructure
- Policy SI6: Digital connectivity infrastructure
- Policy SI7: Reducing waste and supporting the circular economy
- Policy SI8: Waste capacity and net waste self-sufficiency
- Policy SI12: Flood risk management
- Policy SI13: Sustainable drainage
- Policy T1: Strategic approach to transport
- Policy T2: Healthy Streets
- Policy T3: Transport capacity, connectivity and safeguarding
- Policy T4: Assessing and mitigating transport impacts
- Policy T5: Cycling
- Policy T6: Car parking
- Policy T6.1: Residential parking
- Policy T6.2: Office Parking

- Policy T7: Deliveries, servicing, and construction

6.7 In addition to the London Plan, the Mayor of London has adopted several supplementary planning guidance (SPG) documents which are material considerations in planning decisions. The Mayoral SPG's considered relevant to the proposal are listed below:

- Accessible London SPG
- Character and Context SPG
- Good Quality Homes for all Londoners
- Housing SPG
- Circular Economy Statements LPG
- Energy Planning Guidance
- The Control of Dust and Emissions in Construction

6.8 Due consideration has also been given to:

- Fire Safety LPG
- Housing Design Standards LPG
- Optimising Site Capacity: A Design-led Approach LPG
- Large Scale Purpose Built Shared Living LPG
- Urban Greening Factor LPG
- Air Quality Positive LPG
- Sustainable Transport, Walking and Cycling

### **The Local Plan**

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

6.10 With regard to this application, all planning policies in the National Planning Policy Framework (NPPF), London Plan (2021), Local Plan (2018), and Planning Guidance Supplementary Planning Guidance (SPD) which have been referenced where relevant in this report have been considered with regards to equalities impacts through the statutory adoption processes, and in accordance with the Equality Act 2010 and Council's PSED. Therefore, the adopted planning framework which encompasses all planning policies which are relevant in Officers' assessment of the application are considered to acknowledge protected equality groups, in accordance with the Equality Act 2010 and the Council's PSED.

6.11 The policies within the Local Plan aim to ensure development within the borough accords with the spatial vision of the borough. The key policies relevant to the proposals are:

- Policy HO1: Housing Supply
- Policy HO3: Affordable Housing
- Policy HO4: Housing Quality and Density
- Policy HO5: Housing Mix

- Policy HO6: Accessible Housing
- Policy HO11: Detailed Residential Standards
- Policy E1 - Range of Employment Uses
- Policy E2 - Land and Premises for Employment Uses
- Policy E4 - Local Employment, Training and Skill Development Initiatives
- Policy DC1 - Built Environment
- Policy DC2 - Design of New Build
- Policy DC3 - Tall Buildings
- Policy DC7 - Views and Landmarks
- Policy DC8 - Heritage and Conservation
- Policy OS4: Nature Conservation
- Policy OS5 - Greening the Borough
- Policy T1 - Transport
- Policy T2 - Transport Assessments and Travel plans
- Policy T3 - Increasing and promoting Opportunities for Cycling & Walking
- Policy T4 - Vehicle Parking Standards
- Policy T5 - Blue Badge Parking
- Policy T7 - Construction and Demolition Logistics
- Policy CC1 - Reducing Carbon Dioxide Emissions
- Policy CC2 - Ensuring Sustainable Design and Construction
- Policy CC3 - Minimising Flood Risk and Reducing Water Use
- Policy CC4 - Minimising Surface Water Run-off with Sustainable Drainage Systems
- Policy CC7 - On-Site Waste Management
- Policy CC9 - Contaminated Land
- Policy CC10 - Air Quality
- Policy CC11 - Noise
- Policy CC12 - Lighting Pollution
- Policy CC13 - Control of Potentially Polluting Uses
- Policy INFRA1: Planning Contributions and Infrastructure Planning

## **7.0 PLANNING CONSIDERATIONS**

7.1 The main planning considerations material to the assessment of this application are listed below.

- Principle of development - land uses
- Housing - replacement and additional affordable housing units, including housing layout and mix
- Acceptability of proposed Co-Living residential units
- Viability
- Office and Café uses
- Quantum of the development in terms of its layout, height, scale, and massing
- Accessibility
- Fire Safety
- Crime/Safety and Security

- Residential Amenity including impact on the existing amenity of the neighbouring properties in terms of daylight, sunlight, solar glare, overlooking and privacy.
- The design quality/external appearance, including materials of the proposed buildings.
- The impact of the development on the street scene and character and appearance of the surrounding conservation areas and other heritage assets.
- Highways in terms of traffic generation, servicing, and parking
- Energy efficiency and sustainability; and
- Other environmental impacts including flood risk and drainage, air quality and land contamination, noise vibration, archaeology, and wind climate.

## **8.0 PRINCIPLE OF DEVELOPMENT - Land Uses**

- 8.1 The proposal is for a residential led mixed use development comprising replacement and additional on-site affordable housing, new office space and provision of co-living residential accommodation.
- 8.2 The JV entered into by WPH/HUB seeks a comprehensive development of the site, to increase the quantum and quality of the existing affordable housing offer, replace the existing poorer quality office accommodation and introduce a new type of shared living accommodation available to a range of single people.
- 8.3 **London Plan Policy GG2 (Making the best use of land)** encourages developments to proactively explore the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development, particularly in locations that are well-connected. The same policy encourages the adoption of a design-led approach to determine the optimum capacity of a site. The proposed mix of uses is considered to be in accordance with NPPF paragraphs 17 and 118 and London Plan Policy GG2, which seek to create mixed use places that intensify and make the best use of brownfield land.
- 8.4 The site is located outside although adjacent to the White City Opportunity and Regeneration Area and is in a highly sustainable location, with a PTAL rating of 6a. The proposal would develop a brownfield site where the existing buildings are outdated, not fit for purpose and in need of regeneration. The proposal would address the existing issues and redevelop the site for modern, fit-for-purpose uses, including a significant uplift in the amount of affordable housing and shared living apartments. The co-living accommodation is considered acceptable and accords with the qualitative criteria in London Plan Policy H16 and would meet most proposed standards in the Mayor's draft London Plan guidance on shared living. This is considered in more detail below. The proposed mix of uses are therefore considered acceptable in land use terms.

## **Housing**

- 8.5 The NPPF attaches great importance to significantly increasing the supply of new housing. At both a London-wide and local level, the strategic objective is to increase the housing land supply and choice of high-quality homes and ensure that new housing meets local needs and aspirations through a range of tenures and sizes.
- 8.6 **Policy GG4 (Delivering the homes Londoners need)** 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 (Increasing Housing supply)** 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 has increased if compared to the previous version of the London Plan (2016) at the time of the submission of the original planning application.
- 8.7 **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.
- 8.8 The development comprises a residential led mixed use development with traditional flats proposed alongside shared co-living units that would deliver dwellings in the borough. The traditional residential (Class C3) element would provide 60 new flats for WPH, an uplift of 24 units compared to the current 36 (studio) type unit provision. The size of all the units are however larger and equivalent to one bedroom/two person flats. All the flats would be affordable housing. The 36 replacement units would be let for social rent and the additional 24 units would be let at intermediate rent levels.
- 8.9 The proposal would contribute to the overall housing delivery targets for the borough and wider area with the provision of 269 dwellings (233 net), increasing the choice of housing; The provision of 60 Class C3 residential units goes towards meeting the borough's affordable housing provision and is considered acceptable in principle in compliance with London Plan Policy H1 and Local Plan Policy HO1.
- 8.10 The proposals do not provide a mix of unit sizes identified in London Plan Policy H10 and Local Plan Policy H05. The scheme is however developed to meet the specific needs and requirements of WPH.
- 8.11 All 60 new residential units would be owned and managed by WPH. All are designed as larger one-bedroom/two-person flats and would be at least 50 sqm in size (62 sqm for the wheelchair units). This complies with London Plan minimum space standards. The affordable residential units would comply with London and Local Plan objectives for the delivery of new affordable housing

on brownfield sites. The tenancy and nomination arrangements are to be secured through the Section 106 Agreement.

### **Replacement Housing**

- 8.12 The development proposes the demolition of Browning House which currently comprises 36 affordable units in social rent tenure. The proposed redevelopment would replace these homes (in accordance with strategic policies and planning guidance) as well as providing a further 24 affordable homes for WPH.
- 8.13 **London Plan Policy H8 (Loss of existing housing and estate redevelopment)** 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 (GPGER) 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.
- 8.14 **Local Plan HO2 (b)** states the Council will resist proposal which result in a net loss of permanent residential accommodation because of redevelopment or change of use with replacement (measured by floorspace) being provided. The development is required to follow the Viability Tested route and should seek to provide a net uplift in affordable housing in addition to minimum requirement for replacement affordable housing floorspace in addition to minimum requirement for replacement affordable housing floorspace.
- 8.15 The site's existing 36 affordable units are small, sub-standard in quality and no longer fit for purpose. The unit sizes average approximately 29 sqm. equivalent to the size of a studio unit. The size of the units falls below the current minimum national and London Plan space standard of 37 sqm. The existing units do not provide outdoor amenity space. The Applicant has set out that the building needs significant repair and investment to bring it up to modern standards and requires redevelopment to fund replacement and additional high-quality new affordable homes. At present none of the residential units are occupied by WPH tenants. All previous WPH tenants have been rehoused. The existing housing is currently let as temporary housing accommodation, on shorthold tenancies. None of the current occupants would therefore benefit from a right to return.
- 8.16 The proposal would replace all 36 units with high-quality, new affordable homes. The replacement affordable housing would comprise of bigger and modern rented housing, with better energy efficiency, balconies, step free access and lift. All the units would be retained in social rent tenure for perpetuity. 10% (6 units) of all the homes would be wheelchair accessible homes (78 sqm.).



8.17 While the number of proposed social rent units would remain the same, the proposal would increase the on-site social rented accommodation (in terms of floorspace and habitable rooms), as summarised in the table below. The proposal would ensure that the quality of the existing affordable housing stock is significantly enhanced.

	Existing	Proposed	Net Change
Floorspace (GIA) sqm	1,438	1,890	+452
Habitable Rooms	36	72	+36
Unit Numbers	36	36	0

8.18 The tenancy arrangements for the retention of the 36 replacement units in social rented tenure would be secured through the S106 agreement.

8.19 The proposal would replace the existing social rented units and overall would increase the floorspace in accordance with the requirements and key principles for estate regeneration. The proposal is considered to be in accordance with London Plan Policy H8 and Local Plan Policy HO2.

#### **Additional on-site affordable housing**

8.20 **Policy H4 (Delivering affordable housing) 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.

8.21 **Policy H6 (Affordable housing tenure) 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.

8.22 The proposed development seeks an increase on site affordable housing provision in lieu of an off-site payment contribution towards conventional C3 affordable housing, as set out in London Plan Policy H16 (9) and (10). This would be above the re-provision of the 36 replacement units. A further 24 additional one-bedroom/two person flats are proposed, providing a further 48 habitable room at Intermediate rent levels.

8.23 WPH state that approximately half the women they house are nominees from the local authorities and add that H&F currently has over 600 single women on the Council's waiting list requiring accommodation in the borough. The development would come forward as a single phase with an indicative delivery programme estimated at approximately 2.5 years. Once completed all 60 affordable units would be owned and managed by WPH. In agreement with the Council, 50% of all the affordable homes will be available to persons on

the LBHF nominees list. The other 50% would be let to WPH's existing tenants wishing to transfer to accommodation more suited to their needs, WPH waiting list, or to women via referral agencies and charities. The tenancy and nomination arrangements would be secured through the S106 agreement.

- 8.24 Officers consider that the affordable provision more than meets the Council's target of 50% affordable housing (for those units which are applicable), and the breakdown between social and intermediate housing is also in line with the 40/60 requirement. Officers consider that the proposals would provide a quantitative and qualitative improvement in comparison with the existing housing stock on site. The 60 affordable homes provide much needed affordable housing in the borough and will address the specific requirements identified by WPH in supporting women-led affordable housing through social rented and intermediate tenures. Officers consider that the proposed development is in line with Policy HO3 of the Local Plan 2018 and Policy H6 the London Plan 2021.

### **Housing Mix**

- 8.25 The NPPF requires local planning authorities to deliver a wide choice of high-quality homes and to plan for a mix of housing in terms of size, type, tenure, and range based on local demand.
- 8.26 **London Plan Policy H10 (Housing size mix)** considers that schemes should consist of a range of unit sizes and should seek to deliver mixed and inclusive neighbourhoods. The policy further acknowledges the role that an appropriate housing mix can play in optimising the housing potential on sites. The supporting policy text also recognises that well designed 1 and 2-bed units have an important function as they can attract those wanting to downsize from their existing homes and free up existing family housing stock. 2-bed/4-person units are further considered to play a role in delivering homes which are suitable for families.
- 8.27 **Local Plan Policy HO5 (Housing Mix)** sets out the housing mix which developments should aim to meet subject to viability, locational characteristics and site constraints being considered on a site-by-site basis. **Policy HO11 (Residential Standards)** states several criteria which should into account when ensuring that the design and quality of all new housing is of a high standard, meets the needs of future occupants and respects the principles of good neighbourliness.
- 8.28 The housing mix of the proposed development comprises entirely of one-bedroom units and therefore meets the housing needs of single/two person households. Although different to the preferred mix set out in Local Plan Policy HO5, this proposed mix is acceptable in this instance, considering the particular circumstances of the redevelopment proposals in terms of the Women's Pioneer Housing's commitment as an affordable housing provider for women, together with the site location and characteristics. Whilst WPH is women-led housing, tenants may meet partners, get married, have children, and remain living in WPH accommodation. All tenancy agreements are held

by women and joint-tenancies are not granted but equally men are not excluded from WPH buildings. With regards to if a woman gives birth and chooses to remain within the property, the 50sqm dual aspect homes are built to lifetime homes standards and will be suitable to accommodate them and their young children for a period of time.

- 8.29 Although the proposed housing mix does not precisely align with Policy HO5, the policy wording does stipulate that the housing mix stated for each tenure is approximate and should be considered on a site-by-site basis. This is the approach which has been taken for the proposed development, to ensure the proposed housing mix would respond to the Applicant's preferred needs. The proposed mix is therefore considered acceptable and takes into account the requirements of the Applicant, in accordance with the NPPF, Policy H10 of the London Plan 2021 and Policy HO5 of the Local Plan 2018.

#### **Standard of Accommodation**

- 8.30 Housing quality is a key consideration in the assessment of applications for new developments. London Plan Policy D6 (Housing quality and standards) requires all new dwellings to have 'high quality design and adequately sized rooms' in line with space standards. This is reinforced in Local Plan Policy HO4 (Housing Quality and Density).
- 8.31 All 60 residential flats are designed to be dual aspect and meet the minimum standards set out in London Plan Policy D6. In terms of internal size layouts, each flat includes a bathroom, double bedroom and a combined kitchen and living area and meet space standards in terms of overall unit sizes. All the units have a private external private outdoor space, in the form of a recessed private balcony which would face onto either Wood Lane or Pioneer Way, in compliance with Key Principle HS1 (Amenity Space), designed to respect the amenity of neighbours and not to detract from the character of the surroundings. Bedrooms face onto quieter internal deck areas. A communal outdoor amenity space is proposed for WPH residents, within a raised courtyard. Situated adjacent to the existing green space, to the north of the site. Officers consider that the proposals represents an appropriate balance between communal and private open space and an appropriate level of space provision in accordance with Key Principle HS1. The main entrance serving the WPH building would be located on Wood Lane and flats would be accessible via a central core space. Each core/per floor would serve 10 units in total which exceeds the Mayor's Housing SPG recommended standard of 8 units per floor. Each floor would however be split by two independent external decks/walkways/per floor that would serve five flats/per deck. This arrangement is considered to be acceptable. Overall, officers are satisfied that the proposal would provide an acceptable standard of accommodation for its residents in accordance with Policies D6 of the London Plan 2021 and Policies DC2 and HO11 of the Local Plan 2018.
- 8.32 In terms of children's play space, the proposed development is not expected to be accommodate children given the unit mix and type of housing proposed. As such, whilst the GLA's updated play space calculator would generate a

moderate play space requirement, an appropriate degree of flexibility to its provision onsite has been applied in this case.

### **Co-Living Residential Units**

- 8.33 Co-living is a relatively recent product, comprising purpose-built shared living (sui generis use), as opposed to a more conventional residential arrangement in the form of houses and flats (which fall within Class C3 of the Planning Use Classes Order).
- 8.34 Co-Living is however seen as providing a complementary contribution to the range of more conventional forms of rented residential accommodations and is primarily aimed at expanding the range of traditional options available to single person households, such as Private Rented Schemes (PRS), student accommodation or Houses of Multiple Occupation (HMO's).
- 8.35 Co living is open to all groups of people. Evidence available suggest it tends to attract a high proportion of single young professionals and mature students looking for high quality rented accommodation with managed and organised communal spaces which are purposely designed and managed to create a sense of community. It is designed to be inclusive, with an emphasis on shared communal spaces for all the residents to use and enjoy.
- 8.36 Co-living offers a range of services and facilities, including 24/7 management staff and a concierge. Each occupant has their own private space (apartment) but also has access to shared facilities, in the form of indoor communal spaces for cooking, dining, leisure, socialising, working, exercise and outdoor amenity space. The principle of co-living is based on creating a sense of community amongst its residents, with the provision of a range of shared communal facilities, designed to enhance collaboration, interaction, and engagement. The applicant states they have carried out extensive research into co living products and collected data regarding the needs and preferences of residents and this has informed the final design of the proposals.
- 8.37 The development is not a form of short-term accommodation. Occupiers will not have a maximum stated tenancy length. Tenancies will range from a minimum of 3 months upwards, with 6, 9 and 12 month tenancies available which allow tenants a level of flexibility to decide how long they wish to remain. There is data to suggest that a significant number of co-living residents stay for 12 months or more before deciding to move on. Similarly, tenancies are not restricted by age or need of housing. The rental package supports a range of on-site facilities/services, including laundry, cleaning, concierge, and utility costs (water, electricity, heating and WIFI) and council tax.
- 8.38 Because it is a relatively new product the Local Plan currently has no planning policy relevant to co-living. The most relevant policy is Policy HO9. This policy however relates to the provision of Student Accommodation.

8.39 However, **Policy H16 of the London Plan (“large-scale purpose-built shared living”)** is specifically relevant. This policy was adopted after the submission of the current application but is nonetheless applicable and identifies the following requirements for purpose-built shared living developments:

- 1) good quality and design
- 2) contributes towards mixed and inclusive neighbourhoods
- 3) located in an area well-connected to local services and employment by walking, cycling and public transport, and its design does not contribute to car dependency
- 4) under single management
- 5) units are all for rent with minimum tenancy lengths of no less than three months
- 6) Communal facilities and services are provided that are sufficient to meet the requirements of the intended number of residents and offer at least:
  - a) convenient access to a communal kitchen
  - b) outside communal amenity space (roof terrace and/or garden)
  - c) internal communal amenity space (dining rooms, lounges)
  - d) laundry and drying facilities
  - e) concierge facility
  - f) bedding and linen changing and/or room cleaning services.
- 7) The private units provide adequate functional living space and layout, and are not self-contained homes or capable of being used as self-contained homes
- 8) management plan is provided with the application
- 9) development delivers a cash in lieu contribution towards conventional C3 affordable housing. Boroughs should seek this contribution for the provision of new C3 off-site affordable housing as either an:
  - a) upfront cash in lieu payment to the local authority, or
  - b) in perpetuity annual payment to the local authority
- 10) In both cases developments are expected to provide a contribution that is equivalent to 35 per cent of the units, or 50 per cent where the development is on public sector land or industrial land appropriate for residential uses in

accordance with Policy E7 Industrial intensification, co-location and substitution, to be provided at a discount of 50 per cent of the market rent.

All large-scale purpose-built shared living schemes will be subject to the Viability Tested Route set out in Policy H5 Threshold approach to applications, however, developments which provide a contribution equal to 35 per cent of the units at a discount of 50 per cent of the market rent will not be subject to a Late Stage Viability Review.

- 8.40 Policy H16 confirms that large-scale shared living developments offer an alternative housing option for single person households who cannot or choose not to live in self-contained homes or HMOs. This is the form of accommodation to be provided by this proposal.
- 8.41 Since the submission of this application, the Mayor of London has published a draft London Plan Guidance (LPG) on large-scale purpose-built shared living developments for public consultation. The document provides additional guidance on matters like the layout and design of co-living developments. The draft LPG is currently being reviewed following public consultation in January 2022 and is not adopted at this stage. This document is however of some relevance as a material planning consideration.
- 8.42 An important element of a successful co-living scheme is to create an attractive place for people live within the building, when using both their private living accommodation and the shared communal spaces. In this case, officers consider that the proposal would provide a range of spaces which will be managed to be attractive and highly usable by residents of the development. In terms of the criteria set out in Policy H16 the following considerations have been given to each point.
1. “It is of good quality and design”
- 8.43 The height of the proposal has been reduced by 10-storeys because of feedback and discussions following the original public consultation period. The application is accompanied by a Design and Access Statement, which describes the design quality of the proposed building in detail and the appropriateness of the materials to be used to create a building of quality and character. The application is also supported by a Heritage and a Townscape and Visual Impact Assessment which shows the building from agreed viewing points and establishes its credentials as a building of high architectural quality that meets the test of good quality and design.
2. “It contributes towards mixed and inclusive neighbourhoods”
- 8.44 In addition to the co-living accommodation, which provides a new type of accommodation in the area, the proposed development includes a publicly accessible café, creating an active frontage for residents and the public to visit, 60 new affordable homes (mix of affordable tenures) and extensive public realm improvements. In summary the proposal is considered to

contribute to a mixed and inclusive community, with potential for WPH residents to relocate into a co-living unit if they desire.

3. "It is located in an area well-connected to local services and employment by walking, cycling and public transport, and its design does not contribute to car dependency"

- 8.45 The site has a PTAL rating of 6a, and excellent public transport connections. Located a short walk from Wood Lane and White City underground stations and is served by several local bus routes. Except for 4 blue badge spaces, the proposal is car free and cycle parking is provided on site in accordance with London Plan policy standards.

4. "It is under single management"

- 8.46 The co-living element would be under a single management as set out in the supporting Co-Living Management Plan.

5. "Its units are all for rent with minimum tenancy lengths of no less than three months"

- 8.47 All co living units are for rent within the minimum tenancy permitted, not less than three months. This would be secured by an obligation in a section 106 agreement.

6. "Communal facilities and services are provided that are sufficient to meet the requirements of the intended number of residents and offer at least: a) convenient access to a communal kitchen; b) outside communal amenity space (roof terrace and/or garden); c) internal communal amenity space (dining rooms, lounges); d) laundry and drying facilities; e) a concierge; f) bedding and linen changing and/or room cleaning services"

- 8.48 All the communal facilities listed in points a – f are provided on site and the proposed amenity areas meet and exceed the size requirements of the draft emerging LPG. Laundry and drying facilities are provided at the lower ground floor level.

7. "The private units provide adequate functional living space and layout, and are not self-contained homes or capable of being used as self-contained homes"

- 8.49 All the units are designed to range between 24 and 27sqm. supplemented by shared amenity space, in line with the draft emerging LPG. The co-living unit does not provide the same level of facilities/amenities one would expect within a self-contained dwelling (e.g. washing/drying facilities, fridge-freezers, oven cookers, dishwashing facilities etc.). Instead, these facilities are provided in shared amenity/community spaces located within the building. The proposed co-living units are not considered to be suitable for self-contained C3 residential units and rely on the provision of a good level of shared facilities.

8. "A management plan is provided with the application"

- 8.50 A Co-living management plan, prepared by HUB has been submitted as part of this application. This will be a live document and be updated to reflect best practice for a scheme of this type and scale. The management plan is a quality control document to maintain the long terms quality of the building and facilities. It will help ensure the long term quality of the development. The management plan will be secured for the long term through planning conditions and/or the S106 agreement.

9. It delivers a cash in lieu contribution towards conventional C3 affordable housing & 10. Developments are expected to provide a contribution that is equivalent to 35 per cent of the units, to be provided at a discount of 50 per cent of the market rent.

- 8.51 A bespoke on-site affordable housing offer is proposed for this development. WPH have sought a development partner who would work collaboratively with them with the objective to re-provide their headquarter office accommodation and increase the quantum of on-site affordable housing, at zero cost.

**Co-Living Layout**

- 8.52 There are no minimum internal space standards for co-living accommodation. Policy H16 acknowledges this. The policy however recognises that co living units should be appropriately sized and laid out to provide adequate functional living space for future residents whilst also ensuring the units are not designed in a form capable of being used as self-contained studios, as defined by the traditional Class C3 use. From the outset, the applicant has acted to deliver larger units than a standard conventional student accommodation scheme and provide a balance quality in terms of the communal spaces provided.
- 8.53 The co-living units would range between 24-27 sqm. in size, each having its own separate living, sleeping, kitchenette areas, with a bathroom and inbuilt storage areas around the room. The small kitchenette provides limited space and facilities for light cooking and food preparation only and includes a hob, microwave (no oven), a sink, small cupboard space and a small fridge/freezer). This arrangement would ensure that each individual unit provides a high quality living space and facilitates independence if desired, with additional communal shared kitchen and dining facilities external to the units. It is considered that residents will not rely exclusively on the facilities provided in their living space daily because the development also provides an extensive range of communal facilities and services in the building. The largest unit (27 sqm) are designed to meet wheelchair user requirements. The proposed units will be smaller than the nationally prescribed space standard for a one bedroom studio apartment but are larger than a standard student room. Overall, the layout of the internal space of the private rooms is considered to be of an acceptable quality and an appropriate balance is achieved in the layout between providing attractive and functional private living spaces and ensuring that residents will use communal facilities and thus be part of a wider community. Officers are satisfied the rooms are not being



capable of being used as self-contained units. Furthermore with the distinction between this form of shared living (classified as a sui generis use) and residential Class C3, means that planning permission would be required to retrofit the building to a C3 use if intended at some future point and the whole viability of the scheme would need to be reassessed as part of this consideration.

- 8.54 In terms of a typical floor layout, each co-living level would comprise between 14-15 units. This provision exceeds the Mayor's Housing SPG (2016) benchmark of 8 standard residential units per core/floor. The proposed layout is however considered acceptable in this instance, as this standard is applicable to self-contained housing and not shared living accommodation. The standard does not take into consideration the small number of occupants proposed for this type of accommodation per floor. Due to the small footprint and layout arrangement around a central staircase and lift core, most of the co-living units would be single aspect, apart from those situated in the apex of the building. None are designed as single, north facing aspect units. Evidence has been provided to demonstrate that all the units would receive adequate levels of sunlight and daylight.
- 8.55 No private external amenity space is provided. In its place shared provision to communal spaces are included within the design of the building.
- 8.56 In terms of the communal amenity space provision, the proposal would include a range of communal services and facilities and in line with Policy H16 officers consider that sufficient provision be made for the requirements of the proposed number of residents.
- 8.57 With the proposed amendments to the proposal two floors of communal space are proposed for the 209 units. The communal amenity levels are organised on three levels. The ground level, 7th and 16th floors.
- 8.58 On the ground level, the café area would be publicly accessible. A concierge would be in the main entrance and include a reception desk and parcel storage lockers. Access would be provided to lift lobby/staircase serving the upper floors and a small gym facility for co-living residents.
- 8.59 The entire 7<sup>th</sup> floor would comprise communal kitchen facilities that include dining areas (booths and tables) plus a library/lounge area for residents. The applicant states that the kitchen facilities are capable of being used by 24 individuals at a time. The external roof terrace area on the same level would provide additional outdoor seating space and soft/hard landscaping for residents to socialise or hold events.
- 8.60 On the 16th floor, additional indoor amenity space is provided which includes a flexible layout for socialising, and includes a bar, screen, or games room. An important aspect of the communal spaces is that of flexibility of use, so that the management team can curate the spaces to ensure effective use at different times of the day for different purposes, or to cater for different usage as the requirements of residents change over time. The internal space is

surrounded by an external roof terrace (118 sqm) set around the perimeter of the building. In total 370 sqm of external communal amenity space is proposed which equates to 1.7 sqm of outdoor communal space per room/occupant.

- 8.61 It is acknowledged that residents will have different working patterns and it is unlikely that all the residents in the building would want to wish to use the kitchen or other community facilities on the three levels at the same time. Officers are satisfied that sufficient indoor and outdoor communal facilities would be provided for the intended number of residents and therefore the proposals would accord with Policy H16.
- 8.62 The site is in an area well-connected to employment by underground stations, buses, walking and cycling and close to shops, and services. Its design does not contribute to car dependency other than the provision of accessible parking spaces. On this basis officers consider the site has the characteristic for a successful co-living scheme.
- 8.63 The proposed Co living use would operate under a single management and include a 24/7 staff presence responsible for security, facilities management including communal events, residential operations and letting, food and beverage, concierge, and cleaning. This includes a code of conduct and anti-behaviour agreements which will need to be agreed as a condition of residence. A management plan has been submitted with the application setting out how the facilities within the building would be managed and maintained to ensure the long term quality of the accommodation. The preparation and approval of a final management plan would be secured by the condition and long term via the Section 106 agreement in line with Policy H16
- 8.64 The Co-Living building has been carefully designed to ensure that the affordable housing and co-living housing complement each other. There will be three separate but equal entrances all from Wood Lane. There is no sense in which the quality of the built form reflects any inequality between the two uses. The principle of co-living has been fully assessed to be in accordance with the relevant policies of the London Plan, notably Policy H16. Officers therefore consider the co living provision is acceptable in land use terms.

### **Viability**

- 8.65 **London Plan Policy H16** confirms that shared living accommodation is not suitable for on-site affordable housing as the units do not comply with the minimum space standards which apply to self-contained housing in Class C3 use. Stand-alone proposals for purpose-built shared living are therefore required to contribute towards affordable housing via a cash in lieu payment to enable the delivery of self-contained affordable housing off-site to be delivered as part of the Council's affordable housing programme.
- 8.66 As set out above, the application proposes 36 one-bedroom/two person sized units in a social affordable rent tenure, intended to replace (and exceed) the existing on site housing provision. In addition, a further 24 one-bedroom/two person sized units in an intermediate discount market rent tenure are

proposed. The proposal would provide 60 (100%) on-site affordable housing units, with a 60% social affordable rented and 40% intermediate rented tenures.

- 8.67 The remaining residential element comprises the 209 Co-living units. Policy H16 confirms that shared living accommodation is in a sui generis use and not suitable for on-site affordable housing, as the units do not comply with the minimum space standards which apply to self-contained housing in Class C3 use. Stand-alone shared living proposals are however still required to contribute towards off site affordable housing via a cash in lieu payment. In this case, the co-living accommodation would form an enabling development to support the replacement and additional affordable housing on-site provision which comprises 24 additional affordable homes in added to 36 replacement affordable units (60 units in total).
- 8.68 **The Affordable Housing and Viability Supplementary Planning Guidance (SPG) (2021)** classifies all estate regeneration schemes requiring to follow the 'Viability Tested Route' and not eligible for the 'Fast Track' approach.
- 8.69 The application has followed the 'Viability Tested Route' and a Financial Viability Appraisal (FVA) was submitted originally with the application. An FVA Addendum has subsequently been provided as part of the revisions to the application.
- 8.70 The FVA has been reviewed by GLA officers and the Council who instructed its own consultant (BPS Chartered Surveyors) to carry an independent review of the applicant's viability assessment. The FVA concludes that the scheme is in deficit and cannot viably make further contributions towards affordable housing in its current form. The developer will be using funding from social impact sources which means they are taking a long term view on the viability of the development of 20+ years, rather than considering immediate returns. WPH also state they have selected HUB as its development partner on this site because of their commitment to delivery and a long-term interest in the ownership and management of the completed building. In conclusion, both the GLA and consultants/council officers consider that the affordable housing provision is considered the maximum reasonable return for the development at this stage. In line with the Viability Tested Route, both parties agree that further reviews of the viability will need to undertake to ensure the maximum affordability of the units is achieved, including assessing whether additional social rent units are viable as well as ensuring the DMR units are offered at genuinely affordable rents. A late stage review mechanism in line with the Affordable Housing and Viability SPG is therefore recommended and this would be secured through the Section 106 agreement. For these reasons it is considered that the scheme complies with London Plan Policy H16.

#### **Office Use**

- 8.71 The site supports an office use which is currently the home to WPH's headquarters. The existing office building (circa 355 sqm.), is split on two floors and is considered small, outdated, and difficult to access for the workers and WPH tenants. The office provide space for an estimated 40

persons. As a growing charity and business, WPH state the need for high-quality office floorspace which meets their current and future requirements and provides a welcoming and inviting space for employees and tenants to visit.

- 8.72 The proposed new office space (497 sqm.) would replace and enhance the existing provision. The office would be integrated into the development and would be provided on one level (ground floor) of the WPH building, with a direct entrance off Wood Lane. Office users would have direct access to the public realm and outdoor amenity space to the north and southside of the site. The modern purpose built office space would be provided at zero rent to WPH as part of the development agreement with HUB and include workspaces designed to meet their requirements, consisting of meeting rooms, breakout areas and desk spaces. The new floorspace is specifically designed to meet the needs of the business plan for WPH to a) remain in the borough and b) remain adjacent to their proposed largest tenanted site. The office space will also be available for the local community use outside normal office hours. This will be secured by the S106 Agreement.
- 8.73 The principle of office floorspace is supported in London Plan policies E1 and E2, together with Local Plan Policy E1. Whilst the site is not situated in a town centre or regeneration area, officers consider that a replacement and enhanced office space is acceptable in policy terms.

#### **Cafe use**

- 8.74 A publicly accessible café use (Class A3) is proposed at ground floor level of the tower building fronting Wood Lane, providing interaction with the wider community. The café would be provided in the form a large open plan space, with a central café bar area for use by co-living tenants and the public. Although no specific operator has been identified at this stage, the proposed ground floor plan identifies a mix of seating arrangements, including bars and stools / booths in the generous windows and traditional table and chairs to the centre. A small co-working section is proposed at the rear of the café, in a quieter spot, away from the Wood Lane entrance. The proposed café use lies outside of any designated retail frontage. Policy (TLC5) is therefore applicable. The café use is considered acceptable in this instance. It will act as a focal point in the development for both residents and customers, activate the frontage along Wood Lane and be a complementary use to the rest of the development.

#### **Accessibility**

- 8.75 **London Plan Policy S3** seeks to ensure that new developments are accessible and inclusive for a range of users, including disabled people, by adopting an inclusive design approach. **London Plan Policy D5** seeks to ensure developments achieve the highest standards of accessible 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.

- 8.76 **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)** states that new build development must be designed to respect 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.
- 8.77 Both **London Plan Policy D7 (Accessible housing)** and **Local Plan Policy HO6 (Accessible housing)** require residential development to ensure that at least 10% of all units meet Building Regulation requirement M4(3) 'wheelchair user dwellings' i.e., designed from the outset to be wheelchair accessible, or easily adaptable for residents who are wheelchair users with the remaining 90% to be designed to M4(2) 'accessible and adaptable dwellings'.
- 8.78 The proposed development would comply with this requirement. In total 6 wheelchair user dwellings are proposed in the WPH building, in accordance with Building Regulation requirement M4(3). The wheelchair accessible units would be distributed throughout the building at different levels to ensure that they are not clustered together. Accessible thresholds are provided off all the balconies.
- 8.79 Planning guidance does not specifically require wheelchair accessible units be provided in co-living developments. The scheme would however provide 27 units suitable for use by wheelchair users, representing 13% of the total co-living accommodation, (above the 10% guidance of the 209 units proposed). Each unit would be approximately 27 sqm in area, to allow for the provision of an accessible bathroom, wheelchair storage and changing space.
- 8.80 In terms of the office use, the space would be on one level accessible from a separate ground floor entrance off Wood Lane and would be fully accessible to wheelchair users. On this basis both the self-contained WPH units, office space and Co-living elements of the scheme comply with the requirement for wheelchair user dwellings.
- 8.81 Consideration has been given to the changing levels across the site. Step free access to the office, communal residential cores and internal and external facilities would be provided. The proposed development will also formalise the existing route through the site between Wood Lane and Pioneer Way, which is currently used by those walking from Wood Lane station seeking to connect to Pioneer Way and Hammersmith Hospital. This route has little lighting, has many steps and is not accessible to all. As part of the revised public realm works, this route has now been formalised and runs alongside the WPH office and down to Pioneer Way via an accessible gentle ramp. The ramp upstands and ground surface will be of contrasting colours to aid navigation. Planting and seating are also proposed, to encourage users to dwell and enjoy the space, away from the busy Wood Lane. The landscaping around the site will enhance the existing boundaries and make the site safer to users from all

local buildings. Furthermore, the proposal will also improve the active frontage along Wood Lane, which is currently a very poor experience.

- 8.82 The vehicular access to lower ground level parking on Pioneer Way is step free. Four blue badge car parking spaces will be provided and adapted/larger cycles spaces are also proposed on-site, accessible via lifts off the residential concierge entrances to the WPH building and the co-living building. Step-free access points to the shared resident garden are provided off all the building and step-free footpaths are designed into the landscaped garden.
- 8.83 The Council's Disability Forum have engaged with the applicant and officers during both the pre-application and post application stage. In response to points highlighted by the Forum, the applicant has produced an updated Access Statement, which confirms that:
- The stepped ramp access is accessible to wheelchair users, and the gradient is no steeper than 1:21 along the length of path from Wood Lane to Pioneer Way.
  - 54 units (90%) of the WPH are designed as Part M4 (2) compliant and 6 units (10%) as M4 (3) compliant.
  - 27 Co Living units (>10%) will be designed as adaptable/accessible units under part M vol 2.
  - All internal and external amenity spaces are accessible and inclusive for everyone including wheelchair users.
  - Firefighting lifts are included.
  - Taxis and community would access Pioneer way with a turning point at the end. There is no provision for a layby on Wood Lane, as there is a bus stop in front of the building.
  - The scheme is designed to be car free, save for 4 Blue Badge spaces located within the undercroft fronting Pioneer Way compliant with Part M. Acknowledge this is below the requirements as set out in draft London Plan policy T6.2. However, meets (and exceeds) WPH requirements, based on their evidence of wheelchair user occupants.
  - In terms of access to the disabled spaces, the route from the disabled spaces to the core of the building is within 50 metres.
  - Large/adaptable cycle spaces are proposed accommodating the variety of different cyclists at the development. The site is highly accessible by non-car modes for disabled users, noting the high PTAL rating and presence of disabled access on local buses and at the nearby Wood Lane underground station, which provides lifts. The Active Travel Zone assessment included within the Transport Assessment also discusses the routes from the development to nearby key destinations, outlining compliance with various 'Healthy Street' indicators that essentially are used to assess whether the routes are healthy, safe and welcoming for everyone.
- 8.84 A condition is proposed requiring an Inclusive Access Management Plan (IAMP) be provided (Condition 61). This would set out a strategy for ongoing consultation with specific interests' groups regarding the accessibility of site.

8.85 It is considered that the proposal would provide a high-quality environment for disabled and impaired members of the community and the commitments within the Access Statement are positive and deliverable by way of conditions. As such the proposal will comply with Policy D5 and D7 of the London Plan and Policy DC1 and HO6 of the Local Plan.

### **Fire Safety**

- 8.86 **Policy D12 in the London Plan requires** the applicant to prepare a detailed draft Fire Safety Statement 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 building.
- 8.87 The application is supported by a Fire Statement as required by London Plan Policy D12. The Applicant states the report confirms that the fire strategy is appropriate and has been prepared in consultation with the local fire service and building control, as such the proposals accord with Policy D12 of the London Plan. The submitted design and fire strategy has used BS 9991 as a guidance document to inform the basis of the design. The design team and fire engineers have also considered the London Plan guidance and specifically policies D5 and D12 and the provisions for mobility impaired escape and the need for evacuation lifts.
- 8.88 The entire development will be fully sprinklered throughout. The sprinkler system will be designed and installed in accordance with BS 9251:2021 throughout the residential areas.
- 8.89 In addition, high level fire compartmentation will limit the area of fire spread to the location of fire origin. Smoke control systems ensure safe conditions for means of escape and firefighting and will also protect the escape stair from smoke ingress. Compartmentation is provided to separate all demises within the building, including compartmentation between the commercial and residential spaces. Compartmentation of all residential areas are to follow the guidance of BS 9991:2015.
- 8.90 For the co-living building, each flat is approached by a common corridor. Between the single staircase and the common corridor, the design includes a protected lift and stair lobby. This would create a safe waiting space for anyone wanting to use the evacuation lift to escape, in accordance with London Plan policies D5 and D12, and also provide an additional layer of fire protection to the staircase. The single staircase itself will be provided with an automatically opening vent (AOV) at the head, having a minimum free area of 1 sqm.
- 8.91 Over and above this the design would include a push-pull smoke ventilation system within the common corridor to deal with potential smoke ingress into

the common corridor. This strategy is fully compliant with all the latest guidance. Nevertheless, further proof of concept modelling analysis will be used to demonstrate the safety of the design.

- 8.92 The Women's Pioneer part of the building provides horizontal access and escape by open deck arrangements. The structure of these decks will be protected to 30 minutes, the walking surface will be imperforate, and the decks will be open to air as much as possible.
- 8.93 The external envelope of the development will be entirely non-combustible. The primary external material is brick, and the applicant will ensure it achieves EWS1 certification. Officers are advised that the size of the development falls within the scope of Regulation 7(4) of the Building Regulations, the external wall will achieve European Class A2-s1, d0 or Class A1 when classified in accordance with BS EN 13501-1:2018.
- 8.94 For the reasons outlined above officers are satisfied that the third party consultants appointed by the Applicant have considered the building construction, means of escape and evacuation and emergency access arrangements, passive and active fire safety systems and access and facilities for emergency services including firefighting lifts. Accordingly the current fire safety features proposed demonstrate that the requirements of the Building Regulations have been satisfied.
- 8.95 The GLA have concluded that the Fire Statement satisfactorily addresses the requirements of London Plan Policy in their Stage 1 response. The Planning Policy Guidance was revised in August 2021 to require applications submitted after 1st August 2021 for relevant buildings, such as the proposed building here, to submit a Fire Statement and for HSE to be consulted. The HSE were contacted in response to the revised proposals and confirmed the application does not fall under the remit of planning gateway one due to it being validated before 1st August 2021.
- 8.96 The proposal would be subject to a final assessment of compliance, which would be completed when the Building Regulations application is submitted. Officers are satisfied that the submitted Fire Statement provides sufficient information for the planning stage and recommends that a condition is imposed to ensure that the strategy is implemented, and the development is carried out in accordance with this document. As such the proposal will comply with London Plan Policies D5 and D12.

#### **Crime, Safety and Security**

- 8.97 The NPPF seeks to ensure that planning decisions promote public safety and consider wider security and defence requirements. They should anticipate and address all plausible malicious threats and natural hazards and create safe, inclusive, and accessible places that have high levels of amenity and do not undermine quality of life, community cohesion and resilience to due crime and disorder.



- 8.98 **London Plan Policy D11 (Safety, security, and resilience to emergency)** states that Development should include measures to design out crime that – in proportion to the risk – deter terrorism, assist in the detection of terrorist activity and help mitigate its effects. These measures should be considered at the start of the design process to ensure they are inclusive and aesthetically integrated into the development and the wider area. Local Plan **Policy DC1 (Built Environment)** seeks to ensure that new developments, new publicly accessible open spaces and new community and leisure facilities are inclusive and accessible, contribute to improving quality of life and reducing the incidence of crime and anti-social behaviour (paragraphs 2.57, 10.5 and 12.3).
- 8.99 Areas of active ground level frontage will be created to animate the public realm and routes through the site. The landscape realm will be publicly accessible except for the private ground floor terraces. All public spaces within the site will be overlooked by residents and non-residential users providing a good level of surveillance. It is considered that the access points and public spaces will be well lit. The entrances will also be illuminated 24/7 as part of the security measures, which may inevitably de-tract rough sleeping. It is considered that collectively these design measures have been carefully considered during the course of the application to reduce the likelihood and fear of crime on the site and, accordingly, the proposed development should be considered acceptable in this respect. Residential glazing and doors will be required to be secure by design certified.
- 8.100 Local residents have highlighted that the existing site and the surrounding area has experienced a high level of criminal activity. Matters relating to security measures in association with the proposed design have been considered with the Metropolitan Police Service - Crime Prevention Officer in order to improve the security of the buildings and their immediate surroundings, bring forward a high standard of public realm and meet 'Secured by Design' accreditation. The Applicants state they take women's safety very seriously given the nature of the homes they provide and where possible, within the development's ownership boundary will include all the measure necessary. The proposal would include measures such as CCTV designed around the both the perimeter of the development and interior common and back of house spaces together with natural surveillance and lighting. On site staff would be able to monitor remotely. Further features include certificate access control entrances, improved lighting levels and adequate soft landscaping.
- 8.101 The Crime Prevention Officer has been consulted and is generally satisfied with the scheme at this early design stage. Officers are satisfied that the overarching SBD principles have been established and reflected in the current proposals and will be carried into subsequent design stages. To ensure the overall security strategy and design intent is retained at the next stage of the design process, a planning condition regarding secure by design criteria is included in accordance with the NPPF, Local Plan, and Policy DC1 of the Local Plan which requires development to reduce the opportunities for criminal behaviour.

## 9.0 AMENITY CONSIDERATIONS

### Residential Amenity

- 9.1. **Policy D6 of the London Plan**, supported by the Mayor's Housing SPG, seeks to ensure that high quality housing schemes are 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.
- 9.2. 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.
- 9.3. The previous assessments carried out for the original proposal were reviewed and not considered to result in significant harm to the amenities of the nearest adjoining existing residential occupiers, in terms of daylight/sunlight, overshadowing, and solar glare. Officers have reviewed the updated assessments and the impacts of the proposed changes to the development because of the decrease in height and massing, in terms of the principles of good neighbourliness, upon existing occupiers and future occupiers of the development (and neighbouring developments).
- ### Daylight and Sunlight
- 9.4. **The BRE Guidelines** are typically used to assess daylight and sunlight. It should be noted that the assessments undertaken were written to the 2011 version of the BRE guidance. Since the application was submitted the BRE guidance has been updated to the 2022 version. The reports have been reviewed by the relevant consultants and it is considered that the updates in the guidance would not affect the methodologies of the daylight, sunlight, overshadowing to neighbours or the solar glare assessments presented in the ES. There are however updates to the assessment of internal daylight which would affect the assessments of daylight to proposed units. As such this analysis has been updated post submission to indicate what levels would be under the updated guidance.
- 9.5. The Guideline sets out methods for assessing daylight into a room including the Vertical Sky Component (VSC) method and plotting of the no-skyline

method. 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. 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.

- 9.6 It is considered that the most appropriate approach to assess the impact upon daylight to existing dwellings, is to consider different methods of assessing how well a room may be lit. 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.
- 9.7 The plotting of the No Skyline (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.
- 9.8 The BRE 2011 document also refers in Appendix C (to other interior daylighting recommendations), in particular the British Standard for daylighting. This primarily considered Average Daylight Factor (ADF) to consider daylight within proposed units. On this basis the original daylight and sunlight report was provided presenting these figures. The BRE guidance 2022 was updated to consider Daylight Factors or Illuminance levels over ADF and as such the internal daylight assessments have also been considered under these methodologies.

### **Sunlight**

- 9.9 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. An assessment of the sunlight effects of the proposed development on surrounding buildings is contained the 2022 ES document.

### **Overshadowing**

- 9.10 The BRE Guidelines recommend that at least half of a garden or amenity area should receive at least two hours of sunlight on March 21<sup>st</sup>. An assessment of the overshadowing effects of the proposed development are contained in the 2022 ES document.

### **Assessment**

- 9.11 Daylight, sunlight, and overshadowing impacts to neighbouring properties are assessed within Chapter 11 of the ES (Volume 1). A standalone Internal Daylight and Sunlight Report is also submitted which considers levels of daylight, sunlight and overshadowing within the proposed buildings and amenity spaces of the development itself. The internal daylight report is supplemented by a letter that also presents the results under the updated BRE Guidelines (2022).
- 9.12 A baseline assessment has been undertaken of the existing site, and daylight, sunlight, and overshadowing effects, with a comparative assessment between the baseline (existing buildings in situ) versus a completed proposed development. The daylight and sunlight assessment has been undertaken based on those properties most likely to experience impacts from the development, i.e. the nearest residential properties. Commercial properties including the extant planning permission for Buildings A & G on the Imperial North Campus are not considered sensitive and therefore not included. The residential building (Block F) is included as part of this assessment. The following receptors have been considered relevant for the daylight/sunlight assessment.
- Cavell House.
  - Nightingale House.
  - Pankhurst House.
  - 58-61 Pioneer Way.
  - 29 Pavillion Terrace.
  - Shinfield Street.
  - GradPad, Wood Lane Studios (Woodlands Block B);
  - 88 Wood Lane (Woodlands Imperial North Campus - Block F); and
  - 193-201 Bentworth Road.

### **Daylight Results**

- 9.13 In relation to daylight, a total 514 windows have been assessed for VSC and 289 rooms for the NSC criteria. For the baseline assessment, 400 (78%) of the 514 windows tested meet the VSC guidelines and 269 of the 289 rooms (93%) of the rooms meet the NSC criteria. The remaining windows/rooms experience some absolute alterations in sky visibility (VSC) or daylight distribution (NSC).
- 9.14 The properties closest to the application site on Bentworth Road all show full compliance with the BRE recommendations for daylight/sunlight. Most of the remaining receptors show medium to reasonably high levels of compliance, except for Pankhurst House and 58-61 Pioneer Way properties, which show relatively low levels of compliance due to existing design of those buildings and not as a direct result of the proposed development. The assessment

therefore acknowledge that for most of the existing receptors in the immediate surrounding area, currently occupiers experience reasonable levels of daylight, consistent with what would be expected for an urban area.

- 9.15 The results of the assessment for the proposed development indicate that the proposal would only cause minor impacts on daylight levels above the existing levels for the surrounding properties identified, with Cavell House, 58-61 Pioneer Way and 88 Wood Lane all expected to experience some minor effects, whilst Nightingale House, 29 Pavilion Terrace, 2 Shinfield Road, Pankhurst House, GradPad Wood Lane Studios and 195-201 Bentworth Road, all expected to experience negligible effects.
- 9.16 In summary, the results for the daylight assessment carried out identifies the following effects:

**Cavill House:** A four storey mixed use building to the north of the site fronting Wood Lane. Comprises commercial uses on the ground floor and residential use on the upper floors. In total 9 out of the 12 windows (75%) tested for the first floor meet full VSC compliance. The remaining 3 windows experience a reduction more than 40%. The effected windows identified are however secondary windows in the south flank elevation of the building, serving dual aspect bedrooms. The NSC assessment shows that all 6 rooms assessed would be fully compliant with the BRE guidelines and are mitigated by the dual aspect arrangement.

**Nightingale House:** A four storey residential building to the north of Cavill House, located on the corner of Wood Lane/Du Cane Road. All 32 windows/24 rooms tested would fully comply the daylight BRE guidelines.

**Pankhurst House:** A four storey residential building located to the northwest of the site, fronting Du Cane Road and amenity space to the south. In total 20 windows were tested for VSC and show full BRE compliance. The NSC assessment shows all 16 rooms assessed would be fully compliant with the BRE guidelines.

**58-61 Pioneer Way:** A row of two storey properties located to the south-west of the site, owned by WPH, and subdivided into flats. In total 18 out of the 20 windows (90%) assessed for VSC show full BRE compliance. The remaining 2 windows are flank openings and serve dual aspect rooms, where the remaining windows comply with the VSC. The NSC assessment shows 16 of the 17 rooms (94%) assessed would be fully compliant with the BRE guidelines. The remaining room would show only a minor impact.

**29 Pavillion Terrace** is two storey end of terrace property located on the corner of Wood Lane (east) and Shinfield Street. **2 Shinfield Street** is a two storey end of terrace property located opposite the Imperial North campus. All 32 windows (Pavillion Terrace) and 18 windows (2 Shinfield Street) assessed for VSC show full BRE compliance. Similarly all the rooms assessed for these properties would be fully compliant with the NSC - BRE guidelines. No further testing is therefore required.

**GradPad, Wood Lane Studios:** Part 3, Part 5 and Part 10 storey blocks of student accommodation located on the Imperial College North Campus. In total 124 out of the 125 windows (99%) assessed for VSC show full BRE compliance. The remaining 1 window would experience a reduction in between 20-30%. The effected window is identified as a secondary window serving a living space. The NSC assessment shows all 82 rooms assessed would be fully compliant with the BRE guidelines.

**88 Wood Lane: Block F (Imperial North Campus):** A 36 storey residential tower located in the southwest corner of the campus site, accessible from Wood Lane. In total 17 floors of this building have been assessed. In total 222 out of the 238 windows (97%) assessed for VSC show full BRE compliance. Of the remaining 16 windows, 10 experience a minor reduction, and 6 a moderate reduction. All the windows in question serve large living/kitchen/dining areas served by other compliant secondary windows. The NSC assessment shows all 117 rooms assessed would be fully compliant with the BRE guidelines.

**193-201 Bentworth Road:** Five, two storey terrace properties located at the eastern end of Bentworth Road, closest to the site were assessed. In total all 17 windows/10 rooms tested would fully comply the daylight BRE guidelines.

- 9.17 An assessment of the cumulative effects of the proposed development on the Imperial North campus (ref: 2018/01234/FUL/2021/03213/NMAT) has also been undertaken. Other schemes are considered to be located too far away to have any bearing on the likely cumulative effects. Therefore an assessment of the effect of 80 Woodlands (Blocks A and G) together with the development has been undertaken. The cumulative results are similar to those for the proposed development in isolation. The results however show an increase in daylight effects on Cavell House, fronting Wood Lane (opposite the Imperial North campus), 29 Pavilion Terrace, 2 Shinfield Street, 88 Wood Lane (Block F) the existing Grad Pad student accommodation to the northeast and situated within the campus itself. This is however considered to be primarily driven because of the siting/location of Buildings A&G on the Imperial North Campus rather than the proposed development itself.
- 9.18 In summary, the results of the assessment show that whilst there are some reductions to individual windows, the amount of daylight received within most of the rooms remains high and meets the BRE guidelines. The BRE results therefore conclude that for the most affected buildings the results are relatively good. Officers therefore consider that the overall effects are not so great, or to a level which is unacceptable to warrant refusal of planning permission.

### **Sunlight**

- 9.19 Sunlight assessment in the BRE guidelines is based on annual probable sunlight hours (APSH) and winter sunlight hours for the main windows of each habitable room that faces 90 degrees of due south. A total of 159 rooms have been assessed for ASPH.

- 9.20 In the baseline scenario, 152 rooms meet the BRE criteria. Except for 58-61 Pioneer Way, 29 Pavillion Terrace and Pankhurst House, sunlight availability is currently high at all surrounding receptors. All show full compliance with the target criteria. Half of the windows in 58-61 Pioneer Way and Pankhurst House show compliance with the target sunlight criteria due to existing design of those buildings. One room in 29 Pavilion Terrace fails to achieve the APSH level.
- 9.21 For the proposed development, the sunlight assessment results indicate that the proposals would have minimal impacts on surrounding properties, with 158 out of 159 rooms meeting the standards. The remaining room is a bedroom on the third floor of Cavell House. The assessment of sunlight therefore shows a very high compliance with the BRE guidelines.
- 9.22 Therefore, the overall likely effect to sunlight on the neighbouring properties with the development in place, is considered to be insignificant except for Cavell House which would see a minor effect.

### **Overshadowing**

- 9.23 In the BRE guidelines it is suggested that for an area to be adequately sunlit throughout the year, at least half (50%) of any assessment area should see direct sunlight for at least two hours on the 21<sup>st</sup> March. If, because of new development, an existing assessment area will not meet BRE guidelines and the area which can receive two hours of direct sunlight on the 21 March is reduced to less than 0.8 times its former area, then the loss of sunlight is likely to be noticeable.
- 9.24 The following amenity areas have been assessed for overshadowing:
- Area 1 & 2: Amenity area to the west of Cavell House;
  - Area 3: Pankhurst House outdoor amenity area / internal courtyard;
  - Area 4: Bentworth Open Space; and
  - Area 5: The Central Line West of White City Site of Importance Conservation (SINC)
- 9.25 All show full compliance with the BRE Guidance. Therefore, the likely effect on overshadowing because of the development is considered to be insignificant

### **Solar Glare**

- 9.26 A full solar glare assessment has been carried out and is included within the Environmental Statement. The assessment has been undertaken from signalised railways and road junctions nearby which are considered sensitive in terms of solar glare. A total of 13 viewpoints were selected. The results for the solar glare assessment indicate that 9 of the 13 viewpoints would experience a negligible effect (V2, V6, V7, V8, V9, V10, V11, V12 and V13). Overall, these remaining four viewpoints would however only experience a Minor Adverse effect.

- 9.27 It is considered that no mitigating solutions are required owing to various reasons including: the very thin section of the façade from which solar reflections would appear; the short period of time within which reflections would occur; the provision of multiple traffic lights at these junctions and the façade being broken up by non-reflective materials.
- 9.28 The development will have an increased effect on the levels of daylight, sunlight, and overshadowing to existing residential properties and amenity spaces surrounding the site compared to the existing situation. The results of the assessment however show that most existing residential properties surrounding the site are predicted to receive good levels of daylight. Adequate sunlight levels, in line with BRE Guidelines, are predicted to be achieved for 99% of the windows within the residential properties assessed. In the one instance where BRE Guideline levels of sunlight were not predicted to be achieved, at the third-floor level within a property at Cavell House, the retained sunlight levels would remain very good, and the amount of sunlight predicted to be lost because of the Development would be relatively small. In terms of the potential for the development to result in overshadowing of existing amenity spaces in the vicinity of the site, all five amenity spaces assessed remain compliant with the criteria set down in the BRE Guidelines. The solar glare assessments show that the glare created by the Development would, in almost all cases, occur between 10 and 30 degrees of the focal point from a seated position within a car or a train. Where there are instances of glare within 10 degrees, these are often for short periods and often occur at locations where there are alternative viewpoints available.
- 9.29 Officers have considered effects of the proposals on daylight, sunlight, overshadowing and solar glare. The policy framework clearly supports the flexible application of daylight, sunlight, and overshadowing guidance to make efficient use of land, and not to inhibit density. These policy documents resist the rigid application of guidelines and signal a clear recognition that there may be circumstances in which the benefits of not meeting them are justifiable, so long as acceptable levels of amenity are still enjoyed. Whilst there is the possibility of some further isolated alterations in daylight, sunlight and overshadowing to sensitive neighbouring receptors, the results discussed above illustrate that the proposed development will not result in any effects to warrant withholding planning permission.

#### **Internal Daylight and Sunlight for Future Occupiers**

- 9.30 A separate daylight, sunlight and overshadowing assessment has been carried out for the proposed development. Provides an analysis of the expected internal light levels in the WPH and co-living apartments and office space. This is based on a calculation of the Average Daylight Factor (ADF) for daylight. The report concludes that good levels of ADF would be achieved for this development. Further to this, as the BRE guidance was updated post submission, supplementary assessments of internal daylight (Illuminance) to co-living and residential units has also been considered.
- 9.31 There are no BRE guidelines for co-living accommodation and have therefore been tested against standard residential guidelines. Two co-living units



located on the first floor level fronting Wood Lane (east façade) have been selected and tested, taking into account the worst case scenario and the location of the existing Imperial North Campus tower opposite. Both units are considered to achieve acceptable levels of ADF of above 1.5% (for a living room space) in compliance with the BRE guidelines. These spaces also meet the relevant targets using the illuminance methodology set out in the BRE 2022 guidance. Similarly, an ADF of 2% or above is achieved for the communal ground floor amenity spaces, on most of the 7th floor and 16<sup>th</sup> floors where larger fenestration is incorporated into the design. The WPH office space is expected to achieve high levels of ADF. The worst affected area not achieving an ADF of 2% or above are within the core areas, deemed to have an acceptable daylight level considering the proposed use. On this basis the office space is considered to achieve an acceptable level of daylight. As the assessment of communal and commercial areas has been undertaken using the BREEAM targets, it has not been deemed necessary to update these assessments to the BRE 2022 targets.

- 9.32 The report calculates most of the habitable rooms within the proposed dual aspect WPH residential units would comply with BRE criteria in terms of daylight. Again two units on the lower level of the east façade have been tested as considered to represent the worst case due to risk of overshadowing from the buildings opposite. Living rooms are expected to meet the target of 1.5% ADF and the 150lux targets for illuminance. Some bedrooms do not meet a 1% ADF or the 100lux illuminance target. This is partly due to the shading of overhangs situated above the bedrooms (serving the walkway area). Further test carried out on south facing units show that the units perform better. All the WPH units are proposed to be dual aspect and private balconies and designed to provide a good level of living environment.
- 9.33 In addition, the report shows that good levels of sunlight would be received within the development. Whilst some of the communal spaces receive a limited level sunlight, they provide valuable amenity space for every new resident and are required to meet local planning policy requirements. Therefore, the proposal suggests that there is a very high level of adherence for a large, dense development within an inner London location and presents an acceptable level of internal daylight and sunlight in accordance with Local Plan policy HO11. The results for the overshadowing assessment show that all the amenity space proposed complies with BRE criteria.
- 9.34 Officers have considered effects of the proposals on daylight, sunlight, overshadowing and solar glare. The policy framework clearly supports the flexible application of daylight, sunlight, and overshadowing guidance to make efficient use of land, and not to inhibit density. These policy documents resist the rigid application of guidelines and signal a clear recognition that there may be circumstances in which the benefits of not meeting them are justifiable, so long as acceptable levels of amenity are still enjoyed. Whilst there is the possibility of some isolated alterations in daylight, sunlight and overshadowing to neighbouring properties, the results discussed above illustrate the development will not lead to effects to warrant withholding planning

permission. As such, the conclusions presented in the ES and supporting documents are considered acceptable.

**Outlook/sense of enclosure**

- 9.35 **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.
- 9.36 **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 original rear gardens are less than 9 metres depth, a measurement is taken from ground level at the boundary. 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.
- 9.37 At present most of the neighbouring residential properties have unobstructed views given the separation distance and modest height of both Browning House and 227 Wood Lane, meaning they enjoy daylight and outlook conditions which are more akin to a suburban location rather than an urban environment in central London. It would not be realistic for there to be an expectation that this character should prevail given its location. The height, form and massing of the proposed development has been designed to respond to existing surrounding conditions, with a stepped arrangement. The tallest element of the proposed development set furthest away from the residential properties to the north has been reduced to 18 storeys before reducing in height to 7 storeys. The site's immediate residential neighbours located to the rear are in Pioneer Way, Cavill House (Wood Lane), Pankhurst and Nightingale House (Du Cane Road) would be deemed to be most affected. Whilst other residential properties in the vicinity of the site would view the proposed development, the residents immediately to the north and west of the site are the residents who would be directly affected due to the proximity of the development to these neighbours.
- 9.38 The tallest element of the proposed development would be located on the southernmost part of the site and furthest from the residential properties in Du Cane Road, Wood Lane and Pioneer Way properties, with separation gap of 35m to the rear elevation of Pankhurst House. Officers have had regard to the site's location and the existing low rise building adjacent to the site. Officers

consider that the design of the development has been carefully considered to minimise the impacts and both the principle and height, scale, design/form of the proposed development is now acceptable. Officers conclude that whilst the development is clearly visible from surrounding the neighbouring properties, it would not adversely harm the amenities of the surrounding occupiers. Based on on-site judgement, it is considered that the loss of outlook or increase the sense of enclosure would not be to such an extent to warrant the withholding planning permission.

### **Privacy/overlooking**

- 9.39 **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.
- 9.40 The design of the buildings has considered minimising the potential for overlooking and decreased sense of enclosure. Specific design measures include breaking up of the mass at the rear in the form of a V shaped design to reduce the scale from neighbouring residential properties, orientation of balconies and fenestration treatment to increase in separation distances between the proposed windows and neighbouring properties.
- 9.41 In relation to the neighbouring properties, the buildings ensure window to window separation distance are a minimum of 18m. Balconies serving the WPH residential units are located fronting Wood Lane and Pioneer Way and angled to avoid potential direct overlooking into neighbouring properties whilst the access decks are angled facing inwards. It is considered that the gap between the development and closest neighbouring properties would ensure that no loss of privacy or significant overlooking would occur to existing properties. Accordingly, officers are of the opinion that the proposal would not have an unacceptable impact on the privacy to neighbouring properties. Further details of the proposed material and glazing treatment to windows are required to be submitted by condition in response to comments from residents in Bentworth Road. Whilst acknowledging the objections received, it is considered that the proposed building does not result in a significant loss of outlook, privacy or overlooking to neighbouring properties to warrant refusal of planning permission and as such, it is considered that it complies with Local Plan Policies DC2, DC3, HO4 and HO11 and Key Principle HS6 and HS7 of the Planning Guidance SPD.
- 9.42 Overall officers are satisfied that the proposal would provide acceptable amenity and environmental standards for existing and future residents. The proposals are considered to be well designed and in accordance with the NPPF, London Plan, and Policies HO11, DC1, DC2 and DC3 of the Local Plan and the Council's Planning Guidance Supplementary Planning Document.

## 10.0 DESIGN, HERITAGE, AND TOWNSCAPE

### Design

- 10.0 **The NPPF** seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. The NPPF also requires that proposals should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.
- 10.1 **The NPPF** states that good design is a key aspect of sustainable development and should contribute positively to making places better for people. Part 12 of the NPPF outlines the requirement for good design and Paragraph 127 sets out that planning policies and decisions should ensure that developments: a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 10.2 **Chapter 3 (Design) of the London Plan 2021** seeks to secure the delivery of good design through a variety of ways. **Policies D3 (Optimising Site Capacity through the Design-Led Approach), D4 (Delivering Good Design), D6 (Housing Quality and Standards), D8 (Public Realm) and D9 (Tall Buildings)** are particularly relevant to the consideration of this application. Policy D3 highlights that all development must make the best use of land by following a design-led approach that optimises the capacity of sites, through careful consideration of issues such as form and layout, experience, alongside consideration of quality and character. Policy D4 highlights that where appropriate, visual, environmental and movement modelling/assessments should be undertaken to analyse potential design options for an area, site, or development proposal. These models, particularly 3D virtual reality and other interactive digital models alongside use of design review should, where possible, be used to inform decision-taking, and to engage Londoners in the planning process. Policy D6, promotes a series of quality and standards new housing development should aim to achieve. Policy D8 sets a series of criteria to ensure that ensure the public realm is well-designed, safe, accessible, inclusive, attractive and well-connected.

Policy D9 promotes a plan-led approach to tall buildings and a framework to assess the impacts of such developments.

- 10.3 **Local Plan Policies DC1, DC2 and DC3** 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) sets out to ensure that new build development will be of a high standard of design and compatible with the scale and character of existing development and its setting. Policy DC3 (Tall Buildings) identifies four areas within which tall building may be appropriate, including White City Regeneration Area; the policy also sets a framework to assess proposals for tall buildings in those areas.

#### Architectural Character

- 10.4 The architectural character of the proposal scheme is informed by the varied character of the local area, and particularly the more recent developments which have taken place within the White City Regeneration Area, most notably the Imperial College, North Campus. The treatment of the proposed development aims to create a positive response to this character whilst also giving the scheme its own distinctive appearance.

#### Tall Building – Co-living Development

- 10.5 The tall building proposed at 18 storeys has been subject to significant design development to ensure that the appearance and architectural detailing of the scheme is of the highest quality achievable. Additional design development has also been undertaken to bring further detailing to the northern elevation.
- 10.6 Overall, the building is composed of a strong structural grid which gives the proposal a clear and robust expression. To avoid the building having a monolithic appearance, the grid is varied to provide an alternative 'shoulder' at 7<sup>th</sup> floor which incorporates additional recessed glazing and landscape features. Within the other levels of the building beyond the main structural brick grid, the detailed bays are detailed using horizontal brick spandrels and recessed windows/corrugated metal panels. This approach gives the development a strong character and appearance, within localised, mid and long-range views of the development.
- 10.7 The design of the tall building features a well-designed recessed top feature which has a double-height order featuring a complementary structural frame detailed in glazing and vertical metal louvres. This approach gives the building a distinctive 'crown' feature. The metal louvre detailing also forms a feature of the northern elevation of the development to the building core. This detailing is helpful to break-up this elevation and give the building a complete approach to its appearance.

### Women's Pioneer Blocks

- 10.8 The appearance of the V shaped lower blocks is designed to contrast with the taller element of the proposal, having a unique however, complementary nature to the character and appearance of the tall building. This approach also complements the approach within the Imperial North Campus, where individual developments have a unique yet complementary character.

Again, these blocks are designed as two distinct wings with a strong structural grid, owing to the layouts of the units including significant recessed balconies and deck access arrangements, the primary grid of the development is clearly expressed and has a light-weight appearance overall. Secondary elements have a similar complementary character to that of the taller building.

### Ground floor activation

- 10.9 Both elements of the development, integrate proposals to provide additional active and provide animation to the public realm surrounding the site, particularly along Wood Lane.
- 10.10 Proposals also illustrate the provision of a new landscaped route linking Wood Lane and Pioneer Way, this will replace an existing informal link with a new accessible route set within a high-quality landscaping proposal.
- 10.11 The proposals have been subject to review by the Hammersmith and Fulham Design Review Panel, where the panel supported the approach to design of both elements of the building. Furthermore, the retention of the design principles of Women's Pioneer Housing from the original proposals were supported, however the panel felt that additional clarification and review of the detailing of both elements of the scheme would be helpful to ensure that a high-quality development is delivered. Further detail and clarification upon these matters have been provided post the Design Review session.
- 10.12 1:20 bay studies of the development, further details of the proposed materials and sample panels are proposed to be provided by condition as part of the suggested conditions attached to this report.
- 10.13 Overall, it is considered that the proposal scheme would provide a high quality of design which would both improve and complement the quality of other tall/large buildings within the White City Regeneration Area and the wider area.

### **Tall Building Assessment**

- 10.14 **Local Plan Policy DC3 (Tall Buildings)** highlights, 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 also highlights several areas within which development of tall buildings would be appropriate.

- 10.15 The application site is not situated in an area within which tall/large buildings would be considered appropriate and therefore there would be a partial conflict with Policy DC3 in this regard.
- 10.16 **London Plan Policy D9 (Tall Buildings)** is split into three elements, Part A provides a London wide definition of a tall building, Part B, highlights the need for boroughs to take a plan-led approach to the development of tall buildings within Local Plans, and Part C provides an impact framework to assess proposals for tall buildings. The policy definition for a tall building is a building which is 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey.
- 10.17 Consequently, at 18-storeys the proposed development would constitute a tall building for the purpose of Policy D9.
- 10.18 Following the adoption of the London Plan in 2021, the interpretation as to how Policy D9 should be applied has been subject of debate and recent consideration by the High court in the *Hillingdon* case. The outcome of this case has provided clarity upon how the policy should be applied by decision makers and was taken into consideration in the recent call-in decision by the Secretary of State relating to the redevelopment of the site of the former Edith Summerskill House, situated within Hammersmith and Fulham. (Application reference: 2020/01283/FUL). The outcome of *Hillingdon* is that Policy D9 should not be considered as a ‘gateway’ policy. Regardless of the conflict with Part B of policy, any application for the development of a tall building should be assessed against the Impact assessments of Part C of this policy. As such, whilst the proposal site is not within a defined location for the development of a tall building within the Local Plan (2018); the acceptability of a tall building at this location should be based upon due consideration of London Plan Policy D9 when read as a whole.
- 10.19 The following section provides a detailed assessment of the application against the impact framework of Policy D9 as required based on part C of the policy.

## 10.20 Impact assessment

### Visual Impacts

- a) *the views of buildings from different distances:*
- i. *long-range views – these require attention to be paid to the design of the top of the building. It should make a positive contribution to the existing and emerging skyline and not adversely affect local or strategic views*
  - ii. *mid-range views from the surrounding neighbourhood – particular attention should be paid to the form and proportions of the building. It should make a positive contribution to the local townscape in terms of legibility, proportions and materiality*
  - iii. *immediate views from the surrounding streets – attention should be paid to the base of the building. It should have a direct*

*relationship with the street, maintaining the pedestrian scale, character and vitality of the street. Where the edges of the site are adjacent to buildings of significantly lower height or parks and other open spaces there should be an appropriate transition in scale between the tall building and its surrounding context to protect amenity or privacy.*

- 10.21 The proposed development, given the scale of the tall building at 18 storeys would impact upon immediate, long/mid-range views. The application is supported by a detailed Heritage Townscape and Visual Impact Assessment (HTVIA). The outcomes of this assessment are considered in later sections of this report. The area surrounding the application site currently features several other large/tall buildings, mainly through the ongoing development of the White City Regeneration Area, and more locally the Imperial College North Campus.
- 10.22 In summary, the existing and consented large/tall buildings within the surrounding area serve to significantly screen views and visibility of the proposal scheme in long and mid-range views. The new building would successfully coalesce with the existing buildings to avoid a harmful and disruptive impact upon the skyline. The main extent of visibility and impact would be within southbound views along the corridor of Scrubs Lane and Wood Lane. In these views the harmful impacts of the development upon the skyline would be limited due to the existing 88 Wood Lane and the Sir Michael Uren Building developments. The proposal would serve to create a more balanced and gradual transition when the group of tall buildings are appreciated in these views.
- 10.23 Within immediate views, the impacts would be similar when viewed along the Wood Lane corridor. The tall building, and secondary blocks of development would serve to balance and complement the existing and consented developments to the east at the Imperial North Campus. Within views throughout the Du Cane Estate, whilst the tall building would be more prominent in these views, the secondary blocks of development would assist in reducing the localised impact upon these views providing a successful transition between the taller building and the varied character of the developments within this area. Furthermore, the design of the scheme would introduce active and animated frontages along both Wood Lane and Pioneer Way with an enhanced public route and landscaping.
- b) whether part of a group or stand-alone, tall buildings should reinforce the spatial hierarchy of the local and wider context and aid legibility and wayfinding*
- 10.24 The Proposed Development would create a more gentle and gradual transition between the existing/proposed cluster of tall buildings within the Imperial North Campus. The proposal scheme would therefore aid legibility and wayfinding to this campus and the Du Cane Estate, through the tall building cluster.



- c) *architectural quality and materials should be of an exemplary standard to ensure that the appearance and architectural integrity of the building is maintained through its lifespan.*
- 10.25 The architectural quality of the development has been fully considered throughout the design process and subject of Design Review. The use of brick as the main interface material of the development would be durable throughout its lifespan. The details of bay studies will be provided through condition.
- d) *proposals should take account of, and avoid harm to, the significance of London's heritage assets and their settings. Proposals resulting in harm will require clear and convincing justification, demonstrating that alternatives have been explored and that there are clear public benefits that outweigh that harm. The buildings should positively contribute to the character of the area*
- 10.26 The proposal site is not located in a Conservation Area and does not include any heritage assets. Following careful consideration of the impacts of the development, (as discussed in the section below), the proposals would not result in any harm to the setting or significance of any adjacent heritage assets.
- e) *buildings in the setting of a World Heritage Site must preserve, and not harm, the Outstanding Universal Value of the World Heritage Site, and the ability to appreciate it*
- 10.27 The proposal site is not within the setting of any World Heritage Site.
- f) *buildings near the River Thames, particularly in the Thames Policy Area, should protect and enhance the open quality of the river and the riverside public realm, including views, and not contribute to a canyon effect along the river.*
- 10.28 The proposal is not located close to the River Thames. Therefore there would be no impact in this regard.
- g) *buildings should not cause adverse reflected glare*
- 10.29 The design principles of the scheme include provision of fenestration set into deep reveals and the scale of fenestration is limited to achieve thermal efficiency of individual units. As such, these measures should avoid adverse reflected glare from the development upon the surrounding environment.
- h) *buildings should be designed to minimise light pollution from internal and external lighting*
- 10.30 The existing site will be replaced with a mixed use development. A condition would ensure that external illumination 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'.

### Functional Impacts

- 10.31 The second set of impacts to be assessed under Policy D9 are the functional impacts. As evidenced in the submitted Design and Access Statement, there are dedicated access, entry, postal, maintenance, and cleaning strategies that show these concerns have been thought about during the design process. Incorporating these domains into the design from an early stage has resulted in a proposal that would function in a safe and efficient manner while preserving the amenity of neighbours and residents. Additionally, a Fire Statement, produced by OFR Consultants, details the safety measures utilised in this design and authenticates the fire safety level of the proposed building. This is in line with part C2(a), (b), and (c) of Policy D9.
- 10.32 Transport impacts are dealt with by part C2(d) of Policy D9 and it must be demonstrated that the transport network has capacity to accommodate the development. The submitted Transport Assessment has found that there are no sound transport objections to the proposal and so it is clear that the local transport network has sufficient capacity. As the transport assessment shows, the proposal is located near London Underground and several bus routes two and the local street and cycle network is flat, and usable so that residents of this development would have plentiful transport options, despite not having access to a car.

### Environmental Impacts

- 10.33 The third set of impacts to be assessed under Policy D9 are the environmental impacts of the development. The proposed development is seeking to achieve an 'Excellent' BREEAM rating which ensure that this proposal would meet the highest environmental and sustainability standards.
- 10.34 A Daylight, Sunlight, and Overshadowing Assessment has been prepared which shows that there would be some minor reduction in terms of daylight amenity for the surrounding area. The Assessment however states the neighbouring properties receive an unusually good level of amenity for an urban location, and therefore some reductions are inevitable.
- 10.35 Overall, it is considered that these reductions are acceptable and that the retained levels of sunlight and daylight amenity are good for an urban location such as this. Consequently, this proposal would not have an unacceptable impact on surrounding daylight and sunlight levels.
- 10.36 The form of the buildings would have a stepped effect, with varying height, and the taller element is furthest away from surrounding properties to the west and north. There is only a small frontage along the busiest road –Wood Lane. Therefore, part C3(b) of Policy D9 is complied with.

### Tall Building conclusion

- 10.37 Considering the development of a tall building at this location, and given the surrounding townscape context, (namely the emerging Imperial North Campus), the current proposals are not considered to have a disruptive or harmful impact on the skyline for the purposes of Policy DC3, but would be a

partial conflict with the policy when taken as a whole, given that the site is not a plan-led location for a tall building.

10.38 Furthermore, the scheme is considered to provide a positive addition to the skyline and the surrounding townscape creating a more balanced and transition between existing and consented tall buildings and the lower density of the surrounding context. As such, the proposal is considered to comply with the impact framework set out in London Plan Policy D9. Given that it would not have a disruptive and harmful impact on the skyline the significance and extent of the conflict with Local Plan Policy DC3 is reduced to some extent.

10.39 The scheme is considered to provide a positive addition to the skyline and the townscape of the borough and overall to comply with London Plan Policy D9. The significance and extent of the conflict with Local Plan Policy DC3 is reduced by the absence of any disruptive or harmful impact on the skyline.

### **Heritage and Townscape**

10.40 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.

10.41 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 duties of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the requirements set out in the NPPF.

10.42 **S66 of the Planning (Listed Buildings and Conservation Areas) Act 1990** requires that: In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

10.43 **Paragraph 184 of the NPPF** states: Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

10.44 **Paragraph 190 of the NPPF** states: Local Planning Authorities should identify and assess the significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of

a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

- 10.45 **Paragraph 192 of the NPPF** states: In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness.
- 10.46 **Paragraph 193 of the NPPF** states: When considering the impact of a Proposed Development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 10.47 **Paragraph 194 of the NPPF** states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:
- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
  - b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be exceptional.
- 10.48 **Paragraph 195 of the NPPF** states that where a Proposed Development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply: a) the nature of the heritage asset prevents all reasonable uses of the site; and b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and d) the harm or loss is outweighed by the benefit of bringing the site back into use.
- 10.49 **Paragraph 196 of the NPPF** states: Page 68 Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 10.50 **Paragraph 197 of the NPPF** states: The effect of an application on the significance of a non-designated heritage asset should be considered in determining the application. In weighing applications that directly or indirectly

affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

- 10.51 **The NPPF** makes a clear distinction between the approach to be taken in decision-making where the Proposed Development would affect the significance of designated heritage assets (listed buildings, conservation areas, Registered Parks and Gardens) and where it would affect the significance of non-designated heritage assets (buildings of local historic and architectural importance).
- 10.52 **The NPPF** also makes a clear distinction between the approach to be taken in decision-making where the Proposed Development would result in 'substantial' harm and where it would result in 'less than substantial' harm.
- 10.53 Case law indicates that following the approach set out in the NPPF will normally be enough to satisfy the statutory tests. However, when carrying out the balancing exercise in paragraphs 195 and 196, it is important to recognise that the statutory provisions require the decision maker to give great weight to the desirability of preserving designated heritage assets and/or their setting.
- 10.54 The Planning Practice Guidance notes which accompany the NPPF remind us that it is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed.
- 10.55 The scheme would impact indirectly on heritage assets. These impacts are considered separately in the following sections.
- 10.56 Impacts are mainly focussed upon the setting of several heritage assets, including statutory Listed Buildings, Conservation Areas and non-designated Locally Listed, (Buildings of Merit). In order to fully assess the proposal scheme, officers have agreed the scope of supporting documents with the applicant. The applicant's statements submitted with the application, identifies the significance of designated/non-designated heritage assets within a study area surrounding the application site, within Hammersmith & Fulham.
- 10.57 In the first instance, the assessment to be made is whether the development within the setting of a designated heritage asset will cause harm to that designated heritage asset or its setting. If no harm is caused, there is no need to undertake a balancing exercise. If harm would be caused, it is necessary to assess the magnitude of that harm before going to apply the balancing test as set out in paragraphs 195 and 196 of the NPPF as appropriate.
- 10.58 **Local Plan Policy DC8 (Heritage and Conservation)** states that the council will conserve the significance of the borough's historic environment by protecting, restoring and enhancing its heritage assets. These assets include listed buildings, conservation areas historic parks and gardens, the

scheduled monument of Fulham Palace Moated site, unscheduled archaeological remains and buildings and features of local interest. When determining applications affecting heritage assets, the council will apply the following principles:

- a. the presumption will be in favour of the conservation, restoration and enhancement of heritage assets, and proposals should secure the long-term future of heritage assets. The more significant the designated heritage asset, the greater the presumption should be in favour of its conservation;
- b. applications affecting designated heritage assets, including alterations and extensions to buildings will only be permitted if the significance of the heritage asset is conserved or enhanced;
- c. applications should conserve the setting of, make a positive contribution to, or reveal the significance of the heritage asset. The presence of heritage assets should inform high quality design within their setting;
- d. applications affecting non-designated heritage assets (buildings and artefacts of local importance and interest) will be determined having regard to the scale and impact of any harm or loss and the significance of the heritage asset in accordance with paragraph 135 of the National planning Policy Framework;
- e. particular regard will be given to matters of scale, height, massing, alignment, materials and use;
- f. where changes of use are proposed for heritage assets, the proposed use, and any alterations that are required resulting from the proposed use should be consistent with the aims of conservation of the asset's significance, including securing its optimum viable use;
- g. applications should include a description of the significance of the asset concerned and an assessment of the impact of the proposal upon it or its setting which should be carried out with the assistance of a suitably qualified person. The extent of the requirement should be proportionate to the nature and level of the asset's significance. Where archaeological remains of national significance may be affected applications should also be supported by an archaeological field evaluation;
- h. proposals which involve substantial harm, or less than substantial harm to the significance of a heritage asset will be refused unless it can be demonstrated that they meet the criteria specified in paragraph 133 and 134 of the National Planning Policy Framework;
- i. where a heritage asset cannot be retained in its entirety or when a change of use is proposed, the developer should ensure that a suitably

qualified person carries out an analysis (including photographic surveys) of its design and significance, in order to record and advance the understanding of heritage in the borough. The extent of the requirement should be proportionate to the nature and level of the asset's significance;

- j. the proposal respects the principles of accessible and inclusive design;
- k. where measures to mitigate the effects of climate change are proposed, the applicants will be required to demonstrate how they have considered the significance of the heritage asset and tailored their proposals accordingly;
- l. expert advice will be required to address the need to evaluate and conserve archaeological remains, and to advise on the appropriate mitigation measures in cases where excavation is justified; and
- m. securing the future of heritage assets at risk identified on Historic England's national register, as part of a positive strategy for the historic environment.

10.59 The Council's Supplementary Planning Guidance SPD is relevant, in particular Key Principles AH1 (Information Requirements for applications for consent affecting heritage assets); AH2 (Protection of Heritage Assets); CAG1 (Land Use in Conservation Areas); CAG2 (Urban Design in Conservation Areas) and CAG3 (New Development in Conservation Areas). These Key Principles provide guidance which seeks to ensure that heritage assets are conserved in a manner appropriate to their significance in accordance with the NPPF.

#### **Application site – Heritage constraints**

10.60 The application site is not located within a Conservation Area and does not feature any designated/non-designated heritage assets.

#### Approach to assessment of heritage and townscape

10.61 The assessment deals with heritage and townscape issues in two ways. Firstly, there is a review of the wider of wider townscape implications of the development; focussed in-part upon consideration of key heritage receptors. Secondly, the assessment reviews the impact of the development upon the character, significance and setting of heritage assets.

10.62 Given that the application site is not located in a Conservation Area and does not contain any listed buildings, the main considerations of the scheme relate to the impact of the development upon the setting of surrounding heritage assets. To support the assessment of these impacts, as discussed above, the applicant has submitted a fully detailed Heritage, Townscape and Visual Impact Assessment, (HTVIA) and a Planning Statement.

10.63 Details of the outcome of these assessments are considered below.

### Townscape Assessment – Views

- 10.64 To assess the impact of the Proposed Development, the application includes a Heritage, Townscape and Visual Impact Assessment which assesses 27 views from an agreed selection of locations around the site. Within some of the images, wirelines have been used, where the degree of visibility or impact on the skyline is the most important part of the assessment. However, most of the studies are fully rendered representations of the proposed scheme which indicate the development and the design of the facades in its urban context.
- 10.65 Given the scale of recent developments both existing and consented as part of the regeneration of White City, the townscape impacts of the proposed development would be significantly reduced. The development would in many views be either screened or coalesce with existing large/tall buildings in the local area.

### Westward facing Views

- 10.66 In majority of westward facing views, (particularly views within RBKC), the visibility of the proposal scheme would be limited. Existing tall buildings within the Imperial North Campus would largely screen the proposal, with limited glimpsed views of the top floors or side profile of the taller element of the scheme visible.
- 10.67 The scope of change would be negligible, and the impact of change would be neutral/beneficial.

### Northward facing Views

- 10.68 Within northward facing views, the development would have some visibility particularly within those views along Wood Lane, in these views the presence of other tall/large buildings would limit the extent of townscape impacts and where visible the scheme would introduce a new marker to the north of Wood Lane, balancing the composition with 88 Wood Lane.
- 10.69 The scope of change would be moderate and the impact of change neutral/beneficial.

### Southward facing views

- 10.70 Within southward facing views, particularly those from Scrubs Lane the development would have additional visibility. However, cumulatively this visibility would be in the foreground of the consented Gateway developments, therefore the extent of impact would be limited. In these views the development would serve to balance and provide a more gradual transition from the 88 Wood Lane development, the tallest development in the local area.
- 10.71 Within more immediate views, from Du Cane Road and Pioneer Way, the proposed scheme would have a more notable impact upon local views. However, given the presence of the existing 88 Wood Lane development in



the background of these views, and the stepped massing of the proposals from 7 to 18 storeys, this impact is not considered to be harmful and would provide a gentler transition between the 2-5 storey context of the site and the 36 storey tall building occupying the background within this setting.

10.72 The scope of change would be moderate and the impact of change neutral/beneficial.

#### Eastward facing views

10.73 In many eastward facing views of the development the proposal scheme would be viewed in the foreground of the Eighty-Eight Wood Lane development and would generally coalesce with the existing tall building. The building would balance and provide a gentler transition between this building and the predominant foreground residential context of views.

10.74 The scope of change would be moderate and the impact of change neutral/beneficial.

10.75 Townscape impacts of views within the local area have been considered, and it is considered that the impact upon views would be largely neutral / beneficial.

#### **Impacts on Heritage Assets**

10.76 The proposal site is not situated within a Conservation Area and does not feature any designated/non designated heritage assets. 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.

#### Heritage Assets - Conservation areas

10.77 Based upon due consideration of the Planning Statement, Heritage, Townscape and Visual Impact Assessment (HTVIA) submitted in support of the application, assessment of the impact upon the following Conservation Areas is required:

- Wood Lane CA
- Old Oak and Wormholt CA
- Oxford Gardens/St Quintins CA - RBKC
- Kensal Green Cemetery CA - RBKC

#### Wood Lane CA

10.78 Wood Lane Conservation Area was designated in March 1991. This was in recognition of the special interest and significant contribution to the evolution of the character of the area mainly focussed upon the BBC Television Centre, (Grade II Listed). Recently the Conservation Area has been subject of significant change through ongoing development and intensification as part of the regeneration of White City, a designated regeneration area. As such, several large and tall buildings now occupy the eastern portions of the Conservation Area. Recent redevelopment of the Television Centre site has followed a carefully considered approach which retains the significance and special character of asset and its forecourt.

10.79 The setting of this Conservation Area varies significantly, featuring a mixture of post-war developments including the White City Estate and several modern developments including the Westfield, White City Living and Gateway campuses. Within this setting large/tall buildings occupy several mid-range/background views of the area.

10.80 The contribution of setting to the significance of the asset is also varied. The area around Television Centre and its forecourt is well preserved overall. However, the wider setting of the Conservation Area has been subject to significant change and impacts as part of recent developments have been considered as part of the assessments of individual planning applications.

#### Assessment of Impact

10.81 As discussed above, the contribution of the surroundings to the significance of the Conservation Area is limited following recent developments within the setting of this asset. The proposed development would follow this approach with the proposal scheme intervisible within the background of views of the Conservation Area. In many of these views other developments, both existing and consented would limit the extent of visibility of the proposal. In views and vistas where the proposal is visible, this would not result any detriment impact upon the setting of the heritage asset overall.

10.82 In conclusion, it is considered that the development would not result in any harm to the setting and significance of the Wood Lane Conservation Area.

#### Old Oak and Wormholt CA

10.83 The Old Oak and Wormholt Conservation Area was designated in May 1980. The significance of the Conservation Area is largely focused upon the grain, layout and character of residential estates of Old Oak and Wormholt. These estates are notable examples of the suburban extension of London and high quality, planned early twentieth century public housing. The estates have distinctive 'cottage garden' character and garden suburb architecture; complemented by open areas and soft landscaping. The Westway environs have a slightly different character to the more structured and complete Old Oak and Wormholt Estates.

10.84 Generally, the setting of the Conservation Area varies significantly, featuring a variety of post-war housing developments, Wormwood Scrubs prison and Hammersmith Hospital Campuses. The wider setting of the area also features the recent and ongoing development of the Imperial North Campus. Consequently, the contribution of setting to the significance of the asset is also varied. Whilst the estates themselves are well preserved and are complemented by the character of other post-war housing developments, other more recent developments have a distinctive and contrasting appearance to that of the Conservation Area. However, the character and appearance of the estates remains clearly legible overall.

#### Assessment of Impact

- 10.85 The proposal scheme would be visible in several background views of the Conservation Area, mainly from the Westway area, in these views the development would generally be situated in the foreground of existing tall buildings occupying the Imperial North Campus, as such the building form would coalesce with the existing buildings. Although visible within these background views, given that these elements of setting already clearly contrast with the well-preserved character of the Conservation Area, the development is not considered to result in any harmful impact upon the setting of the Conservation Area.

#### Oxford Gardens/St Quintin's CA - RBKC

- 10.86 Oxford Gardens/St Quintin's Conservation Area was designated by RBKC in April 1975. The special character and significance of the Conservation Area is focussed upon the layout, form and character of residential terraces of the area, predominantly within the Victorian period. This is a large Conservation Area which features a variety of character areas. The setting of the Conservation Area, particularly to the south-west has varied significantly from this character, featuring the Westway and more recently the development of the Imperial North Campus.

#### Assessment of Impact

- 10.87 Based upon due consideration of the HTVIA submitted with the application, the proposal scheme would have negligible visibility from the setting of this Conservation Area and would in many views be screened by developments within the Imperial North Campus.
- 10.88 Consequently, it is considered that the development would not result in any harm to the setting and significance of the Oxford Gardens/St Quintin's Conservation Area.

#### Kensal Green Cemetery CA – RBKC

- 10.89 Kensal Green Cemetery Conservation Area was designated by RBKC in October 1984. This was in recognition of the special interest and significant contribution as an influential example of a cemetery laid out in the garden or pleasure ground style (1833) and is a Registered Historic Park and Garden (grade I). The cemetery was London's first commercial garden cemetery, established by Act of Parliament in July 1832 and has an extensive and complex layout that survives largely intact. The setting of this Conservation Area varies significantly, with several clusters of large/tall buildings occupying background views of the area. However, the character and appearance of the Conservation Area is well preserved overall.

#### Assessment of Impact

- 10.90 Based upon due consideration of the HTVIA submitted with the application, the proposal scheme would have some visibility from the setting of this Conservation Area. In many views the development would appear as a background feature in a similar manner to other developments, (both existing and consented), across the White City area. In many views the development would be partially screened by these developments. In this setting, the

immediate and foreground setting of the Conservation Area would remain preserved.

- 10.91 Consequently, it is considered that the development would not result in any harm to the setting and significance of the Kensal Green Cemetery Conservation Area.

Heritage Assets – Statutory Listed buildings and Locally Listed (Buildings of Merit)

- 10.92 There are several listed buildings and Locally Listed, Buildings of Merit in the vicinity of the site, the setting of which may be affected due to a potential inter-visibility with the Proposed Development.

- 10.93 The heritage assets which require assessment are as follows:

- The Grade II listed Burlington Danes School
- The Grade II listed BBC Television Centre
- White City London Underground Station – a Locally Listed, Building of Merit

Assessment of Harm

- 10.94 As discussed above, the application is supported by a Heritage, Townscape and Visual Impact Assessment, (HTVIA) which fully reviews the significance and contribution of the setting of each of the assets identified above. The assessment also describes the potential level of harm to each of these assets. The setting of each of these assets has been subject to significant change as part of the ongoing regeneration of White City. Nonetheless, the character and special interest of these assets and their setting remain preserved overall.
- 10.95 Officers have reviewed and considered this assessment in detail. Given the distances between these assets and the application site, coupled with the scale and nature of intermittent developments, officers would agree with the conclusions of the HTVIA. Whilst the tall building proposed would be visible within the within the setting of adjacent heritage assets, the character and appearance of these assets and their setting would be preserved overall. Given the distances between the proposed development and these assets, (alongside intervening developments), the impact of visibility upon the setting of each asset would be limited and as such, officers do not consider that the development would result in any harm to the setting or significance of these heritage assets. As such the development would be considered acceptable having regard to and applying the statutory provisions in Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

**Design, Heritage, and Townscape Conclusion**

- 10.96 The proposed scheme represents an opportunity to optimise development of a partially vacant site in accordance with the London Plan and Council's Local Plan policies. The site currently fails to contribute positively to the

permeability, legibility, and identity of the local area overall and the proposed scheme provides considerable potential to address these issues.

Urban Design and Heritage Balance:

- The application site is not located within an area identified for a tall building and as such there would be conflict with Local Plan policy DC3 overall and part of London Plan Policy D9. However, officers conclude that the Proposed Development would not result in a disruptive and harmful impact on the skyline and would comply with the impact framework of London Plan Policy D9 and with Policy D9 considered as a whole.
- The proposed scale and massing of the proposal is not considered to result in any harm to the setting or significance of nearby heritage assets.
- The development would have some intervisibility in localised townscape views however the impact upon these views would be neutral to beneficial overall.
- The configuration, design and materiality of the proposed development is thought to be well considered and would provide a high-quality development which would enhance the appearance of the local area, complementing the character of other tall buildings in the local area.
- The proposed buildings would provide substantial environmental benefits to future occupiers and the wider locality by way of providing enhanced pedestrian routes protected by the built form, and by substantial urban greening and landscaping.

10.97 Officers have assessed the impact of the proposal on the heritage assets and consider that for the reasons summarised above it is appropriate to grant planning permission having regard to and applying the statutory provisions in Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal is also in line with national guidance in the NPPF and strategic local policies on the historic environment and urban design. In summary, it is considered that by optimising the use of the site to provide a development of this scale it is possible to provide the number of significant important benefits outlined above. Although some elements of conflict with policy have been identified above, overall, the Proposed Development is considered acceptable having regard to the NPPF, Policies D3, D4, D6, D8, D9 and HC1 of the London Plan (2021) and Policies DC1, DC2, DC3, DC4, DC7 and DC8 of the Local Plan (2018).

## **11.0 HIGHWAYS AND TRANSPORT**

11.1 **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. All developments that will generate

significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

- 11.2 In determining this application, consideration has been given to the requirements of **Policies GG2, GG3, T1, T2, T4, T5, T6, T6.1, T6.5 and T7 of the London Plan**, as well as the Healthy Streets for London strategy, published by TfL, in assessing the effects on the local highway network along with the proposed car parking, cycling parking and servicing requirements. **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 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.
- 11.3 **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.
- 11.4 A Healthy Streets Transport Assessment (TA) and additional supporting information has been submitted with the revised proposals, setting out the proposed transport strategy in accordance with Local Plan Policy T2. This includes a revised trip generation to reflect the changes to the scheme.
- 11.5 The Transport Assessment provides a full review of the existing factors and the impact of the proposal on the local highway and public transport networks. Framework Travel Plan has been submitted and set out measures to encourage the use of sustainable transport. A Framework Delivery and Servicing Management Plan and draft Construction Traffic Management Plan is included in the appendices. A standalone outline Construction Logistics Plan (CLP) accompanies the application. Refuse and recycling details are provided within the Design and Access statement.
- Site Accessibility**
- 11.6 The application site is bounded to the east by Wood Lane, a designated London Distributor Road, and a key link to the strategic route network. In comparison, Pioneer Way is a private road (owned by WPH), providing pedestrian and vehicular access to existing housing opposite the London Underground railway lines. There is a turning head at the eastern end of Pioneer Way that is used to allow vehicles to turn and egress in forward gear.
- 11.7 The site is well served by public transport and as such has a public transport accessibility level (PTAL) of 6a, which is classified as 'excellent' in terms of its

proximity to the public transport networks, service availability and walking time to public transport, with numerous bus routes and White City and Wood Lane stations located a short distance from the site. There is a bus lane (and a bus stop) located outside the site frontage on Wood Lane (northbound). A further bus stop serving southbound services is located slightly further north, on the opposite side of Wood Lane outside the Imperial College campus. Both bus stops serve five routes with alternative routes/stop located close to the site.

- 11.8 The site is within Controlled Parking Zone (CPZ) 'N', which operates restricted parking Monday to Saturday 9:00am – 5:00pm and adjacent to 'NN' which is under the same restrictions. The nearest car club bay (Zipcar) is located on Oxford Gardens approximately 1.1 kilometres (14 minutes' walk) to the east of the site. This is considered to be in compliance with London Plan Policy 6.1 and Local Plan policy T3.
- 11.9 Proposals for TfL's Improvement Scheme between Wood Lane and Notting Hill Gate has undergone consultation, but no set proposals are in place or have been consented. The potential scheme includes a two-way cycle route on Wood Lane.

#### **Access**

- 11.10 The existing vehicular access via Wood Lane is proposed to be closed off as part of the development. Vehicular access for residents with blue badge parking spaces within the development would be provided via Pioneer Way. Servicing and delivery vehicles would serve the site from either Wood Lane or Pioneer Way. Cycle access would be provided via both Pioneer Way and Wood Lane. Most of the cycle storage facilities would be located on the lower ground floor and therefore cyclists travelling to/from Wood Lane would utilise the new ramp access along the northern extent of the site, incorporated into the proposed public realm. Pedestrian level access would be provided around the extent of the site, utilising the proposed ramp/stepped access incorporated into the proposed landscaping works.

#### **Trip Generation**

- 11.11 The applicant has submitted trip generation information for each of the three proposed uses. A review of the levels of weekday peak hour traffic movements generated by the existing and proposed developments have been carried out to reflect the revised scheme. The existing trip generation (36 WPH flats and offices) is relatively low. As the proposed development is relatively car free and residents will not be able to park at the site, the modal share for vehicle movements is also low, with expected vehicle movements to be generated by the four disabled bays, deliveries/servicing and trips from visitors. The proposals would result in an increase of 8 two-way vehicle (i.e. car driver, motorcycle, and taxi) movements in the busiest peak hour. In addition, an increase of 77 daily two-way vehicle movements which roughly equates to an average of approximately 7 vehicles every hour (across a 12-hour period) is expected from the development.
- 11.12 The trip generation show an increase of 143 daily two-way vehicle movements which roughly equates to an average of approximately 12

vehicles every hour. In terms of the impact on public transport, the proposal would generate between 75-84 two way trips by underground and 52-59 two way trips by bus. It is considered that these movements can be accommodated by the existing infrastructure.

- 11.13 The largest proportions of trips will be by public transport (underground or bus) or on foot. The assessment shows 36.2% of the predicted daily trips would be by underground, with 50% expected to use the Central line. Most of the trips generated by the development will be by other modes of travel including walking cycling and buses, and other mitigation has been secured to enhance infrastructure in the vicinity of the site to support these other modes of transport. It is however considered that the existing Underground transport capacity and bus routes should satisfactorily accommodate any demands generated from the proposed development.
- 11.14 Transport for London (TfL) have advised they are progressing an improvement scheme at White City London Underground station to provide step-free access to the Central Line and additional station capacity. Developer contributions are being sought towards these infrastructure upgrades from developments in the vicinity of the station. TfL set out that the delivery of this scheme would form a crucial part of the infrastructure serving the Opportunity Area as identified by London Plan Policy T1. The revised TA estimates that 463 additional two-way London Underground daily trips would be generated by the proposed scheme, of which 50% are expected to use the Central Line. On this basis, a contribution of £231,500 is sought by TfL towards the station enhancement scheme, to mitigate the impact of the development in accordance with London Plan Policies T3 and T4. TfL confirm that the additional bus trips generated by the development are low and do not necessitate any mitigation.
- 11.15 Whilst the station improvement scheme are welcomed and supported by the Council, the analysis of the predicted trip generation and trip distribution, demonstrates that the additional trips generated by the proposed development can be accommodated and would not impact on capacity during the peak hours. It is considered that Transport for London's request for a financial contribution towards White City London Underground station does not meet the requisite planning tests, in that there would be no material increase in demand for this infrastructure relative to the site's use.

### **Bus Stop**

- 11.16 The existing bus stop comprises a shelter and pole arrangement. The construction of the development would entail closure of the footway and bus lane fronting the site and relocation of the bus stop. The need to manage the impact of the proposals on bus movements and bus infrastructure during the construction and on operation will need to be addressed as part of the Construction Logistics Plan. Consideration to the final design and location of the replacement bus stop on completion of the development will be given under the S278 works.



## **Car Parking**

- 11.17 **London Plan Policy T6 (Car parking)** together with Policy 6.1 states that car-free development should be the starting point for all proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking. Car-free development has no general parking but should still provide disabled persons parking in line with Part E of this policy.
- 11.18 **Local Plan policy T4 (Vehicle Parking Standards)** states that: “The council will only consider the issuing of permits for on street parking in locations where the PTAL level is considered 2 or lower (TfL’s public transport accessibility level).” **Local Plan Policy T5 (Blue Badge Parking Provision)** sets out that off street car parking for Blue Badge Holders is a requirement in residential development if vehicular access is available.
- 11.19 The application involves the removal of the existing car park arrangements off Wood Lane. With exception of four blue badge car parking spaces, provided at lower ground floor level in an external undercroft off Pioneer Way, the proposed development is proposed to be car-free. This responds to the location’s high PTAL rating and is in line with London Plan Policy T6 which aims to encourage future households to adopt sustainable travel patterns.
- 11.20 All 4 accessible car parking spaces would be fitted with electric (active) vehicle charging points from the outset and would be in proximity to the core (lifts) of the buildings. This would be secured by condition. The design of the on-site car parking bays would meet requirements set in Local Plan Policy T5 and Key Principle TR6 of the Planning Guidance SPD.
- 11.21 Despite a reduction in the total number of residential units in the revised submission, the proposed accessible parking spaces have remained the same. The level of blue badge car parking provision does not strictly meet the standards set out in London Plan Policy T6 for standard residential uses. This does not take into account that the co living is a sui generis use and not a standard C3 residential use and there are no specific parking standards for co-living uses. The proposal equates to approximately 1.5% of the total number of ‘dwellings’ on the site which is below the minimum requirement of 3% from the outset, set out in policy T6.1 of the London Plan. The policy also requires details of how the remaining bays up to 10% per cent of dwellings if requested could be provided if required as designated disabled persons parking in the future.
- 11.22 Officers consider that the level of parking provision is acceptable in this instance, insofar that the site is in an accessible location, there are existing site constraints, consideration given to current levels of blue badge holders in the borough. TfL have also concurred with this view. The provision of disabled persons parking bays will be regularly monitored and reviewed by a Car Parking Management Plan to ensure the level is adequate and this would be secured by condition to appraise this once the development is operational.

11.23 In accordance with Local Plan Policy T4, car parking permit free measures would be applied to the whole development. All occupiers except for blue badge holders would not be entitled to parking permits from the Council. To ensure that occupiers are informed, prior to occupation, of such restrictions this would be secured by the S106 agreement. Travel plans will further be required to demonstrate a commitment to encouraging the use of sustainable and active modes of transport through all best practicable measures. Overall, it is considered that the parking arrangements for the proposals are satisfactory and would not result in any overspill parking demand due to existing restrictions and opportunities to travel by non-car modes.

### **Cycle Parking**

11.24 **London Plan Policy T5 (Cycling) and Local Plan Policy T3 (Increasing and promoting Opportunities for Cycling and Walking)**, 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.

11.25 The proposed development would provide a total of 320 cycle-parking spaces of which 308 would be long stay (209 co-living; 91 residential and 8 for the office use) and 12 would be short stay. 20 cycle spaces would be accessible. The long stay cycle parking spaces would be provided in store located at lower ground floor level, close to the entrance of each building, in secure and sheltered locations with access via Pioneer Way or Wood Lane, meeting the requirements set in Local Plan Policy T3, Appendix 8 and the London Plan.

11.26 Cycle stores for the co-living and residential occupiers would be provided at lower ground level, with step-free access from Wood Lane to Pioneer Way. Additional cycle spaces for the office use are provided off the lobby at ground floor level. The 12 short term cycle spaces for all the uses which would be in a communal space to the north of the site. Final design of cycle stands would be subject to final approval.

11.27 Given the site constraints, it is not feasible to provide a policy compliant quantum of cycle parking and meet all the design requirements of the LCDS (London Cycling Design Standards) as required in the London Plan. The proposals instead has given priority to achieving a compliant amount of cycle provision on site, ensuring that sustainable transport modes are maximised in the design. It is considered the proposed scheme is acceptable on this basis. Easily accessible spaces would be provided in the form of Sheffield stands. Stands at the end of rows would provide extra space to accommodate non-standard cycles. Officers consider that a good range of cycle spaces accommodating a variety of different cyclist would be provided. Approach to accessible cycle parking is proposed to be step-free along wide corridors and would involve passing through no more than two sets of wide doors. Officers consider the quantity of cycle parking is policy compliant, in accordance with London Plan policy T5, and Local Plan Policy T3.

### **Active Travel Zones & Healthy Streets**

- 11.28 An Active Travel Zone assessment (ATZ) has been undertaken on three routes to key destinations around the site, including Hammersmith Hospital, White City and Wood Lane underground stations and Westfield beyond and Imperial College Campus. The ATZ identifies several small-scale measures that could enhance the pedestrian environment on these routes and encourage active travel. The ATZ should also assess women's safety, including at night, reviewing factors such as the levels of lighting and passive surveillance in place on Pioneer Way.
- 11.29 The existing pedestrian infrastructure in the surrounding area is defined to be of a suitable standard. The most direct route to White City Station is however via a series of busy signalised cross over points on Wood Lane and improvements to routes and to facilitate walking could be incorporated. A TfL Improvement Scheme which includes Wood Lane is still at the consultation stage. Together with a two-way segregated cycle route, proposals also include new and upgraded pedestrian crossings to make streets more welcoming. A contribution towards works would be secured via the S106 agreement.

### **Travel Plans**

- 11.30 The Applicant is committed to implementing Travel Plans, 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 Plans are to ensure that the development does not impact on the safety or amenity of adjacent residents or employees of businesses near the development.
- 11.31 A framework Travel Plan has been submitted alongside the transport assessment which sets out the objectives and measures to be incorporated in a full Travel Plan which would aim to target both residents, staff and guests. The travel patterns of residents, employees and office employees would be influenced by the predominantly car free nature of the development. The Council's highways officer is satisfied with the framework document and recommends a full Travel Plan in line with Transport for London guidance, together with allowance for periodic monitoring by the Council, and revision if necessary. The framework Travel Plan seeks to manage the predicted sustainable travel patterns to and from the site and to increase the sustainable travel mode share in place of cars, taxis and private hire vehicles. As part of any S106 agreement, a more detailed Travel Plan for the different elements of development would be subject to ongoing monitoring and review, to encourage users of the development to travel by sustainable modes other than the car. It is considered that there is capacity within the existing public transport network to accommodate the trips proposed from this development. Officers welcome the provision of a Travel Plan in support of the proposal for sustainable travel for occupiers of the development. A Construction Workers Travel Plan would also be required with a monitoring fees of £5,000 per annum until completion of works to be secured through the S106 agreement.

### **London Underground infrastructure protection**

- 11.32 It has been confirmed that given the proximity to the London Underground tracks running immediately southwest of the site, a condition is requested by London Underground for the necessary infrastructure protection for both construction phase. This is secured in the recommendation.

### **Servicing/Delivery and Refuse**

- 11.33 **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.
- 11.34 All refuse, and recycling would be collected via Pioneer Way. Refuse vehicles would manoeuvre via Pioneer Way utilising an existing turning head adjacent to the site so vehicles can move out of Pioneer Way in a forward gear. It is anticipated that given the small space of the office, refuse collection would be undertaken directly from Wood Lane.
- 11.35 A Framework Delivery and Servicing Management Plan (DSMP) has been prepared as part of the application and provides details of the proposed delivery arrangements for the development. Deliveries are only expected to take place on Wood Lane within the current permitted loading hours (before 0700 hours, between 1000 and 1600 hours and after 2000 hours). Outside these times, deliveries would be expected to take place via Pioneer Way. Larger deliveries are also expected to be received at lower ground floor level from Pioneer Way. The Delivery and Servicing Plan would be secured by condition.
- 11.36 The applicant has submitted a draft delivery and servicing plan and include a swept path analysis for refuse vehicles in Pioneer Way. Adequate refuse storage for both the residential, Co Living and office elements are provided within clearly defined areas on the site. The Council's highways officer raises no objections in principle to this document, which provides detail on the operational servicing of the premises.
- 11.37 A detailed Waste Management Strategy would be conditioned aimed to comply with Local Plan Policy CC7 and include requirements to provide suitable waste and recycling storage facilities and minimise waste and provide convenient facilities to enable occupiers to separate, store and recycle their waste. After mitigation measures have been implemented, it has been estimated that the demolition and construction work related to the proposed development would result in an effect significance of negligible.
- 11.38 **Demolition and Construction Works**  
Alongside and Outline Construction Environmental Management Plan (OCEMP), the proposed construction works are presented in an outline Construction Logistic Plan (OCLP) provided in the TA and ES appendices, in accordance with Policy T7 of the Local Plan. The demolition, construction and fit out works are estimated to take approximately 30 months and based on a sequence and logistics of the site. This would include enabling works to

prepare the site for construction and include the erection of temporary hoardings to screen the site. One tower crane and platform is proposed and would be erected after demolition and excavation works. The construction of the development would entail a gated loading area alongside the western edge of Wood lane. Due to the site's constraints it is anticipated that on site office and construction accommodation would be provided in the form of cabins in the form of a gantry, extending outside the site, over the public footpath/bus lane on Wood Lane. To implement the development, a section of the bus lane and footway would be required to be temporarily closed off, and the existing bus stop would need to be relocated further north during this temporary period. Further liaison with the borough's highway officers and TfL will be required to ensure that the impact of these works will be minimised as far as possible.

- 11.39 The site would be accessible from the west bound A40 or Wood Lane. Estimated numbers of Heavy Goods Vehicles (HGV's) and Light Good Vehicles (LGV's) are provided in the ES. The maximum number of daily 2-way HGV and LGV movements deliveries per day during the construction phase is estimated at 90 in total over a two month period and 87% of these are expected to be HGV two way movements. Due to the site's constraints, and development works taking place on the opposite side of Wood Lane, vehicle movements will have to be carefully scheduled and monitored to avoid simultaneously vehicle trips.
- 11.40 Final documents will 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 preliminary proposals to manage the demolition and subsequent construction processes, including details regarding environmental and amenity mitigation, site logistics, traffic management and routing, health and safety, community liaison etc. To minimise the likelihood of congestion during the construction period, 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. A final plan of proposed routes to and from the site is required with the submission of the detailed CLP in agreement with the contractor to regulate deliveries and eliminate bottle necks on surrounding roads. At this early stage, the information has yet to be fully finalised, and the updated documents need to be developed in compliance with TfL guidelines. The documents relating to demolition/construction logistic programming would be secured by conditions. A condition is also recommended to protect London Underground infrastructure during the proposed works given the proximity of the Central Line to the site.
- 11.41 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 legal agreement, officers consider that the proposed development would be acceptable and in accordance with London Plan Policies 6.1, 6.3, 6.10, 6.11 and 6.13 and Local Plan policies T3, T4, T5, T7 and CC7.

## 12.0 ENVIRONMENTAL CONSIDERATIONS

12.1 The following environmental impacts have been assessed within the ES and supporting planning application documents.

- Flood Risk and Drainage
- Energy and Sustainability
- Air Quality
- Ground Contamination
- Noise and Vibration
- Light Pollution
- Archaeology
- Arboriculture, Ecology and Biodiversity
- Wind Microclimate

12.2 The below sections comprise a planning assessment of the development impacts against adopted planning policies, supplementary planning guidance and the National Planning Policy Framework.

### **Flood Risk**

12.3 **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.

12.4 **London Plan Policies SI 12 (Flood risk management) and SI 13 (Sustainable drainage)** 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. **Local Plan Policies CC3 (Minimising Flood Risk and Reducing Water Use) and CC4 Minimising Surface Water Run-Off with Sustainable Drainage Systems)** contain similar requirements designed to assess and mitigate against the risk of flooding and integrate surface water drainage measures into development proposals.

12.5 In compliance with the requirement of Local Plan Policy CC3, a Flood Risk Assessment (FRA) and addendum have been prepared and are included with the revised application. The site is located within the Environment Agency's Flood Zone 1 which indicates a 'very low' risk to surface water flooding from the Thames. The site benefits from the River Thames flood defences, which are protected up to a 1 in 1000-year standard. There is however a small area to the south of the site identified as having a 'high risk', as is the Central Line embankment to the south. Other potential flood risks for the site are from surface water, the sewers and ground water.

12.6 With regards to sewer flood risk, the FRA notes that the sewer closest to the site is in Wood Lane which falls to the north and therefore should the sewer flood, it is considered that the flooding would be directed away from the site. Groundwater has been assessed as part of the FRA and found to be present on-site although it was over 7m below ground level. The FRA Addendum:states that sewer flooding is very unlikely and no specific

mitigation is included, that structural waterproofing will be included to manage groundwater, but no design details are provided at this stage, commit to green and brown roofs being provided on all flat roofs (that are not designed as communal areas) which will be maintained in line with CIRIA SuDS Manual guidance, confirm no blue roof included but rainwater harvesting will be included as referenced in the Sustainability Statement and confirm that additional landscape based measures such as rain gardens will be included “across the site”.

- 12.7 Thames Water raise no objection to the proposal subject to conditions/informatives. Similarly the Environment Agency do not object to the proposal. FRA Addendum are considered acceptable. At this stage officers consider that the most appropriate approach would be to condition the submission of a revised FRA which includes full details of the proposed flood mitigation measures, including those to protect the lower ground level and full details of the surface water management strategy, in order to demonstrate how measures prioritised in the Drainage Hierarchy have been maximised on the site to reduce discharges of surface water to the sewer network to no more than 2l/s.

#### **Drainage**

- 12.8 A Sustainable Drainage System (SuDS) and Foul Water Strategy has been prepared in support of this planning application. A range of SuDS measures are proposed across the site to reduce flood risk. These include green roofs, permeable paving, rain gardens and rain harvesting, and the inclusion of an 8,000 litre tank on the roof of the WPH building, with water collected to be used for the irrigation of the ground floor planted areas.
- 12.9 The surface water drainage strategy would reduce flood risk by restricting surface water flows to 2 litres per second for all storms up to the 1 in 100-year event (plus a 40% allowance for climate change). This would represent a significant (97%) improvement on the existing site. This would be achieved through a combination of green roofs and below ground attenuation storage tanks. This approach is acceptable and, overall, considering the site circumstances and constraints, the proposals comply with the drainage hierarchy and are in accordance with London Plan Policy SI12.
- 12.10 Although the proposals are considered acceptable in principle, officers consider that some elements of the proposals require some further detailed design work. The SuDS features will include rainwater harvesting, green and brown roofs and use of landscaped based features such as rain gardens and other features to minimise reliance on the attenuation tank that is also required.
- 12.11 Subject to the inclusion of conditions requiring the submission of a Surface Water Drainage Strategy and an updated Flood Risk Assessment officers consider that the proposed approach would be acceptable and in accordance with Policies SI12 and SI 14 of the London Plan and policy requiring flood risk assessment and development to mitigate flood risk, Policies CC3 and CC4 of the Local Plan which requires development to minimise future flood risk.

## **Energy and Sustainability**

- 12.12 **London Plan Policies SI 2 (Minimising greenhouse gas emissions), SI 3 (Energy infrastructure), SI 4 (Managing heat risk)** 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.
- 12.13 **Policies SI 2 and SI 3** set out how new development should be sustainable and energy saving. **Policy SI 2** seeks to extend the extant requirement on residential development to non-residential development to meet zero carbon targets. It maintains the expectation that a minimum reduction of 35% beyond Building Regulations to be met on site (10% or 15% of which should be achieved through energy efficiency for residential development, and non-residential development). Where it is clearly demonstrated that the zero-carbon target cannot be met on site, the shortfall should be provided through a cash in lieu contribution to the borough's carbon offset fund, or off-site provided an alternative proposal has been identified and delivery is certain.
- 12.14 **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.
- 12.15 **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.
- 12.16 **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.

- 12.17 An Energy Strategy has been provided with the application as required. As the scheme is a major development, the proposals are required to comply with the London Plan's zero carbon requirement. The Energy Assessment sets out how efficiency and low/zero emission technologies are proposed be integrated to reduce the new development's CO2 emissions. The statement sets out that the proposals would integrate the following sustainability measures within the scheme.
- 12.18 The London Plan Energy Hierarchy has been used to guide the design to minimise energy use and reduce associated CO2 emissions. Energy efficiency measures have been integrated to make use of natural daylight and solar gain where possible, insulation levels have been increased beyond Building Regulation minimums and high levels of airtightness have been provided. Renewable energy will be used on-site in the form of Air Source Heat Pumps (ASHPs) to provide heating and hot water. Inclusion of PV panels has been considered but space within the development is limited and the roof areas which could be designed for PV installations are occupied by the Heat Pumps and residential amenity space. The residential element of the proposals are calculated to reduce emissions by 14% using energy efficiency measures alone, which meets the London Plan minimum of 10%. However, the co-living and office space components are calculated to produce a 6% and 8% improvement in emissions respectively through energy efficiency measures. This does not meet the 15% London Plan improvement target for non-residential uses. The office layout represent a trade-off between providing a good daylight levels required for health and well-being of the occupiers of this use and carbon performance. The scheme has been designed to be as energy efficient as possible given the site's limitations, through passive means as well as the inclusion of the Air Source Heat Pumps (ASHPs). However, given the site constraints and viability position, it would not be possible to achieve a viable and deliverable scheme and hit the 15% improvement target. Officers consider that the justification provided for the shortfall in meeting the GLA's required energy efficiency target for the non-residential element of the proposals is reasonable and in the wider context of the proposals and the overall performance of the whole scheme in terms of CO2 reduction considers it acceptable on this occasion.
- 12.19 Consideration has been given to connecting into any nearby heat networks. This is currently not a feasible option as there are no networks near the site. Instead heating and cooling will rely solely on Air Source Heat Pumps (ASHPs), as a renewable low carbon technology. The ASHPs would reduce CO2 emissions by an additional 36% in the residential units, 27% in the office accommodation and 51% for the Co-living element of the proposal.
- 12.20 Overheating risks have been assessed which shows that passive design measures can minimise overheating risk to a degree, but due to site constraints they are not able to fully meet all requirements. There may be occasions when natural ventilation openings must remain closed for noise,

pollution, or other reasons when a centralised air handling unit will be able to prevent summertime overheating.

- 12.21 Overall, the proposed carbon reduction measures are calculated to reduce CO2 emissions by 57% through on site measures. This meets the minimum requirement of 35% set in the London Plan for major schemes and exceeds the new benchmark figure of a 50% reduction recently adopted by the GLA.
- 12.22 Whilst the overall site wide reduction in CO2 emissions would meet the minimum on-site requirement for reductions, it falls short of achieving the zero carbon target in the London Plan. As such, a carbon offset payment is required to be secured. This is calculated based on a net-zero carbon target for both domestic and non-domestic element using the GLA's recommended carbon offset price (£95/tonne) or, where a local price has been set, the borough's carbon offset price. A carbon offset payment of £484,500 is estimated and is subject to the outcome of the revised Energy Strategy secured by condition.
- 12.23 In broad terms, the approach is acceptable in energy policy and CO2 reduction terms although there may be scope to revise the approach with regards to onsite energy generation.

### **Sustainability**

- 12.24 As required of a major development; a Sustainability Statement has been provided with the application. The sustainability statement identifies the key planning policies in relation to sustainable design and construction set out in the Local Plan and the London Plan. The sustainability measures that will be designed in include water efficiency, waste management and recycling facilities, use of building materials with low environmental impacts where possible, including recycled materials where feasible, inclusion of measures to minimise noise pollution and air quality impacts, flood risk and sustainable drainage measures (see separate comments), sustainable transport measures and biodiversity improvements. The development site will also be registered with the Considerate Constructors Scheme to encourage environmentally and socially considerate ways of working and reduce adverse impacts arising from the construction process.
- 12.25 The sustainability statement initially committed to achieving a BREEAM rating of 'very good'. In response to comments received, the Applicant has reviewed the BREEAM assessments, and the Sustainability Statement has been updated to reflect achievement of a higher performance level at BREEAM "Excellent" rating, with a target score of 72.99% set for the offices and 72.43% for the co-living.
- 12.26 A condition will require submission of a post-construction certificate to demonstrate that a rating of at least 'Excellent' has been achieved.

### **Whole Life Carbon**

- 12.27 As the proposed development is GLA referable a Circular Economy Statement and Whole-Life Cycle Carbon Assessment have been provided in accordance with London Plan Policy SI 7.
- 12.28 A Whole Lifecycle Carbon Assessment is submitted as required submitted assessing CO2 emissions associated with several stages of the design, construction, use and potential demolition of the proposed buildings, including embodied energy. The GLA have requested that a further review should be secured through a pre-commencement condition and a post-construction monitoring report should also be secured by condition.

### **Circular Economy**

- 12.29 A Circular Economy Statement is submitted required, and the assessment shows the proposal performs well in terms of the material use, largely due to the ability to re-use/recycle materials once the building is at the end of its useful life. Some recycled materials are proposed for use during its construction as well. Quantities of materials will be minimised, and they will be sourced responsibly and sustainably. A post-completion report will be produced to report on meeting the targets set in the Statement.
- 12.30 The Circular Economy Statement 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 GLA have requested that a post-construction report be provided with further details secured via a planning condition.
- 12.31 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. It is recommended that the implementation of the measures outlined in the Energy Strategy and Sustainability Assessment be conditioned.
- 12.32 Officers therefore consider that subject to conditions, 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.

### **Air Quality**

- 12.33 **London Plan Policy SI 1 (Improving air quality)**, 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.

- 12.34 **Local Plan Policy CC10 (Air Quality)**, states that the Council will seek to reduce the potential adverse air quality impacts of new developments through a range of policy measures.
- 12.35 An air quality assessment has been undertaken as part of the ES (Chapter 8 Volume I). Assesses the likely impact of the demolition/construction works and operational stages on local air quality and its subsequent effect on sensitive receptors.
- 12.36 The site is located adjacent to nearby emissions sources (i.e. Wood Lane (A219) and the Westway (A40)). The development site is located within a borough wide Air Quality Management Area (AQMA), declared in 2000 for two pollutants - Nitrogen Dioxide (NO<sub>2</sub>) and Particulate Matter (PM<sub>10</sub>). The main local sources of these pollutants are road traffic and buildings (gas boiler emissions). Also sited within the 'Acton A40 North Acton rail/Gypsy Corner/Savoy Circus/White City' Air Quality Focus Area (AQFA), the Low Emissions Zone (LEZ) which currently charges Heavy Goods Vehicles (HGVs), Light Goods Vehicles (LGVs), buses / minibuses and coaches that do not meet Euro VI (NO<sub>x</sub> and particulate matter (PM)) standards and the Ultra-Low Emissions Zone (ULEZ) following the recent expansion which took effect on the 25 October 2021. The ULEZ standards are Euro III (NO<sub>x</sub>), Euro IV (NO<sub>x</sub>) and Euro VI (NO<sub>x</sub> and PM) standards.
- 12.37 The main effects are expected to take place during construction phase, related to dust deposition and emissions from construction vehicles and machinery on the site. The potential impacts from demolition activities and dust emissions associated with these works are however expected to be small. Earthworks activities and emission magnitude associated with the construction works are expected to be medium. It is considered that the overall effect of development-generated demolition and construction traffic on nearby designated ecological sites is likely to be insignificant. The development is anticipated to generate approximately 31 peak vehicle trips per day (comprising 25 peak HDV vehicle trips) on roads during the demolition and construction phase. Any potential impacts associated with demolition and construction traffic would be temporary in nature, with the demolition and construction phase anticipated to have a maximum duration of approximately 30 months. With the inclusion of best practice mitigation measures, which include a Construction Environmental Management Plan (CEMP) and taking into consideration that construction vehicles are now expected to meet the more stringent Low Emission Zone (LEZ) emission standards (equivalent to the Ultra-Low Emission Zone (ULEZ) standards, the residual effects on all receptors are expected to be insignificant.
- 12.38 Once operational, the proposed development, is not expected to have a significant impact on local air. The development does not include any combustion plant and vehicle trip generation are only expected to result in an increase of 32 trips per day, which would result in a 0.1% increase in traffic levels on Wood Lane. The proposed energy strategy comprises ASHPs and would, therefore, not have any associated on-site building emissions. As

such, the development would be better than 'air quality neutral' in terms of building emissions.

- 12.39 Design interventions are proposed to improve the internal air quality conditions for future residents on the lower floors of the co living building. These include the installation of NO<sub>x</sub>/NO<sub>2</sub> filters to be fitted to the ventilation system servicing all residential units on the first to fourth floors; an ongoing maintenance schedule will be established to maintain the filtration system; external windows and doors to be sealed so as not to compromise the effectiveness of the filtration system on the first to fourth floors. Predicted NO<sub>2</sub> concentrations at the façade of the proposed development are below 60µg/m<sup>3</sup>.
- 12.40 As such, the likelihood of the short-term objective being exceeded at the proposed balconies and outdoor amenity terraces at Level 01 and above, where the short-term objective applies, is considered low. Air quality conditions are therefore considered likely to be suitable for the expected use of these areas.
- 12.41 Several conditions are recommended for various air quality control measures in relation to both construction and operational phases of the proposal. Conditions relating to 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.

#### **Ground Contamination**

- 12.42 **London Plan Policy SD1** encourages the strategic remediation of contaminated land.
- 12.43 **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.
- 12.44 A Phase 1 Contamination desk based assessment has been prepared and is appendix in the ES, drawing upon information available on the site to determine the likely exposure to contaminated land. The development area currently consists of a residential building and ancillary commercial building. Neighbouring land uses are predominantly in residential uses and include the railway embankment to the south. The geology underlying the site comprises made ground, and silty clay. Excavation works required to construct the development could potentially involve the removal of contaminated soils within the site.

- 12.45 Based on the information available to date, the overall risk for the redevelopment is considered low. Further detailed information is however required for an acceptable Desk Study/Preliminary Risk Assessment to be considered acceptable which would take place following the demolition of the buildings. Additional intrusive investigations might also be required prior to the commencement of construction to further quantify the levels of contaminants and explore beneath the ground. If remediation is required, these details can be appropriately and reasonably secured by way of conditions.
- 12.46 In summary, the assessment of ground conditions and implementation of the recommendations conclude that the site, as a whole, poses a low risk of significant harm to potential end users of the site or the controlled waters environment. Further ground investigation would however be required to confirm this and allow geotechnical data to be gathered to inform construction of the development.
- 12.47 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/informatives 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.

#### **Noise and Vibration**

- 12.48 **London Plan Policy D14 (Noise)** sets out measures to reduce, manage and mitigate noise to improve health and quality of life.
- 12.49 **Local Plan Policy CC11** 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. **Policy CC13** seeks to control pollution, including noise, and requires proposed developments to show that there would be 'no undue detriment to the general amenities enjoyed by existing surrounding occupiers of their properties'.
- 12.50 The noise and vibration effects of the proposed development have been assessed for both demolition and construction works and once the development is complete and operational (Chapter 9, ES Volume I). The existing baseline is heavily influenced by noise levels from traffic on the existing road networks, including the A40 (Westway), railway noise from the Central Line tracks to the south and surrounding construction works.
- 12.51 The submitted noise assessment confirms that vibration levels measured near the railway line at the site are not considered to be significant and no adverse impact on the development is likely because of railway vibration. For this reason there is no need for any noise mitigation from the LU tracks.

- 12.52 Consideration has been given to the impact of increase noise levels during the demolition/construction and operational phases of development. The cumulative impact of neighbouring construction works have also been taken into consideration. Receptors in different locations around the site have been identified, comprising predominantly existing residential properties. The impact on the living conditions of the proposed residential, co-living and office occupiers have been assessed for the operational stage.
- 12.53 Works during the demolition and construction stages are anticipated to increase noise levels immediately adjacent to the site. However, these works would only be of a temporary nature only and short to medium term. Best practice measures are proposed to mitigate against noise and vibration. Measures proposed include controlling hours of working, using appropriate machinery and following best practice procedures. Advanced notifications and consultation of particularly noisy activities is considered beneficial, and procedures should be put in place for noise complaints to be addressed. These measures are included in the Outline Construction Environmental Management Plan (OCEMP) provided in ES and a final CEMP would be conditioned. With these measure in place, it is considered that the residual noise and vibration effects of the construction works on surrounding residents would range from Negligible to Minor Adverse.
- 12.54 Acoustic design principles have informed the proposed design and layout, with outdoor amenity spaces either raised or sheltered to the rear of the scheme facing onto the internal courtyard. Sound proofing is also proposed in terms of glazing specification and cladding. Mechanical ventilation is proposed. This would ensure that the overheating and noise criteria can be met which would necessitate windows being closed during sleeping hours to control noise levels. The development includes service plant which has the potential to generate increase noise levels. The plant would be designed and attenuated to minimise disturbance at nearby residential properties. Plant and servicing during the operational phase would be conditioned to be below existing background noise levels and as such the long-term effect is likely to be of negligible to minor significance.
- 12.55 Officers consider that the impacts for noise and vibration have been satisfactorily assessed. The proposed development is considered acceptable subject to mitigation measures including insulation and anti-vibration measures for machinery and plant and suitable noise level limits secured by conditions. Subject to the inclusion of conditions requiring the implementation of the submitted documents and submission of further information, officers consider that that residents of the proposed development and neighbouring occupiers would not experience any significant adverse noise or vibration impacts.
- 12.56 The environmental protection team have considered the proposals and raise no objections subject to conditions regarding sound insulation, plant machinery and construction management. Subject to these conditions the proposals would accord with London Plan Policy D14 and Policies CC11 and CC13 of the Local Plan.

### **Light Pollution**

- 12.57 **Local Plan Policy CC12 (Light Pollution)** seeks to control the adverse impacts of lighting arrangements including that from signage and other sources of illumination.
- 12.58 The existing site would be replaced with a residential led development. A condition would ensure 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'.
- 12.59 As such officers consider that the proposal accords with the requirements of Policies CC12 of the Local Plan 2018.

### **Archaeology**

- 12.60 **London Plan Policy HC1 (Heritage conservation and growth)** states that new development should make provision for the protection of archaeological resources. Together with Policy DC1 of the Local Plan, **Policy DC8** sets out the principles for the conservation and protection of heritage in the borough. Supporting paragraph 5.2.3 states that where the preservation of remains in situ is not possible or is not merited, 'planning permission may be subject to conditions and/or formal agreement requiring the developer to secure investigation and recording of the remains and publication of the results'.
- 12.61 An Archaeological – Historic Environment Assessment prepared by MOLA was submitted with the original proposal and has been amended with the revised proposals. The assessment confirms that there are no designated heritage assets such as Scheduled Monuments, Listed Buildings or Registered Parks and Gardens within the site and is not located within a locally defined Archaeological Priority Area. The desk based study sets out that the site was first partially developed in the 1950's when Browning House was built, and the southern section formed part of a railway cutting for the London Underground Central Line. The assessment concludes that there is low potential for the site to contain archaeology remains. As a result, it recommends that no further archaeological work is required in relation to the determination of the planning application.
- 12.62 Historic England's – The Greater London Archaeological Advisory Service (GLAAS) provides archaeological advice to the borough and were consulted on the original and amended schemes. GLAAS agree with the findings of the assessment and confirm that no further archaeological work or condition is required in this particular instance.
- 12.63 Officers consider that the that the details submitted sufficient addresses the archaeological considerations and accords with the NPPF, Policy HC1 of the London Plan 2021 and Policy DC8 of the Local Plan 2018.



### **Arboriculture, Ecology and Biodiversity**

- 12.64 The NPPF requires that development should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); minimise impacts on and provide net gains for biodiversity, preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability; and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.
- 12.65 **London Plan Policy G5** states that major development proposals should 'contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage'. 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). **London Policy G7** states that existing trees of quality should be retained wherever possible or replace where necessary. New trees are generally expected in new development, particularly large-canopied species.
- 12.66 **London Plan Policy G6** seeks to protect Sites of Importance for Nature Conservation (SINCs) and avoid harm. Where harm is unavoidable, this should be managed and mitigated to secure net biodiversity aim.
- 12.67 **Local Plan Policies OS1 and OS5** seeks to enhance biodiversity and green infrastructure in the borough by (inter alia) maximising the provision of gardens, garden space and soft landscaping, and seeking green and brown roofs and planting as part of new development; seeking retention of existing trees and provision of new trees on development sites; and adding to the greening of streets and the public realm. **Policy OS4** relates to nature conservation areas and green corridors and prevent harm to ecological (habitats and species) value from development.
- 12.68 A range of urban greening measures are proposed. This includes the creation of terraced landscaping within raised beds adjacent to the stepped and ramped pedestrian route to the rear. Raised planters would also be provided adjacent to the public realm and on roof terraces. A shade garden would also be provided within the first floor level courtyard space of the co-living space. Green and brown roofs are proposed at Level 07 and 18. The scheme also proposes a strip of replacement planting along the site's southern boundary with the Central Line.
- 12.69 The applicant has undertaken an Urban Greening Factor (UGF) assessment and the scheme would meet the 0.4 benchmark in the London Plan. Overall, officers consider that the proposals have maximised the potential for urban greening considering the characteristics of the site and the proposed

development. As such, the application would accord with London Plan Policy G4.

- 12.70 An Arboricultural Impact Assessment has been submitted. There are no Tree Preservation Orders within or close to the site. The development proposes the removal of four trees – 3 Ash and a Flowering Crab Apple (Category C), one group of mixed species and one hedgerow. The trees are in the south-eastern corner of the site and considered to be poor specimens mainly due to their general condition and structural conditions, and of a low retention value. In addition, some tree pruning works would be required to the remaining retained trees/planting present on the site. In summary, the loss of the trees would not have a significant impact upon the visual amenity of the local area and unlikely to impact on the Root Protection Areas (RPAs) of the retained trees. These areas can be protected using construction exclusion zones and Tree Protection Barriers. A condition is recommended during the proposed construction works to ensure minimal risk upon neighbouring trees to be retained.
- 12.71 The new public realm incorporates recommendations to enhance the biodiversity value such as the inclusion of wildlife planting as part of the landscaping and a biodiverse roof. The final measures to be included will come forward as part of the landscaping details required by condition.
- 12.72 The impact of the proposed development on the existing SINC to the south of the site have been considered as part of the applicant's Ecological Impact Assessment. This included a Preliminary Ecological Appraisal (PEA). The report points out that there are few sensitive ecological receptors within the vicinity of the site except for the Central Line West of White City SINC, situated adjacent to the site. A very small area of the SINC overlaps the site (310 sqm.) and would be lost. The loss of this space is not considered significant, based on its location beside an existing underground bridge and level of habitat lost. This area comprises scattered native and non-native shrubs, poor natural grassland and hard-standing. This is only 0.4% of the overall 7.79 hectare SINC and its removal would not have a significant adverse impact on the SINC as a whole. The loss would be mitigated by the provision of a 92 sqm. wildflower and native shrub planting area within the development. Construction and demolition impacts would need to be managed by condition to protect the surrounding areas of the SINC. Net biodiversity gains would be achieved elsewhere on the site with the design featuring green and brown roofs areas which create new habitat of value to invertebrates, birds and bats with the inclusion of nest boxes. Overall, the development will contribute towards meaningful biodiversity. Subject to this being secured, the application would comply with London Plan Policy G6.
- 12.73 Subject to the inclusion of conditions officers consider that the proposed development accords with Policies G5, G6 and G7 of the London Plan and Policies OS1, OS4 and OS5 of the Local Plan in terms of ecological and urban greening.

### **Wind Microclimate**

- 12.74 **London Plan Policy GG1** requires streets and public spaces to be planned for circulation by the comfort in comfort and safety, and to be welcoming. **London Plan Policy D8** addresses the environmental impact of tall buildings, requiring careful consideration of the wind conditions around tall buildings and their neighbourhoods so that they do not compromise the comfort and enjoyment of them.
- 12.75 **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.
- 12.76 The potential impact of the proposed development on the wind microclimate of the site, and the immediate surrounding area has been considered. The ES considers the likely effects of the proposed development on the local wind environment and surrounding areas (in Chapter 10, ES Volume I). A Wind Microclimate Assessment has been produced. The Lawson's Wind Comfort and Pedestrian Safety criteria is well established as a benchmark used to quantify wind conditions on building environments and includes guidance on desirable wind speed thresholds for a range of uses such as walking, sitting, and standing.
- 12.77 A wind tunnel study has been carried out to assess the pedestrian level wind microclimate conditions on the site and surrounding areas. Effects on receptors up to 360m radius from the site was considered from the proposed development. Computer measurements of wind speed have been taken for a total of up to 132 locations within and surrounding the site. Four scenarios were assessed: (1) Existing site conditions with existing surrounding buildings (the baseline); (2) The proposed development on-site with existing surrounding buildings; (3) The development with proposed landscaping and existing surrounding buildings. and (4): The proposed development with cumulative schemes in the surrounding area. Testing has been assessed for both summer and winter seasons and on sensitive receptor locations such as outdoor amenity areas, pedestrian paths, entrances, bus stop and landscaped areas has been carried out. The baseline scenario has wind conditions typical of a low-rise suburban area. The wind microclimate at the existing site and in the surrounding area is relatively calm. The conditions are suitable for strolling use (at worst), and predominantly suitable for sitting, during the windiest season. An assessment of the cumulative impacts has been carried out and a qualitative assessment has also considered the effects on the wind environment during the construction stage. Cumulative Schemes would not give rise to any materially different wind microclimate effects over and above those identified for the Development in isolation and that no additional mitigation would be required.
- 12.78 The assessment of the existing conditions indicates that all the locations measured at the site and in the surrounding area are suitable for either sitting or strolling in both winter and summer. The proposed development once

completed is expected to experience wind conditions on the site and surrounding area suitable for the intended use. The likely effect on throughfares, entrances, and off site amenity space is expected to be insignificant and would benefit from the landscaping mitigation works proposed. Within the development, all terrace level amenity spaces would be suitable for sitting and standing use during the summer season.

12.79 Overall pedestrian comfort and safety is assessed to be suitable for walking, sitting, and standing within the site during both the winter and summer months. It is considered that the impacts outlined above on the upper floors particularly the terrace on the 16<sup>th</sup> floor can be secured by appropriate conditions. Subject to the inclusion of conditions requiring the implementation the mitigation measures required and landscaping, officers consider that the proposed development accords with Policies GG1, D8 and D9 of the London Plan (2021) and Policies DC3 and CC2 of the Local Plan (2018).

### **13.0 SOCIO-ECONOMIC BENEFITS/SOCIAL VALUE**

13.1 **London Plan Policy E2 (C)**, states that the applicant should show how a proportion of low cost and flexible business space would be incorporated into the proposals to provide workspace suitable for small and medium sized enterprises.

13.2 **Local Plan Policy E1** requires flexible and affordable space suitable for small to medium enterprises in new large business development. **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.

13.3 A socio-economics impact assessment is included in the ES using a wide range of information sources, including census data and studies/assessments relating to businesses, housing, travel and commuting patterns, education, and health care (Chapter 7, ES Volume I and appendices). The ES expects temporary demolition and construction benefits during the 30 months works programme, through the creation of temporary jobs. The ES estimates that works associated with the development would generate equivalent to 313 temporary construction jobs over the construction period of which 204 could be in the borough. Furthermore the would generate approximately £27.7 million in GVA during construction and £3.6m once completed, as well as an annual expenditure by residents of £1.6 million per annum and £219,118 per annum in additional Council Tax receipts for the Council. This is considered to be a beneficial effect of moderate significance.

13.4 The development would also generate a small number of permanent jobs once completed and operational across office space, as well as employment needed for the functioning of the co-living accommodation (including a café, gym, and reception). The development would be expected to generate approximately 46 net additional jobs regionally (within Greater London), of which 24 would be in the LBHF. This would generate approximately £1.8 million in additional GVA at the district level (within the borough).

- 13.5 The applicant would be required to work with the borough and local training, employment, and education agencies to maximise local take up of positions during the construction phase of the development. The legal agreement will secure that 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.
- 13.6 The proposed development would deliver 209 co-living (studio) privately rented units and 60 WPH one bedroom affordable units (24 intermediate and 36 replacement affordable rent). In effect this would result in an increase of 233 units. Based on most of the units having single occupancy, it is estimated the development would generate a population yield of 284 of which 248 would be net additional residents. Residents of the development would be anticipated to generate annual expenditure of £1.6 million per annum within the district economy and £219,118 per annum in additional Council Tax receipts. The development would also contribute to the overall housing delivery targets for the borough.
- 13.7 Based on the HUDU guidance of 1,800 patients per GP, the 248 new residents would require an additional 0.1 GPs. There is however a deficit of available GP capacity within proximity of the site. As such the development's forecast population could add further pressure to the baseline situation. The population generated from the proposed development is however low, and it is estimated that up to 50% of the WPH units would be filled by residents on the Council's Housing Register, and so will be local people to the borough and could be already registered at a local GP practice. As a result, the magnitude of the change to the baseline position is considered to be small.
- 13.8 Similarly the demand on open space is expected to be small. The development would deliver 957 sqm. of accessible and residential amenity space on site made up of publicly accessible space at ground floor level and resident amenity space on the upper floors. The total public open space requirement arising from the development based on a total population yield of 284 (net additional 248) is 4,500 sqm. (Net 3,968 sqm). It is considered the open spaces identified near the site including Bentworth open space and large open spaces at Wormwood Scrubs and Hammersmith Park, would help to make up some of the identified shortfall.
- 13.9 The social and community impacts on the local population, including infrastructure and uses for education, health care, open space, child and young people's play space have been taken into consideration with the increase population estimated on the site. The demand arising from the development should be met by on site provision or by other forms of off-site mitigation. The applicants state that both the WPH residential and the Co-Living units would mainly accommodate only one person per dwelling and would not expected to generate a child yield. Therefore, education and play space requirements are excluded from consideration.

- 13.10 In summary, the development will have an overall positive socio economic impact through the provision of employment opportunities and economic multiplier effects and through the provision of new affordable housing.
- 13.11 The proposed development will deliver more affordable homes and there are benefits associated with providing good quality housing accommodation in terms of mental and physical wellbeing. The creation of new public realm and landscaping features will also serve the needs of proposed residents and the wider community; and make tangible improvements to biodiversity.

## **14.0 COMMUNITY INFRASTRUCTURE LEVY (CIL)**

### **Mayoral / Borough CIL**

- 14.1 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 development would be subject to a CIL payment. 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 8.3.
- 14.2 The Council has also set a local CIL charge levied on the net increase in floorspace arising from developments to fund infrastructure that is needed to support development. The CIL Charging Schedule has formally taken effect since the 1 September 2015.
- 14.3 In conclusion, the Mayoral CIL contribution is estimated to be £672,769.81. The development does not a Local CIL charge.

## **15.0 SECTION 106 HEADS OF TERMS**

- 15.1 The NPPF provides guidance for local planning authorities in considering the use of planning obligations. It states that 'authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations and that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition'.
- 15.2 **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.
- 15.3 **Local Plan Policy INFRA1** (Planning Contributions and Infrastructure Planning) advises that the Council will seek planning contributions to ensure the necessary infrastructure to support the Local Plan is delivered using two main mechanisms 'Community Infrastructure Levy (CIL) and Section 106 Agreements (s106).
- 15.4 The planning obligations set out in the heads of terms below are considered necessary to make the development acceptable in planning terms, they are

related to the development and fairly and reasonable in scale and kind to the development. A Section 106 agreement is therefore required to ensure the proposal is in accordance with the statutory development plan and to secure the necessary infrastructure to mitigate the needs of the Proposed Development.

15.5 In view of the fact the Section 106 agreement will be the subject of extended negotiations, officers consider that circumstances may arise which may result in the need to make minor modifications to the conditions and obligations (which may include the variation, addition, or deletion). Accordingly, the second recommendation has been drafted to authorise the Chief Planning Officer after consultation with the Director of Law and the Chair of the Planning and Development Control Committee, to authorise the changes he/she considers necessary and appropriate, within the scope of such delegated authority.

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

**A. 60 Affordable homes comprising:**

- 36 social-rented units and
- 24 units at intermediate rent
- Nomination, tenancy and rent levels
- A late stage viability review mechanism.

**B. 209 Co-living units**

- Minimum tenancy period of no less than three months
- Submission of a detailed final Management Plan including details of the appointed Co-living site manager/s

**C. Financial contribution totalling £4,300,000 that will contribute to:**

- Economic development, adult learning and skills in the borough including commitment towards at least 10% construction labour from within the borough, securing apprenticeships and work experience placements, and an employment and skills place and contributions to local SMEs, supply chain procurement plan for 10% of the total build cost to be spent in borough on the construction of the development and report evidence of progress of the delivery of these targets to the council on a quarterly basis.
- Social, physical, economic and transport Infrastructure Contribution.
- Construction Workforce Travel Plan with a monitoring fee (£5,000 paid every 12 months from the anniversary of commencement of development)
- Travel Plan (Residential/office use and Co-Living use) monitoring fee (£5,000 paid at review years 1, 3 and 5). Travel Plan measures should include car club membership).
- Construction Logistics Plan monitoring cost (£5,000 submitted prior to commencement) plus reviews
- Construction Site AQDMP compliance monitoring fee (£10,000) submitted prior to commencement and then paid every 12 months until completion of the construction phase of the development.

- Delivery and Servicing Plan, and monitoring contribution (include a review and surveys of delivery and servicing activities at the site in year 1, 3 and 5), (the same as the wording for a Travel Plan), and any necessary mitigation identified within the Delivery and Servicing reviews shall be implemented in full.

**D. Wheelchair Accessible Units**

- For both the residential and co-living units

**E. Office space made available for the local community use at zero cost.**

- Secure details of the regular use of the office space as part of a “cross organisation estate forum” with the landowners and local community, and commitment

**F. Highway Works**

- Required to enter into a s278 agreement with the Highway Authority to deliver these improvements.
- Footway reinstatement/improvements works on Wood Lane
- Closure of redundant crossover on Wood Lane
- Improvements to the informal crossing adjacent to the site on Wood Lane (between the application site and the Wood Lane Du Cane Road junction).
- Improvements to the existing bus stop facilities on the site frontage on Wood Lane, including an audit of the bus stop to ensure the existing location does not conflict with the proposed building entrances at the site. The applicant should meet the cost of any recommendations in in the Audit.

**G. No business/residential parking permits**

- Commitment to ensure the proposed development is car-permit free except blue badge holders.

**H. Energy and sustainability**

- Carbon dioxide emission offset contribution estimated at £484,500 subject to a revised Energy Strategy secured by condition.

**I. The retention of the architects.**

- J. Council’s Legal Costs** - Payment of the Council’s reasonable legal and other professional costs incurred in preparing the S106 agreement

**16.0 CONCLUSION**

16.1. In considering planning applications, the Local Planning Authority needs to consider whether or not the proposed development accords with the development plan as a whole and any other material considerations. The NPPF explains that planning applications that accord with the development plan should be approved without delay.

16.2. In the assessment of the application regard has been given to the NPPF, London Plan, and Local Plan policies as well as guidance. It is considered



that the proposal is acceptable in land use and design terms. The quantum of the proposed land uses and the resulting nature of the site does not give rise to any unacceptable impacts and will amount to sustainable development in accordance with the National Planning Policy Framework.

- 16.3. The proposal would result in the redevelopment of a site providing poor quality housing for Women's Pioneer Housing, and a partially vacant site and to deliver a mixed development of 60 homes for Women's Pioneer Housing which represents 100% affordable housing units which is a significant strategic priority within the council's Local Plan, together with 209 Co-living units. The proposal is of a design that is considered to be of a high quality that would enhance and preserve the area. Except for the housing mix, the residential and Co-living units would meet policy requirements, in addition to renewal of existing public realm for the wider public benefit. The proposal realises the aims and objectives of national, regional and local policy.
- 16.4 The proposed development is considered to have an acceptable impact upon the amenities and living conditions within surrounding properties in respect of daylight, sunlight, overshadowing, overlooking/privacy, and noise impacts.
- 16.5 The redevelopment would also contribute beneficially to the local area and the borough by creating a high quality built environment, delivering an excellent sustainability rating, and would see a car free development with policy compliant cycle spaces and adapting to climate change.
- 16.6 The height, scale and massing of the proposed built form is appropriate and provides a satisfactory design response to the site and surrounding townscape, delivering an appropriate level of density with regard to its location and the size of the site. The elevations have an architectural character which provides interest across the frontages and the relationship between the built form and public realm would assist in the creation of a sense of place.
- 16.7 No harm has been identified to the setting of adjacent heritage assets.
- 16.8 It is a matter of judgement as to whether or not the granting of planning permission would accord with the development plan when taken as a whole with due regard to the importance of the policies complied with or breached, and the extent of compliance or breach.
- 16.9 In this case, as explained above, there is conflict with the plan-led element of Local Plan Policy DC3, but the extent and significance of policy conflict is reduced by the absence of any disruptive or harmful impact on the skyline. The proposed development also accords with the tall buildings policy of the London Plan, Policy D9, Officer's views on those matters are consistent with the conclusions reached in the Mayor of London's Stage 1 Report.
- 16.10 The spatial strategy of locating tall buildings in identified areas is considered to be an important element of the policy as the supporting text explains that the proper location of tall buildings is an integral part of the long term spatial

vision for the borough. Members should also note that the plan-led approach is strengthened in Policy D9 of the London Plan, and this is relevant to the importance of the identified element of policy conflict. Although the scheme would not disrupt or harm the skyline, the importance of the spatial strategy for the distribution of tall buildings is such that the conflict with Policy DC3 is nevertheless afforded significant weight. However, that needs to be weighed against the substantial extent of compliance with other important and relevant policies as set out above, including the strategic tall buildings policy in the adopted London Plan. Having regard to the overall picture it is not considered that the policy conflict that has been identified results in the proposal conflicting with the development plan when read as a whole.

- 16.11 Even if a different conclusion were reached in respect of compliance with the plan as a whole, the overall planning balance would nevertheless weigh in favour of the grant of planning permission when regard is had to the extent of policy compliance and the impacts of the proposal, and the other material considerations summarised below.

#### Other Material Considerations

- 16.12 Consideration must be given to other material considerations when deciding whether or not to grant planning permission.
- 16.13 As demonstrated in the above assessment, the proposal would be acceptable against the criteria set out in London Plan Policy D9 – Tall Buildings.
- 16.14 As the site falls outside of such an area it is considered that the respective framework of Local Plan Policy DC3 do not apply to the assessment of this scheme for the purpose of determining compliance or otherwise with those policies. However, it is noted that the purpose of the criteria is to guide an assessment of the acceptability of tall building proposals by reference to relevant factors. As such, an assessment of the impact of the proposal against those criteria is considered to be a useful exercise as another material consideration and is set out below.

#### Local Plan DC3 – Tall Buildings

*a. has a positive relationship to the surrounding townscape context in terms of scale, streetscape and built form*

- 16.15 As described in the design, heritage, and townscape section above, the context of the development site varies significantly between the modern tall/large buildings of the Imperial North Campus and the smaller scale development to the north-west of the site.
- 16.16 The scale of the block would respond well to this context; the development is considered to create a positive relationship and balance, providing a transitional tall building within the surrounding context overall.

*b. is of the highest quality of architectural design and materials with an appropriate form and silhouette which contributes positively to the built heritage and image of the borough*

16.17 The architectural approach of the scheme has been sensitively designed to create a high-quality development with its own sense of character; whilst also respecting the character of neighbouring developments.

16.18 Overall, the building has a strong character and expression, use of brick and secondary metal cladding detailing are considered to be robust and durable materials. As a tall building the proposal includes a variety in detailing from its base, middle and top which adds to its quality overall. The recessed and lightweight detailing of the crown of the building would be a particularly positive addition to the skyline.

*c. has an acceptable impact on the skyline, and views from and to open spaces, the riverside and waterways and other locally important views and prospects*

16.19 As discussed above, the architectural quality of the scheme, coupled with its height will complementing the form and group value of other tall/large buildings within the local area, namely those tall/large buildings within the Imperial North Campus. The scheme would assist in providing a balanced and more gentle transition between the extent of existing/consented tall buildings and other smaller scale developments within the surrounding townscape context. As such the scheme is considered to have a beneficial impact to the skyline overall.

*d. has had full regard to the significance of heritage assets including the setting of, and views to and from, such assets, has no unacceptable harmful impacts, and should comply with Historic England guidance on tall buildings*

16.20 The application is supported by a fully detailed Heritage, Townscape and Visual Impact Assessment, which appraises the impacts of the development upon surrounding heritage assets. The outcome of this assessment is that the scheme would not cause harm to the setting or significance of any adjacent heritage assets.

*e. is supported by appropriate transport infrastructure*

16.21 As assessed in the relevant section above, the proposal is a car free development with a focus on cycle provision. A transport Assessment has been submitted and it is considered that the appropriate infrastructure is in place to support the proposal

*f. has an appropriate design at the base of the tall building and provides ground floor activity*

16.22 The ground floor of the building incorporates a variety of activities which will activate and provide passive surveillance of the street, facilities included

amenity areas for the residents of the co-living element of the scheme and office space for Women's Pioneer Housing.

*g. interacts positively to the public realm and contributes to the permeability of the area*

16.23 The public realm is well designed and serves to offer new and improved public spaces most notably the environs of Wood Lane and Pioneer Way. The scheme will also deliver a new and accessible pedestrian route linking these streets.

*h. is of a sustainable design and construction, including minimising energy use and the risk of overheating through passive design measures, and the design allows for adaptation of the space*

16.24 The proposed development is seeking to achieve an 'Excellent' BREEAM rating which ensure that this proposal would meet the highest environmental and sustainability standards.

*i. does not have a detrimental impact on the local environment in terms of microclimate, overshadowing, light spillage and vehicle movements*

16.25 As assessed in the environmental consideration sections of this report the impacts from microclimate are acceptable and appropriately mitigated by the secured condition. A Daylight, Sunlight, and Overshadowing Assessment has been prepared which shows that there would be some minor reduction in terms of daylight amenity for the surrounding area. The Assessment states the neighbouring properties receive an unusually good level of amenity for an urban location, and therefore some reductions are inevitable.

16.26 Overall, it is considered that these reductions are acceptable and that the retained levels of sunlight and daylight amenity are good for an urban location such as this. Consequently, this proposal would not have an unacceptable impact on surrounding daylight and sunlight levels. Light spillage will be commensurate with a residential building and is not considered to result in unacceptable impacts. The scheme is car free and as such car ownership will be low, further restrictions are in place by way of permit restrictions in the wider area secured by legal agreement.

*j. respects the principles of accessible and inclusive design.*

16.27 27 of the proposed units will be wheelchair accessible and level access is provided at entrance level as well as lifts.

16.28 The above analysis demonstrates that the proposal meets most of these criteria of DC3 and it is noted that the criteria of Policy DC3 and London Plan Policy D9 are significantly similar.

16.29 For the reasons set out in this report, officers consider that this is a suitable site for the proposed tall building notwithstanding the fact that it is located

outside those areas identified in Local Plan Policy DC3. Based upon the outcome of this assessment, the proposal is not considered to result in a disruptive and harmful impact on the skyline of Hammersmith and Fulham.

#### Public Benefits

- 16.30 There are several significant public benefits that will be delivered including:
- 60 new high quality homes managed by Women's Pioneer Housing, (replacing 24 poor quality units) to meet the specialist objectives of providing affordable housing for single women.
  - 209 privately rented Co-Living homes that meet all necessary management and design standards required by the GLA
  - 36.4% affordable housing provision of the total number of habitable rooms in the development
  - 497 sqm. new office accommodation for Women's Pioneer Housing which can also be used by the local community
  - A high-quality building which relates well to the Imperial North Campus and wider regeneration of White City
  - Improved public realm and pedestrian experience
  - Enhancements to local accessibility and permeability with significant enhancement to on site landscaping
  - Creation of an estimated 313 construction jobs and 58 full time jobs

#### Balance

- 16.31 While an element of conflict has been identified with Policy DC3 and significant weight is accorded to that conflict, having regard to the extent of the compliance with other important and relevant development plan policies as set out above, officers consider this does not result in the proposal conflicting with the development plan when read as a whole. The proposed development is therefore considered to accord with the development plan when considered as a whole.
- 16.32 There are other important material considerations that support the grant of planning permission. As summarised above, these include the delivery of several significant public benefits and the acceptability of the proposed development when assessed on a systematic basis against relevant factors identified in policy.
- 16.33 The other material considerations set out above should be afforded significant weight, and in the view of officers this would be sufficient to justify the grant of planning permission even if a different judgment were reached on the question of overall compliance with the development plan.
- 16.34 Accordingly, it is recommended that planning permission be granted for the proposed development, subject to no contrary direction from the Mayor of London, the completion of a satisfactory Legal Agreement based on the Heads of Terms outlined above and subject to the conditions listed at the beginning of this report.

# Agenda Item 5

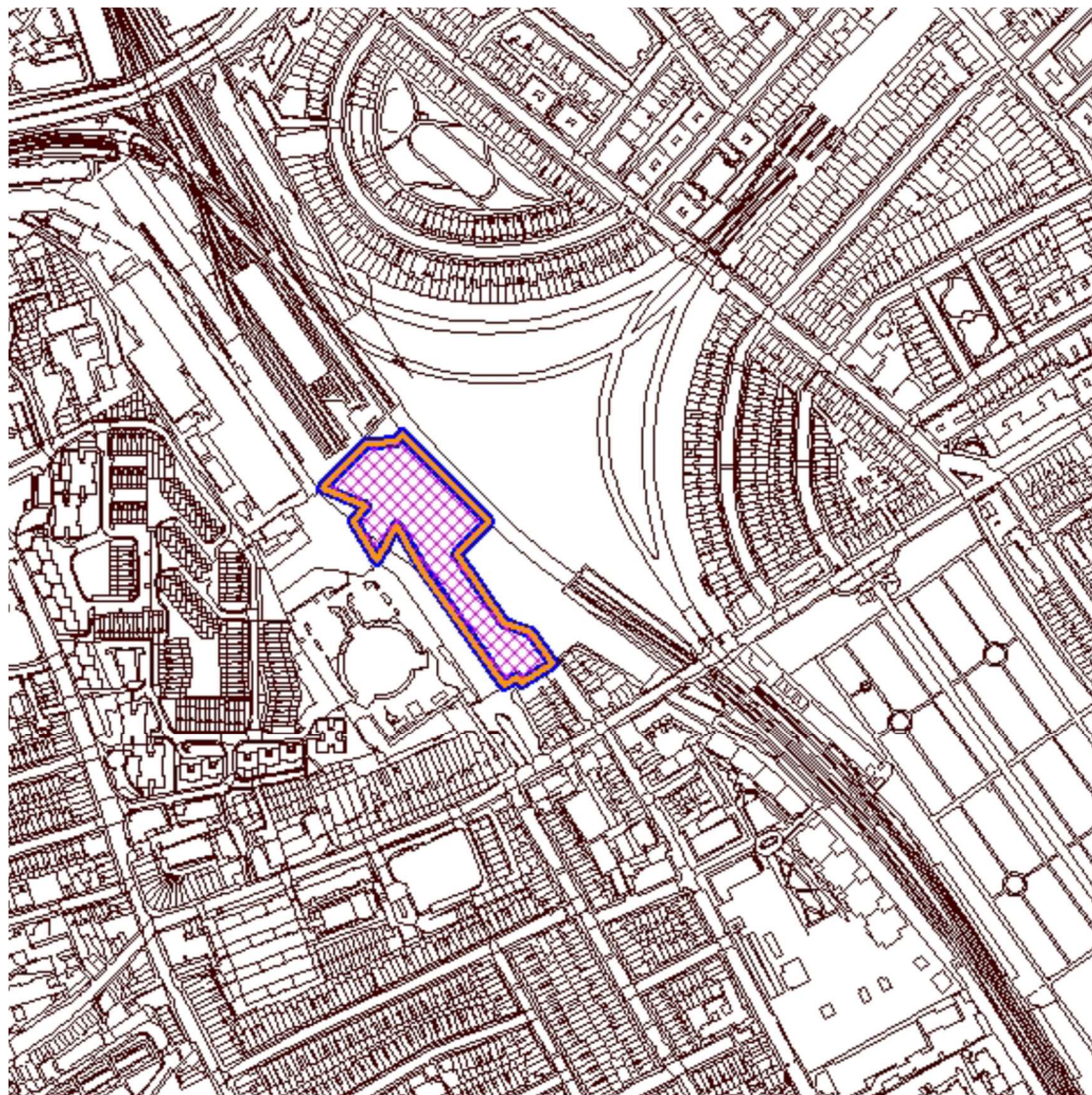
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**Ward:**

West Kensington

**Site Address:**

Former Earls Court 2 Exhibition Centre Land, Empress Place SW6 1TW



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**Reg. No:**

2022/02045/FUL

**Case Officer:**

Violet Dixon

**Date Valid:**

19.07.2022

**Conservation Area**

N/A

**Committee Date:**

11.10.2022

**Applicant:**

Live Nation (Music) UK Ltd

c/o Agent: DP9 Ltd, 100 Pall Mall London SW1Y 5NQ

**Description:**

Installation of a temporary building for the purposes of a BBC exhibition for a 2 year period (excluding installation de-installation) and together with other associated and enabling works to include a gift shop, back of house and support facilities, external landscaping, boundary fencing, plant and vehicle servicing access and cycle parking arrangements.

**Application Type:**

Full Detailed Planning Application

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**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.

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**CONDITIONS**

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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.

**1. Temporary Use**

The development hereby approved shall be for a limited period only, carried out between the 12/10/2022 to 15/04/2025 (inclusive of installation and de-installation). All buildings, structures or associated equipment carried out under this permission shall be removed from the site by no later than the 15/04/2025 and the site shall be restored to its former condition.

To comply with the wider regeneration of the site and to allow the Council to assess the impact of the operation of the use on the amenities of surrounding occupiers in accordance with Policies FRA, FRA1, CC6, CC7, CC11, CC12, CC13, DC1, DC2, DC8 and DC9 of the Local Plan (2018).

## **2. Approved Drawings/Documents**

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

- 2203-WOO-ZZ-XX-DR-A-0001
- 2203-WOO-ZZ-00-DR-A-0010
- 2203-WOO-ZZ-00-DR-A-0011
- 2203-WOO-ZZ-00-DR-A-0100
- 2203-WOO-ZZ-00-DR-A-0101
- 2203-WOO-ZZ-00-DR-A-0102
- 2203-WOO-ZZ-00-DR-A-0201
- 2203-WOO-ZZ-00-DR-A-0202
- 2203-WOO-ZZ-00-DR-A-0301
- 2203-WOO-ZZ-00-DR-A-0302
- 2203-WOO-ZZ-00-DR-A-0303
- 2203-WOO-ZZ-00-DR-A-1100
- 2203-WOO-ZZ-00-DR-A-1200
- 2203-WOO-ZZ-01-DR-A-1301
- 2203-WOO-ZZ-00-DR-A-1300
- Cover Letter prepared by DP9 dated 14 July 2022
- Planning Statement prepared by DP9 dated July 2022
- Geo-Environmental Preliminary Risk Assessment prepared by WSP dated May 2022
- Generic Quantitative Risk Assessment prepared by WSP dated September 2022
- Transport Assessment (prepared by Live Nation/Momentum) and Addendum dated 30 September 2022 (prepared by Momentum)
- Delivery and Servicing Plan prepared by Live Nation dated 23 May 2022
- Framework Staff Travel Plan prepared by Live Nation dated May 2022
- Framework Visitor Travel Plan prepared by Live Nation dated May 2022
- Construction Management Plan Version 4 prepared by ES Global Solutions dated 29 September 2022
- Design and Access Statement prepared by WOO Architects dated May 2022
- Lighting Planning Submission prepared by Michael Grubb Studio dated 19 May 2022
- Fire Statement Rev 4 prepared by Design Fire Consultants dated 4 July 2022



- Noise Assessment Rev P03 prepared by Max Fordham dated 24 May 2022
- Venue Operational Management Plan Version 5 prepared by Live Nation dated 30 September 2022
- Foul and Surface Water Drainage Strategy Rev 03 prepared by 7 Engineering Consultancy dated May 2022
- Sustainability Charter prepared by Moon Eye Productions
- Building Regulations Part L2A Calculation Rev 2.0 prepared by Griffiths Evans dated 21 September 2022

To ensure full compliance with the temporary planning permission hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with Policies CC6, CC7, CC11, CC12, DC1, DC2, DC8, DC9, T2 and T3 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD (2018).

### **3. Operational Management Plan**

The use hereby permitted shall be carried out in accordance with the Venue Operational Management Plan Version 5 prepared by Live Nation dated 30 September 2022 and thereafter be permanently retained for the temporary period permitted.

To ensure that the amenity of occupiers of the development site/surrounding premises is not adversely affected by noise, in accordance with Policies CC7, CC11, CC12, CC13 and T2 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD (2018).

### **4. Opening Hours**

Members of the public shall not be on the site in connection with the use hereby permitted other than between the hours of 09:00 to 22:00 hours on Sunday – Wednesday (including Public/Bank Holidays) and 09:00 to 23:00 hours on Thursday - Saturday.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise from activities or people at or leaving the site, in accordance with Policies CC11 and CC13 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD (2018).

### **5. Maximum Capacity**

The maximum capacity of the use hereby permitted shall not exceed 650 guests / visitors in total at any one time.

To ensure that the use would not lead to potential noise and disturbance which could be harmful to the amenities adjoining residents, in accordance with Policies CC11, CC13 and T2 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD (2018).

## **6. Noise from Use and Activities**

Noise from uses and activities within the building/development site shall not exceed the criteria of BS8233:2014 at neighbouring noise sensitive/ habitable rooms and private external amenity spaces.

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.

## **7. External Noise - Plant**

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

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

## **8. Artificial Lighting**

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

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

## **9. Cycle Storage Facilities**

Prior to the first use of the development hereby permitted, the cycle storage facilities, shown on approved drawing no. 2203-WOO-ZZ-00-DR-A-1100 shall be installed in full accordance with the approved details. The cycle storage facilities shall thereafter be permanently retained and maintained for the lifetime of the permission.

To ensure adequate provision of cycle storage for employees/visitors in accordance with Policy T5 of the London Plan (2021) and Policy T3 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD (2018).

## **10. NRMM and On Road Vehicle Emission compliance**

No non-road mobile machinery (NRMM) shall be used on the site unless it is compliant with the Stage IV NO<sub>x</sub> and PM<sub>10</sub> emission criteria of The Non-Road Mobile Machinery (Type-Approval and Emission of Gaseous and Particulate Pollutants) Regulations 2018 (or any superseding requirements). This will apply to both variable and constant speed engines for both NO<sub>x</sub> and PM. An inventory of all NRMM for the development shall be registered on the NRMM register <https://london.gov.uk/non-road-mobile-machinery-register> prior to commencement of works.

To ensure that air quality is not adversely affected by the development in line with Policy CC10 of the Local Plan 2018 and Policy SI 1 of the London Plan 2021.

## **11. Ultra-Low Emission Zone (ULEZ)**

No on-road vehicle shall be used for the construction and operational phases of the development unless they are London Ultra Low Emission Zone (ULEZ) compliant e.g. minimum Petrol/Diesel Euro 6 (AIR Index <https://airindex.com/> Urban NO<sub>x</sub> rating A, B) and Euro VI

To ensure that air quality is not adversely affected by the development in line with Policy CC10 of the Local Plan 2018 and Policy SI 1 of the London Plan 2021.

## **12. Zero Emission Heating compliance**

Prior to occupation of the development hereby permitted, details of the installation/commissioning reports of the Zero Emission MCS certified Air Source Heat Pumps to be provided for space heating and hot water 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 SI 1 of the London Plan 2021 and Policy CC10 of the Local Plan (2018).

## **13. Delivery and Servicing Plan**

Delivery and Servicing relating to the development hereby permitted shall be carried out in accordance with the submitted Delivery and Servicing Plan prepared by Live Nation dated 23 May 2022.

To avoid obstruction of the surrounding streets and to safeguard the amenities of adjoining properties in accordance with Policies CC11, CC13 and T2 of the Local Plan 2018 and Key Principles of the Planning Guidance SPD 2018.

#### **14. Deliveries and collections/loading/unloading**

At the development hereby permitted no deliveries nor collections/ loading nor unloading shall occur other than between the hours of 10:00 to 16:00 and 19:00-22:00 on Monday to Friday, 10:00 to 18:00 on Saturdays and at no time on Sundays and Public/Bank Holidays.

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 CC11 and CC13 of the Local Plan (2018).

#### **15. Refuse**

Prior to the first use of the development hereby permitted, the refuse and recyclable storage enclosures, shown on approved drawing no. 2203-WOO-ZZ-00-DR-A-1200 shall be installed in full accordance with the approved details. 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 adequate provision for refuse and recycling within the development in accordance with Policies T2, T6, CC7, CC11 and CC13 of the Local Plan (2018) and SPD Key Principle TR28 (2018).

#### **16. Refuse Collection Times**

No removal of refuse nor bottles/ cans to external bins or areas at the development shall be carried out other than between the hours of 10:00 and 16:00 and 18:00 and 21:00 on Monday to Friday and 10:00 to 18:00 on Saturdays, Sundays, and Public/Bank Holidays.

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) and Key Principles of the Planning Guidance SPD (2018).

#### **17. Flood Risk Assessment**

The development shall be carried out in full accordance with the details contained within the approved Foul and Surface Water Drainage Strategy Rev 03 prepared by 7 Engineering Consultancy dated May 2022 and the measures shall be retained in this form and maintained as necessary thereafter. No part of the development shall be used or occupied until all flood prevention and mitigation measures, and water efficiency measures have been installed in accordance with the submitted details and the development shall be permanently retained in this form thereafter.

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).

### **18. Level Access**

The thresholds of public entrance doors to the development and integral doors shall be at the same level as the adjoining ground level fronting the entrances to ensure level access.

To ensure the development provides ease of access for all users, in accordance with Policy DC1 of the Local Plan (2018) and Principles DA1, DA4, DA5, DA6, DA7 and DA11 of the Planning Guidance SPD (2018).

### **19. No External Alterations**

No external alterations shall be carried out to the external appearance of the building, including the installation of air-conditioning units, ventilation fans or 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.

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, DC4, DC8, CC11 and CC13 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD (2018).

### **20. Permitted Development**

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 additional 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 D4, D8 and HC1 of the London Plan 2021; Policies DC1, DC4 and DC8 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD (2018).

### **21. Construction Management/Logistics Plan**

The development shall be carried out in accordance with the submitted Construction Management Plan V4 prepared by ES Global Solutions dated 29 September 2022.

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 DC1, T1, T2, DC2, CC6, CC10, CC8 and CC12 of Local Plan 2018.

## **22. Illuminated signs and advertisements**

Notwithstanding the details shown on the approved drawings, prior to the display of any illuminated sign(s)/advertisement(s), details shall be submitted to and approved in writing by the Local Planning Authority. Details shall demonstrate that the recommendations of the Institution of Lighting Professionals in the 'Guidance Note 01/20: Guidance Notes for the Reduction of Obtrusive Light'. will be met, particularly with regard to the 'Professional Lighting Guide No 5, 2014 - Brightness of Illuminated Advertisements'. Approved details shall be implemented prior to use/ display of the sign/ advertisement and thereafter be permanently retained.

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

## **23. Construction/ Dismantling Works**

Construction / Dismantling works shall be carried out in accordance with Transport for London requirements. Deliveries to and dispatches from the site will be between 10:00 and 16:00 (i.e. outside of the network peak periods) Mondays to Fridays and between 10:00 and 13:00 on Saturdays and at no other times, including Sundays and Public/Bank Holidays. Construction / Dismantling Works and associated activities audible beyond the site boundary for the development hereby permitted shall be between 0800-1800hrs Mondays to Fridays and 0800-1300hrs on Saturdays; and no working on Sundays or Public Holidays unless agreed by the Council in advance. No reversing shall take place onto the public highway and all vehicles will enter and exit the site in forward gear. Contact details including accessible phone contact to persons responsible for the site works shall be on public display for the duration of the works. The approved details shall be implemented throughout the project period.

To ensure that construction / dismantling works do not adversely impact on the operation of the public highway, and the amenities of local residents and the area.

## **24. Planning Fire Safety Strategy**

The development shall be carried out in accordance with the submitted Fire Statement Rev 4 prepared by Design Fire Consultants dated 4 July 2022.

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

## **25. Staff Travel Plan**

The development shall be carried out in accordance with the submitted Framework Staff Travel Plan prepared by Live Nation dated May 2022.

To ensure the development provides ease of access for all users, in accordance with Policies D5 and T5 of the London Plan 2021, Policy DC1 of the Local Plan 2018 and Principles DA1, DA4, DA5, DA6, DA7 and DA11 of the Planning Guidance SPD 2018.

## **26. Visitor Travel Plan**

The development shall be carried out in accordance with the submitted Framework Visitor Travel Plan prepared by Live Nation dated May 2022.

To ensure the development provides ease of access for all users, in accordance with Policies D5 and T5 of the London Plan 2021, Policy DC1 of the Local Plan 2018 and Principles DA1, DA4, DA5, DA6, DA7 and DA11 of the Planning Guidance SPD 2018.

## **Justification for Approving the Application:**

1) Land Use: The proposed temporary use is considered acceptable in land use terms in terms of the use of vacant land for pop-ups and meanwhile / temporary uses and would contribute to promoting and regenerating this part of the Fulham Regeneration Area. The development would generate jobs once the temporary use is operational and would deliver wider benefits by way of increasing local expenditure through increased employment levels, additional visitors through the visit, cultural and leisure uses proposed, and job opportunities for local residents and companies. The proposed development is therefore considered acceptable, on balance, and in accordance with policies SD1 and HC5 of the London Plan 2021 and Policies FRA, FRA1 and CF3 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD (2018).

2) Design: The proposed temporary structures are considered a high-quality of design which respects and responds appropriately to the surrounding area and townscape at its edges and is consistent with the Council's wider regeneration objectives. It is not considered that the development would negatively impact surrounding heritage assets. It is considered that the development would therefore be acceptable in accordance with the NPPF (2019), and Section 66 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal is therefore considered acceptable, in accordance with Policy HC1 of the London Plan 2021, Policies DC1, DC2, DC8 and DC9 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD (2018).

3) Transport: Impact on traffic generation in terms of congestion of the road network or local parking conditions is considered acceptable. Conditions

would secure satisfactory construction / dismantling works and on site cycle parking provision. 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. The proposed development therefore accords with Policies T2, T4, T5, T6, T7, T9 of the London Plan (2021) and Policies CC6, CC7, T1, T2, T3 and T7 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD (2018).

4) Impact on Neighbouring Properties: On balance, the impact of the proposed development upon neighbouring occupiers is considered short term and acceptable with regards to noise/disturbance and impacts on overlooking and light pollution. In this regard, the development would respect the principles of good neighbourliness. The proposed development therefore accords with London Plan (2021) Policy D9, D 13 and D14 and Policies DC1, DC2, DC8, CC10, CC11, CC12 and CC13 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD (2018).

5) Safety and Access: The development would provide level access and satisfactory provision is therefore made for users with mobility needs, in accordance with Policy D5 London Plan (2021) and Policies DC1 and DC2 of the Local Plan (2018) and Key Principles of the Planning Guidance SPD (2018).

6) Environmental: Flood mitigation would be secured by way of condition. Subject to these conditions, the proposal would accord with Policies CC3, CC4, CC7, CC9, CC10, CC11, CC12 and CC13 of the Local Plan (2018).

7) Economic Development: Planning obligations to offset the impact of the development and to make the development acceptable in planning terms to ensure the proposed temporary uses delivers wider benefits by way of generating employment opportunities for local residents and companies in accordance with Policies FRA, FRA1, E4 and CF3 of the Local Plan (2018).

8). 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.

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

All Background Papers held by Andrew Marshall (Ext: 4841):  
Application form received: 18th July 2022  
Drawing Nos: see Condition 2

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



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### **Consultation Comments:**

<b>Comments from:</b>	<b>Dated:</b>
Transport for London	12.08.22
Thames Water - Development Control	09.08.22
Metropolitan Police	16.08.22
Disability Forum	26.09.22

### **Neighbour Comments:**

<b>Letters from:</b>	<b>Dated:</b>
37 Beaufort Court SW6	20.08.22

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## **1.0 SITE AND SURROUNDINGS**

- 1.1 The Application Site ('the site') covers an area of approximately 0.47 hectares. The site is vacant and was formerly occupied by the Earls Court Exhibition Centre 2 building ('EC2'). The site is located on northern part of the former exhibition land. The site is relatively flat and comprises an area of largely concrete hardstanding, following the demolition of the former Exhibition Centre in 2016.
- 1.2 The site is located on the northside of Lillie Road, accessed from Empress Place and the bus layover off Lillie Road, adjacent to the Empress State Building entrance. The area surrounding the application site is largely residential in character, mixed with commercial uses on Lillie Road. Empress Place is a short cul de sac, opposite the junction with Seagrave Road and contains a row of terraced dwelling houses. The site is bounded to the east by the West London line, over which is a retained concrete podium and the borough boundary with the Royal Borough of Kensington and Chelsea. Beyond the railway tracks is the open triangular area of land of the former Earls Court Exhibition Centre 1 building ('EC1') which was also demolished and cleared. Beyond are the rear gardens of residential properties in Eardley Crescent and Philbeach Gardens. On Lillie Road there are two short parades (nos. 2-14 and 16-26) which contain a mix of temporary retail and food and drink premises (including) the Prince Public House. To the west, is the Empress State Building, occupied by the Metropolitan Police. Beyond are the residential properties of the West Kensington and Gibbs Green housing estates and North End Road. To the north is the Transport for London (TfL) Lillie Road depot.

- 1.3 The site forms part of the larger, former Earl's Court Exhibition site, which straddles the administrative boundaries between Hammersmith and Fulham (H&F) and the Royal Borough of Kensington and Chelsea (RBKC). The borough boundary runs through the railway line adjacent to the east of the site.



c/o Google Earth

### **Designations**

- 1.4 The site is included in the Earls Court and West Kensington Opportunity Area (WCOA), as designated in the London Plan (2021). In the Local Plan, the site is included within the Fulham Regeneration Area (Strategic Policy FRA) and more specifically located within Strategic Site Policy (FRA 1): Earl's Court and West Kensington Opportunity Area. The site is largely within Flood Zone 1 (very low flood risk). A small section along the western boundary is in Flood Zone 2 (medium flood risk).
- 1.5 The site is not in a conservation area. The closest conservation area in the borough is the Sedlescombe Road Conservation Area to the south. The Philbeach Conservation Area (located to the north) and the Brompton Cemetery, Nevern Square, Earl's Court Square and Boltons Conservation Areas are located nearby in the Royal Borough of Kensington and Chelsea. The closest listed heritage asset is the Grade II listed West Brompton Station and St Cuthbert's Church, Philbeach Gardens (Grade II\*) within the jurisdiction of the Royal Borough of Kensington and Chelsea. Beyond that to the east and is the Grade I listed Brompton Cemetery, which itself contains numerous Grade II and Grade II\* listed assets. Nos. 60-68 Lillie Road are Grade II listed properties located in the borough to the southwest and approximately 200m from the site. The Empress State Building, Lillie Langtry PH, and nos. 30-60 (even) Lillie Road are locally registered Buildings of Merit (BOM) located in close proximity to the site.

## **Transport**

- 1.6 Vehicular access to the site is currently provided via Empress Place and the bus layby off Lillie Road. The site is highly accessible, with a Public Transport Accessibility Level ('PTAL') of 6a (the highest possible level). The closest rail/underground station is West Brompton Station, c.200m from the site, which connects to the District and Overground Lines. This station provides step-free access via lifts between the street and Platform 2 for eastbound District line services, and Platforms 3 and 4 for London Overground services only. The Earls Court Underground Station (on the District/Piccadilly lines), provides step-free access between street and the platforms and is located approximately 500m from the site. The closest bus stops to the site are located along Old Brompton Road and Empress Place Approach, adjacent to the site. Bus numbers 190, 74, 430, N74, N97 all stop within a few minutes' walk.

## **Planning History**

- 1.7 The site lies within the wider proposed Earl's Court and West Kensington Opportunity Area.
- 1.8 On 14 November 2013, outline planning permission was granted by both H&F and RBKC for a mix use redevelopment of a wider Earls Court site which at the time included the former Earls Court Exhibition Centres, the Lillie Bridge Depot and housing estates. Both permissions were subject to the same single s106 agreement (application ref. 2011/02001/OUT in the case of H&F and ref: PP/11/01937 in the case of RBKC).
- 1.9 In April 2014, both boroughs approved Reserved Matters applications for the first phase of the development (referred to by the previous developer as "Earls Court Village"), which essentially comprises the land occupied by the former Earl's Court Exhibition Centre buildings (EC1 and EC2) and related structures. Most of the land was in RBKC but also included land occupied by former Earls Court Exhibition Centre 2 building.
- 1.10 The Outline Planning Permission dated 14 November 2013 was subject to a number of "prior to commencement" conditions. This included details contained in a Demolition Waste Management Plan (DWMP). This condition was discharged in two stages, on 30 September 2014 and 13 September 2016 (ref: 2014/03232/DET & 2016/02676/DET). The Earls Court Exhibition Centres were subsequently demolished by the previous owners in 2015 and the site has since remained vacant.
- 1.11 On 13 October 2020, planning and advertisement consent were granted for the continued temporary change of use/works of some of the existing commercial units on the Lillie Road frontage (nos. 2-14 and 16-26). The temporary permissions were extended for a further three years (expiring 13 October 2023).

- 1.12 On 16 June 2021, planning permission and advertisement consent were granted for the use of the former Earls Court Exhibition Centre 2 site for a period from 1 July to 10 October 2021, for the temporary erection (including installation and de-installation) of two main event structures - a big top tent and theatre, a box office, food and drink units, amusement rides, a beach area, toilets, storage, outdoor seating areas and fencing, in conjunction with Underbelly 'London Wonderground Event 2021' (Planning Application ref: 2021/01443/FUL and associated Advertisement Consent Application ref: 2021/01444/ADV).
- 1.13 On 25 February 2022, planning consent was granted for the change of use of nos. 9-17 Empress Place from residential use to artistic and creative studios (Class E(g)) and no.7 Empress Place from residential to joint live/work units (a combined Class C3/E(g) use) for a temporary period of 5 years and associated cycle parking/storage facilities in Empress Place.
- 1.14 On 13 April 2022, planning and advertisement consent were granted for a further Underbelly temporary use of the former 'Earls Court Exhibition Centre 2 site', for an operational period from 5 May 2022 until 16 July 2022 and for the temporary erection (not including installation and de-installation) of two event structures - a studio and theatre 'Udderbelly', with two outdoor bars, four food concessions, toilets, storage, outdoor seating areas and fencing, in conjunction with 'Underbelly' Earls Court' Event 2022 (Planning Application ref: 2022/00520/FUL and associated Advertisement Consent Application ref: 2022/00521/ADV).
- 1.15 On 25 August 2022, a non-material amendment application (ref: 2022/02061/NMAT) extended the operational period until 18 September 2022, (not including the Udderbelly theatre and the Studio venue), comprising alterations to site layout and seating areas, involving the installation of outdoor cinema, beach and boules, together with the two outdoor bars, four food concessions, toilets, storage and fencing, in conjunction with 'Underbelly' Earls Court' Event 2022.
- 1.16 The Earls Court Development Company (ECDC) own and manage the wider site and are responsible for bringing forward the future development of the Earls Court site.

## **2.0 THE PROPOSAL**

- 2.1 Planning permission is sought for a temporary indoor exhibition space, referred to as the 'BBC Earth Experience' (BEE) based on the BBC Earth TV series. The proposed structure would be in use for approximately 2 years then demounted and moved to another site. The site would incorporate a mix of arts, culture and leisure uses, creating a

unique visitor attraction. The event space would provide an immersive experience, through the use of visuals, sound, and technology.

- 2.2 The proposal is only proposed for a temporary period whilst long term regeneration proposals for the wider Earls Court site come forward. Permission is sought for the venue to be open to the public from March 2023 to April 2025. This period does not include the installation and de-installation periods. The site would be returned to its former state at the end of this period.
- 2.3 The proposal would be operated by Live Nation (Music) UK Ltd ('the applicant').

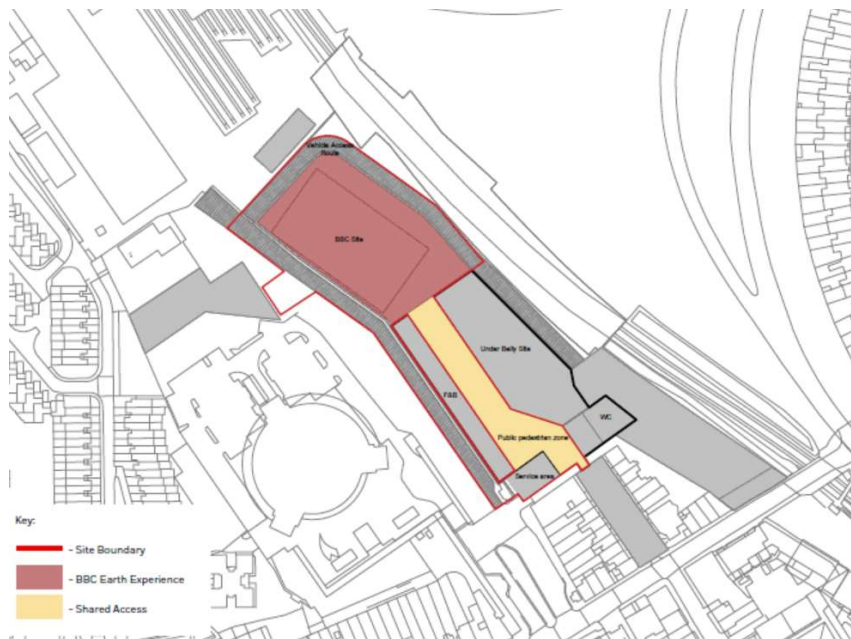


Fig 3. Venue massing of proposed submission

- 2.4 The proposed building comprises 2 parts both raised platform structures. A main exhibition hall and a front of house space. There would be a 1.2m gap between the two parts with pedestrian linkages. The main exhibition space is a 40m by 60m 'black box' aluminium framed structure which would house the immersive experience. This would feature large ground-supported sculptural walls that have the imagery projected on them. Visitors are invited to navigate through a series of zones in the main hall, free to roam, discovering different areas and experiences on two levels. The upper level is accessed via stairs and a lift from the main space. Various seating areas are located within the main space for visitors to utilise. The main expo hall is 17.6m high and sits behind the 11.5m high front of house block.
- 2.5 The front of house would be 40m by 15m and would facilitate the running of the exhibition space. This would be a multi-functional link, serving as the arrival space, containing the cloakroom/lockers, restrooms, a shop, and office space which would be accessible by only members of staff. On the first floor, two adjoining classrooms would be provided which are able to open up into a single room, with a capacity of 80 people, available for school groups or functions. The upper levels within the front of house block are accessed via stairs and a lift.
- 2.6 Public access to the site would be via Empress Place through a new proposed shared public space connecting the site. This shared pedestrian route (shaded in yellow above in the plan above) for visitor access would be managed by the landowners (ECDC). Spaces either side of the pedestrian route on the remaining former EC2 land, would be managed by a third party contracted by ECDC and potentially comprise of communal food and beverage outlets and other leisure and cultural meanwhile use activities. These uses would be the subject of a separate planning application(s) in due course.
- 2.7 Visitor numbers are expected to vary across each day of the week. Time slots are every 15 minutes, with a maximum of 150 visitors per slot. The capacity of the site is estimated at 650 people at any one time, with the main hall supporting 500 people per hour. The average duration of the visit is approximately 1 hour with school groups at 2 hours. Access would be ticketed. These would be sold online through the website, as well as in person. A box office would be located within the front of house building primarily for ticket collections and information.
- 2.8 The use would be operational on a daily basis. The proposed opening times would be between 09.00 – 22.00hrs Sunday to Wednesday (with the last entry timeslot 20.45-21.00hrs) and between 09.00 – 23.00hrs (last entry timeslot 21.45-22.00hrs) on Thursday – Saturday. Outside the times listed, the site would be locked, and the public would not be able to access the site. Security would be deployed 24 hours per day in and around the site, and a CCTV system would be in place for the duration of the use.

- 2.9 The building would be lifted off the ground on a raised deck to enable servicing beneath and ease construction. The entrances are ramped to meet this level. The front elevation of the building has been designed to reflect the content of the show and would be made of sustainably sourced UK timber, making up the upper fins, lower textured area, and the canopy, with the logo fully integrated into the timber fins. Advertisements are to be finalised and would be the subject of a separate advertisement consent application. The main entrance façade would be composed of the following elements: FSC Certified Solid timber base with textured finish, Slender metal columns to support canopy, FSC Certified Timber fin screen (above) to provide transparency and shading to glazed curtain walling, with reflective graphic decals to enhance signage, FSC Certified Timber canopy, ribbed to match timber fin module, with timber infill. In comparison the side and rear facades are composed of neutral metal panels.



Illustrative sketch - View of building on the approach

- 2.10 A landscaped area is proposed to the front forecourt of the site. This would feature planting and seating areas, alongside the creation of a defined route in and out of the experience to ease pedestrian conflict and allow for queuing. As part of the proposed landscaping, a central amphitheatre is proposed and two main planting themed areas to illustrate plants colonising and also thriving. Cycle parking is proposed to the eastern elevation of the building and accessed through the front forecourt. There is no car parking associated with the proposed development. The development would be serviced via a new service route that tracks around the site to the south and around the back of the proposed exhibition building.
- 2.11 A detailed Operational Management Plan (OMP) has been submitted with the application. It sets of the management protocols in terms of access, servicing, visitor management, emergency procedures and the operations of the site. The applicant would employ a Venue and Community Manager. The OMP would be a comprehensive 'live'

document, and a condition is recommended requiring the use to operate in accordance with the OMP.

#### Submitted Documents

2.12 The applicant has submitted the following documents in support of the application proposals:

- Drawings (Existing/Proposed)
- Cover Letter (prepared by DP9)
- Planning Statement (prepared by DP9)
- Geo-Environmental Preliminary Risk Assessment (prepared by WSP)
- Generic Quantitative Risk Assessment (prepared by WSP)
- Delivery and Servicing Plan (prepared by Live Nation)
- Framework Staff Travel Plan (prepared by Live Nation)
- Framework Visitor Travel Plan (prepared by Live Nation)
- Transport Assessment (prepared by Live Nation/Momentum) and Addendum dated 30 September 2022 (prepared by Momentum)
- Construction Management Plan (prepared by ES Global Solutions)
- Design and Access Statement (prepared by WOO Architects)
- Lighting Planning Submission (prepared by Michael Grubb Studio)
- Fire Statement (prepared by Design Fire Consultants)
- Noise Assessment (prepared by Max Fordham)
- Venue Operational Management Plan (prepared by Live Nation)
- Foul and Surface Water Drainage Strategy (prepared by 7 Engineering)
- Sustainability Charter (prepared by Moon Eye Productions)
- Building Regulations Part L2A Calculation (prepared by Griffiths Evans)

### **3.0 PUBLICITY AND CONSULTATION**

#### Pre-application Consultation

3.1 The applicant undertook engagement with local residents prior to the submission of this application, inviting residents to meet the team and view the proposals for the site on 15<sup>th</sup> June 2022.

#### Formal Consultation

3.2 The application was publicised by mean of a site notice displayed outside the site and a press notice. In addition, 2,120 notification letters were sent to neighbouring occupiers. The Royal Borough of Kensington & Chelsea (RBKC) was notified given the proximity of the site to the adjoining borough.



- 3.3 One representation has been received from a local resident. The content of the representation received is summarised below:
- There is already too much late night noise from the Prince and Lillie pubs, plus the added road noise caused after closing by taxis.
  - Limited detail of the type of exhibition and operating hours provided within the consultation letter.

#### External & Statutory Consultees

- 3.4 Transport for London (TfL):  
TfL has no objection in principle to the proposed temporary use. Recommends that the Council secures a delivery and servicing plan and event management plan to mitigate the impacts of the proposals on surrounding streets and bus layover and a travel plan should be secured.
- 3.5 Thames Water:  
No objection/comments raised to the proposed development.
- 3.6 Metropolitan Police:  
No objection raised to the development, subject to various security and safety measure recommendations.
- 3.7 Disability Forum  
Requested further detail including regarding step free access and fire evacuation.

### **4.0 POLICY CONTEXT**

- 4.1 The application has been considered against all relevant national, regional, and local planning policies as well as any relevant guidance. Set out below are the policies considered most relevant to the proposal, however, consideration is made against the development plan as a whole.

#### 4.2 London Plan (2021)

- Policy GG5 (Growing a good economy)
- Policy SD1 (Opportunity Areas)
- Policy E10 (Visitor Infrastructure)
- Policy HC1 (Heritage conservation and growth)
- Policy HC5 (Supporting London's culture and creative industries)
- Policy HC6 (Supporting the night-time economy)
- Policy D5 (Inclusive Design)
- Policy D8 (Public Realm)
- Policy D11 (Safety, security, and resilience to emergency)
- Policy D14 (Noise)
- Policy SI 1 (Improving air quality)

- Policy SI 12 (Flood risk management)
- Policy T2 (Healthy Streets)
- Policy T5 (Cycling)
- Policy T6 (Car Parking)
- Policy T6.5 (Non-Residential disabled persons parking)
- Policy T7 (Deliveries, servicing, and construction)

#### Local Plan (2018)

- Strategic Policy FRA (Fulham Regeneration Area)
- Strategic Site Policy FRA 1 (Earl's Court and West Kensington Opportunity Area)
- Policy TLC1 (Hierarchy of Town and Local Centres)
- Policy TLC5 (Managing the Impact of Food, Drink and Entertainment Uses)
- Policy CF1 (Supporting Community Facilities and Services)
- Policy CF3 (Enhance and Retention of Arts, Culture, Entertainment, Leisure, Recreation and Sport Uses)
- Policy E1 (Employment Uses)
- Policy E2 (Land and Premises for Employment Uses)
- Policy E4 (Local Employment, Training and Skills Development Initiatives)
- Policy DC1 (Built Environment)
- Policy DC2 (Design of New Build)
- Policy DC8 (Heritage and Conservation)
- Policy DC9 (Advertisements)
- Policy CC3 (Minimising Flood Risk and Reducing Water Use)
- Policy CC7 (On site Waste Management)
- Policy CC10 (Air Quality)
- Policy CC11 (Noise)
- Policy CC12 (Light Pollution)
- Policy T2 (Transport)
- Policy T3 (Opportunities for Cycling and Walking)
- Policy T4 (Vehicle Parking Standards)
- Policy T5 (Blue Badge Holders)

## **5.0 PLANNING CONSIDERATIONS**

### **Policy Framework**

- 5.1 The Town and Country Planning Act 1990, the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011 are the principal statutory considerations for town planning in England. 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), H&F Local Plan (2018) and the H&F Planning Guidance SPD (2018).
- 5.3 The National Planning Policy Framework - 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. 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.
- 5.4 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.
- 5.5 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 Assessment**

- 5.6 The main planning considerations in the assessment of this application are considered to be:
- Land Use: Acceptability of using the site for a temporary exhibition space in land use terms.
  - The impact of the temporary structures on the townscape, the character and appearance of the surrounding conservation areas and the setting of the neighbouring listed buildings.
  - Accessibility.
  - Residential Amenity of neighbouring occupiers (principally noise & disturbance and light pollution).
  - Highways impacts.
  - Environmental Considerations.

#### **Land Use**

- 5.7 The application proposes a temporary exhibition space on land that forms part of the wider masterplan for Earls Court. In the interim, the proposed exhibition space and its associated facilities would form part of a new 'visitor' attraction alongside other potential meanwhile use operations and will support its diversity and growth as a destination and location for creative, social and employment opportunities.

- 5.8 The application site forms part of the wider Earls Court and West Kensington Opportunity Area (EC&WKOAs) as designated in the London Plan which includes land within H&F and RBKC. In the Local Plan, the site forms part of the Fulham Regeneration Area (Strategic Policy FRA) and more specifically, the Earl's Court and West Kensington Opportunity Area (Strategic Site Policy FRA 1). Policy FRA 1 supports a phased mixed use, residential led redevelopment of the Earl's Court and West Kensington Opportunity Area, including the provision of housing, employment, hotels, leisure, retail, and cultural facilities. Together with London Plan policies GG5, E10, HC5 and SD1, Policy FRA1 of the Local Plan supports arts, cultural and leisure events in the Earls Court and West Kensington Opportunity Area, in recognition that the site was a cultural destination for a significant period of time.
- 5.9 London Plan (Policy HC5) supports the use of vacant land for pop-ups and meanwhile / temporary uses for cultural and creative activities, during the day and at night, in order to stimulate vibrancy and viability. Local Plan Policy CF1 (Supporting Community Facilities and Services) states that the council will work with its strategic partners to provide borough-wide high quality accessible and inclusive facilities and services for the community by improving the range of leisure, recreation, sports, arts, cultural and entertainment facilities by also seeking new or enhanced facilities where appropriate and viable in particular major new leisure, arts, sports and recreation facilities in the Earls Court and West Kensington Opportunity Area. Policy CF3: (Enhance and Retention of Arts, Culture, Entertainment, Leisure, Recreation and Sport Uses) supports both existing and new venues, subject to them being "accessible and inclusive and to be supported by evidence of how impacts such as noise, traffic, parking and opening hours have been assessed, minimised and mitigated." The Policy also specifically supports the use of vacant buildings for performance and creative work.
- 5.10 The site is considered a suitable location for leisure, recreation, cultural and entertainment facilities. The proposal would provide an opportunity to use this vacant site for temporary uses whilst the preparation for the wider redevelopment proposals continues. The proposals would activate this vacant space and support local businesses that are still seeking to recover from the impacts of COVID-19. The proposal would stimulate visitor numbers into the area which would contribute to the local economy (albeit on a temporary basis). The temporary nature of the use is such that its impact would be limited and would not undermine the long term objectives to regenerate the area, in accordance with both London Plan and Local Plan policies. A condition is attached to ensure that all structures associated with the application will be removed within the time limit period and the site reinstated once the temporary use ceases.

- 5.11 The site's history as a major cultural destination has been taken into consideration. The site was previously part of the Earls Court 2 Exhibition Centre and therefore a legacy exists for cultural, and entertainment uses on the site. Despite the loss of the exhibition buildings, the Council is supportive of development proposals that assist the area's cultural legacy. An interim use for arts, culture, entertainment, and leisure uses are considered to be appropriate with the site's historical past and other cultural uses in the vicinity and as such considered beneficial to the area in accordance with London Plan Policies GG5, HC5 and SD1 and policies FRA1, CF1 and CF3 of the Local Plan.
- 5.12 In economic and employment terms, the applicant has produced a note (Venue Operational Management Plan) in order to document and capture the potential benefits that could be secured by the proposal. The proposed development is expected to generate temporary jobs during the operational phase, through a mix of full and part-time positions. As such, the development would have a residual moderate beneficial effect on the local economy. The document summarises that the applicant would support employing local workers wherever possible and work with ECDC and London Borough of Hammersmith and Fulham to identify employment opportunities and maximise benefits for the local community. The applicant are also seeking to coordinate with the Council's Work zone connections and job centres, in order to maximise access to the local workforce about employment opportunities on the site. The applicant aims to employ 25% of our show staff from the local area across roles such as front of house stewarding, cleaning, security, garden maintenance and retail operations.
- 5.13 The application confirms the provision of an estimated 10,000 free tickets available to the local community. The intention is that the free tickets would be made available by the applicant and landowners for distribution to immediate local residents and businesses in H&F and RBKC. Tickets would be provided via a code booking mechanism when entering details on the applicant's website. The tickets would be distributed amongst various groups within the borough including local businesses, charities, residents, and youth groups.
- 5.14 The application proposes an education programme provided for children between Key Stage 1-3 and SEND children. There are two classrooms proposed on site with necessary facilities, each with capacity for 40 people. Schools would liaise with an appointed Schools and Community Liaison Officer. In addition, the applicant proposes inviting a mixture of up to 15 primary and secondary schools from Hammersmith and Fulham and the Royal Borough of Kensington and Chelsea to preview the experience and workshops for free prior to opening up to paid school groups.

- 5.15 The impact of the activities would be subject to licensing restrictions and would operate in accordance with the submitted Operational Management Plan (OMP), which sets controls on the hours of operation to no later than 22:00 hours, Sunday to Wednesday, and 23:00 hours Thursday to Saturday.
- 5.16 In summary, the provision of a unique temporary attraction on this vacant site is strongly supported. The public and economic benefits associated with scheme are welcomed and considered to outweigh any temporary harm to the surrounding townscape or amenity. The provision of the proposed economic, employment and community benefits would be secured by a legal agreement.

### **Design and Heritage**

- 5.17 **The NPPF** seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. The NPPF also requires that proposals should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.
- 5.18 **The NPPF** states that good design is a key aspect of sustainable development and should contribute positively to making places better for people. Part 12 of the NPPF outlines the requirement for good design and Paragraph 127 sets out that planning policies and decisions should ensure that developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.
  - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
  - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).
  - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.
  - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
  - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 5.19 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the principal statutory duties which must be considered in the

determination of any application affecting listed buildings or conservation areas.

- 5.20 Paragraph 195 of the NPPF states: Local Planning Authorities should identify and assess the significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
- 5.21 Paragraph 197 of the NPPF states: The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Paragraph 199 of the NPPF states: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 5.22 Paragraph 203 of the NPPF states: The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 5.23 Case law indicates that following the approach set out in the NPPF will normally be enough to satisfy the statutory tests. However, when carrying out the balancing exercise in paragraphs 195 and 197, it is important to recognise that the statutory provisions require the decision maker to give great weight to the desirability of preserving designated heritage assets and/or their setting.
- 5.24 Together with London Plan policy HC1, Local Plan policies require development proposals to incorporate exemplary standards of sustainable and inclusive design. Policy DC1(Built Environment) requires all development proposals within the borough to create a high-quality urban environment that respects and enhances its townscape context and heritage assets. Policy DC2 (Design of New Build) sets out to ensure that new build development will be of a high standard of design and compatible with the scale and character of existing development and its setting. 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. Policy DC9 (Advertisements) requires a high standard of design of advertisements, which should be in a scale and in keeping with the character of their location and should not have an unacceptable impact on road safety.

### **Design considerations**

- 5.25 Whilst the building is temporary in its nature and use, the design would sit comfortably within its context both in terms of the scale and massing of proposals. The massing of the building steps up from 11.5m for the front of house to 17.6m for the main exhibition space.
- 5.26 In terms of its appearance, the building comprises a simple flat roofed form with metal panel façades, solid timber base, textured timber canopy supported by slender metal columns and a main entrance composed of timber fins incorporating the exhibition logo. The building has been designed to be demountable and capable of transport and re-use at other locations.
- 5.27 Access to the experience will be via Empress Place within a zoned landscaped area to the front of the site, incorporating gathering areas and a rain garden linked to the building's drainage.
- 5.28 Given the temporary nature of the proposals, the event structures and advertising would be removed at the end of the defined period and would not permanently impact the built environment. Officers consider that the temporary proposals would complement the former artistic and cultural use of this part of the Earls Court site. The proposal would bring forward a temporary use of a vacant site which would encourage activity and facilitate use of the site by the public. The proposals are therefore considered to represent a good quality of design.

### **Heritage Considerations**

- 5.29 The site is not within a conservation area but the Empress State building to the west is a locally listed building of merit and there are other locally listed buildings of merit to the south at 30-60 Lillie Road. The site is also located in close proximity to two designated heritage assets in the adjoining Royal Borough of Kensington & Chelsea, the Grade II statutory listed West Brompton Station and Brompton Cemetery.
- 5.30 Given the scale, appearance and temporary nature of the proposals, the developments would have a degree of inter-visibility within the setting of these designated, and non-designated heritage assets, namely the Empress State Building. For other assets, the extent of intervisibility would be negligible. However, the intervisibility of the proposal scheme, coupled with its good quality of design and temporary nature, is not considered to detract from the character, appearance, or significance of each these assets when considered individually. The significance and special interest of each asset would



be preserved. As such, the development is not considered to result in any harm to the setting of these heritage assets.

- 5.31 Officers have assessed the impact of the proposal on the heritage assets and consider that it is compliant with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal is also in line with national guidance in the NPPF, Policy HC1 of the London Plan and Policies DC1, DC2, and DC8 of the Local Plan (2018).
- 5.32 The associated signage is proportional to the event proposed and the principle of a cultural attraction in this location accords with the heritage and historical uses of the area in accordance with Policy DC9 of the Local Plan (2018). This would be the subject of a separate advertisement consent application.

#### **Inclusive Access**

- 5.33 London Plan Policy D5 requires new development to achieve the highest standards of inclusive and accessible design. Local Plan Policy DC1 of the Local Plan require new development to be designed to be accessible and inclusive to all who may use or visit the proposed buildings. Policy DC2 requires developments to be assessed in relation to the convenience and safety of pedestrians, people with disabilities and wheelchair users.
- 5.34 The design and access statement sets out that outdoors spaces and theatre uses would be wheelchair accessible and DDA compliant. The majority of the exhibition is on a single level. At the rear of the exhibition there is a stair with an adjacent Part M compliant lift which leads to the upper levels. The building includes a changing places facility, and a unisex wheelchair accessible toilet at ground and at first floor. There is also a wheelchair accessible shower room at level 1 for staff. The site is relatively flat and level access both to, around and within the venue would be made available. The slopes of the plaza ramps are no greater than 1:25.
- 5.35 Officers consider these provisions satisfy the requirements of the above policies and the proposal is acceptable in accessibility terms, in compliance with London Plan Policy D5, Local Plan Policies DC1 and DC2 as well as Planning Guidance SPD Key Principles.

#### **Secure by Design**

- 5.36 Local Plan Policy DC2 requires developments to be designed in line with the principles of Secured by Design. The Design and Access Statement sets out how the scheme is designed with safety and crime prevention in mind. The site would be secured by an overall fencing and gate strategy with the other meanwhile uses on the former EC2 site. CCTV would be provided for both the internal and external areas of the building.

- 5.37 The Crime Prevention Officer is satisfied with the security and safety measures outlined in the Design and Access Statement and the Operational Management document. Recommendations are made relating to additional perimeter fencing and vehicle gate to be security rated products that are UKAS third party certified. Gates / fencing to be at least 1.8 metres high and designed not to be easily climbable. Recommendations are also made that cycle stores be secured by 3 locking points on the stands and the store and storage lockers be covered by the CCTV.
- 5.38 Officers consider that the Proposed Development accords with the London Plan and Local Plan in respect of safety and resilience to emergencies.

### **Residential Amenity**

- 5.39 London Plan Policy D14 seeks to reduce noise, manage, and mitigate noise to improve health and quality of life, residential and other non-aviation development proposals through mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development.
- 5.40 Local Plan Policy DC1 and DC2 seeks to protect the amenity of existing neighbours and the visual amenity of the community as a whole. This is measured in terms of potential impacts in relation to outlook and privacy, noise and disturbance, lighting, and impacts during construction.
- 5.41 Policy CC11 requires noise and vibration sensitive development to be located in the most appropriate locations and protected against existing and proposed sources of noise and vibration through careful design, layout, and use of materials. The policy goes on to state that noise generating development will not be permitted, if it would be liable to materially increase the noise experienced by the occupants/users of existing or proposed noise sensitive uses in the vicinity.
- 5.42 There are no residential properties in close proximity to the site (within 20m), the closest being approximately 80m away. Officers consider that the proposal would not result in detrimental impacts in terms of loss of daylight or sunlight nor result in harm from overshadowing.
- 5.43 The residential dwellings located on Empress Place, adjacent to the site entrance, have been refurbished and those on the east side converted into artists' studios with one converted to a live/work studio. The closest residential properties to the site located on Lillie Road (south-west) and Seagrave Road to the south, are situated approximately 130m away from the site boundary. To the west, the nearest neighbouring residential properties are on Aisgill Avenue, approximately 80m away. To the east of the site, the closest neighbouring properties in the Royal Borough of Kensington &

Chelsea are located in Philbeach Gardens (approximately 120m away).

- 5.44 Potential impacts in terms of noise and disturbance generated by visitors to the site have been taken into consideration. Full details of how the event would be managed to minimise impacts on amenity are set out in the Operational Management Plan and a Construction Method Statement. Both of these set out the approach to minimise the impact of both the construction and operation of the proposed development on adjoining neighbourhoods. In addition, a Noise Assessment and Lighting report have been submitted in support of the application.
- 5.45 The proposed events venue is designed to create a family orientated attraction and is of a temporary nature only. Hours of operation would be controlled. In advance of the commencement of the use, local residents and businesses would be provided with contact details to communicate with the site manager with respect to any noise complaints that may arise and any other concerns relating to the operation of the site. The nature of the ticketed exhibition would allow for a graded dispersal over the course of the day. The number of visitor numbers would be controlled so as not to impact on local amenities.
- 5.46 Hours of operation of the spaces would be generally restricted (09:00 to 22:00/23:00 daily). Installation / de-installation works would only take place between the hours of 8:00am and 8:00pm.

#### **Noise**

- 5.47 Policy CC11 of the Local Plan advises that noise and vibration impacts would 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 would not be permitted if it would materially increase the noise experienced by occupants/users of existing or proposed noise sensitive areas in the vicinity. Policy CC13 seeks to control pollution, including noise, and requires proposed developments to show that there would be 'no undue detriment to the general amenities enjoyed by existing surrounding occupiers of their properties'.
- 5.48 The supporting Noise Assessment and Construction Management Plan documents set out that the potential noise sources from the site would be from entertainment noise, plant, and machinery, and during the build (set-up) and strike (de-installation) periods.
- 5.49 The exhibition space would result in a level of entertainment noise with the maximum entertainment noise levels within the venue to be capped at 85dBA Leq, 15min. The level of entertainment noise expected from the venue is expected to be less than the proposed

criteria at the existing nearest noise sensitive receptors and therefore not expected to be audible. The envelope of the proposed venue would be designed to achieve a sound reduction of at least 30dB Rw+Ctr, including walls, roof, doors and glazing. The noise sensitive receptor on Aisgill Avenue approximately 100m to the west is predicted to be 18dB less than the 35db ambient noise level criteria.

- 5.50 Plant equipment would be used to regulate the temperature within the venue. This is not expected to be audible at the closest noise sensitive receptor. Plant included within the proposed design consists of 4 air handling units with integrated heat pumps. 2 units will be located externally on the East side of the building and 2 units will be located externally on the West side of the building. All 4 HVAC units will be selected to achieve a sound power level of no more than 69dBA and will only operate during the day. There is a transformer within a substation located to the East side of the proposed building. The transformer is expected to have a rated power of 1500kVA. Experience of other transformers with the same rated power suggests that the sound power level is likely to be no higher than 58dBA.
- 5.51 In terms of site control and people management, the ticketed event would allow for a graded dispersal throughout the day. Signs would be placed at the exits to encourage audiences and other customers to be aware of and considerate to local residents.
- 5.52 No objection is raised by the Council's Noise and Nuisance officers to the proposed development subject to compliance with conditions relating to noise levels and monitoring to control any possible sound impact outside the site. The proposal is therefore considered to accord with Policy CC11 of the Local Plan 2018.

### **Lighting**

- 5.53 Policy CC12 of the Local Plan seeks to control the adverse impacts of lighting arrangements including that from signage and other sources of illumination.
- 5.54 A Lighting Strategy is included as part of the application. Consideration has been given to the layout of lighting taking into account the requirements, its proximity to local residents and businesses and to minimise any light pollution. The site would be illuminated by way of structure lighting, effect lighting, working lights and decorative lighting. Lighting on the front facade would emphasise the signage as well as the key imagery of the building. The façade lighting would only operate until 22:00 (Sunday to Wednesday) and 23:00 (Thursday to Saturday) with the exception of security lighting. Illumination would commence at pre-agreed times (dusk onwards) in order to provide safe and appropriate lighting for staff and visitors. The level of ambient light levels would drop in order to present an appropriate and welcoming atmosphere to the event. Officers have given consideration to the level of luminescence required and are

satisfied they would be managed around the site in order not to disturb local residents and businesses. All event light sources would be continually monitored and controlled by the Site Management team.

- 5.55 A condition is attached to ensure that 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 Notes for The Reduction Of Light Pollution 2020'. As such officers consider that the proposal accords with the requirements of Policies CC12 of the Local Plan 2018.
- 5.56 In conclusion, the supporting information addresses the issues of noise and light management and other operational issues relating to the proposed use and these are recommended to be approved by way of conditions to ensure that the event operates in accordance with these documents. As such, it is considered that the proposed development accords with policies CC11 and CC12 of the Local Plan 2018.
- 5.57 The Applicant has submitted an Operational Management Plan (OMP). The OMP deals with how the venue would be managed with regards to operational hours, deliveries, and visitor management. In terms of site control and people management, signs are proposed to be placed at the exits to encourage audiences and other customers to be aware of and be considerate to local residents.
- 5.58 No objection has been raised by the Council's Noise and Nuisance officers to the proposed development subject to compliance with conditions relating to noise levels and monitoring to control any sound impact outside the site. The proposal is therefore considered to accord with Policy CC11 of the Local Plan 2018.
- 5.59 In terms of the objection received from adjoining occupiers, officers consider that appropriate noise controls and measures would be put in place to prevent negative impact on residential amenity. Conditions would be sought to secure the hours of operation and compliance with the Operational Management Plan. Officers consider the proposal is acceptable in this location and would not result in greater harm to the adjoining occupiers in terms of noise disturbance and amenity.

**Highways and Transport**

- 5.60 Local Plan Policy T1 supports The London Plan and states that all development proposals would be assessed for their contribution to traffic generation and their impact on congestion. Policy T2 states that all planning applications would be supported where they do not have unacceptable transport impacts, including cumulative impacts on highway safety; traffic flows; congestion of the road network; on-street parking; footway space, desire lines and pedestrian flows and all other transport modes, including public transport and cycling.

5.61 The site has a Public Transport Accessibility Level (PTAL) of 6a – one of the highest possible levels of public transport accessibility and is therefore well served by public transport. A Transport Statement and Travel Plans have been prepared by the applicant to support a planning application.

### **Travel Plan**

5.62 Travel Plans (visitors and staff) have been submitted in support of this application. The Travel Plans provide a framework for delivering the vision for sustainable travel in and around the site. The principal objective of the Travel Plans is to facilitate and encourage sustainable travel methods to and from the site and to actively discourage the use of private vehicles. In this case, the proposal would not provide any off street, car parking. Instead, the use of sustainable transport modes (walking and cycling) and use of public transport modes (Tube, Buses, Trains) are encouraged. A range of public transport facilities are available within a short walk, including bus, underground and rail services. The site also enjoys good accessibility by walking and cycling and is located within close distance of a range of everyday amenities. Given the site's location and good public transport links the expectation is that a large proportion of persons visiting the site would not arrive by private vehicles. Prior information about transport routes to and from the site would be communicated via the applicant's website, promotional materials, ticket confirmations, social channels and on site messaging.

5.63 There are a number of Santander Cycle Hire docking stations located a short walk from the entrance on Empress Place, located at Halford Road, West Kensington and Trebovir Road, and Earls Court. Cycle parking for visitors and staff will be provided on the basis of 35 secure spaces and 4 long stay cycle spaces. Despite this, the applicant has agreed to install 30 cycle spaces within the site to encourage patrons to cycle to the event. The quantity of secured on site cycle parking is in excess of the number recommended in the London Transport chapter 6 minimum standards and would be secured by condition in line with Local Plan Policy T3 (Increasing and promoting Opportunities for Cycling and Walking).

5.64 The roads surrounding the site to the south of Lillie Road are located in Controlled Parking Zone (CPZ F), with parking restrictions in place Monday to Saturday from 9am to 8pm Monday to Saturday with additional restrictions in place on match days. There is a further CPZ's located to the west of the site. Controlled Parking Zone (CPZ D) controls parking on Monday to Friday 0900-1700. These CPZ are dual use, offering pay and display parking as well as permit holder only. Due to this they offer short parking opportunities for those visiting the proposed site.

5.65 The public would only access/egress the site from Empress Place. The proposal would increase pedestrian flows along Empress Place and Lillie Road. The supporting information addresses the issues of visitor management and other operational issues pertaining to the proposed use and these are recommended to be approved by way of conditions to ensure that the event operates in accordance with these documents.

**Trip Generation**

5.66 Information on trip modes for the proposed use has been generated using survey information from the previous Underbelly use on the site. The Underbelly event is comparable in terms of content and the anticipated audience profile of the proposed use and therefore is a good basis for the projections submitted. The data has been modified to reflect the proposed site conditions. In the case of the proposed development, the projected mode share for the site would be as follows:

<b>Mode</b>	<b>Mode Share</b>
Underground	79.4%
Train	4.9%
Bus	5.7%
Taxi	0.9%
Motorbike	0.9%
E-Scooter	0.0%
Car	0.0%
Bicycle	2.3%
Walk	5.0%
Other	0.9%
	100%

5.67 Given the location of the site and good public transport links it is expected that few people would need to arrive by car. Furthermore, the level of transport links are considered to ensure that the intensification of the uses at the site would not result in any transport capacity issues.

5.68 Whilst the peak demand would be circa 600 people at any one time, people would not all arrive/depart at the same time given the nature of the event, and the timed ticketed entry. It is expected that persons would come and go throughout the course of the day and there would not be significant surges in the flow.

**Car Parking**

5.69 No visitor car parking is proposed on site. Blue badge holders can park in any shared-use pay and display bays, resident parking bays or Blue Badge bays for free and without time limit. Blue Badge parking would be able to park on Empress Place. The landowner is seeking to secure a Traffic Regulation Order (TRO) for Empress Place which would enable the provision of dedicated accessible parking provision for

visitors with blue badges on Empress Place. Alternatively two pre-booked accessible parking bays could be provided managed by the applicants.

### **Cycle Parking**

- 5.70 Cycle parking for visitors and staff would be provided on the basis of 35 secure spaces and 4 long stay cycle spaces. The layouts are London Cycle Design Standards (LCDS) compliant, with 5% of spaces being accessible. A shower and staff lockers will be provided in line with the London Plan (2021) requirements.

### **Coach Parking**

- 5.71 The proposal would cater for school groups and organised group trips. It is therefore anticipated that a proportion of the visitors will come via coach. A coach pick-up and drop-off area is proposed to utilise the existing TfL bus terminal arrangements accessed from Lillie Road. Parties will then disembark from the coach adjacent to the side entrance on the western side of the site. Four designated coach parking spaces are provided.

### **Active Travel Zone (ATZ)**

- 5.72 A night-time assessment has been carried out for the route assessed in the Active Travel Zone (ATZ) Key Routes assessment which is included within the Transport Assessment. The day-time ATZ Key Routes Assessment concluded that the route to the Site from Earl's Court Station generally provides a good pedestrian environment with pavements of adequate widths and pedestrian crossings where required. Similarly the routes from Earl's Court and West Brompton Stations to the site feels safe during hours of darkness due to a good level of street lighting and high levels of pedestrian flows in the area. Pedestrians are able to cross safely at night using signalised crossings on Warwick Road and Old Brompton Road. Informal crossings were observed on Lillie Road to the east of Empress Place. A potential improvement to the route in terms of pedestrian safety at night would be to reduce the speed limit on Lillie Road from 30mph to 20mph. This would be a minor extension of the 20mph speed limit in place on Old Brompton Road to the east. This was also recommended as part of the day-time ATZ Key Routes Assessment. Additionally, Empress Place would benefit from additional street lighting as the existing streetlights on the western footway are partially blocked by trees, leading to the street being dimly lit.

### **Construction Management Plan**

- 5.73 An updated Construction Management Plan has been submitted with the application. The temporary nature of the proposal and the modular form of the buildings means that the construction works will be completed much more quickly and quietly than traditional forms of construction. There is no piling and no mechanical intrusion into the



ground. It is estimated that the event structure would be constructed over a four month period and deconstructed over a one month period.

- 5.74 The schedule of deliveries, the type of vehicles, the entrance gate, and the expected turnaround for each of the deliveries in this period is set out in the Construction Management Plan and Delivery and Servicing Plan. All deliveries to site during this period would be scheduled by the applicant and delivery slots would be staggered and to ensure that deliveries are strictly controlled. There is sufficient space for vehicles to be turned on site, enabling them to exit in forward gear, and as such, it would not be necessary for these vehicles to reverse onto or off Lillie Road. The Council aims to take steps to ensure that disruption and noise/disturbance are minimised as far as possible. The programme of works will be discussed and coordinated with TfL Buses in respect to access and management of Empress Approach. A condition is attached regularising the Construction Management Plan including the proposed hours of works during this period.

#### **Waste Management**

- 5.75 Policies CC6 and CC7 of the Local Plan seeks to ensure that the Council pursue waste management facilities within new development, notably through means of ensuring that all developments proposed suitable waste and recycling storage facilities.
- 5.76 Due to the nature of the event, waste generate is expected to be minimal and of a routine quantity. Bins stations are proposed within the site and bins would also be provided at the exits for use by customers. Segregation of waste would be achieved through clearly labelled public bins. The onsite cleaning contractor would be responsible for emptying bins from public areas at regular intervals and disposing of them in the correct refuse bins ready for collection. 1100 litre Euro Waste Bins would be kept in an enclosure within the site and emptied on a daily basis and removed on a daily basis.

#### **Delivery and Servicing**

- 5.77 The applicant has submitted a comprehensive Operational Event Management Plan which covers all aspects of how the site would operate during the event period and also a standalone Delivery and Servicing Plan which sets out how the site would be serviced. Deliveries and servicing would take place via Lillie Road into the site through the bus stand adjacent to the entrance to Empress State building.
- 5.78 The development is forecast to generate 6 trips per day, which will all be managed to avoid peak hours. All deliveries during the operational period would normally take place between 7am and 10pm. The majority of delivery vehicles would be scheduled by the applicant in pre-arrange delivery slots with 3rd party suppliers and contractors. A condition would ensure that no deliveries nor collections / loading nor unloading associated with the use shall occur at the development between

Monday to Friday other than between the hours of 7am and 11pm. A condition is recommended to ensure that the site is operated in accordance with these plans.

- 5.79 There are no objections on transport and highway grounds as the development is considered to result in no unacceptable impacts which would otherwise be to the detriment of the highway users particularly bearing the temporary nature of the use and the mitigation measures proposed secured by planning obligations. The proposal is therefore considered to accord with policies of the London Plan 2021 and Policies CC6, CC7, T1, T2, T3, T4 and T5 of the Local Plan 2018.

### **Flood Risk and Drainage**

- 5.80 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.
- 5.81 London Plan Policies SI 12 (Flood risk management) and SI 13 (Sustainable drainage) 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. Local Plan Policies CC3 (Minimising Flood Risk and Reducing Water Use) and CC4 (Minimising Surface Water Run-Off with Sustainable Drainage Systems) contain similar requirements designed to assess and mitigate against the risk of flooding and integrate surface water drainage measures into development proposals.
- 5.82 The site is located in Environment Agency Flood Zone 1 with part of the site to the south including the remaining part of the former EC2 site falling within Zone 2. It is considered to have a low to medium risk of river flooding. However, flood protection measures are in place to reduce the risk of the River Thames flooding within central London, and regardless of this, the proposed development would only be for a temporary period. As such, the application is not considered to result in an unacceptable risk of flooding.
- 5.83 A Foul and Surface Water Drainage Strategy has been developed and submitted with this application. The options set out include measures for rainwater harvesting and permeable infiltration. The suds drainage elements on the site will require periodic maintenance to maintain their effectiveness.
- 5.84 There are existing private combined and foul water drains that serve the site and connect to the Thames Water sewers in Lillie Road. Environmental Policy have raised no objection to the proposal, in accordance with Local Plan policy CC3.
- 5.85 Officers consider that the proposed development would be acceptable and in accordance with policies of the London Plan and policy requiring

flood risk assessment and development to mitigate flood risk, Policies CC3 and CC4 of the Local Plan which requires development to minimise future flood risk.

### **Energy and Sustainability**

- 5.86 The goal of the proposal is to achieve net zero emissions through the venue's operations. The intention is that the proposed building will be demountable at the end of the two year operation period and will then travel on a world tour where it will be erected on a running programme for a similar time frame in each country. This 100% re-use accords with the key principles of the circular economy and maintains a continuous lifecycle of materials. Additionally, the applicant states that the proposed landscaping in front of the building will be designed in such a way as to be entirely recyclable and the flora and fauna reused within the Borough.
- 5.87 A temporary building with an expected life of less than 2 years, is except from the energy efficiency requirements of Part L2A (2013). The proposed main hall would utilise a central AHU's with heat recovery and Air Sourced Heat pumps to supply tempered cool/warm air. The Front of House would utilise the Central AHU's with heat recovery to provide ventilation and VRF FCU's to provide heating and cooling. For this temporary building, with a 2-year planned life, the total CO2 emission for the life of the building are 462.4 tonnes of CO2. This is 291 tonnes of CO2 above the GLA target. With a carbon off setting payment at £95/tonnes CO2, the total payment would be £43,890.

### **Land Contamination**

- 5.88 National Planning Policy Framework paragraph 121 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. The London Plan supports the remediation of contaminated sites and that appropriate measures should be taken to control the impact of contamination with new development. Policy CC9 of the Local Plan states that the Council will support the remediation of contaminated land and that it will take measures to minimise the potential harm of contaminated sites and ensure that mitigation measures are put in place.
- 5.89 A Preliminary Risk Assessment and Quantitative Risk Assessment has been submitted in support of the application and considers the impacts of the proposed development. Given the limited timespan for the operation of the building and the way in which it will be constructed, it is not envisaged that there will be any implications as a result of the existing ground conditions across the site.
- 5.90 The proposed construction is a lightweight pre-fabricated process, with limited impact. There is no piling and no mechanical intrusion into the ground. Although potentially contaminative land uses (past) are

understood to occur at, or near to, this site, the proposed development would not break ground. No objections has been raised by the Council's Contamination Team given the temporary nature of the application.

### **Air Quality**

- 5.91 Paragraph 124 of the NPPF states that planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. London Plan Policy SI 1 states that development proposals should minimise increased exposure to existing poor air quality and make provision to address local problems of air quality (particularly within Air Quality Management Areas (AQMAs) and where development is likely to be used by large numbers of those particularly vulnerable to poor air quality, such as children or older people). Policy CC10 of the Local Plan explains that the Council would reduce levels of local air pollution and improve air quality in line with the national air quality objectives.
- 5.92 The site is located within an Air Quality Management Area. There is negligible impact on air quality through the construction phases given the modular form of construction. It is expected that the majority of visitors to the site would use public transport, which would assist in offsetting negative air quality impacts from the development. Furthermore, should permission be granted then a condition is recommended to be attached the decision notice to ensure that no non-road mobile machinery (NRMM) would be used on the site, unless it is compliant with the Stage IV NOx and PM10 emission criteria. A further condition is recommended to ensure that vehicles used for the construction and operational phases of the development meet London Ultra Low Emission Zone (ULEZ) compliance. This would ensure that all machinery/vehicles to be used on site would be non-polluting to improve air quality.
- 5.93 Subject to the inclusion of conditions, officers consider that the proposed development can accord with Policy SI 1 of the London Plan 2021 and Policy CC10 of the Local Plan 2018.

### **Fire Strategy**

- 5.94 A Fire Statement has been prepared in support of the planning application. Within the London Plan fire safety is addressed within Policy D12. Consideration to the requirements of fire evacuation are included in Policy D5(B5). The Fire Statement states the proposed development is to be constructed with an aluminium framed structure and composite mineral wool panel cladding. The Front of House has four ground floor exit routes and a controlled staff access. Two routes are to the Main Hall and two failsafe 1800mm wide revolving final exit doors at the main entrance. The Main Hall is provided with 4 exits distributed around the perimeter. The rear boundary exit is a single leaf

door of 1200mm clear width. Each of the other 3 exits is approx. 1800mm. All ground floor escape routes exit directly to outside via ramps or steps. The fire safety design of the proposed development, and the fire safety information contained within this Fire Statement, satisfies the requirements of London Plan Policy D12 and D5.

### **Community and Infrastructure Levy (CIL)**

- 5.95 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. The Council has also set a CIL charge levied on the net increase in floorspace arising from development in order to fund infrastructure that is needed to support development.
- 5.96 A planning application for change of use of an existing building would not be liable to CIL unless it involves an extension/new build which provides 100 square metres or more of additional floorspace. Exemptions from CIL liability however include temporary buildings. This development is therefore not liable for London-wide community infrastructure levy or Borough CIL.

### **Legal Planning Obligations**

- 5.97 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. Local Plan Policy INFRA1 (Planning Contributions and Infrastructure Planning) advises that the Council would 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).
- 5.98 As part of the planning process, officers consider that the Applicant would be required to enter into a legal agreement in the event that planning permission were to be granted. A Unilateral Undertaking is proposed by the Applicant which is a simplified version of a standard planning agreement where the Applicant would agree to enter the covenants to perform the planning obligations as set out below. The unilateral undertaking would come into effect when planning permission to which it is linked is granted. The following obligations have been discussed and agreed with the Applicant:
- **Employment and Skills**  
All reasonable endeavours to employ 25% of the show/operational staff from the local area across roles such as front of house stewarding, cleaning, security, garden maintenance and retail operations. A minimum of 12.5% of LBHF residents will be targeted.
  - Commitment to engage with LBHF and Work Zone or such other contact details that are provided from time to time by the Council regarding the advertisement of job opportunities.

- Commitment to report evidence to LBHF on a quarterly basis in respect to the employment targets set and the quantum of LBHF residents employed across the site.
- When selecting suppliers to quote for services including catering, maintenance and security for example, preference should be given to local suppliers for all contracts where appropriate and competitive. Commitment to reporting evidence to LBHF on a quarterly basis.
- **Education Programme**  
Provide Education Programmes/visits to primary, secondary and specialist school groups, as set out in the Operational Management Plan, including the invitation of up to 15 primary and secondary schools to preview the experience and workshops (for free) prior to opening up to paid school groups.
- **Local Community Engagement**  
Provision of 10,000 complimentary tickets during the two year duration to the local community.
- **Carbon Offset Contribution**  
Within 30 days on the commencement of the development, a contribution of £43,890 to be paid by the developer to the Council in accordance with the London Plan and applied by the Council towards carbon mitigation measures within the Borough.
- **Highway Improvements**  
All reasonable endeavours to liaise with the landowner and LBHF to facilitate a Traffic Regulation Order (TRO) for Empress Place prior to the occupation of the development.  
All reasonable endeavours to work with LBHF Highways to provide tactile paving to the existing crossings facilities at the Empress Approach / Lillie Road junction.

## **6.0 RECOMMENDATION**

- 6.1 The proposal would comply with the development plan. The proposed structures and associated activities represent an acceptable temporary use for this site in this instance. The proposal is consistent with the Council's policies for the area, in relation to arts, cultural and entertainment uses. The use is considered to be compatible with other cultural uses in the vicinity. This activation of the vacant derelict space would be beneficial to the wider regeneration area. It is considered that the proposed use would contribute to the overall area until the regeneration of the wider Earls Court site comes forward. On this basis it is considered that the proposal is consistent with the requirements of the policies CF3, FRA and FRA1 with regard to employment generation in the area and provision of leisure/cultural facilities.

- 6.2 Regard has been had to the setting of neighbouring Conservation Areas and special interest of listed buildings. It is considered that there would not be any harm caused to the special interest or character of any heritage assets. Any temporary minor impacts are considered to be outweighed by the social and economic public benefits that the proposal would deliver.
- 6.3 The supporting information addresses the issues of visitor management and other operational issues pertaining to the proposed use in terms of delivery/servicing, noise management and luminescence management and these are recommended to be approved by way of conditions to ensure that the event operates in accordance with the documents. Subject to appropriate conditions including requiring the use be operated in accordance with the Operational Management Plan (OMP) the temporary scheme is considered acceptable. A condition is also recommended to ensure that all structures associated with the application(s) would be removed and the site reinstated once the use ceases.
- 6.4 As such, it is considered that the proposed development accords with relevant policies in the Local Plan (2018) and the London Plan (2021).
- 6.5 Accordingly, it is recommended that the proposed development be granted planning permission subject to the conditions listed above and a legal agreement.

# Agenda Item 6

**PLANNING AND DEVELOPMENT CONTROL COMMITTEE**  
**11<sup>th</sup> OCTOBER 2022**

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SUBJECT:

CONFIRMATION OF TREE PRESERVATION ORDER T427/05/22

LAND AT WESTSIDE, RAVENSCOURT PARK, W6  
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WARD/S:

RAVENSCOURT  
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OFFICER:

ADAM O'NEILL, PRINCIPAL URBAN DESIGN & HERITAGE OFFICER  
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RECOMMENDATION:

The Committee resolve that the Tree Preservation Order T427/05/22 be confirmed without modification.



CONFIRMATION OF TREE PRESERVATION ORDER T427/05/22  
LAND AT WESTSIDE, RAVENSCOURT PARK, W6

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1 DOCUMENTATION

1.1 TPO location plan. Photographs of the trees taken from Ravenscourt Gardens and from within the car park at Westside.

2 BACKGROUND

2.1 On 31<sup>st</sup> May 2022 delegated authority was given to make a Tree Preservation Order (TPO) at Westside, Ravenscourt Park. The TPO includes two London Plane trees (T1 and T2) in the car park at the rear of the apartment building as shown on the enclosed TPO location plan. The Order was made under Section 201 of the Town and Country Planning Act 1990 and became effective for a period of six months from 1st June 2022.

2.2 The Order was made following the receipt by the Council of Conservation Area tree works notice 2022/01162/TREE to fell tree T1.

2.3 The trees are located within the car park at the rear of an apartment building and are visible from the public highway in Ravenscourt Gardens. The trees are some of the largest in the immediate vicinity and have not been pruned recently.

2.4 Under the Tree Regulations the Council is obliged to consider representations to the Order, made within 28 days of its service before confirming it. Representations have been received from a resident at 5 Westside who is also the Chair of the Freehold Management Company, from the owner of 8 Westside and from a neighbour at 49 Ravenscourt Gardens.

2.5 Policy OS5 of the Council's Local Plan (2018) states that:

*'The council will seek to enhance biodiversity and green infrastructure in the borough by:*

- a. maximising the provision of gardens, garden space and soft landscaping, seeking green or brown roofs and other planting as part of new development;*
- b. protecting back, front and side gardens from new development and encouraging planting in both back and front gardens;*
- c. seeking to prevent removal or mutilation of protected trees;*
- d. seeking retention of existing trees and provision of new trees on development sites; and*
- e. adding to the greening of streets and the public realm.'*

### 3 CONSULTATION RESPONSES TO THE ORDER

#### 3.1 Letter dated 8<sup>th</sup> June 2022 from resident at 5 Westside and Chair of Freehold Management Company

This representation raised objections and concerns including:

- The trees do not add to the amenity of the area.
- Wrong tree species for this location, Plane trees should be planted 30ft away from property.
- The trees are too large for this location.
- Tree roots have lifted tarmac surface of car park, creating a trip hazard and preventing use of some car parking spaces including one specifically allocated for disabled use as other parking spaces are assigned to individual leases.
- Impossible to deal with the tree root issues without harming the tree in question.
- Plane trees are associated with a large amount of leaf fall with potential to block gutters and cause flooding.
- The trees cause loss of light and overshadowing.
- The trees obstruct passage of large vehicles in car park with potential for them to cause damage to the trees.
- The trees cannot be seen in full by residents outside Westside as they are behind a 6 feet high boundary wall.
- Climate change will bring less rainfall so tree roots will extend further in future.

#### 3.2 Letter dated 12<sup>th</sup> June 2022 from owner of 8 Westside

This representation raised objections and concerns including:

- The trees have outgrown their location.
- The trees are 30m from the road in Ravenscourt Gardens and behind a 6ft boundary wall, are of little attraction, do not have a high amenity value, do not form part of the streetscape in Ravenscourt Gardens and do not make a significant positive contribution to the character and appearance of the Conservation Area.
- Severe pruning would not be effective, felling [of tree T1] is necessary to resolve root damage to tarmac surface of car park and avoid damage to adjacent house at 49 Ravenscourt Gardens.

#### 3.3 Email dated 7<sup>th</sup> July 2022 from neighbour at 49 Ravenscourt Gardens

This representation raised several concerns about tree T1 but supported the principle of the Tree Preservation Order:

- Concerns about proximity and size of the tree [T1] in relation to 49 Ravenscourt Gardens, potential subsidence and future damage to property.
- Root damage to tarmac of car parking area at Westside.
- London Plane trees should not be planted this close to property.
- The trees have not been pruned recently and the tree branches are close to windows at 49 Ravenscourt Gardens.
- The tree drops highly pollinated balls into the rear garden of 49 Ravenscourt Gardens, causing difficulties for the inhabitants, restricting use of the patio and blocking drains.

#### 3.4 Officer's comment

Under s.198 of the Town and Country Planning Act 1990 Local Planning Authorities have the power to make provision for the preservation of trees in their area if it is considered expedient in the interests of amenity.

The trees are some of the largest in the immediate vicinity and are visible from the public highway in Ravenscourt Gardens. They are considered to be of high amenity value, provide a green foil to the surrounding development and make a positive contribution to the character and appearance of the Conservation Area.

Officers have carefully considered all representations received. Officers from the Arboricultural Team and the Urban Design and Heritage Team have met onsite with residents of Westside since the Provisional Order was served and provided advice on their potential options on how to manage the trees. Officers encouraged the residents to consider alternatives to felling tree T1. As a result, an application for TPO tree works consent (2022/01965/TPO) to prune the trees was submitted and subsequently approved. If the pruning works are implemented, then Officers consider that this would reduce the size of the trees and help to alleviate some of the concerns expressed by residents.

Further applications have been submitted for root pruning to tree T1 (2022/01966/TPO) and for the felling of tree T1 (2022/01968/TPO) and these applications are pending consideration. A specification of the root pruning works proposed to tree T1 in 2022/01966/TPO has been requested from the applicant in order for the Council's Arboricultural Officer to assess the impact of the proposed works on the health of the tree. Subject to the Tree Preservation Order being confirmed and agreement being reached on the proposed specification of root pruning works, it is anticipated that the implementation of such works would help to alleviate the problems currently being caused by tree roots lifting the tarmac surface of the car park. The application to fell tree T1 (2022/01968/TPO) has been held in abeyance pending Committee's decision on whether or not to confirm the Provisional Order. In the event that the Provisional Order is confirmed it is likely that the application would be refused under delegated powers since inadequate justification has been provided to fell the tree.

The Council declared a Climate and Ecology Emergency in 2019 and has published its Climate and Ecology Strategy which sets out the route to net zero greenhouse gas emissions by 2030 for the borough. Improving air quality and biodiversity and responding to Climate Change are major priorities for the Council. In Inner London the canopy cover provided by trees is less dense and large mature trees are especially valuable and should be retained wherever possible.

If confirmed, the TPO would not prevent works such as pruning or even felling from being carried out to the trees in the future; it only requires that consent be obtained from the Council before such works are carried out. The TPO would enable the Council to control such works so that they are not detrimental to the health or appearance of the trees or in the case of felling, to require the planting of a replacement tree and to specify its size, species and location in order to preserve tree cover and amenity in the local area.

## 4 OPTIONS

4.1 The Council could allow the TPO to lapse, in which case tree T1 is likely to be felled and the Council would have no power to require the planting of a replacement tree.

4.2 Alternatively, the Council is empowered to confirm the TPO without modification. Having carefully considered all representations received, Officers recommend this option in order to protect the amenity value provided by the trees and to provide a legal framework for the management of works to the trees.

4.3 There is also provision within the Regulations to allow for confirmation of the TPO with modification, for example in order to exclude one of the trees from the Order, but Officers do not recommend such action in this case.

## 5 ARGUMENTS FOR THE RECOMMENDED ACTION

5.1 The confirmation of the Order will ensure that the amenity value of the trees is preserved and as such will prevent an unnecessary reduction in the quality of the environment in this part of the Borough.

## 6 IMPLICATIONS

6.1 There are no major financial, legal or staffing implications relating to the confirmation of a TPO.

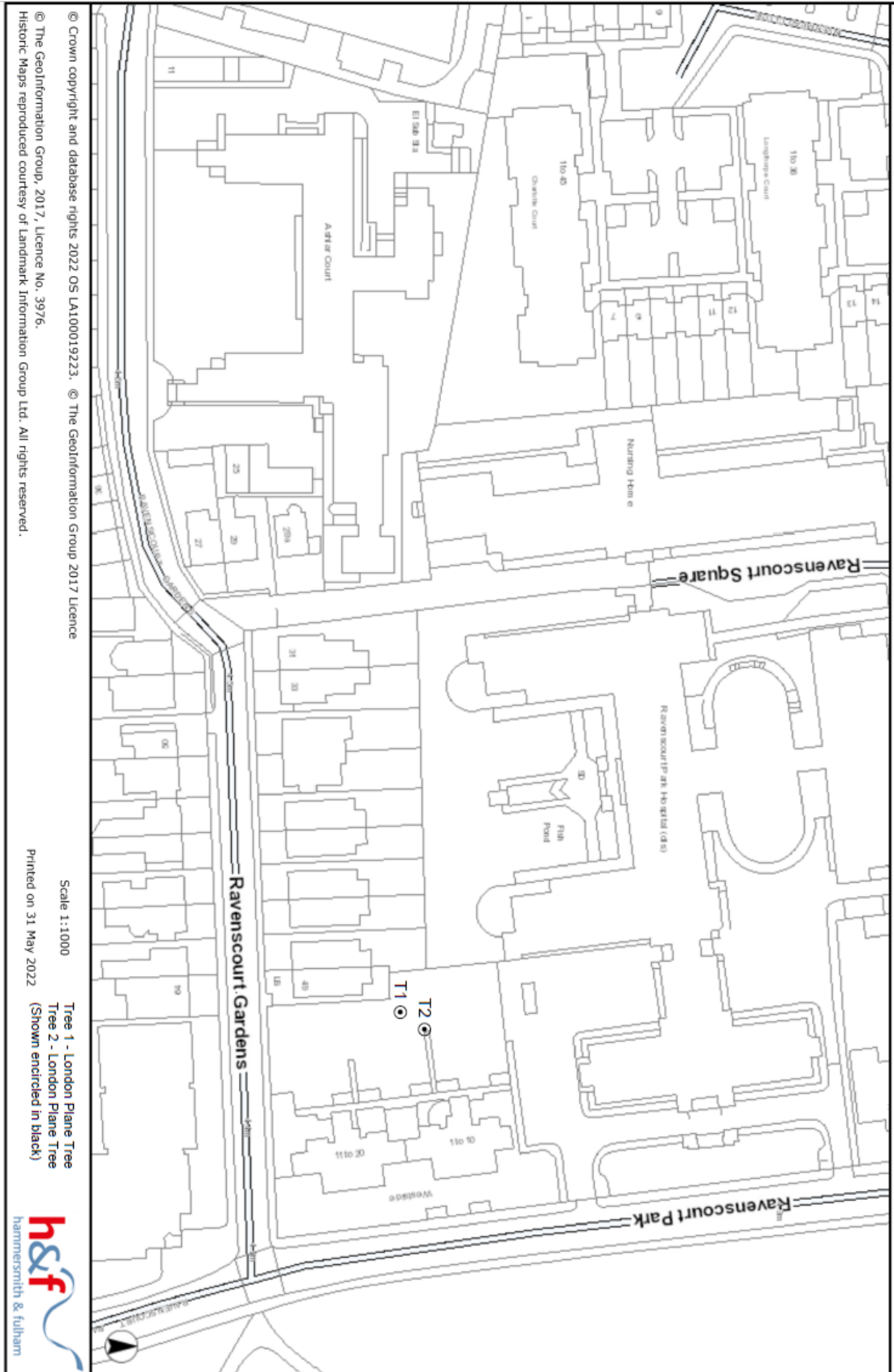
## 7 CONCLUSION

7.1 The confirmation of the TPO is justified, as it would protect the amenity value provided by the trees, the character and appearance of the Conservation Area and the quality of the environment within the local area.

## 8 RECOMMENDATION

8.1 Confirm the Tree Preservation Order without modification.

Tree Preservation Order T427/05/22  
Land to Rear Westside, Ravenscourt Park, W6 0TY



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Scale 1:1000  
Tree 1 - London Plane Tree  
Tree 2 - London Plane Tree  
(Shown encircled in black)



Figure 1: TPO location plan.



Figure 2: Photograph of trees T1 and T2, shown behind the boundary wall of Westside and to the right of 49 Ravenscourt Gardens, taken from the pavement in Ravenscourt Gardens.



Figure 3: Photograph of trees T1 and T2, shown with the boundary wall of 49 Ravenscourt Gardens on the left, taken from within the car park at Westside.

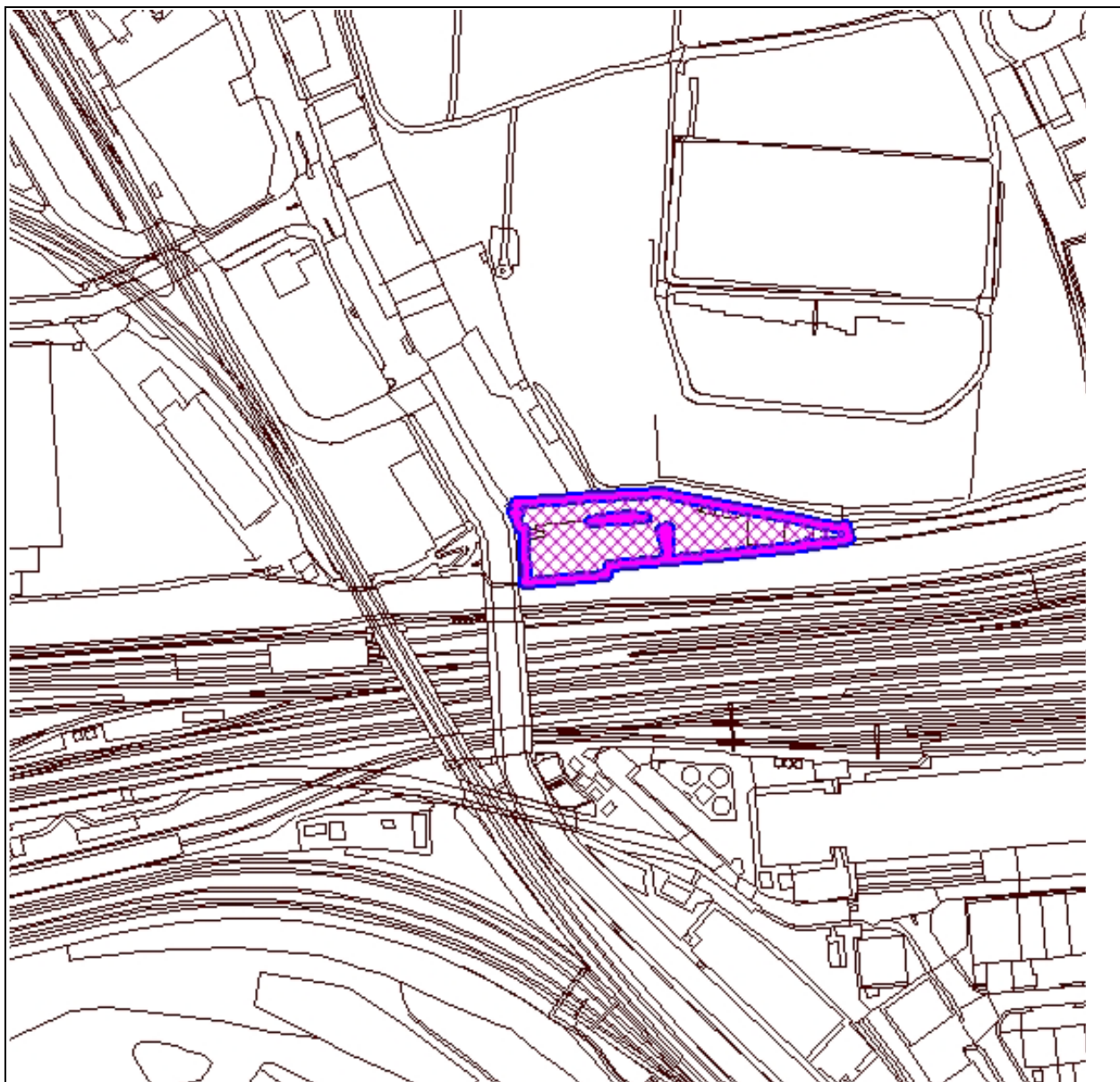
# Agenda Item 7

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**Ward:** College Park & Old Oak

**Site Address:**

Mitre Wharf, Scrubs Lane, NW10



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**For identification purposes only - do not scale.**

**Reg. No:**

2022/01107/OPDOBS

**Case Officer:**

Violet Dixon

**Date Valid:**

14.04.2022

**Conservation Area:**

N/A

**Committee Date:**

11.10.2022



**Applicant:**

Satara Projects Ltd

**Description:**

Demolition of existing structures and redevelopment of the site to provide two buildings of 8 and 9-storeys comprising 148 residential units (Use Class C3) above 833 sqm of ground and lower ground floor commercial uses (Class E), including car and cycle parking, plant space, landscaping and associated works.

Drg Nos:

**Application Type:**

Observations to OPDC

**Officer Recommendation:**

The Council raises an objection to the proposed development for the following reason(s):

- 1) It is considered that insufficient information has been provided for the Council to fully assess the transport and highways impacts of the proposed development. Additional information is required to demonstrate compliance with the Local Plan and London Plan. Further details of the Council's concerns in this regard and the additional information that the Council considers is necessary for the full assessment of the transport and highways impacts are provided in the attached committee report
- 2) The proposed affordable housing provision is considered to be unacceptable. Further details of the Council's concerns in this regard are provided in the attached committee report. It is not considered that the current proposals provide an appropriate quantum of affordable housing, and the affordable tenure should satisfy Policy H6 (Affordable housing tenure) of the London Plan.

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

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

Application form received: 29th April 2022

Drawing Nos:

**Policy documents:** National Planning Policy Framework (NPPF) (2021)  
The London Plan (2021)  
OPDC - Post Submission Modified Draft Local Plan (2021)

**Consultation Comments:**

**Comments from:**

**Dated:**

**Neighbour Comments:**

**Letters from:**

**Dated:**

None received.

## **OFFICER'S REPORT**

### **1. BACKGROUND**

1.1. The Old Oak & Park Royal Development Corporation (OPDC) has consulted the Council on a planning application submitted to them (OPDC Ref.22/0066/FUMOPDC) for the redevelopment of the Mire Wharf site as described above. The site is in the Borough, but it is part of the Old Oak & Park Royal Opportunity Area for which the OPDC is the planning authority.

1.2. The OPDC was established by a Statutory Instrument in January 2015, was granted planning powers through a further Statutory Instrument in March 2015 and came into existence on 1 April 2015. On this date the OPDC became the local planning authority for the area, taking on planning functions including plan making powers and determination of planning applications. LBHF remains the highway authority for the area within the borough boundary.

1.3. The Old Oak & Park Royal Opportunity Area is expected to accommodate at least 25,500 new homes and 65,000 new jobs. Policy H1 of the London Plan sets a ten-year housing target for the OPDC of 13,670 completions.

1.4. This application is being reported to the Planning and Development Control Committee in order to give Members the opportunity to consider and endorse the officers' recommendations before these are formally submitted to the OPDC. It is not for the Council to determine the planning application itself (this duty falls to the OPDC) but the Council's representations will be included in the OPDC committee report and will form part of their consideration of the proposals.

1.5. The OPDC are currently intending to report the planning application to their Planning Committee for determination on the 27 October 2022.

### **Site & Surroundings**

1.6. Mitre Wharf is a 0.33ha site on the east side of Scrubs Lane. Access to the site is provided at the north-western corner directly from Scrubs Lane. The southern boundary of the site is formed by the northern edge of the Grand Union Canal, which is a designated conservation area. Most of the northern boundary of the site adjoins the St Mary's Cemetery conservation area and the remaining part adjoins the 'North Kensington Gate South' development site, which is under construction in the form of a 7 – 24-storey residential-led development. The Mitre Yard site is located on the opposite side of Scrubs Lane and is also being constructed. Beyond St Mary's Cemetery is Kensal Green Cemetery conservation area and Grade I Registered Park and Garden.

1.7. Beyond Mitre Yard to the west of Scrubs Lane, there is the West Coast main line, London Overground and Underground railway lines, a large car sales dealership (Cargiant) and a waste transfer collection station.

1.8. The Site is essentially open storage currently occupied by a tyre supplier, known as 'UK Tyres Ltd', and features large areas of hard-standing and some related predominantly single-storey structures, including a car wash.

1.9. There is an approximately 3m level change on the site between Scrubs Lane and the Grand Union Canal, and the frontage with the canal is some 140m in length. The north side of the canal is currently publicly inaccessible, and the canal side path is gated off from Mary Seacole Garden to the west. Access to the east and along the frontage of the Site is currently only available to the Kensal Rise Association of Boaters ('KRAB') who control also the access gate from Mary Seacole Gardens.

1.10. The main access to the site is from Scrubs Lane, although there are also stairs providing pedestrian and cycle access at the north and south sides of the Mitre Bridge; the main pedestrian and cycle route runs along the south side of the canal.

1.11. No part of the Site itself is within a conservation area. There are no TPO trees on the site, but there are existing mature trees with potential root protection areas in St Mary's Cemetery abutting the north-west boundary. The Site does not contain any designated heritage assets, and it is not located within an Archaeological Priority Area.

1.12. The Site is located in Flood Zone 1 and therefore has a low risk of flooding watercourses.

1.13. Nearby open space includes Mary Seacole Gardens, which is currently accessible by crossing Scrubs Lane. Wormwood Scrubs, one of London's largest open spaces, is a 5-minute walk to the south-west and will continue to provide publicly accessible open space for the wider Old Oak regeneration area.

1.14. Scrubs Lane currently comprises principally of two to three-storey units of light industrial/office use, as well as some existing terrace housing further north, and is an important road connecting Harlesden, Old Oak and White City. The public realm surrounding the Site is of poor quality and legibility, suffering also from a lack of permeability. This context is expected to change significantly in the near future, with a number of development proposals consented in recent years and some under construction (Mitre Yard; 2 Scrubs Lane; North Kensington Gate sites).

1.15. The Cumberland Park Factory Conservation Area (designated in 2017) lies further north on the east side of Scrubs Lane (within the OPDC area) between Scrubs Lane and St. Mary's Cemetery. The area is considered to have significant local heritage and place-making value (preserving the memory of the previously dominant industrial character of Old Oak & park Royal in an time of change, in an area with comparatively few heritage assets). It is understood to be one of the smallest conservation areas in the country.

1.16. The site currently has a Public Transport Accessibility Level (PTAL) of 1b ("Low"). The transformation of the area will no doubt improve this situation in due course, but the PTAL level of 1b is considered to reflect the existing circumstances at this time.

1.17. The closest stations are Willesden Junction and Kensal Green (some 15-20 minutes' walk respectively (served by the Bakerloo Underground line, Overground, and National Rail services). The nearest bus stops are on Scrubs Lane (serving routes 18, 220 and N18). The 220 route is the most frequent with circa. 12 buses per hour during weekdays, connecting Willesden Junction Station with Maple Crescent in Wandsworth, passing through Shepherds Bush and Hammersmith.

## **2. PLANNING HISTORY**

2.1. There is little relevant planning history on the application site but there are relevant recent records on the following sites in the local area.

### North Kensington Gate (South)

2.2. Planning permission granted by the OPDC in July 2021 (following a previous permission in 2018) for the demolition of existing buildings and redevelopment between 7-storeys and 24-storeys for primarily residential purposes. The site has been hoarded and construction work is understood to have commenced earlier this year.

### Mitre Yard (104 - 108 Scrubs Lane)

2.3. Planning permission granted by the OPDC in January 2020 to increase the number of new homes previously approved on the site from 200 to 241. The approved development is understood to have commenced in February 2022.

### North Kensington Gate (North) (93-97A Scrubs Lane)

2.4. Planning permission granted by the OPDC in January 2017 for a 4 -11-storey redevelopment providing 47 new homes. This permission has since lapsed, and a new planning application is expected to be submitted later this year.

## **3. PROPOSALS**

3.1. The proposals comprise the demolition of existing buildings and structures on the site and its redevelopment in the form of 2 buildings/blocks (8-storey and 9-storeys) providing 148 residential units (10 studios, 58 1-beds; 46 2-beds; and 34 3-beds) with commercial floorspace provided at ground/canal level (630sqm).

3.2. 4 accessible parking spaces are proposed on site. Cycle parking and waste storage facilities are also provided on the site, together with an area of public realm between the two proposed buildings/blocks and along the northern edge of the canal.

3.3. The existing vehicle access onto Scrubs Lane will be retained and improved to provide access to the on-site blue badge parking as well as a shared and managed servicing/public realm space.

3.4. Ground floor and canal side levels are principally made up of active uses with commercial units and access to the residential blocks.

3.5. Residential accommodation is provided at every level, from canal side to seventh floors, with roof terraces surmounting Block 1 and between the set-back seventh floors of Block 2 providing play space for residents' children.

## **4. PUBLICITY & CONSULTATION**

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

4.2. LBHF have not received any representations in relation to this application.

## **5. PLANNING FRAMEWORK**

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

5.3. The National Planning Policy Framework - 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. 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.

5.4. 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.

5.5. 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

## **6. ASSESSMENT**

### **URBAN DESIGN & HERITAGE**

6.1. No objection raised to the proposals. The proposed design is considered acceptable in terms of scale, massing, and architectural quality. In terms of placemaking, proposals seek to provide additional active and animated frontage to Scrubs Lane, alongside providing greater public access to the northern towpath of the Grand Union Canal.

6.2. The proposals do not raise any heritage or townscape issues.

### **HIGHWAYS MATTERS**

6.3 Officers consider that the information submitted is not sufficient to fully assess the transport/highways implications relating to the proposed development.

6.4. H&F is the Traffic/Highway Authority for Scrubs Lane (responsible for maintenance/management of the public highway).

6.5. The site has a current PTAL of 1b using Transport for London's online Web CAT tool, which indicates a low level of accessibility to public transport.

#### Public Transport Accessibility

6.6. The applicant has made numerous references to the upcoming changes to the existing PTAL rating of 1a to PTAL rating of 5-6a, based on expected transport infrastructure improvements.

6.7. Officers do not accepted that a possible 'future' PTAL rating should is used to determine car parking, cycle parking or pedestrian infrastructure at this time, particularly as elements such as the eastern pedestrian bridge, eastern highway bridge, Hythe Road station and other provisions have been removed from the OPDC Local Plan. It is considered that the current application should be reviewed and considered in the context of the PTAL rating at the time of submission.

#### Trip Generation

6.8. Residential

##### Existing

6.9. The applicant has submitted traffic counts which were located at the site access in January 2022, to provide existing trip generation information for the existing tyre sales open storage plot.

6.10. This data indicates that Thursday 20<sup>th</sup> January recorded the highest number of trips to and from the site [124 two-way vehicle movements generated across the course of the day (07:00-19:00)].

##### Proposed

6.11 Commercial – the applicant has not provided any trip generation information for the proposed commercial use in the development proposals.

6.12. Residential – the applicant has submitted trip generation information which derives from the TRICS database. The TRICS assessment includes 7 sites across London with PTAL ratings varying from 1a (very poor) and 3 (moderate) and one site which was surveyed over 5-years ago.

6.13. The trip generation information indicates the proposed development would generate a total of 92 total trips in the AM peak period and 85 total trips in the PM peak period, and it is submitted that 80% of trips would be undertaken by public transportation and 19% of trips by active travel.

6.14. The applicant has only presented trip generation for the AM (08:00-09:00) and PM (17:00-18:00) peak periods. As a result the applicant has only presented net change in trips for the AM and PM peak periods.

6.15. Presentation of only peak hour trips is not considered robust or accurate, due to the proliferation of working from home/remote working following the outbreak of Covid-19 and the associated lockdowns. It is not considered that the trip generation assessment presented within the submitted Transport Assessment is representative and the methodology should be agreed with the Highway Authority.

6.16. Accordingly, it is considered that the applicant should provide trip generation information for the proposed commercial use at the site; should submit a multi-modal trip generation assessment for the proposed development over the course of a typical day; should submit a multi-modal assessment for the net difference in trips over the course of a typical day; and should update the proposed modal split having regard for the travel to work data in the latest census.

#### Active Travel Zone (ATZ) Assessment

6.17. An ATZ assessment is included with the Transport Assessment (in accordance with TfL's latest guidance). The ATZ presents 6 routes (not agreed with the Highway Authority) which include destinations such as Wood Lane High School, the Canal walking route, Hythe Road bus stop, Willesden Junction station, Kensal Green station and Kenmont Primary School.

6.18. ATZ document provides a comprehensive evaluation of the 6 routes and concludes with a number of highlighted issues and proposed solutions.

6.19. The applicant should be required to enter into a s278 agreement to deliver the following improvements identified within the ATZ document. These should be implemented prior to occupation of the development. Following the receipt of the updated ATZ assessment, further mitigation measures may be required to improve cycling facilities in the vicinity of the site:

- The provision of benches along the proposed routes in order to provide places to stop and rest.
- A pedestrian crossing to be introduced along the site's frontage to improve access to the northbound bus stop on Scrubs Lane.
- The provision of step-free access to the Canal Walking Route from Scrubs Lane.
- The provision of a dedicated cycle lane along the entirety of Scrubs Lane.
- Improve the crossing facility at the junction with Hythe Road and Scrubs Lane, works to include the provision of tactile paving and improvements to the existing pedestrian refuge.

6.20. The submitted ATZ assessment does not include a night-time assessment, which is required to address issues relating to personal security and lighting. The applicant should be required to update the ATZ to include an assessment from the perspective of cyclists for all assessed routes; the applicant should include a cycling route from the site to Westfield in the updated ATZ assessment; the applicant should be required to undertake and submit a Night-Time ATZ assessment of the same proposed routes.

6.21. The S278 requirements should also include the removal of redundant crossovers and the reinstatement of the footway.

#### Cycle Parking

6.22. 261 cycle parking spaces are proposed (257 spaces for the residential; 4 for the

commercial). Proposed residential long-stay cycle parking spaces will be provided across two basement level cycle stores, with 13 spaces (5%) accessible spaces in accordance with London Cycle Design Standards (2016). A further 22 short-stay cycle parking spaces are to be provided in the form of Sheffield stands at ground floor level.

6.23. The applicant should be encouraged to explore improved and innovative cycle parking and infrastructure (which may include a mix of Sheffield stands, e-bike charging stands, semi-vertical stands, Brompton cycle lockers, floor hoops and the provision of cycle gutters on staircases)

6.24. Full cycle parking details including the required 5% accessible spaces in accordance with the London Cycle Design Standards (2016) should be secured by planning condition.

### Car Parking

6.25. The development is proposed to be car-permit free, with the exception of four blue badge car parking spaces (2.7%). This is not considered to meet London Plan policy requirements for a site with a PTAL rating of 1b. A minimum of 5 blue badge car parking spaces should be provided.

6.26. No information has been provided demonstrating suitable locations for the remaining 7% capacity, should the demand arise.

6.27. The site is not located within a Controlled Parking Zone (CPZ) and as such the development is likely to result in a significant increase in on-street car parking pressures in the immediate vicinity.

6.28. Accordingly, the applicant should demonstrate on plan the possible parking locations for the potential additional 7% requirement of blue badge spaces; and should fund the provision of a CPZ and any necessary waiting restrictions along Scrubs Lane, prior to occupation (in order to mitigate the potential impact on on-street car parking stress).

6.29. Future occupiers of the development should be restricted from obtaining on-street car parking permits but the value of this proposed mitigation is undermined by the absence of a CPZ.

6.30. The applicant should be required to submit a Car and Cycle Parking Management Plan, which should be secured by planning condition/obligation.

### Public Transport

6.31. The applicant should liaise with Transport for London regarding potential mitigation measures for public transportation in the vicinity of the application site.

### Delivery and Servicing

6.32. The applicant has submitted a Delivery and Servicing Plan (DSP) in accordance with Local and London Plan requirements. The DPS states that delivery and servicing activities are proposed to take place away from the public highway within the proposed site.



6.33. The DSP states that the proposed delivery and servicing trips were derived from a delivery and servicing database that combines survey information for sites across central London. The DSP states that up to 17 delivery and servicing trips would be generated daily for the residential use and 8 delivery and servicing trips for the commercial use, resulting in an average 2-3 delivery and servicing trips per hour.

6.34. The DSP states that waste requirements for the proposed development would result in thirty-three 1,100ltr Eurobins. No dedicated loading area is proposed, and all waste activities will take place within the proposed public space in the site and swept-path analysis has been provided for a 10.7 refuse vehicle entering the site, turning and leaving in a forward gear. Officers have concerns over the limited space for the refuse vehicle to turn, with the swept-path analysis demonstrating many manoeuvres required to leave the site in a forward gear. Further, the delivery and servicing manoeuvres are proposed to take place within an area which may result in conflict between vehicles and pedestrian and/or cyclists.

6.35. The delivery and servicing numbers included in the submitted DSP are considered to be under-estimated. Due to the proliferation of working from home/remote working following the outbreak of Covid-19 and the associated lockdowns, home deliveries are likely to be significantly higher than estimated within the DSP.

6.36. Consequently, the applicant should be required to provide details of the proposal loading area within the application site in order to prevent informal loading and associated impacts to the public highway; the applicant should be required to demonstrate on plan the ability for two service vehicles to pass each other within the site, in order to prevent any vehicles reversing or queuing on the public highway; the applicant should be required to update the delivery and servicing trip generation, accounting for increased home deliveries for the residential element of the proposal.

### Construction Logistics

6.37. The applicant appears not to have submitted an Outline Construction Logistics Plan (CLP). The applicant should be required to submit an outline Construction Logistics Plan in accordance with policy T7 of the Local Plan and policy T7 of the London Plan (2021). The Construction Logistics Plan is necessary to ensure that the proposed development can be constructed without detriment to the operation of the public highway. The outline Construction Logistics Plan should accord with Transport for London's (TfL) latest guidance on Construction Logistics Plans ([Construction Logistics Plan Guidance \(tfl.gov.uk\)](https://www.tfl.gov.uk)). The outline Construction Logistics Plan must include all required plans (context, routing and site boundary), graphs (as per TfL's CLP toolkit) and planned measures.

6.38. The Construction Logistics Plan should consider the cumulative impact of neighbouring construction sites.

6.39. A Construction Workers Travel plan should be secured by obligation, and should include a requirement for the developer to pay for the associated review/monitoring.

### Travel Planning

6.40. The applicant has submitted a draft residential travel plan in accordance with Local

and London Plan requirements. The aim of the travel plan is to promote active and sustainable travel to and from the application site. The draft document include a number of objectives and generic targets which will be needed to expand on and made specific within the required detailed Travel Plan(s) that should be agreed with the Highway Authority.

6.41. Any required travel plans should be secured in a legal agreement and the legal agreement should include a requirement for the developer to pay the cost of any necessary monitoring/reviews

#### AFFORDABLE HOUSING PROVISION

6.42. The application originally proposed options for the delivery of affordable housing which the applicant submitted exceed that which could otherwise be proposed in accordance with policy, due to viability considerations. An early-stage review mechanism was proposed to enable the amount of affordable housing to increase where delivery is delayed, and the viability of the project improves.

6.43. The two options were as follows:

Option 1 – 27% affordable housing (by habitable room) of which 100% is Shared Ownership. This option assumes 114 private units and 34 Shared Ownership units (all of the private accommodation is proposed in Block 2; Shared Ownership Accommodation in Block 1).

Option 2 – 20% affordable housing (by habitable room) of which 35% is London Affordable Rent and 66% is Shared Ownership. This option assumes 123 private residential units/25 affordable units (18 Shared Ownership/7 London Affordable Rent). In Option 2 Block 2 is all private, with the Shared Ownership, London Affordable Rent + nine private units located in Block 1.

6.44. The options were the subject of an independent review by consultants acting on behalf of the OPDC who identified a surplus in respect of both.

6.45. The applicant's viability consultants responded in August 2022 rebutting the OPDC consultants' proposed amendments, and also confirming that the only affordable housing option now is Option 1.

6.46. The response also sets out updates reflecting amendments to the scheme that result in a change in overall unit mix in Block 1 (the private block) and a loss of one unit taking the total number of private units to 113.

6.47. The applicant submits that a number of Registered Providers have been approached to consider the respective proposals (single or split tenure in Block 1) and they have confirmed that 100% Shared Ownership would be preferable due to service charge and management cost efficiencies.

6.48. Additionally, the August 2022 response confirms that the applicant will now commit to both an early and late-stage viability review, the details of which would need to be secured in an appropriate legal agreement.

6.49. It is unclear at this stage whether a formal affordable housing offer has been made

by Applicant. Any formal affordable housing offer should be supported by an appropriate FVA and the FVA should be the subject of a robust review by an independent consultant on behalf of the OPDC.

6.50. At this time officers consider that the proposed affordable housing provision (both options 1 and 2) is unacceptable. It is not considered that the current proposals provide an appropriate quantum of affordable housing, and the affordable tenure should satisfy Policy H6 (Affordable housing tenure) of the London Plan.

6.51. Both option 1 and option 2 fall under the minimum threshold for an application of this size. The applicant seems to rely on an Affordable Housing & Viability Statement to support their submission that it is not possible to provide a greater percentage of affordable housing due to viability constraints. The applicant should be required to commit to the Viability Tested Route for affordable housing as part of the application, as per Policy H5 (Threshold approach to applications) of the London Plan 2021, including the requirement for both an early and late stage review. Similarly, the affordable housing tenure split should be consistent with the relevant tenure per Policy H6 (Affordable Housing Tenure) of the London Plan 2021.

## **7. CONCLUSION**

7.1. For the reasons outlined in this report officers consider that the proposed development is unacceptable on highways and affordable housing grounds, and does not comply with the policies of the adopted development plan.

7.2. Accordingly, it is recommended that the Council formally responds to the consultation from the OPDC by objecting to the proposed development on the grounds outlined in the recommendation section of this report and explained in more detail in the body of the report itself.