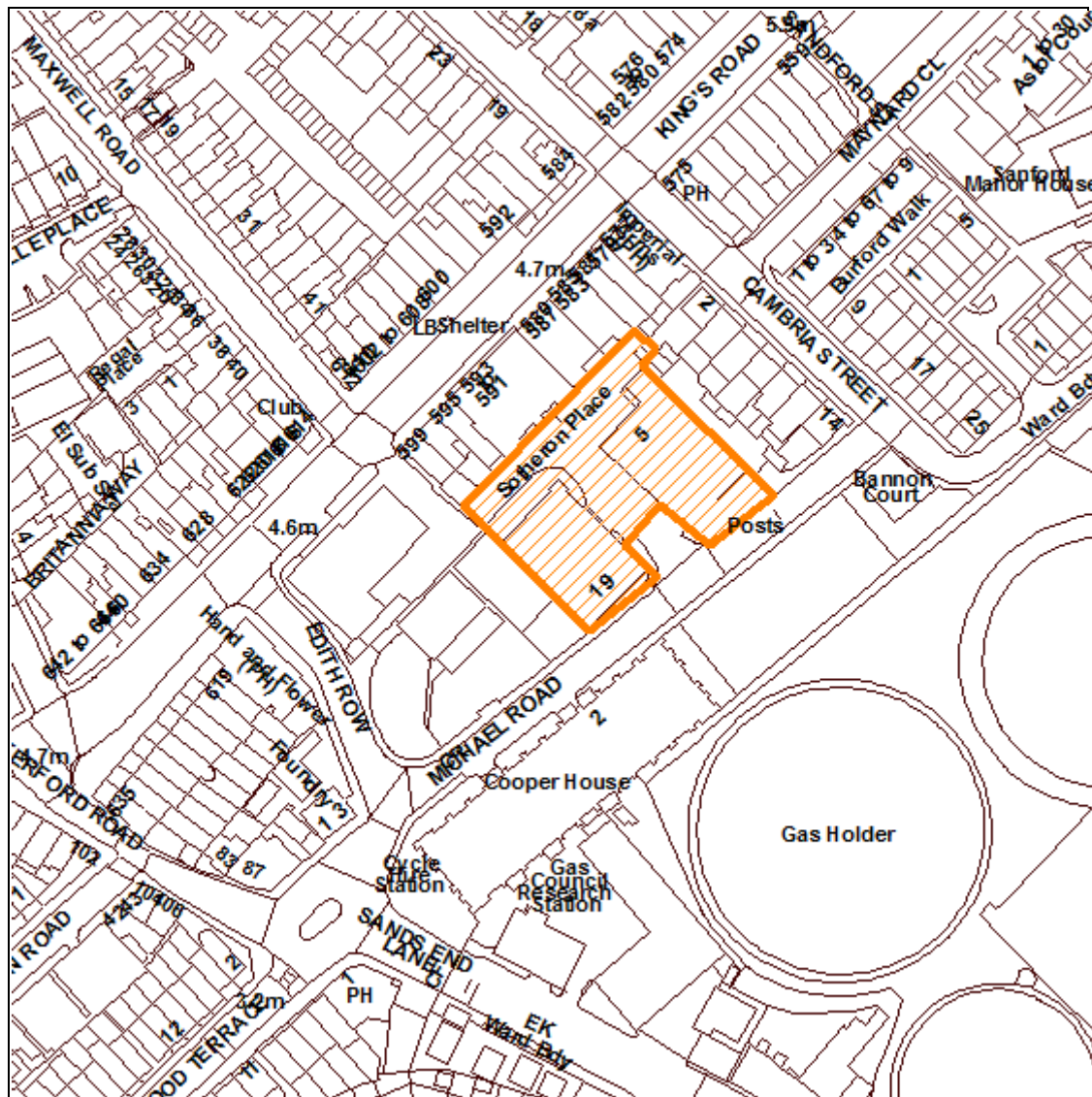


**Ward:** Parsons Green And Walham

**Site Address:**

4 - 5 Sotheron Place London SW6 2EJ



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**For identification purposes only - do not scale.**

**Reg. No:**  
2018/01598/FUL

**Case Officer:**  
Marsha Kange

**Date Valid:**  
17.05.2018

**Conservation Area:**  
Constraint Name: Moore Park Conservation Area -  
Number 30

**Committee Date:**  
06.11.2018

**Applicant:**

Caerus (Sotheron Place) Limited  
c/o Savills

**Description:**

Demolition of existing buildings and redevelopment including the erection of a 5 storey and 6 storey buildings plus-basement to provide 36 flats (Use Class C3), 2,340 sqm commercial floorspace (Use Class A1-A3, B1 and D2) with associated parking, landscaping and amenity space.

Drg Nos: D5100 Rev P0; D5101 Rev P0; D5102 Rev P0; D5103 Rev P0;D5104 Rev P0; D5105 Rev P0; D5106 Rev P0; D5199 Rev P0;D5198 Rev P0; D5500 Rev P0; D5501 Rev P0; D5700 Rev P0;D5701 Rev P0; D5702 Rev P0; D1000 Rev P0; D5300 Rev 01;SK08 Rev 01; D5500 Rev P1; D5503 Rev P0; D5502 Rev P0.

**Application Type:**

Full Detailed Planning Application

**Officer Recommendation:**

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

1. That the Strategic Director of Growth and Place be authorised to grant planning permission on the completion of a satisfactory legal agreement] to cover the items listed in section 6 and subject to the conditions set out below
  2. To authorise the Strategic Director of Growth and Place in consultation with the Director of Law and approval of the Chair of the Planning and Development Control Committee to make any minor modifications to the proposed conditions or heads of terms as drafted in this report which may include the variation, addition or deletion of the conditions and heads of terms to ensure consistency between the two sets of provisions.
- 1) The development hereby permitted shall not commence later than the expiration of 3 years beginning with the date of this planning permission.

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

- 2) The development shall not be erected otherwise than in accordance with the following approved drawings: D5100 Rev P0; D5101 Rev P0; D5102 Rev P0; D5103 Rev P0; D5104 Rev P0; D5105 Rev P0; D5106 Rev P0; D5199 Rev P0; D5198 Rev P0; D5500 Rev P0; D5501 Rev P0; D5700 Rev P0; D5701 Rev P0; D5702 Rev P0; D1000 Rev P0; D5300 Rev 01; SK08 Rev 01; D5500 Rev P1; D5503 Rev P0; D5502 Rev P0;

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

- 3) Prior to commencement of the development hereby approved, Demolition Management Plan and Construction Management Plan shall be submitted to and approved in writing by the Council. Details shall include length of time for the obstruction of the footway and control measures for pedestrian safety, control measures for dust, noise, vibration, lighting, delivery locations, restriction of hours of work and all associated activities audible beyond the site boundary to 0800-1800hrs Mondays to Fridays and 0800 -1300 hrs on Saturdays, advance notification to neighbours and other interested parties of proposed works and public display of contact details including accessible phone contact to persons responsible for the site works for the duration of the works and details of temporary site fencing/means of enclosure to be erected prior to any demolition works take place. The approved details shall be implemented throughout the project period.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the building site, in accordance with Policies T7, T6, CC7, CC8, CC11, CC12 and CC13 of the Hammersmith and Fulham Local Plan 2018.

- 4) Prior to commencement of the development hereby approved, a Demolition Logistics Plan and Construction Logistics Plan shall be submitted to and approved in writing by the Council. The details shall include the numbers, size and routes of demolition and construction vehicles, provisions within the site to ensure that all vehicles associated with the construction works are properly washed and cleaned to prevent the passage of mud and dirt onto the highway, and other matters relating to traffic management to be agreed. The approved details shall be implemented throughout the project period.

To ensure that construction works do not adversely impact on the operation of the public highway, and that the amenity of occupiers of surrounding premises is not adversely affected by noise, vibration, dust, lighting or other emissions from the building site, in accordance with Policies T7, T6, CC7, CC8, CC11, CC12 and CC13 of the Hammersmith and Fulham Local Plan 2018.

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

To ensure a satisfactory external appearance, in accordance with Policies DC1 and DC4 of the Hammersmith and Fulham Local Plan 2018.

- 6) Prior to the occupation of any A class (retail units), detailed drawings in plan, section and elevation at a scale of no less than 1:20 of that frontage and associated glazing shall be submitted in writing for the Council's approval. The glazing installed for any A1-A3(retail) frontages on Michael Road elevations shall be clear and shall be permanently retained and not obscured in any way unless agreed in writing by the Council.

To ensure a satisfactory external appearance, in accordance with Policies DC1 and DC4 of the Hammersmith and Fulham Local Plan 2018.

- 7) Prior to above grade works of the development hereby permitted, details of all new external materials to be used in the development including curtain walling, cladding and roofing materials shall be submitted to, and approved in writing by, the Council. The development shall be carried out in accordance with the approved details; and permanently retained as such.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, to preserve the character and appearance of the neighbouring conservation area; in accordance with Policies 7.1, 7.6 and 7.9 of the London Plan (2016) and Policies DC1, DC4 and DC8 of the Hammersmith and Fulham Local Plan 2018.

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

To ensure a satisfactory external appearance and to prevent harm to the streetscene, in accordance with Policies DC1 and DC4 of the Hammersmith and Fulham Local Plan 2018.

- 9) Unless otherwise agreed in writing by the Council, no plant, water tanks, water tank enclosures or other structures, that are not shown on the approved plans, shall be erected upon the roofs of the building(s) hereby permitted.

To ensure a satisfactory external appearance, in accordance with Policies DC1 and DC4 of the Hammersmith and Fulham Local Plan 2018.

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

To ensure a satisfactory external appearance and to prevent harm to the amenities of the occupiers of neighbouring residential properties, in accordance with Policies DC1 and DC4 of the Hammersmith and Fulham Local Plan 2018.

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

In order to ensure that the Council can fully consider the effect of telecommunications equipment upon the appearance of the buildings in accordance with Policies DC1 and DC4 of the Hammersmith and Fulham Local Plan 2018.

- 12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any order amending, revoking and re-enacting that Order) no extensions or other form of enlargement to the

residential development hereby permitted, nor erection of porches, outbuildings, hardstandings, storage tanks, gates, fences, walls or other means of enclosure, shall take place without the prior written permission of the Council.

Due to the limited size of the site, proximity to neighbouring properties and proposed design of the proposed dwellings on the site, the Council would wish to exercise future control over development which may affect residential amenity or appearance of the area, in accordance with Policies DC1 and DC4 of the Hammersmith and Fulham Local Plan 2018.

- 13) No advertisements shall be displayed on the development hereby approved without details of the advertisements having first been submitted to and approved in writing by the Council.

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

- 14) Unless agreed in writing by the Council, no external roller shutters shall be attached to the retail frontages to Michael Road elevations.

To ensure a satisfactory external appearance, in accordance with Policies DC1 and DC4 of the Hammersmith and Fulham Local Plan 2018.

- 15) A minimum of 10% of all dwellings hereby approved shall be capable of meeting the needs of wheelchair users and shall be designed and capable of adaptation, in accordance with the Council's Local Plan Policy HO6 and Supplementary Planning Guidance Key Principles Accessible and Inclusive Design.

To ensure a satisfactory provision for dwellings, meeting the needs of people with disabilities, in accordance with the Policy 3.8 and 4.5 of The London Plan (2016) and Policy HO6 of the Hammersmith and Fulham Local Plan 2018.

- 16) Prior to above grade works, a noise assessment shall be submitted to the Council for approval of external noise levels including reflected and re-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 commencement of the commercial use of the respective block of development and thereafter be permanently retained.

To ensure that the amenity of occupiers of the development site is not adversely affected by noise from transport [industrial/ commercial noise sources], in accordance with Policies CC11 and CC13 of the Hammersmith and Fulham Local Plan 2018.

- 17) Prior to above grade works of the development, details shall be submitted to and approved in writing by the Council, of an enhanced sound insulation value  $D_{nT,w}$

and L'nT,w of at least 5dB above the Building Regulations value, for the floor/ceiling/wall structures separating different types of rooms/ uses in adjoining dwellings. Approved details shall be implemented prior to occupation of the respective block of the development and thereafter be permanently retained.

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

- 18) Prior to above grade works of the development, details shall be submitted to and approved in writing by the Council, of the sound insulation of the floor/ ceiling/ walls separating the commercial part(s) of the premises from dwellings. Details shall demonstrate that the sound insulation value DnT,w is enhanced above the Building Regulations value and, where necessary, additional mitigation measures are implemented to contain commercial noise within the commercial premises and to achieve the criteria of BS8233:2014 within the dwellings/ noise sensitive premises. Approved details shall be implemented prior to occupation of the respective commercial part of the development and thereafter be permanently retained.

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

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

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

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

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

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

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

- 22) Prior to occupation of each phase of the development a report with details of the Ultra-Low NOx Gas fired boilers, and Emergency Diesel Generator units shall be submitted to and approved in writing by the Local Planning Authority. The report shall include the following:

a) Details to demonstrate that the termination height above roof level of the shared Flue stack for the Ultra Low NOx Gas fired Boiler plant, and Emergency Diesel Generator Plant has been installed a minimum of 2 metres above any openable window and/or roof level amenity area

b) Details to demonstrate that all the Ultra Low NOx Gas fired boilers, Emergency diesel Generator Plant and associated abatement technologies shall meet a minimum dry NOx emissions standard of 30 mg/kWh (at 0% O<sub>2</sub>) and 100mg/Nm<sup>3</sup> (at 5% O<sub>2</sub>) respectively.

c) Details of emissions certificates, and the results of NOx emissions testing of each Ultra Low NOx gas boiler and Emergency Diesel Generator Plant by an accredited laboratory shall be provided to verify the relevant emissions standards in part b) have been met, following installation of combustion based energy plants certificates, and the results of NOx emissions testing of each Ultra Low NOx gas boiler and Emergency Diesel Generator Plant by an accredited laboratory shall be provided to verify the relevant emissions standards in part b) have been met. Where any combustion based energy plant does not meet the relevant emissions Standards in part b) above, it should not be operated without the fitting of suitable secondary NOx abatement Equipment or technology as determined by a specialist to ensure comparable emissions.

d) Details to demonstrate where secondary abatement is used for the Emergency Diesel Generator the relevant emissions standard in part b) is met within 5 minutes of the generator commencing operation.

To comply with the requirements of the NPPF (2018), Policies 7.14a-c of the London Plan (2016) and policy CC10 of the Local Plan (2018)

- 23) Prior to occupation of the development a Low Emission Strategy for the operational phase shall be submitted to and approved in writing by the Council. The Low Emission Strategy must detail the remedial action and mitigation measures that will be implemented to protect receptors (e.g. abatement technology for energy plant, design solutions). This Strategy must make a commitment to implement the mitigation measures (including NOx emissions standards for the chosen energy plant) that are required to reduce the exposure of future residents to poor air quality and to help mitigate the development's air pollution impacts, in particular the emissions of NOx and particulates from on-site and off-site transport via a Ultra Low Emission Vehicle Plan (ULEVP) e.g. use of on-road Ultra Low Emission Vehicles in accordance with the emissions hierarchy (1) Electric Vehicle (Zero emission), (2) Hybrid (non-plug in) Electric Vehicle (HEV), (3) Plug-in Hybrid Electric Vehicle (PHEV), (4) Alternative Fuel e.g. CNG, LPG, (5) Petrol (6) Diesel (Euro 6-HGV) and energy generation sources. The strategy must re-assess air quality neutral and or air quality positive in accordance with the Mayor of London SPG 'Sustainable Design and Construction' (April 2014) guidance. Approved details shall be fully implemented prior to the occupation/use of each block of the development and thereafter permanently retained and maintained in accordance with approved details.

To ensure that the development seeks to reduce the potential adverse air quality impacts in accordance with Policy CC10 of the Hammersmith and Fulham Local Plan 2018.

- 24) Prior to the commencement of the overground works for B1, C3 and D2 use, a report shall be submitted to and approved in writing by the Council. The report shall demonstrate that these uses avoid areas of exceedance above the annual mean objective APEC-B (38ug/m-3) criteria for NO2 and include the following information:
- a) Details of the air intake locations at roof level on the rear elevations
  - b) Design details and locations of windows of all habitable rooms (Bedrooms and Living Rooms) for C3 use
  - c) One month after installation, details of the independently tested mechanical ventilation system with NOx, PM2.5, PM10 filtration for B1 and C3 use. The NO2 filtration system shall have a minimum efficiency of 90% in the removal of Nitrogen Oxides/Dioxides, PM2.5 and PM10 in accordance with BS EN ISO 10121-1:2014 and BS EN ISO 16890:2016.

The whole system shall be designed to prevent summer overheating and minimise energy usage. Chimney/boiler flues and ventilation extracts shall be positioned a suitable distance away from ventilation intakes, openable windows, balconies, roof gardens, terraces, and receptors. The maintenance and cleaning of the systems shall be undertaken regularly in accordance with manufacturer specifications, and shall be the responsibility of the primary owner of the property. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

To comply with the requirements of the NPPF (2018), Policies 7.14a-c of the London Plan (2016) and policy CC10 of the Local Plan (2018).



- 25) Prior to the commencement of each of the Demolition and Construction phases of the development, an Air Quality Dust Management Plan (AQDMP) shall be submitted to and approved in writing by the Local Planning Authority. The AQDMP must include an Air Quality Dust Risk Assessment (AQDRA) that considers sensitive receptors on-site and off-site of the development and is undertaken in compliance with the methodology contained within Chapter 4 of the Mayor of London 'The Control of Dust and Emissions during Construction and Demolition', SPG, July 2014 and the identified measures recommended for inclusion into the AQDMP. The AQDMP submitted must comply with the Mayor's SPG and should include: Inventory and Timetable of dust generating activities during demolition and construction; Site Specific Dust mitigation and Emission control measures in the table format as contained within Appendix 7 of Mayor's SPG including for on-road and off-road construction traffic; Detailed list of Non-Road Mobile Machinery (NRMM) used on the site. The NRMM should meet as minimum the Stage IIIB emission criteria of Directive 97/68/EC 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 must be registered on the NRMM register <https://nrmm.london/user-nrmm/register>; Ultra Low Emission Vehicle Strategy (ULEVS) for the use of on-road Ultra Low Emission Vehicles in accordance with the emission hierarchy (1) Electric (2) Hybrid (Electric-Petrol) (3) Petrol, (4) Hybrid (Electric-Diesel) (5) Diesel (Euro VI HGV); Details of Air quality monitoring of PM<sub>10</sub> where appropriate and used to prevent levels exceeding predetermined Air Quality threshold trigger levels. Developers must ensure that on-site contractors follow best practicable means to minimise dust and emissions at all times. Approved details shall be fully implemented and permanently retained and maintained during the demolition and construction phases of the development.

To comply with the requirements of the NPPF (2018), Policies 7.14a-c of the London Plan (2016) and policy CC10 of the Local Plan (2018).

- 26) Prior to the occupation of the C3 (residential) phase of the development, details of the construction of green infrastructure (including details of planting species and maintenance) on the section of development facing Edith Road and Michael Road shall be submitted to and approved by the local planning authority. The green infrastructure shall be constructed and planted in order to mitigate air pollution and shall be in full accordance with the Phytosensor Toolkit, Citizen Science, May 2018 and the 'First Steps in Urban Air Quality', TDAG, 2017 guidance documents within the first available planting season following completion of the development. Any plants which die, are removed, become seriously damaged and diseased within a period of five years from completion of the C3 (residential) phase of the development shall be replaced in the next planting season with others of similar size and species. Approved details shall be fully implemented prior to the occupation/use of that part of the development and thereafter permanently retained and maintained.

To comply with the requirements of the NPPF (2018), Policies 7.14a-c of the London Plan (2016) and policy CC10 of the Local Plan (2018).

- 27) Prior to above grade works, a strategy detailing the measures to best achieve "secured by design" status shall be submitted to and approved in writing by the

Council. No part of the development thereby affected shall be used or occupied prior to the implementation of the approved details.

To ensure that the development incorporates suitable design measures to minimise opportunities for, and the perception of, crime, in accordance with Policies 7.3 and 7.13 of the London Plan (2016) and Policies DC1 and DC2 of the Hammersmith and Fulham Local Plan 2018.

- 28) All ground floor entrance doors hereby approved shall not be less than 1 metre wide and the threshold shall be at the same level as the adjoining ground level fronting the entrances.

To ensure suitable entry into the building for disabled people. In accordance with Policies DC1 and DC5 of the Hammersmith and Fulham Local Plan 2018 and Key Principle SD2 of the Planning Guidance Supplementary Planning Document 2018.

- 29) With exception of the private roof terrace areas shown on approved drawings D5102 Rev P0; D5103 Rev P0; D5104, Rev P0 and D5105 Rev P0, no part of the remainder of the flat roof areas provided by the development hereby approved shall be used as a terrace or other accessible amenity space. No walls, fences, railings or other means of enclosure other than those shown on the approved drawings shall be erected around the roofs, and no alterations shall be carried out to the approved building to form access onto these roofs.

To ensure a satisfactory external appearance and so that the use of the buildings does not harm the amenities of the existing neighbouring residential properties and future residential occupiers of the development as a result of overlooking, loss of privacy and noise and disturbance, in accordance with Policies H011, CC11 and DC4 of the Hammersmith and Fulham Local Plan 2018 and SPD Policy HS8 of the Planning Guidance Supplementary Planning Document 2018.

- 30) Prior to above grade works, details and samples of the 1.8m high obscure glazing and privacy screen (as measured from the floor level) relating to the north-west elevations of Blocks A and B, and the north-east elevation of Block B (facing Cambria Street), as shown on approved drawings D5700 Rev P0 and D5701 Rev P0 shall be submitted to and approved in writing by the Council. The use of deck/terraces shall not commence until the screens, as approved have been installed and it shall be permanently retained as such thereafter.

In order to ensure that the glazing would not result in overlooking and any subsequent loss of privacy, in accordance with Policies HO11 and DC4 of the Local Plan 2018 and SPD Key Principle HS7 of the Planning Guidance Supplementary Planning 2018.

- 31) Prior to the occupation of a non-residential unit, details of that unit's operational hours shall be submitted to and approved in writing by the Council. Use of that unit shall accord with the hours as approved.

In order that noise disturbance which may be caused by customers leaving the premises is confined to those hours when ambient noise levels and general activity are similar to that in the surrounding area, thereby ensuring that the use

does not cause demonstrable harm to surrounding residents in compliance with Policies CC11 and CC13 of the Hammersmith and Fulham Local Plan 2018.

- 32) All external entrance doors in the office and retail frontages hereby approved shall be designed and installed so that they only open inwards, and shall thereafter be retained in this form.

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

- 33) No part of the requisite block of the development hereby approved shall be occupied prior to the installation of the cycle storage for the residential and commercial development hereby approved for that block, as indicated on approved drawing D5199 Rev P0 and D5100 Rev P0 and such storage facilities shall be permanently retained thereafter in accordance with the approved details.

In order to promote alternative, sustainable forms of transport, in accordance with Policy 6.9 and Table 6.3 of the London Plan (2016) and Policy T3 of the Hammersmith and Fulham Local Plan 2018 and SPD Transport Key Principle TR3 Planning Guidance Supplementary Planning Document 2018.

- 34) No part of the development hereby approved, shall be occupied prior to the provision of the refuse storage enclosures, as indicated on the approved drawing D5100 Rev P0.

To ensure that the use does not give rise to smell nuisance and to prevent harm to the street scene arising from the appearance of accumulated rubbish, in accordance with Policy CC7 of the Hammersmith and Fulham Local Plan 2018 and relevant Waste Key Principles of the Planning Guidance Supplementary Planning Document 2018.

- 35) Prior to occupation of the commercial units of the respective block, a Servicing Management Plan shall be submitted to and approved in writing by the Council. Details shall include times and frequency of deliveries and collections, vehicle movements, silent reversing methods, location of loading bays and quiet loading/unloading measures. The measures/scheme shall be implemented in accordance with the approved details prior to occupation of the development hereby permitted, and thereafter permanently complied with and maintained in line with the agreed plan.

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

- 36) Prior to occupation of the respective block, a Car Park Management Plan shall be submitted to and approved in writing by the local planning authority.

To ensure that all spaces can be readily accessed by vehicles, in accordance with Local policies T4, T5 and Hammersmith and Fulham Local Plan 2018, Key

Principles TR3, TR4, TR5, TR6, TR7 and TR8 of the Planning Guidance Supplementary Planning Document 2018 and the London Plan T6.

- 37) The development shall be implemented in accordance with the recommended flood mitigation measures as proposed in Flood Risk Assessment Addendum (June 2018 or otherwise agreed in writing by the local planning authority. In line with advice from Thames Water, a non-return valve or other suitable pumped device shall be installed to avoid the risk of the sewerage network surcharging wastewater to basement/ground level during storm conditions. The recommended mitigation measures shall be permanently retained thereafter.

To reduce the impact of flooding to the proposed development and future occupants, in accordance with Policies 5.11, 5.13, 5.14 and 5.15 London Plan (2016), Policies CC3 and CC4 of the Hammersmith and Fulham Local Plan 2018.

- 38) Development shall not commence until a final Surface Water Management Strategy has been submitted to, and approved by, the local Planning Authority in consultation with the sewerage undertaker. The Strategy shall show how sustainable drainage measures, selected in compliance with the preferred above-ground measures in the London Plan Drainage Hierarchy, will be implemented to allow final discharge of surface water from the development to be reduced to no more than 5l/s. Sustainable drainage measures that should form part of the Strategy include living roofs (Preferably a green roof if this is feasible), permeable surfaces and soft landscaping, including SuDS tree pits. The levels of attenuation achieved by these measures must be maximised before finalising the details of the underground attenuation tank. Full design details and plans of all measures must be provided along with maintenance information. Confirmation of the discharge point connection into the sewer network should be provided. The proposed final discharge rate and proportion of attenuation expected to be achieved by the Strategy shall also be confirmed.

No discharge of surface water from the development site shall be accepted into the public system until the drainage works outlined in the Strategy have been completed.

To prevent any increased risk of flooding and to ensure the satisfactory storage of/disposal of surface water from the site in accordance with Policy 5.13 of The London Plan (2016) and Policy CC4 of the Local Plan (2018)

- 39) Prior to the occupation of the respective block, a supporting statement confirming the residential sustainability measures as outlined in the Energy Assessment (July 2018) have been implemented, shall be submitted to and approved in writing by the Council and thereafter be permanently retained.

To ensure a satisfactory external appearance and the integration of energy generation from renewable sources, consistent with the Mayor's sustainable design objectives in accordance with Policies 5.1, 5.2, 5.3 and 5.7 of The London Plan (2016) and Policies DC1 and CC1 of the Hammersmith and Fulham Local Plan 2018.

- 40) The development hereby permitted shall not be occupied before implementation of the sustainable design and construction measures detailed in the submitted Sustainability Statement and BREEAM Assessment. Prior to occupation, a post construction BREEAM assessment shall be submitted to and approved in writing by the Council which confirms that the "Very Good" Rating has been achieved and a supporting statement on the residential measures to confirm that the measures have been implemented.

All details thereafter shall be implemented prior to occupation/use of the development hereby permitted, and thereafter be permanently retained.

To ensure a satisfactory external appearance and the integration of energy generation from renewable sources, consistent with the Mayor's sustainable design objectives in accordance with Policies 5.1, 5.2, 5.3 and 5.7 of The London Plan (2016) and Policies DC1 and CC2 of the Hammersmith and Fulham Local Plan 2018

- 41) Prior to the installation of the solar panels hereby approved, details of the solar panels including details of the angle of the PV panels relative to the surface of the roof, shall be submitted to and approved in writing by the council. The development shall not be used until The PV panel installation must be implemented and carried out in accordance with the approved details, and it shall thereafter be permanently retained as such.

To ensure a satisfactory external appearance, and to prevent harm to the neighbouring conservation area, in accordance with policies 5.3, 7.6 and 7.7 of The London Plan (2016), Policies DC1 and DC4 of the Hammersmith and Fulham Local Plan 2018.

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

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan (2016), Policy CC9 of the Local Plan 2018 and Key Principle LC4 of the Planning Guidance Supplementary Planning Document 2018.

- 43) No development shall commence (other than demolition) until a site investigation scheme, if a site investigation is to be required under the approved preliminary risk assessment, is submitted to and approved in writing by the Council. This scheme shall be based upon and target the risks identified in the approved preliminary risk assessment and shall make provision for, where relevant, the sampling of soil, soil vapour, ground gas, surface and groundwater. The site investigation should then progress in accordance with the agreed site investigation scheme. All works must be carried out in compliance with the approved details and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan (2016), Policy CC9 of the Local Plan 2018 and Key Principle LC4 of the Planning Guidance Supplementary Planning Document 2018

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

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan 2016, Policy CC9 of the Local Plan 2018 and Key Principle LC4 of the Planning Guidance Supplementary Planning Document 2018.

- 45) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development (other than demolition) shall commence until, a remediation method statement, if deemed to be required in the approved quantitative risk assessment, is submitted to and approved in writing by the Council. This statement shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved quantitative risk assessment. This statement will also include a plan to verify that the required remediation works are undertaken in line with the remediation method statement which will be compiled into a verification report.

The remediation should then progress in accordance with the agreed remediation method statement. All works must be carried out in compliance with the approved details and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan (2016), Policy CC9 of the Local Plan 2018 and Key Principle LC4 of the Planning Guidance Supplementary Planning Document 2018.

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

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan (2016), Policy CC9 of the Local Plan 2018 and Key Principle LC4 of the Planning Guidance Supplementary Planning Document 2018.

- 47) Unless the Council agree in writing that a set extent of development must commence to enable compliance with this condition, no development (other than development) shall commence until an onward long-term monitoring methodology report, is submitted to and approved in writing by the Council setting out where further monitoring is required past the completion of development works (as identified in the approved site investigation scheme or the approved remediation statement or the approved verification report) to verify the success of the remediation undertaken. If required, a verification report of these monitoring works shall then be submitted to and approved in writing by the

Council when it may be demonstrated that no residual adverse risks exist. All works must be carried out in compliance with the approved details and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.

Potentially contaminative land uses (past or present) are understood to occur at, or near to, this site. The condition is required to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works, and in accordance with policy 5.21 of the London Plan (2016), Policy CC9 of the Local Plan 2018 and Key Principle LC4 of the Planning Guidance Supplementary Planning Document 2018.

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

- 1) 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.

The proposed development would create a well-designed mixed-use residential scheme that has been designed to complement the character and appearance of the locality and adjacent conservation area. The proposal would improve the existing site and the surrounding area and would result in an acceptable impact on the living conditions of neighbouring residential properties. The cumulative impact of the development, subject to conditions would not have a significant impact on the highway, parking or environment and as such the proposal is considered to be in accordance with relevant national guidance, London Plan (2016) policies, the Hammersmith and Fulham Local Plan (2018) and Supplementary Planning Guidance Supplementary Planning Document (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: 14th May 2018  
Drawing Nos: see above

**Policy documents:** National Planning Policy Framework (NPPF) 2018  
The London Plan 2016  
LBHF - Local Plan 2018  
LBHF - Supplementary Planning Document 2018

### **Consultation Comments:**

**Comments from:**

Historic England London Region  
Thames Water - Development Control

**Dated:**

21.05.18  
25.05.18



## **Neighbour Comments:**

<b>Letters from:</b>	<b>Dated:</b>
Flat A 587-589 King's Road London SW6 2EH	03.06.18
568 Kings Road London SW6 2DY	11.06.18
16 Britannia Road London SW62HL	31.05.18
10 Cambria Street London SW6 2EE	07.06.18
12 Ash Road Shepperton Middlesex TW17 0DN	07.06.18
12 Cambria Street London SW6 2EE	08.06.18
559A King's Road London SW6 2EB	15.06.18
2 Cambria Street London SW6 2EE	20.06.18
6 Maynard Close London SW6 2EN	08.06.18
587B King's Road London SW62EH	29.05.18
Flat 2 568 Kings Road London SW6 2DY	04.06.18
5-17 Michael Road Fulham SW6 2ER	29.07.18
8 cambria street London sw6 2ee	07.06.18
8 cambria street London sw6 2ee	07.06.18
Flat 8 2-4 Redcliffe Gardens London SW10 9EU	10.06.18

## OFFICER'S REPORT

### 1.0 SITE DESCRIPTION AND RELEVANT HISTORY

#### Site

1.1 The application site (0.24 ha) is roughly rectangular and comprises two industrial style buildings. The existing premises are occupied by a mix of commercial uses including storage (Class B8), as well as a separate climbing centre and ski centre, (both Class D2).

1.2 The application site is located on the north side of Michael Road and is bounded by Cambria Street to the east, King's Road to the north, Michael Road to the south and Edith Row to the west. The surrounding area is very mixed in character.

1.3 Michael Road is a predominantly commercial street with industrial properties including the former National Grid site and the Harley Davidson showroom and workshop which are situated to the south of the application site. In October 2018, subject to a Mayoral referral and a s106 legal agreement, a part-detailed and part-outline planning permission (ref 2018/02100/COMB) was granted for a redevelopment of the National Grid site to provide a residential-led mixed use development comprising new buildings ranging from 1 to 37 storeys to provide up to 1,843 residential units. In 2017, planning permission (ref 2013/00474/FUL) was granted for the erection of a 6-storey building plus basement comprising a mix of motorcycle showroom, workshop, offices and 18 flats on the Harley Davidson site.

1.4 Cambria Street is a residential street and the southern side of that road includes a modern three-storey terrace of 7 houses, Nos 2-14, with rear gardens that back onto the application site. Immediately to the north, Nos 577 to 599 King's Road, is a predominantly 3 storey terrace with retail at ground floor and ancillary uses above which

include some residential units. The rear of the petrol forecourt at the junction of King's Road and Edith Row includes single storey buildings adjoins the western boundary of the application site.

1.5 The site does not have any buildings that are subject to locally or statutory listing or any other local heritage designations. The northern part of the site beyond the buildings is within the Moore Park Conservation Area which lies to the north.

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

Relevant Planning history includes:

1.7 In 2013, planning permission (ref: 2013/03954/FUL) was granted for the conversion of part of existing warehouse into an indoor climbing centre, installation of 12 bicycle racks and removal of existing fence to the side/ south-east elevation; removal of part of brick wall and installation of new glazed doors to the front/ south west elevation; erection of safety railing to the front south-west elevation. This permission has been implemented.

1.8 In 2014, planning application (ref: 2014/00923/FUL) was refused for the change of use of part of the ground floor of Unit 4, and the mezzanine level, from storage and distribution (class B8) into retail (Class A1) on the following grounds: insufficient evidence or justification to demonstrate that the site is "surplus" to industrial or commercial land for employment.

1.9 In 2015, planning permission (ref: 2015/02538/FUL) was granted for a change of use of Unit 4 from storage and distribution (Class B8) to a ski centre (Class D2), and replacement of existing roller shutter with a glazed emergency exit door to the north-east elevation. This permission has been implemented.

1.10 In February 2017, the applicant submitted a pre-application proposal for a redevelopment up to 8 storeys to provide 54 residential units and 1,700 sqm of commercial floorspace. In response, officers raised the following main concerns: design, scale and massing; visual harm to the existing surrounding area; loss of privacy; increased sense of enclosure and loss of daylight and sunlight; parking arrangements; quality of proposed accommodation; cycle parking and waste storage for both residential and commercial areas.

1.11 In August 2017, the applicants submitted a further pre-app for 2 alternative reduced schemes that ranged between 41 to 42 residential units and 2,204 to 2,259 sqm of commercial floorspace plus associated parking. Officers raised the following concerns: insufficient justification for loss of B8 and D2 use; design; lack of affordable housing; scale and massing; unneighbourly impact on Cambria Street and King's Road; housing mix; quality of proposed accommodation; insufficient information regarding parking, cycle storage and servicing/delivery.

## 2.0 PROPOSAL

2.1 The current application seeks full planning permission for the demolition of the two existing buildings and the erection of two buildings comprising part 5-storey and part 6-storey with basements. The new building would provide 36 residential units, 2,340 sqm of commercial floor space including a climbing centre (D2 use), offices (B1 use), retail/restaurant (A1-A3 use) and residential (C3 use).

## 3.0 CONSULTATION

### Pre-Application Consultation

3.1 In support of their proposals, the applicant submitted a Statement of Community Involvement which sets out the programme of public engagement which they used to provide interested individuals and groups with opportunities to comment on their proposals. In September 2017, the applicants sent out letters to some 810 properties surrounding the site inviting them to a Public Consultation Event held at the Rose Public House in Fulham a short walking distance from the site. At that time the proposals involved a mixed use residential scheme comprising 41 flats and 2,200 sqm of commercial floorspace.

3.2 In total, 16 members of the public attended the exhibition. The Statement of Community Involvement summarises the comments which were largely positive. However, concerns were raised about the proposed height, scale and mass of the buildings, impact on sunlight to Cambria Street, screening methods to maintain privacy, the number of car parking spaces, affordable housing provision and the uses within the proposed development.

### Application Consultation

3.3 The planning application has been advertised by means of Site Notice and Press Advert and 394 individual notification letters have been sent to the occupiers of neighbouring properties. 15 objections have been received, including one petition. The issues raised can be summarised as follows:

- Proximity to Cambria Street
- Poor outlook
- Excessive height and scale
- Unsympathetic design, not in-keeping with the area
- Loss of privacy and outlook
- Daylight and Sunlight impact
- Overbearing in scale and mass
- Inadequate amenity space for future occupiers
- Overdevelopment of the site
- Insufficient affordable housing provision
- Insufficient family sized accommodation
- Negative impact on visual amenity of Moore Park Conservation Area
- Noise pollution
- Light pollution
- Dust during construction works
- Lack of residential and commercial car parking

External Consultations:

3.4 Environment Agency - raise no objections.

3.5 Historic England - raise no objections.

3.6 Thames Water - raise no objections.

#### 4.0 PLANNING CONSIDERATIONS

4.1 The main planning considerations to be considered during the assessment of this proposal, in accordance with the NPPF (2018), London Plan (2016) and the Mayor's relevant Supplementary Planning Guidance (SPG's), Hammersmith and Fulham Local Plan (2018) and the Hammersmith and Fulham Planning Guidance, Supplementary Planning Document (SPD) (2018) are: the principle of development in land use terms; design and visual amenity; quality of the proposed housing accommodation; residential amenity of existing neighbouring properties; transport impact on the highways network and environmental quality matters.

#### LAND USE

4.2 The proposed development involves the loss of a storage (Class B8) use, the retention of a climbing centre (Class D2), new 'retail' provision (Class A1-A3), plus new offices (Class B1) and residential (Class C3).

#### Employment Land

4.3 London Plan Policy 4.1 (Economy) promotes the development of a strong, sustainable, and diverse economy to ensure the availability of suitable workspaces for all sizes of business. London Plan Policy 4.3 (Mixed use and office development) supports consolidation and enhancements of the quality of the remaining office stock. London Plan Policy 4.12 encourages proposals to support local employment, skills development, and training opportunities

4.4 The Local Plan 2018 Policy E1 and E2 which encourage the retention, enhancement and intensification of existing employment uses and the retention of land and premises capable of providing continued accommodation for employment. Local Plan Policy E4 requires the provision of appropriate employment and training initiatives for local people of all abilities in construction of major developments.

4.5 The existing building currently comprises 1,516 sqm of B8 floorspace and this would be replaced by some 1,081 sqm of B1 office floorspace, located on the first floor of both Blocks. The office employment floorspace would be a modern, high-quality facility.

4.6 The applicants have provided evidence dating back to 2012 which demonstrate a lack of commercial interest in the existing Class B8 use on the site.

4.7 The supporting text (para 7.17) of Policy E2 states that "there may be some sites in employment use that are capable of more intensive use to accommodate additional uses, particularly residential. Where this is appropriate, the council will seek to ensure

that employment floorspace is retained within mixed use scheme and this will include adequate replacement accommodation for small businesses". The proposed development would provide replacement employment floorspace on site.

4.8 Following officer negotiations, the Applicant has agreed to provide a financial contribution toward local employment this would include 2 paid and 2 unpaid construction placements and 1 apprenticeship. The proposals make provision for supporting placements and apprentices at the end of their programme to secure further employment. These economic and financial contributions will be secured by a legal agreement.

4.9 In respect of employment, although there will be a net loss of employment floor space (435 sqm), Officers consider the proposal accords with London Plan Policies 4.1, 4.3 and 4.12 and Local Plan Policies E1, E2 and E4.

Leisure Use (D2 use):

4.10 London Plan Policy 4.6 and Local Plan Policy CF2 seek proposals for new or expanded community uses to meet the local need, be compatible with and minimise impact on the local environment and be accessible affordable, adaptable, and inclusive to all in the community they serve.

4.11 The existing Climbing Centre would be retained on the site as part of the new development. The new facility will be located at the lower basement, basement, and ground floor levels of the proposed western block (Block A) and would provide an enhanced climbing centre with an improved layout and comprise 23% additional leisure space.

4.12 The Applicant has agreed to provide a schedule of discounts for local schools, colleges, youth/community groups and charities. The discounts will vary but the price would be at least 33% below that offered to the public. This will be secured by a legal agreement that will include a review mechanism.

4.13 The proposed retention and enlargement of the existing climbing centre is appropriate in this location. The proposal complies with London Plan Policy 4.6 and Local Plan Policy CF2.

Shops, professional services, and food (A1-A3 Use):

4.14 London Plan Policies 4.7 and 4.8 and Local Plan Policy TLC4 states that for proposals outside town centres, key local centres, neighbourhood parades and satellite parades, the Council will seek to retain shops and other local services to meet local needs. Policy TLC5 states that proposals for A3 uses are subject to conditions controlling hours of operation.

4.15 The application proposes the introduction of A1-A3 uses (453 sqm) on the ground floor of the two proposed new buildings. Depending on the demand for the A1-A3 uses, the application proposes a flexible option to allow for the further provision of B1 on the ground floor of both blocks if there is no up take in the A1 to A3 units. Subject to certain criteria, the Use Classes Order (Schedule 2, Part 4, Class D) 2015, allows changes of use from either A1, A2 or A3 to B1 office space, for a period of up to 2 years where the

floorspace involved is not more than 150 sqm. If the applicant seeks more than 150 sqm and /or greater than 2 years this will be set out in a legal agreement. The hours of use for the A1 to A3 uses are secured by Condition 31 and the flexible Class B1 option would be secured by a legal agreement.

4.16 The application proposes uses which comply with London Plan Policies 4.7 and 4.8. and Local Plan Policies TLC4, TLC5 and E2.

#### Residential (C3 Use)

4.17 London Plan Policy 3.3 states that an annual average of 42,000 net additional homes across London should be delivered. Table 3.1 sets an annual target of 1,031 net additional dwellings for Hammersmith and Fulham. Local Plan Policy HO1 supports the London Plan Housing targets and seeks to exceed them.

4.18 As noted in para 4.7, "there may be some sites in employment use that are capable of more intensive use to accommodate additional uses, particularly residential. This application would provide 36 new residential dwellings, that would contribute to the boroughs housing target. The proposals accord with London Plan Policy 3.3 and Local Plan Policy HO1 of the Local Plan 2018.

#### Residential Density

4.19 London Plan Policy 3.4 (Optimising Housing Potential) seeks to ensure that development optimises housing output for different types of location within the relevant density range shown in Table 3.2 which considers local context and character, design principles and public transport capacity. Local Plan Policy H04 (Housing Quality and Density) also seeks the optimum intensity of development in line with table 3.2 of the London Plan, provided that the uses are compatible with the local context and principles of good design.

4.20 The site is in Public Transport Accessibility level (PTAL 6a) indicating that it is very accessible by public transport. According to the London Plan density matrix, the site is an urban area that could support a density of between 200 and 700 habitable rooms per hectare (hr/ha), or 55-225 units per hectare (u/ha).

4.21 The proposed development site, (approximately 0.24 hectares) would result in a residential density of 516 habitable room or 124 dwellings per hectare. The development is within the acceptable density range stipulated in the London Plan and would not result in an excessive built environment on site.

4.22 The development complies with London Plan Policy 3.4 and Local Plan Policy HO4.

#### Residential Mix:

4.23 London Plan Policy 3.8, together with the Mayor's Housing SPG seek to promote housing choice and a balanced mix of unit sizes within new developments. Local Plan Policy H05 requires a mix of housing types and sizes in development schemes, especially increasing the proportion of family accommodation. The justification to Policy H05 makes clear that 'there is a particular need in this borough for more family sized housing (3 or more bedrooms)'.

4.24 The application includes 36 units split between a mix of 12 x 1-bed, 21 x 2-bed and 3 x 3-bed flats. The range of accommodation proposed, includes the provision of family units, and is considered acceptable.

4.25 Overall, the proposed mix of accommodation is in accordance with London Plan Policy 3.8 and Local Plan Policy HO5.

#### Affordable Housing

4.26 London Plan Policy 3.11 (Affordable Housing Targets) and 3.12 set a London wide affordable housing target of at least 17,000 more affordable homes per year and requires that the 'maximum reasonable amount' of affordable housing should be sought when negotiating on individual private residential and mixed-use schemes and provision should normally be on-site.

4.27 Policy 3.12 also states that affordable housing negotiations should be reasonable and flexible on a site by site basis and should not restrain development rather achieve the priority of affordable housing provision.

4.28 London Plan Policy 3.13 (Affordable Housing Thresholds) requires that affordable housing is provided on sites which have capacity to provide 10 or more homes. The Mayor's Viability SPG - "Affordable Housing and Viability" sets a minimum target of 35% affordable housing with a tenure mix of low cost and intermediate rented homes.

4.29 Local Plan Policy HO3 (Affordable Housing) requires the financial viability of the proposed development to be considered. This includes the submission of a Financial Viability Assessment (FVA). The Policy also sets a target for 50% of dwellings to be built affordable, of these units, they should aim to provide 60% for social housing and 40% for intermediate housing. As with the London Plan, the Council seek the maximum 'reasonable amount' of affordable housing, considering the financial viability, site size and site constraints, individual circumstances and characteristics of the site and site-specific infrastructure.

4.30 The applicant's original submissions included an affordable housing offer of 25% (9 shared ownership units) on-site and this has been revised upwards to 36% (13 units). Officers sought to increase the level of provision taking account of affordable income bands, the nature of the tenure, financial viability, and site constraints. The shared ownership scheme achieves more affordable units which would be of greater benefit to the Council than a social rent/ intermediate scheme.

4.31 The household income thresholds for the affordable units is based on the London Mayor's requirement that annual total housing costs should not exceed 40% of net household income. On this basis, the 13 shared ownership units are aimed at the following income levels:

1 bed (2 person)	6 Units	£48,000 to £49,000
2 bed (3 person)	3 Units	£57,000 to £59,000
2 bed (4 person)	4 Units	£64,000 to £65,000

4.32 The Council's independent viability consultants BPS have scrutinised the viability and have not been able to find areas where the affordable proportion could be

increased, so accept offer is at the limits of viability. The proposals have been considered by the Council's Housing officers and they favour the shared ownership option. Overall, officers acknowledge that whilst the solely shared ownership scheme does not strictly follow the principles of Local Plan 2018 Policy HO3, the 36% affordable housing provision complies with the targets of the London Plan 2016, Policies 3.12 and 3.13 and therefore on balance, the proposal is acceptable. The affordable housing provision will be secured by a legal agreement.

## DESIGN AND APPEARANCE

4.33 The London Plan Policies 7.1, 7.2, 7.4, 7.5 and 7.6 requires good a quality environment that is designed to reinforce or enhance the character, legibility, permeability, and accessibility of the neighbourhood. It requires developments to be designed to be of the highest quality, inclusive to have regard for the pattern and grain of the existing space, scale, and mass and to make a positive contribution to a coherent public realm. Policy 7.8 D states development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials, and architectural detail.

4.34 Local Plan Policies DC1 and DC2 state that all development within the borough should create a high quality urban environment that respects and enhances its townscape context and heritage assets. New build development will be permitted if it is of a high standard of design and compatible with the scale and character of the existing development and its setting. Under Policy DC8 the Council will conserve the significance of the borough's historic environment by protecting, restoring, and enhancing its heritage assets.

### Demolition:

4.35 The existing buildings on the site are of no architectural merit. The proposed demolition would not result in harm to the character and appearance of the local area.

### Townscape:

4.36 The existing building on the site are not within a conservation area. However, the strip of land (part of the parking area) within the site, immediately to the rear of 585 to 599 New King's Road forms part of the Moore Park Conservation Area. The surrounding area is mixed in character. Sotheron Place forms part of an 'industrial' area to the rear of New King's Road fronting Michael Road to the south. Cambria Street to the east is a modern 3 -storey residential development.

4.37 The proposed development includes the erection of 2 buildings, Blocks A and B which comprise a mix of uses. Block A includes a Climbing Centre at lower basement, basement, and ground floor levels. Block B includes residential and commercial cycle parking spaces at basement level and commercial units at ground floor level. Both Blocks include B1 office space at first floor level and residential units on the upper floors.

4.38 The site lays adjacent to an area of high townscape quality being set immediately behind the 3-storey terrace of nos. 577 to 599 King's Road which is within the Moore Park Conservation Area. The context to the west and south of the site is likely to change soon which will create a new character for Michael Road. Consent has been granted for



a 6-storey commercial and residential building on the existing 2-storey Harley Davidson site (2013/00474/FUL). In addition, on the south side of the street, major redevelopment proposals for the entire Fulham Gasworks site were approved in October 2018, subject to section a legal agreement. (See paragraph 1.3 above)

#### Height, Scale, and Massing:

4.39 The scheme has changed from those submitted during 2017 pre-application discussions. The scale and mass of the buildings have been significantly reduced, to include the reduction in height of both buildings and the setting-back of the floors. Rather than up to 8 storeys within the site, the scheme now includes a 6-storey building (Block A) and a 5-storey building (Block B). The proposals represent an opportunity to enhance the appearance of Michael Road and Sotheron Place with buildings that contribute to the emerging scale and character of Michael Road and engage more positively with the public realm.

4.40 The application buildings have been designed to take account of their individual local setting, particularly relating to the low rise residential development of Cambria Street. Block B (on the north of the site) has been reduced to 5-storeys and its rear elevation is set back at several floors from the opposing residential properties in Cambria Street and the resulting recessive design mitigates the impact of proposed scale and massing on existing residential amenity for neighbouring occupiers.

4.41 The 6-storey height of Block A, is in keeping with the adjacent forthcoming 6-storey height of recently approved developments fronting Michael Road at the Harley Davidson site and the National Grid site. The top floors of both Blocks have been set back on all sides to reduce their scale and massing. Officers consider that the reduced massing and set-backs of the two Blocks, particularly on the upper floor levels, results in an acceptable visual impact and perceived bulk of the buildings within the local context.

4.42 In views from the King's Road the buildings will be recessive behind the 3-storey terrace along the street. In views from Maxwell Road the buildings will only just be apparent above the roofline of the street and would again be recessive in nature. Along Michael Road, the buildings will be comparable with recent planning approvals and moving east along the street they will reduce in height from, 6 to 5 storeys which will achieve a comfortable relationship with the existing 3 storey properties in Cambria Street which are positioned between 10m-13m from the application site boundary to the north-east. The buildings would also achieve an acceptable degree of enclosure of Michael Road which would be in-keeping within the street scene. As a result, officers consider the impact on the character and appearance of the Moore Park Conservation Area would be acceptable.

#### Elevations and Materials:

4.43 The proposed buildings are designed to provide active and engaging street frontages to Michael Road and Sotheron Place. The buildings incorporate large glazed areas on the ground and first floors to allow the commercial and leisure uses to contribute the visual activity of the ground floor street environment. This is enhanced by the provision of entrances on both Michael Road and Sotheron Place.

4.44 The height of the ground and first floor storeys provide a strong visual base for the buildings, the residential storeys within the middle of the building are shallower in height

and the top floors are differentiated by their set-backs and metal clad facades with raised ribs. The main elevations include brick facades, vertical stacked residential scale windows and semi projecting balconies, recessed between brick piers provide well-articulated elevations. The smaller projecting windows on the north elevations of the blocks add further visual interest to the elevations, when viewed from King's Road.

4.45 The use of light coloured multi-stock bricks are considered appropriate in this location and are the predominant material used in the Moore Park Conservation Area. On the east side of Sotheron Place a row of trees within the development between Blocks A & B, will enhance the character of the street which will also have ground level planting and an attractively designed groundscape defining pedestrian and vehicle spaces. Condition 7 will secure the landscaping details.

4.46 Overall, the proposed design of the development is acceptable within the local context and would not cause harm to the existing character and appearance of the surrounding area. The proposal would make a positive contribution to the urban environment and would not detract from the character and appearance of the conservation area. The development is therefore acceptable in accordance with the principles of the NPPF 2018, The London Plan 2016, Policies 7.1, 7.2, 7.4, 7.5 and 7.6 and Local Plan 2018, Policies DC1, DC2 and DC8.

#### QUALITY OF RESIDENTIAL ACCOMMODATION:

4.47 The London Plan Policy 3.5 'Quality and Design of Housing Developments' states that housing developments should be of the highest quality internally, externally and in relation to their context and the wider environment. The Mayor's Supplementary Planning Guidance 'Housing' provides guidance on housing quality. The Housing SPG makes clear that a key priority is to 'improve standards for the quality and design of housing, making sure that homes meet the needs of a changing population throughout their lives and are built to the highest environmental standards'.

4.48 Local Plan Policy HO4 requires all housing development to respect the local setting and context, provide a high quality residential environment, be well designed internally and externally, be energy efficient and provide a good range of housing types and sizes. New housing should take account of the amenity of neighbours and must be designed in accordance with the London Plan internal space standards.

#### Size of Units:

4.49 The Council's SPD Housing Key Principle HS2, Table 3.3 of the Mayors Housing SPG and London Plan Policy 3.5 sets out the minimum gross internal floor areas (GIA) required for new homes. The minimum requirements for GIA and the proposed sizes are set out below:

- 1-bedroom units, minimum of 50 sqm (proposed between 51 and 60 sqm)
- 2-bedroom units, minimum of 61 sqm (proposed between 61 and 79 sqm)
- 3-bedroom units, minimum of 86 sqm (proposed between 86 and 98 sqm)

4.50 All proposed residential units accord with the minimum unit sizes (GIA), as set out in the London Plan and the Council's SPD Key Principle HS2.

#### Aspect and Outlook:

4.51 London Plan Housing SPG recognises that dual aspect dwellings, with opening windows on at least two sides, have many inherent benefits including better daylight, greater chance of direct sunlight for longer periods, natural cross ventilation, and greater capacity to address overheating, mitigating pollution, a choice of views, greater flexibility in use of rooms. On this basis single aspect dwellings which are north facing should be avoided. This approach is also supported by Key Principle HS2 of the Hammersmith and Fulham SPD 2018 which seeks minimum unit sizes in accordance with the Housing SPG and minimum ceiling heights of 2.5 metres for at least 75% of the GIA.

4.52 The development includes mainly dual aspect dwellings and none which are exclusively north facing. The single aspect dwellings have access to outdoor private amenity space in the form of terraces, providing good levels of outlook.

#### Daylight/Sunlight in New Dwellings:

4.53 London Plan standard 32 requires that all new homes should provide for daylight to enter at least one habitable room for part of the day. Where it cannot be met, housing schemes should demonstrate the provision of good amenity for its residents.

4.54 BRE guidance provides a method for assessing daylight by calculating the average daylight factor (ADF), a measure of the amount of daylight in a proposed room. The recommended ADF values for habitable rooms are as follows:

- 1% Bedrooms
- 1.5% Living Rooms
- 2% Family Kitchen

4.55 The applicant submitted a Daylight and Sunlight Report, which sets out the ADF values for habitable rooms within the proposed development. In total, 80 (81%) out of 99 habitable room meet the ADF targets. Of the remaining windows, 11 bedrooms (0.55%-0.67%) and 8 Living/Kitchen/Dining rooms (1.2%-1.8%) fall below the target threshold due to their positioning below a deck access or balcony directly above, which prevents the targets from being met. The BRE Guidance acknowledges that there may be circumstances in which the target is not met and an overhanging balcony is cited as a typical example. Officers have considered the report and on balance given the site constraints are satisfied that overall the units would have reasonable levels of daylight/sunlight.

#### Floor to Ceiling Heights:

4.56 The Mayors Housing SPG Table 3.3 and SPD Key Housing Principle HS2 requires that residential units should have a minimum ceiling height of 2.5 metres for at least 75% of the GIA of a dwelling, to ensure quality in terms of light, ventilation, and sense of space. All units meet the minimum standards.

#### Amenity Space:

4.57 The London Plan has a minimum target of 5 sqm of private outdoor amenity space for 1-2-person dwellings and an extra 1 sqm for each additional occupant. The

Council's SPD Housing Key Principle HS1 requires all new dwellings should have access to an area of amenity space, appropriate to the type of housing being provided. Every new family dwelling should have access to amenity or garden space of no less than 36 sqm. In addition, the width and depth of balconies should have a minimum depth of 1.5m.

4.58 All units meet the requirements except for 1 family unit, located on the sixth floor of Building Block A, which provides 20 sqm of outdoor amenity space. On balance, given the physical constraints of the site and considering that all units will have access to private outdoor amenity space, the proposal is considered acceptable and in general accordance with the Housing SPG and SPD "Housing Standards" Key Principle HS1.

#### Accessibility:

4.59 Local Plan Policy HO6 seeks to secure high quality accessible homes in all developments that included housing. London Plan Policy 3.8 (Housing Choices) seeks to ensure that 90% and 10% respectively of new housing meets the Buildings Regulations requirements for M4(2) accessible and adaptable dwellings, and M4(3) for wheelchair user M4(3).

4.60 All communal areas within the buildings are wheelchair accessible and at ground floor level the buildings have step free access. The upper residential floors are accessible by separate residential lifts within both buildings. In total, 4 wheelchair dwellings (11%) have been provided within Block A. These details would be secured by Condition 28. The proposals are compliant with Parts M4(2) and M4(3) of the Building Regulation and therefore accord with Policy HO6.

#### Fire Safety:

4.61 The implementation of a means of warning and escape, internal fire spread (linings), internal fire spread (structure), external fire spread and access and facilities for the fire service are issues covered under Part B of the Building Regulations 2010 and fall outside of the remit of the Town and Country Planning Act 1990.

#### Secured by Design:

4.62 London Plan Policy 7.3, Local Plan Policy DC2 and SPD "Sustainable Design and Construction" Key Principles requires new developments to respect the principles of Secured by Design and to ensure that proposals create a safe, secure, and appropriately accessible environment where crime and disorder and the fear of crime do not undermine quality of life or community cohesion. The details of how the proposal will incorporate measures for crime prevention will be secured by Condition 27.

#### Noise and disturbance to new residential units:

4.63 London Plan Policy 7.15 and Local Plan Policies CC11 and CC13 seek to ensure that new developments do not result in noise and disturbance to existing and future residential occupiers. SPD Key Principle NN3 requires consideration to be given to the proposed stacking and layout of rooms, particularly in relation to adjoining walls/floors/ceilings. It also requires suitable sound insulation measures to be undertaken. SPD Key Principle NN4 requires all noise generating development,

including plant, machinery and equipment and where proposed use or activities have the potential to generate noise, will be subject to requirements to minimise noise.

4.64 To safeguard the amenity of occupiers of the development by way of noise from commercial/transport/mechanical/residential noise sources, suitable conditions (16-20) requiring the submission of noise assessments including external noise levels and details of sound insulation of the building envelope, attenuated mechanical ventilation and extraction and odour control. Subject these conditions, the proposals are satisfactory and in accordance with the London Plan Policy 7.15 and Local Plan Policies CC11 and CC13 and associated SPD "Noise and Nuisance" Key Principles.

#### RESIDENTIAL AMENITY:

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

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

#### Outlook:

4.67 SPD Key Principle HS6 recognises that new development adjoining residential properties can influence the amenity of those properties by way of scale and massing which can have an overbearing impact. To assess such an impact, the general rule is that new development should not result in an infringing an angle of more than 45 degrees. The notional 45-degree line should be measured from either the ground level of the rear boundary of residential properties with gardens less than 9 metres or from 2m height above ground for gardens greater than 9 metres in length. If any part of the proposed building extends beyond these lines then on-site judgement will be a determining factor in assessing the impact on the existing amenities of neighbouring properties.

4.68 The adjoining gardens on Cambria Street vary in length between 3 metres and 12 metres. In all cases, the proposed development would not infringe a notional 45-degree line when measured from rear gardens along Cambria Street.

4.69 The adjoining properties in King's Road (nos. 579-599), contain commercial units at ground floor with some of the properties containing residential units on the upper floors (nos. 583, 585, 587-589 and 599). The main first floor rear windows of these existing residential properties are some 20m from the opposing north-west elevations of the proposed buildings. Taking into account, a notional 45-degree line from the first-floor rear of the existing properties in New King's Road the proposed development would not result in any infringements.

4.70 In respect of the approved buildings on the Harley Davidson site (14m to the west) and the National Grid site (between 13m and 18m the south), on site judgement is the determining factor. Officers consider that the proposed development would be maintain a satisfactory sense of openness and no closer than other similar schemes within an urban context. The proposed siting and reduced massing of the top floors would not have an overbearing effect.

4.71 Officers conclude that the development would not give rise to unacceptable levels of loss of outlook and sense of enclosure and therefore complies with SPD Key Principle HS6.

Daylight, Sunlight, and Overshadowing:

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

Daylight

4.73 The BRE Guidance sets out three different methods of assessing daylight to or within a room, the Vertical Sky Component (VSC) method, the plotting of the no-sky-line (NSL) method and the Average Daylight Factor (ADF) method.

4.74 The VSC method measures the amount of sky that can be seen from the centre of an existing window and compares it to the amount of sky that would still be capable of being seen from that same position following the erection of a new building. The measurements assess the amount of sky that can be seen by converting it into a percentage. An unobstructed window will achieve a maximum level of 40% VSC. The BRE guide advises that if the VSC is greater than 27% then enough skylight should still be reaching the window of the existing window. If the VSC is both less than 27% and less than 80% of its former value, occupants of the existing building will notice the reduction in the amount of skylight. However the Guidance makes clear that these values are advisory and para 2.2.1 states that 'Different criteria may be used based on the requirements for daylighting in an area viewed against other site layout constraints. Another important issue is whether the existing building is itself a good neighbour, standing a reasonable distance from the boundary and taking no more than its fair share of light.'

4.75 In total, 110 windows relating to 23 properties in Cambria Street, and Michael Road have been assessed. Overall there are 9 windows relating to 4 properties in Cambria Street (Nos 4, 6, 8 and 10) and 1 property in King's Road (No.597) that would have a VSC that is both less than 27% and less than 80%.

4.76 In respect of 597 King's Road, the land levels change from three storeys at the front to four storeys at the rear facing Block A. In common with many of the properties in the remainder of that terrace, the rear of this dual aspect property has been extended rearward. The existing first floor rear extension at No.597 was granted in 2017, as part

of a change of use to residential, measures some 5.5m deep and is positioned just set 2.4m off the rear boundary. This unusually large extension which includes a very large patio style window serving a bedroom is much closer to and almost up against the site boundary. Officers consider that the first-floor extension takes advantage of the low rise commercial development at the rear of the site. In this case, although the resulting 21% VSC is less than the target of 27% and 61.2% of its former value, it is a material consideration whether the existing building at No. 597 is itself a neighbourly, because the first-floor rear extension is not a reasonable distance from the boundary and takes no more than its fair share of light.

4.77 The properties in Cambria Street have also been extended rearward, notably at ground floor level and the resulting footprint is closer to the rear boundary with the application site. The VSC impact for each of the 4 affected properties is considered below: -

At No. 4, the single storey 3.3m deep extension includes 6 patio windows which serve the same living room area. Of the 6 windows, 4 meet the VSC target and although 2 windows fall below 27% VSC, they would only marginally be less than the target 80% (78.1% and 79.9%) of their former VSC values. Given there are several windows serving the same room and most of those windows meet the VSC and level of infringement is likely to be imperceptible, officers consider that the affected room would receive satisfactory daylight.

At No. 6, the single storey 3.5m deep extension includes 2 large patio windows across the whole width of the property which serve the same room. The windows would fall below the VSC target and be less than 80% (70% and 69.5%) of their former VSC values. Officers consider that these technical infringements are modest.

At No.8, the single storey 2m deep rear extension includes a large patio window which serves the same room. The window is divided into 3 parts and 2 of these windows meet the target VSC. Although 1 window falls below the VSC target and be less than 80% (69%) of its former VSC value, officers consider that the affected room would still receive adequate daylight from an existing additional rooflight.

At No.10, there are large single storey extensions that extend to the rear boundary. Unlike the extensions at Nos 4, 6 and 8, there is no planning history for these extensions which are not policy compliant (more than 3.5m deep; within 4m of the rear boundary and cover more than 50% of the garden). The rear-most extension includes 2 windows and these meet the VSC target. The extension closest to the main house includes 4 windows in its side and rear elevations and a roof light. In total, 3 of the 5 windows serving that extension would be less than the VSC 27% target and less than 80% of former values (67.3% 67%, 66.4%). The two 'side' windows in the extension next to the main house are already heavily obstructed by the existing extension at No.8 and the party boundary - while one of these windows would not meet the VSC target the other is above target. The two rear windows in that same extension, would both fall below target. However, the roof light would retain 60% VSC and 90% of its former value and would continue to provide additional light. Whilst the resulting VSC assessment demonstrates some infringements, officers consider that as the existing extensions are collectively oversized, not set back a reasonable distance from the application boundary and they take more than their fair share of light.

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

4.79 Two rooms including habitable areas at 599 King's Road (second floor) and 8 Cambria Street (third floor bedroom) would receive direct daylight of less than 80% (62.4% and 77% respectively) of their former values. Officers consider that the impact on the bedroom of 8 Cambria Street is minor and of less material significance. Overall, the reduction in NSL to No 599 King's Road when considered against the wider benefits of the scheme is considered modest. Given that the BRE advises that their guidance be applied flexibly, the reduced distribution of daylight to No.599 King's Road is acceptable within an urban setting.

4.80 The Average Daylight Factor (ADF) involves values for the transparency of the glass, the net glazed area of the window, the total area of room surfaces, their colour reflectance and the angle of visible sky measured from the centre of the window. This is a method that measures the general illumination from skylight and considers the size and number of windows, room size, room qualities and room use. The BRE test recommends an ADF of 5% for a well day lit space or 2% for a partly day lit space. The minimum standards for ADF recommended by the BRE for individual rooms are 2% for kitchens, 1.5% for living rooms and 1% for bedrooms.

4.81 Although the applicants have provided an assessment of ADF for both the proposed and existing residential dwellings the BRE Report (Appendix F) states that 'Use of the ADF for loss of light to existing buildings is not generally recommended'.

## Sunlight

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



4.83 Only 2 rooms would have a reduction of APSH of more than 20% - the first-floor rear bedroom at No. 597 Kings Road (39.4%) and habitable ground floor area at No.6 Cambria Street (22.1%). As set out in previous paragraphs 4.76 and 4.77 above, these properties have been extended rearward. In respect of No.597 King's Road which receives the greatest loss, officers consider that as the existing extensions are not set back at a reasonable distance from the application boundary they take more than its fair share of light. The loss of light to No 6 Cambria Street is very modest.

#### Overshadowing

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

4.85 In total 7 rear gardens in Cambria Street (Nos 2 to 14) and 2 roof terraces in King's Road (Nos 587 and 589) have been assessed for overshadowing. Except for one property all the gardens/ roof terraces are comfortably within the 20% threshold. At 10 Cambria Street, the rear garden would experience a reduction of 83.6%. As noted in paragraph 4.77 above, there is no planning history for the existing ground floor rear extensions which are not policy compliant. Officers consider that as the existing extensions are not set back a reasonable distance from the application boundary they take more than their fair share of light.

4.86 Overall, in terms of daylight, sunlight and overshadowing officers note that there are a few technical infringements and where these occur most of these are modest. On balance, considering the constraints of the site within this urban location, the proposal is satisfactory in terms of its impact on daylight, sunlight and overshadowing to neighbouring residential properties.

#### Privacy:

4.87 SPD Key Principle HS7 (iii) states that new windows should be positioned at least 18 metres from existing habitable room windows to ensure no loss of privacy. If the standard cannot be met, then windows should be designed to ensure that no loss of privacy will occur.

4.88 The north-west elevations of Blocks A and B would include windows which facing opposing habitable rooms at the rear of King's Road (between 11m-12m away). To the north east the and these would be obscured glazed to prevent overlooking between the properties. The north-east elevations of Blocks A and B would have access walkways facing habitable rooms in the rear of Cambria Street (8m-13m away). These proposed northern elevations will include a mixture of obscure glass and 1.8m high to prevent overlooking - Condition 30 will secure these details. Any windows facing Cambria Street will and the adjacent Harley Davidson Site be positioned more than 18 metres away from existing habitable rooms. The proposals would mirror the line of residential buildings on National Grid site on the opposite side of Michael Road. The proposal accords with SPD Key Principle HS7(iii).

#### Terraces/Balconies:

4.89 SPD Key Principle HS8 states that planning permission will not be granted for roof terraces or balconies if the use of the terrace or balcony is likely to cause harm to the existing amenities of neighbouring occupiers by reasons of noise and nuisance.

4.90 The proposal incorporates a total of 36 balconies (one for each flat) and three external walkways at second, third and fourth floor levels to the north-east elevation of Building B. It is difficult to predict with any accuracy the likely level of noise/disturbance that would be generated using the terraces, however apart from the family units, the proposed terraces measure 5sqm - 6.6 sqm. The larger family roof terraces will be located on the roof of Block A. Given the relatively small size of most of the terraces and the siting of the family units with associated large amenity space at roof level it is not considered to generate unacceptable levels of harm to residential amenity.

#### TRAFFIC GENERATION AND CAR PARKING:

4.91 London Plan Policy 6.1 states that proposals should encourage the reduction in the need to travel, especially by car. Policy 6.11 seeks to smooth traffic flow and tackle congestion. Policy 6.12 states that proposals must demonstrate their impact on the road network and how any dis-benefits will be mitigated.

4.92 Local Plan Policy T2 states that all development will be assessed for their contribution towards traffic generation and their impact on congestion. Transport Assessments together with Travel Plans will be required as well as Delivery and Service Plans.

4.93 The Applicant submitted an Outline Travel Plan for the residential and commercial uses. The Plans provide details regarding cycle parking, electronic vehicle charging, nearest public transport facilities, cycle routes and servicing and delivery. The full details for the Delivery and Servicing to the site will be secured by Condition 35.

#### Car Parking:

4.94 London Plan Policy 6.13 and Local Plan Policy T4 state that proposals in areas with high PTAL 6 should be car-free developments (whilst still providing for disabled people).

4.95 The proposal includes 24 car parking spaces and 13 of these will be returned to the occupiers of the King's Road properties who have an existing access and servicing arrangement. The other 11 spaces will be for the proposed development, of which 4 are disabled spaces, 3 would be for the family units and the remaining 4 (11%) would be spread across the development.

4.96 The development will be car-parking permit free, meaning that occupiers of the development will not be issued with parking permits to park on the neighbouring streets. The proposal will therefore have little impact on existing parking stress within the local area and the proposal will be in general accordance with Local Plan Policy T4 and London Plan Policy 6.13. A car park management plan will be secured by Condition 36.

## Cycling:

4.97 London Plan Policy 6.9 (cycling) states that developments should provide secure, integrated, convenient and accessible cycle parking facilities in line with the minimum standards set out in Table 6.3 of the London Cycle Design Standards.

4.98 Local Plan Policy T2 states borough wide targets are to develop and promote a safe environment for cyclists 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.

4.99 The proposals include 112 cycle parking spaces for the application. In total 98 would be in Block B's basement - 66 would be for residential and 32 for commercial. In addition, 14 cycle spaces would be provided by way of Sheffield bike stands located at ground floor level. The cycle parking provision is secured by Condition 33. This is compliant with the London Plan and Local Plan policies and the guidance set within the West London Cycle Parking Guidance.

## Servicing and Delivery:

4.100 London Plan Policy 5.16 seeks to minimise waste and exceed recycling levels. Local Plan Policy CC7 seeks for all developments to have suitable facilities for the management of waste generated by the development.

4.101 Adequate commercial and residential refuse storage have been provided within the proposal with clearly defined areas. Condition 35 will ensure that the refuse is stored in accordance with approved details.

4.102 The proposals include a loading bay located between the residential and commercial entrances to the building. The loading bay will be used to service the commercial elevations of the scheme and can be used for deliveries to the residential units. These details would be secured by Condition 35.

## ENVIRONMENTAL QUALITY:

### Flood Risk and Sustainable Drainage Systems (SUDs)

4.103 London Plan Policies 5.11, 5.12, 5.13, 5.14 and 5.15 requires new development to comply with flood risk assessment and management requirements of National Policy, including the incorporation of sustainable urban drainage systems, and specifies a drainage hierarchy for new development. Local Plan Policy CC3 and CC4 state that developments will be required to submit Flood Risk Assessments and Sustainable Drainage Strategies which demonstrate the reduction in the use of water and management of surface water run-off.

4.104 The site is located within the Environment Agency's Flood Zone 3 which indicates that the site would be at risk if there was a breach in the Thames Tidal defences. However, the existing Thames Tidal flood defences provide a high standard of protection up to a 1 in 1000 (0.1%) chance in any year.

4.105 A Flood Risk Assessment (FRA) has been submitted with the application. The FRA states that the new development will incorporate basement waterproofing and sewer flood protection measures, the Council's Environmental Policy Team are satisfied with the details and which would be secured by Condition 38.

4.106 In terms of managing surface water run-off from the site, the proposed development would increase the amount of permeable surface within the site through the introduction of soft landscaped areas and permeable hard surfaces. Further details regarding the full range of SUDS measures, including a green roof, if shown to be feasible, confirmation of final discharge of surface water from the site and attenuation levels and maintenance arrangements will need to be secured by Condition 37.

#### Energy Assessment:

4.107 London Plan Policy 5.3 states that major developments should meet the minimum standards for sustainable design and construction. Local Plan Policy CC1 and London Plan Policy 5.2 (Minimising Carbon Dioxide Emissions) states that the Mayor will work with boroughs and developers to ensure that major developments meet targets for CO2 emissions reductions in new buildings.

4.108 An Energy Assessment has been provided which shows that the energy efficiency and low/zero carbon technologies are planned for the site to help reduce energy use and minimise CO2 emissions. The non-residential aspects of the development meet the minimum requirement of 35% reduction in CO2 emissions, in line with The London Plan CO2 targets. In respect of the residential use, the London Plan has a zero-carbon target for major new development. In this case, the residential flats achieve 35% reduction and therefore falls short. The applicant has agreed to a payment in lieu of £55,001 to mitigate the residential shortfall. Overall, the reductions in CO2 would be secured by Condition 39 and a legal agreement.

#### Sustainability:

4.109 A Sustainability Statement, which has been submitted with the application. The Statement shows that the sustainable design and construction measures for the proposed buildings will meet the "Very Good" BREEAM rating. The proposals meet the requirements of Local Plan Policy CC2 and London Plan Policy 5.3 on Sustainable Design and Construction, which applies to both the residential and non-residential elements of the development.

4.110 Further details for the implementation of the sustainable design and construction measures are required regarding the submission of a post construction BREEAM assessment, to confirm achievement of the "Very Good" rating and confirmation of the implementation of the residential measures will be secured by Condition 40.

#### Air Quality:

4.111 The London Plan Policy 7.14 and Local Plan Policy CC10 seeks to reduce the potential adverse air quality impacts of new developments. Mitigation measures to reduce emissions and exposure to poor air quality must be taken. The Council's Environmental Quality Team have considered to the application proposal and raise no objections subject to Conditions 21 to 24, relating to air quality, namely with regard to

compliance with emissions standards, low emissions strategy, mechanical ventilation and dust management.

Contamination:

4.112 London Plan Policy 5.21 and Local Plan Policy CC9 states that Council will support the remediation of contaminated land and that it will take measures to minimise the potential harm of contaminated sites, to ensure that mitigation measures are put in place. A Desk Study and Phase 1 Ground Investigation Report was submitted with the application and has been reviewed by the Council's Land Contamination Team. Subject to Conditions 42 to 47, the proposals are considered satisfactory.

## 5.0 COMMUNITY INFRASTRUCTURE LEVY

Mayoral CIL

5.1 Mayoral CIL came into effect in April 2012 and is a material consideration to which regard must be had when determining this planning application. This development will be subject to a London-wide community infrastructure levy. An estimate of £241,122 based on the additional floorspace has been calculated. This will contribute towards the funding of Crossrail, and further details are available via the GLA website at [www.london.gov.uk](http://www.london.gov.uk). The GLA expect the Council as the collecting authority to secure the levy in accordance with London Plan Policy 8.3.

Local CIL:

5.2 The Council has also set a CIL charge. The Council's Community Infrastructure Levy (CIL) is also a charge levied on the net increase in floorspace arising from the development, to fund infrastructure needed to support development in the area. The Council's CIL runs alongside Section 106 Agreements (s106) which will be scaled back but will continue to operate. The CIL Charging Schedule was presented to Council and approved on 20th May 2015 and formally took effect on 1st September 2015. An estimate of £1,093,700 based on the additional floorspace has been calculated.

## 6.0 PLANNING OBLIGATIONS:

6.1 The London Plan Policy 8.2 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.

6.2 In the event that planning permission were to be acceptable, the applicant would be required to enter into a legal agreement. The Legal Agreement will include the following clauses:

- (1) Affordable Housing - 13 (36%) shared ownership affordable units.
- (2) £55,001 payment in lieu contribution towards the zero-carbon emission target for the residential use.
- (3) Contribution to economic development (£20,875) including the following:  
Construction phase (£17,500)
  - £17,500 contribution for employment and skills of

- 2 paid and 2 unpaid construction placements
- 1 apprenticeship
- 10% local labour

Financial Operational phase (£3,375)

- 10% local procurement

(4) On-street car parking permit-free development

(5) Developer to pay for Highway Works comprising:

(i) Footway Paving

(6) Flexible B1 Office Space

## 7.0 CONCLUSION:

7.1 The proposed development would create a well-designed mixed-use residential scheme that has been designed to complement the character and appearance of the locality and adjacent conservation area. The proposal would improve the existing site and the surrounding area and would result in an acceptable impact on the living conditions of neighbouring residential properties. The cumulative impact of the development, subject to conditions would not have a significant impact on the highway, parking, or environment and as such the proposal is in accordance with relevant national guidance, London Plan (2016) policies, the Hammersmith and Fulham Local Plan (2018) and Supplementary Planning Guidance Supplementary Planning Document (2018).

## 8.0 RECOMMENDATION:

8.1 Grant planning permission subject to conditions and the completion of a satisfactory legal agreement